

Terms of Reference

Review and Amendment of the Intermunicipal Development Plan
Town of High River and MD of Foothills No. 31
Approved by the Intermunicipal Committee on November 9th, 2010

Introduction

The current Intermunicipal Development Plan (IDP) was adopted by the Town of High River (the Town) and the MD of Foothills (the MD) in the year 2000 pursuant to the *Municipal Government Act*. While the current IDP has served the Town and the MD well over the years, intermunicipal planning into the future necessitates that a review and amendment be undertaken. A review of the current IDP within the context of new provincial direction, updated municipal plans and a mutual intent to maintain a cooperative intermunicipal relationship, is therefore considered as appropriate and beneficial to both municipalities.

In September, 2010 the Town of High River and the MD of Foothills endorsed a Memorandum of Understanding which states the following:

The Town and the MD agree that a full review and amendment of the Intermunicipal Development Plan is necessary to ensure the plan continues to be relevant and provide benefit into the future.

The Town and the MD agree to undertake a review of the Intermunicipal Development Plan and to that end agree to begin to cooperatively develop a Terms of Reference outlining the scope of the plan amendment, the timing of completing the amendment and the anticipated costs of the project.

Rationale

The current plan addresses the need for review. *Section 3.2.1 - Plan Administration, Implementation and Repeal*, states:

At the end of four years from the date of final approval, both the Town of High River and the MD of Foothills agree to a mandatory review of the content of the Intermunicipal Development Plan.

Thus the plan itself supports a periodic review and amendment process; as well there are additional factors that support undertaking a review of the plan:

- The Town of High River initiated the annexation of land that will account for most of the urban growth corridor as defined in the current plan; hence it may be prudent at this time to begin discussions on the location of new future growth corridors.

- The Town has initiated work on a growth management strategy and it may be appropriate to address intermunicipal growth corridors concurrently with the work done as part of that project.

The Intermunicipal Development Plan review provides an appropriate forum to address these topics.

Finally, there are a number of recent developments on the provincial and regional scale that support the need for a plan review. These initiatives include the Provincial Land Use Framework, the Alberta Land Stewardship Act, the Calgary Metropolitan Plan and the South Saskatchewan Regional Plan.

Mandate

The Town of High River and MD of Foothills Intermunicipal Committee (IMC), at their meeting on September 14th, 2010 directed staff to prepare the Terms of Reference for the review of the Intermunicipal Development Plan (IDP).

Legislation

The legislative framework for the preparation and adoption of Intermunicipal Development Plans is provided by section 631 of the *Municipal Government Act* (The Act) which was enacted by the Province of Alberta in 1994.

According to *The Act* an intermunicipal development plan must include:

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

In addition, an intermunicipal development plan may provide for:

- *“the future land use within the area,*
- *the manner of and the proposals for future development in the area, and*
- *any other matter relating to the physical, social or economic development of the area that the councils consider necessary.”*

Purpose

The purpose of an IDP is to establish a policy framework that will assist both municipalities in making policy and land use decisions within the plan boundary.

The purpose of the IDP review is to evaluate the current policies and consider alternative policies to support the vision and objectives of both municipalities. It is also an opportunity to incorporate the information and data provided in studies completed since the adoption of the current plan.

The goal is to create a framework that will enable the two municipalities to work collaboratively to plan areas of mutual concern in such a way as to benefit all residents of the area and avoid intermunicipal conflict.

The IDP review also provides a venue for continuing to establish a strong intermunicipal relationship based on trust and regular communication. It will enable the two municipalities to outline principles for planning and managing growth to determine mutual goals and objectives, and define opportunities for joint planning initiatives. The IDP review will also provide the forum for the Town and the MD to develop a communications and conflict mitigation protocol directed towards supporting a strong and effective intermunicipal relationship.

Project Administration

Preparation of the plan is to be undertaken jointly by the MD of Foothills and the Town of High River; it will involve the participation of both elected officials and staff. IMC members may determine that a technical consultant is required to provide study necessary to the completion of the plan.

Elected Officials

Members of the IMC will provide overall direction in planning process and will be tasked with resolving any issues that might arise to the best of their abilities. They will participate in the public consultation process wherever possible and will advise their respective Councils on the progress of the plan and any issues that may present themselves. In negotiating specifics of the plan, the Committee members may approach their Council for guidance. Once the plan has been completed, it may be forwarded to the two municipal Councils on recommendation of the IMC.

Staff and Administration

Staff from both municipalities, with the direction of senior administration will be equally responsible for preparation of the plan. Both municipal administrations will cooperate as directed by the IMC to ensure completion of the tasks outlined in these Terms of Reference.

Project Manager

Julie McLean from the MD of Foothills will take the role of project manager.

Consultants

Engineering or other technical consultants may be required to enable successful completion of the plan. This will be determined by the elected officials on the IMC and will have to be approved by the respective municipal Councils. If technical consultants are engaged, the costs will be shared equally by the two municipalities.

Decision-Making Process

Staff will, when developing the plan, will take into consideration relevant direction contained in legislation, regulations, policies, standards, strategies and plans from both municipalities.

Every effort will be made to achieve consensus when developing recommendations. Where consensus cannot be achieved, dissenting views will be recorded and the issue in question will be forwarded to the IMC (with appropriate documentation) for direction. If necessary, issues may be referred to respective councils for further direction.

Plan Area

The plan area will be determined through the process of developing the plan and will encompass lands from both municipalities. It is anticipated that the plan will identify future growth areas for both municipalities, referral areas for both municipalities as well as areas for future joint planning initiatives.

Scope

As cited above, according to section 631 of the *Municipal Government Act*, there are a number of items that must be contained in an intermunicipal development plan and some suggested items as well. Following is a list of items that will be addressed in the plan amendment process:

- Plan Area,
- Growth areas for both municipalities,
- Referral criteria for both municipalities,
- Mutual goals and objectives,
- Joint policy areas,
- Potential joint planning initiatives (joint ASP's)
- Sustainability objectives
- Communications and dispute resolution protocol,
- Cost / revenue sharing framework,
- Implementation and administration of the plan,
- Processes for amendment or repeal.

Out of Scope

While the following items are considered out of the scope of the IDP review that is not to say that they will not be addressed. The nature of these issues demands a more detailed level of planning that would be more appropriate for future joint initiatives.

- Economic development
- Cultural development
- Joint facilities
- Infrastructure and servicing

Project Influences

- The MD of Foothills MDP 2010 and the Town of High River's Town Plan;
- Existing Land Use Policies in both municipalities;
- Provincial Land Use Framework;
- Alberta Land Stewardship Act;
- Calgary Metropolitan Plan;
- South Saskatchewan Region Plan;
- Existing Area Structure Plans and Area Concept Plans as adopted by both municipal Councils;
- Transportation studies and Plans;
- Current Annexation Application;
- Memorandum of Understanding;
- Public Consultation

Guiding Principles

- Sustainability
- Smart Growth
- Relationship building

Plan Development Process

The following is a tentative three part process for the development of a revised Intermunicipal Development Plan. While part one is essentially complete, it is important to include it here as the work done in part one will be built upon in parts two and three.

After part two of the process has been completed, staff will produce a report that will enable the Intermunicipal Committee members to review the work completed to date and, if necessary make amendments to part three of the process to address issues that have not as yet been anticipated and which may come to light through the planning for growth workshop in part two.

Likewise it may be that as a result of the public consultation undertaken in part three of this process, issues come to light that will necessitate additions or amendments to this proposed process.

Finally, it should be noted that at present there are no budget items for technical study or work done by private consultants. Should the committee see a need for either of these items, it would have a significant impact on the project budget.

Activity	Starting Date / Duration	Staff Resources	Budget Items
1.0 Memorandum of Understanding between MD of Foothills and Town of High River: An agreement between the two municipalities to continue to work together for mutual benefit.			
Town and MD staff prepare Memorandum of Understanding	May, June, 2010	Heather Hemingway, Julie McLean, Rob Milne, Angie Lucas, Ryan Payne	nil
IMC recommends forwarding of Memorandum of Understanding to respective Councils for approval	July 5, 2010	Julie McLean presents to IMC and answers questions	nil
Town of High River Council approves Memorandum of Understanding	July 19, 2010	Angie Lucas, Ryan Payne and Jill Henheffer prepare report for Council	nil
MD of Foothills Council approves Memorandum of Understanding	Sept 2, 2010	Julie McLean prepares item for Council's review	nil
Town and MD Staff meet and prepare Terms of Reference for IDP review	July, August, 2010	Heather Hemingway, Julie McLean, Rob Milne, Angie Lucas, Ryan Payne	nil
IMC reviews Draft Terms of Reference for IDP review and makes suggested changes	Sept 14, 2010	Julie McLean and Ian Fawcett present to IMC and answer questions	nil
Town and MD staff make revisions and complete Terms of Reference for IDP Review	Sept, Oct, Nov, 2010.	Julie McLean, Angie Lucas, Ian Fawcett	nil
IMC accepts Terms of Reference for IDP review and suggests forwarding them to the respective Council's for approval	Nov, 2010	Julie McLean presents revised document to IMC and requests motion.	nil
2.0 Planning for Growth: A preliminary exercise designed to discuss and agree upon a number of key points that are critical to the IDP review process.			
Staff from both municipalities to put together program and materials for series of Intermunicipal Committee meetings on Planning for Growth	Nov and Dec, 2010	Julie McLean, Angie Lucas,	nil

Intermunicipal Committee Meeting #1 Half day session Topic – Getting Acquainted Committee members will discuss goals, aspirations, challenges and opportunities for their respective communities.	2 nd Week of January, 2011	Harry Harker, Harry Riva Cambrin, Julie McLean, Angie Lucas	Facilitator and Refreshments
Intermunicipal Committee I Meeting #2 Half day session Topic – Communication and Conflict Mitigation	3 rd Week of January, 2011	Harry Harker, Harry Riva Cambrin, Julie McLean, Angie Lucas	Facilitator and Refreshments
Inter-municipal Committee Meeting #3 Half day session Topic – Joint Planning Areas and IDP Plan Area	4 th Week of January, 2011	Harry Harker, Harry Riva Cambrin, Julie McLean, Angie Lucas	Facilitator and Refreshments
Intermunicipal Committee Meeting #4 Half day session Topic: Producing a set of Shared Principles for Planning for Growth	1 st Week of February, 2011	Harry Harker, Harry Riva Cambrin, Julie McLean, Angie Lucas	Facilitator and Refreshments

3.0 Drafting the new IDP: The synthesis of the information which will form the revised plan.

Staff from both municipalities prepare report on the outcomes from the Planning for Growth sessions for IMC endorsement.	Feb / March, 2011	Julie McLean, Angie Lucas.	nil
Staff from both municipalities refine the work program for the IDP Review for endorsement by the IMC.	Feb / March, 2011	Julie McLean, Angie Lucas.	nil
Staff from both municipalities design a Communication and Consultation Program for the IDP Review for endorsement by the IMC.	March / April, 2011	Julie McLean, Angie Lucas.	nil
IMC endorsement on work program, Planning for Growth report and the Communications and Consultation program	March or April, 2011	Julie McLean, Angie Lucas.	nil
Staff from both municipalities undertake background research for IDP Review	April – June, 2011	Julie McLean, Angie Lucas.	nil
Joint public consultation on IDP review.	June, 2011	Julie McLean, Angie Lucas, other staff as needed.	Presentation materials, advertising and refreshments

Prepare Draft IDP and Implementation Program	June - Sept 2011	Julie McLean, Angie Lucas, other staff as needed.	nil
IMC Review of Draft Plan, request IMC endorsement to proceed to further public consultation	Oct, 2011	Julie McLean, Angie Lucas.	nil
Joint public consultation on IDP review.	November, 2011	Julie McLean, Angie Lucas, other staff as needed.	Presentation materials, advertising and refreshments
Plan refinement	Nov / Dec, 2011	Julie McLean, Angie Lucas.	nil
IMC review and refinement, recommendation for consideration by both Councils.	Dec 2011	Julie McLean, Angie Lucas.	
Public hearing process (both municipalities)	Jan / Feb, 2012	Julie McLean, Angie Lucas, other staff as needed.	advertising
Plan adoption	Feb, 2012		nil
Commence plan implementation	Feb / March, 2012	Julie McLean, Angie Lucas.	nil

Communications and Consultation

A Communication and Consultation Plan will be developed at the start of the project. The purpose of this plan is to provide the respective Councils and the public with effective progress reports and to ensure that they are aware of their participation opportunities within the review process.

Targeted focus sessions with stakeholders and/or public open houses may be held to obtain community input on:

- Identification of issues, strengths and weakness
- Potential growth scenarios;
- Goals and priorities for growth and development in the plan area
- Performance Indicators or Targets which might be used to measure the success of policy in supporting the goals and priorities for growth and development.

Plan Implementation

An Implementation Program will be designed in conjunction with the IDP review and will be included in the plan. In addition to circulation and referral processes, this Implementation program will include procedures and tentative schedules for review and amendment of the IDP. It will also outline the steps that will be required if one, or both of the municipalities wish to repeal the plan.

The Implementation Program should also lay out any monitoring and benchmarking procedures that will be used to track the success of the plan as well as who is responsible for undertaking the monitoring and how the results will be reported back to the Intermunicipal Committee for review and at what intervals.

Plan Review and Amendment

A suggested schedule for plan review and amendment will be included as part of the Implementation Program. The plan will lay out procedures for initiating a plan review or amendment whether scheduled or unscheduled.