

City of Lacombe  
Bylaw 441

**A Bylaw of the City of Lacombe, in the Province of Alberta (hereinafter referred to as “the Municipality”), to adopt the City of Lacombe and Lacombe County Intermunicipal Development Plan**

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000, c M-26, a municipality shall adopt an intermunicipal development plan; and

WHEREAS, Notice of the intention of Council to pass a bylaw has been published in the Lacombe Express on May 4, 2017 and May 11, 2017 in accordance with section 606 of the Municipal Government Act; and

WHEREAS, a Public Hearing was held on May 16, 2017 to allow the general public to provide input into the proposed Bylaw;

NOW THEREFORE, the Council of the City of Lacombe, duly assembled hereby enacts as follows:

**1. BYLAW TITLE**

1.1. The bylaw shall be referred to as the “Intermunicipal Development Plan” Bylaw.

**2. INTERMUNICIPAL DEVELOPMENT PLAN**

2.1. The Intermunicipal Development Plan attached as “Schedule A” and forming a part of this bylaw is hereby adopted.

**3. EFFECTIVE DATE**

3.1. This bylaw shall come into force and effect when it receives third reading and is duly signed.

**4. SEVERABILITY**

4.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

**5. REPEAL OF BYLAW 174**

5.1. Bylaw 174 and any amendments thereto, are hereby repealed.

INTRODUCED AND GIVEN FIRST READING THIS 24 day of April, 2017.

GIVEN SECOND READING THIS 12th day of June, 2017.

GIVEN THIRD AND FINAL READING THIS 12th day of June, 2017.

\_\_\_\_\_  
Mayor

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

City of Lacombe Bylaw 441  
Schedule A

# Intermunicipal Development Plan



LACOMBE  
COUNTY

CITY OF  
LACOMBE

2017



Prepared for:  
City of Lacombe and Lacombe County

Prepared by:  
Stantec Consulting Ltd.

**Final Draft**

April, 2017

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## Acronyms

(Referenced within the document)

**ABADATA** - Abacus Datagraphics Website

**ACT** - Alberta Culture and Tourism

**AEP** - Alberta Environment and Parks

**AER** - Alberta Energy Regulator

**AGRASID** - Agricultural Regions of Alberta  
Soil Inventory Database

**ALSA** - Alberta Land Stewardship Act

**AOPA** - Agriculture Operations and  
Practices Act

**ARP** - Area Redevelopment Plan

**ASP** - Area Structure Plan

**AT** - Alberta Transportation

**CAO** - Chief Administrative Officer

**CFO** - Confined Feeding Operation

**DA** - Development Authority

**DLS** - Dominion Lands Survey

**ER** - Environmental Reserve

**ERCB** - Energy Resources Conservation  
Board

**ERE** - Environmental Reserve Easement

**FWMIS** - Fisheries and Wildlife Management  
Information System

**HRIA** - Historical Resources Impact  
Assessment

**IDP** - Intermunicipal Development Plan

**IDPC** - Intermunicipal Development Plan  
Committee

**JEA** - Joint Economic Area

**LUB** - Land Use Bylaw

**LUF** - Land Use Framework

**MDP** - Municipal Development Plan

**MDS** - Minimum Distance Separation

**MGA** - Municipal Government Act

**MGB** - Municipal Government Board

**MR** - Municipal Reserve

**NSMP** - Natural Spaces Management Plan

**NRCB** - Natural Resources Conservation  
Board

**NRDRWSC** - North Red Deer Regional Water  
Services Commission

**NRDRWWSC** - North Red Deer Regional  
Wastewater Service Commission

**OP** - Outline Plan

**PUL** - Public Utility Lot

**PVR** - Pressure Reducing Valve

**SRI** - Soil Resource Information

**SWMF** - Storm Water Management Facility

**TMP** - Transportation Master Plan



# CITY OF LACOMBE/LACOMBE COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

## INTRODUCTION

### 1.0 INTRODUCTION

Lacombe County and the City of Lacombe have many reasons to be excited about the future. Historically, the Lacombe area served as a stopping point between Edmonton and Calgary, with Lacombe's first resident, Ed Barnett, building a Stopping House in 1883, and the Calgary and Edmonton Railway (C&ER) establishing a stop at Lacombe in 1891. Today the Lacombe area has transformed into a destination for residents and businesses alike. The City has evolved from a village, to a town, to an important regional centre with a population of over 12,500.

Part of this transformation is due to the number of assets the City and County possess. The area has a strong and diversified economic base, led by significant agricultural industry. The Federal and Provincial Agricultural Research Facilities, , complement the surrounding agricultural activity, conducting leading edge research in field crops and livestock production, and providing local employment. The Joffre and Prentiss petrochemical complexes provide employment opportunities in the oil and gas industry. Burman University offers post-secondary education for the emerging knowledge economy.

The area's proximity to three high-volume highways (the Queen Elizabeth II, Highway 2A, and Highway 12) translates into well-positioned industrial and commercial lands, adding to the economic activity of the area. The City boasts a historic downtown, rich in cultural heritage, which continues to experience new development. Finally, the region features multiple lakes, natural areas, and an extensive trail network, ideal for tourism and recreation. In short, the region offers a high quality of life and a healthy, vibrant place to live and work.

The Calgary-Edmonton corridor is one of the fastest growing regions in Canada and the City is sharing in this population boom, growing nearly 9% in just three years from 2011 to 2014. The City's 2015 Municipal Development Plan (MDP) projects an annual growth rate of 1.5% to 3.5%. By 2036, the City's population could range from over 17,000 to over 27,000, with an additional 2,735 to 6,774 new housing units. While this growth is exciting and brings many benefits to both the City and the County, deciding where to accommodate this growth and how to coordinate development between two municipalities can be challenging.

There are also opportunities and considerations for the County lands proximate to the City of Lacombe, given the projected growth. The intersection of Highway 2 and Highway 12, while important to the County's economic growth and diversity, presents the greatest development pressures for the County. The County MDP identifies the areas west of Lacombe as future commercial and industrial land. Although the County is dedicated to supporting agricultural viability, the Highway 2 corridor at the Highway 12 interchange is an opportunity to expand its commercial and industrial tax base, ensuring economic sustainability in the future.

In the County's MDP, 2007 (updated 2013), regional cooperation expert William R. Dodge, is quoted, "that regions that work together become places that attract families and businesses". The County and the City have a history of intermunicipal cooperation, evident in the past

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### INTRODUCTION

versions of the Intermunicipal Development Plan (IDP), the Highway 2 West Area Structure Plan (ASP), the Highway 2A Urban Corridor ASP and a Joint Economic Agreement for revenue sharing of commercial lands west of the City of Lacombe. Continued cooperation is needed to accommodate the Lacombe region's growing population, to provide a framework for future development of long term growth areas, and to establish an annexation process, setting a smooth course towards a promising future for both municipalities.

When looking at the potential growth areas for the Lacombe region, there are several development constraints that must be considered:

- While highways and railways provide important transportation corridors, they present connectivity and development challenges.
- Gas pipelines and power and communication rights-of-way must feature in development considerations.
- Alberta Environment and Parks (AEP) requires a 300m development setback from Lacombe's former landfill site.
- Development around the Lacombe Airport must comply with several restrictive regulations pertaining to the safe operation of the airport.
- Local lakes, natural areas, as well as the Wolf Creek and Whelp Brook floodplains can limit development.
- The future needs of Burman University must be considered.
- The Agricultural Research Facilities, while providing significant local employment, present barriers to growth because of Provincial and Federal ownership.
- Confined feeding operations require appropriate separation distances from adjacent uses and development.
- Gravel extraction locations may deter urban development until such time as the operation has ceased and the site has been reclaimed.
- Existing uses may have setbacks that have been grandfathered , but would not currently be considered appropriate proximate to an urban area.
- Uses which emit smoke, odour, noise, or light pollution may be considered incompatible adjacent to an urban area.

Where there are challenges, there are also opportunities. The previous IDP identified the Northwest Long Term Growth Area and the Southeast Long Term Growth Area within the County. The City has also prepared North, West, and Southeast ASPs, along with a Southeast Expansion Area Engineering Servicing Report. The areas west of the QE2 Highway present exciting opportunities for growth. As the Calgary-Edmonton corridor continues to grow, exposure along both sides of the Highway can benefit commercial and industrial development, while the proximity to a major transportation corridor can also be a boon to residential growth. The new IDP will explore western expansion and help identify other future growth areas.

The number and types of land uses within the new IDP must be grounded in market demand and growth forecasts. Based on the 2010 growth study, the City's MDP provides for land needs

## CITY OF LACOMBE/LACOMBE COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

### INTRODUCTION

within the City's current boundaries until 2036. Using the highest projected level of future growth, the growth study suggests the City has enough land for the next ten years but will need land for housing in the next 20 years. The City should plan for an additional 20 to 60 ha (49 to 148 ac) of commercial land and 78 ha (193 ac) of industrial land, although there is an adequate supply of industrial land within current plans to accommodate this demand. Mixed use and other innovative forms of development should also be considered. The growth forecasts and land needs will be the basis for determining land uses within the long term growth areas. By identifying these growth areas, the City can accommodate future growth and a healthy land use mix, while the County can ensure that development in the fringe areas is compatible with future uses.

Given the City's recently updated MDP and the County's upcoming 2017 MDP update, coupled with the area's sustained growth and changes to provincial legislation and development regulations, now is the perfect time to update the IDP. A comprehensive IDP, built on a solid partnership between the City and the County, can strengthen the local economy and continue to support the region's vibrancy through collaborative governance.



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INTERMUNICIPAL DEVELOPMENT PLAN**

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**CITY OF LACOMBE/LACOMBE COUNTY  
INTERMUNICIPAL DEVELOPMENT PLAN**

PURPOSE OF THE PLAN

## **2.0 PURPOSE OF THE PLAN**

This IDP is a cooperative planning initiative between the City and the County to ensure that land use decisions within the IDP plan area are thoughtfully considered and support the long-term interests of both municipalities. The IDP also provides land use and development certainty for land owners within the Plan boundary (refer to **Map 1 - IDP Boundary**)

This IDP provides high level policy direction that ensures development and growth are undertaken in a sustainable and responsible manner. This plan will provide the City and the County with a comprehensive mutually beneficial land use plan that provides a framework for long term growth and development while reducing the potential for conflict between the two municipalities. The Plan provides for more detailed policy in identified future growth areas, reflecting the development pressures and challenges for those lands immediately adjacent the City boundary. The City's growth projections identify that there is enough land within the City boundaries for all growth projected until 2036. However, development within the identified future growth areas must ensure that future expansion of the City into these areas is not compromised.

### **2.1 Legislative Authority**

This IDP has been prepared under the legislative authority prescribed in Section 631 of the *Municipal Government Act (MGA)*. The MGA states that two or more municipal councils may, by each passing a Bylaw, adopt an IDP to include those areas of land lying within the boundaries of the municipalities as they consider necessary. The content of an IDP is detailed as follows:

Section 631 (2) of the MGA states that an IDP:

- 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;

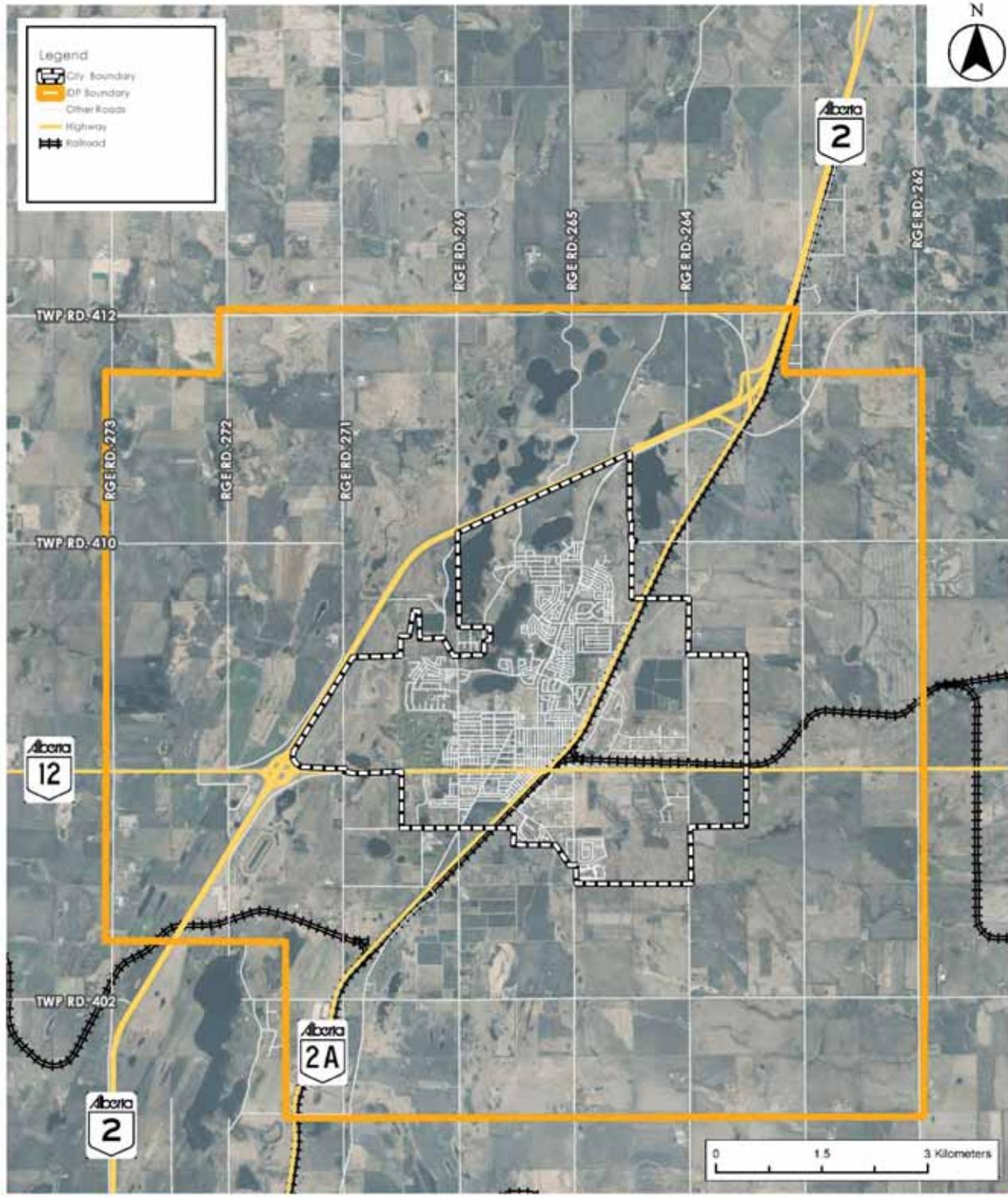
and

- 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.

CITY OF LACOMBE/LACOMBE COUNTY  
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PURPOSE OF THE PLAN

Map 1 - IDP Boundary



# CITY OF LACOMBE/LACOMBE COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

## PURPOSE OF THE PLAN

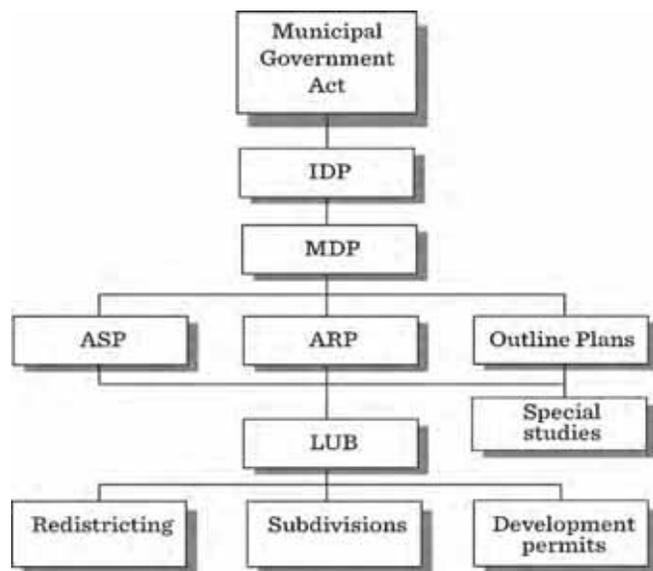
The IDP must also meet the requirements of the Provincial Land Use Policies to encourage cooperative approaches to managing growth and development.

*“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”.<sup>1</sup>*

## 2.2 Role of the IDP and the Hierarchy of Planning Documents

All municipal planning documents must comply with the requirements and regulations detailed in the MGA. The MGA also stipulates the requirements and authority of the hierarchy of planning documents that guide municipal planning and development in Alberta (refer to **Figure 1 – Hierarchy of Planning Documents**). These documents provide a framework for land use and development decisions for all municipalities within the province.

The IDP, being prepared cooperatively and adopted by Bylaw by each of the participating municipalities, is a high level statutory land use planning document. MDPs and ASPs provide more detailed and specific policy guidance for decisions on land use and development within their respective municipality. The IDP, MDP, and ASPs must be consistent with one another. The policy direction outlined in these statutory plans informs the regulations and rules regarding appropriate land uses, subdivision and development criteria detailed in the Land Use Bylaw (LUB) of each municipality.



**Figure 1 – Hierarchy of Planning Documents**

The IDP provides high level policy direction, but defers to the more detailed statutory plans and policies where those exist. The IDP includes policies for coordinating development adjacent to the boundaries between the two municipalities, acknowledging the City's growth aspirations and long term expansion into parts of the County, as well as for the coordination of planning, infrastructure, and services for the Joint Economic Area adjacent to Highway 2.

A fundamental component of this IDP is the establishment of development referral and communication protocols to ensure that land use decisions within the IDP boundary are consistent with the agreed upon policy direction of this IDP.

<sup>1</sup> Alberta Municipal Affairs, Land Use Policies pursuant to section 622 of the *Municipal Government Act*, November 6, 1996

CITY OF LACOMBE/LACOMBE COUNTY  
INTERMUNICIPAL DEVELOPMENT PLAN

PURPOSE OF THE PLAN



## 3.0 PLANNING PROCESS

Members from both City of Lacombe and Lacombe County Council's collaboratively oversaw the development of the IDP.

### 3.1 Intermunicipal Development Plan Committee

The Intermunicipal Development Plan Committee (IDPC) was comprised of two elected officials, and the Chief Administrative Officers (CAO) from each municipality, supported by administrative staff. The composition of the IDP Committee is detailed below:

#### Lacombe County

Paula Law, Reeve

Ken Wigmore, Councillor

Terry Hager, County Commissioner (non-voting)

#### City of Lacombe

Grant Harder, Councillor

Wayne Armishaw, Councillor

Norma MacQuarrie, CAO (non-voting)

The IDPC reviewed the progress of the IDP's development, the background and context information, and the land use concepts as they were being developed. The committee had to ensure there was agreement on how future growth within the IDP boundary should be managed and developed, to ensure development would not compromise future incorporation of these lands into the City or cause conflict with adjacent uses. The committee provided guidance and direction as well as valuable insight into the development of the IDP.

### 3.2 Public Involvement

The IDP planning process included consultation and engagement opportunities with the community at large. Public support for the IDP is essential to its long-term success.

#### Engagement Event # 1 – Identify Opportunities/Constraints – November 10, 2015

Approximately 105 people attended the public open house which was held November 10, 2015 at the Lacombe Memorial Centre. The purpose of the meeting was to introduce the project and get public feedback on the development constraints and opportunities that were identified, as well as identify any issues or concerns relating to the development of the IDP.

#### Engagement Event #2 – Presenting the Draft Plan – February 28, 2017.

113 people signed in to the Open House and were invited to comment of the draft IDP policies.

**Statutory Public Hearing** – As required by the *Municipal Government Act*, a statutory public hearing must be held prior to 3<sup>rd</sup> reading of the IDP bylaw by both municipal councils. The public hearing provides stakeholders and interested public the opportunity to comment on the IDP prior to the vote by the municipal councils to adopt the IDP bylaw.

### 3.3 IDP Development

The following questions were used to guide the development of the IDP:

**Where are we now?** Understanding the current reality (municipal policies; infrastructure; transportation and land use; natural and man-made constraints; and economic development), provides answers to this question and establishes the baseline and context to inform the development of a shared development strategy for the IDP.

**Where are we going?** Defining the principles and objectives for the shared development strategy for the IDP provides the opportunity to identify the interrelationships between the municipalities, stakeholders, the community, the environment, and helps determine the desired outcomes of the plan.

**How will we get there?** By asking this question, key policy statements can be identified. These policy statements, guided by public and stakeholder engagement, experience, and best practices are intended to fill the gaps between the current state and the desired future for the IDP lands.



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### **3.4 Basis of the Plan**

This IDP represents an agreement between the County and the City that the planning of the area around the City within the identified IDP boundary must be coordinated. The coordination is necessitated by:

- 1) City growth, which in the long term will require the development of land presently in the County.
- 2) The importance of the Federal and Provincial Agricultural Research Facilities and Burman University, which are major landowners and employers and important to the area's economy, must not be compromised by the pressures arising from the City's growth.
- 3) Physical features and constraints, which will affect development within both municipalities and which require a common approach to ensure continuity or compatibility. These include:
  - a) Wolf Creek and Whelp Brook,
  - b) Barnett, Cranna, Anne and Elizabeth Lakes, Henner's Pond other wetlands and creeks and their shore lands,
  - c) steep slopes,
  - d) the reclaimed Lacombe landfill, and
  - e) the City's wastewater capacity.
- 4) The need to avoid conflicts between existing and future land uses and to ensure efficiency and continuity in the development of roads and municipal utility systems.
- 5) The protection of agricultural land from premature fragmentation and incompatible development.

Policies have been developed throughout this document to direct future consideration of these issues.

### **3.5 Plan Boundary**

The area influenced by this IDP is shown on **Map 1 - IDP Boundary**.

### **3.6 IDP Principles**

The IDP was prepared acknowledging the following principles:

- 1) Maintain positive and mutually beneficial relationship between municipalities.

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- 2) Reduce potential conflicts and encourage dialogue to understand the needs, desires, and aspirations of both communities.
- 3) Confirm and support the continued future growth of the City, including allowing the efficient expansion of the City.
- 4) Promote and safeguard rural land uses and agriculture by maintaining areas for their continued use.
- 5) Support mutually beneficial coordination and delivery of infrastructure and services that provide economic development and growth for the two municipalities.
- 6) Maintain continued support for the Federal and Provincial Agricultural Research Facilities and Burman University.

### **3.7 IDP Objectives**

The objectives of the IDP are to:

- 1) Identify future growth areas and potential land uses adjacent to the City and establish policies to guide decisions on those lands.
- 2) Accommodate urban growth and rural development within the Plan area in a manner which is mutually acceptable, orderly, and efficient.
- 3) Provide for commercial and industrial development in the identified Joint Economic Area within the County along Queen Elizabeth II Highway and jointly support the provision of public water and wastewater services to these lands.
- 4) Identify the transportation and municipal utility systems required to serve the IDP area as well as the level of service to be provided.
- 5) Protect the natural environment and ensure that its resources are used in a sensitive manner.
- 6) Respect required development setbacks from well sites, confined feeding operations, airports, and landfills.
- 7) Affirm a mutual consultative approach with respect to implementation and administration of the IDP.

### 3.8 Interpretation

The IDP policies contain “shall”, “must”, “will”, “should” and “may” statements.

- **“Shall”, “must”, “will”** mean, within the context of policy, the action is mandatory and must be followed.
- **“Should”** means, within the context of policy, that the action is strongly encouraged but the IDPC has some discretion based on the circumstances of the specific case being presented.
- **“May”** policies indicate that the IDPC determines the level of compliance that is required.

This document is structured so that the policies are numbered and reflect the sections they relate to. General policies for the entire IDP area come first and are followed by specific policies for particular areas. The policies for specific areas supersede the general policies unless otherwise indicated. Policy must be implemented as directed. Only an amendment to the IDP as outlined in **Section 7.0** can change the interpretation of a policy from “shall” to “should” or “may”. The interpretive clauses within explanatory statements have the same intent as those stated in policies.



Maps within this IDP are conceptual and should not be used to determine precise locations or boundaries. Additional studies and surveys will be required to do so.

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CONSTRAINTS

## 4.0 CONSTRAINTS

The IDP area encompasses approximately 12,377 ha (30,584 ac) of land. Of that the City occupies approximately 2,182 ha (5,392 ac) and provides urban development and services for the greater area. County lands consist primarily of agricultural holdings with some commercial development adjacent to the QEII highway. Burman University within the City boundary and the Federal and Provincial Agricultural Research Facilities within the County occupy significant land holdings within the Plan boundary.

The Plan area has a number of physical constraints both naturally occurring and man-made which influence and impact where development can occur. Many of these constraints are identified on **Map 2 - Existing Conditions and Development Constraints**

### Hydrology

The major drainage courses occurring within the Lacombe IDP area include Whelp Brook and Wolf Creek. Both creeks are tributaries of Battle River. Whelp Brook historically extends from Lacombe Lake and meanders northeast. Wolf Creek extends from the southeast Lacombe area towards the northeast. Whelp Brook and Wolf Creek join northeast of Lacombe and eventually enter Battle River. In addition to the drainage channels, many wetlands and waterbodies are located within the Lacombe IDP area. At the time of development these wetlands and waterbodies will need to be assessed and classified using the Wetland Assessment protocol outlined by Albert Environment.

In 1996 flood hazard areas associated with Wolf Creek and an unnamed tributary were identified by the Government of Alberta. The Wolf Creek flood hazard area extends along the Highway 2A alignment on the west side of the City. Flooding typically occurs from spring runoff (March to April) or from heavy rainfall events (June/July)<sup>2</sup>.

The flood hazard area consists of land designated flood fringe and floodway. The floodway is located in the north portion of the area mapped near Highway 2 and the flood fringe is located in the south portion of the area (refer to **Map 2 - Existing Conditions and Development Constraints**)

### Wetlands

Based on the Alberta Merged Wetland Inventory, wetlands make up 702 ha (1,735 ac) or 6% of the Lacombe IDP area. Wetlands in the Lacombe IDP area include approximately 300 (578 ha (1,428 ac)) marsh and 15 (124 ha (306 ac)) shallow open water types (see **Map 2 - Existing**

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<sup>2</sup> Government of Alberta. 2014. Lacombe – Wolf Creek and Tributary – Flood Hazard Study – Summary of Lacombe Flood Risk Mapping Study (1996). Alberta Environmental Protection, Natural Resources Service, Technical Services and Monitoring Division, River Engineering Branch. Edmonton, Alberta.  
<<http://esrd.alberta.ca/water/programs-and-services/flood-hazard-identification-program/flood-hazard-studies/documents/Lacombe-Wolf.pdf>>

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**Conditions and Development Constraints**). The larger shallow open water wetlands are mainly in the north portion of the Lacombe IDP area or in the City. There is also a large wetland associated with the flood hazard areas. These larger wetlands show a higher permanency in the landscape compared to the smaller marsh wetlands. More detailed mapping is provided for those wetlands in the City and can be found in the City of Lacombe Natural Spaces Management Plan (Stantec, 2002).

The value category D (54%) makes up the highest percentage of the wetlands based on area in the Lacombe IDP area. The remaining wetlands are classified as C (30%) and B (16%), but no value category A wetlands.

The value categories are based on the Alberta Wetland Policy, which rates wetland value using four categories (A, B, C, D). The wetlands with the most value are classed as value category A with decreasing wetland value moving through the categories, with value category D rated the lowest for wetland value. The Alberta Merged Wetland Inventory was not considered an exact measurement of wetlands and future efforts for development should consider desktop mapping and field assessments as needed to verify the value categories for direction on development of the wetlands.

### Environmentally Significant Areas

Environmentally Significant Areas (ESAs) are important for promoting the long-term maintenance and conservation of natural features or processes. They are areas that contain rare or unique elements in the province or include elements that may require special management consideration due to their conservation needs. ESAs are assigned scores based on four criteria (areas with focal species, species groups or their habitats; areas with rare, unique, or focal habitat; areas with ecological integrity; and areas that contribute to water quality and quantity). Each quarter section in Alberta was evaluated for the four criteria and assigned a cumulative ESA score. A cumulative ESA score greater than 0.189 was used to designate areas as ESAs. ESAs do not represent government policy and are not necessarily areas that require legal protection, but instead, their identification on the landscape is intended to be an information tool to inform land use planning and policy at local, regional, and provincial levels<sup>3</sup>. The IDP area contains four quarter sections that are considered ESAs under this framework. The ESAs are identified on **Map 2 - Existing Conditions and Development Constraints**. There are also several ESA-identified quarter sections in proximity to the IDP area.

### Pipelines Well Sites and Facilities

Oil and gas activities adjacent and/or within the Plan area pose a potential environmental risk. These would include former oil and gas well sites, associated facilities, pipelines, spills and

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<sup>3</sup>Fiera Biological Consulting Ltd. 2014. *Environmentally Significant Areas in Alberta: 2014 Update*. Report prepared for the Government of Alberta, Edmonton, Alberta. Fiera Biological Consulting Report Number 1305. Pp. 51.

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required development setbacks. The Lacombe IDP area contains various pipelines, wellsite's and facilities as depicted on **Map 2 - Existing Conditions and Development Constraints**.

**Gravel Pits**

There are several gravel or sand pits operating in the IDP area as shown on **Map 2 - Existing Conditions and Development Constraints**. These resources are important to protect as aggregate is a limited resource. Gravel pits can cause conflicts as they often produce noise, dust and truck traffic. Development setbacks to buffer gravel extraction facilities from other uses and development is therefore an important consideration.

**Agricultural Research Lands**

The Federal and Provincial Agricultural Research lands located south of the City, as identified on **Map 2 - Existing Conditions and Development Constraints**, occupy approximately 875 ha (2,162 ac). These important research facilities provide vital agricultural research and are a major employer in the region. These lands will be maintained for this purpose in the long term and therefore limit expansion opportunities for the City in this area.

**Confined Feeding Operations**

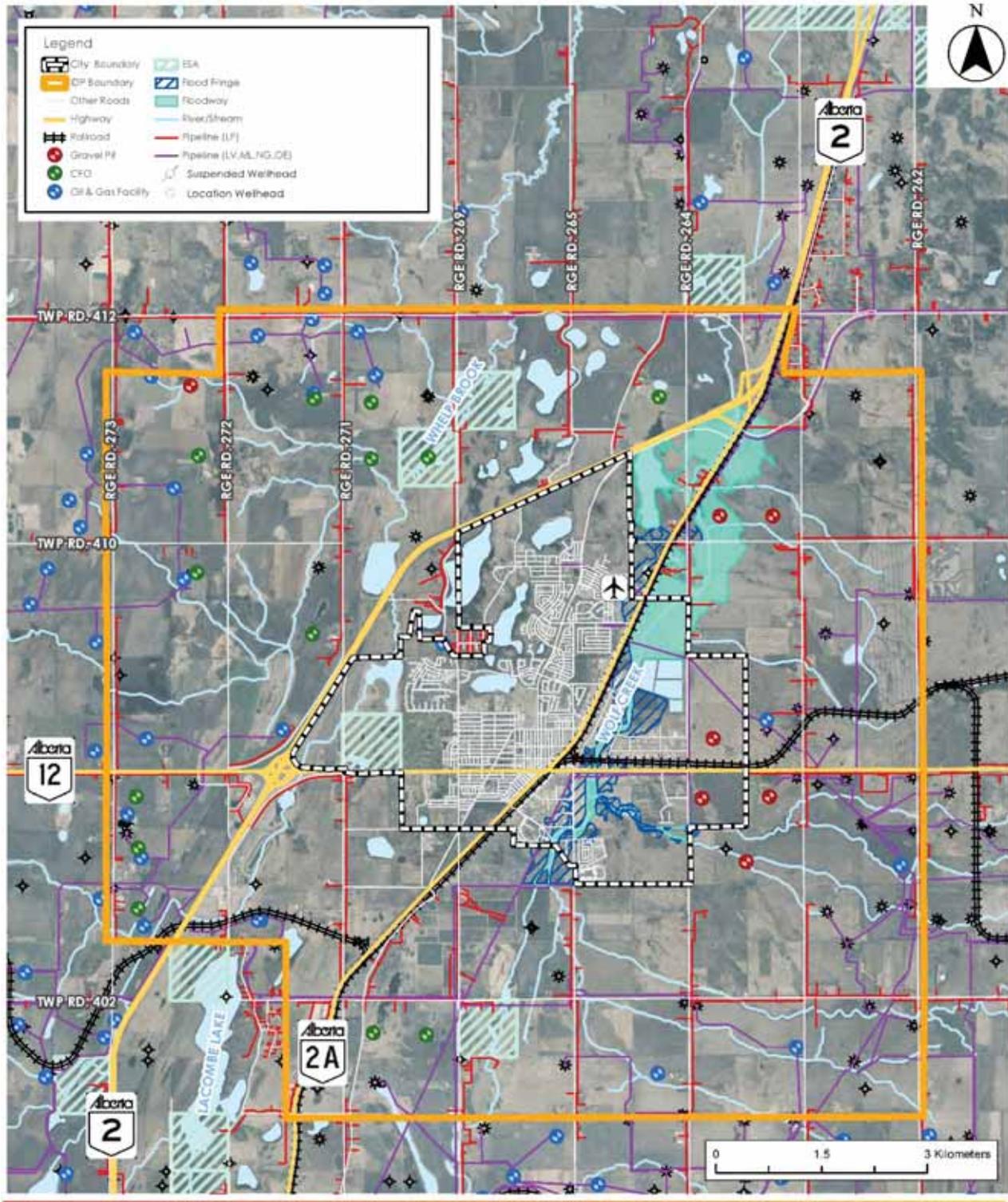
There are a number of Confined Feeding Operations (CFO's) within the Planning area, as identified on **Map 2 - Existing Conditions and Development Constraints**, these are regulated by the NRCB, in accordance with the Agricultural Operation Practices Act (AOPA). AOPA sets out minimum distance requirements between a manure storage operation or facility and the nearest residence that is not owned or controlled by the confined feeding operator. Minimum distance separation (MDS) helps address concerns related to odour, dust and other potential nuisances that are normal aspects of a livestock operation.



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CONSTRAINTS

Map 2 - Existing Conditions and Development Constraints.



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POLICY FRAMEWORK

## 5.0 POLICY FRAMEWORK

This Plan is divided up into different spatial areas, reflecting the unique challenges and opportunities each area provides for long term planning growth and development. These areas are identified on **Map 3 - IDP Policy Areas**, and are described as:

**IDP BOUNDARY** –denotes the referral area, reflecting where development in one municipality may impact the other municipality. Unless specific IDP policies are in place as identified in this document, development in the referral area shall be guided by the County’s adopted statutory plans (MDP and ASPs) and the LUB.

**AREA SPECIFIC POLICIES** – refers to areas where the continued existence of the land uses identified on **Map 3 - IDP Policy Areas** provide shared benefit to both municipalities and therefore planning decisions require special consideration and direction as outlined in **Sections 5.7 – 5.11** of this document.

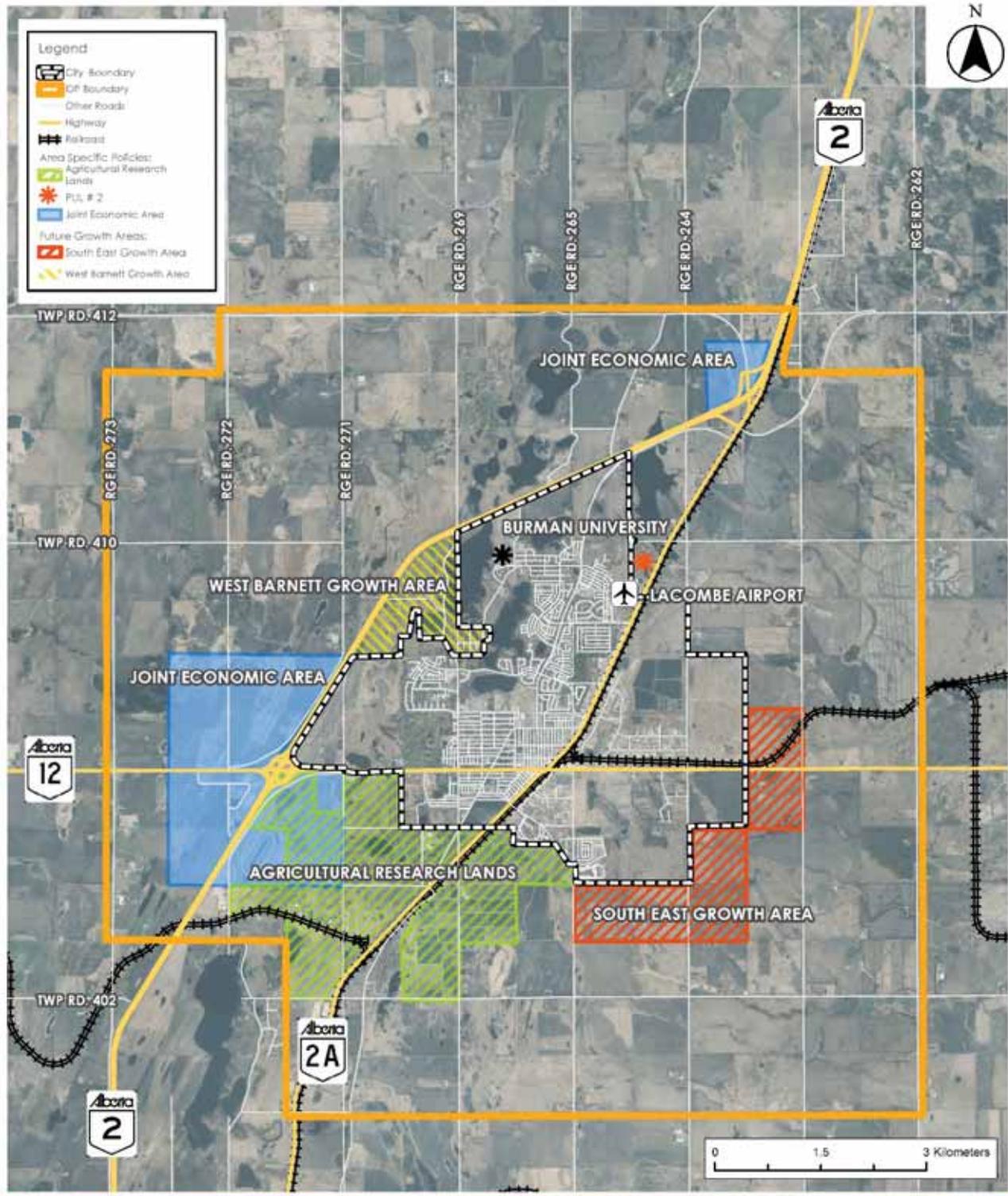
**FUTURE GROWTH AREAS** – noted on **Map 3 - IDP Policy Areas**, identifies areas where it is anticipated that the City will focus future growth and consider annexation opportunities, and for which preserving the development potential of the land for future urban uses is of high importance.

Where a **GENERAL POLICY** (Sections 5.1 – 5.6) in this IDP contradicts an **AREA SPECIFIC POLICY** (Sections 5.7 – 5.10) or **FUTURE GROWTH AREA POLICY** (Section 5.11), the **AREA SPECIFIC** or **FUTURE GROWTH AREA POLICY** shall take precedence.

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Map 3 - IDP Policy Areas



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**GENERAL POLICIES**

The IDP provides high-level policy direction and sound land use planning to support and accommodate future growth while ensuring that agricultural uses and activities are safeguarded from premature development. The plan will ensure that required buffers from sensitive areas, aggregate extraction, oil and gas facilities, confined feeding operations and landfill areas are maintained, and that country residential development does not compromise future growth aspirations of the City. The IDP provides a mechanism for the County and the City to work collaboratively and cooperatively on areas of mutual interest and economic benefit, provision of infrastructure, and recreational opportunities important to both municipalities within the Plan area.



## 5.1 Existing Area Structure Plans and Area Redevelopment Plans

The County has four Area Structure Plans (ASPs) in place for lands entirely or partially within the IDP area, identified on **Map 4 - Existing ASPs and ARPs within the IDP Boundary**. These ASPs provide a more detailed level of planning for these lands and should be referred to for more detailed and specific policy and development direction. The County ASPs are:

- Lacombe/Blackfalds Rural Fringe ASP, 2008;
- Highway 2A Urban Corridor ASP, 2010;
- Highway 2 West ASP, 2012; and
- QEII North of Lacombe ASP, 2013.

The City has three ASPs and one ARP which abut the IDP boundary, as indicated on **Map 4 - Existing ASPs and ARPs within the IDP Boundary** which are:

- City of Lacombe Downtown Area Redevelopment and Urban Design Plan, 2013;
- City of Lacombe North ASP, 2000, updated in 2016;
- South East Lacombe ASP, 1999 and
- City of Lacombe West ASP, 2001, updated in 2016.

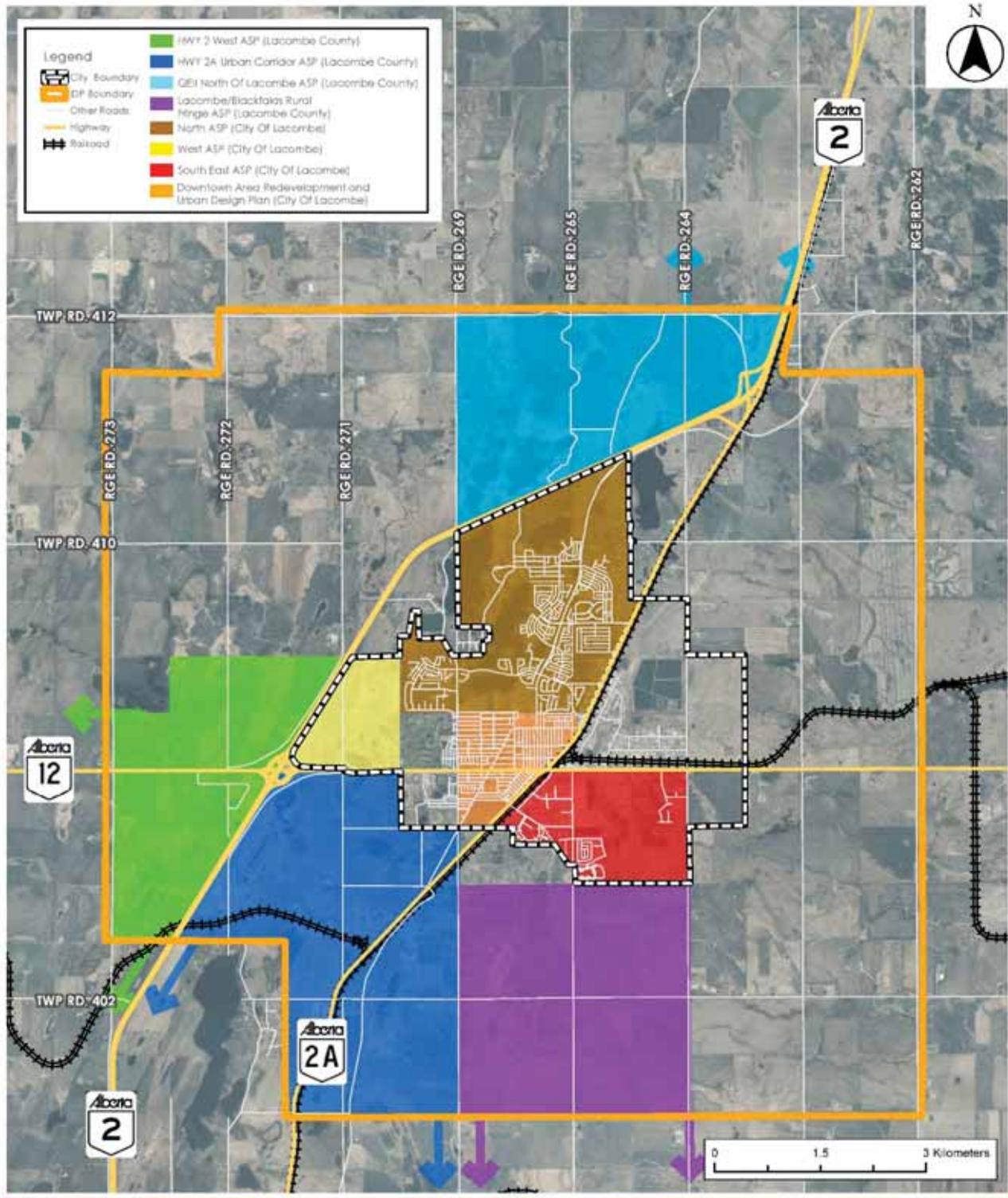
While the ASPs and ARP were all originally adopted prior to the City's Municipal Development Plan (2015), both the West and North ASPs were amended in 2016 to reflect the City's 2015 MDP. Plans are also in place to update the South East ASP to align with the City's 2015 MDP.

- 5.1.1** Where a City ARP/ASP, the boundaries of which are identified on **Map 4 – Existing ASPs and ARPs within the IDP Boundary**, has not been updated to reflect the City's MDP (2015), the policies of the MDP shall take precedence for development proposals. Where an ASP/ARP has been amended post adoption of the City's MDP, the policies and proposed uses of the ARP/ASP take precedence.
- 5.1.2** Where development proposals fall within the boundary of a County ASP identified on **Map 4 – Existing ASPs and ARPs within the IDP Boundary**, the policies and proposed uses of the corresponding ASP takes precedence.
- 5.1.3** Where not explicitly indicated in the IDP, the policies and requirements detailed in the respective MDPs shall take precedence.

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Map 4 - Existing ASPs and ARPs within the IDP Boundary



## 5.2 Agriculture

Conversion of agricultural land to other non-agricultural uses must be considered carefully to assess the benefit of the proposed use in relation to the loss of agricultural land and the future expansion of the City.

The County's LUB identifies a limited range of permitted uses in its Agricultural District. However, the list of discretionary uses is extensive and varied, allowing a broad range of non-agricultural uses to be considered. This means that the requirement for notification to the City with respect to discretionary uses within the Agricultural District is particularly important.

- 5.2.1** Unless otherwise provided in this Plan, the provisions of the County's MDP, relevant ASPs and LUB regarding the use and development of agricultural land shall apply to the areas designated as agricultural.
- 5.2.2** Premature development of existing agricultural land within either municipality should be avoided and such land should continue to be used for agricultural purposes until such time as the land is needed for other purposes.
- 5.2.3** In making decisions on development issues within the IDP boundary, both municipalities shall:
  - a) respect the right of agricultural operators to pursue normal activities associated with extensive agriculture without interference or restriction based on their impact on adjacent uses.
  - b) promote the use of the Joint Economic Area for developments which are more suitably located within the JEA rather than on agricultural land as outlined in the County's MDP and ASPs
  - c) consider the long term impact that development may have on urban annexation and development.
- 5.2.4** Consistent with the direction provided in the County's MDP, the City and County shall provide input on applications for confined feeding operations within the IDP Boundary to the Natural Resources Conservation Board (NRCB) under the *Agricultural Operation Practices Act (AOPA)*. The County's and City's support shall be subject to the following:
  - a) no new confined feeding operation shall be permitted less than 1.6 kilometres (1 mile) from the boundary of:
    - i. the City of Lacombe or the Hamlet of Rosedale Valley
    - ii. an area developed or designated for multi-lot residential use; or

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- iii. a provincial or municipal park or recreation area, or other area used or intended to be used for a recreational facility development.

**5.2.5** Input on applications for confined feeding operations within the boundaries of both the Highway 2 West and QE2 North ASPs shall be consistent with the policies pertaining to CFOs stated in the ASPs.



### **5.3 Residential**

Reflecting guiding principle 3 (Section 3.6) of this Plan, residential development within the IDP boundaries should not negatively impact the City's ability to grow and expand in the future. Opportunities for residential development may be considered within the IDP boundary, reflecting the following policies:

- 5.3.1** Approval of new multi-lot residential subdivisions shall not be allowed within the Southeast Future Growth Area (**Section 5.11, policies 5.11.1 – 5.11.6**).
- 5.3.2** Within the IDP boundary, with the exception of the West Barnett Future Growth Area, all multi-lot residential developments shall be serviced by communal water and waste water systems in accordance to the requirements of the County's MDP and relevant ASPs.

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- 5.3.3** New multi-lot residential subdivisions where supported by the County's MDP or ASPS within the IDP plan boundary area shall be developed as Residential Conservation (Cluster) subdivisions.
- 5.3.4** Approval of new multi-lot residential development within the West Barnett Future Growth Area shall be consistent with the policies outlined in **Section 5.11, policies 5.11.7 - 5.11.41** of this Plan.
- 5.3.5** Subdivision for additional residential development may be considered within the Hamlet of Rosedale Valley per the policies outlined in **Section 5.11, policies 5.11.42 – 5.11.48** of this Plan.

## **5.4 Environment, Open Spaces, and Trails**

The lands within the IDP boundary contain many important environmental features, wooded uplands, wetlands and drainage courses in addition to essential wildlife, bird and fish habitat. Policies within this IDP should ensure that these important landscapes are protected and that natural amenities are enhanced through support for an intermunicipal system of parks and open spaces linked by trails. As the region grows, preserving environmental qualities, and enhancing opportunities for outdoor recreation and nature appreciation will also be important to maintaining a high quality of life for area residents. In addition, cooperation is needed for acquiring lands of mutual benefit, particularly for securing future school sites and any other mutually agreed upon facilities and amenities.

- 5.4.1** Both the City and County will jointly collaborate to provide land, through Municipal Reserve dedication or through cash in lieu of Municipal Reserve, to secure suitable school sites of benefit to both municipalities within the IDP Boundary, as required.
- 5.4.2** Both the City and County will jointly collaborate to support development of recreation facilities and sites of benefit to both municipalities within the City.
- 5.4.3** Where any multi-lot development is proposed near natural features, the approving municipality, at their sole discretion, shall require an environmental assessment to be conducted by a qualified professional to determine how the features can be preserved and incorporated as part of the development, ensuring that any development impacts are mitigated.
- 5.4.4** No incompatible development shall be permitted on unstable slopes or within areas that may be prone to flooding, and adjacent to wetlands and other water bodies. Development setbacks will be in accordance with Environmental and Municipal Reserve requirements of the municipality.
- 5.4.5** The development authority of the governing municipality may require the

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development proponent to supply recommendations, prepared by a qualified professional, regarding establishment of appropriate development setbacks and/or other required mitigation measures.

- 5.4.6** As a condition of subdivision approval, Environmental Reserve, or an Environmental Reserve Easement, not less than 30 metres in width from the high water mark of waterbodies and/or the top of bank of watercourses to the lot line shall be required.
- 5.4.7** Notwithstanding **Policy 5.4.6**, the Subdivision Authority may require a greater setback based on the recommendations of a geotechnical study undertaken by a qualified professional.
- 5.4.8** Both municipalities shall continue to work together to create an interconnected trail system, focusing on connecting public facilities and recreation areas to residential areas.
- 5.4.9** Municipal Reserves collected as cash in lieu within the IDP boundary shall be utilized for school reserve provision and trail and recreation improvements within the IDP area.

## **5.5 Utility Servicing**

Provisions for utility services, within the IDP area are detailed The Lacombe IDP Servicing Study (Stantec, 2017), prepared in conjunction with the IDP. The Servicing Study provides specific servicing requirements for areas that have been planned to connect to municipal services within the IDP boundary.

It is acknowledged by both the City and the County that development and upgrading of major servicing infrastructure in one municipality may have implications on services in the other.

- 5.5.1** Early notice of major servicing infrastructure proposed by one municipality shall be provided to the other municipality, to allow for collaboration and coordinated planning.

### **Extension of Municipal Water Service**

The City is provided water by the North Red Deer Regional Water Services Commission (NRDRWSC) transmission line. Through this line, chlorinated drinking water is delivered from the City of Red Deer Water Treatment Plant to participating communities north of Red Deer. Treated water from the City of Red Deer has the capacity to service all the Plan area. The County also has an allocation of water from this line that could be used to supply existing and future development in the County.

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Servicing requirements for areas identified as requiring water services within the IDP boundary are contained in The Lacombe IDP Servicing Study, (Stantec 2017) and the City of Lacombe's Water Model Report, most current edition.

#### Extension of Sanitary Sewer Service

Wastewater servicing requirements for lands within the IDP boundary are contained in the Lacombe IDP Servicing Study (Stantec, 2017).

The current wastewater lagoon in the City has reached its treatment and storage capacity and cannot accommodate extra flows from the IDP area unless major upgrades are completed to the facility. It is anticipated that the Regional Wastewater line will be developed and operational by 2019, prior to any major development demands on the City's wastewater lagoon. As participating members of the NRDRWWSC, the City and County will convey wastewater to the City of Red Deer Wastewater Treatment Plant, in which the wastewater will be treated and returned to the Red Deer River.

#### Stormwater Drainage Policies

Three reports must be referred to regarding stormwater drainage requirements within the IDP boundary. The Lacombe IDP Servicing Study (Stantec, 2017), the City of Lacombe's Off-Site Levy Bylaw, and the Master Drainage Plan for the Wolf Creek and Whelp Brook Watersheds (MPE, 2014). Together, these three documents identify the drainage patterns and storm drainage infrastructure requirements for the IDP area.

Lands within the IDP area must meet the pre-development release rate of 2.0 L/s/ha, as outlined in the Master Drainage Plan for the Wolf Creek and Whelp Brook Watersheds (MPE, 2014). If this pre-development release rate is updated, that rate shall prevail.

## 5.6 Roads and Transportation

Both municipalities acknowledge that development in one municipality frequently has implications on road infrastructure and requirements for road upgrading in the other municipality.

The City of Lacombe's Transportation Master Plan (Stantec, 2013), identified that the City's current roadway network, combined with future transportation links already included in the City's plans, can be connected with some strategic links to provide a nearly continuous "ring road" system throughout the City as noted on **Map 5 - Transportation Network**. Much of the proposed alignment will require a functional planning study to evaluate all considerations for this concept.

A southern route for the ring road was identified in the City of Lacombe's Transportation Master Plan as an option for moving traffic off of Highway 12, but the alignment has not yet been

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confirmed due to the recognition that any impacts to Agricultural Research lands from future road development must be minimized.

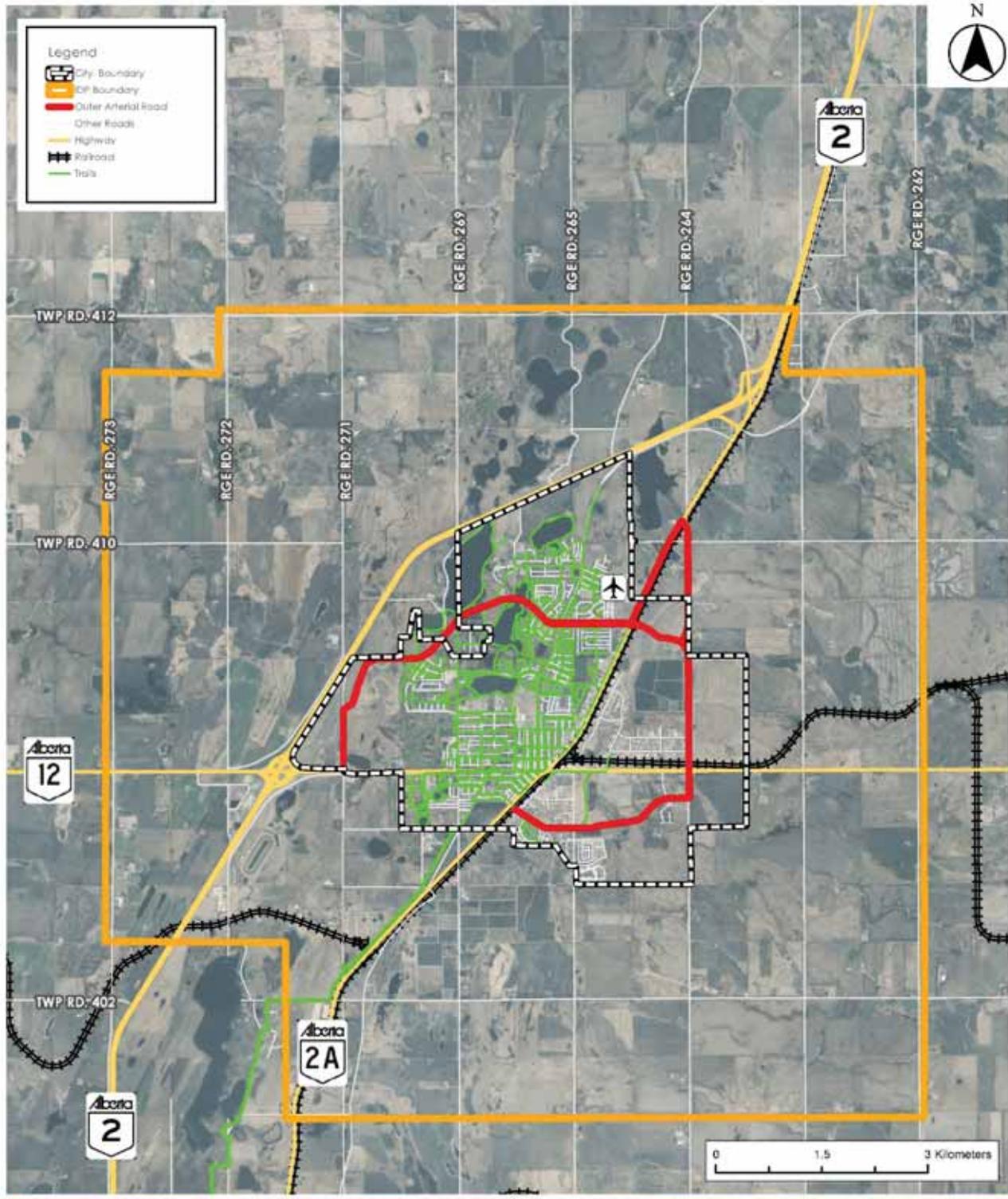
- 5.6.1** Where it is determined that development in one municipality has an undue impact on the transportation network in the other municipality, the municipalities should work together to develop cost-sharing agreements to provide for shared upgrades to the transportation network.
- 5.6.2** Development which will cause heavy truck traffic to divert through the City should be encouraged to use the 34 Street bypass, reducing traffic demands on Highway 12 through Lacombe.
- 5.6.3** The County and the City shall work collaboratively to identify a south bypass route from Highway 12 to Highway 2A.
- 5.6.4** Early notice of any major transportation infrastructure proposed by one municipality shall be provided to the other municipality to allow for collaboration and coordinated planning.



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Map 5 - Transportation Network



## AREA-SPECIFIC POLICIES

### 5.7 Agricultural Research Lands

Located south of the City, West of the Calgary and Edmonton Trail, within the County are the Agricultural Research lands: the Lacombe Research and Development Centre operated by Agriculture and Agri-Food Canada, and the Field Crop Development Centre operated by Alberta Agriculture. These two facilities are of significant value to both the City and the County. It is important that adjacent land use and development activities do not compromise the agriculture research lands and their ability to continue to operate and undertake important crop and livestock research activities.

- 5.7.1** The Federal and Provincial Agricultural Research lands as shown on **Map 3 – IDP Policy Areas**, shall be protected from adjacent uses and encroachment by incompatible developments which may have a detrimental effect on the operation of the research facilities.

### 5.8 Lacombe Airport

The Lacombe Airport is located within the City boundary adjacent to Highway 2A as shown on **Map 3 – IDP Policy Areas**. The City owns the airport and The Lacombe Flying Club operates the facility. The Airport provides an important recreational amenity to area residents as well as an economic benefit to the region through the spin-off jobs it supports and the money spent by users and visitors to the community.

- 5.8.1** The City and County shall continue support the ongoing use of the Lacombe Airport for recreational and limited commercial aviation uses.
- 5.8.2** The City and County support the ongoing operation of the airport through their statutory planning documents and land use bylaws and shall protect the Lacombe Airport from incompatible land uses and developments on adjacent lands which may unduly affect airport operations and activities.
- 5.8.3** The City and County should implement the Airport Policy and Land Use recommendations from the Lacombe Airport Feasibility Study (2016).

## 5.9 Burman University

Located east of Barnett Lake within the northern boundary of the City as identified on **Map 3 - IDP Policy Areas**, Burman University has played an important role in the history and growth of the community. The University is an important economic and employment generator for the City. Both the City and County are committed to supporting Burman University's ongoing operations.

- 5.9.1** The City, and where appropriate, the County, will work with and collaborate with Burman University on future growth, redevelopment, and expansion plans.



## 5.10 Joint Economic Areas

The Joint Economic Area Agreement establishes a long term land use planning and economic agreement between the City and County to encourage orderly and coordinated development and to strive for the best use of lands adjacent to Highway 2 and Highway 12 corridor and Highway 2 and Highway 2A corridor for the lands identified on **Map 6 - Joint Economic Areas**. The purpose of the Joint Economic Area Agreement is to encourage a shared vision for long term growth in the areas and to minimize the impact of municipal jurisdictional boundaries on the development of the commercial and industrial uses identified.

The arrangements for the provision of public water and wastewater services from the City's systems and the financial arrangements for the sharing costs and revenues in the Joint Economic Area is set out in the Joint Economic Agreement dated July 18, 2007 between the County and the then Town. Provided in **Appendix C - Joint Economic Agreement**.

- 5.10.1** Where an agreement identified under **Section 5.10** of the Plan is in effect, the City shall not consider annexation of lands in Lacombe County west of Highway 2, and as identified on **Map 6 - Joint Economic Areas** in Lacombe County.

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Land Use Planning

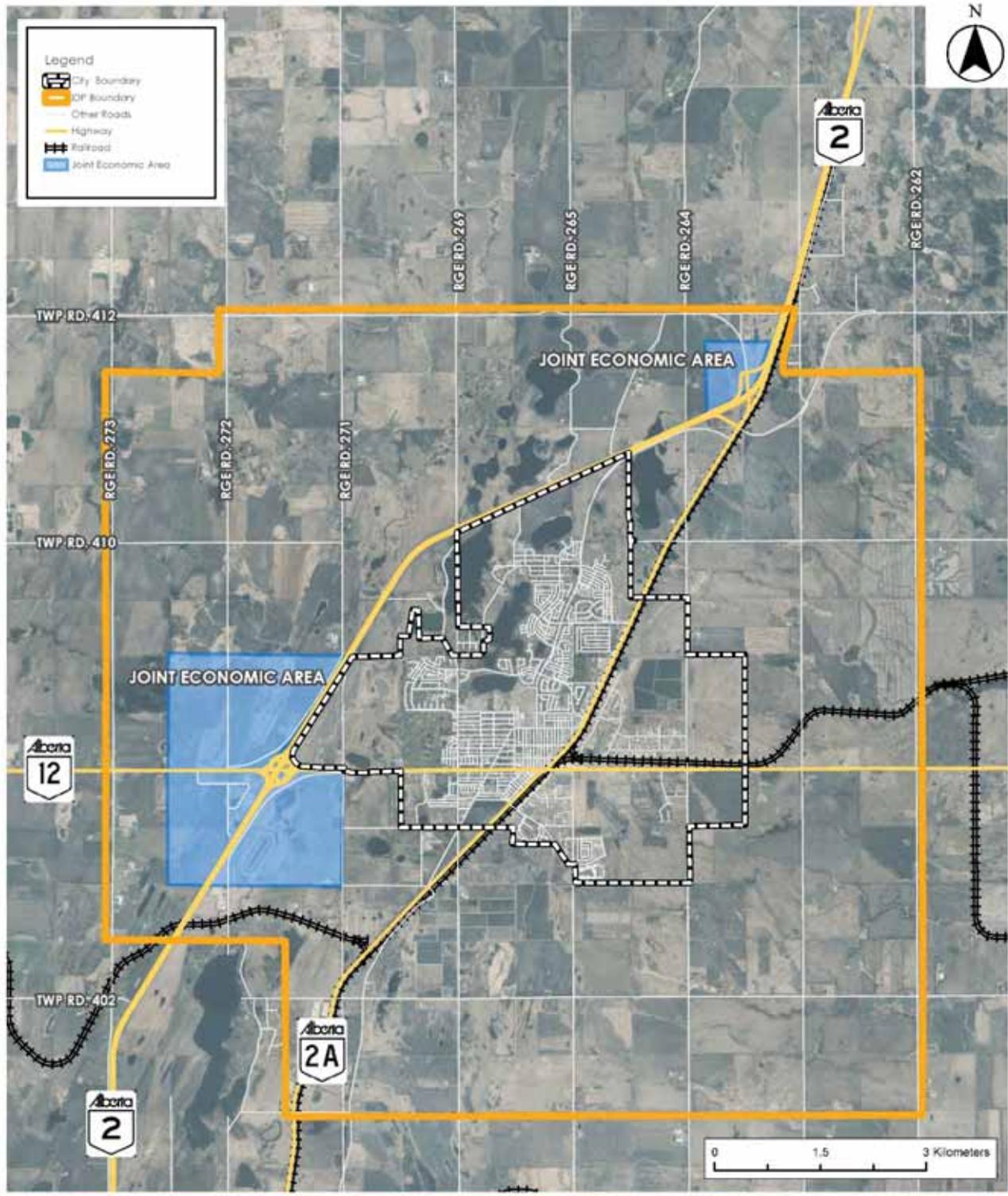
- 5.10.2** Within the Joint Economic Area, land uses should be consistent with those identified in the Lacombe County Highway 2 West and the QE2 North Area Structure Plans.
- 5.10.3** Where public water and wastewater servicing is provided and available, those developments in the areas of the Joint Economic Area identified in the Joint Economic Agreement, 2007 (provided in **Appendix C – Joint Economic Agreement**), shall be required to connect to the public systems. In the remaining areas of the Joint Economic Area, communal water and wastewater systems may be required.



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Map 6 - Joint Economic Areas



### Developing and Servicing of Lands

Details and requirements for developing and servicing lands within the Joint Economic Areas are found in the Lacombe IDP Servicing Study (Stantec, 2017).

- 5.10.4** The obligations of developers and landowners in the Joint Economic Area for the development and servicing of lands will include the payment of offsite levies and construction contributions set out in the County's Deferred Services Agreements and the Offsite Levy Bylaws.
- 5.10.5** Developers shall be required to pay for the full costs of directly servicing the lands including the off-site and on-site requirements for roads, surface drainage and storm sewer systems, semi-public and public water and wastewater systems and other utilities.
- 5.10.6** Connection to and service from public water and wastewater systems will be on user-pay utility rate basis at rates and charges determined by the City and County.
- 5.10.7** Where a development is within the areas of the Joint Economic Area where public water and wastewater servicing is required but is either too remote from existing public water and wastewater infrastructure or is of insufficient size in its initial development to economically warrant the extension of public water or wastewater systems, the developer will be required to either:
- a) pay offsite levies and/or construction contributions of sufficient value to fund the construction of these systems in the future, or
  - b) provide a legally enforceable deferred servicing agreement which would enable the collection of sufficient contributions for the construction of these public systems at a future time from properties deemed to benefit from these systems which will set out the criteria required to trigger the installation and connection of these systems. Such criteria may include:
    - i. A single development or group of developments is expected to require water consumption of greater than 5,000 cubic meters of water per year.
    - ii. Public water or wastewater trunk mains are constructed to a point adjacent to a development area.
    - iii. Landowners holding a majority of the lands in an area request the installation of public services.

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**5.10.8** The City and County shall continue to work together to encourage commercial and industrial development within the Joint Economic Area. Commercial or industrial development proposed as discretionary uses on agricultural land within the IDP boundary that are more suitable for the Joint Economic Area should be encouraged to be located within the Joint Economic Area.

**5.10.9** Where development is proposed on lands that are outside of, but in proximity to the Joint Economic Area and the land use and servicing requirements of the proposed development are similar to the land uses and servicing requirements prescribed within the Joint Economic Area, the City and County will give consideration to amending, within one year of development approval, the boundaries of the Joint Economic Area, to include the lands proposed for development. Consideration to the guiding principles of this IDP should be reviewed and considered in making such a decision to extend servicing.

**5.11 Future Growth Areas**

**Future Growth Requirements**

The Growth Study prepared in support of the City of Lacombe's 2015 MDP was used to determine that at the moderate growth rate of 2.5%, the City has sufficient land within its existing boundaries to support anticipated growth to 2036: the time horizon of the MDP. It should be noted that the 2015 MDP states a desired density of 15 units per net hectare. However, subsequent planning initiatives and provincial requirements may establish residential density targets higher than 15 u/ha in the future.

Utilizing the City's MDP growth forecast and assumptions, land requirements were projected out an additional 20 years for the purposes of this IDP. Utilizing the same assumptions as the 2015 growth study the City will need to acquire an additional 389 ha (961 ac) of land to accommodate growth to 2056. Refer to the calculations which follow:

**City of Lacombe Population Forecast.** The population forecast of 35,905 by 2056 assumes the moderate growth rate of 2.5% per year, based on the City of Lacombe's 2015 MDP.

<b>20 Year Population Growth (from 2036-2056)</b>			
2.5%/year (medium) Growth Rate		5-year pop increase	Total additional pop to 2056
2036	21,912		
2041	24,791	2,879	
2046	28,049	3,258	
2051	31,735	3,686	
2056	<b>35,905</b>	4,170	<b>13,993</b>

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**Residential Land Requirements.** The forecasted population growth translates into the need for **357 ha (882 ac) (~5.5 quarter sections)** of additional residential land beyond the existing City boundary by 2056.<sup>4</sup>

**Commercial Land Requirements.** The MDP indicates that there is sufficient commercial land allocated within the existing City boundary to accommodate the forecasted future commercial land requirements to 2056.

**Industrial Land Requirements.** The growth projections indicate that the City will need to acquire **32 ha (79 ac) (~0.5 of a quarter section)** of additional land beyond the existing municipal boundary to accommodate industrial development to 2056.

**Anticipated Total Land Requirement for the City of Lacombe to 2056**

Residential = 357 ha (882 ac)

Commercial = 0 ha (0 ac)

Industrial = 32 ha (79 ac)

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Total = **389 ha (961 ac) = (approximately 6 quarter sections of land)**

To accommodate future growth demands for the City to 2056, an additional six (6) quarter sections of land are needed to be annexed into the City's boundaries. This Plan identifies the most appropriate locations for future annexation as Future Growth Areas.

## **Future Growth Areas**

As an outcome of the growth forecasts, two areas have been identified for future expansion of the City. A third area, PUL #2 is an opportunity to incorporate an existing public utility lot into the City, facilitating ease of use and implementation of the public utility.

**Map 7 - Future Growth Areas** identifies areas where future annexation plans for the City will be directed. Two areas have been identified, the Southeast Growth Area and the West Barnett Growth Area. Policies related to the Future Growth Areas are detailed below in **Section 5.11**.

The Future Growth Areas have been identified due to their geographic proximity to the City and limited development constraints. The City has restrictions regarding the direction of future expansion. Highway 2 forms a logical western and northern boundary for the City. Areas to the northeast on either side to Highway 2A are subject to flooding and not conducive to development. The lands to the south of the existing boundary provide the best option for future expansion but the western half of these lands contain the Federal and Provincial Agricultural Research Facilities. This leaves the logical direction for future growth, southeast of the existing boundary (N½ of 17, S½ of 21, and the two ¼ sections flanking Highway 12 (SE 28 and NE 21)) referred to as the Southeast Growth Area on **Map 7 - Future Growth Areas**.

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<sup>4</sup> 357 ha developed at 15 units/ha = 2.6 ppl per unit = 5,382 residential units

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There is also opportunity to expand urban development west of Barnett Lake to Highway 2, being the remainder of Section 36 on the east side of Highway 2 not already included within the City boundary. This area, which also includes the Hamlet of Rosedale Valley, is identified as the West Barnett Growth Area on **Map 7 - Future Growth Areas**.

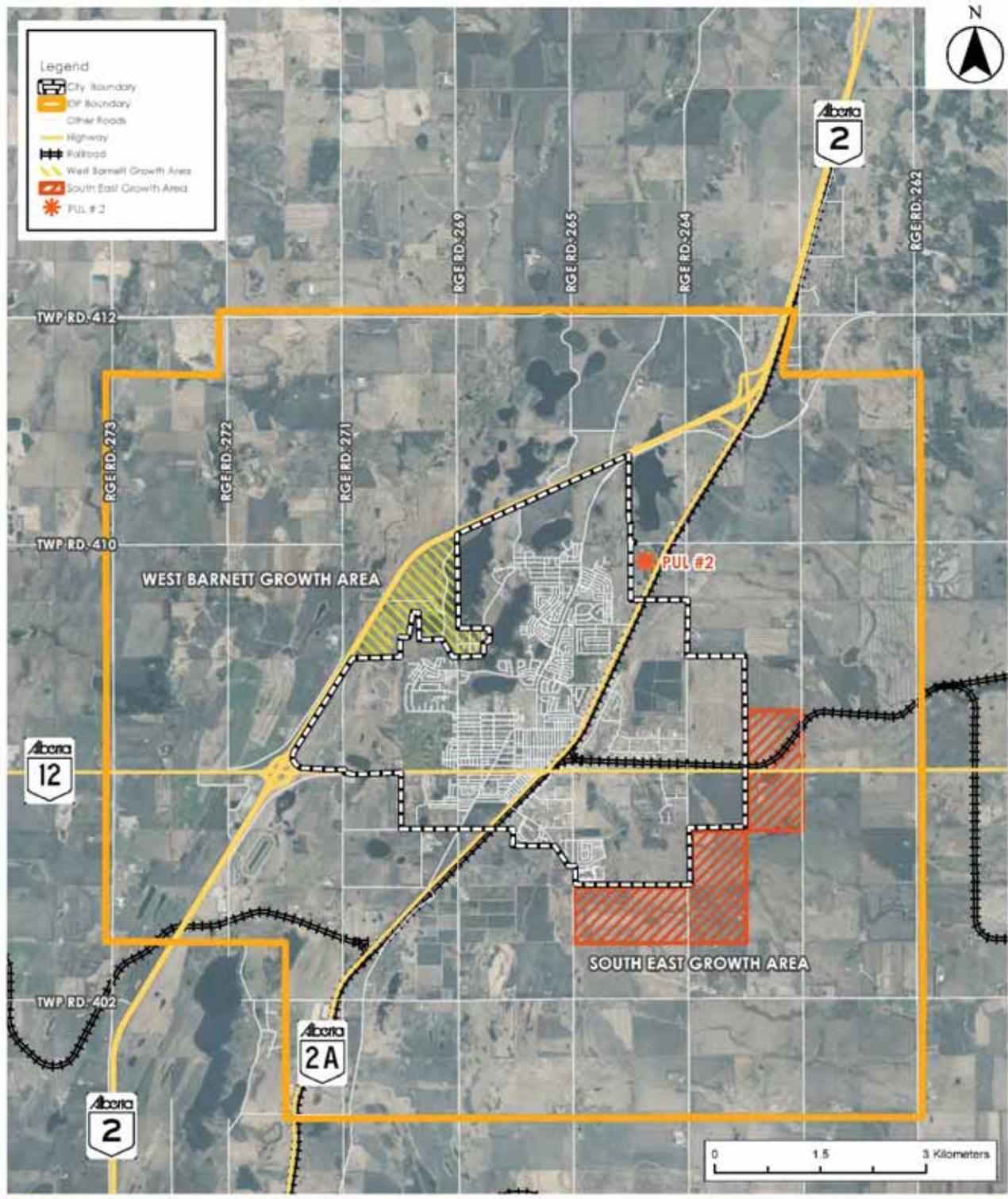
A small Public Utility Lot (PUL #2) which contains the Airport Storm Water Management Pond is located within Lacombe County. It is intended that this land be incorporated into the City at the time of annexation as it contains a City utility.



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Map 7 - Future Growth Areas



## Southeast Growth Area

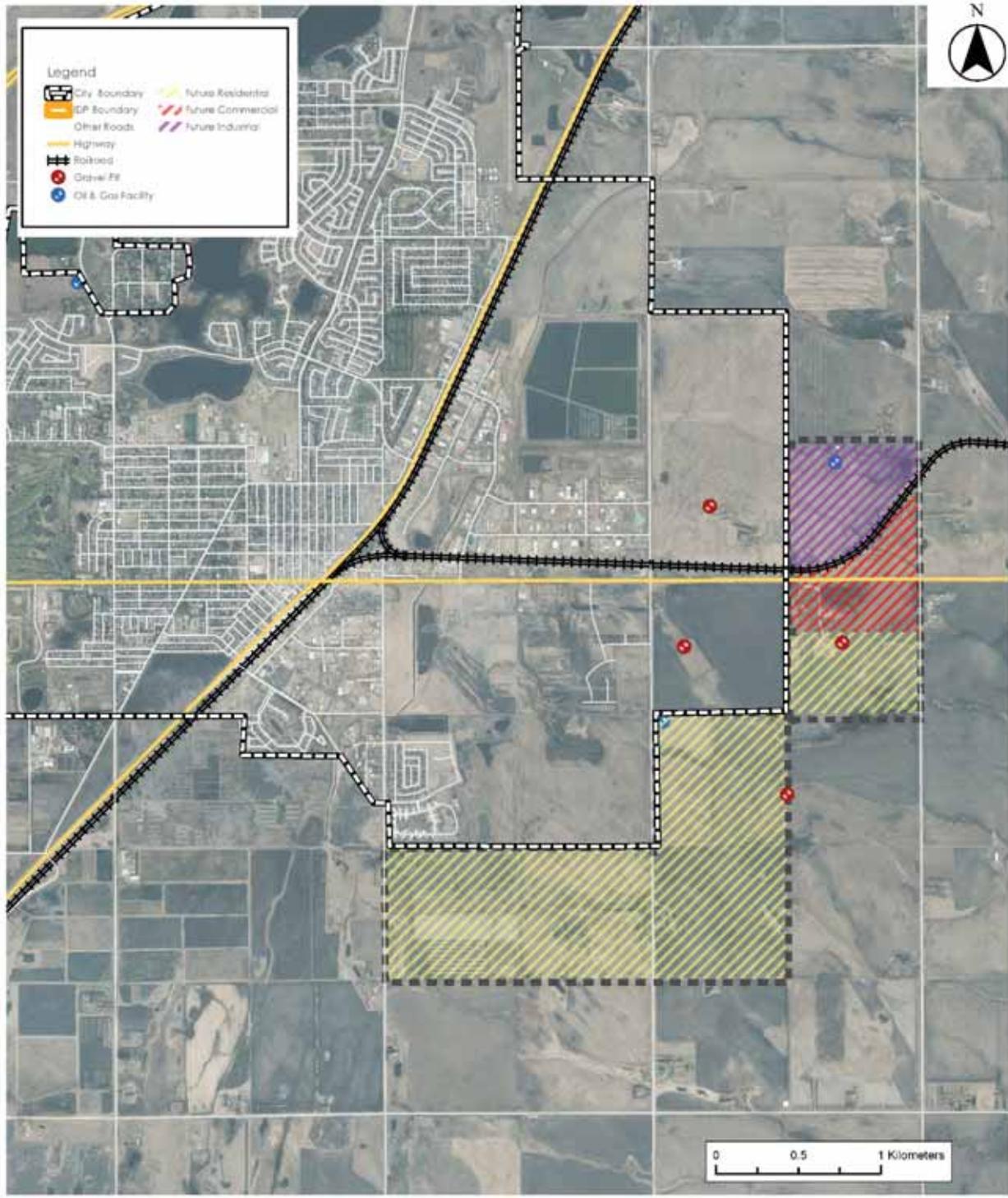
The Southeast Growth Area will meet the future growth and development requirements of the City of Lacombe to the year 2056. The location of the Southeast Growth Area supports the logical and contiguous development of the City. The lands offer development opportunities which are not impacted by flooding or existing incompatible uses, are situated in close proximity to the Highway 12 corridor and the Trans Canada Trail, and will provide development in close proximity to future commercial and industrial development. Although the growth forecasts determined that no additional commercial land is required to 2056, it is noted that in the Southeast Growth Area that commercial uses are the logical designation adjacent to highway 12, both north of Highway 12, south of the railway tracks and south of highway 12 immediately adjacent to the highway, and that these lands should be protected in the long term for commercial development.

- 5.11.1** The County will safeguard the Southeast Growth Area from developments which are or may become incompatible with urban land uses and which otherwise may have a detrimental effect on the City. These areas are to be used predominantly for agricultural activities.
- 5.11.2** Development and subdivision proposals within the Southeast Future Growth Area shall be consistent with A – Agriculture District of the Lacombe County Land Use Bylaw and the Agriculture Policies in the Lacombe County Municipal Development Plan.
- 5.11.3** When the City has fulfilled the required annexation requirements detailed in **Section 6.0**, and the annexation request has been granted by the Government of Alberta, development within the Southeast Growth Area may only occur once ASPs and any other required outline plans, subdivisions, and land redistricting, to the satisfaction of the City, have been approved. An ASP prepared for the Southeast Growth Area must be undertaken in accordance with the requirements of the MGA and the City.
- 5.11.4** Residential development will be directed to lands identified for Future Residential on **Map 8 – Southeast Growth Area** Neighbourhood commercial development and community support services may be permitted if determined through the ASP process.
- 5.11.5** Commercial development will be directed to areas identified for commercial development within the Southeast Growth Area identified on **Map 8 – Southeast Growth Area**.
- 5.11.6** Industrial development will be directed to areas identified for industrial uses within the Southeast Growth Area identified on **Map 8 - Southeast Growth Area**

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Map 8 - Southeast Growth Area



## West Barnett Growth Area

### Plan Area

The West Barnett Growth Area, identified on **Map 9 - West Barnett Growth Area**, covers approximately 156.8 ha (387 ac) and includes the Hamlet of Rosedale Valley. This is an area which is under County jurisdiction but is isolated from the rest of the County by being located on the east side of QEII highway and by the boundary of the City on the east and south sides. Currently the only access to the West Barnett area is via 58 Street within the City. The isolated location supports future incorporation into City.

### Site Context

#### Existing Land Uses

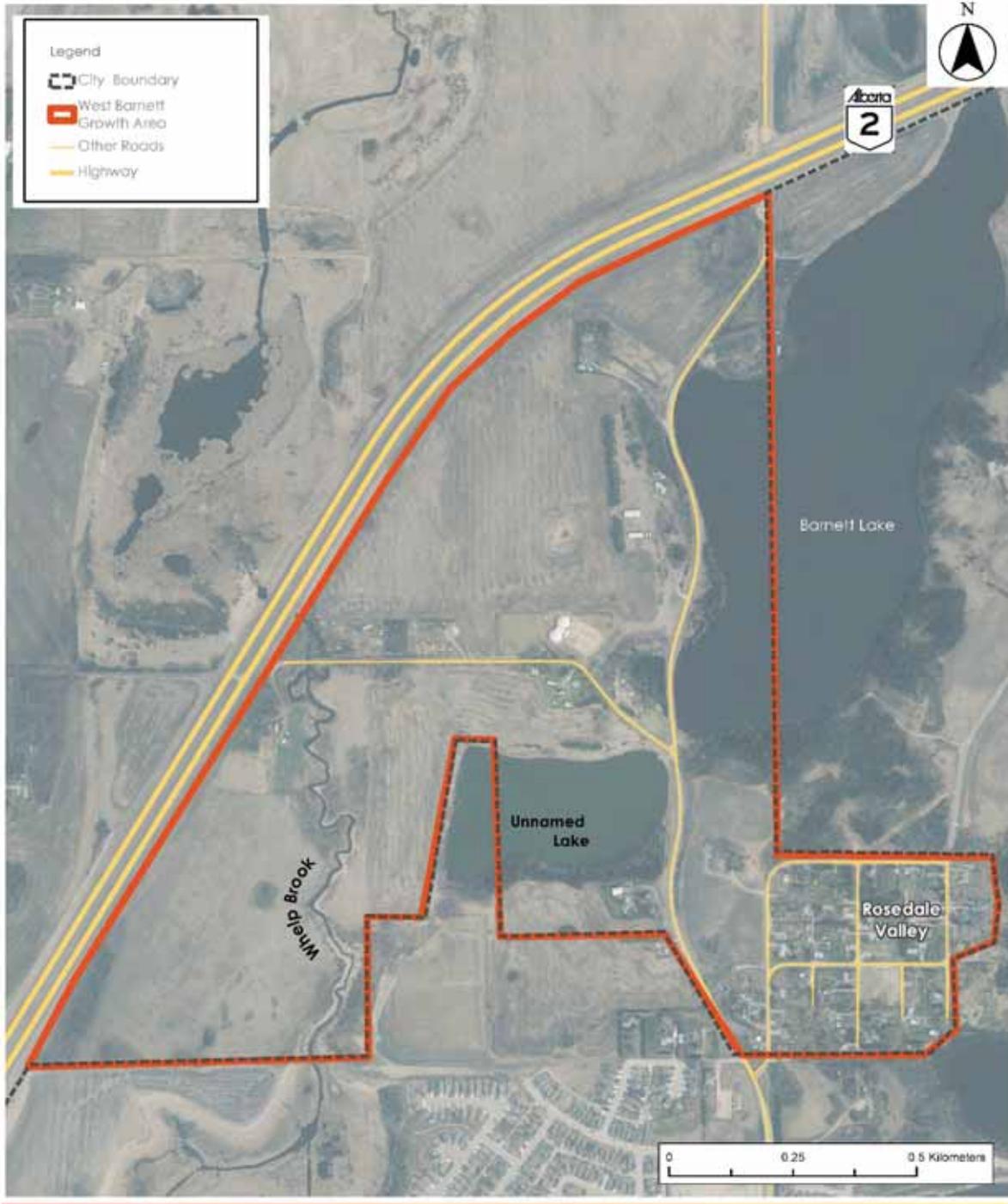
Land uses in the area include the First Baptist Church, Central Animal Services, a dog daycare and boarding kennel and several rural residential properties (districted A-Agriculture District). The area also includes the Hamlet of Rosedale Valley which consists of approximately 50 residential lots (zoned H-Hamlet District). There is also a portion of land (zoned R-CR Country Residential District) adjacent to Barnett Lake on the east side of Range Road 270A which contains one residence.

**Map 10 - West Barnett Growth Area Current Land Use Districts** identifies the County's LUB districting for the West Barnett Growth Area.

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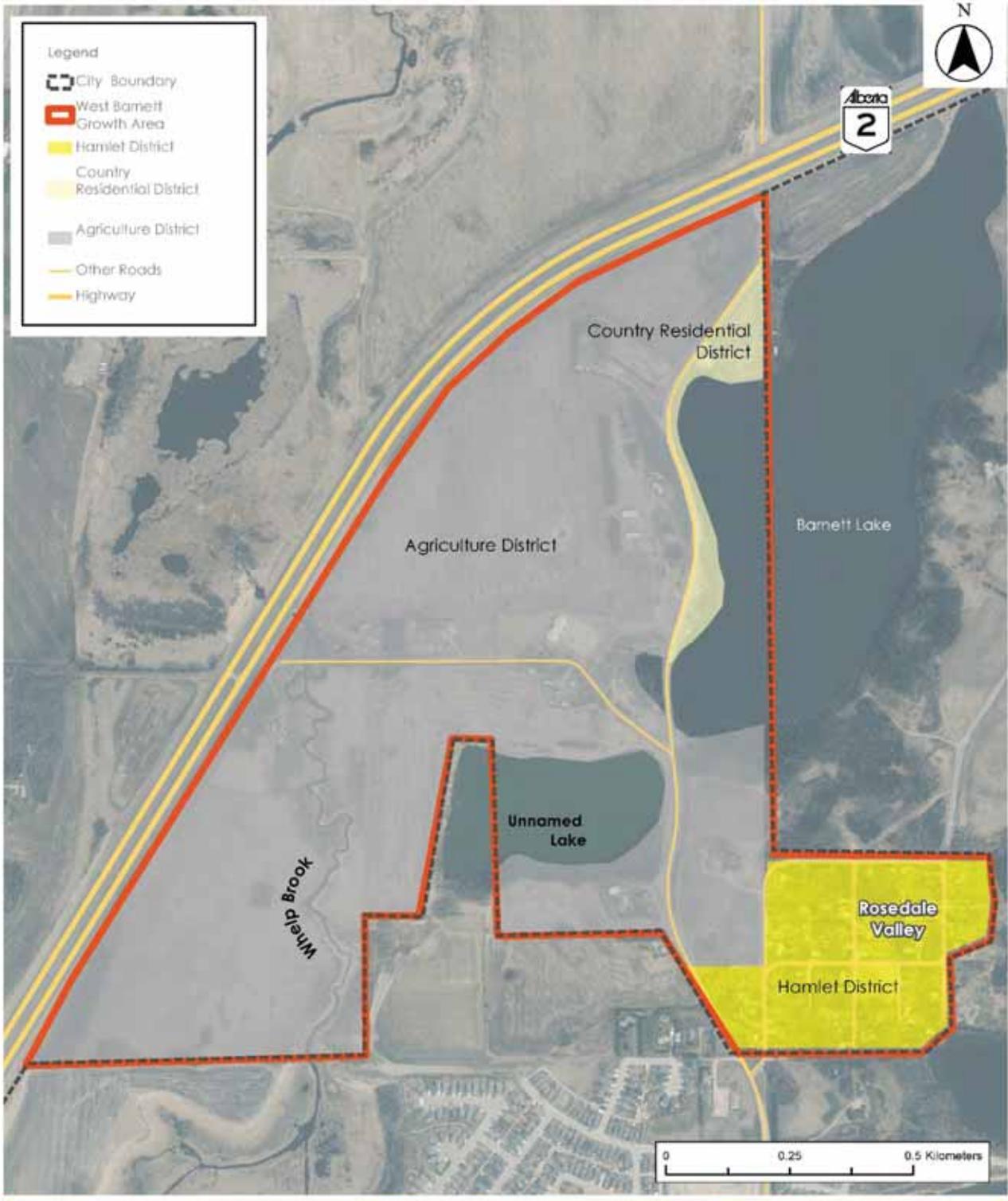
Map 9 - West Barnett Growth Area



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Map 10 - West Barnett Growth Area Current Land Use Districts



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### Natural Features

The Barnett lands occur within the Central Parkland subregion, which is part of the Parkland Natural Region. Historical and current agricultural activities and recent urbanization have altered much of the native vegetation within this subregion and fragmented the remaining habitat patches. The forested portions within this subregion are dominated by trembling aspen groves in the moist sites and grassland communities on drier sites. Trembling aspen understory is typified by saskatoon, prickly rose, beaked hazelnut, and a variety of grasses and forbs. Balsam poplar and white spruce are often found in association with aspen on moist, rich sites.<sup>5</sup>

The Barnett lands consist of a mixture of agricultural land and rural residential development with various natural features including several wetlands, two waterbodies (i.e., Barnett Lake and an unnamed lake), a watercourse (i.e., Whelp Brook) and small pockets of upland forest vegetation. The City of Lacombe Natural Spaces Management Plan, 2002, describes the waterbodies as

having large open water areas surrounded by established emergent vegetation and the upland forest area as dominated by white spruce and aspen with an understory of forbs, red osier dogwood, rose and raspberry. Whelp Brook is a drainage corridor with an adjacent riparian area. The riparian area has moderate vegetation diversity with a mixture of native and weedy plant species and evidence of disturbance from livestock.<sup>6</sup>

Wildlife use of the Barnett lands was primarily observed in and around Barnett Lake and the adjacent upland forest and included signs of deer foraging, waterfowl nests for mallard, blue-winged teal and coot and various songbirds and shorebirds. Wildlife diversity observed in the Whelp Brook corridor was moderate; however, the Lacombe Natural Spaces Management Plan notes that this area is an important feature for wildlife movement and connectivity.<sup>7</sup>



<sup>5</sup> Natural Regions Committee. 2006. Natural Regions and Subregions of Alberta. Compiled by D.J. Downing and W.W. Pettapiece. Government of Alberta. Pub. No. T/852.

<sup>6</sup> Stantec Consulting Ltd. 2002. Natural Space Management Plan. Edmonton, AB.

<sup>7</sup> Stantec Consulting Ltd. 2002. Natural Space Management Plan. Edmonton, AB.

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**Geology Soils and Agricultural Land Capability**

The underlying geological formation is anticipated to be the Paskapoo Formation, which is an alluvial deposit consisting of sandstone, siltstone, and mudstones, which is overlain by glaciolacustrine deposits.<sup>8</sup> The soils orders in the Barnett lands is primarily Gleysolic with an area of Chernozemic soils in the northwest portion. The agricultural land capability rating for the Barnett lands are divided between Class 2 soils in the north half and Class 3 soils in the south half. Class 2 soils have slight limitations for agriculture and Class 3 soils have moderate limitations for agriculture. Limitations range from inadequate heat for optimal crop growth, excess water, moisture limitations, and topography slopes.<sup>9</sup>

Existing soil resource information (SRI) databases were obtained from the Agricultural Regions of Alberta Soil Inventory Database Version 4.0 (AGRASID 4.0).

**Pipelines, Wellsites and Facilities**

A search was conducted for the IDP boundary using the Abacus Datagraphics website (Abadata), which includes pipeline and oil well information from the Alberta Energy Regulator (AER). Please note that the locations of oil wells from the Abadata website are approximate.

The Barnett lands include a network of low pressure gas lines and power lines along the east portion, which are owed by ATCO Gas and Fortis Alberta Inc. One abandoned wellsite is recorded in the NE¼ 36-40-27 W4M, owned by ConocoPhillips, with a license date of November 28, 1984 and abandonment date of December 28, 1984.

**Wetland Assessment**

The desktop wetland mapping identified nine wet features in the Barnett Lands area, which consisted of six marshes, two waterbodies (i.e., Barnett Lake and an unnamed waterbody located along the southern boundary of the area) and one watercourse/marsh (i.e., a portion of Whelp Brook).

The marshes identified within the Barnett Lands area are generally small features. The marshes appear to have been cultivated periodically throughout the historical aerial photographs reviewed.

The two waterbodies are unchanged on the landscape over time and contain open water in the historical aerial photographs reviewed. The two waterbodies were described in the City of Lacombe Natural Spaces Management Plan (Stantec, 2002) as a diverse ecosystem with established riparian vegetation surrounded by a fringe of mixed wood forest. The waterbodies

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<sup>8</sup> Alberta Energy Regulator. 2016. Interactive minerals map. Accessed October 10, 2016 <  
<http://ags.aer.ca/data-maps-models/interactive-maps>>

<sup>9</sup> Agronomic Interpretations Working Group. 1995. Land Suitability Rating System for Agricultural Crops: 1. Spring-seeded small grains. Edited by W.W. Pettapiece. Tech. Bull. 1995-6E. Centre for Land and Biological Resources Research, Agriculture and Agri-Food Canada, Ottawa. 90 pages, 2 maps

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were noted to contain high wildlife diversity, specifically for waterfowl. In addition, fish species (i.e., brook stickleback) were observed in Barnett Lake.

The watercourse/marsh (i.e., Whelp Brook) is unchanged on the landscape through the historical aerial photographs reviewed except for the construction of Highway 2 between 1950 and 1969. Following the construction of Highway 2, a culvert was installed and a portion of Whelp Brook adjacent to the highway was channelized. The City of Lacombe Natural Spaces Management Plan describes the portion of Whelp Brook within the Barnett Lands area as having moderate vegetation diversity with a mixture of native and weedy plant species and evidence of disturbance from livestock. However, the report notes that Whelp Brook is an important dispersal corridor for wildlife. Although no records or fish were present for the portion of Whelp Brook in the Barnett Lands area, the Fisheries and Wildlife Management Information System (FWMIS) database states that other reaches of Whelp Brook contains fish species such as brook stickleback, fathead minnow, northern pike, and white sucker (FWMIS, 2016).

The presence of wetlands, waterbodies and watercourses in the Barnett Lands may affect development in this area and/or trigger the need for additional studies and regulatory approvals. Based on the information available, considerations and next steps related to wetlands and waterbodies are listed below:

- All marshes, waterbodies and watercourse are regulated under the *Water Act* and will require an approval prior to modification or removal. A wetland assessment, including field classification and delineation, will be required to support the *Water Act* application and the proponent will need to show use of the wetland mitigation hierarchy (i.e., avoidance, minimization, and replacement). It is likely that the field assessment will identify more wetlands than what was identified as part of this desktop mapping exercise due to the scale of mapping and minimum polygon size.
- The areas classified as waterbodies and watercourse/marsh appear to be permanent features with potential to be claimed as Crown land under Section 3 of the *Public Lands Act*. These features either must be retained as part of future development or approvals under the *Public Lands Act* will be necessary for any removal or modifications of wetlands resulting from development. It is possible that wetlands in addition to those classified as waterbodies and watercourse/marsh could be claimed as Crown land. Therefore, a water boundaries review should be completed for all marshes, watercourses and waterbodies and submitted to AEP to confirm if they are deemed Crown land under Section 3 of the *Public Lands Act* prior to development.
- If wetlands or waterbodies are retained in the development, site buffers and setbacks should be determined and implemented for pollution prevention and flood protection of adjacent lands. Additional studies should be completed to determine the pre-development volume and frequency of surface water inputs into retained wetlands and waterbodies so that this can be matched post-development and reduce potential effects on retained waterbodies from changing the hydrology (e.g., flooding, erosion, cutting off water inputs, etc.).

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- The FWMS database indicates that Whelp Brook is a fish bearing waterbody. Development or modifications to Whelp Brook (e.g., realignment, culvert/bridge construction, etc.) will require regulatory approvals under the *Water Act*, *Public Lands Act* and potentially the *Fisheries Act*. Applications for this type of development will likely require a supporting fish and fish habitat field survey and report.
- The AEP flood hazard mapping database did not identify records of floodplain mapping for Whelp Brook. The flood hazard area must be determined prior to development so that appropriate mitigation measures can be implemented (e.g., setbacks).

### Landfill Analysis

A significant constraint that may impact development of the lands in the southern portion of the West Barnett area is the 300 m development setback from the closed landfill that is located just within the City boundary south of the unnamed lake. Currently no development of residential or commercial activities is permitted to the north and west of the landfill within this 300 m setback area. The City applied for and was granted a relaxation to the setback for lands within their boundaries and it was initially assumed that a similar relaxation would be granted for the West Barnett lands within the County. Preliminary groundwater testing was undertaken on August 23, 2016, to determine if that assumption was defensible.

Following a review of the groundwater analytical data (in particular, concentrations of leachate indicator parameters: chloride, sodium, sulphate, COD and ammonium), it appears that there may be leachate impact as observed in two of the groundwater monitoring wells. The location of these two groundwater monitoring wells also correspond with an area of apparent high conductivity, as determined by an electromagnetic survey of areas adjacent to the west and north of the landfill (refer to **Appendix A - Landfill Groundwater Monitoring Summary**).

Additionally, City records reportedly indicated that the landfill received mostly construction and demolition materials; however, interviews with City personnel suggested that the site did receive some municipal solid waste, some waste burning did occur at the landfill, and that evidence of leachate was reported in or around 1999 as stated in the Engineering Assessment of Closed Landfill Site, SE Sec 36-40-27 W4M, Lacombe, Alberta (Stantec, 2009). The report also referenced a test-pitting program at the landfill, which found that the thickness of the cover ranged from 0.8 m to 2.2 m. The Code of Practice for Landfills states that the barrier layer must have a permeability of  $1 \times 10^{-7}$  metres per second (m/s) or less with a minimum thickness of 0.60 m in addition to 0.20 m of topsoil and 0.35 m of subsoil (for recreational uses). The minimum thickness of earthen cover at the landfill should therefore be 1.15 m.

As the thickness of the landfill cover material may not meet the minimum provincial requirements, and the permeability of the barrier layer is unknown or has yet to be determined, it is possible that water has been percolating down through the buried waste potentially resulting in leachate formation. This may have implications with respect to development within 300 m of the landfill.

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If the intent is to develop residential uses or food establishment within 300 m of the landfill, regulatory confirmation from AEP will be required and an application will need to be made to determine if the setback allowing for residential development can be relaxed adjacent to the landfill. In support of an application to relax the set-back, additional site investigation work will be required. The work will likely involve performing a Phase II ESA assessment including the collection of shallow soil samples and placement of shallow soil vapor wells to obtain soil vapor data. Development of roads, trails, and recreational uses (that do not have food service or overnight accommodation) may be considered within the 300 m setback pursuant to Section 13 of the Subdivision and Development Regulation of the MGA

### Historical and Archaeological Analysis

Whelp Brook, Barnett Lake, and the small unnamed waterbody/slough provide an indication of archaeological site potential as the waterbodies would have been a focus for pre-contact land use. In addition, they provide an opportunity to encounter undisturbed sediments, either within areas of remaining native vegetation or due to deeper sediment deposits.

Existing disturbance, from a historical resources perspective, includes farmyards with associated buildings, cultivation, improved pasture, and roadways.

There are no previously recorded archaeological or historic structure sites within the West Barnett Lands and the lands are not included in the current *Listing of Historic Resources* (Alberta Culture and Tourism [ACT], September 2015 version). A review of historic Dominion Lands Survey (DLS) Plans of Township did not result in the identification of any historic trails, buildings, or farms. A comparison of modern and 1949 air photo imagery does, however, indicate that at least four farmyards/residences have been in continual existence for the 67-year period.

Much of the land has been previously disturbed through continuous and extensive cultivation, reducing the likelihood to encounter significant archaeological sites. A targeted Historical Resources Impact Assessment (HRIA) is recommended for the areas adjacent to Whelp Brook, Barnett Lake, and the southern waterbody, to identify areas of undisturbed sediments within remaining native vegetation and/or deeper sediments (below the plough zone)

No immediate concerns have been identified for palaeontological resources.

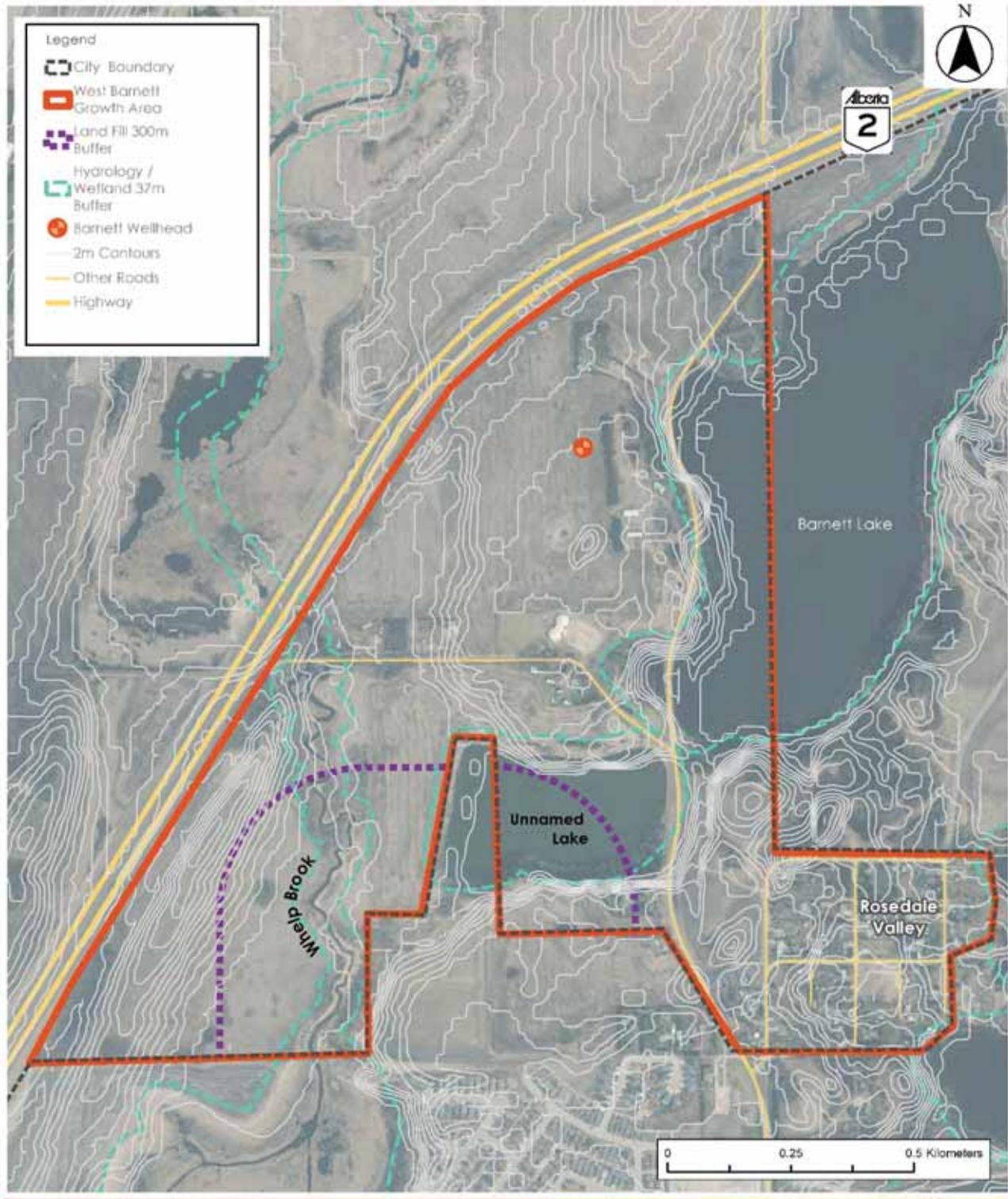
### Development Constraints

**Map 11 - West Barnett Growth Area Existing Conditions - Development Constraints** identifies the man-made and natural constraints that could impact development within the West Barnett area.

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Map 11 - West Barnett Growth Area Existing Conditions - Development Constraints



## Development Concept

### Guiding Principles

The development of the West Barnett lands should ensure the following guiding principles are considered:

- a) The Development Concept and supporting policies for the West Barnett Growth Area propose that the area be developed primarily for urban residential uses in a manner that support ease of future incorporation into the City.
- b) That the County and City work collaboratively and cooperatively to support development opportunities and appropriate land uses which can be considered within the West Barnett Growth Area prior to annexation.
- c) That existing and proposed development will not impose an unfair financial burden on either the County or the City.

The Development Concept for the West Barnett Growth Area, denotes, a generalized development strategy that establishes the area for primarily urban residential development. Neighbourhood commercial uses can be considered at the general locations identified. Recreational uses may be considered where deemed compatible or interim to the long term development strategy in areas generally indicated on **Map 12 - West Barnett Growth Area Land Use Concept**. Any development within the 300 m landfill setback must comply with the requirements of Section 13 of the *Subdivision and Development Regulations* of the *Municipal Government Act* which prohibits food service or overnight accommodation uses within the setback (unless a setback relaxation is granted by the Province).

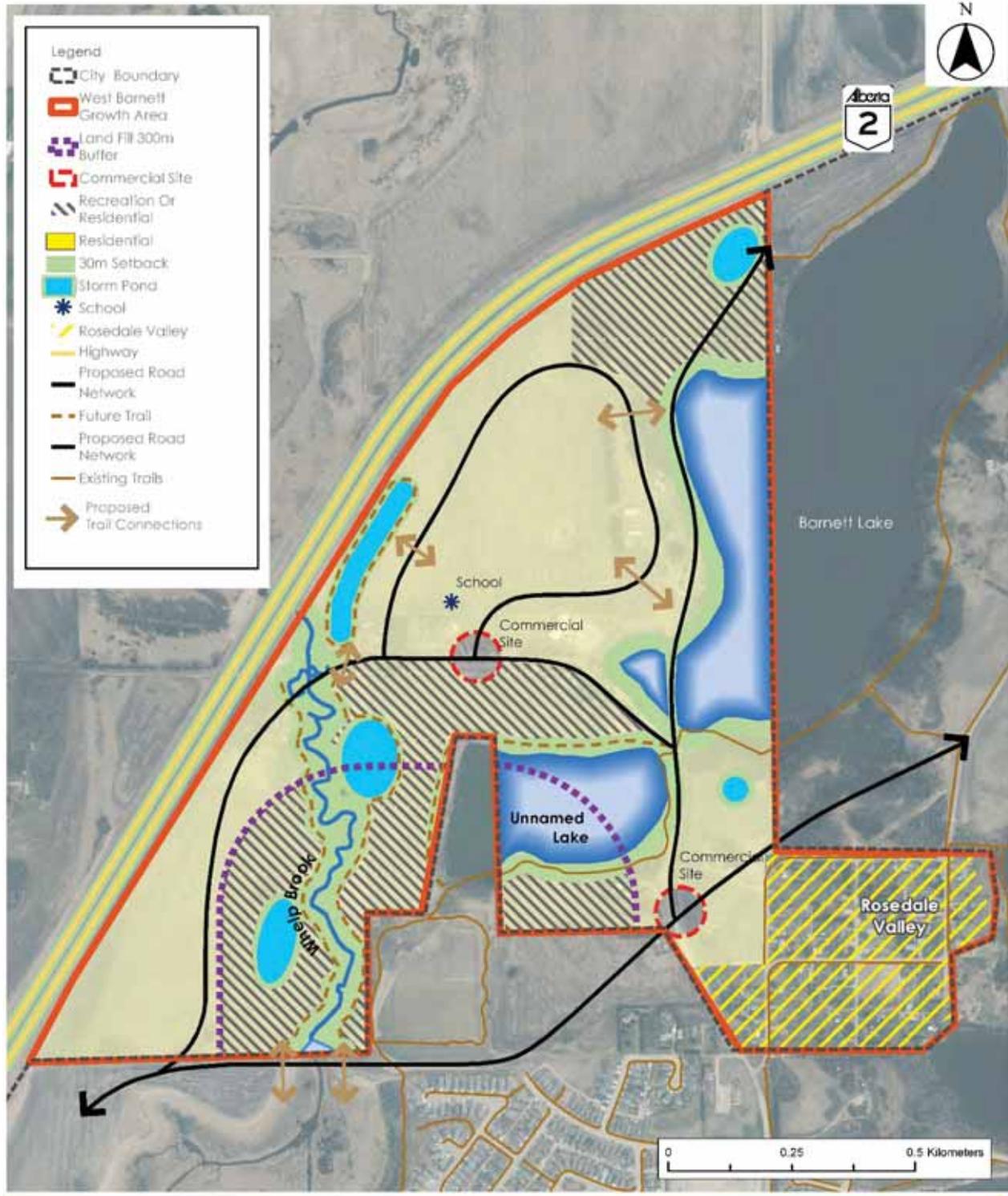
Development shall be planned to incorporate parks, trail connections to the City trail networks (both existing and planned), dedication of land for a future school site, provide stormwater management facilities, and connect into the water and wastewater systems of the City. There are currently 14 titled parcels of land within the development area (excepting the residential parcels in Rosedale Valley), with one parcel of land being 38 ha (94 ac) amounting to approximately 41% of the total developable area. It is anticipated that a future school site will be located on this parcel, with all other sites contributing a proportionate share of cash in lieu of Municipal Reserve, to ensure that a 5 ha (12 ac) school site is assembled.

Prior to development, Outline Plans will be required, along with additional supporting studies as detailed in **policies 5.11.15 – 5.11.20**. The overall residential design density for the West Barnett Growth area should achieve a minimum of 15 residential units per net developable hectare. A distribution of different residential densities across the area is supported, allowing for different forms of residential development to be accommodated.

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Map 12 - West Barnett Growth Area Land Use Concept



## Development Policies

### Development in Advance of Annexation

- 5.11.7** Development within the West Barnett Growth Area may proceed in advance of annexation by the City if consistent with the policies, procedures and requirements detailed in this Plan and as identified on **Map 12 - West Barnett Growth Area Land Use Concept**.
- 5.11.8** Lands shall continue as currently districted (refer to **Map 10 – West Barnett Growth Area Current Land Use Districts**), and uses and regulations of the existing districting shall apply in accordance with the Lacombe County Land Use Bylaw and the policies of the County's MDP.
- 5.11.9** Subdivision applications in advance of annexation shall be in accordance with the provisions of the Lacombe County Land Use Bylaw and corresponding Land Use Bylaw District and the policies of the County's MDP.
- 5.11.10** Lands may be considered for redistricting and subdivision to those generally identified on **Map 12 - West Barnett Growth Area Land Use Concept**. The redistricting application and an associated Outline Plan will be required and prepared as detailed in **policies 5.11.15 – 5.11.20** and per any additional requirements of the County.
- a) The IDP Committee will review the redistricting, subdivision and Outline Plan applications and provide comments prior to the applications going to the County's approving authority.
  - b) The approving authority shall have consideration for the IDP Committee's comments and consistency with the direction provided in the IDP.
- 5.11.11** The City and the County should promote development which is contiguous to the City boundary. Where development is proposed that is not contiguous to the City boundary, infrastructure shall be planned to meet full City Standards in the future.
- 5.11.12** The land uses and development concept shown on **Map 12 - West Barnett Growth Area Land Use Concept** shall be used to guide Outline Plan preparation. If the IDP Committee sees merit in a proposed Outline Plan that is not consistent with the West Barnett Area Land Use Concept, the IDP will need to be amended prior to the application being approved by approving authority.

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**5.11.13** Multi-lot residential development within the West Barnett Growth Area should be developed in such a way so as not to financially compromise the City upon the land being annexed. Development should provide for a range of housing densities, with the overall area largely achieving the City's housing development target of 15 units/hectare.

**Annexation Trigger**

**5.11.14** The City shall be obligated to initiate annexation of the entire West Barnett Growth Area, including Rosedale Valley, when 10% of the total developable land area (to be confirmed, but approximately 9.2 ha (23 ac)) within the West Barnett Growth Area has approved Outline Plans that require connection to urban services, and where half (approximately 4.6 ha (11 ac)) of those lands with an approved Outline Plan requiring connection to urban services have approved subdivisions.

**Outline Plan Requirements**

**5.11.15** Any application for redistricting will require preparation of an Outline Plan.

**5.11.16** The Outline Plan must be circulated to the IDP Committee for comment prior to consideration by the approving authority having jurisdiction.

**5.11.17** The Outline Plan must be consistent with this IDP and provide details with respect to:

- a) A biophysical assessment, including a geotechnical study and wetland assessment involving field classification and delineation, required to support a Water Act application,
- b) A water boundaries review for all marshes, watercourses, and waterbodies, submitted to AEP to confirm if they are deemed Crown land under Section 3 of the *Public Lands Act* prior to development,
- c) Proposed land uses, including the area of each major land use category and its percentage of the total area,
- d) Proposed land use districts,
- e) The number and percentage of parcels and housing units by type of dwelling,
- f) Housing and population density,

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- g) Conservation of, and proposed dedication of Environmental Reserve (ER) (where applicable), of sensitive features and the environment,
- h) Identification and proposed size of parks and open spaces, including the pathway (trail) system connections,
- i) The proposed road system, including all local roads and lanes, (interim standards for the development of this infrastructure may be considered),
- j) Location of utility services and rights-of-way, (interim standards for the development of this infrastructure may be considered),
- k) A stormwater management plan, including the location and size of stormwater management facilities, (interim standards for the development of this infrastructure may be considered),
- l) A phasing and staging plan,
- m) Planning for emergency service needs,
- n) Depending on the location of the development application within the West Barnett Growth Area, the Development Authority may require additional studies as detailed in **policies 5.11.21 – 5.11.25**, and,
- o) Any other matter requested by the Development Authority to be addressed.

**5.11.18** Each phase of development will be required to:

- a) Form a logical and efficient extension of municipal services,
- b) Not prejudice the further subdivision and development of any forthcoming phases and of adjoining lands,
- c) Make sufficient provision for road access,
- d) Ensure access through dedication of easements or Rights of Way for locating required municipal infrastructure (lift stations, SWMF, etc.),
- e) Identify means to deliver a 5 ha (12 ac) school site on the land identified as Lot 3, Block1, Plan 9524697. All parcels developed in the area shall be required to dedicate a proportionate share of the 10% required MR allocation to a shared school site of 5 ha (12 ac), to be generally located in the area identified on **Map 12 – West Barnett Growth Area Land Use Concept**, and

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- f) Dedicate municipal and environmental reserve as the development authority and subdivision authority considers necessary.

**5.11.19** All costs of development on private land and all applicable off-site development costs associated with the development of land will be the responsibility of the developer.

**5.11.20** The determination of off-site and other development levies shall be approved by the IDPC as necessary.

**Requirement for Additional Studies**

**5.11.21** Prior to development, the approving authority shall require a qualified professional to confirm the 1:100-year flood level. No permanent structures shall be permitted within the 1:100-year floodway of Whelp Brook, and development shall only be allowed in the flood fringe if proper flood proofing techniques are applied. A certified report from a qualified professional engineer will be required to confirm that the development has been properly flood proofed.

**5.11.22** The Development Authority may request additional studies to determine the pre-development volume and frequency of surface water inputs into retained wetlands and waterbodies so that this can be matched post-development and reduce potential effects on retained waterbodies from changing the hydrology (e.g., flooding, erosion, cutting off water inputs).

**5.11.23** The Development Authority may request groundwater assessment to determine groundwater levels depths.

**5.11.24** Targeted Historical Impact Assessments shall be requested for the areas adjacent to Whelp Brook, Barnett Lake, and the southern waterbody, to identify areas of undisturbed sediments within remaining native vegetation and/or deeper sediments (below the plough zone).

**5.11.25** Additional landfill monitoring and analysis may be required if residential uses or food service uses are proposed within the 300 m development setback and if the results are defensible an application may be made to Alberta Environment requesting a relaxation of the development setback.



### Environmental Protection Requirements

A portion of Whelp Brook, as well as Barnett Lake, and an unnamed lake on the south boundary of the area, are significant natural features that must be protected not only for their intrinsic environmental, ecological, or hydrological functions but also for their recreational and scenic value. The area also contains steep slopes that are more than 15 degrees which must be protected from development.

- 5.11.26** At the discretion of the Development Authority, a major development or multi-lot development in or in proximity to Whelp Brook, Barnett Lake or the unnamed lake may be required to prepare an environmental study with sufficient detail to ascertain potential impacts of the development proposal on these environmental features and present solutions on how the impacts can be mitigated.
- 5.11.27** Subdivision applications adjacent to Barnett Lake, the unnamed lake and Whelp Brook will be required to prepare an engineering and/or geotechnical analysis to determine the high water mark and/or top of bank of the waterbody or watercourse and to determine an adequate setback from the top of bank based on soil conditions and slope stability.

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- 5.11.28** As a condition of development permit approval, where there is no subdivision, a comparable setback of 30 m plus the required development setback from the property line shall be required from the high water mark of waterbodies and/or the top of bank of watercourses to the building. A greater setback may be required by the Development Authority, based on the recommendations of a geotechnical study undertaken by a qualified professional.
- 5.11.29** Any realignment, culvert/bridge etc. proposed for Whelp Brook will require regulatory approvals under the *Water Act*, *Public Lands Act* and potentially the *Fisheries Act*.

**Dedication of Reserves**

- 5.11.30** Environmental Reserve dedication pursuant to the *Municipal Government Act* will be utilized to protect environmentally sensitive lands and hazard lands.
- 5.11.31** Environmental Reserve lands shall generally be preserved in their natural state.
- 5.11.32** As a condition of subdivision approval, an Environmental Reserve, or Environmental Reserve Easement of not less than 30 m in width from the high water mark of waterbodies and/or the top of bank of watercourses to the lot line will be required. A greater setback may be required based on the recommendations of a geotechnical study undertaken by a qualified professional.
- 5.11.33** Municipal Reserve must be provided as land and/or a cash-in-lieu of land payment by the developer at the discretion of the development authority and with input from the City. When a cash-in-lieu payment is requested, the resulting funds shall be utilized for the acquisition of lands for a 5 ha (12 ac) school site within the West Barnett Area generally located is identified on **Map 12 - West Barnett Growth Area Land Use Concept**.
- 5.11.34** Subdivisions within the West Barnett Area will be required to provide at least ten percent of the gross developable area (less Environmental Reserve) as Municipal Reserve. Where desired, the allocation of Municipal Reserve will be provided in the following priority order:
- 1) Proportionate cash in lieu contribution towards securing a 5 ha (12 ac) school site within the West Barnett Area.
  - 2) Dedication of lands adjacent to Environmental Reserve and natural waterbodies.
  - 3) Dedication of linear connections to other green spaces (MR/ER).
  - 4) Smaller open space areas to serve as playgrounds or passive parks, these being linked where possible by internal linear parkways.

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- 5.11.35** When policies 5.11.33/5.11.34(4) are delivered, amenities (such as seating, interpretive signage, pocket parks, etc.) may be required adjacent to trails and linear parkways.

**Roads and Access**

Access to the West Barnett Growth Area will continue to be from the south via the extension of 58 Street (Range Road 270A). A large looping collector road will provide access to the development area north of the existing east-west road located just north of the unnamed lake. There is also a proposed collector road connection south, running parallel to the QEII Highway connecting to the proposed west extension of Garden Road. These are generalized locations and must be confirmed and finalized through more detailed planning.

In the long term, there may be opportunities to reduce or remove vehicular traffic from Range Road 270A. The long term future of Range Road 270A will be based on the build out of the lands north of Hennes Pond in the City, known generally as Hennes Heights. If Range Road 270A is not required to service development in this area, Range Road 270A should be repurposed for a trail/active transportation connection, linking to existing trails at the north and south of Barnett Lake. Trails are also proposed adjacent to the unnamed lake, Whelp Brook and the storm water detention ponds, creating a linked and connected trail system. Potential trail connection points are also identified on **Map 12 - West Barnett Growth Area Land Use Concept**.

The major road and trail network for the West Barnett area is shown on **Map 12 - West Barnett Growth Area Land Use Concept**.

- 5.11.36** As part of Outline Plan reviews, the County and City shall review any proposed internal, local, or minor collector roads, with consideration to emergency service provision, connectivity, and traffic.
- 5.11.37** The minimum right-of-way widths for the roadways shall conform to the City of Lacombe's Design Guidelines and Transportation Master Plan.
- 5.11.38** Where development is proposed which is not contiguous to the City boundary, the road standards within the development shall meet the City of Lacombe's Design Guidelines and Transportation Master Plan. The IDPC may allow for the connecting road infrastructure to not be fully built to the City standard until such time as the adjacent development is delivered. Where this provision is allowed, the connecting roads shall be required to be registered and constructed in such a way that they could be easily upgraded to City roadway standards. Pedestrian access shall be provided on at least one side of all roads considered for a development.
- 5.11.39** Major roads shall generally follow the alignment on **Map 12 - West Barnett Growth Area Land Use Concept** but final land use boundaries and road alignments will be confirmed per the approved in Outline Plans and plans of subdivision.

# CITY OF LACOMBE/LACOMBE COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

## POLICY FRAMEWORK

### Servicing

For details regarding servicing of the West Barnett Growth Area, refer to the Lacombe IDP Servicing Study (Stantec, 2017).

Per IDP Principle 5, ensuring that infrastructure and servicing requirements for the West Barnett Growth Area mutually support both municipalities, the servicing of lands within the West Barnett Growth Area will be to a standard that helps to guarantee the infrastructure can be easily upgraded to meet City standards. Until such time that the West Barnett Growth Area is annexed into the City, any infrastructure required for development shall be maintained by the developer and/or County. The City of Lacombe shall provide support to the County through service plan review, ensuring that the servicing will be acceptable to the City in an interim state and be upgradeable to City standards. Interim servicing (servicing which does meet current City standards) shall ensure that future need is considered at the time of construction, and that any easements required meet future needs at the time of initial interim construction. Funding mechanism agreements shall be arranged between the County and the developer to ensure that interim servicing can be upgraded to City standards. Such agreements shall be drafted in consultation with the City and the final agreements shall be registered on title at the time of development and be transferable to the City upon annexation.

### Shallow Utilities

Shallow utilities include services such as power, gas, telephone, and cable.

**5.11.40** Natural gas, electrical and communication utilities shall be provided in keeping with municipal development standards. Outline Plans and subdivision plans should accommodate these utilities where necessary through the recognition of existing rights-of-way, that must be retained, and future required rights-of-way and/or easements.

**5.11.41** The cost of installation of all utility services shall be borne by the developer.

## Rosedale Valley

The Hamlet of Rosedale Valley is a residential subdivision within the West Barnett Growth Area south of Barnett Lake, east of Range Road 270A, as identified on **Map 12 - West Barnett Growth Area Land Use Concept**. This small hamlet of approximately 18 ha (44 ac) under the jurisdiction of the County contains approximately 50 residential lots each on private water and waste water services.

Per **policy 5.11.14** which states, The City shall be obligated to initiate annexation of the entire West Barnett Growth Area, including Rosedale Valley, when 10% of the total developable land area within the West Barnett Growth Area has approved Outline Plans that require connection to urban services, and where half of those lands with an approved Outline Plan requiring

## CITY OF LACOMBE/LACOMBE COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

### POLICY FRAMEWORK

connection to urban services have approved subdivisions, all of the West Barnett Growth Area, including Rosedale Valley, must be annexed by the City.

Upon annexation, when these services become available, there will be an opportunity for the Rosedale Valley residents to connect to municipal services and intensify through future subdivision or increase density through redistricting, enabling higher intensity uses on some parcels. The City's MDP provides opportunities to consider infill projects. Should opportunities present themselves to redevelop lands in Rosedale Valley, the City's MDP should guide the process accordingly.

### Development Policies

- 5.11.42** Until such time as the Hamlet of Rosedale Valley is annexed by the City, development within Rosedale Valley will be in accordance with the provisions of the Lacombe County Land Use Bylaw and the H - Hamlet District.
- 5.11.43** Any subdivision or redevelopment within Rosedale Valley prior to annexation will be required to enter into a deferred serving agreement with the County requiring connection to municipal services when they come available.
- 5.11.44** Upon annexation into the City per **policy 5.11.14**, opportunities for infill and redevelopment may be considered upon redistricting to an appropriate residential land use district in the City of Lacombe's Land Use Bylaw. Redevelopment and intensification proposals may require a supporting outline plan and supporting studies.

### Road Upgrades

Despite Rosedale Valley having a rural road standard, it is anticipated that Rosedale Valley will be incorporated into the City as currently configured.

- 5.11.45** As part of the annexation proceedings, the City and County should work together to develop a plan to upgrade the roads within the Rosedale Valley subdivision to a standard considered acceptable to the City. Payment for this work should be through a local improvement levy (per the requirements of Division 7 of the MGA), or through any other legally binding agreements registered on the land titles within Rosedale Valley.

Refer to the The Lacombe IDP Servicing Study (Stantec, 2017), regarding potential road upgrades for Rosedale Valley.

### Servicing

- 5.11.46** Future water servicing of the Rosedale Valley area should be undertaken upon annexation.

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- 5.11.47** Future wastewater servicing of the Rosedale Valley area should be undertaken upon annexation.
- 5.11.48** As part of the annexation proceedings, the City and County should work together to develop a plan to construct water and wastewater services within the Rosedale Valley subdivision to a standard considered acceptable to the City. Payment for this work should be through a local improvement levy (per



the requirements of Division 7 of the MGA), or through any other legally binding agreements registered on the land titles within Rosedale Valley.

For details on potential servicing of Rosedale Valley, please refer to the Lacombe IDP Servicing Study (Stantec, 2017).

## **PUL #2**

The City of Lacombe constructed the Airport Stormwater Pond and several overland drainage channels in 2002 on a portion of land, referred to as PUL# 2, within the County. The intention was always that the City would annex this property and incorporate it within the City boundary.

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- 5.11.49** At the time of the next annexation, the Airport PUL#2 as identified on **Map 7 - Future Growth Areas** and **Map 13 - Detail - PUL#2** shall be included as part of the annexation application.

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Map 13 - Detail - PUL#2



## 6.0 ANNEXATION PROCESS

One of the purposes of this Plan is to identify future City annexation areas. To this end, the Plan identifies the Southeast Growth Area, the West Barnett Growth Area, and PUL #2 as the areas for future annexation. These future annexation areas are identified on **Map 7 - Future Growth Areas**.

- 6.1.1** The City should initiate annexation proceedings when it can clearly demonstrate that it has 10 years or less of developable land within its current municipal boundary as determined by a land consumption model.
- 6.1.2** Notwithstanding **policy 6.1.1**, the City may initiate annexation proceedings within the West Barnett Growth Area in advance of established need, consistent with **policy 5.11.14** and the development strategy and policies outlined in **Section 5.11** for the West Barnett Growth Area of this IDP.
- 6.1.3** At such time as the City determines it wants to initiate an annexation per **policy 6.1.1** or **6.1.2**, the County should consider the annexation request favourably, so long as it is consistent with the policies in **Section 5.11 Future Growth Areas** of this IDP.

The following principles and process for annexation shall be employed to guide proposals for future expansion of a municipality's boundaries. Future annexation requests should generally conform to the Future Growth Areas outlined in this IDP.

### Municipal Government Board (MGB) Annexation Principles:

1. Annexations should provide for intermunicipal cooperation. Consideration will be given to IDP policies that support intermunicipal cooperation so long as they do not conflict with Provincial policies or interests.
2. Growth must be accommodated for all municipalities without encumbering the initiating or responding municipalities.
3. Annexation conditions should not infringe on the local autonomy given to municipalities.
4. Annexations must be supported by growth projections, land availability, and reasonable development densities, land uses and growth options for affected municipalities.
5. Annexations must include a contiguous growth and logical extensions of infrastructure.
6. Annexations must support cost effective, efficient, and coordinated provision of services.
7. Annexations must respect key environmental and natural features, in alignment with provincial land use policies.

## CITY OF LACOMBE/LACOMBE COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

### ANNEXATION PROCESS

8. Annexations shall be aligned with IDPs and other municipal plans to demonstrate coordination and cost effectiveness.
9. Financial impacts on initiating and responding municipalities shall be fully considered.
10. Consideration should be given to all institutions that provide services to the annexation area.
11. Annexation proposals should develop reasonable solutions to impacts on property owners and citizens.
12. Annexation proposals must be based on effective public consultation prior to and during annexation proceedings.
13. Consideration should be given to revenue sharing, if warranted. As well as the justification for the suggested revenue sharing if being proposed.
14. Annexation proposals must not simply be tax initiatives, and must provide reasonable financial mitigation measures so as not to hinder either municipality from achieving the purposes of a municipality as outlined in section 3 of the MGA.
15. Annexation conditions must be certain, unambiguous, enforceable and time-specific.

### Municipal Government Act Annexation Process

The *Municipal Government Act* outlines the process for annexation. This process is generally described as follows:

- Initiation of annexation
  - A proposal to annex must be provided by the initiating municipality to the municipality from which land is being annexed and the Municipal Government Board (MGB).
  - The annexation notice shall describe the proposed lands to be annexed, rationale for annexation, and proposals for consulting with the public and meeting with the owners of the lands to be annexed.
- Direct Negotiations
  - Both municipalities must meet to discuss and negotiate the proposed annexation in good faith. Mediation must be attempted to resolve any matters on which there is no agreement.
- Report on Negotiations
  - Following negotiations, the initiating municipality must prepare a report describing the result of the negotiations, including agreed to items, items not

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### ANNEXATION PROCESS

- o agreed to and associated mediations efforts, and the public consultation process and feedback.
  - o Both parties must sign the report, or include reasons for not signing.
- Disposition of Report
  - o The completed report, required administrative information, and appropriate fees must be submitted by the initiating municipality to the MGB and the affected municipality. If desired by the initiating municipality, this proposal becomes an official application for annexation.
- General Agreement on Proposed Annexation
  - o If the annexation is uncontested, with accompanying signed consent from the responding municipalities and landowners, then the application will be processed and forwarded to the Minister of Municipal Affairs (Minister).
  - o If there are no signed consents, the MGB will determine if there is general agreement or any objections.
  - o If it is determined that there is general agreement with no objections, the recommendation for annexation will be forwarded to the Minister.
  - o If the MGB determines that there is not general agreement, it will advertise for objections within a specified timeframe and hold at least one public hearing if objections are received. The public hearing will be advertised by the MGB in a newspaper within the affected area for two consecutive weeks.
- MGB Report
  - o A report will be prepared by the MGB with a recommendation on the proposed annexation for consideration by the Minister.
- Annexation Order
  - o After considering the MGB's report, the Lieutenant Governor of Alberta may by order, approve, approve in part, or refuse the annexation proposal, with or without specific conditions of approval.
  - o If the application is refused, an annexation application for the same lands shall not be made by the initiating municipality within one year of the refusal.

### Application to the MGB

See checklist and MGB Annexation Procedure Rules included in **Appendix B**

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ANNEXATION PROCESS



## 7.0 IDP IMPLEMENTATION/ADMINISTRATION

### 7.1 Intermunicipal Development Plan Committee (IDPC)

The IDPC established to oversee the development of the IDP shall continue for the purposes of the implementation and on-going review and monitoring of this Plan and to consider disputes raised under **Section 6.3**.

**7.1.1** The IDPC shall:

- a) Be comprised of two members from each municipal Council.
- b) Convene at least once a year to review the policies and performance of the IDP.
- c) Convene to discuss/review applications which are subject to objections during the staff review process outlined in **Section 7.3.1**.
- d) Convene and discuss/review subdivision and redistricting applications per **Policy 5.11.10**, within the West Barnett Growth Area identified in this IDP
- e) Convene a meeting to discuss a relevant IDP issue at the request of either municipality.
- f) Convene if the annexation trigger outlined in **policy 5.11.14** is enacted.

### 7.2 Referrals

Each municipality is required to notify and refer applications to the other regarding matters that are described below. The Notification Area includes the undeveloped areas of the City and all County lands within the IDP Plan Boundary.

**7.2.1** Within the Intermunicipal Plan Boundary identified on **Map 1 - IDP Boundary**, the two municipalities shall refer the following:

- a) Municipal Development Plans, Area Structure Plans, and amendments thereto.
- b) Outline Plans and Conceptual Schemes when they border on the City Boundary or within the Growth Areas identified in this IDP.
- c) Applications for land use redesignation and subdivision within the Growth Areas identified in this IDP.
- d) Development Permit applications for:

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- i. Discretionary uses listed under the relevant Lacombe County Land Use Bylaw district
- ii. Discretionary uses listed under the relevant City of Lacombe Land Use Bylaw district for development within 60m of the City of Lacombe boundary.
- iii. Natural resource extraction
- iv. Landfills

**7.2.2** The County shall refer to the City all subdivision and development applications within the Plan area that are related to:

- a) industrial activities which because of emissions of smoke, fumes or noise may be detrimental to the City;
- b) commercial or industrial development which may be, by their nature, be more appropriately located within the City, the Joint Economic Area, or the future growth areas;
- c) country residential/cluster subdivisions;
- d) any other subdivision or development, which, in the opinion of the County, may have an effect or impact on the City with respect to community services, housing, commercial development, school provision, environmental impact, transportation, or urban lifestyle; or
- e) any application for the designation of a building as a Municipal Historic Resource within the IDP boundary.

**7.2.3** Subject to written intermunicipal agreement, items may be added to or deleted from the referral list without the need for an amendment to this Plan.

**7.2.4** For any referral made above, if no response to the referral is received within 21 days, it will be assumed that there are no objections to the proposal.

### **7.3 Dispute Resolution Mechanism**

The City of Lacombe and Lacombe County agree that it is important to avoid any dispute by ensuring that the principles, objectives, and policies of the IDP are followed and, if there are any disagreements as to the interpretation and application of the provisions of this Plan, the municipalities shall seek the timely resolution of the disagreement in a manner which is respectful of each municipality's interests and concerns.

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In the event that the dispute resolution process is initiated, the governing municipality shall not grant approval to the application or amendment in any way until the disagreement has been resolved or the mediation process has concluded.

The implementation of an intermunicipal dispute resolution mechanism is a requirement of all IDPs pursuant to the MGA. To satisfy this requirement and to ensure that the principles of fairness and due process are respected, a dispute or disagreement resolution process consisting of five stages has been established.

- 7.3.1** If there is a disagreement regarding matters outlined in the IDP they shall be addressed and resolved at any of the stages of the dispute resolution process outlined as follows:

**IDP Dispute Resolution Procedure**

**STAGE 1 – Municipal Administrative Communication**

- 1) Administration from the two municipalities shall meet and attempt to resolve the issue/concern. If no resolution can be agreed upon, the issue shall be advanced to the Chief Administrative Officers.

**STAGE 2 – CAO Review**

- 1) The Chief Administrative Officers from each municipality shall consider the issues and attempt to resolve the disagreement.
- 2) Should the Chief Administrative Officers be unable to resolve the disagreement, the matter shall be forwarded to the Committee.

**STAGE 3 – IDPC Review**

- 1) If the disagreement is moved forward to the IDPC, a meeting of all members of the IDPC shall be set within 21 days from the time of referral from the CAO review.
- 2) After careful consideration of the facts and points of view, the IDPC may:
  - a. request additional information to assist in its deliberations;
  - b. if possible, agree on a consensus position of the Committee in support of or in opposition to the proposal, to be presented to both municipal Councils; or
  - c. conclude that no consensus can be reached at the Committee level.
- 3) If agreed to, a facilitator may be employed to help the IDPC work toward a consensus position. If consensus cannot be reached a mediation process shall be employed as a means of resolving the matter.

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**STAGE 4 – Mediation Process**

- 1) Prior to the initiation of the mediation process, the municipalities shall:
  - a. appoint an equal number of representatives to participate in the mediation process;
  - b. engage a mediator agreed to by the municipalities at equal cost to each municipality; and
  - c. approve a mediation process and schedule.

At the conclusion of the mediation process, the mediator will submit a report to both Councils for consideration. With respect to statutory plans, land use bylaws, and amendments thereto, the mediator's report and recommendations are not binding on the municipalities and would be subject to the approval of both Councils.

If both Councils agree to the mediation report, then the applicant municipality would take the appropriate actions to address the disputed matter.

A mediator's report on non-statutory plans is binding on both municipalities.

**STAGE 5 – Appeal to the Municipal Government Board (MGB)**

- 1) In the event that mediation proves unsuccessful regarding statutory plan or land use bylaw issues, the affected municipality may appeal the matter to the Municipal Government Board for resolution in accordance with the *Municipal Government Act*. An appeal to the MGB is limited to those allowed within the Act.

## **7.4 Amending the IDP**

- 7.4.1** Any proposed amendments to the IDP will be reviewed by the IDPC which will prepare a recommendation for presentation and approval both municipal Councils.
- 7.4.2** Any amendment to this IDP must receive support from both municipalities following the statutory public hearing(s) held per the requirements of the MGA. No amendment shall come into force until after both municipalities have given their IDP amendment bylaws third reading. Any disagreement by either municipality regarding the amendment would trigger the dispute resolution process outlined in **Section 7.3**.
- 7.4.3** Amendments can be initiated by either municipality or by landowners within the IDP boundary. If landowner initiated, the amendment request shall be made to the municipality in which the subject land is located.

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**7.5 IDP Review**

- 7.5.1** Regular review of the IDP should occur to ensure that the principles and policies remain current.
- 7.5.2** When new a MDP for either community is undertaken, a review of the IDP should be undertaken as well to ensure conformity with the MDP policies.

**7.6 Repealing the IDP**

- 7.6.1** Either municipality may deem the IDP no longer workable or relevant, and may initiate repeal of the IDP. Repeal must be undertaken in accordance with the repeal provisions outlined in the MGA.
- 7.6.2** A municipality will give three (3) months written notice, along with reasons, to the other municipality of the intention to repeal its IDP bylaw; or if in mutual agreement, the two Councils may repeal their bylaws together and forego the three-month period.
- 7.6.3** The IDP is terminated when one or both municipalities repeal their IDP bylaw.

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IDP IMPLEMENTATION/ADMINISTRATION

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## 8.0 GLOSSARY

### A

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**Alberta Culture and Tourism (ACT)**

Provincial ministry responsible for the development and sustainability of Alberta's cultural industries, tourism, the arts, recreation and sport, heritage, and the non-profit/voluntary sector.

**Alberta Environment and Parks (AEP)**

Provincial ministry responsible for environmental policy.

**Annexation**

The process of transferring land from one municipality to another.

**Area Structure Plan (ASP)**

Statutory plan which provides long range land use planning for large areas of undeveloped land within the municipality, usually encompassing several sections of land. The plans identify major roadways, land uses, infrastructure requirements, parks, trails, and school sites. ASPs are approved and adopted by Council and must conform to the Municipal Development Plan.

**Area Redevelopment Plan (ARP)**

Statutory plan which guides the redevelopment of existing developed areas. Area Redevelopment Plans are approved and adopted by Council and must conform to the Municipal Development Plan.

### B

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**Bylaw**

A law made by a local authority in accordance with the powers conferred by or delegated to it under the *Municipal Government Act*. Bylaws are enforceable through penalties, able to be challenged in court and must comply with higher levels of law.

**Buffer**

An area (landscaped, natural, or a separate use) set aside or maintained to provide visual or physical, or auditory separation between lots, public roadway, and/or uses.

### C

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**Chief Administrative Officer (CAO)**

A position within a municipality, established by bylaw, which is the administrative head of the municipality.

**City**

City refers to the City of Lacombe.

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**Conceptual Scheme**

A non-statutory plan that provides a framework for subsequent subdivision and development.

**Confined Feeding Operations (CFO)**

Fenced or enclosed land or buildings where livestock are confined (typically at a density  $\geq 170$  animals /acre) for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds. CFOs require a permit regulated by the NRCB, in accordance with the Agricultural Operation Practices Act.

**County**

County refers to Lacombe County.

**D**

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**Development Permit**

A document that is issued under a land use bylaw and authorizes a development.

**Dominion Lands Survey (DLS)**

Method used to divide land into one-square-mile sections.

**E**

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**Easement**

A privilege to pass over the land of another, whereby the holder of the easement acquires only a reasonable and usual enjoyment of the property and the owner of the land retains the benefits and privileges of ownership consistent with the easement.

**Environmental Reserve (ER)**

Land dedicated to a municipality during the subdivision process, where it is determined to be undevelopable due to environmental conditions, in accordance with Section 664 of the *Municipal Government Act*. This may include swamps, gullies, wetlands, ravines, flood-prone areas, or land adjacent to a watercourse or waterbody.

**Environmental Reserve Easement (ERE)**

Instead of land being dedicated to a municipality during the subdivision process, where it is determined to be undevelopable due to environmental conditions, in accordance with Section 664 of the *Municipal Government Act*. This may include swamps, gullies, wetlands, ravines, flood-prone areas, or land adjacent to a watercourse or waterbody. An environmental easement is registered on the private land holders title preventing development an destruction of these lands.

**Environmental Site Assessment (ESA)**

Refers to an evaluation of a property to determine the likelihood or presence of potential contamination on the property.

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GLOSSARY

**Extensive Agriculture**

In agricultural economics, refers to a system of crop cultivation using small amounts of labour and capital in relation to large areas of land being farmed.

**F**

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**Floodplain**

All land adjacent to a watercourse over which water flows in times of flood or would flow but for the presence of flood defenses where they exist. The limits of the floodplain are defined by the peak level of a 1 in 100 year return period flood or the highest known water level, whichever is greater. The floodplain is normally kept free of encumbrances to allow the free flow of water during a flood.

**Floodway**

The portion of the flood hazard area where flows are deepest, fastest and most destructive. The floodway typically includes the main channel of a stream and a portion of the adjacent overbank area.

**Flood Hazard Area**

The flood hazard area is typically divided into floodway and flood fringe zones and may also include areas of overland flow.

**Flood Fringe**

The portion of the flood hazard area outside of the floodway. Water in the flood fringe is generally shallower and flows more slowly than in the floodway.

**H**

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**Historical Resources Impact Assessment (HRIA)**

An assessment process by which archaeological, historical, and palaeontological resources are located, studied, and managed.

**I**

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**Incompatible Development**

Uses that by their permanency (once built cannot be easily removed or redeveloped) or would unduly impact on existing or future development (noise, dust, smell, traffic, etc.).

**Intermunicipal Development Plan Committee (IDPC)**

The Intermunicipal Development Plan Committee comprised of two elected officials, and the Chief Administrative Officers (CAO) from each municipality, supported by administrative staff who assisted in the development and who administer the IDP.

**J**

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**Joint Economic Agreement (JEA)**

An arrangement between municipalities that minimizes the impact of municipal jurisdictional boundaries on the development of commercial and industrial uses to allow a shared vision for long term growth in the area.

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GLOSSARY

**L**

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**Land Use**

The various ways in which land may be used or occupied. Typically, these are broadly categorized as residential, commercial, industrial, institutional, agricultural, etc.

**Land Use Bylaw (LUB)**

A statutory document (bylaw) that divides the municipality into Land Use Districts (Zones) and establishes procedures for processing and deciding upon applications for development. It sets out rules which affect how each parcel of land in the municipality may be used and developed. It also includes a zoning map.

**Land Use District/Zone**

Regulations for development for an area of land, as set out in the Land Use Bylaw.

**M**

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**Municipal Development Plan (MDP)**

Statutory plan adopted by a Municipal Council, under the authority of Section 632 of the *Municipal Government Act*. The plan outlines the direction and scope of future development, the provision of required transportation systems and municipal services, the coordination of municipal services and programs, environmental matters, and economic development.

**Municipal Government Act (MGA)**

Provincial legislation that outlines the power and obligations of a municipality.

**Municipal Government Board (MGB)**

An independent and impartial quasi-judicial board established under the *Municipal Government Act* to make decisions about land use planning and assessment matters. Specifically, in relation to matters addressed in the MDP, the MGB considers applications which relate to annexation of lands, subdivision appeals which are adjacent to water, highways, landfills, waste treatment or storage sites, and intermunicipal or linear (e.g., pipelines, wells, etc.) disputes.

**Municipal Reserve, Municipal and School Reserve, and School Reserve (MR, MSR, SR)**

Lands to be owned by a municipality to provide for park, recreation, or school authority purposes. Such lands are generally obtained at the time of subdivision, where the applicant is required to provide up to 10% of the developable area as reserve lands or cash in lieu, as determined by the municipality.

**Must**

An interpretive clause that directs that the policies stated must be followed.

**N**

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**Natural Resources Conservation Board (NRCB)**

A body within Alberta that reviews proposed major natural resource projects, and regulates confined feeding operations in the province.

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GLOSSARY

**Natural Spaces Management Plan (NSMP)**

Plan that sets out the long term management of natural spaces or areas.

**Non-Statutory Plan**

Plans that are similar in scope to statutory plans but which are approved through Council resolution as opposed to being adopted as bylaws. These may include Outline Plans, Conceptual Schemes, Master Plans, guidelines, and policy statements.

**North Red Deer Regional Wastewater Service Commission (NRDRWWSC)**

A group of municipalities authorized to provide and operate a wastewater supply system.

**North Red Deer Regional Water Services Commission (NRDRWSC)**

A group of municipalities authorized to provide and operate a water supply system.

**O**

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**Off-Site Levy**

A development levy that a Council may impose by bylaw in accordance with the *Municipal Government Act*, to be used to pay for identified offsite infrastructure capital costs by those who gain a direct or indirect benefit of that infrastructure. This helps to ensure that new growth helps pay for new infrastructure required for that growth.

**Outline Plan (OP)**

A non-statutory plan outlining development principles, patterns and land uses for an area. These plans typically specify Land Use Districts, lot layout, MR and ER locations, density levels, road types and infrastructure requirements and rights of way for the development.

**P**

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**Policy**

A specific statement or plan to achieve an objective, which when part of a statutory plan, provide direction and instruction for a proposal.

**Public Hearing**

As part of a bylaw amendment, the public shall be notified of an opportunity to submit representation (written or oral) to be heard by Council, at a specified date and time, per the *Municipal Government Act's* notification requirements.

**Public Utility Lot (PUL)**

Land which the municipality owns, and generally contains a utility.

**Pressure Reducing Valve (PVR)**

Used in municipal servicing as an automatic throttle to prevent the downstream hydraulic grade from exceeding a set value.

**CITY OF LACOMBE/LACOMBE COUNTY  
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GLOSSARY

**R**

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**Residential Conservation (Cluster) Subdivision**

The grouping of residential uses and structures in a concentrated rather than dispersed pattern. The intent of clustering is to achieve desired economic densities, while providing opportunities to protect important landscapes, natural features, and open spaces.

**Rights-of-Way (ROW)**

Agreement that confers to an individual, company or municipality the right to use a landowner's property in some way. Also see easement.

**Riparian**

Transitional areas between upland and aquatic ecosystems, bordering streams, lakes, rivers, and other watercourses. These areas have high water tables and support plants requiring saturated soils during all or part of the year. Riparian areas usually have soil, biological and other physical characteristics that reflect the influence of water and hydrological processes.

**S**

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**Setback**

The distance between a property line and part of a site, governed through the Land Use Bylaw.

**Shall**

An interpretive clause that directs that the policies stated must be followed.

**Should**

An interpretive clause that means compliance to the principle is required but the IDPC has some discretion based on the circumstances of the specific case being presented for consideration.

**Statutory Plan**

A plan adopted by municipal bylaw under the authority of the *Municipal Government Act*. Examples of a Statutory Plan are: an Intermunicipal Development Plan, a Municipal Development Plan, Area Structure Plans, and Area Redevelopment Plans.

**Stormwater Management Facility (SWMF)**

An area which gathers rainfall and surface water runoff to help reduce the possibility of flooding and property damage, slowing and filtering storm water runoff.

**Stopping House**

A rural lodging located on early pioneer trails.

**Subdivision**

The creation or separation of new titled parcels of land from an existing parcel of land.

**W**

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**Will**

An interpretive clause that directs that the policies stated must be followed.

CITY OF LACOMBE/LACOMBE COUNTY  
INTERMUNICIPAL DEVELOPMENT PLAN

Appendix A Landfill Groundwater Monitoring Summary

Appendix A **Landfill Groundwater Monitoring Summary**

**CITY OF LACOMBE/LACOMBE COUNTY  
INTERMUNICIPAL DEVELOPMENT PLAN**

Appendix A Landfill Groundwater Monitoring Summary

Table 1.0 2016 Groundwater Analytical Results - Petroleum Hydrocarbons

Sample ID	Sample Date	Benzene	Toluene	Ethylbenzene	Xylenes	Petroleum Hydrocarbon Fractions			
						F1 - BTEX	F2	F3	F4
Reportable Detection Limits		0.0005	0.0003	0.0005	0.0005	0.1	0.1	0.1	0.1
MW16-1	23-Aug-16	<0.0005	<0.0003	<0.0005	<0.0005	<0.1	<0.1	<0.1	<0.1
MW16-2	23-Aug-16	<0.0005	<0.0003	<0.0005	<0.0005	<0.1	<0.1	<0.1	<0.1
MW16-3	23-Aug-16	<0.0005	<0.0003	<0.0005	<0.0005	<0.1	<0.1	<0.1	<0.1
MW16-4	23-Aug-16	<0.0005	<0.0003	<0.0005	<0.0005	<0.1	<0.1	<0.1	<0.1
MW16-5	23-Aug-16	<0.0005	<0.0003	<0.0005	<0.0005	<0.1	<0.1	<0.1	<0.1
MW16-6	23-Aug-16	<0.0005	<0.0003	<0.0005	<0.0005	<0.1	<0.1	<0.1	<0.1
MW16-7	23-Aug-16	<0.0005	<0.0003	<0.0005	<0.0005	<0.1	<0.1	<0.1	<0.1
<b>Regulatory Guidelines</b>									
<sup>(a)</sup> Agricultural Groundwater Guidelines		0.005	0.024	0.0016	0.02	2.2	1.1	ng	ng

Notes:

<sup>(a)</sup> Alberta Tier 1 Groundwater Remediation Guidelines, values for fine-grained soil and agricultural or residential land use (AEP, 2016)

RDL - reportable detection limit

< - less than

All results expressed in milligrams per litre (mg/L)

Lacombe IDP  
2016 Groundwater Monitoring and Sampling  
Barnett Lands Historical Landfill  
Lacombe, Alberta

Tables  
September 2016

Table 2.0 2016 Groundwater Analytical Results - Dissolved Metals

Sample ID	RDL	MW16-1	MW16-2	MW16-3	MW16-4	MW16-5	MW16-6	MW16-7	Alberta Tier 1 Agricultural Guidelines <sup>(a)</sup>	Alberta Tier 1 Residential Guidelines <sup>(a)</sup>
Metal Parameter/Sampling Date		23-Aug-16	23-Aug-16	23-Aug-16	23-Aug-16	23-Aug-16	23-Aug-16	23-Aug-16		
Dissolved Aluminum	0.004	0.05	<b><u>0.073</u></b>	0.007	0.037	<b><u>0.09</u></b>	0.047	0.036	0.05	0.05
Dissolved Antimony	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.006	0.006
Dissolved Arsenic	0.001	0.001	0.002	<0.001	<0.001	<0.001	0.003	0.001	0.005	0.005
Dissolved Barium	0.05	0.19	0.23	0.13	0.09	0.63	0.12	0.3	1	1
Dissolved Boron	0.01	<b><u>8.4</u></b>	<b><u>1.7</u></b>	0.20	0.1	0.09	0.17	0.11	1	1.5
Dissolved Chromium*	0.001	<0.0010	<0.0010	<0.0010	<0.0010	<0.0010	<0.0010	<0.0010	0.0049	0.0089
Dissolved Cobalt	0.001	0.005	0.006	<0.001	<0.001	0.004	0.004	0.002	ng	ng
Dissolved Copper	0.001	0.002	0.0014	0.0011	0.0016	0.004	0.0023	0.003	0.007	0.007
Dissolved Iron	0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	0.3	0.3
Dissolved Manganese	0.005	<b><u>1.39</u></b>	<b><u>3.8</u></b>	<b><u>0.36</u></b>	<b><u>0.378</u></b>	<b><u>1.29</u></b>	<b><u>1.86</u></b>	<b><u>0.516</u></b>	0.05	0.05
Dissolved Molybdenum	0.001	0.004	0.006	<0.001	<0.001	<0.001	0.002	<0.001	ng	ng
Dissolved Selenium	0.0005	<b><u>0.0039</u></b>	<b><u>0.0056</u></b>	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	0.001	0.001
Dissolved Silver	0.00005	<0.00005	0.00009	<0.00005	<0.00005	<0.00005	<0.00005	0.00006	0.0001	0.0001
Dissolved Sodium	0.6	<b><u>546</u></b>	<b><u>501</u></b>	28	73	41	86	36.3	200	200
Dissolved Thallium	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	ng	ng
Dissolved Uranium	0.001	<b><u>0.04</u></b>	<b><u>0.032</u></b>	<b><u>0.011</u></b>	<b><u>0.017</u></b>	0.004	<b><u>0.021</u></b>	0.006	0.01	0.015
Dissolved Zinc	0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	0.03	0.03

Notes:

<sup>(a)</sup> Alberta Tier 1 Groundwater Remediation Guidelines, values for fine-grained soil and agricultural or residential land use (AEP, 2016)

**Bold and underlined** - concentration exceeds the Alberta Tier 1 (AEP, 2016) agricultural or residential guideline

ng - no guideline

RDL - reportable detection limit

\* - trivalent

< - less than

All results expressed in milligrams per litre (mg/L)

Lacombe IDP  
 2016 Groundwater Monitoring and Sampling  
 Barnett Lands Historical Landfill  
 Lacombe, Alberta

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Table 3.0 2016 Groundwater Analytical Results - Hardness Dependent Metals

Sample ID	RDL	MW16-1	MW16-2	MW16-3	MW16-4	MW16-5	MW16-6	MW16-7
Metal Parameter/Sampling Date		23-Aug-16						
Dissolved Cadmium	0.000016	0.000180	0.000255	0.000128	0.000129	0.000193	0.00008	0.000078
Hardness		1,290	1,840	974	1,610	459	964	695
Cadmium Guideline <sup>(a,b)</sup>		0.001324	0.001777	0.001048	0.001591	0.000561	0.001039	0.000792
Dissolved Lead	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005
Hardness		1,290	1,840	974	1,610	459	964	695
Lead Guideline <sup>(a,d)</sup>		0.082495	0.129646	0.057687	0.109379	0.022138	0.056934	0.037540
Dissolved Nickel	0.01	0.008	0.010	0.006	0.005	0.009	0.007	0.006
Hardness		1,290	1,840	974	1,610	459	964	695
Nickel Guideline <sup>(a,c)</sup>		0.45	0.61	0.36	0.55	0.19	0.35	0.27

Notes:

<sup>(a)</sup> Alberta Tier 1 Groundwater Remediation Guidelines, values for fine-grained soil and agricultural land use (AEP, 2016)

<sup>(b)</sup> Total cadmium chronic exposure guideline hardness dependent =  $10^{0.83[\log_{10}(\text{hardness})-2.46]}$

<sup>(c)</sup> Total nickel chronic exposure guideline hardness dependent =  $\text{EXP}^{(0.846*\text{LN}(\text{hardness})+0.0584)}$

<sup>(d)</sup> Total lead chronic exposure guideline hardness dependent =  $\text{EXP}^{(1.273(\ln(\text{hardness}))-4.705)}$

RDL - reportable detection limit

< - less than

All results expressed in milligrams per litre (mg/L)

Table 4.0 2016 Groundwater Analytical Results - Routine Potability and Dissolved Organic Carbon

Sample ID	Units	RDL	MW16-1	MW16-2	MW16-3	MW16-4	MW16-5	MW16-6	MW16-7	Alberta Tier 1 Agricultural Guidelines <sup>(a)</sup>	Alberta Tier 1 Residential Guidelines <sup>(a)</sup>	Performance Standards for Landfills <sup>(b)</sup>	Regional Background Groundwater <sup>(c)</sup>
			23-Aug-16										
pH	pH Units	n/a	7.50	7.31	7.41	7.37	7.23	7.60	7.56	6.5-8.5	6.5-8.5	6.5 - 8.5	nd
T - Alkalinity (as CaCO <sub>3</sub> )	mg/L	5	834	1,000	672	882	430	491	478	ng	ng	ng	nd
Bicarbonate	mg/L	5	1,020	1,220	820	1,080	525	598	583	ng	ng	ng	nd
Carbonate	mg/L	5	<5	<5	<5	<5	<5	<5	<5	ng	ng	ng	nd
Hydroxide	mg/L	5	<5	<5	<5	<5	<5	<5	<5	ng	ng	ng	nd
Electrical Conductivity	µS/cm	5	<b>4,570</b>	<b>5,640</b>	<b>1,890</b>	<b>2,950</b>	<b>1,060</b>	<b>1,980</b>	<b>1,410</b>	1,000	ng	ng	nd
Chloride	mg/L	1	<b>362</b>	<b>747</b>	37	96	21	8	7	100	120	250	18
Fluoride	mg/L	0.05	0.37	0.48	0.27	0.11	0.13	0.27	0.13	1	1.5	ng	nd
Nitrate	mg/L	0.5	1.1	8.5	<0.1	<0.1	3.8	<0.1	<0.1	ng	ng	ng	nd
Nitrate-N	mg/L	0.02	0.25	1.92	<0.02	<0.02	0.86	<0.02	<0.02	3	3	ng	nd
Nitrite	mg/L	0.10	0.6	0.49	<0.05	<0.05	0.23	<0.05	0.26	ng	ng	ng	nd
Nitrite-N	mg/L	0.01	0.19	0.15	<0.01	<0.01	0.07	<0.01	0.08	1	1	ng	nd
Nitrate + Nitrite - Nitrogen	mg/L	0.02	0.44	2.07	<0.02	<0.02	0.93	<0.02	0.08	100	ng	ng	3.8
Sulphate	mg/L	2	<b>1,160</b>	<b>964</b>	393	<b>838</b>	126	<b>684</b>	320	429	429	500	160
Dissolved Calcium	mg/L	0.3	325	475	231	319	124	235	200	ng	ng	ng	nd
Dissolved Magnesium	mg/L	0.2	116	158	96.4	197	36.3	91.7	47.6	ng	ng	ng	nd
Dissolved Sodium	mg/L	0.6	<b>546</b>	<b>501</b>	28.4	72.8	41	86.1	36.3	200	200	200	105
Dissolved Potassium	mg/L	0.6	53.9	59.8	4	4.9	3	11.1	8.3	ng	ng	ng	nd
Dissolved Iron	mg/L	0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	0.3	0.3	ng	nd
Dissolved Manganese	mg/L	0.005	<b>1.39</b>	<b>3.8</b>	<b>0.36</b>	<b>0.378</b>	<b>1.29</b>	<b>1.86</b>	<b>0.516</b>	0.05	0.05	ng	nd
Calculated TDS	mg/L	1	<b>3,190</b>	<b>3,660</b>	<b>1,290</b>	<b>2,190</b>	<b>676</b>	<b>1,480</b>	<b>975</b>	500	500	ng	<b>720</b>
Sodium Adsorption Ratio	unitless	n/a	<b>6.6</b>	<b>5.08</b>	0.4	0.79	0.83	1.21	0.6	5	ng	ng	nd
Hardness	mg CaCO <sub>3</sub> /L	0.5	1290	1840	974	1610	459	964	695	ng	ng	ng	nd
Ion Balance	%	0.001	100	98	92	94	93	96	96	ng	ng	ng	nd

Notes:

<sup>(a)</sup> Alberta Tier 1 Groundwater Remediation Guidelines, values for fine-grained soil and agricultural or residential land use (AEP, 2016)

<sup>(b)</sup> Alberta Environmental Protection's Code of Practice for Landfills is incorporated by the *Waste Control Regulation* (A.R. 192/96), under the authority of section 36 of the *Environmental Protection and Enhancement Act*.

<sup>(c)</sup> Concentrations of Constituents in Groundwaters from Surficial Aquifers, Regional Groundwater Assessment, Lacombe County (Hydrogeological Consultants Ltd. and Agriculture and Agri-Food Canada, 2001).

**Bold and underlined** - concentration exceeds the Alberta Tier 1 (AEP, 2016) agricultural or residential guideline

µS/cm - microSiemens per centimetre

mg CaCO<sub>3</sub>/L - milligrams per litre as calcium carbonate

n/a - not applicable

nd - no data

ng - no guideline

RDL - reportable detection limit

Shaded - concentration exceeds the performance standard

< - less than

Lacombe IDP  
 2016 Groundwater Monitoring and Sampling  
 Barnett Lands Historical Landfill  
 Lacombe, Alberta

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Table 5.0 2016 Groundwater Analytical Results - Nutrients, Chemical Oxygen Demand and Phenols

Sample ID	Sample Date	Oil and Grease	Chemical Oxygen Demand	Total Ammonia as Nitrogen	Unionized Ammonia as Nitrogen	pH at 15 °C	Ammonium (calculated)	Phenols
Reportable Detection Limits		0.2	1.00	0.02	0.016	0.02	n/a	0.002
MW16-1	23-Aug-16	0.4	92	0.26	<0.016	6.45	0.26	<b><u>0.006</u></b>
MW16-2	23-Aug-16	<0.2	108	0.34	<0.016	6.40	0.34	<b><u>0.003</u></b>
MW16-3	23-Aug-16	0.6	8	0.03	<0.016	6.60	0.03	<b><u>0.004</u></b>
MW16-4	23-Aug-16	0.4	40	<0.02	<0.016	6.53	<0.02	<b><u>0.003</u></b>
MW16-5	23-Aug-16	0.4	18	<0.02	<0.016	6.72	<0.02	<b><u>0.003</u></b>
MW16-6	23-Aug-16	2.8	41	<0.02	<0.016	6.65	<0.02	<b><u>0.023</u></b>
MW16-7	23-Aug-16	1.3	64	0.04	<0.016	6.72	0.04	<b><u>0.019</u></b>
<b>Regulatory Guidelines</b>								
Alberta Tier 1 Agricultural Guidelines <sup>(a,b)</sup>		ng	ng	11.4	0.016	6.5 - 8.5	ng	0.002
Alberta Tier 1 Residential Guidelines <sup>(a,b)</sup>		ng	ng	11.4	0.016	6.5 - 8.5	ng	0.004

Notes:

<sup>(a)</sup> Alberta Tier 1 Groundwater Remediation Guidelines, values for fine-grained soil and agricultural land use (AEP, 2016)

<sup>(b)</sup> Total ammonia (as nitrogen) guideline is pH and temperature dependent: temperature of 15°C and varying pH used in guideline determination

**Bold and underlined** - concentration exceeds the Alberta Tier 1 (AEP, 2016) agricultural or residential guideline

ng - no guideline

RDL - reportable detection limit

°C - degrees Celsius

< - less than

Table 6.0 2016 Groundwater Analytical Results - Volatile Organic Compounds

Sample ID Metal Parameter/Sampling Date	RDL	MW16-1	MW16-2	MW16-3	MW16-4	MW16-5	MW16-6	MW16-7	Alberta Tier 1 Agricultural Guidelines <sup>(a)</sup>	Alberta Tier 1 Residential Guidelines <sup>(a)</sup>
		23-Aug-16								
Chloromethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Vinyl Chloride	0.0008	<0.0008	<0.0008	<0.0008	<0.0008	<0.0008	<0.0008	<0.0008	0.002	0.002
Bromomethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Chloroethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Trichlorofluoromethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Acetone	0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	ng	ng
1,1-Dichloroethylene	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.014	0.014
Methylene Chloride	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.05	0.05
Methyl tert-Butyl Ether	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.015	0.015
Methyl Ethyl Ketone	0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	ng	ng
trans-1,2-Dichloroethylene	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
1,1-Dichloroethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
cis-1,2 Dichloroethylene	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Chloroform	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.0018	0.0018
1,2-Dichloroethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.005	0.005
1,1,1-Trichloroethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Carbon Tetrachloride	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	0.002	0.002
Benzene	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	0.005	0.005
1,2-Dichloropropane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Trichloroethylene (TCE)	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.005	0.005
Bromodichloromethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
trans-1,3-Dichloropropene	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Methyl Isobutyl Ketone	0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	ng	ng
cis-1,3-Dichloropropene	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
1,1,2-Trichloroethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Toluene	0.0003	<0.0003	<0.0003	<0.0003	<0.0003	<0.0003	<0.0003	<0.0003	0.024	0.024
2-Hexanone	0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	ng	ng
Dibromochloromethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.1	0.19
Ethylene Dibromide	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Tetrachloroethylene (PCE)	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.01	0.01
1,1,1,2-Tetrachloroethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Chlorobenzene	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.0013	0.0013
Ethylbenzene	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	0.0016	0.0016
m,p-Xylenes	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	ng	ng
Bromoform	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
Styrene	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.072	0.072
1,1,2,2-Tetrachloroethane	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	ng	ng
o-Xylene	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	ng	ng
1,3-Dichlorobenzene	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	ng	ng
1,4-Dichlorobenzene	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	0.001	0.001
1,2-Dichlorobenzene	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	0.0007	0.0007
1,2,4-Trichlorobenzene	0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.015	0.015
Total Xylenes	0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	0.02	0.02

Notes:

<sup>(a)</sup> Alberta Tier 1 Groundwater Remediation Guidelines, values for fine-grained soil and agricultural land use (AEP, 2016)

ng - no guideline

RDL - reportable detection limit

< - less than

All results expressed in milligrams per litre (mg/L)

CITY OF LACOMBE/LACOMBE COUNTY  
INTERMUNICIPAL DEVELOPMENT PLAN

Appendix B MGB Annexation Procedure Rules

Appendix B **MGB Annexation Procedure Rules**

**CITY OF LACOMBE/LACOMBE COUNTY  
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----- **MGB ANNEXATION PROCEDURE RULES** -----

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## **PREFACE**

These Annexation Procedure Rules were established under section 523 of the *Municipal Government Act*. They apply to all annexation appeals filed or still open on or after January 1, 2013 and replace the Board's "Procedure Guide", dated January 2000.

Informal Bulletins explaining annexation hearings and the subject matter they deal with can be found on the Municipal Government Board website:

<http://www.mgb.alberta.ca>

For further information you can also contact the Board's office at 780-427-4864 (outside Edmonton call 310-0000 to be connected toll free) or email [mgbmail@gov.ab.ca](mailto:mgbmail@gov.ab.ca).

### **Purpose of the Rules**

The purpose of the Annexation Procedure Rules is to

- Provide information about the steps involved with annexation proceedings before the MGB.
- Ensure a fair, open and accessible process.
- Increase the efficiency and timeliness of annexation proceedings.

### **Operating Principles**

These *Rules* recognize that municipalities and persons affected by a proposed annexation should have a fair opportunity to voice their concerns to the Board before it makes its recommendation to the Minister.

Hearing participants are encouraged to discuss, develop and bring forward mutually acceptable solutions to issues wherever possible.

## **Part A – Interpretation and Application of these Rules**

1. *Definitions*
- 1.1 “**Act**” means the *Alberta Municipal Government Act*, RSA 2000, c M-26, as amended from time to time.
  - 1.2 “**Affected person**” means a person affected by an annexation application who has a right to participate in Board proceedings to the extent permitted under the *Act* and these *Rules*.
  - 1.3 “**Board**” means the Alberta Municipal Government Board and includes any panel of the Municipal Government Board.
  - 1.4 “**Board administration**” means staff engaged to support the Board and Chair carry out their duties.
  - 1.5 “**Board member**” means a member of the Board appointed by the Lieutenant Governor in Council pursuant to section 486 of the *Act*.
  - 1.6 “**Case manager**” means a board member or member of the board administration designated by the Chair as such.
  - 1.7 “**Chair**”, for the purposes of these *Rules*, means the person to whom the powers of the Administrator have been delegated under section 486(4) of the *Act*.
  - 1.8 “**Days**” means calendar days.
  - 1.9 “**Initiating municipality**” means a municipal authority that commences an annexation by filing a notice of intent with the Board pursuant to section 116 of the *Act*.
  - 1.10 “**Minister**” means the Minister responsible for the *Municipal Government Act*.
  - 1.11 “**Panel**” means a panel selected pursuant to section 487 of the *Act*.
  - 1.12 “**Person**” includes a natural person, government agency, corporate or other legal entity.
  - 1.13 “**Responding municipality**” means a municipal authority from which an initiating municipality proposes to annex land.
  - 1.14 “**Rules**” mean these *Annexation Procedure Rules*.

- |                                      |     |  |
|--------------------------------------|-----|--|
| 2. <i>Application of These Rules</i> | 2.1 | Subject to Rules 2.2 and 2.3, these <i>Rules</i> apply to any annexation proceeding before the Board pursuant to Part 4, Division 6 of the <i>Act</i> .  |
|                                      | 2.2 | These <i>Rules</i> apply only to the extent they are consistent with the <i>Act</i> and regulations made under the <i>Act</i> .  |
|                                      | 2.3 | The Board may give specific procedural directions which, to the extent of those directions, waive or modify the <i>Rules</i> for any given case.   |
| 3. <i>Effect of Non-compliance</i>   | 3.1 | If a person fails without reasonable excuse to comply with these <i>Rules</i> or with an order of the Board, the Board may   |
|                                      |     | (a) Limit or bar the presentation of evidence or argument or give it less weight, where the person has disregarded a Rule or Board decision concerning disclosure or exchange of evidence or argument, |
|                                      |     | (b) Order the non-complying person to reimburse another person for costs incurred as a result of the non-compliance, or  |
|                                      |     | (c) Take any other action it deems appropriate.  |

**Part B – Communication with and Representation before the Board**

- |  |     |  |
|--|-----|--|
| 4. <i>Communication with the Board</i> | 4.1 | Unless made during a hearing, preliminary hearing, or case management meeting, communications with the Board about specific ongoing proceedings must be made through the Board administration. |
|  | 4.2 | The Board administration may copy correspondence received to other persons in order to facilitate Board proceedings.   |

5. *Representation*
- 5.1 Persons who participate in Board proceedings may represent themselves or be represented by another person.
- 5.2 Upon the Board's or the Board administration's request, a person who acts for another person must provide
- (a) Proof of authorization to act for the other person, and
  - (b) An address for service
- by the date requested by the Board or the Board administration.

**Part C – Procedures for Filing Notices of Intent and Annexation Applications**

6. *Documentation to Accompany Notices of Intent and Applications*
- 6.1 Written notice to the Board made under section 116(1)(b) of the Act must be accompanied by a list of the authorities that the initiating municipality believes may be affected by the proposal, including, but not limited to
- (a) The one or more municipality, special area or improvement district authorities from which the land is to be annexed.
  - (b) The board of trustees of the local school district(s) or division(s).
  - (c) Any regional health authorities.
  - (d) Any regional services commissions.
  - (e) Alberta Transportation.
  - (f) Public utility operator providing services to the initiating municipality and the area proposed for annexation.
  - (g) Irrigation districts.
- 6.2 A report on negotiations prepared in accordance with section 118 of the Act and filed with the Board under section 119 as an application for annexation must be accompanied by
- (a) A copy of the form attached to these Rules in Appendix "A" indicating whether the initiating and responding municipalities and the public are in general

agreement with the annexation, and

- (i) Where the initiating municipality believes there is no general agreement, all the items marked with an X in the column headed "No General Agreement" in the Table attached to these *Rules* as Appendix "A".
  - (ii) Where the initiating municipality believes there is general agreement, all the items marked with an X in the column headed "general agreement" in the Table attached to these *Rules* as Appendix "A".
- (b) Such further material as may be directed by a case manager or the Board.

## **Part D – Case Management and Preliminary Hearings**

### **7. Case Management**

7.1 A case manager may do one or more of the following:

- (a) Direct the initiating municipality, responding municipality or one or more affected persons to
  - (i) Clarify or focus the issues in dispute.
  - (ii) Identify any relevant agreed facts.
  - (iii) Identify any witnesses to be called and provide a summary of the evidence intended to be introduced through those witnesses.
- (b) Provide the initiating municipality, responding municipality or one or more affected persons with copies of correspondence received, decisions, authorities and other information relevant to the annexation.
- (c) Direct an initiating municipality or responding municipality to provide any affected person with access to annexation applications made under section 119 of the *Act*.
- (d) Direct disclosure of further material or information from the initiating municipality, responding municipality or one or more affected persons to facilitate a fair, orderly and timely hearing process or to promote compliance with these *Rules*.

- (e) Direct that communication with the Board or disclosure of some or all material or information be made or remade in approved electronic format or in hard copy, or any combination of both.
- (f) Direct that evidence be submitted to the Board by affidavit by a particular date.
- (g) Establish or reschedule dates for hearings, disclosure or exchanges of information.
- (h) Screen and refer an application for the Minister to consider processing under section 126.
- (i) Hold meetings or discussions with the initiating municipality, responding municipality or one or more affected persons to facilitate any of the above.
- (j) Refer any matter to a panel for a preliminary hearing.

7.2 A municipality or affected person who disagrees with a case manager's directive may request a preliminary hearing.

7.3 A Board member who has acted as a case manager in respect of a matter will not participate in any subsequent hearing concerning the same matter unless all affected participants consent.

**8. Preliminary Hearings**

8.1 At a preliminary hearing, the Board may do one or more of the following:

- (a) Direct the initiating municipality, responding municipality or one or more affected persons to pursue discussions on their own, with a case manager, or with another independent facilitator by specified dates and monitor the progress of such discussions.
- (b) Establish dates for hearings.
- (c) Determine whether further disclosure is required and direct the initiating municipality, responding municipality or one or more affected persons to provide or expand particulars, evidence summaries, legal analyses, authorities, or any other relevant documents or material.
- (d) Give directions for disclosure or exchange of material, including the timing for production of material, the

persons to whom the material must be produced, measures to protect confidential information, and any further directions it deems necessary.

- (e) Determine whether procedures, filing or disclosure requirements established by legislation or the Board have been met, and determine the effects of any defects.
- (f) Determine whether a person is affected by an annexation proceeding and the extent to which that person is entitled to participate in the proceeding.
- (g) Determine what matters are properly before the Board or whether one or more grounds of complaint should be struck out as frivolous or not reasonably supportable.
- (h) Determine requests for postponements, withdrawals, or joint recommendations.
- (i) Make any order it deems appropriate to establish procedures by which a hearing may proceed in a fair and expeditious manner.

8.2 Board members who have heard or participated in a panel for a preliminary hearing may also hear or participate in panels for any subsequent hearings concerning the same proceeding if so scheduled by the Chair.

## **Part E – Prehearing Submissions and Disclosure**

- 9. *Disclosure*
  - 9.1 Municipalities and affected persons must disclose or exchange any material required under Rules 7 or 8 as directed by a case manager or the Board.
  - 9.2 Unless it grants special permission, the Board will not accept written material filed after it has convened to hear oral submissions.
- 10. *Form of Documents*
  - 10.1 Material filed must be clear and understandable. All pages must be numbered consecutively throughout the entire text and graphic content, even if there are dividers or tabs.

- 10.2 Unless otherwise directed by a case manager or the Board, parties must file five (5) hard copies of their material with the Board.
- 10.3 Documents may be filed electronically with the permission of the Board or a case manager.

**Part F – Orders for Further Disclosure or to Protect Confidential Information**

**11. Orders for Disclosure**  
*Sharing information before the hearing prevents surprise, encourages resolution through discussion, and facilitates efficient presentations to the Board*

- 11.1 After reviewing the material provided under Rule 9.1, an affected person, initiating or responding municipality may request in writing that the Board issue an order for further disclosure. Such a request must
  - (a) Identify as precisely as possible the information or material required and the issue(s) to which it relates,
  - (b) Provide details explaining how the disclosure requested may be relevant to the issue(s) before the Board, and
  - (c) Identify the person who will be required to disclose the information.
- 11.2 When entertaining a request made under this Rule, the Board may consider whether
  - (a) The material requested should have been disclosed under these *Rules*, a preliminary hearing decision, or other legal requirement;
  - (b) The material requested is
    - (i) Within the control of another person,
    - (ii) Not readily available from another source,
    - (iii) Potentially relevant to the proceedings before the Board, and
    - (iv) Reasonably required by the person requesting the information to make their own submissions.

- 11.3 After considering a request under this Rule, the Board may
- (a) Order disclosure within a specific time of all or some of the material requested by the other person, with or without conditions, including conditions to protect any confidential information.
  - (b) Refuse to order disclosure of the information requested.
  - (c) Give any other direction it deems to be appropriate.
- 12. Disclosure of Confidential Information**
- 12.1 Upon request, the Board may make any order it deems appropriate to help protect the confidential nature of information contained in documents filed with it.
- Sealing Orders**
- 12.2 An order under Rule 12.1 may include a sealing order restricting public access to certain Board records (or parts thereof), subject to any overriding legal requirement to disclose them.
- Confidentiality on Production of Documents**
- 12.3 Where the Board determines that information in documents containing confidential or sensitive material must be disclosed to another person, the Board may, if it deems it appropriate
- (a) Order the first person to make and disclose a non-sensitive summary or extract of the original.
  - (b) Order the material to be provided to the other person subject to a signed undertaking satisfactory to the panel.
  - (c) Order restrictions on the use of information by observers to a hearing where confidential information is presented.
  - (d) Make any other arrangement suitable in the context of an open hearing to allow access to the information without unnecessarily compromising its sensitive nature.

## **Part G – Withdrawals, Agreements, and Postponements**

- 13. Withdrawals**
- 13.1 An initiating municipality may request to withdraw an application for annexation that it initiated before the Board.
- 13.2 Subject to waiver from the Board or Board administration, a person who submits a withdrawal request either
- (a) After the hearing has been advertised, or

(b) After notices of the hearing have already been distributed shall appear on the scheduled date to explain the reason for the late withdrawal.

**14. Agreements**

- 14.1 Where two or more municipalities or affected persons reach an agreement concerning an issue before the Board, they may provide the Board with a notice of agreement.
- 14.2 Agreements are to be submitted to the Board in writing.
- 14.3 The Board may recommend acceptance or rejection of an agreement, or ask for supporting information.
- 14.4 Subject to waiver from the Board or a case manager, parties must be prepared to proceed at the scheduled hearing date to explain the agreement and to provide other submissions as may be required.

**15. Postponements**

- 15.1 A request to postpone a scheduled hearing must
- (a) Include reasons for the postponement.
- (b) Suggest suitable replacement dates for the hearing, or in the case of a request for postponement sine die, include reasons why a specific date cannot be identified.
- (c) Be communicated to the Board as soon as the need arises.

**Late  
Postponement  
Requests**

- 15.2 Subject to waiver from the Board or Board administration, a person who submits a postponement request either
- (a) After the hearing has been advertised, or
- (b) After notices of the hearing have already been distributed shall appear on the scheduled date to explain the reason for the postponement request.
- 15.3 The Board may consider the following factors as relevant to deciding postponement requests:
- (a) Whether the request is based on
- (i) a serious impediment to the attendance of a

principal hearing participant, witness or agent, such as illness, injury or impassable weather conditions, or

(ii) a serious issue affecting the fairness of the Board's proceedings.

(b) The degree and likelihood of prejudice or cost to other persons, if the request is granted and to the person seeking the postponement, if the request is denied.

(c) The number of persons affected by the delay and whether they have consented to the postponement.

(d) The likelihood of unreasonable disruption to the Board's schedule.

(e) Where the request is based on relevant pending Board or Court decisions

(i) Whether the decision(s) is expected within 30 days, and

(ii) Whether the relevant proceedings have been pursued expeditiously.

(f) Legislated timelines for hearings and decisions.

(g) Any other factor the Board deems relevant.

15.4 Subject to waiver from the Board or Board administration, all hearing participants must be prepared to proceed at the hearing date scheduled in case the request is not granted.

## **Part H – Overlapping Annexations, Dissolution or Amalgamation Proceedings**

### **16. Annexation Applications for Same Land**

16.1 Where two or more annexation applications are received from different municipalities in respect of the same land,

(a) The Board will deal with them in the order in which they are received; but

(b) A municipality that has filed an annexation application in respect of the same land may participate in the



- 22.2 If the Board permits a party to make a verbatim record of the proceedings, the Board is to receive paper and electronic copies of the record, as applicable, at no cost to itself and the Board may apply one or more of the following conditions:
- (a) The costs of transcription, including expedited transcription, if requested by the Board, and copies for the Board are to be borne by the person who requested the record, unless others agree to share the costs.
  - (b) Other persons specified by the Board are to receive additional copies of any transcription or recording, provided they cover the cost of the copies they receive.
  - (c) The process of recording or transcription will not interrupt the orderly conduct of Board proceedings.
  - (d) The recording or transcription proposed will be, in the view of the panel, of sufficient accuracy.
  - (e) Any other condition the Board finds appropriate.
- 22.3 The Board may provide for the recording of its own proceedings where it deems it necessary to do so.

## **Part J – Recusal of Panel Members**

23. *Withdrawal of Panel Members Owing to Apprehension of Bias*
- 23.1 Where a panel member becomes aware of circumstances that he or she believes may raise a reasonable apprehension of bias, that member will
- (a) Disclose the circumstances and withdraw from the panel, or
  - (b) Disclose the circumstances and give the affected parties an opportunity to either
    - (i) Waive any objection to the member sitting on the panel, or
    - (ii) Give reasons as to why the panel member should or should not withdraw.
- 23.2 An initiating or responding municipality or an affected person may ask a panel member to withdraw because of a reasonable apprehension of bias. A person who makes such a request

must do so as soon the circumstances giving rise to it become known and must provide reasons for the request.

- 23.3 Where a member has been asked to withdraw, the panel will give an opportunity to the initiating municipality, responding municipality, and any affected persons it deems to have a sufficient interest to address the question of whether the circumstances raise a reasonable apprehension of bias.
- 23.4 The decision to grant or dismiss a request to withdraw because of an apprehension of bias must be made by the member in question.
- 23.5 A panel member may confer with other panel members before deciding whether to withdraw.
- 23.6 A panel from which one or more members has withdrawn may
- (a) Proceed to hear the matters before it, subject to the existence of a quorum as defined in section 489 of the Act, or
  - (b) Adjourn or make arrangements to reschedule a matter so that it may be heard by a full panel.

## **Part K – Post-Hearing Procedures**

### **24. Costs**

**See Section 501**

- 24.1 When determining whether to award costs, the Board may consider whether the person(s) against whom they are to be awarded
- (a) Has abused the Board's process.
  - (b) Has acted contrary to an agreed-upon or Board-directed process.
  - (c) Has caused unreasonable delays, postponements, or expense.
  - (d) Has acted unreasonably or engaged in conduct worthy of an order to reimburse another person for costs and expenses incurred as a result of that conduct.
- 24.2 Where the Board does not otherwise direct, a request for costs must

- (a) Be filed with the Board no later than 30 days after the date the Board provides notification of the Order in Council or refusal.
- (b) Specify the total sum sought for costs together with a description of how the amount is calculated and an itemized list of any expenses sought to be recovered.
- (c) Specify the reasons why an award of costs is appropriate in the circumstances.

**25. Access to Board Reports**

- 25.1 The Board's written report to the Minister under section 123 of the Act will not be published or provided to hearing participants, including the initiating and responding municipality, unless authorized by the Minister or required pursuant to section 124.
- 25.2 Unless otherwise directed by the Minister, reports made pursuant to section 123 will be deemed authorized for disclosure after the annexation order has been released. At that time, the Board may publish its reports or have them published in any form, including posting them on the Internet.

**26. Access to other Board Records**

- 26.1 The Board will not make available an annexation application that can be viewed at the initiating municipality.
- 26.2 Other records that have been filed with the Board for an annexation hearing will be made accessible for viewing at the MGB office in Edmonton, subject to
  - (a) Restrictions imposed by Board orders, freedom of information and protection of privacy legislation or other legal restrictions, and
  - (b) Payment of any prescribed fee if copies are required following viewing.

**Appendix "A"**  
**Notice of Annexation Application**

**Please indicate whether the initiating and responding municipalities and the public are generally in agreement with the application for annexation.**

**A copy of this form should be attached with your annexation application together with the material marked with an ✓ in the corresponding column below:**

- Yes** (There is general agreement)  
 **No** (There is no general agreement)

Item	No General Agreement	General Agreement
A clear statement that the initiating municipality wishes to proceed with the annexation and intends the report to become the application for the annexation.	✓	✓
Application Fee (Cheque payable to the Government of Alberta) \$300 for first quarter; \$50 for each additional qtr. or portion of qtr.	✓	✓
An up-to-date map showing the location of the existing municipal boundary and the proposed municipal boundary, with each parcel to be annexed identified by legal land description.	✓	✓
All relevant sections of any Municipal Development Plan or other Statutory Plan.	✓	
A description of the intended uses for the annexation area including a description of how the area can be serviced with water, sewer, storm sewer and other related municipal services.	✓	✓
The signed consent, without conditions, of each owner of land that is within the intended annexation area.		✓
A signed acknowledgment from each owner of land that is within the intended annexation area that they are aware of and accept all assessment and taxation conditions.		✓
A letter from the responding municipality written on municipal letterhead and signed by an appropriate municipal official that <ul style="list-style-type: none"> <li>• Certifies agreement to the annexation.</li> </ul>		✓

Item	No General Agreement	General Agreement
<p>A letter from the initiating municipality written on municipal letterhead and signed by an appropriate municipal official that</p> <ul style="list-style-type: none"> <li>• Certifies there are no known objections from the general public.</li> </ul>		✓
An explanation of the consultation process followed.	✓	✓
An explanation of any differences between the public consultation process followed and that proposed in the notice filed with the Board under section 116.	✓	✓
A clear identification of which boundary roads are to be included or excluded in the annexation.	✓	✓
Up-to-date copies of land title certificates for each parcel proposed to be included in the annexation. The certificates must have been issued within six months of the Board's receipt of the application, unless otherwise agreed to by the Board.	✓	✓
A list of the names and mailing addresses of each landowner (with their corresponding parcel identified) and any other person known to have an interest in the annexation proposal.	✓	✓
The proposed effective date of the annexation. If this date is retroactive to the anticipated annexation order, an explanation as to why a retroactive date is necessary.	✓	✓
Identification of whether any special conditions are requested, such as assessment and taxation provisions, compensation or revenue sharing.	✓	✓
Reference to any other relevant matter which arose during the annexation process prior to submission of the formal application.	✓	✓
Confirmation of involvement of other public interests, including Alberta Transportation, schools, and utilities, etc.	✓	✓
<p>List of the affected local authorities (as defined under section 1(1)(m) of the Act) to which the applicant has provided a copy of the application pursuant to section 119(1) of the Act including</p> <ul style="list-style-type: none"> <li>◆ Municipal authorities,</li> <li>◆ Regional health authorities, regional services commissions, and</li> <li>◆ Boards of trustees of the local school district(s) or division(s).</li> </ul>	✓	✓

Item	No General Agreement	General Agreement
An explanation of how the proposed annexation addresses each of the principles listed in Appendix "B".	✓	✓
An explanation of any agreed-to compensation agreement.	✓	✓
Financial Analysis.	✓	✓

## **Appendix "B"**

### **Annexation Principles**

Annexation applications should include information to show how the following considerations have been addressed:

1. Intermunicipal cooperation.
2. Accommodation of growth by all municipalities.
3. Recognition of local autonomy.
4. Land requirement considerations such as
  - Growth projections,
  - Available lands within the current boundaries,
  - Density levels,
  - The variety of land uses, and
  - Reasonable growth options.
5. Logical extension of growth patterns, transportation and infrastructure servicing.
6. Cost effective, efficient and coordinated approach to the administration of services.
7. Sensitivity and respect for key environmental and natural features.
8. Alignment with statutory plans, infrastructure plans, and economic development plans.
9. Financial impact on the initiating and the responding municipalities.
10. Agency consultation.
11. Reasonable solutions to impacts on property owners and citizens.
12. Public and landowner consultation process.
13. Justification for suggested intermunicipal revenue sharing/compensation.
14. Rationale to establish the annexation is not simply a tax initiative.
15. Conditions of annexation that are certain, unambiguous, enforceable and time specific.

CITY OF LACOMBE/LACOMBE COUNTY  
INTERMUNICIPAL DEVELOPMENT PLAN

Appendix C Joint Economic Agreement

## Appendix C **Joint Economic Agreement**

TOWN OF LACOMBE

AND

LACOMBE COUNTY

JOINT ECONOMIC AGREEMENT

JULY 18, 2007

This Agreement made this 18<sup>th</sup> day of July, 2007

**BETWEEN:**

**Town of Lacombe**, a Municipal Corporation in the Province of Alberta, hereinafter the "Town"

- and -

**Lacombe County**, a Municipal Corporation in the Province of Alberta, hereinafter the "County"

**WHEREAS** the Town and County have adopted the Lacombe Intermunicipal Development Plan which provides for the coordination of land use planning in an area of County surrounding the Town, hereinafter the "Intermunicipal Area"

**WHEREAS** the Town and County wish to promote sustainable economic development within certain portions of the Intermunicipal Area in close proximity to the Town, hereinafter the "Joint Economic Area," and

**WHEREAS** the Town and County wish to establish a long term land use planning and economic relationship between the Town and County within this Joint Economic Area, recognizing that where municipalities in a community work together, a stronger community will emerge, and

**WHEREAS** the Town and County wish to provide an economic benefit to the Town from commercial and industrial development that locates within the Joint Economic Area through the sharing with the Town of taxes raised by the County, recognizing the added value of development that is possible with the extension of Town water and wastewater systems and the agreement of the Town not to seek annexation of lands west of Highway 2.

**WHEREAS** by Resolution Number C/370/07, the County authorizes the Town pursuant to Section 54 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, to provide water and wastewater services within the Joint Economic Area in accordance with this agreement.

**NOW THEREFORE** in consideration of the payment to the Town of a share of taxes collected by the County from within the Joint Economic Area as determined under this agreement, which the parties agree is good and valid consideration, the parties agree as follows:

Establishment and Purpose of Joint Economic Area

1. The Town and County hereby establish a Joint Economic Area, the geographic extent of which is set out in Figure 1, attached to and forming part of this

Agreement, within which the parties will encourage commercial and industrial development to the benefit of both the Town and County, minimizing the impact of municipal jurisdictional boundaries and using to advantage, the availability of service by the Town's public water and waste water systems.

2. Where development is proposed on lands that are outside of, but in proximity to the Joint Economic Area and the land use and servicing requirements of the proposed development are similar to the land uses and servicing requirements prescribed within the Joint Economic Area, the Town and County will give strong consideration to amending, within one year of development approval, the boundaries as shown on Figure 1 to include within the Joint Economic Area the lands proposed for development.

#### Land Use Planning and Development Control

3. The land use planning and development control provisions for the Joint Economic Area shall be prescribed within the Lacombe Intermunicipal Development Plan, County Land Use Bylaw and any area structure plan or outline plan adopted.

#### Development and Servicing of Lands

4. The physical construction of sites for commercial and industrial developments within the Joint Economic Area is expected to be undertaken by private interests and the County shall require that the terms of such development and the requirements of the private developers be set out in a development agreement.
5. The developers of privately developed land shall be required generally to pay for the full costs of directly servicing the lands including the off-site and on-site requirements for roads, surface drainage and storm sewer systems, semi-public and public water and wastewater systems and other utilities.
6. The County or the Town, either separately or jointly, may consider undertaking the development of lands in the Joint Economic Area directly and such development shall be addressed in a separate agreement between the parties.
7. The Town shall permit development within the Joint Economic Area to connect to and be served by the Town's public water and wastewater services, such services being provided on a user-pay, utility rate basis, subject to the availability of capacity in these systems to service the developments.
8. Where a development wishing to receive water or waste water services from the Town's system is unable to connect for lack of capacity, the Town shall use its best efforts to provide sufficient capacity as soon as may be practical.
9. Those areas of the Joint Economic Area where public water and wastewater servicing is required are identified on Figure 1 and the County shall set out further

in Area Structure Plans, the manner in which public water and wastewater services are to be provided in these areas.

10. The County shall require a developer initially and individual property owners subsequently, to fund the net cost, defined as the total cost of construction less any grant and other external funds attributed, of the
  - a) proportionate share of providing overall water supply capacity and wastewater treatment capacity necessary to serve a development area
  - b) proportionate share of extending water and wastewater trunk mains to a development area
11. Where a developer is required to bring water and wastewater trunk mains from areas beyond their development area or required to oversize the trunk mains through its development area for the benefit of other development areas, the County shall permit, subject to a reasonable time limitation, a developer to recover proportionate costs of extension or oversize from subsequent developers whose lands will benefit from these main extensions or oversized trunk mains.
12. The County shall require a developer initially and individual property owners subsequently, to fund the cost of:
  - a) constructing local water distribution mains and wastewater collection mains within a development area
  - b) installing service lines to individual lots within the development area
13. Except as provided below, the County shall collect contributions for costs identified in section 10 a) and 10 b) at the time of development in the form of offsite levies or as direct construction contributions under a development agreement.
14. Where a development is within the areas of the Joint Economic Area where public water and wastewater servicing is required but is either too remote from existing public water and wastewater infrastructure or is of insufficient size in its initial development to economically warrant the extension of public water or wastewater systems, the County shall require the developer to either:
  - a) pay offsite levies and / or construction contributions of sufficient value to fund the construction of these systems in the future, or
  - b) provide a legally enforceable deferred servicing agreement which would enable the collection of sufficient contributions for the construction of these public systems at a future time from properties deemed to benefit from these systems.

15. Where the provision of public water or wastewater systems is deferred, the County shall include in the development agreement the criteria or circumstances which, when met or occur, will trigger the installation of the systems.
16. Notwithstanding the general expectation that the development of lands within the Joint Economic Area is at the initiative of land owners or developers, the Town and County separately or jointly may choose to extend water or wastewater infrastructure as a means of facilitating or encouraging development within the Joint Economic Area and may expect a recovery of these investments through offsite levies, direct construction contributions or utility rate surcharges.

#### Sharing of Taxes and Grants in lieu of Taxes

17. As empowered under the provisions of Section 55 of the *Municipal Government Act, supra*, the County agrees to share with the Town, municipal taxes, other special purpose taxes and grants in lieu of municipal or special purpose taxes (hereinafter "Taxes") arising from new commercial, industrial and public uses developed within the Joint Economic Area during the currency of this Agreement.
18. Taxes derived from the assessment of linear property not required to service these new developments shall not be shared.
19. For development within the Joint Economic Area which is not provided with water and/or wastewater services from the public systems of the Town, the County will share with the Town 30% of the Taxes levied annually on these developments.
20. Where development within the Joint Economic Area is provided with water or waste water services from the public system of the Town, the County will share with the Town 40% of the Taxes levied annually on these developments, which shall be in addition to whatever utility charges and fees that are to be paid for water or waste water services.
21. Where development within the Joint Economic Area is provided with water and waste water services from the public system of the Town, the County will share with the Town 50% of the Taxes levied annually on these developments, which shall be in addition to whatever utility charges and fees that are to be paid for water and waste water services.
22. The County shall remit to the Town the Taxes to be shared under this Agreement, by September 30<sup>th</sup> in each year.
23. The County agrees to permit the Town to inspect the Assessment and Tax Roll of the County to the extent necessary to confirm the amount of Taxes that are to be shared.

24. The sharing of Taxes under this Agreement shall be recognized during the determination of overall funding arrangements between the Town and County for broader, shared services agreements.

#### Administration of the Agreement

25. The Town and County agree to undertake to review the provisions of this agreement at least annually and shall amend the agreement as may be required.
26. During the currency of this Agreement, the Town agrees not to make application for annexation of lands lying to the west of Highway 2 within the Intermunicipal Area.
27. This Agreement shall continue in effect until terminated in accordance with the provisions of this Agreement.
28. The termination process may be initiated by either party by giving written notice to the other party.
29. Where notice of termination has been given, the Agreement shall terminate on December 31 of the year after the year in which notice is given.
30. If this agreement is terminated:
  - a) The County agrees to convey to the Town any funds collected by the County from developers and land owners for off site levies and development contributions that are attributable to the Town for the provision of public water and wastewater services.
  - b) The County agrees that it would not oppose annexation by the Town of any portion of the Joint Economic Area lying adjacent to the boundaries of the Town, should the Town so choose to initiate an application for annexation, and the Town agrees to pay to the County for period of 10 years an amount equivalent to the amount of Taxes the County would have received under this agreement.

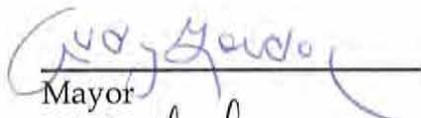
#### Resolution of Disputes

31. Disputes that may arise between the parties that are related to matters of land use planning and development control with the Joint Economic Area shall be resolved in accordance with the dispute resolution procedures of the Lacombe Intermunicipal Development Plan.

32. All other disputes between the parties with respect to this Agreement shall be addressed in the following manner:
- 32.1. The party initiating the dispute shall provide the responding party in writing the nature of the dispute and complete information concerning the disputed matter.
  - 32.2. Within 14 days, the responding party shall provide a reply to the initiating party addressing the issues of the disputed matter.
  - 32.3. If the dispute remains unresolved, the initiating party may request in writing of the responding party that the dispute be referred to the Intermunicipal Committee established by the Town and County which shall consider the dispute within 28 days of receiving the written request of the initiating party.
  - 32.4. If the matter cannot be resolved by the Intermunicipal Committee, the parties agree to appoint a mediator to mediate a resolution of the dispute between the parties.
  - 32.5. If the dispute remains unresolved after mediation, the parties may agree to refer the matter to arbitration in accordance with the *Arbitration Act*, R.S.A. 2000, c.A43 and be bound by the decision made.
  - 32.6. If the dispute is not referred to arbitration, the initiating party may seek such legal remedy as may be applicable.

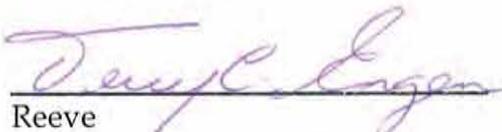
**IN WITNESS WHEREOF** the parties hereto have executed this agreement effective the day and year first above written.

**TOWN OF LACOMBE**

  
\_\_\_\_\_  
Mayor

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

**LACOMBE COUNTY**

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
County Commissioner

