



Special Areas Board & M.D of Acadia No. 34



INTERMUNICIPAL DEVELOPMENT PLAN

Special Areas Board M.O No. XXXX & M.D Bylaw No. 2020-770

Adopted XXXX, XX, 2019

Prepared By: Palliser Regional Municipal Services



Municipal District
of Acadia #34

[Insert Signed M.O. from Special Areas Board]

**M.D. OF ACADIA NO. 34
BYLAW NO. 2020-770**

BEING A BYLAW OF THE M.D. OF ACADIA NO. 34 IN THE PROVINCE OF ALBERTA TO ADOPT THE SPECIAL
AREAS BOARD AND M.D. OF ACADIA NO. 34 INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS: pursuant to the provisions of Section 631(1) of the Municipal Government Act, as amended, the Council of the M.D. of Acadia No. 34 may, by Bylaw passed in accordance with Section 692 of the Municipal Government Act, adopt a plan to be known as:

"SPECIAL AREAS BOARD AND M.D. OF ACADIA NO. 34 INTERMUNICIPAL DEVELOPMENT
PLAN"

AND WHEREAS: a Public Hearing was held on _____, 2020, as required by Section 230 of the Municipal Government Act.

NOW THEREFORE: THE COUNCIL OF THE M.D. OF ACADIA NO. 34 IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "Special Areas Board and M.D. of Acadia No. 34 Intermunicipal Development Plan".
2. Council shall adopt Special Areas Board and M.D. of Acadia No. 34 Intermunicipal Development Plan in consultation and as agreed to with Special Areas Board."
3. This Bylaw shall take effect on the date of the third and final reading.

READ A FIRST TIME THIS __ST DAY OF _____, 2020.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS __ST DAY OF _____, 2020.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME AND PASSED THIS __ST DAY OF _____, 2020.

REEVE

CHIEF ADMINISTRATIVE OFFICER

Table of Contents

Table of Contents	2
1 INTRODUCTION	1
1.1. Purpose of an Intermunicipal Development Plan	1
1.2. Planning Legislation in Alberta	1
1.3. IDP Legislative Requirements	2
1.4. Municipal Partners in an IDP	4
2 PLAN AREA	5
2.1 Plan Boundary	5
2.2 Key Characteristics of the Plan area	7
3 IDP FRAMEWORK	11
3.1 Interpretation	11
3.2 Land Use	12
3.3 Agriculture	13
3.4 Servicing and Infrastructure	14
3.5 Natural Environment & Historic Resources	14
3.6 Resource Extraction & Energy Development	16
3.7 Transportation	17
3.8 Telecommunication Towers & Utilities	18
4 IDP IMPLEMENTATION & ADMINISTRATION	19
4.1 Circulation and Referral Process	19
4.2 Reviewing, Repealing and Amending the Plan	21
4.3 Dispute Resolution Process	22

APPENDIX A DEFINITIONS.....	25
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List of Maps

Map 1.0: Plan Area	6
Map 2.0: Existing Land Use.....	8
Map 3.0: Historical Resources	10

List of Figures

Figure 1.0. Intermunicipal Development Plans within the Provincial Planning Hierarchy	1
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1 | INTRODUCTION

1.1. Purpose of an Intermunicipal Development Plan

The purpose of intermunicipal planning is to establish a long-range collaborative approach for future land use along municipal borders. The Special Areas Board (SAB) and the Municipal District of Acadia No. 34 (MD) share over 100 kilometers of border in Southeastern Alberta consisting of primarily agricultural land. Land use decisions made by either municipality along the border may affect and influence one another. This Intermunicipal Development Plan (IDP) will be a cooperative planning initiative that ensures development along this border occurs in a manner that reflects the interests of each municipality. The overall objectives of this IDP are to:

- Ensure development and growth occurs in a sustainable and responsible manner
- Establish a coordinated approach to development along the municipal border
- Encourage continued communication between the municipalities
- Minimize future land use conflicts
- Outline processes for resolving disputes that may arise
- Provide landowners with greater certainty of potential land use and future development within the Plan Area

1.2. Planning Legislation in Alberta

The Province of Alberta takes a multi-tiered approach to legislating planning and development within the province. Two main pieces of provincial legislation mandate planning and development in Alberta: the *Alberta Land Stewardship Act (ALSA)* and the *Municipal Government Act (MGA)*. The *ALSA* mandates the legislative authority for Regional Plans, while the *MGA* provides the legislative authority of municipal planning documents including *Intermunicipal Development Plans (IDPs)*, Municipal Development Plans (MDPs), Area Structure Plans (ASPs), Area Redevelopment Plans (ARPs), and Land Use Bylaws (LUBs). Additionally, the *MGA* mandates a hierarchy of the legal authority of these planning documents for filtered-down decision making (refer to Figure 1.0. – Intermunicipal Development Plan within the Provincial Planning Hierarchy).

The *ALSA* Regional Plans are developed under the direction of the Land-use Framework (LUF).

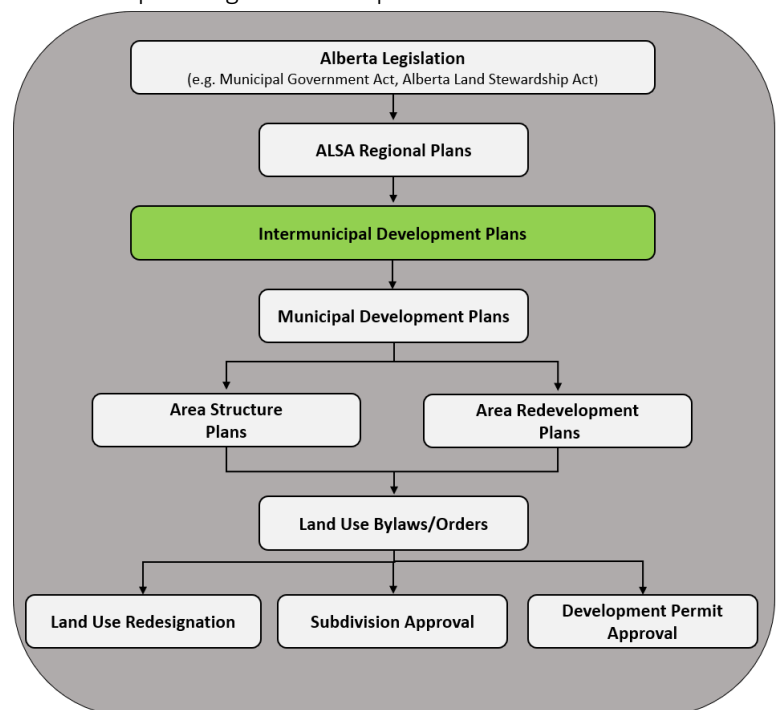


Figure 1.0. Intermunicipal Development Plans within the Provincial Planning Hierarchy

The LUF divides the entire province into seven watersheds and will oversee the creation of a Regional Plan for each of these watersheds. There are currently two Regional Plans that have been completed and adopted (Lower Athabasca Regional Plan and South Saskatchewan Regional Plan). The Red Deer Regional Plan will encompass the SAB and MD region; however, this plan has not been drafted. The overall objective of the Regional Plans is to set a collaborative approach to managing our province's land and natural resources to achieve economic, environmental and social goals. All municipal bylaws/ministerial orders, including planning documents, are now required to be in compliance with ALSA Regional Plans (Regional plans have the highest legislated authority in the hierarchy of planning documents).

The MGA creates the legislative authority and stipulates the rules and requirements for all municipal planning documents that are developed by municipalities. An IDP falls under the legislative authority of the MGA and is prepared cooperatively and adopted by bylaw/ministerial order by each participating municipality. MDPs, ASPs, and ARPs also fall under the legislative authority of the MGA and provide more detailed and specific policy guidance for decisions on land use and development within their respective municipality. 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) or Land Use Order (LUO) of each municipality.

The role of this IDP will be to provide high-level policy direction through the plan area and will include policies for coordinating development and infrastructure along the border of the two municipalities, as well as establishing referral and communication protocols to ensure land use decisions within the Plan Area are consistent with the agreed upon policy direction of this IDP.

1.3. IDP Legislative Requirements

The latest amendments to the MGA include the requirement for municipalities to complete an IDP by April 2020 (a one-year extension may be applied for under Ministerial Order No. 047/18). The main content required in an IDP under Section 631 of the MGA is mandated as follows:

Intermunicipal Development Plans

631(1) *Two or more councils of municipalities that have common boundaries that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt as intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.*

(2) *An intermunicipal development plan*

(a) must address

(i) the future land use within the area,

(ii) the manner of and the proposals for future development in the area,

- (iii) the provision of transportation systems for the area, either generally or specifically,*
- (iv) the co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,*
- (v) environmental matters within the area, either generally or specifically, and*
- (vi) any other matter related to the physical, social or economic development of the area that the councils consider necessary,*

(b) must address

- (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.*

1.4. Municipal Partners in an IDP

Municipal District of Acadia No. 34

The MD was incorporated in 1913 and is one of the only rural municipalities in southern Alberta to have maintained its incorporated status for such a period. The MD is one of the smallest rural municipalities in the province with an area of 81,017 hectares and a population of 493 (2016). The economy of the MD is largely agriculture based with a small amount of oil and gas activity remaining. The MD is unique in the region due to the prevalence of class 2 and 3 cultivated soils, making crop production the primary agricultural activity in a predominantly grazing region.

Special Areas Board

SAB is one of the largest rural municipalities in the province with a land base over 20,000 square kilometers. The SAB borders the MD along the north, south and west shared boundary. The SAB is over 2.0 million hectares in size, with a population of 4,184 (2016). While agriculture is the fundamental economic activity in the SAB, oil and gas production, along with linear properties (electric generation and transmission lines, and pipelines) contribute significantly to the economic prosperity of the area.

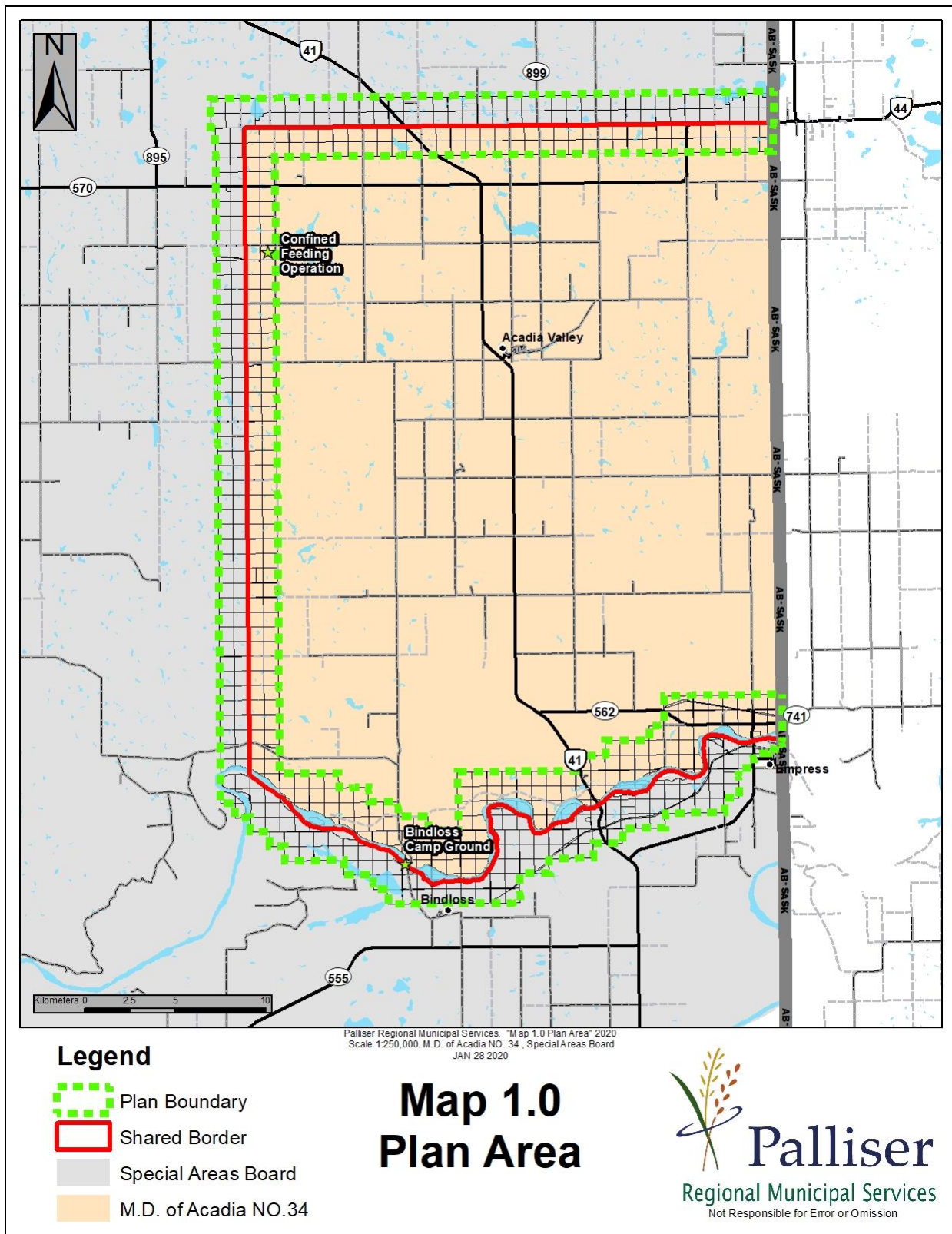
In terms of future land-use planning and development considerations, both municipalities seek to enable the continued prosperity in the agricultural sector, while encouraging potential economic development projects.

2 | PLAN AREA

2.1 Plan Boundary

Given the large rural nature of each municipality, the Plan Area (Map 1.0) was agreed upon and then examined to determine opportunities and constraints that could affect land use planning between the two municipalities. After consideration of the social, economic, and physical features listed below, a plan area of one (1) mile on either side of the municipal boundary was adequate to achieve the goals of the plan. Within the plan area, the following economic, environmental and social considerations were examined:

- Land use
- Residences and urban areas
- Surface water
- Confined Feeding Operations (CFOs)
- Resource Extraction and Energy development
- Transportation Corridors
- Natural Environment
- Historic Resource Value (HRV) Sites



Map 1.0: Plan Area

2.2 Key Characteristics of the Plan area

The MD and SAB Plan Area encompasses approximately 51,000 acres (206 square kilometers). After evaluating the economic, environmental, and social considerations within the Plan Area, the following Key Characteristics were identified:

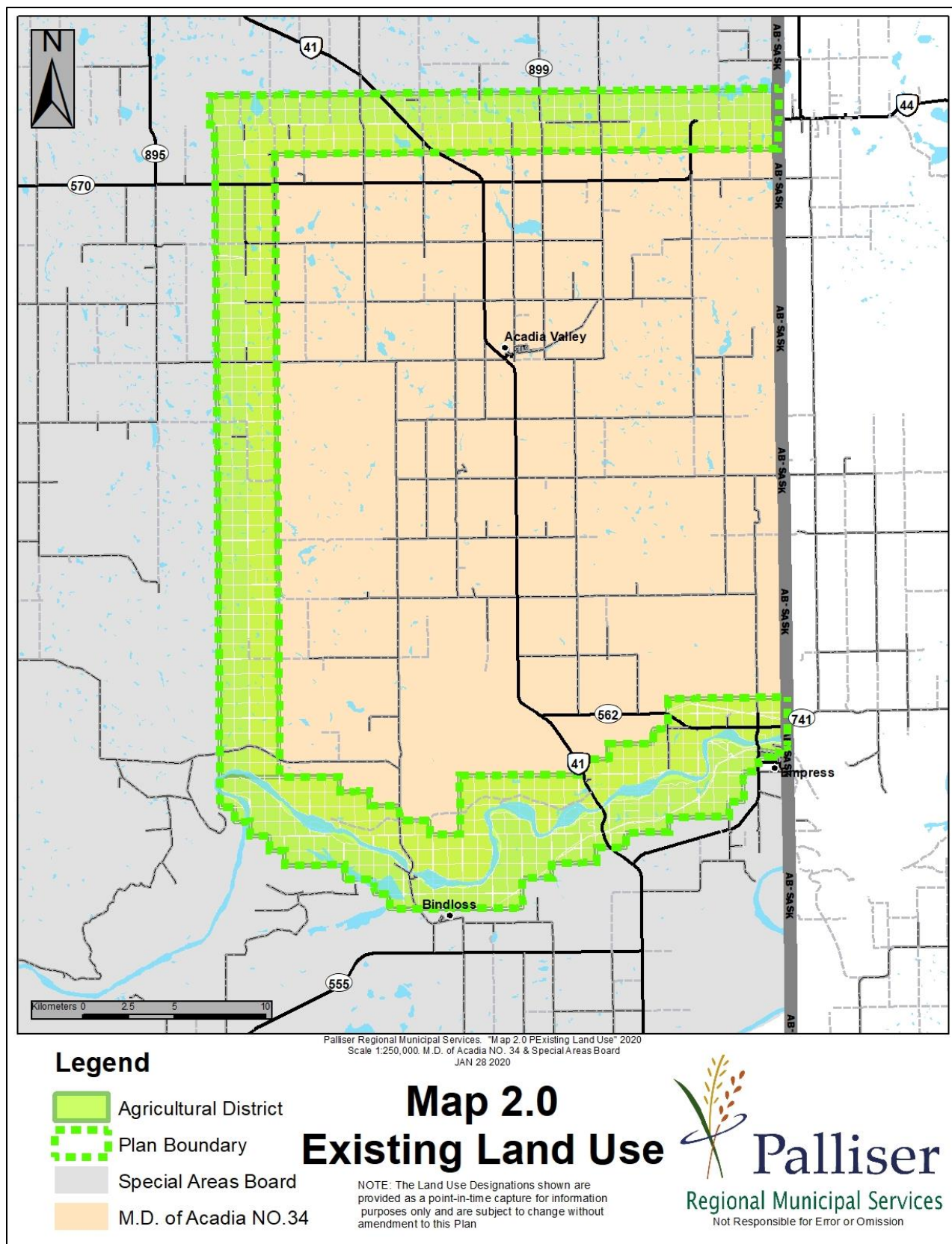
Land Use

Agriculture

- All lands within the Plan Area are zoned Agricultural District (A)(Map 2.0 Existing Land Use).
- A mix of agriculture operations exist, including dryland and irrigated farming, grazing.
- One Confined Feed Operation (CFO) on the boundary in Range 3, Township 26 (Map 1.0).

Residential Development

- Apart from the Acadia Hutterite Brethren colony, located in Range 3, there are relatively few residential developments within the plan area. Those that do exist are virtually all owned and occupied by agricultural producers.



Map 2.0: Existing Land Use

Transportation Infrastructure

- The MD and SAB are connected via Highways 41, 570, and 899. Highways 41 and 899 connect the MD and SAB via bridges spanning the Red Deer River, while Highway 570 connects the MD and SAB at Range 3 and Township 26.
- There are numerous local roads connecting each municipality, the most significant of which include a gravel portion of Highway 899, which is maintained by SAB; Range Road 031, which connects the MD and Special Area 2 via a local bridge spanning the Red Deer River; and Secondary Highway 565, which enters Special Area 3 from the MD in Range 3, Township 25.

Natural Resource Development

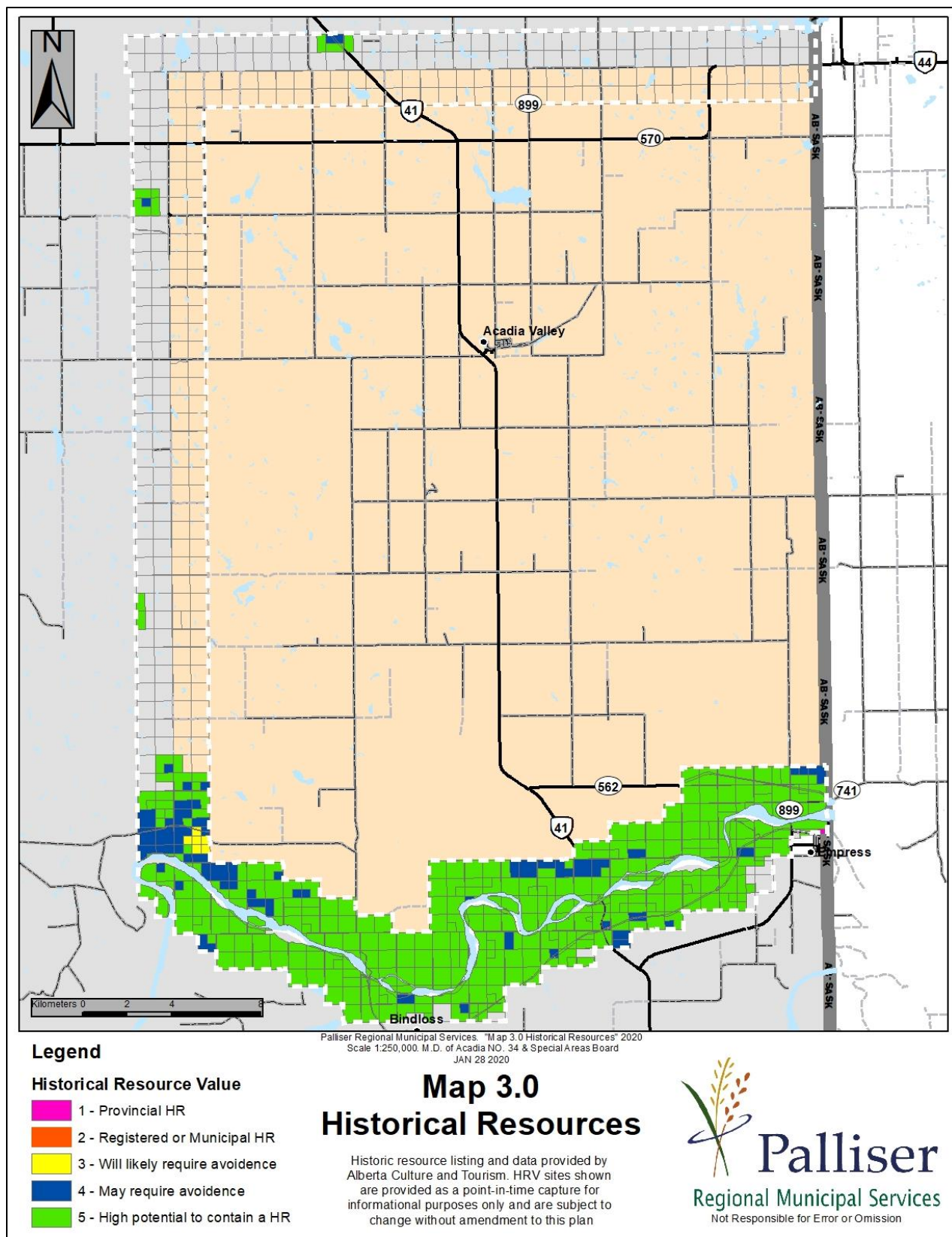
- There is long-standing development of sand and gravel resources along the Red Deer River basins in both the MD and SAB. This is expected to continue into the foreseeable future.

Red Deer River Basin

- The Red Deer River separates the MD and the SAB along the entirety of the MD's southern boundary and includes important riparian areas within the Red Deer River Basin. Riparian areas provide a wide range of ecological functions vital to a healthy functioning landscape and form part of an extensive drainage basin within every watershed. Both municipalities are committed to protecting and preserving the environmental aspects of this basin.
- Both municipalities recognize the significance of maintaining the water allocation rights of each organization for the purposes of future irrigation development.
- The Bindloss Campground is located on the south side of the river and is owned and maintained by SAB.

Historic Resources

- The Plan Area encompasses a unique landscape rich in cultural history. There is high potential for archaeological and paleontological historical resources within the plan area. Map 3.0 identifies known Historic Resource Value (HRV) sites within the Plan Area based on the HRV listing provided by Alberta Culture and Tourism.



Map 3.0: Historical Resources

3 | IDP FRAMEWORK

The following section takes into consideration the key characteristics of the Plan Area that will provide overall direction for both municipalities to manage the planning and development of land.

3.1 Interpretation

The following words are to be interpreted throughout the plan as follows:

General Agreement

- 3.1.1 **Advisory Council:** refers to the Special Areas Board Advisory Council.
- 3.1.2 **Board:** refers to the Special Areas Board
- 3.1.3 **Council:** refers to the MD of Acadia No. 34 Council.
- 3.1.4 **Shall, require, must, or will:** mean that it is mandatory; exceptions would require an amendment to the Plan.
- 3.1.5 **Should:** always applies to the situation unless it can clearly be identified to the agreement of Council and/or the Board or the Approving Authority that in the given situation, it is not reasonable, practical or feasible.
- 3.1.6 **May:** acknowledges support in principle and indicates that Council and/or the Board or the Approving Authority has the discretion to determine the level of compliance that is required.
- 3.1.7 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. Unless otherwise stipulated, the *Interpretation Act*, Chapter I-8, RSA 2000 as amended, shall be used in the interpretation of this bylaw/ministerial order. Words have the same meaning whether they are capitalized or not
- 3.1.8 All references to a specific agency, body, or department were accurate at the time of writing. It is understood that agency, body and department names change from time to time. All references throughout the Plan shall therefore be considered to be applicable to the current relevant agency, body or department.
- 3.1.9 The geographical or relative boundaries or any variable presented on the maps contained in this Plan, with the exception of the boundaries of the Plan Area, shall be interpreted as a rough approximation and not an accurate depiction of its actual or full extension.

3.2 Land Use

Currently, all land within the Plan Area is zoned Agricultural District (A) and is predominately used for agricultural operations and grazing and resource extraction (predominantly oil and gas) which is not foreseen to change within a short- and medium- term planning time frame. The following section seeks to provide flexibility for unanticipated future development while preserving the rural character of the Plan Area and preserving the predominant agricultural use of the land.

- 3.2.1 The future land use in the Plan Area shall align with the Municipal Development Plan from the respective municipal jurisdiction that the lands fall within.
- 3.2.2 Non-agricultural uses should be considered only in such areas where they will not negatively impact agriculture operations and grazing.
- 3.2.3 Land use within the Plan Area shall align with any statutory planning documents, LUB/LUO from the respective municipality that the lands fall within.
- 3.2.4 The municipalities shall strive to engage in open communication when considering land use in the Plan Area and are encouraged to discuss any proposed Statutory Plans, LUBs/LUOs or amendments that may impact the Plan Area.

3.3 Agriculture

A primary focus of the IDP is to maintain the agricultural character of the Plan Area while encouraging good neighbor farming practices and minimizing potential offsite impacts, nuisances, and land use conflicts.

Agriculture

- 3.3.1 In making decisions on development issues within the IDP boundary, both municipalities shall 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.
- 3.3.2 Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, weed and insect control, adjacent to developed areas through best management practices and Alberta Agriculture guidelines.

Confined Feeding Operations

- 3.3.3 It is recognized that approval of confined feeding operations ultimately lies with the NRCB. Prior to approvals being given within the Plan Area, both municipalities shall request the staff of the NRCB review local plans and policies and consider these in their decision.

3.4 Servicing and Infrastructure

Proper servicing of development is critical for the continued health and safety of residents. Further, coordinating the delivery of infrastructure and services between both municipalities can lead to greater efficiency and cost savings.

General

- 3.4.1 Both municipalities are encouraged to identify and implement cost effective ways of delivering shared services that benefit both municipalities and residents.
- 3.4.2 Where potential opportunities to connect to regional services are identified, joint planning should be pursued.
- 3.4.3 Both municipalities agree to jointly discuss ways to cooperate with provincial and federal agencies and utility providers to help facilitate the efficient delivery of infrastructure and services that are mutually beneficial.
- 3.4.4 Where municipal servicing is not available, the provision of potable water and the treatment and disposal of wastewater on all parcels in the Plan Area shall be the responsibility of individual landowners or developers, in accordance with provincial standards.

3.5 Natural Environment & Historic Resources

The lands within the IDP boundary contain important natural areas such as native grasslands, wetlands and drainage courses in addition to essential wildlife, bird and fish habitat. Additionally, lands within the Plan Area may contain important Historical Resources. This IDP should ensure development occurs in a manner that does not negatively impact important natural landscapes.

General

- 3.5.1 Both municipalities shall endeavor to protect sensitive natural areas and resources from inappropriate development.
- 3.5.2 Where development is proposed near natural features or lands deemed to be environmentally sensitive, the approving municipality, at their sole discretion, may require an Environmental Impact Assessment (EIA) 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.

Red Deer River Valley

- 3.5.3 Subdivision and Development in or adjacent to the river valley shall take into consideration slope stability and soil characteristics in order to minimize negative impacts. Within floodplains, development should be regulated to protect the natural area and to minimize potential flood damage.

Historic Resources

- 3.5.4 Where development is proposed on lands that may contain a Historical Resource Value (HRV), a Historical Resource Impact Assessment (HRIA) may be required to be completed by the developer to the satisfaction of the municipality and Alberta Culture and Tourism. The developer must comply with *the Historical Resources Act* and Alberta Culture and Tourism.

3.6 Resource Extraction & Energy Development

Resource extraction and energy development is important to the local economy. Further, it is important that resource extraction and energy development operations occur in a manner that is compatible with adjacent land uses and minimizes offsite impacts to ensure sustainable economic, environmental and social outcomes.

General

- 3.6.1 When making decisions regarding a natural resource extraction or energy development proposal, both municipalities shall take into consideration impacts on existing land use, residents, landowners, and future land use in both municipalities.
- 3.6.2 Each municipality must be notified of any resource extraction or energy development proposal in the other municipality that will result in access being required from a road under its control or management.
- 3.6.3 Either municipality may require an agreement regarding the construction, repair, or maintenance of any municipal roads which may be impacted by resource extraction or energy development, when the development requires access to come from the other municipality's road.
- 3.6.4 The municipalities shall consider the effects of visual intrusion, dust, noise, traffic, air and water pollution when evaluating applications for new or expanded resource extraction activities including pits, or other extractive activities.

3.7 Transportation

Efficient and functional transportation networks are critical to long-range growth and development within the Plan Area. Further, the communication and coordination between both municipalities as well as provincial transportation jurisdictions are necessary to ensure efficiency and functionality.

General

- 3.7.1 Both municipalities shall jointly consult with Alberta Transportation to coordinate planning and development along major roadways and provincial highways/jurisdictions within the Plan Area.
- 3.7.2 Road closures that may affect both municipalities shall be jointly coordinated.
- 3.7.3 Information sharing regarding appropriate practices for road design, maintenance, classification, permitting and road bans is encouraged between municipalities to promote an efficient and cost effective regional transportation network.
- 3.7.4 Each municipality shall be notified of any subdivision or development proposal in the other municipality resulting in access being required from a road under its control or management. The affected municipality must provide its comments in writing within 15 days from the date the notification as received.
- 3.7.5 Either municipality may require a developer to enter into a Road Use Management Agreement to control traffic, manage dust control or maintenance issues if access to the development is required from a road under its control or jurisdiction.

3.8 Telecommunication Towers & Utilities

As the demand for this infrastructure grows there is potential for these developments to have land use impacts. The following policies seek to guide both municipalities when providing comments to applicants or relevant agencies regarding applications for telecommunication infrastructure within the Plan Area.

General

- 3.8.1 When providing comments for a new, expanded or retrofitted telecommunications tower, both municipalities shall request telecommunications companies to co-locate within the Plan Area where technically feasible.
- 3.8.2 When providing comments to provincial and federal departments regarding utility development within the Plan Area, both municipalities shall request that consideration be given to the establishment of utility corridors with multiple users.

4 | IDP IMPLEMENTATION & ADMINISTRATION

Continuous collaboration and communication between both municipalities is essential for effective coordination of land use planning at a regional level and the successful implementation and administration of the IDP. The following sections ensure effective and clear processes for communication and collaboration are established between the municipalities.

4.1 Circulation and Referral Process

The following policies establish a clear process for referring subdivision and development applications, statutory and non-statutory planning documents and amendments, and land use related studies with the objective of achieving a coordinated approach to planning and development within the Plan Area.

General Agreement

- 4.1.1 The following shall be referred by each municipality prior to a public hearing, meeting or decision:
- i. A proposed Municipal Development Plan (MDP);
 - ii. A proposed Area Structure Plan (ASP) or Area Redevelopment Plan (ARP) within the Plan Area, or a proposed ASP or ARP that may have an impact within the Plan Area;
 - iii. A proposed LUB/LUO;
 - iv. An amendment to a statutory planning document or LUB/LUO within the Plan Area;
 - v. A proposed multi-lot subdivision within the Plan Area;
 - vi. A development application for a *Discretionary Use* within the Plan Area
 - vii. Any other development that may be deemed by one or both municipalities to have an impact on land within the Plan Area.
- 4.1.2 Applications received from the Natural Resources Conservation Board (NRCB) for Confined Feeding Operation approvals located within the Plan Area shall be referred by each municipality.
- 4.1.3 If either municipality is in receipt of a notice of application for a new or expanded Pit within the Plan Area, a copy of the notice shall be forwarded to the other municipality.
- 4.1.4 Where there is an application for a new, expanded or retrofitted telecommunications tower within the Plan Area, the municipality receiving the application shall notify the other municipality to seek comments

Timelines

- 4.1.5 From the date a municipality receives a referral, the municipality will have the following timelines to review and provide comments:
- i. 15 calendar days for development applications;
 - ii. 30 calendar days for subdivision applications and all other intermunicipal referrals.
- 4.1.6 A municipality that has received a referral may request an extension of the initial review period. If an extension of the review period is granted, it shall be communicated in writing.
- 4.1.7 If the municipality receiving the referral has not replied within the stipulated timeline, it will be determined that the municipality has no comments or concerns regarding the referral.
- 4.1.8 Should any concerns arise through the referral process that cannot be resolved between the two administrations, the dispute resolution process (Section 4.3 of this bylaw/ministerial order) shall be initiated.

4.2 Reviewing, Repealing and Amending the Plan

Regular review of the IDP is important to ensure that the principles remain current and are responsive to local change. For this plan to remain relevant and function effectively, amendments to the Plan may be necessary from time to time. The following policies outline the process for reviewing, amending and repealing the IDP.

Reviewing the Plan

- 4.2.1 The IDP should be reviewed every 5 years from the date the Plan was adopted by both municipalities. The review shall be completed in conjunction with administration from both municipalities and may include Palliser Regional Municipal Services.
- 4.2.2 When a new MDP for either municipality is adopted, a review of the IDP should be undertaken to ensure consistency with the MDP policies.

Amending the Plan

- 4.2.3 The Plan may be amended as seen fit and mutually agreed upon by both municipalities. Any amendments to the plan must be adopted by Council and the Board.
- 4.2.4 Should any disagreements arise with an amendment to the Plan, the dispute resolution process (Section 4.3 of this bylaw/ministerial order) shall be initiated.
- 4.2.5 Proposed amendments to this Plan by parties other than the M.D. of Acadia No. 34 or Special Areas Board shall be accompanied by the following:
 - a) An application to amend the Special Areas Board IDP ministerial order submitted to Palliser Regional Municipal Services along with the applicable fee for processing amendments to a statutory document; and
 - b) An application to amend the M.D. of Acadia No. 34 IDP bylaw submitted to Palliser Regional Municipal Services along with the applicable fee for processing amendments to a statutory document.

Repealing the Plan

In the event one or both municipalities deem the IDP no longer relevant or necessary, the bylaw/ministerial order adopting the IDP will need to be repealed by both municipalities.

4.2.6 Should only one municipality wish to repeal the Plan, sixty (60) days notice will need to be given to the other municipality stating the intent and reasons for repealing the Plan.

4.2.7 Should any disagreements arise with repealing the plan, the dispute resolution process (Section 4.3 of this bylaw/ministerial order) shall be initiated.

4.3 Dispute Resolution Process

Adopting a dispute resolution process is a requirement under Part 17 of the *MGA*. The intent of a dispute resolution process is to resolve, or attempt to resolve, any conflicts between municipalities. By following the process below disputes can be avoided, or where necessary, resolved through facilitated mediation. The process provides the two municipalities the opportunity to come to a resolution at the municipal level. If a resolution cannot be achieved, the matter could be resolved through arbitration and/or brought before the Municipal Government Board.

General Agreement

4.3.1 Both municipalities shall be responsible for documenting and maintaining records of all meetings and exchanges throughout the dispute resolution process.

4.3.2 Administration from each municipality shall ensure the facts of the issue have been thoroughly investigated and information is made available and transparent to both parties.

4.3.3 Costs incurred through the dispute resolution process shall be shared equally by both municipalities.

4.3.4 Notifying and engaging any affected parties or members of the public will be at the discretion of each municipality. Each municipality shall ensure the requirements and processes outlined in relevant public participation policies for notifying and engaging members of the public or affected parties are met.

4.3.5 Should mediation be required through the dispute resolution process; the powers and responsibilities of the mediator will be limited to providing recommendations to both municipalities.

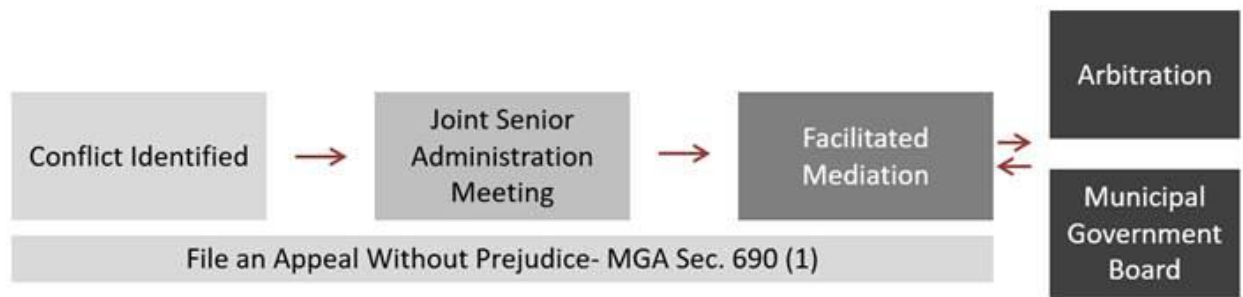
- 4.3.6 Should arbitration be required through the dispute resolution process; every order of an arbitrator is final and binding on all parties.
- 4.3.7 In the case of a dispute involving the adoption of a statutory plan, LUB/LUO or amendment to such, an appeal may be filed without prejudice, within 30 days of adoption to the Municipal Government Board, in accordance with Section 690 (1) of the *MGA* so the provincial statutory right and timeframe to appeal is not lost.
- 4.3.8 An appeal may be withdrawn if an agreement is reached between the two municipalities prior to the Municipal Government Board meeting.

Dispute Resolution Process

In the event of a dispute to any part of this agreement, a statutory planning document, LUB/LUO or subdivision the following process will be used to resolve the conflict:

- 4.3.9 When the administration of a municipality identifies a potential issue with the interpretation of a technical or procedural matter of the Plans policies, either party may give written notice to the other identifying the areas of conflict, initiating the dispute resolution process.
- 4.3.10 Within 15 days of receiving written notice of an identified conflict, a meeting shall be convened between the respective administration directly involved in the matter to attempt to come to a solution. This will generally include a member of planning staff and the CAOs of each municipality. If a solution to the disagreement is reached then staff from each municipality shall take the necessary steps to implement the resolution.
- 4.3.11 Should administration be unable to resolve the matter within (15) days, a formal mediation process to facilitate resolution of the issue shall be initiated. The facilitated mediation process will involve the Council, Advisory Council, CAO/Chair from each municipality and a mediator mutually agreed upon by both municipalities. The representatives from the Council and Advisory Council will be decided at the time of mediation.
- 4.3.12 If the dispute resolution process is not completed within one year from the date the notice of the dispute is given, either municipality may request the Minister to appoint an arbitrator pursuant to the regulations outlined in the *MGA*.

Dispute Resolution Flow Chart



APPENDIX A | DEFINITIONS

Adjacent Land(s): Land that abuts or is contiguous to the parcel of land that is being described and includes land that would be contiguous if not for a highway, road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway or similar feature and any other land identified in a land use bylaw or land use order as adjacent for the purpose of notifications under the *Municipal Government Act*, Revised Statutes of Alberta 2000, M26 with amendments.

Agricultural Operation: If not defined in the municipality's land use bylaw or land use order, it is an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and can include, but is not limited to:

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

Alberta Land Stewardship Act (ALSA): The Alberta Land Stewardship Act Statutes of Alberta, 2009 Chapter A-26.8, as amended.

Area Structure Plan (ASP): A statutory plan in accordance with the *Municipal Government Act (MGA)* for the purpose of providing a framework for subsequent subdivision and development of an area of land in a municipality. The Plan typically provides a design that integrates land uses with the requirements for suitable parcel densities, transportation patterns (roads), stormwater drainage, fire protection and other utilities across the entire Plan Area.

Confined Feeding Operations (CFO): An activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the Agricultural Operation Practices Act (AOPA), Revised Statutes of Alberta 2000, Chapter A-7, as amended from time to

time, but does not include residences, seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds.

Development: As defined by the *Municipal Government Act* in Part 17, section 616, means

- a) an excavation or stockpile and the creation of either of them;
- b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land;
- 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 the 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.

Discretionary Use: The use of land or a building in a land use district for which a development permit may be approved at the discretion of the Development Authority with or without conditions.

Energy Development or Energy Industry: Industry that uses some form of alternative energy either as the source of its operation or the result of its operation, such as, but not limited to, wind farms, solar farms, hydroelectric dams among others.

Extensive Agriculture: means systems of tillage and grazing on large areas of land by the raising of crops or the rearing of livestock but does not include confined feeding or intensive livestock operations and may be either separately or in conjunction with one another and includes buildings and other structures incidental to the operation but does not include residential buildings.

Resource extraction: Use of lands that are governed by the location of a natural resource such as, but not limited to, sand and gravel, oil and gas, or logging which involves the extraction or onsite processing and/or storage of a natural resource

Historical Resource Value (HRV): Lands that contain or are believed to contain “historic resources” as defined in the *Historical Resources Act*, including primarily archeological and paleontological sites, Aboriginal traditional use sites of a historic resource nature, and historic structures.

Intermunicipal Development Plan (IDP): A statutory document, adopted by bylaw/ministerial order in accordance with section 631 of the *Municipal Government Act*, which is used by municipalities as a long-range planning tool.

Multi-lot Subdivision: A subdivision of land that will create two (2) or more *new* lots.

Municipal Development Plan (MDP): A statutory plan, adopted by bylaw/ministerial order in accordance with section 632 of the *Municipal Government Act* and used by municipalities as a long-range planning tool.

Permitted Use: The use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of a land use bylaw or land use order are conformed with.

Plan: The M.D. of Acadia No. 34 and Special Areas Board Intermunicipal Development Plan

Plan Area: The lands defined in this document on Map 1: Plan Area noted as “Plan Area”.

Pit(s): means any opening in, excavation in or working of the surface or subsurface made for the purpose of removing sand, gravel, clay or marl and includes any associated infrastructure, but does not include a mine or quarry. Alberta Environment and Parks categorizes and regulates pits as follows:

Large (Class I) Pits – Class I pits are 5 hectares or more in area

Small (Class II) Pits – Class II pits are less than 5 hectares in size on private land

Provincial Highway: A road development as such by Ministerial Order pursuant to the Highway Development and Protection Act, Alberta Regulation 326/2009.

Soil Classifications: The classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based on intensity, rather than kind, of their limitations for agriculture.

Class 1 – Soils in this class have no significant limitations in use for crops.

Class 2 – Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

Class 3 – Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.

Class 4 – Soils in this class have severe limitations that restrict the range of crops or require special conservation practices.

Class 5 – Soils in this class have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Class 6 – Soils in this class are capable only of producing perennial forage crops, and improvement practices are not feasible. Class 7 – Soils in this class have no capacity for arable culture or permanent pasture land

Statutory Plan: As per Part 17 of the *Municipal Government Act*, is an intermunicipal development plan, a municipal development plan, an area structure plan, or an area redevelopment plan adopted by a municipality under Division 4 of the *Municipal Government Act*.

Telecommunications Tower: means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals.