



# Village of Vilna + Smoky Lake County

## Intermunicipal Development Plan Bylaw #525-16

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## Table of Contents

<b>1</b>	<b>Interpretation .....</b>	<b>1</b>
1.1	Definitions .....	1
<b>2</b>	<b>Introduction .....</b>	<b>3</b>
2.1	Purpose .....	3
2.2	Approach .....	4
2.3	Goals.....	5
2.4	Enactment .....	6
2.5	Duration.....	6
2.6	Enabling Legislation .....	6
2.7	Subject Area Boundary .....	7
2.8	Subject Area Profile .....	7
2.9	Public Consultation.....	9
<b>3</b>	<b>Intermunicipal Growth.....</b>	<b>11</b>
3.1	General Land Use Policies.....	11
3.2	Agricultural Land Use.....	12
3.3	Unserviced Commercial and Industrial Land Use .....	13
3.4	Serviced and Unserviced Industrial Land Uses .....	14
3.5	Municipal Services and Road Policies .....	16
3.6	Social Services.....	17
3.7	Development Concept Plans & Area Structure Plans .....	17
<b>4</b>	<b>Plan Implementation.....</b>	<b>21</b>
4.1	Implementation Policies .....	21
4.2	Plan Amendments .....	21
4.3	Annexation .....	21
4.4	Cost/Revenue Sharing Schemes .....	22
4.5	Framework .....	22
4.6	Establishment of the Intermunicipal Planning Committee .....	22
4.7	Intermunicipal Planning Committee.....	23
4.8	Dispute Resolution/Mediation Procedures .....	24
4.9	Administrative Review .....	25



4.10 Municipal Councils.....26

4.11 Mediation .....27

4.12 Non-Binding Arbitration .....28

4.13 Appeal Process – Intermunicipal Dispute or Subdivision and Development Appeal Board..28

4.14 Court Option.....29

4.15 Intermunicipal Development Plan Termination.....29

**5 Maps .....30**

5.1 Future Land Use Concept .....31

5.2 Major Intersections .....32

**6 Appendix A – Information Maps .....33**

6.1 CLI Agricultural Land.....34

6.2 Local Features.....35



## 1 Interpretation

### 1.1 Definitions

1. **Area Structure Plan** is a statutory plan that establishes the general planning framework for future subdivision and development of an area of undeveloped land.
2. **Building** includes anything, whether temporary or permanent, constructed or placed on, in, over, or under land but does not include a highway or road or a bridge forming part of a highway or road;
3. **Confined Feeding Operation** means fenced or enclosed land or buildings where livestock are confined 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. Confined Feeding Operations are regulated under the Agricultural Operation Practices Act (AOPA) in Alberta.
4. **Development** means:
  - a. an excavation or stockpile and the creation of either of them, or
  - b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
  - c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
  - d. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
5. **Development Authority** means the Development Authority established by the Village of Vilna and the Smoky Lake County Development Authority Bylaws;
6. **Environmental Reserve** means land considered undevelopable because of its natural features or location (e.g., unstable slopes, shoreline areas, etc.) that is dedicated to the municipality at the time of subdivision by the landowner, as provided for in the Municipal Government Act;



7. **Environmental Reserve Easement** is an easement that is registered on the title of a parcel of land in favour of the municipality for the purpose of the protection and enhancement of the environment;
8. **Farmstead** means the currently inhabited or formerly inhabited residence or other improvements connected with a farm or an intensive agricultural use. Farmstead also includes a currently vacant site, which is intended to be used as a country residence;
9. **Fragmented Parcel** means a parcel of land or a part of a parcel of land that is separated from the balance of the parcel of land by a natural barrier such as a river or coulee, or by a physical barrier such as a road, railroad, or highway;
10. **Multi-lot Country Residential Development** means any subdivision, which will create five (5) or more country residential or farmstead lots on a quarter section.
11. **Municipal Reserve** is land (or cash-in-lieu of land, or both) dedicated by a landowner to the municipality at the time of subdivision for the purpose of providing parks, recreation facilities and school sites as provided for in the Municipal Government Act;
12. **Public Utility** means a public utility, as defined in the Act. More specifically, a public utility means:
  - a. a system, works, plant, equipment, or service for the production, transmission, delivery or furnishing of water, heat, light, or power supplied by means other than electricity, either directly or indirectly to or for the public;
  - b. an oil pipeline the proprietor of which is declared by the Energy Resources Conservation Commission to be a common carrier; and
  - c. an electric utility; (Section 1(i) Public Utilities Act 2010 as Consolidated).



## 2 Introduction

### 2.1 Purpose

The four partner municipalities within the Smoky Lake Region (the Town of Smoky Lake, the Village of Vilna, the Village of Waskatenau, and Smoky Lake County) are actively working together to achieve three regional collaboration initiatives. The three initiatives are:

<b>Initiative 1</b>	Consult, develop, communicate and implement a new and expanded terms of reference for a regional economic and community development advisory committee (RCDC).
<b>Initiative 2</b>	Communicate and provide shared regional services in the critical areas of business counselling, retention and growth planning assistance; business/investment attraction; tourism promotion and attraction and overall economic and community development capacity building.
<b>Initiative 3</b>	Consult, develop, communicate and integrate initiatives that address the need for more effective regional and/or inter-municipal growth, land use, infrastructure, recreation, social and emergency services planning and possible or increased joint service provision.

The purpose of this intermunicipal development plan is to identify and communicate a plan for improving regional collaboration in the areas of intermunicipal growth, land use, infrastructure, recreation, social and emergency services planning, and joint service provision, as outlined in Initiative 3.

During the preparation of this intermunicipal development plan, the following deliverables were agreed upon by the partner municipalities:

- To develop and implement a community and stakeholder consultation program.
- To draft a municipal planning, development, and regulatory framework recommendations report and plan.
- To consult with Council, key stakeholders, residents, and the regional community economic development committee.



- To prepare a final municipal planning, development and regulatory framework recommendations report and plan.
- To prepare a ‘Go-Forward’ report and recommendation for the community economic development committee to implement the recommendations.

Initiative 3 was accomplished through the development of three (3) intermunicipal development strategies – the Town of Smoky Lake + Smoky Lake County Intermunicipal Development Strategy, the Village of Vilna + Smoky Lake County Intermunicipal Development Strategy (this document), and the Village of Waskatenau + Smoky lake County Intermunicipal Development Strategy. These documents were structured so that in order to further their implementation they could be approved by the respective Councils of the partner municipalities as Intermunicipal Development Plans.

The adoption of this Intermunicipal Development Plan represents the implementation of the recommendations in the ‘Go-Forward’ Report and provides the Town and the County with a joint future plan use plan to help guide growth and development within the plan area.

## 2.2 Approach

This plan utilizes a comprehensive approach to land-use planning. In practice, this means that local information, specialized viewpoints, and environmental stewardship practices are used in the decision-making process for land use and development.

This approach takes into account both the past and present human and physical environments. Considering where the community has been, where it is presently and where it wants to go enables both municipalities to set in place a plan for how to reach their desired destination. This approach to planning assumes that the plan’s policies and subsequent decisions will be based on careful consideration of environmental information, stakeholder interests and municipal goals and objectives. This approach offers communities the opportunity to provide widely-accepted and lasting solutions to development and land use management issues.



## 2.3 Goals

The goals of this plan are to assist the Village and the County achieve the following short and long term benefits:

### Short Term Benefits

- Provide both municipalities with a service delivery tool or plan to assist with determining the viability of regional municipal service delivery.
- Develop a new committee/board to better facilitate inter-municipal and intra-regional cooperation relating to economic AND community development issues, opportunities, and challenges.
- Increase overall community and economic development capacity building essential to both short term and longer term community viability, sustainability, and quality of life.
- Develop a more effective process and planning plan for coordinating intermunicipal growth, land use, infrastructure, recreation, social services, and emergency services.

### Long Term Benefits

- The development and implementation of a regional framework that strengthens regional collaboration and integrated regional service delivery models to increase efficiencies and provide a stronger, more unified approach to addressing the issues identified as important to community members within the Smoky Lake Region.
- Increased business/investment attraction “presence” throughout the Smoky Lake Region.
- Improved business retention, growth, and business attraction throughout the region.
- Improved regional fiscal and financial sustainability.
- Increased opportunities for leveraging regional strengths into regional competitive advantages.





## 2.4 Enactment

The policies contained within this plan come into force once the Councils of the Village of Vilna and Smoky Lake County have each given Third Reading to the bylaws adopting the Village of Vilna + Smoky Lake County Intermunicipal Development Plan.

## 2.5 Duration

This plan will establish, in general terms, the general land use patterns, together with the conditions upon which the provision of municipal services may occur in the subject area, and mutually agreed policy directions for the next 25 years following the adoption of the plan. While this plan is meant to be a long range planning document, it is intended that regular monitoring, review, and periodic amendments may be required for policies in the plan to remain current with changing development trends and growth within the region.

A process for amending the plan has been established as a part of this plan.

This plan also provides a “sunset clause” – a time at which the plan will cease to have any force and effect should the two municipalities not re-adopt the plan. Notwithstanding these processes, the plan should be reviewed every three years from the date on which the plan comes into effect to ensure that it is still current and meets the needs of the Village of Vilna, Smoky Lake County, and the entire Smoky Lake Region.

## 2.6 Enabling Legislation

The provincial legislation that allows one or more municipalities to adopt an Intermunicipal Development Plan is the Municipal Government Act.

Section 631 of the Municipal Government Act states, in part:

*Two or more councils may, by each passing a bylaw . . . adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.*

*(1) An intermunicipal development plan*

*(a) may provide for;*

*(i) the future land use within the area,*



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

*and*

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

The procedure for adopting an Intermunicipal Development Plan is described in Section 692 of the Municipal Government Act.

## 2.7 Subject Area Boundary

The area of the Village of Vilna and Smoky Lake County to which this plan applies is identified on **Map 5.1 – Future Land Use Concept**.

## 2.8 Subject Area Profile

### Location and History

The Village of Vilna is located approximately 150 km north-east of the City of Edmonton, approximately 120 km north-east of the Alberta's Industrial Heartland area, and approximately 140 km west of Cold Lake.

The Vilna District was opened in 1907 by an influx of mostly Central European homesteaders and squatters. When the Canadian Northern and Grand Trunk Pacific Railways began to expand their lines west and north of Edmonton, the local homesteaders and early settlers were promised a railroad that would serve the area north of the North Saskatchewan River. As predetermined by an earlier survey, the current village site was set aside at Mile 90.



The Canadian National Railway had completed laying the rail through the district in 1919. That same year, the post office was moved two miles to the present site of Vilna and a general store was built. Almost at once, a hamlet grew up around it. To capitalize on the social and economic climates, a hardware store, bank, butcher shop, hotel, post office, apartment and rooming house, pool hall and dance hall and four stores and shops were open for business by 1920.

On June 13, 1923 Vilna was incorporated as a village. Today it remains a progressive community with many modern amenities as it capitalizes on its location on a major transportation artery and its large trading area for resort communities and nearby first nation reserves. The geographic location of the Village has granted Vilna and its merchants an impressive degree of viability and sustainability for over 75 years.

### **Environmental Characteristics**

The Village of Vilna is located in a generally flat area of Smoky Lake County, approximately two kilometres from the western shores of Bonnie Lake. Surrounding Bonnie Lake are regionally and provincially significant environmentally significant areas, as well as several smaller water bodies, water courses, and wetlands. Soils surrounding the Village of Vilna have little to moderate limitations to agricultural production.

The majority of undeveloped lands within the subject area are used for agriculture, with some low-lying wet areas and small mixed tree stands.

### **Existing Land Uses**

Within the Village and the surrounding area are a variety of planned land uses. Residential development in the Village of Vilna primarily consists of low density, single family dwellings. Residential development adjacent to the Village consists of country residential style housing, on acreage-style lots and in association with agricultural operations. Portions of the subject area adjacent to Bonnie Lake include multi-lot country residential developments and seasonal residential uses.

Commercial developments within the Village include downtown-style shops and services, and large lot developments.

Recreational and community use developments in the Village and the surrounding County lands include parks and recreational spaces, churches, and a campground and golf course development at Bonnie Lake.



The majority of undeveloped lands within the plan area are used for agriculture, with some low-lying wet areas and small mixed tree stands.

Information about the soil capability and local features within the plan area is included in Appendix A for information. This information was analyzed to determine the suitability of future land uses within the plan area.

## **Municipal Services**

The Village of Vilna provides municipal water services to the majority of the community, via the regional water line which extends through the County. The Village is serviced by sewage treatment facilities both within and outside the municipality. A lift station with initial treatment capabilities inside the Village directs sewage to the lagoon located just outside of the Village's municipal boundaries. Residential and commercial developments within the Village portion of the subject area utilize onsite water and sanitary services. Some roadways within the Village are developed to an urban standard (paved with sidewalks).

A wide variety of 'soft' services exist within the Village and the subject area, including: churches, the Vilna & District Cultural Centre, a library, a senior's drop-in centre, schools, a regional volunteer fire department, registered historic properties, a variety of recreational facilities, trail networks, and a campground and golf course.

## **2.9 Public Consultation**

### **Public Open House #1**

A public open house was held on January 20, 2014 at the Vilna & District Cultural Centre. The purpose of this meeting was to inform local residents and stakeholders about the Village of Vilna + Smoky Lake County Intermunicipal Development Plan project and the Smoky Lake Region regional collaboration initiatives. This meeting was also used to gather local knowledge about past, present, and anticipated future development patterns, opportunities, and issues in the subject area. Approximately 40 people were in attendance for this meeting.

### **Public Open House #2**

A second public open house was held on June 3, 2015 at the Vilna & District Cultural Centre. The purpose of the Open House was to review the proposed Intermunicipal Development Plan with the community and stakeholders prior to the formal adoption of the plan by the Councils of the Village of Vilna and Smoky



Lake County.



### 3 Intermunicipal Growth

#### 3.1 General Land Use Policies

1. Future subdivision and development shall be in accordance with this plan. Major deviations shall require an amendment to this plan. Minor relaxations may be considered without an amendment to this plan where the proponent can demonstrate to the satisfaction of the approving body and the Intermunicipal Planning Committee that the subdivision or development would maintain the intent of the policies contained within this plan.

However, if the Intermunicipal Planning Committee makes a recommendation on a relaxation to this plan to a Council or an approving authority, that Council or authority shall strongly consider such recommendation.

2. The partner municipalities agree to work with development proponents and Alberta Transportation and Alberta Environment & Parks to encourage the preparation of area structure plans and/or development concept plans where required by this plan to assure certainty of land use and development standards.
3. New applications for confined feeding operations in subject area, or applications for the expansion of any existing confined feeding operations in the subject area, shall not be allowed.
4. The Village and County will work together to provide an adequate inventory of suitable lands to attract a broad range of business and appropriate industry, and will encourage industries that generate large volumes of traffic or substantial traffic loads (in terms of either bulk or weight or potential hazard) to locate in such a manner as to minimize any traffic impact, such as the need for traffic to travel through the Village.
5. Subdivision applicants shall dedicate a minimum of 30 metres of environmental reserve, in accordance with the provisions of the Municipal Government Act, adjacent to major bodies of water. At the sole discretion of the Subdivision Authority for the affected municipality the amount of environmental reserve required may be varied to accommodate unique site conditions such as steep slopes, bank instability, or pre-existing development.



6. Subdivision applicants will be required to dedicate the full amount of Municipal Reserve owing in the forms provided for in the Municipal Government Act. The Village and County will consider establishing jointly-administered cash-in-lieu of municipal reserve fund into which reserve proceeds in the subject area would be placed for the purposes of undertaking capital works on regional recreational facilities.
7. Smoky Lake County shall require a Development Concept Plan be prepared and approved prior to the approval of any major development within that portion of the plan area. That Development Concept Plan may be in the form of an Area Structure Plan considered and adopted pursuant to the Municipal Government Act.
8. For the purposes of implementing this policy, the definition of the term “major” shall be as agreed upon by the consensus of Village and County staffs, but shall not include development which had been appropriately classified in the municipality’s Land Use Bylaw as of the date of the approval of this plan. If they cannot agree, the definition of the term shall be considered and determined by the Intermunicipal Planning Committee.
9. Confined feeding operations shall not be allowed within the plan area because of proximity to the Village and to other forms of urban and exurban development.

### 3.2 Agricultural Land Use

The **AGRICULTURAL LAND USE AREA** identifies portions of the plan area that are currently used for agricultural or country residential purposes and lands that may be suitable for future agricultural developments.

The following policies apply to land within the Agricultural Land Use Area:

1. The **Agricultural Land Use Area** shall be those lands within the IDP area identified as Agricultural on **Map 5.1 – Future Land Use Concept**.
2. Agricultural operations in the Plan area are to be protected from encroachment by either competing or conflicting developments resulting from the premature conversion or agricultural land to other land uses.
3. Extensive Agriculture will be allowed within the plan area. Intensive agriculture (excluding confined feeding operations) will be allowed, where provided for in the County’s Land Use Bylaw. Subdivision and development



applications for new intensive agriculture developments and the expansion of existing intensive agricultural developments will be circulated to the IPC for comments prior to the issuance of a decision by the County's approving (subdivision or development) authority. The IPC will review the application in relation to potential environmental and infrastructure impacts such as: siting of the proposed development in relation to prevailing winds, adjacent land uses and the impacts on the transportation network.

4. Country Residential development may occur within the Agricultural Land Use Area at the discretion of the Subdivision Authority where provided for in the County's land use bylaw.

### 3.3 Unserviced Commercial and Industrial Land Use

The **UN-SERVICED COMMERCIAL AND INDUSTRIAL USE AREA** identifies portions of the subject area that are currently developed or identified for future unserviced commercial or light industrial land uses and development. The following policies apply to land within Future Un-Serviced Commercial and Industrial Use area identified on **Map 5.1 – Future Land Use Concept**.

1. The **UN-SERVICED COMMERCIAL AND INDUSTRIAL USE AREA** shall be those lands within the County identified as Un-Serviced Commercial and Industrial Use on **Map 5.1 - Future Land Use Concept**.
2. Lands designated Un-Serviced Commercial and Industrial Use may develop in a range of uses which serve local and regional customers. These uses include but are not limited to:
  - a. food/beverage establishments
  - b. gas bars/service stations
  - c. travel information centres
  - d. souvenir shops
  - e. retail stores with no more than approximately 200 sq. m of retail floor space
  - f. vehicle or recreational equipment sales and service
  - g. recreational establishments





- h. bulk fuel storage and distribution
- i. equipment sales, service and rentals
- j. manufactured and modular home sales and service
- k. public or quasi-public uses
- l. surveillance suites
- m. accessory uses or buildings

3. Lands designated **UN-SERVICED COMMERCIAL AND INDUSTRIAL USE AREA** may develop in a range of large lot highway-oriented commercial and light industrial uses which serve local and regional customers.
4. Smoky Lake County may require that a Development Concept Plan or Area Structure be prepared and approved prior to the approval of any amendment to the Land Use Bylaw to allow a substantial commercial or light industrial development within 1.6 km (1.0 mile) of the boundary of the Village of Vilna.

### 3.4 Serviced and Unserviced Industrial Land Uses

The **SERVICED INDUSTRIAL USE AREA** and the **UN-SERVICED INDUSTRIAL USE AREA** identify lands within the subject area that are currently developed or identified for future industrial or public utility development. The following policies apply to land within the **SERVICED INDUSTRIAL USE AREA** and the **UN-SERVICED INDUSTRIAL USE AREA**.

1. The **SERVICED INDUSTRIAL USE AREA** and the **UN-SERVICED INDUSTRIAL USE AREA** shall be those lands within the County identified as Future Serviced or Un-Serviced Industrial Use area on **Map 5.1 - Future Land Use Concept**.
2. Land designated **SERVICED INDUSTRIAL USE** may develop in a wide range of light industrial or urban industrial uses and will be connected to piped municipal water and sanitary services. Land uses that may be suitable for the area may include but are not limited to:
  - a. natural resource processing industries,
  - b. grain elevators,



- c. manufacturing, processing, storage, packaging or assembly of goods or materials, including petroleum products, chemical and associated products, pulp and paper products, fertilizer or animal by-products,
- d. warehousing, storage, receiving, or distributing facilities,
- e. metal processing or fabrication operation or storage,
- f. agricultural services,
- g. auctioneering,
- h. bulk fuel storage and distribution,
- i. accessory offices,
- j. commercial greenhouses,
- k. transportation and public utility facilities/buildings,
- l. accessory surveillance suites,
- m. public utilities,
- n. public or quasi-public uses (e.g., municipal equipment and maintenance yards), and
- o. accessory uses or buildings,

provided that any nuisance such as odour, noise, glare, vibration, heat, smoke, or effluent is confined to the site of the establishment or within the applicable **Serviced Industrial Use**, or substantially mitigated in accordance with the policies and/or regulations and/or design of a Development Concept Plan or Area Structure Plan, especially in those areas in proximity to existing or proposed residential areas or in proximity to the Village.

In this respect, individual developments will not necessarily be precluded; however, extra precautions shall be required such as requiring a warning system or so-called “disaster plan” should the need arise.

3. Land designated **UN-SERVICED INDUSTRIAL USE** may develop in a wide range of light industrial, rural industrial, or commercial uses, and will utilize onsite water and sanitary systems.



4. Smoky Lake County may require a Development Concept Plan or Area Structure Plan be prepared and approved prior to the approval of any amendment to the Land Use Bylaw to allow a substantial rural industrial development within 1.6 km (1.0 mile) of the boundary of the Village of Vilna.
5. For the purposes of implementing this policy, the definition of the term “substantial” shall be as agreed upon by the consensus of Village and County staffs. If they cannot agree, the definition of the term shall be considered and determined by the Intermunicipal Planning Committee.

### 3.5 Municipal Services and Road Policies

1. The Village of Vilna and Smoky Lake County shall establish strategies and standards for the orderly, efficient, and economical extension of wastewater collection, water distribution systems, storm water management, and roads within the subject area.
2. Some of the development strategies within the subject area are closely connected to the ability and need for municipal piped services.
3. Future servicing with municipal piped services may be required within the Future Serviced Industrial Use area. If such services are not available due to cost or capacity limitations or other reasons, the area shall not be developed for serviced industrial or commercial purposes unless it meets a minimum agreed development standard.
4. Where it is deemed appropriate, necessary and/or desirable, further to this plan, the Village and County will endeavor to enter into agreements respecting municipal piped services in the subject area.
5. Where proposed developments may impact intersections between Provincial highways and municipal roads, as shown on **Map 5.2 – Important Intersections**, additional consultation with Alberta Transportation will be required prior to approval by the Village and/or County. This consultation may include the preparation of a Traffic Impact Assessment satisfactory to Alberta Transportation. All costs of the TIA and any corresponding intersection improvements will be the responsibility of the developer/proponent.
6. The Village and the County will continue to work cooperatively with Alberta Transportation to identify and mitigate traffic impacts and identify the



scheduling of necessary improvements at the intersections of highways and municipal roads as shown on **Map 5.2 – Important Intersections**.

### 3.6 Social Services

Social services within the Plan area are provided by provincial agencies, not-for-profit and volunteer organizations and by the Village, the County and in some instances the Village and the County collaboratively. Currently the following social services are joint Village/County initiatives:

- The Foundation
- Emergency Services
- Recreation
- Ag Society

1. The Village and the County will continue to work cooperatively to provide social services to community members within the Smoky Lake region
2. The Village and the County will endeavor to explore opportunities for expanding joint service provision.

### 3.7 Development Concept Plans & Area Structure Plans

1. A Development Concept Plan or Area Structure Plan may describe, outline, or provide, among other matters, in text and map form:
  - a. a definition of the affected area and a description of the relationship between the affected area and surrounding lands;
  - b. an indication of the proposed land uses and the area of each land use;
  - c. an indication of the total number of lots and/or dwelling units proposed on the quarter section (if applicable);
  - d. policies and plans addressing buffering from adjacent land uses which may be affected by or which may affect a residential community (if applicable);
  - e. policies respecting phasing, if any, including an indication of which lots will be developed first and how the development of these lots will be designed specifically to allow for further development of the subject quarter section;



- f. policies respecting environmental protection, habitat, ecological conservation, effect on the adjacent agricultural community, including any existing or potential confined feeding operations;
- g. policies and plans addressing natural and man-made limitations to development, such as flood susceptibility, bank subsidence, erosion, railway lines, oil and gas wells, pipelines, and other facilities (including active, inactive, abandoned, and decommissioned facilities, sour gas, etc.), gravel operations or resources, airports, agricultural operations, historical resources, other nearby land uses, etc.;
- h. policies respecting built form, amenities, aesthetics, landscaping, architecture, buffering from potential limiting factors, dealing with the potential for land use conflict, etc.;
- i. policies and plans for necessary water supply, sanitary sewage disposal, and storm water management;
- j. as required, policies relating to:
  - i. the impact on adjacent land uses;
  - ii. the impact on community services, such as fire protection;
  - iii. the municipal servicing costs associated with the development, and landscaping; and
  - iv. wetland mitigation.
- k. a Phase I Environmental Assessment, describing the possibility of contamination within the subject area and, if the Phase I indicates, a Phase II Environmental Assessment, describing the extent of any contamination within the subject area and the means of mitigation;
- l. engineering information in sufficient detail to show how that is to be done;
- m. if the development is to provide water by a municipal piped water supply system, engineering information showing how that is to be done;



- n. if the development is to be supplied with water by means other than a municipal piped water supply system, a report which would satisfy the requirements of Section 23(3)(a) of the Water Act;
- o. an assessment of the general suitability of the Plan area for sewage disposal by tile field (percolation tests);
- p. a determination of any flood plains relating to any water bodies within or adjacent to the subject site, including a description as to how any flood plain lands will be made suitable for development without transferring the flood hazard to other lands;
- q. an assessment of the stability of any banks (either steep slopes or watercourse valleys) within or adjacent to the subject site, including a description as to how any bank stability hazards will be mitigated without transferring the stability hazard to other lands;
- r. A wetland assessment (prepared by a certified wetland professional) that delineates and classifies wetlands (onsite and offsite) that will be impacted by the proposed development.
- s. if within 0.8 km of a Highway, a traffic impact assessment, indicating the vehicular generation from the development at various stages of development, and any roadway improvements that may be necessary on adjacent and nearby roads and Highways (and on their intersections) resulting from that vehicular generation;
- t. an assessment of the site, indicating
  - i. how Environmental Reserves, Environmental Reserve Easements, Municipal Reserves, and other land management tools are to be used to protect significant biophysical sites;
  - ii. how all Provincial and Federal legislation and regulations are to be adhered to respecting wetlands, habitat, and environmentally sensitive lands;
- u. an assessment of all other limitations to development, including potential and actual land use conflicts, which have been identified, indicating how the limitations and conflicts are to be accommodated, dealt with, and/or overcome; and



- v. other policies and plans as may be indicated by the proponent or the municipality to address any unique circumstances of the Development Concept or Area Structure Plan area.
2. The level of detail required in a Development Concept Plan or Area Structure Plan shall be as agreed upon by the consensus of Village and County staffs. If they cannot agree, the definition of the term shall be considered and determined by the Intermunicipal Planning Committee.
3. The process for considering a Development Concept Plan or Area Structure Plan for approval will be the same as for a major development proposal. The approving authority shall be the Council of the municipality in which the site of the Development Concept Plan or Area Structure Plan is located.



## 4 Plan Implementation

### 4.1 Implementation Policies

The Councils of the Village of Vilna and Smoky Lake County have agreed to the following implementation policies which will be used in implementing the policies contained in this plan.

### 4.2 Plan Amendments

1. An amendment to this plan may be proposed by either municipality. An amendment to the plan proposed by a landowner shall be made to the municipality in which the subject land is located.
2. An amendment to this plan has no effect unless it is adopted by both municipalities by bylaw.

### 4.3 Annexation

1. There will continue to be a boundary between the Village of Vilna and Smoky Lake County for administration of services such as maintenance of infrastructure, waste management, development control, weed control, etc.
2. There is a need for periodic expansion of the urban area, and thus the Village of Vilna, by annexation. Annexations will occur from time to time in a positive, orderly, and timely manner with an agreed-upon process where there is a clear need for Village annexation to provide more land for urban development.
3. The Village of Vilna shall demonstrate reasonable need for annexation through appropriate growth studies to support annexation applications.
4. Each municipality shall protect lands identified in the plan suitable for municipal piped services from land uses and developments that might unduly interfere with and create conflict with future urbanization.
5. Both municipalities shall follow the annexation process as outlined in the Municipal Government Act current at the time an annexation application is made.





#### 4.4 Cost/Revenue Sharing Schemes

1. Any agreements for cost and revenue sharing shall be to benefit the future development of land within the plan's subject area.
2. The Village and County will explore cost and revenue sharing opportunities as development occurs and through the review and approval process of each Development Concept Plan or Area Structure Plan.

#### 4.5 Framework

1. This plan is conceptual. Its policies do not delve into the fine details of land use, servicing, or implementation but instead set out a framework of guidelines for municipal planning policies.
2. The Village of Vilna and Smoky Lake County will co-operate in pursuing mutually beneficial economic development initiatives that would attract investment and create employment opportunities in the Smoky Lake Region.
3. **Map 5.1 – Future Land Use Concept** of this plan will be the primary land use document supplemented by implementation tools such as Development Concept Plans and Area Structure Plans. The Village of Vilna and Smoky Lake County shall amend their respective bylaws as necessary to be consistent with the policies and provisions of this plan.

#### 4.6 Establishment of the Intermunicipal Planning Committee

1. The Intermunicipal Planning Committee (IPC) will be established upon Third Reading of the Bylaws adopting this plan.
2. The Intermunicipal Planning Committee will not be a decision-making body, but will submit recommendations to the approving bodies of the respective municipalities, striving for consensus as much as possible.
3. The Intermunicipal Planning Committee will be comprised of all members of both Councils of the Village of Vilna and Smoky Lake County who do not sit on their respective Subdivision and Development Appeal Boards. The IPC will select its own chairman and vice-chairman. The Councils may appoint alternative members, should any member not be able to attend Committee meetings. Additionally, the Chief Administrative Officer or the Development Officer of each municipality shall be ex-officio members of the Committee.



4. The Intermunicipal Planning Committee shall establish its own rules of procedure, including its own schedule of meetings, with meetings being held as required.

#### 4.7 Intermunicipal Planning Committee

1. Upon the referral of a matter, the Intermunicipal Planning Committee will schedule a meeting and the administrations of the County and the Village will present their positions on the matter to the Committee.
2. After consideration of a matter, the Committee may:
  - a. provide suggestions to both administrations with respect to revisions to the matter that should be considered to make it more acceptable to both municipalities;
  - b. if possible, agree on a consensus position of the Committee in support of or in opposition to the matter, to be presented to both Councils;
  - c. conclude that no initial agreement can be reached and that a consensus position of the Committee will not be presented to both Councils;
  - d. if agreed to by both Municipalities, employ a facilitator to help the Committee work toward a consensus position;
  - e. if a matter cannot be satisfactorily processed following a Committee review, refer the matter to both Councils; or undertake any other action it deems reasonable.
3. The Intermunicipal Planning Committee shall not deal with all development matters within the Village of Vilna + Smoky Lake County Intermunicipal Development Plan subject area. Rather, it will deal with all matters referred to it in the manner described in **Section 4.7** of this plan.
4. The Intermunicipal Planning Committee has the following functions:
  - a. to clarify the intent and interpretation of the plan;
  - b. to develop specific strategies related to the provision of infrastructure, service provision, cost sharing, etc. for proposed subdivision and development in the subject area that reflect the policies and guidelines set out in this plan;



- c. to review and comment on applications to amend this plan;
  - d. to review and comment on development matters referred to it in accordance with this plan; and
  - e. to undertake such other matters as it deems reasonable and as are referred to it by either Council or municipal administration.
5. The Village of Vilna and Smoky Lake County agree that the County's Subdivision Authority and Development Authority will notify the Intermunicipal Planning Committee of applications received within subject area and that the Village's Subdivision Authority and Development Authority will notify the Intermunicipal Planning Committee of applications within the subject area.
  6. Each municipality's Subdivision Authority and Development Authority will deal with an application within their own boundaries in accordance with the policies of this plan.
  7. Depending on the nature of the proposed subdivision or development, the Intermunicipal Planning Committee may provide recommendations related to the proposed development or subdivision.

#### 4.8 Dispute Resolution/Mediation Procedures

1. The dispute resolution process for matters related to this plan is outlined in this section. The emphasis of the dispute resolution process is mediation at the municipal level prior to an appeal to the Municipal Government Board. This process is based on an assumption that the two parties may have significant differences of opinion on any particular matter and that third-party assistance may be necessary to help resolve the disputes.
2. For the purposes of this plan, a dispute is defined as a disagreement between the Village of Vilna and Smoky Lake County on any statutory plan, any Land Use Bylaw, or any amendment to any statutory plan or Land Use Bylaw which is given First Reading by a Council, or any subdivision or development permit application, or any scheme for the provision of municipal services, which the other municipality deems may be inconsistent with the goals, objectives and policies of this plan.
3. Decisions on all disputes will be made by the respective municipalities in accordance with the provisions of this plan and the Municipal Government Act, but with review as indicated in **Section 4.7.5** of this plan.



4. The Village of Vilna and Smoky Lake County agree to consider the establishment of an Intermunicipal Subdivision and Development Appeal Board to deal with appeals arising from subdivision or development permit decisions within the subject area.
5. Disputes shall be addressed and shall be resolved through any of the following mechanisms either singularly or in combination with each other:
  - a. Administrative Review
  - b. Intermunicipal Planning Committee
  - c. Municipal Councils
  - d. Mediation
  - e. Non-binding Arbitration
  - f. Appeal Process – Intermunicipal Dispute or Subdivision and Development Appeal Board
  - g. Court Option
6. In the event of a dispute, the applicant municipality will not give approval to the matter in any way (e.g., development permit or subdivision approval, or Second or Third Reading of a bylaw) until the dispute is past the mediation stage.
7. The time limitations and legislative requirements as may be specified from time to time in the Municipal Government Act will be respected in relation to the administration of this dispute resolution procedure and may supersede the time processes provided for in this plan.

#### 4.9 Administrative Review

1. The municipality within which any development, subdivision, land use bylaw amendment, servicing scheme, or other matter is proposed (hereinafter referred to as “the applicant municipality”) will provide complete information concerning the matter to both the other municipality and to the Intermunicipal Planning Committee. The other municipality (hereinafter referred to as “the responding municipality”) will undertake an evaluation of the matter and provide comments to the administration of the applicant municipality.



2. If there is any concern, the two administrations shall discuss the issue and attempt to resolve the matter.
3. If the administrations resolve the concern, the responding municipality will formally notify the applicant municipality and the Intermunicipal Planning Committee, and the applicant municipality will take the appropriate actions to consider approving the matter.
4. In the event that the issue is not resolved at the administrative level, the applicant municipality's administration shall refer the matter to the Intermunicipal Planning Committee.
5. Upon the referral of a matter, the Intermunicipal Planning Committee will schedule a meeting and the administrations of the Municipal District and Village will present their positions on the matter to the Committee.
6. After consideration of a matter, the Committee may:
  - a. provide suggestions to both administrations with respect to revisions to the matter that should be considered to make it more acceptable to both municipalities;
  - b. if possible, agree on a consensus position of the Committee in support of or in opposition to the matter, to be presented to both Councils;
  - c. conclude that no initial agreement can be reached and that a consensus position of the Committee will not be presented to both Councils;
  - d. if agreed to by both Municipalities, employ a facilitator to help the Committee work toward a consensus position;
  - e. if a matter cannot be satisfactorily processed following a Committee review, refer the matter to both Councils; or
  - f. undertake any other action it deems reasonable.

#### 4.10 Municipal Councils

1. After receiving the recommendations of the Intermunicipal Planning Committee with respect to a particular matter, each Council will establish a position on the matter.



2. If both municipal Councils are in agreement on a matter, then the consideration of approval (including, if necessary, an amendment process) can be completed. If neither Council supports the matter, then no further action will be undertaken.
3. If the Councils cannot agree on a matter, then the matter may be referred to a mediation process.
4. In the event that the matter goes to mediation, the applicant municipality will not give any approval to the matter until mediation has been pursued.

#### 4.11 Mediation

1. The following will be required before a mediation process can proceed:
  7. agreement by both Councils that mediation is necessary;
    - a. appointment by both Councils of an equal number of elected officials to participate in a mediation process;
    - b. engagement, at equal cost to both municipalities, of an impartial and independent mediator agreed to by both municipalities; and
    - c. approval by both municipalities of a mediation schedule, including the time and location of meetings and a deadline for the completion of the mediation process.
2. If agreed to by both municipalities, any members of the Intermunicipal Planning Committee or administrative staff from either municipality who are not participating directly in the mediation process may act as information resources either directly or indirectly to the mediation process.
3. All participants in the mediation process will be required to keep details of the mediation confidential until the conclusion of the mediation.
4. At the conclusion of the mediation, the mediator will submit a mediator's report to both Councils.
5. If a mediated agreement is reached, then that agreement will be referred to both Councils for action. Both Councils will consider the mediator's report and the respective positions of the municipal administrations with respect to the mediated agreement. Any mediated agreement will not be binding on either municipality and will be subject to the formal approval of both Councils.



6. If no mediated agreement can be reached or if both Councils do not approve a mediated agreement, then a non-binding arbitration process as described below may be initiated.

#### 4.12 Non-Binding Arbitration

1. The following will be required before a non-binding arbitration process can proceed:
  - a. agreement by both Councils that non-binding arbitration is necessary;
  - b. appointment by both Councils of officials to participate in the non-binding arbitration process;
  - c. engagement, at equal cost to both municipalities, of an impartial and independent arbitrator agreed to by both municipalities; and
  - d. approval by both municipalities of an arbitration schedule, including the time and location of meetings and a deadline for the completion of the process.
2. At the conclusion of the non-binding arbitration, the arbitrator will submit a report to both Councils.
3. If both Councils agree, then the arbitrator's recommendations will be implemented by the Council or Councils as necessary. Any arbitrator's decision will not be binding on either municipality unless both municipalities concur, and will be subject to the formal approval of both Councils.
4. If no agreement can be reached to abide by the arbitrator's decision or if both Councils do not approve the arbitrator's recommendation, then an appeal process may be initiated if provided for under the provisions of the Municipal Government Act. If there is no appeal process available, then the applicant municipality may proceed with any approvals as are allowed.

#### 4.13 Appeal Process – Intermunicipal Dispute or Subdivision and Development Appeal Board

1. In the event that the mediation process fails, the applicant municipality may approve the matter (e.g., a Land Use Bylaw amendment, a development permit approval, etc.).



2. If the applicant municipality passes a bylaw to implement the matter, then the responding municipality may appeal that action to the Municipal Government Board under the provisions of Section 690 of the Municipal Government Act in accordance with that Act.
3. If the appeal of the matter is to the applicant municipality's Subdivision and Development Appeal Board, the responding municipality may appeal that action to the Subdivision and Development Appeal Board as it sees fit.

If there is no appeal available pursuant to the Act, then the responding municipality may wish to pursue a Court option.

#### 4.14 Court Option

After any action by the Municipal Government Board, or the applicant municipality's Council or Subdivision and Development Appeal Board from which there is no further appeal, the responding municipality will have the option, should it so choose, of undertaking a court challenge of the matter.

#### 4.15 Intermunicipal Development Plan Termination

1. The plan is renewable by resolution of both Councils before the 5<sup>th</sup> anniversary of the third reading of the Bylaws adopting this plan and every 5 years thereafter. Failure to renew this plan by both municipalities by the 5<sup>th</sup> anniversary will cause the plan to lapse and cease to exist.





# 5 Maps

5.1 – Future Land Use Concept

5.2 – Major Intersections

5.1 Future Land Use Concept



5.2 Major Intersections





**6 Appendix A – Information Maps**

6.1 – CLI Agricultural Land

6.2 – Local Features

6.1 CLI Agricultural Land



