

INTERMUNICIPAL DEVELOPMENT PLAN

BETWEEN

VILLAGE OF CONSORT



AND

SPECIAL AREAS BOARD



OCTOBER 2019 FINAL DRAFT

Village of Consort Bylaw: #A-860

Special Areas Board M.O.: #XX

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DEFINITIONS:

- “Board”** means Special Areas Board.
- “Councils”** mean the municipal councils of the Village of Consort and Special Areas Board in conjunction.
- “Village”** means the Village of Consort.
- “MGA”** means the *Municipal Government Act*, R.S.A. 2000, c. M-26, amended as of April 1, 2018.
- “Municipalities”** refers to both the Village of Consort and the Special Areas Board in conjunction.
- “Municipality”** is an indiscriminate term used in this document to refer to the Village of Consort or Special Areas Board.
- “Plan”** means this intermunicipal development plan.

1. INTRODUCTION AND OBJECTIVES

The Village of Consort and Special Areas Board exist as neighboring municipalities in East Central Alberta in a rural prairie landscape. Due to their shared borders, they have decided to provide for the long-term planning of rural lands between the two Municipalities. They also value the advantages of predetermining processes for land use and development where one Municipality’s border areas are affected by the other’s new developments. Therefore, both Municipalities have decided to develop an intermunicipal development plan (IDP) to provide a predetermined framework to make long-term land use planning decisions.

IDPs are broad-based policy documents that strive for environmentally responsible development without significant unnecessary costs and unacceptable negative impacts on the Municipalities. This IDP will provide a platform to formalize the strong relationship between the Village and the Board. By doing so, it is hoped the potential for future disputes is minimized. However, if a future dispute does occur, the Plan also outlines a dispute resolution process agreed upon by both Municipalities.

Land use planning decisions made by both Municipalities affect and influence one another. Prominent planning issues include conflicts between differing rural land uses and coordinating infrastructural improvements. Positive relationships will lead to sharing of resources, achieving

economic development goals and more efficient municipal and community services. An IDP is arguably the most critical tool in initiating those advantages.

The Municipalities believe this Plan will guide future growth and provide a forum for potential intermunicipal collaboration on a wide range of issues. To that extent, the Village and the Board intend to adhere to this Plan by achieving the following objectives:

- a) To protect existing land uses to prevent encroachment.
- b) To support reasonable and practical planning for future infrastructure needs.
- c) To implement fair and consistent regulations for properties on the boundary.
- d) To provide a framework of mutual cooperation and communication for the decision-making and resolution of planning and development matters.
- e) To engage in boundary reciprocity measures to ensure the interests of both Municipalities are acknowledged and accounted for.
- f) To ensure a transparent process and subsequent results for necessary stakeholders.
- g) To develop this Plan to provide clarity and continuity for future governance of the Plan Area and the respective Municipalities.
- h) To administer and follow effective referral mechanisms and dispute resolution mechanisms.

2. PLAN INTERPRETATION

- a) All words in the Plan shall have the same meaning as defined in the *Municipal Government Act*. For words not defined under the *Municipal Government Act*, their meaning shall be as is understood in everyday language.
- b) The words “shall, require, must, or will” are interpreted as meaning that the policy is mandatory; exceptions would require an amendment to the Plan.
- c) The word “should” is interpreted as meaning that it 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, the policy is not reasonable, practical or feasible.
- d) The word “may” is interpreted as meaning it 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. MUNICIPAL GOVERNMENT ACT (MGA) REQUIREMENTS

As of April 1, 2018, the development and implementation of an intermunicipal development plan are mandated by the *Municipal Government Act* R.S.A. 2000, c. M-26 (as amended).

As established by the *Act*, an intermunicipal development plan is a statutory document and in accordance with Section 631 of the *Act* stating:

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 an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

In addition, **Section 631(2)** of the *Act* states an IDP

- 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 any other matter related to the physical, social or economic development of the area that the councils consider necessary.
 - (vi) any other matter related 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 provisions relating to the administration of the plan.
 - (iii) provisions relating to the administration of the plan.

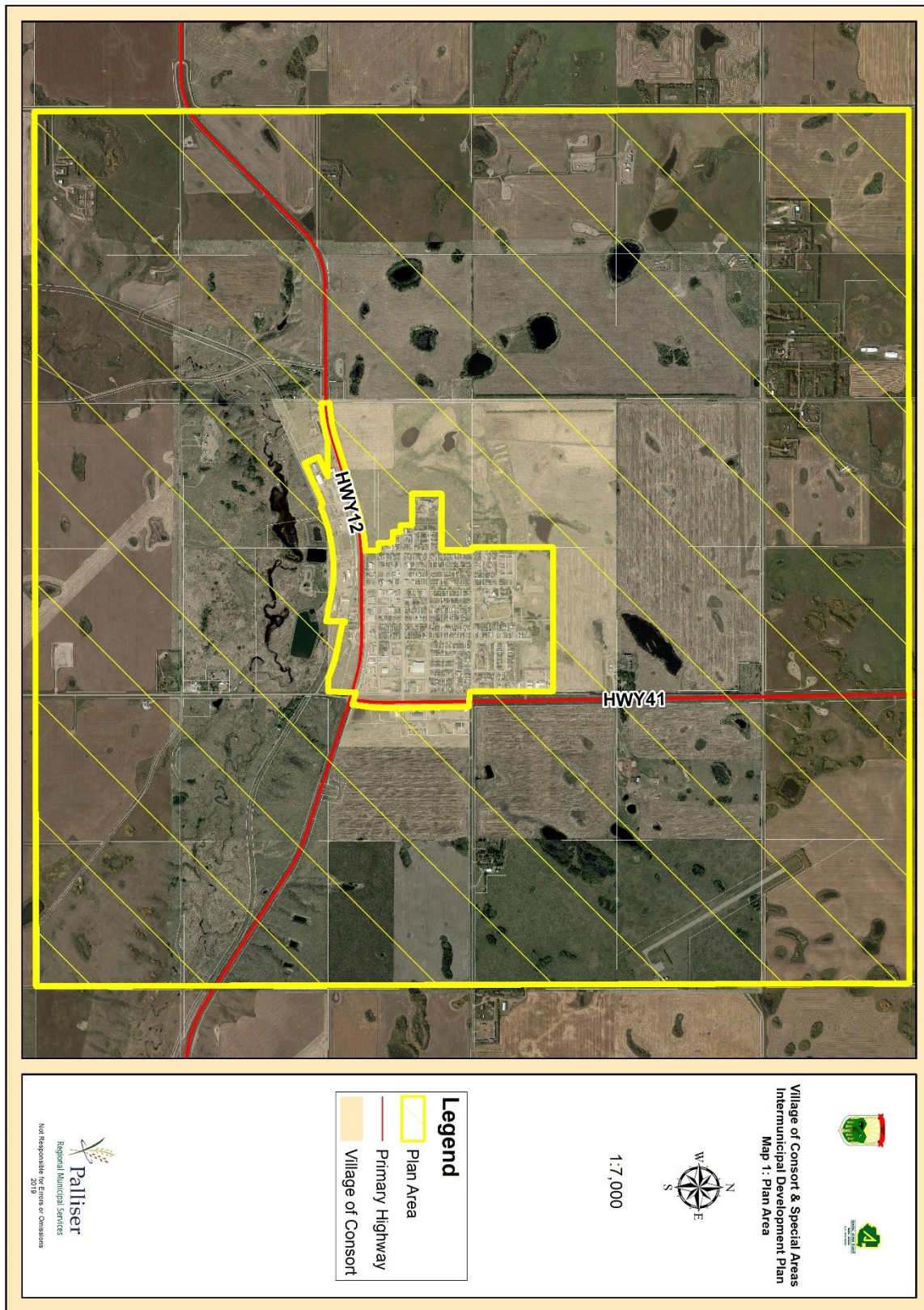
4. PLAN AREA

4.1 Plan Boundary

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 1 mile surrounding the Village municipal boundary was adequate to achieve the goals of the plan. Within the Plan Area, the following economic, environmental and social considerations were examined:

- a) Land use and zoning
- b) Residences and urban areas
- c) Confined Feeding Operations (CFOs)
- d) Resource Extraction and Energy development
- e) Transportation Corridors
- f) Environmental Impacts
- g) Historic Resource Value (HRV) Sites

Map 1.0 Plan Area



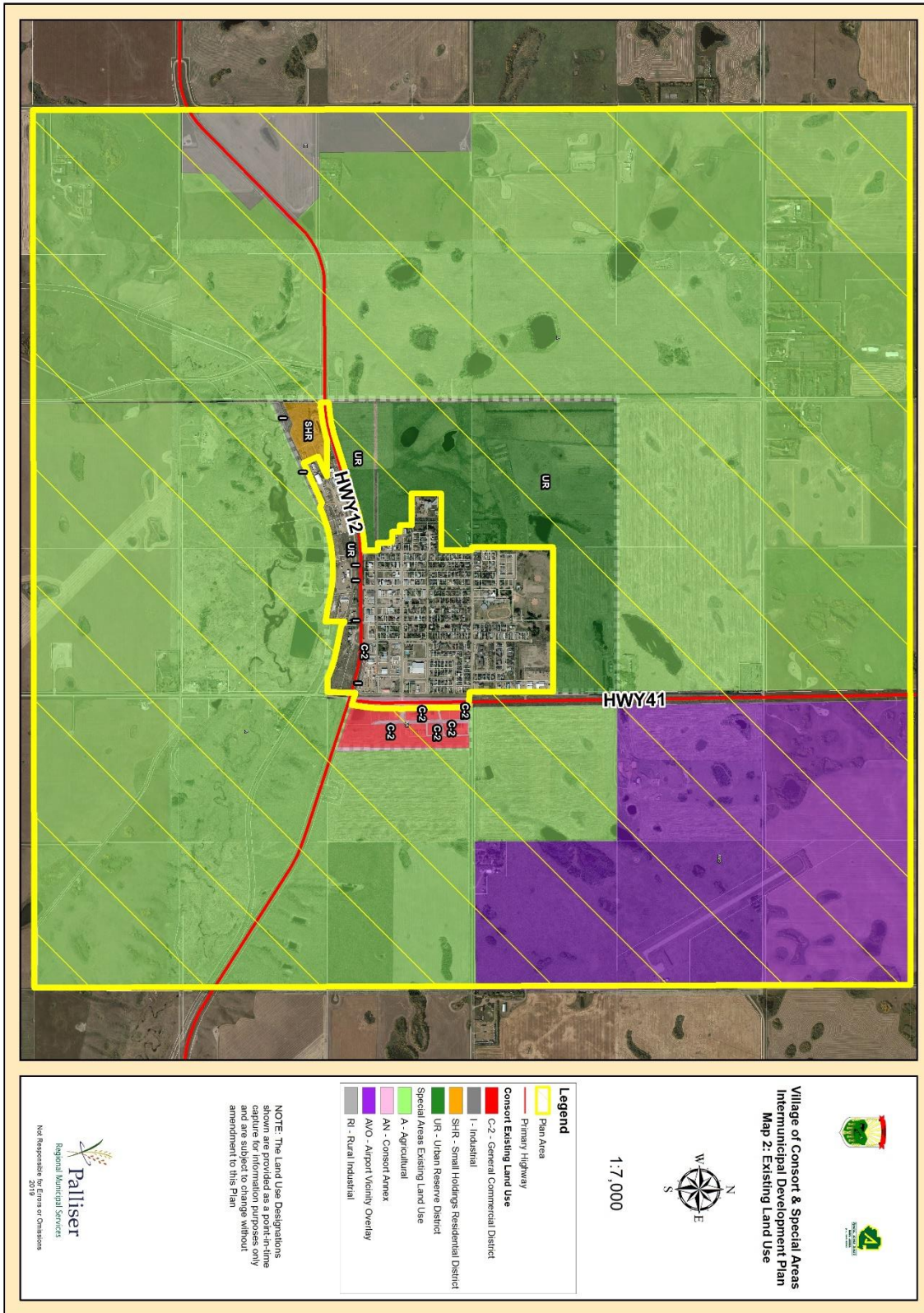
4.2 Key Characteristics of the Plan Area

After evaluating the economic, environmental, and social considerations within the Plan Area, the following key characteristics were identified:

Land Use

Lands within the Plan Area are predominately zoned Agricultural with the exception of five quarter sections of Airport Vicinity Overlay in the northeast corner and a portion of Rural Industrial on the west boundary.

Map 2.0 Existing Land Use Map



Agricultural District

Majority of the Agricultural district land within the Plan Area are cultivated with some native grasses, consisting of class 5 soils. However, small portions of the Agricultural district lands contain various developments including two cemeteries, airport, farm and acreages.

Resource Extraction & Energy Development

Resource extraction is important to the local economy of both the Village and the Special Areas Board and there are currently several active oil and gas wells operating within the Plan Area. Additionally, there is potential for further oil and gas development within the Plan Area in the future.

At this time there are no energy development industries operating within the plan area.

Airport Vicinity Overlay District

The Consort Airport is located within the northeast corner of the Plan Area. The Airport Vicinity Overlay district surrounds the airport lands and is a specific land use district in the Special Areas Land Use Order that regulates development in close proximity to airports.

Residential Development

The Village of Consort contains established residential areas with an adequate supply of vacant land to support future residential growth (see section 4.4 Vacant Land Analysis). Within the current vacant land areas there are some topographical constraints such as a coulee, sloughs and areas with high water tables. There are farmsteads, acreages and country residential development within the Special Areas portion of the Plan Area.

Transportation Infrastructure

Special Areas and the Village of Consort are connected via Provincial Highway 12 & 41 and an east boundary service road. The Village of Consort accesses the provincial highway through three local road accesses located within the Village including 47th St., 49th St., 50th St., 52nd St., and 50th Ave.

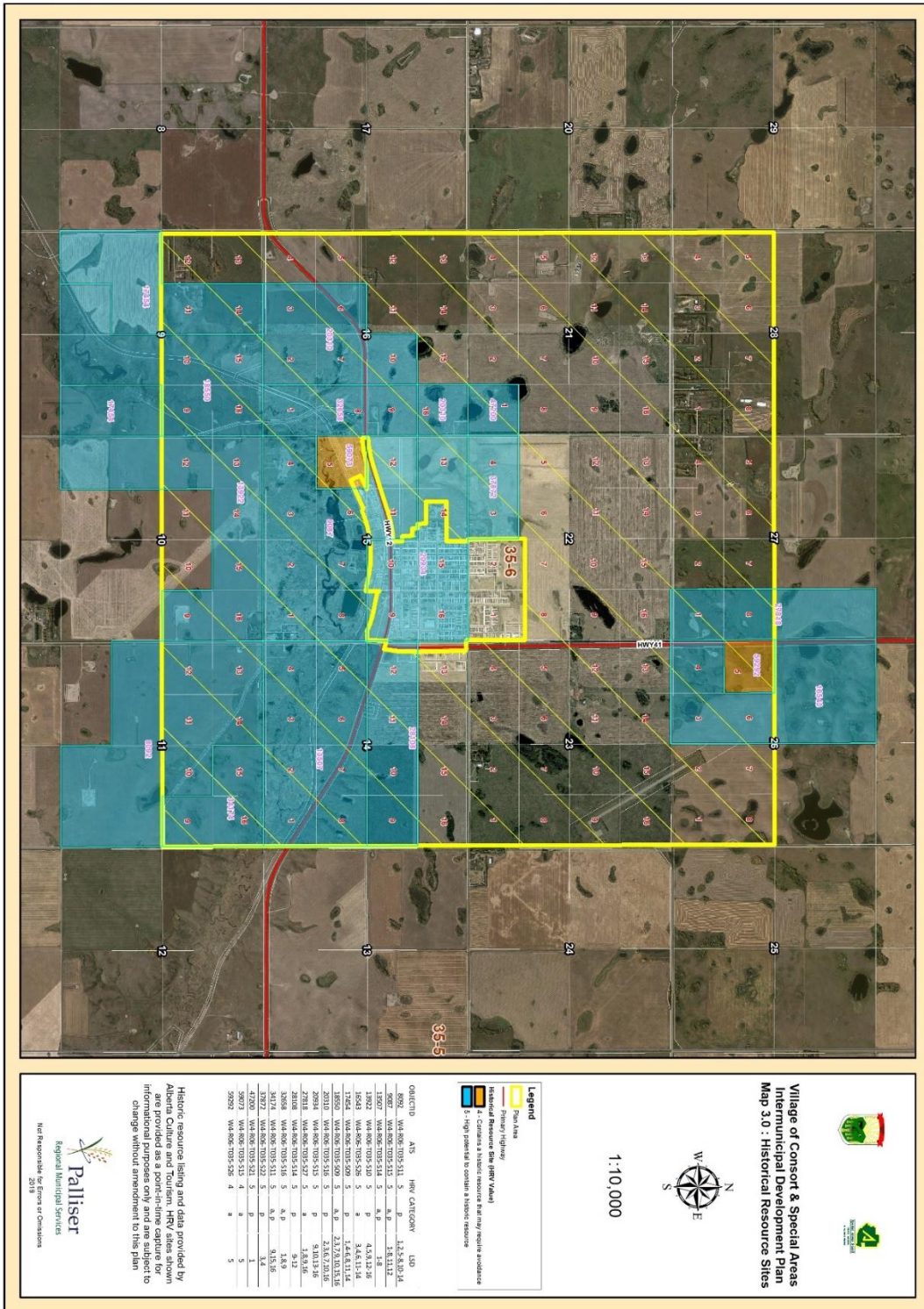
Natural Environment

The Plan Area includes the Loyalist Creek and important riparian areas. Riparian Areas provide a wide range of ecological functions that are 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.

Historic Resource Value Sites

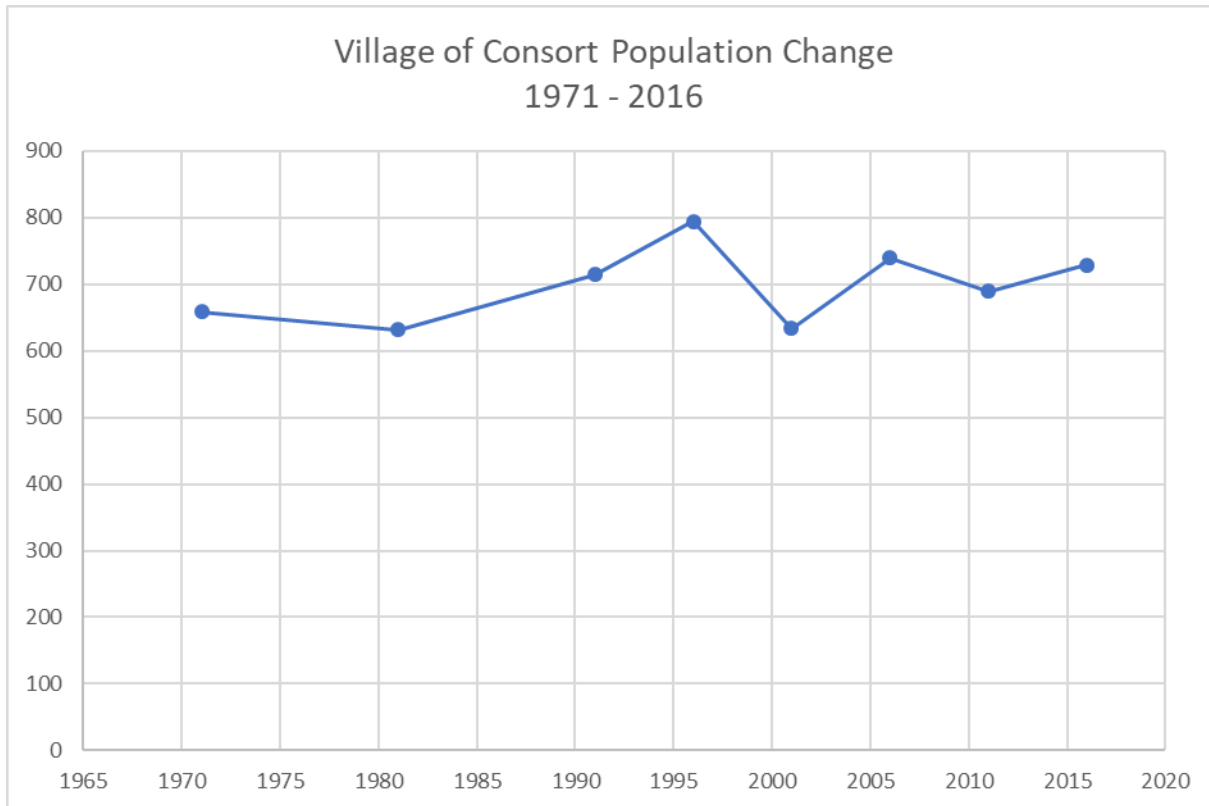
The Village of Consort and surrounding area is a unique landscape rich in cultural history. This area was first inhabited by many different indigenous tribes that used the area for shelter and food during the winter months. There is high potential for archaeological and paleontological historical resources within the plan area. Map 3.0 identifies known historical resources within the plan area but may not be inclusive.

Map 3.0 Historical Resource Site Map



4.3 Village of Consort Population Analysis

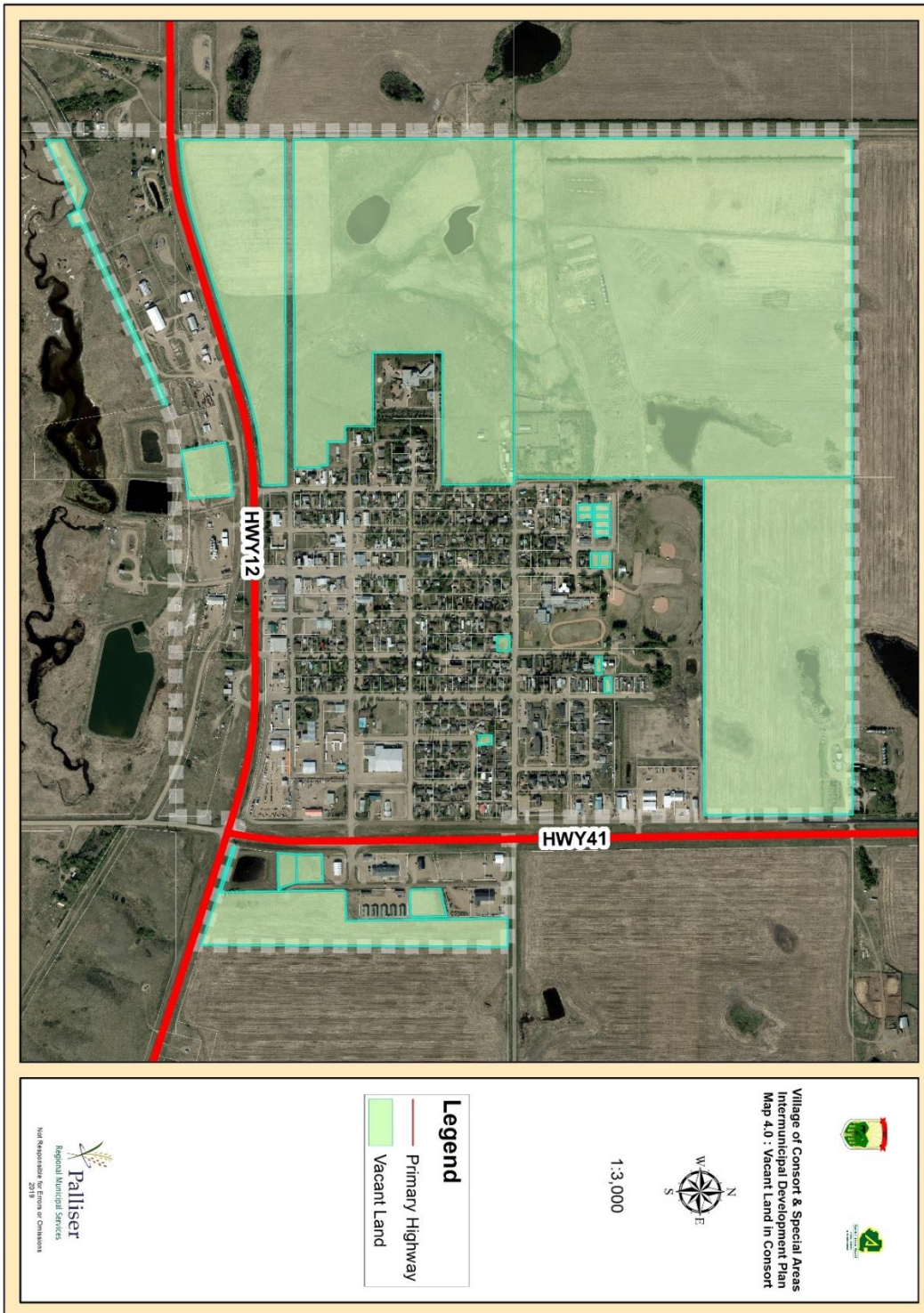
In the 2016 Census of Population conducted by Statistics Canada, the Village of Consort recorded a population of 729 living in 280 of its 310 total private dwellings, a 5.8% change from its 2011 population of 689. With a land area of 3.05 km² (1.18 sq. mi), it had a population density of 239.0/km² (619.0/sq. mi) in 2016.



4.4 Village of Consort Vacant Land Analysis

An IDP provides the opportunity to gain an understanding of any future growth requirements. After conducting a rudimentary land inventory for the Village of Consort, it has been determined that annexation of additional land is necessary to insure sufficient residential and non-residential land is available for the current growth rates of the Village of Consort. Map 4.0 outlines the known vacant lands suitable for future development within the Village boundary. Some areas within the current vacant land area are not suitable for development due to topographic constraints.

Map 4.0 Vacant Lands



5. POLICY FRAMEWORK

5.1 Land Use

Identifying long term future land uses goals is a legislative requirement of an IDP and forms one of the key areas of agreement and coordination in this plan. Currently, land within the Plan Area is zoned predominately agricultural and used for extensive agricultural operations. All land uses within the Plan Area are not foreseen to change within a short- and medium- term planning time frame. The following land use policies seek to provide flexibility for unanticipated future development, preserve the agricultural character of the Plan Area and encourage urban development to locate within the Village boundary.

The Municipalities agree that:

1. Future land use within the Plan Area shall be aligned with the Municipal Development Plan from the respective municipal jurisdiction that the lands fall within.
2. The IDP encourages limiting new fragmentation of agricultural land and premature conversion to non-agricultural uses. Non-agricultural uses should be encouraged to locate within the Village.
3. Non-agricultural uses that cannot be accommodated within the Village shall be located in such areas where they will not negatively impact the Village or the Special Areas Board.
4. Land use within the Plan Area shall align with any statutory planning documents, land use bylaw or land use order from the respective municipality that the lands fall within.
5. The municipalities shall strive to engage in open communication when considering land use in the Plan Area and should discuss any proposed Statutory Plans, Land Use Bylaws, Land Use Orders or amendments that may impact the Plan Area.

5.2 Growth Management & Annexation

This IDP provides the opportunity gain an understanding of any future growth requirements. After conducting a rudimentary land inventory for the Village of Consort, it has been determined that annexation of additional land is necessary to ensure sufficient residential and non-residential land is available for the current growth rates of the Village of Consort. Some areas within the current vacant land area are not suitable for development due to topographic constraints.

1. Should the Village require additional lands in the future, the annexation process may be initiated by the Village in accordance with the requirements of the *Municipal Government Act*.
2. The Village and the Special Areas Board will endeavor to reach an agreement on an annexation prior to submitting an annexation to the *Municipal Government Board*.

5.3 Rural Policy Area

Agricultural land represents the largest land use in the Plan Area, consisting of activities predominately associated with extensive agriculture. Extensive agriculture shall continue to be

the primary use of the land and non-agricultural uses should only be considered in the Plan Area when they cannot be accommodated within the Village of Consort. Confined Feeding Operations are not currently present within the Plan Area.

Agriculture

The Municipalities agree that:

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.
2. Both Municipalities will strive to work cooperatively to encourage good neighbor farming practices, such as dust, weed and insect control, adjacent to developed areas through best management practices and Alberta Agriculture guidelines.

Confined Feeding Operations

The Municipalities agree that:

1. It is recognized that approval of Confined Feeding Operations (CFOs) ultimately lies with the Natural Resources Conservation Board (NRCB). Prior to approvals being given within the Plan Area, both municipalities shall request that the staff of the NRCB review local plans and policies and consider these in their decision making.

5.4 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.

The Municipalities agree that:

1. Efforts to identify and implement cost effective ways of delivering shared services that benefit both municipalities and residents are encouraged.
2. Where potential opportunities to connect to regional services are identified, joint planning should be pursued.
3. 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.
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.

5.5 Natural Environment & Historic Resources

The lands within the IDP Plan Area contain important environmentally significant areas such as native grasslands, riparian areas and drainage courses in addition to essential wildlife, bird and

fish habitat. Additionally, lands within the IDP Plan Area may contain important Historical Resources. Policies within this IDP should ensure that development occurs in a manner that does not negatively impact important historical and natural landscapes.

Natural Environment

The Municipalities agree that:

1. Both Municipalities shall endeavor to protect environmentally significant areas and other natural areas and resources.
2. Developments may not be approved on lands deemed to be environmentally sensitive without appropriate studies and a mitigation strategy.
3. 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.
4. Both Municipalities should consider the provincial *Wetland Policy* and *Stepping back from the Water-A Beneficial Management Practices Guide for New Development* when making land use decisions with the goal of sustaining the environment and economic benefits.

Loyalist Creek

The Municipalities agree that:

1. Subdivision and Development in or adjacent to the creek 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.
2. All land use and developments proposed along the creek in both Municipalities shall be evaluated to ensure that water quality and environmentally significant areas will be protected.

Historic Resources

The Municipalities agree that:

1. Where development is proposed on lands that may contain an Historical Resource Value (HRV), an 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.
2. Both Municipalities should endeavor to identify properties with significant historic resources within the Village and Plan Area to ensure conservation and maintenance. (See Map 3.0 HRV Sites for identified known historical resources within the plan area but may not be inclusive).
3. Both Municipalities should endeavor to collaborate with private owners to conserve and maintain historical resources throughout the Village and Plan Area.

5.6 Resource Extraction & Energy Development

Resource extraction and energy development is important to the local economy. Further, it is important that current and future 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.

The municipalities agree that:

1. When making decisions in regard to 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.
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. 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.
4. The Municipalities shall consider the effects of visual intrusion, dust, noise, traffic, and air and water pollution when evaluating applications for new or expanded resource extraction activities including pits, or other extractive activities, where they maintain jurisdiction.

5.7 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.

The Municipalities agree that:

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.
2. Road closures that may affect both municipalities shall be jointly coordinated.
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.
4. Each Municipality shall be notified of any subdivision or development proposal in the other municipality that will result in access being required from a road under its control or management. The affected municipality must give its approval in writing within fifteen (15) calendar days from the date the notification as received.

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.

5.8 Telecommunication Towers & Utilities

It is recognized that the jurisdiction for telecommunication towers and utility approvals is outside of the control of municipalities. However, 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 in regard to applications for telecommunication infrastructure within the Plan Area.

The Municipalities agree that:

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.
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.

6. 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 were established with the goal of ensuring effective and clear processes for communication and collaboration are established between the municipalities.

6.1 Circulation and Referral Process

The following establishes 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.

The municipalities agree that:

1. The following shall be referred by each municipality prior to a public hearing, meeting or decision:
 - a) A proposed Municipal Development Plan (MDP);
 - b) 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;
 - c) A proposed Land Use Bylaw;

- d) An amendment to a statutory planning document or Land Use Bylaw within the Plan Area;
 - e) A proposed multi lot subdivision within the Plan Area;
 - f) Any development application that may be deemed by one or both municipalities to have an impact on land within the Plan Area.
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.
 3. If either Municipality is in receipt of a notice of application for a new, expanded or retrofitted resource extractions or energy developments within the Plan Area, they shall forward a copy of the notice to the other municipality.
 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 their comments

Timelines

The Municipalities agree that:

1. From the date that a municipality receives a referral, the Municipality will have the following timelines to review and provide comments:
 - a) Fifteen (15) calendar days for development applications;
 - b) Thirty (30) calendar days for subdivision applications and all other intermunicipal referrals.
2. 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.
3. 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. Should any concerns arise through the referral process that cannot be resolved between the two administrations, the dispute resolution process (Section 6.3 of this bylaw) shall be initiated.

6.2 Reviewing, Repealing and Amending the Plan

Regular review of the IDP is important to ensure that the principals and policies 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 outlines the process for reviewing, amending and repealing the Plan.

Reviewing the Plan

The Municipalities agree that:

1. The IDP should be reviewed every five (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.
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

The Municipalities agree that:

1. 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.
2. Should any disagreements arise with an amendment to the Plan, the dispute resolution process (Section 6.3 of this bylaw) shall be initiated.
3. Proposed amendments to this Plan by parties other than the Village of Consort or Special Areas shall be accompanied by the following:
 - a) An application to amend the Special Areas 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 Village of Consort 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 that one or both Municipalities deem the IDP no longer relevant, the bylaws/ministerial orders adopting the IDP will need to be repealed by both Municipalities. However, an IDP is a mandatory requirement under the *MGA*. As such, the Plan may only be repealed for the purpose of being replaced by a new IDP at the time of the repeal.

The Municipalities agree that:

1. The Plan shall only be repealed if mutually agreed upon by both Municipalities and under the condition that the Plan will be replaced with a new IDP that will be adopted by both Municipalities at the time of the repeal.
2. 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. Both Council and the Board must pass the bylaw/ministerial order repealing the Plan and adopting a new IDP for the repeal to take effect.
3. Should only one Municipality wish to repeal the plan, the dispute resolution process (Section 6.3 of this Plan) shall be initiated.

6.3 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*.

The Municipalities agree that:

1. Both Municipalities shall be responsible for documenting and maintaining records of all meetings and exchanges throughout the dispute resolution process.
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.
3. Costs incurred through the dispute resolution process shall be shared equally by both Municipalities.
4. Notifying and engaging any affected parties or members of the public will be at the discretion of each municipality. Each municipality shall ensure they are meeting requirements and processes outlined in relevant public participation policies for notifying and engaging members of the public or affected parties.
5. If the responding Municipality initiates a dispute, they may withdraw their objections at any time throughout the process and shall provide written confirmation that the dispute is withdrawn to the proposing Municipality.
6. Both the Village and the Board agree that time shall be of the essence when working through the Dispute Resolution Process.
7. 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.
8. Should arbitration be required through the dispute resolution process; every order of an arbitrator is final and binding on all parties.
9. In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw/Ministerial Order or amendment to such, an appeal may be filled without prejudice, within thirty (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.
10. An appeal may be withdrawn if an agreement is reached between the two municipalities prior to the *Municipal Government Board* meeting.

In the event of a dispute to any part of this agreement, a statutory planning document, Land Use Bylaw/Ministerial Order or subdivision the following process will be used to resolve the conflict:

1. 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.

2. Once notice of the conflict has been received, both Municipalities shall discontinue any actions pertaining to the matter in disagreement until a resolution has been determined.
3. Within fifteen (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 CAO/Chair 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. Within fifteen (15) days of Administration being unable to resolve the disagreement, a meeting shall be convened between administrations from both Municipalities, the Board and Council to discuss possible resolutions and attempt to reach consensus on the issue.
5. Should the Board and Council be unable to resolve the matter within thirty (30) days, a formal mediation process to facilitate resolution of the issue shall be initiated. The facilitated mediation process will involve two Council members, two Board members and the CAO/Chair from each municipality, as well as a mediator mutually agreed upon by both municipalities. The representatives from the Board and Council will be decided at the time of mediation.
6. If the dispute resolution process is not completed within one (1) 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 *Municipal Government Act*.
7. In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw/Ministerial Order or amendment to such, an appeal may be filed without prejudice, within thirty (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.

Dispute Resolution Flow Chart

