



## BYLAW NO 01-358

### of the Municipal District of Greenview No. 16

#### A Bylaw of the Municipal District of Greenview, in the Province of Alberta, for the purpose of adopting a GRANDE CACHE INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS Section 631 of the Municipal Government Act, Statutes of Alberta 1994, Chapter M-26.1 as amended, allows two or more municipalities to adopt an Intermunicipal Development Plan; and

WHEREAS the Municipal District of Greenview No. 16 deems it to be in the public interest to adopt, with the Town of Grande Cache, an Intermunicipal Development Plan for the Grand Cache area;

THEREFORE the Council of the Municipal District of Greenview No. 16 in the province of Alberta, duly assembled, enacts as follows:

1. That this bylaw may be cited as the Grande Cache Intermunicipal Development Plan.
2. That the "*Grande Cache Intermunicipal Development Plan*" attached hereto forms part of this bylaw.
3. That this Bylaw shall come into effect upon the date of the final passing thereof.

Read a first time this 8<sup>th</sup> day of May, AD, 2002.

Read a second time this 10<sup>th</sup> day of July, AD, 2002.

Read a third time and finally passed this 10<sup>th</sup> day of July, AD, 2002.

  
REEVE

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MUNICIPAL DISTRICT OF GREENVIEW NO. 16  
TOWN OF GRANDE CACHE

GRANDE CACHE  
INTERMUNICIPAL DEVELOPMENT PLAN

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Prepared By:

***ISL***  
**Infrastructure Systems Ltd.**

July 2002

**BYLAW NO 01-358**

**of the Municipal District of Greenview No. 16**

**A Bylaw of the Municipal District of Greenview, in the Province of Alberta,  
for the purpose of adopting a  
GRANDE CACHE INTERMUNICIPAL DEVELOPMENT PLAN**

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THEREFORE the Council of the Municipal District of Greenview No. 16 in the province of Alberta, duly assembled, enacts as follows:

1. That this bylaw may be cited as the Grande Cache Intermunicipal Development Plan.
2. That the "*Grande Cache Intermunicipal Development Plan*" attached hereto forms part of this bylaw.
3. That this Bylaw shall come into effect upon the date of the final passing thereof.

Read a first time this 8th day of May, 2002.

Read a second time this 10<sup>th</sup> day of July, 2002.

Read a third time and finally passed this 10<sup>th</sup> day of July, 2002.

T. YELENIK (Original signed by)  
REEVE

G. FRANK (Original signed by)  
MUNICIPAL MANAGER

**BYLAW NO. 615**

**BEING A BYLAW OF THE TOWN OF GRANDE CACHE, IN  
THE PROVINCE OF ALBERTA FOR THE PURPOSE OF  
ADOPTING AN INTERMUNICIPAL DEVELOPMENT PLAN**

**WHEREAS** Section 631 of the Municipal Government Act, R.S.A. 2000, Chapter M-26 as amended, allows two or more municipalities to adopt an Intermunicipal Development Plan; and

**WHEREAS** the Town of Grande Cache deems it to be in the public interest to adopt, with the Municipal District of Greenview No. 16, an Intermunicipal Development Plan for the Grande Cache area;

**NOW THEREFORE** the Council of the Town of Grande Cache in the Province of Alberta duly assembled, hereby enacts as follows:

- 1) That this By-Law may be cited as the Grande Cache Intermunicipal Development Plan.
- 2) That the Grande Cache Intermunicipal Development Plan attached hereto, forms part of this By-Law.
- 3) This By-Law shall come into effect upon the date of the final passing thereof.

READ a first time this 13<sup>th</sup> day of May, 2002.

READ a second time this 8<sup>th</sup> day of July, 2002.

READ a third and Final time this 8<sup>th</sup> day of July, 2002.

F. McLennan (Original Signed By)  
MAYOR

D.J. Dukart (Original Signed By)  
MUNICIPAL ADMINISTRATOR



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### APPENDIX 1 Dispute Resolution Process

## LIST OF MAPS

1	Plan Area	Following Page 2
2	Future Land Use	Following Page 6

## 1.0 INTRODUCTION

The intent of this Intermunicipal Development Plan (IDP) is to outline a cooperative framework for the resolution of land use planning issues that are of mutual interest between the Town of Grande Cache and the Municipal District of Greenview No. 16. The Plan also addresses the coordination of information exchange between the two municipalities on development issues.

This Plan is a statutory planning document prepared in accordance with Section 631 of the Municipal Government Act, which states that

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

The Act requires that an IDP include provisions for plan administration, amendment and repeal, and the establishment of a dispute resolution process. Specific content relating to physical, social or economic development of an area is left to the discretion of the affected municipalities.

In addition, the Act requires that this IDP meet the requirements of the Provincial Land Use Policies. A major goal of the Policies is:

To foster cooperation and coordination between neighbouring municipalities and between municipalities and provincial departments and other jurisdictions in addressing planning issues and in implementing plans and strategies.

The Act also requires that all statutory plans adopted by a municipality be consistent with one another. The policies of the Municipal Development Plans for the Town of Grande Cache and the Municipal District have been taken into account in the drafting of this Plan.

The Town, based on goals and policies contained in its recently approved Municipal Development Plan, initiated the preparation of this Plan with the Municipal District. The need for a Plan was primarily based on a desire to address a growing demand for large-lot, unserviced industrial sites in the area that the Town is not able to accommodate within its boundaries. It was also seen as an opportunity to examine opportunities for future recreation, country residential and other land uses in the area. The Municipal District subsequently agreed to participate in preparation of an IDP for the Grande Cache area. Preparation of this Plan was overseen by a Steering Committee composed of Council and staff representatives of both municipalities.

## 2.0 PLAN INTERPRETATION

### 2.1 Applicability

The policies of this Plan apply to an area of six townships (560 km<sup>2</sup> or 216 mi<sup>2</sup>) of land, extending from the Wanyandie Flats West Settlement approximately 14.5 km (9 mi) north of Grande Cache, to the Pierre Grey Lakes Recreation Area 31 km (19 mi) east of Grande Cache (Map 1). The focus of the Plan is on the Highway 40 corridor, which serves as a critical transportation link for the area. In addition, the Plan includes several developments or facilities in which the Town has a vested interest, including major employers (the Smoky River coal mine, HR Milner power station, and the Weyerhaeuser sawmill), airport, and recreational developments (eg. Grande Cache Lake, Pierre Grey's Lakes). Residential development in the Plan area is limited to six native cooperatives.

The Plan area is comprised entirely of Crown Land, and is largely undeveloped. With the exception of the westerly portion, the entire Plan area is contained within Weyerhaeuser's Forest Management Agreement area. All development that is present in the area is accommodated on leased sites that are administered by the Province.

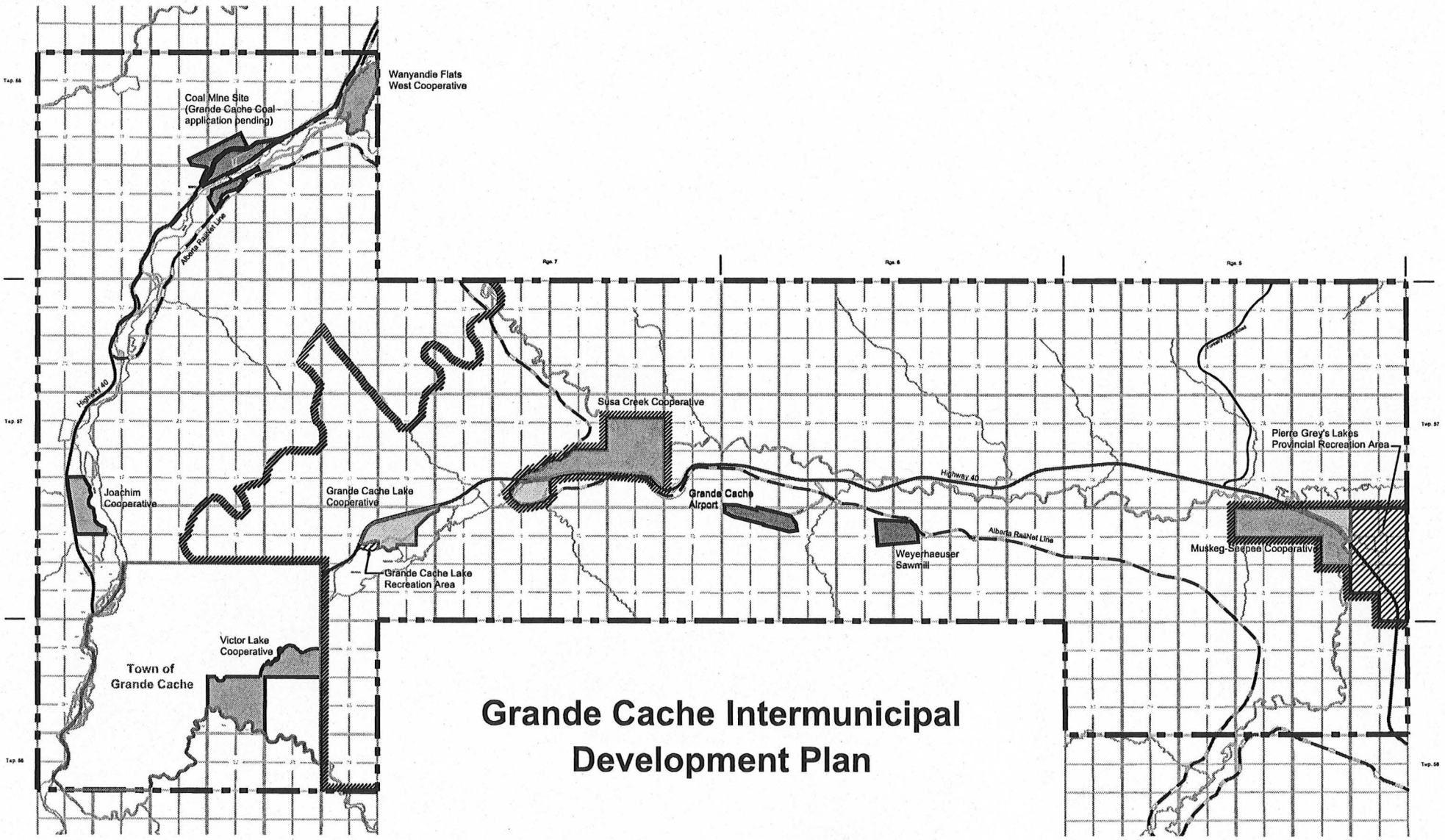
#### Policies

- 2.1.1 The policies of this Plan are designed to respect existing leases. It is the intent of this Plan that all future development be approved under the Provincially- administered leasing system. No future development in the Plan area may proceed without approval from the Province.
- 2.1.2 The policies of this Plan do not apply to lands occupied by the settlements.
- 2.1.3 The areas identified as land use nodes on the Future Land Use Map are approximate only and are to be more precisely defined through detailed planning in advance of development.

### 2.2 Definitions

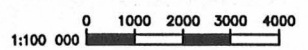
The following definitions are provided in order to assist in the interpretation of this Plan. For those terms not identified below, the definitions found in the Municipal Development Plans or Land Use Bylaws for the respective municipalities and the Municipal Government Act will apply.

**Act** means the Municipal Government Act, RSA 1994 as amended.



# Grande Cache Intermunicipal Development Plan

**ISL**  
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June 2002

- Plan Area Boundary
- Settlements  
(Geographic reference only. Plan not applicable)
- Industrial Site
- Recreation Area
- Weyerhaeuser FMA Boundary

**Map 1**  
**Proposed Plan Area**



## Grande Cache Intermunicipal Development Plan

**Adjacent** refers to a parcel of land that is contiguous to another parcel of land, or would be contiguous if not for an intervening river, stream, railway or utility right-of-way.

**Agreement** means written notification from a municipality indicating support for a statutory plan, concept plan or land use bylaw that has been referred to it for comment.

**Approving Authority** means the municipal body having jurisdiction to make decisions in a matter related to the development of land. Depending on the nature and location of the development in question, this may be the Subdivision Approving Authority or Development Authority of either the Town or Municipal District.

**Board** means the Municipal Government Board.

**Contentious** refers to any land use that, due to its size, nature, or location, may be incompatible with uses on adjacent lands or is anticipated to have a detrimental inter-municipal impact. Such impacts may include but not be limited to noise, emissions, traffic generation, odours, nuisance, servicing demands, presence of dangerous goods or hazardous materials, or other environmental concerns. For the purpose of this definition, this may include but not be limited to sawmills, intensive livestock operations, natural resource extraction industries (including sour gas wells), agricultural industries, auction markets, and similar uses.

**Council** means the municipal council of either the Town of Grande Cache or Municipal District of Greenview No. 16, as the case may be.

**Municipal District** means the Municipal District of Greenview No. 16.

**Municipal Services** means a water distribution and sewage collection system that conforms to municipal standards and is connected to the water and sewage systems of the Town of Grande Cache.

**Non-Residential** when referring to a subdivision or development permit application, means any commercial, industrial, institutional or recreational use, but does not include an accessory building or use.

**Private Services** means a water supply and sewage disposal system that conforms to Provincial regulations and serves an individual lot or development and is confined to the subject lot.

**Settlement** refers to the several native cooperatives that are located in the Plan area.

**Town** means the Town of Grande Cache.

## 2.3 Compliance

Compliance with policies in this Plan shall be interpreted and applied as follows:

- “shall” and “will” mean mandatory compliance;
- “should” means compliance in principle but is subject to the discretion of the Approving Authority where compliance may be undesirable or impractical due to the specific circumstances associated with a particular issue;
- “may” means discretionary compliance or choice in the application of policy.

### 3.0 GOALS OF THE PLAN

This Plan is intended to achieve the following goals:

- a) To establish a planning area where the Town and Municipal District agree to cooperate on land use planning issues.
- b) To identify and protect future growth directions for the Town as deemed necessary.
- c) To identify lands which are potentially suitable for future urban and rural development purposes.
- d) To develop an administrative structure that supports cooperation and communication between the Municipal District, Town, and Provincial Government.
- e) To develop a dispute resolution process.
- f) To reduce the potential for incompatible uses impacting adversely on the adjacent municipality.
- g) To encourage growth and development within the Plan area.



## 4.0 DEVELOPMENT POLICIES

The purpose of this section is to outline the specific policies that will guide future development in the Plan area. Future land use areas referenced in policy are illustrated in Map 2.

In the event that the policies of this Plan do not directly address a particular issue, then the relevant policies contained in the Municipal District's Municipal Development Plan shall apply.

### 4.1 Residential Development

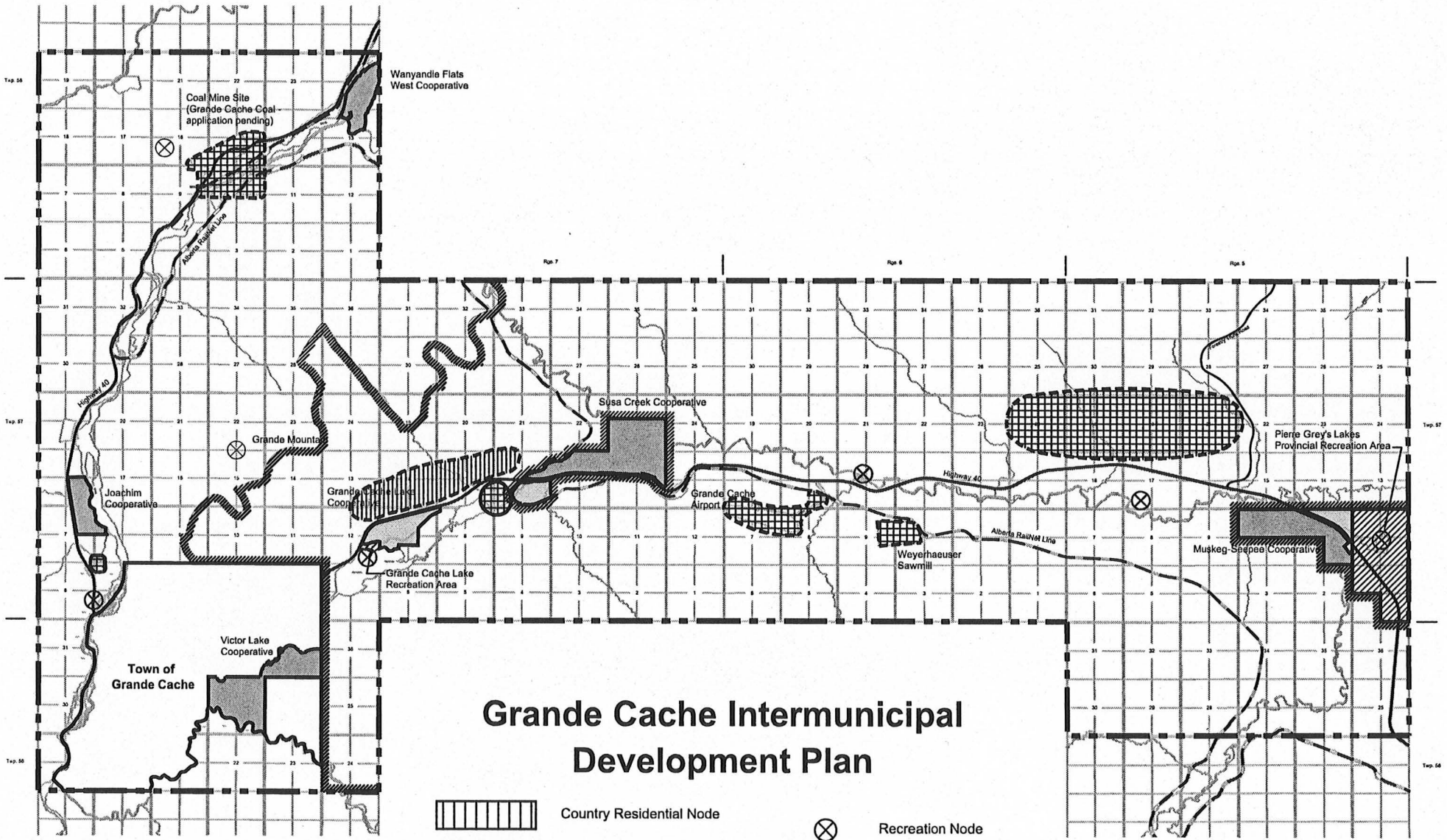
Residential development in the Plan area is limited to the settlements and a few caretaker residences on existing lease sites. There is no conventional country residential development present in the area, but according to Section 12 of the Town's Municipal Development Plan, there

has been a demand over the past five years for 3-5 acre country residential lots ... with the option for horse holding on an individual lot basis or on a congregate basis ... A great number of suitable locations exist within the Town's existing urban fringe where a quarter section could be subdivided to create 20-25 such lots. It appears clear that the demand for country residential lots is most appropriately satisfied within the Municipal District of Greenview No. 16.

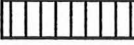
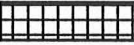



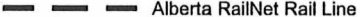

The Province has a general policy of not allowing residential development in the Green Zone, and the Town and Municipal District agree that scattered residential development should not be encouraged. However, there is a desire on the part of the Municipal District and Town to work with Provincial authorities to establish a country residential development node in proximity to the Town as a means of accommodating the above noted demand. It is recognized that the availability of sites is restricted by such constraints as the proximity of flood plains, slopes, and a limited road network.

#### Policies

- 4.1.1 Country residential development may only be supported in the Plan area if developed in multi-lot clusters to minimize land consumption and maximize efficiencies in service delivery. Scattered country residential development will not supported in the Plan area.



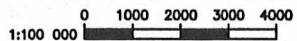
# Grande Cache Intermunicipal Development Plan

-  Country Residential Node
-  Industrial Node
-  Settlements
-  Recreation Node
-  Proposed Plan Area
-  Alberta RailNet Rail Line
-  Weyerhaeuser FMA Boundary

**Note:**  
Land Use Node Boundaries are approximate only and are to be more precisely defined through detailed planning.

**Map 2**  
**Future Land Use**

**ISL**  
Infrastructure Systems Ltd.



June 2002

## Grande Cache Intermunicipal Development Plan

- 4.1.2 Potential country residential development nodes are identified in Map 2. Prior to disposition, the suitability of specific sites for development shall be evaluated in more detail with respect to access, servicing, site suitability, potential impact on and compatibility with forestry activities, and any other factors deemed appropriate.
- 4.1.3 No multi-lot country residential development shall proceed unless contained in an approved Area Structure Plan.
- 4.1.4 Based on input from Alberta Community Development, developers may be required to prepare a historical resources impact assessment prior to subdivision or development approval for multi-lot residential use.
- 4.1.5 The future development of caretaker residences on industrial sites may be considered if required for site security purposes.
- 4.1.6 Both municipalities support, in principle, the future expansion of the settlements subject to successful negotiation with the Provincial Government.

## **4.2 Industrial and Commercial Development**

Major industries in the Plan area include the Weyerhaeuser sawmill, Grande Cache Coal mine<sup>1</sup>, and HR Milner power generating station. In addition, numerous sand and gravel extraction sites are present in the area. The area is also becoming increasingly more active through natural gas exploration and extraction, much of which is concentrated in an area north of Highway 40 and west of the Forestry Trunk Road.

This increased natural gas activity is in turn creating a demand for industrial lands in the area to accommodate oilfield service and related businesses. However, due to a relative shortage of industrial lands in the Town, there is a need to examine development opportunities elsewhere in the area.

### Policies

- 4.2.1 Both municipalities shall cooperate in the promotion of future industrial development at appropriate locations in the Plan area.
- 4.2.2 Potential future industrial nodes are identified in Map 2. These areas are based on the presence of existing industrial activities, as well as their accessibility to either road or rail (or both), and include:

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<sup>1</sup> Applications are currently under review to reopen the former Smoky River Coal mine under new ownership.

## Grande Cache Intermunicipal Development Plan

- a) The Grande Cache Coal Project, where a new coal operation may create an opportunity to re-establish coal handling and processing activities;
- b) Contracting operation site along the Smoky River north of the Town;
- c) Denard siding, currently the site of a large seismic exploration camp;
- d) Grande Cache airport;
- e) Weyerhaeuser sawmill site, where future development would be limited to expansion of the existing operation;
- f) Existing resource extraction area west of the Forestry Trunk Road, subject to consultation with Weyerhaeuser;
- g) Former highway maintenance yard site at the Muskeg-Seepee cooperative.

4.2.3 In addition to 4.2.2(g), both municipalities support the pursuit of industrial development opportunities on settlement lands.

4.2.4 Prior to disposition, the suitability of specific sites for development shall be evaluated in more detail with respect to access, servicing, site suitability, potential impact on and compatibility with forestry activities, and any other factors deemed appropriate.

4.2.5 The types of industrial development that are supported in the Plan area would include natural resource extraction operations and related service industries. No highway commercial development will be supported in the Plan area.

4.2.6 In order to avoid the possibility of the Town and Municipal District competing for industrial uses, developments requiring relatively large, unserviced sites should be directed to the Municipal District, while uses requiring smaller, serviced lots should be accommodated in the Town.

4.2.7 No multi-lot industrial development shall proceed unless contained in an approved Area Structure Plan.

4.2.8 Based on input from Alberta Community Development, developers may be required to prepare a historical resources impact assessment prior to subdivision or development approval for an industrial use.

### **4.3 Agriculture**

There is virtually no agricultural activity in the Plan area due to climatic, geographic and topographic constraints. A large portion of land in the Plan area is caveated with a Protective Notation, identifying the area as an "Other Miscellaneous Site Protection Area". According to Grande Cache Ranger Station staff, this notation was intended to prevent further agricultural dispositions in the area.



**Policies**

- 4.3.1 No extensive agricultural operations will be supported in the Plan area unless otherwise permitted by Alberta Sustainable Resource Development.
- 4.3.2 Notwithstanding 4.3.1, the establishment of exotic livestock operations (eg. elk ranches) may be supported in the Plan area.
- 4.3.3 The Town and Municipal District shall support the establishment of new outfitting and guiding operations in the Plan area.

**4.4 Recreation and Environment**

Due to its proximity to the mountains, as well as the presence of numerous rivers, creeks and lakes, the Grande Cache area provides considerable recreation opportunities including hiking, boating, fishing and horseback riding. There are also several camping and day use facilities in the area. Opportunities to expand or enhance these facilities in response to public demand should be explored.

In addition, within the Plan area there are numerous environmentally significant features and areas which merit specific attention. In addition, Grande Cache Lake and Victor Lake serve as the source of drinking water for the Town, and must be protected accordingly. Lastly, the area is home to significant wildlife populations, including mountain sheep and woodland caribou. It is critical that the Plan's policies recognize the importance of environmental protection in the area.

**Policies**

- 4.4.1 Both municipalities will continue to support the development of recreational facilities, including potential resort developments, in the Plan area. Prior to disposition, the suitability of specific sites for development shall be evaluated in more detail with respect to access, servicing, site suitability, potential impact on and compatibility with forestry activities, and any other factors deemed appropriate.
- 4.4.2 Potential future recreational and interpretive nodes are identified in Map 2. These areas are based on the presence of existing recreational facilities, and include:

## Grande Cache Intermunicipal Development Plan

- a) The former Smoky River Coal No. 12 Mine pit area<sup>2</sup>, where dinosaur tracks have been discovered;
- b) Smoky River South Recreation Area;
- c) Grande Cache Lake<sup>3</sup>;
- d) Grande Mountain, a potential ski area;
- e) Mason Creek Recreation Area;
- f) Existing cadet camp area at Muskeg River;
- g) Pierre Grey's Lakes and Hide-A-Way Camp;
- h) Muskeg River falls

4.4.3 All lands located adjacent to lakes, within the floodplain of rivers and creeks, and lands characterized by excessive slopes should be considered as environmentally sensitive areas for the purpose of this Plan. In these areas, no development shall be supported which may result in a negative impact on these features.

4.4.4 Notwithstanding 4.4.2 and with the exception of the settlements, no residential or industrial development shall be permitted within 100 metres of Victor Lake or Grande Cache Lake.

4.4.5 All future development shall require the provision of appropriate development setbacks and any other protective measures in accordance with the Municipal District's Land Use Bylaw and the requirements of Provincial authorities.

4.4.6 All development proposals in the Plan area shall be reviewed with regard to their potential impact on vegetation and wildlife.

## **4.5 Transportation and Infrastructure**

Highway 40 (the Bighorn Highway) is the primary transportation route through the Plan area. This corridor is the only road linkage to the Town, connecting with Grande Prairie and the Alaska Highway to the north and Yellowhead Highway to the south. The Forestry Trunk Road provides a second link to the north, connecting with Highway 40 at the east end of the Plan area near the Muskeg-Seepee Co-operative. Although there are a number of private roads in the area, much of the area is inaccessible to the general public at present. In addition, further highway access opportunities are relatively limited due to topographic constraints.

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<sup>2</sup> The No. 12 Mine Pit is that portion of the mine operation located outside the Plan area. However, it has been noted in this report due to its potential significance as an interpretive site.

<sup>3</sup> An area structure plan was prepared for Grande Cache Lake in 1993 to address future development opportunities, but was never adopted.

## Grande Cache Intermunicipal Development Plan

Another important transportation link is the Alberta Resources Railway that connects Hinton with Grande Prairie. This line is critical for the movement of lumber, coal and other commodities through the area.

The Grande Cache airport is located to the east of the Town on a plateau south of Highway 40. The airport is funded by the Town and Municipal District, and is operated by the Town. The Alberta Forest Service uses this facility primarily as a fire-fighting attack base.

The MD maintains a sanitary landfill in the Plan area, located approximately 4 km west of the Muskeg-Seepee Cooperative.

All developments in the Plan area are served with on-site water and sewer services. There are no municipal servicing systems present.

### Policies

- 4.5.1 The Town and Municipal District shall work cooperatively with Alberta Transportation to address safety concerns on Highway 40, with specific attention to improving road width and visibility on curves for its length east of the Town. Due to the volume of traffic east of the Town to the Weyerhaeuser sawmill access, this portion of the highway should be a priority for upgrading.
- 4.5.2 All proposed developments that require access to Highway 40 shall be reviewed with Alberta Transportation with respect to operational safety. Depending on the nature of the development, the provision of service roads and other improvements such as acceleration/deceleration lanes or dedicated turning lanes may be required.
- 4.5.3 Opportunities to accommodate further development on or near the airport lands that do not jeopardize the functionality of the facility, should be explored.
- 4.5.4 Where applicable, all proposed developments shall be reviewed with Weyerhaeuser with respect to potential impacts on its haul road network.
- 4.5.5 The capital cost of the installation of any infrastructure required to serve a proposed development including related highway improvements shall be the responsibility of the developer.
- 4.5.6 Municipal services shall not be extended into the Plan area. All development shall be provided with private services.



## 5.0 PLAN IMPLEMENTATION

Two key components to the success of this Plan are a clear understanding of the administrative processes associated with its implementation, and a spirit of mutual trust and cooperation between the respective municipalities. The purpose of this section is to establish the processes by which this Plan is to be administered.

### 5.1 Adoption Process

This section relates to the process required to adopt the Grande Cache Intermunicipal Development Plan.

#### Policies

- 5.1.1 This Plan shall be adopted by bylaw passed by each municipality in accordance with the Act.
- 5.1.2 Although the Town adopts the policies of the Plan, it has no jurisdiction over lands in the Plan area that are outside the boundaries of the Town. Similarly, the Municipal District has no jurisdiction over lands that are outside the boundaries of the Municipal District.
- 5.1.3 Any amendments to the respective Municipal Development Plans or Land Use Bylaws of either municipality that may be required to implement the policies of this Plan, or to ensure consistency with this Plan, should occur simultaneously with the adoption of this Plan.

### 5.2 Administrative Agencies

Responsibility for implementation of the provisions of the Plan is vested with each municipality respecting lands contained within its own boundaries. All authority respecting the disposition of Crown lands is vested with Alberta Sustainable Resource Development.

#### Policies

- 5.2.1 Responsibility for implementation of the provisions of this Plan is vested with the Approving Authorities of each municipality respecting lands contained within its own boundaries in accordance with their own policies and LUB standards.

## Grande Cache Intermunicipal Development Plan

- 5.2.2 The Town and Municipal District will continue to be responsible for subdivision and development permit approvals falling within their boundaries. Likewise, applications to adopt or amend any statutory plan or Land Use Bylaw will be received and processed by the municipality within which the lands, which are the subject of the application, are found.
- 5.2.3 Alberta Sustainable Resource Development maintains responsibility for the disposition of Crown lands. In addition, the Department shall review all development proposals located on Crown lands with regard to potential impacts on existing leaseholders.

### **5.3 Referrals**

Open communication between the Town and Municipal District and the clear definition of procedural requirements will be critical to the successful implementation of the Plan, and help ensure that future development in the Plan area is of mutual benefit. This process begins with the exchange of information at the beginning of the development process.

#### **Policies**

- 5.3.1 The Municipal District shall circulate the following to the Town for review and comment if the proposal affects lands located in the Plan area:
- a) Statutory Plans (including drafts) and amendments thereto;
  - b) Land Use Bylaws (including drafts) and amendments thereto;
  - c) Subdivision applications (if applicable);
  - d) Non-residential development permits;
  - e) Applications for development permits or subdivisions for potentially contentious uses;
  - f) Non-statutory plans (including drafts).

This referral process shall not apply to development activity proposed in the settlements.

- 5.3.2 The Town shall circulate to the Municipal District all applications for development permits or subdivisions for potentially contentious uses.
- 5.3.3 Referrals made under 5.3.1 and 5.3.2 shall be processed in accordance with the following:
- a) Each municipality is to be provided with thirty (30) days to review and comment on referrals, unless applicable legislation mandates a different time period;

- b) If comments are not received within the stated time period, it shall be assumed that there is no objection to the proposal. However, given that the fairness and reasonableness must be an integral part of the planning process, a time extension may be granted by the municipality circulating the application;
- c) If a request for a time extension were denied, the issue would not constitute a dispute as defined under Section 5.4.

5.3.4 The Municipal District and Town shall work with Alberta Sustainable Resource Development to ensure that lease applications in the Plan area are circulated to both the Municipal District and the Town for comment.

5.3.5 The Municipal District shall circulate all referrals for review and comment listed under 5.3.1 to:

- a) Alberta Sustainable Resource Development;
- b) Alberta Transportation with respect to lands located within 800 m of Highway 40;
- c) Alberta Environment;
- d) Alberta Community Development to determine whether a Historical Resources Impact Assessment will be required; and
- e) Any other agency or government department deemed necessary depending on the nature of the proposed development.

All agencies will be provided with thirty (30) days to review and comment on referrals, unless applicable legislation mandates a different time period.

5.3.6 All developments proposed to be located on lands contained in a Forest Management Agreement area shall be reviewed with Weyerhaeuser early in the planning stages. This is necessary in order to assess the possible impacts of the proposed development on current or future forestry activities.

## **5.4 Dispute Resolution Mechanism**

The implementation of a dispute resolution mechanism is a mandatory requirement of the Plan under the Act. In order to address this requirement, and to ensure that the principles of fairness and due process are respected, a dispute resolution process consisting of five main components is provided.

The intent of the proposed process is to maximize opportunities for discussion and review with the intent of resolving areas of disagreement early in the approval process, and minimizing delays in the approval process as much as possible.

**Policies**

- 5.4.1 The following matters will activate the dispute resolution process:
- a) If an agreement has not been reached on any proposed amendment to this Plan; or
  - b) If an agreement has not been reached on any proposed statutory plan (or amendment thereto) or Land Use Bylaw amendment located within or affecting the Plan area.
- 5.4.2 A dispute is defined as any statutory plan (in whole or in part) or Land Use Bylaw or amendment thereto, which is given First Reading by a Council, which the other Council deems to be inconsistent with the goals, objectives and policies of this Plan.
- 5.4.3 The dispute resolution process, the details of which are provided in Appendix 1, shall not apply to issues respecting subdivision or development permits appeals, or to matters under the jurisdiction of the Municipal Government Board.
- 5.4.4 In the event that a Council not follow a mediated decision, or should the mediation process fail, the matter may be appealed to the Municipal Government Board. If necessary, final resolution of the issue may be through the courts if based on a question of law or jurisdiction.

**5.5 Annexation**

According to the Grande Cache Municipal Development Plan, the Town has sufficient developable lands within its borders to accommodate a doubling of the Town's current population. In addition, topographic and geographic limitations associated with the Town's location dictate that future expansion may not be economically feasible. As a result, it is the intent of this Plan to provide only a policy framework for future annexation, and not define a specific expansion area at this time.

**Policies**

- 5.5.1 All information related to the growth and development of the Town shall be shared with the Municipal District so that both municipalities are aware of the extent of any future annexation requirements.
- 5.5.2 Prior to any annexation application being filed with the Board, the Town shall review its requirements with the Municipal District in accordance with the Act.



5.5.3 In determining the timing, size and location of any future annexation area, the following factors will be considered:

- *That any future annexation be based on demonstrated need.* The amount of land required should be the minimum necessary to accommodate the Town's demonstrated requirements, ideally based on a 30-year time horizon.
- *The availability and cost of servicing.* The extension of services should be logical and economically viable.
- *The adequacy of transportation systems.* The subject area should be either serviced with an existing road network or be able to be serviced with a logical extension of an existing road network.
- *The logic of future boundaries.* Any annexation should follow legal boundaries or natural features to avoid creating a fragmented pattern of land ownership.
- *Stakeholder concurrence.* The application should have the concurrence of Alberta Sustainable Resource Development and all affected leaseholders.
- *Consistency with local plans.* The annexation should be consistent with the policies of any relevant statutory plans in effect at the time of annexation.
- *Fiscal impact.* The annexation of land should not result in a significant loss of assessment to the Municipal District. In addition, if a proposed annexation affects lands located in a Forest Management Agreement area, the impact on future resource development must be assessed.
- *Other.* Any other matters that the respective Councils consider necessary.

## 5.6 Plan Amendments

In order for this Plan to function effectively, it must be responsive to community change. As a result, revisions to the Plan may be required from time to time.

**Policies**

- 5.6.1 Any amendment to this Plan must receive the agreement of both municipalities following a joint Public Hearing held in accordance with the Act. No amendment shall come into force until such time as both municipalities give Third Reading to the subject bylaw. Any disagreement respecting a proposed amendment would trigger the dispute resolution mechanism.
- 5.6.2 Either municipality or a stakeholder in the Plan area may initiate an amendment to this Plan.

**5.7 Plan Review**

In order to ensure that the proposed plan policies remain current and relevant, it is important that it contain provisions for periodic review.

**Policies**

- 5.7.1 This Plan should be reviewed once every five years in order to confirm or amend any particular policy direction contained therein.
- 5.7.2 The two Councils agree to have a joint meeting at least once a year to review issues of mutual concern.

**5.8 Plan Termination**

In the event that the Plan fails to meet the expectations of one or both municipalities, it is necessary that it contain a procedure for rescinding the Plan, but only as a "last resort". This is an important consideration, as the cancellation of the Plan does not eliminate the need for continued cooperation and communication between the two municipalities. In addition, it would not eliminate the need for both parties to continue to meet the requirements of the Act respecting inter-municipal cooperation and the coordination of planning efforts.

**Policies**

- 5.8.1 The procedure for repealing the Plan is provided for in the Act. Prior to repealing the Bylaw, the two municipalities shall follow the following process:
- a) A municipality will give six (6) months written notice, along with reasons, to the other municipality of the intention to repeal its bylaw adopting the Plan;

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- b) Within sixty (60) days of the date of the notice provided under subsection (a), a meeting of the two Councils shall be held to review the concerns raised;
- c) Following the joint Council meeting, the municipality filing the notice may either withdraw its notice by providing a letter in writing to the other municipality, or proceed to give First Reading to a bylaw to repeal the Plan.
- d) In the event that a notice of repeal is filed, a process of mediation shall be engaged in an effort to resolve the matter.
- e) If mediation is not successful, the municipalities may proceed to pass bylaws to repeal the Plan following a Public Hearing held in accordance with the Act.

5.8.2 In the event that the Plan is terminated, the two municipalities shall amend their Municipal Development Plans to address intermunicipal issues in accordance with the Act. Provisions are required to ensure that the municipalities are protected from any demonstrable detrimental impacts that may result from development in close proximity to municipal boundaries. In the event that the required amendments do not satisfy the neighbouring municipality, the matter may be appealed to the Municipal Government Board.



## APPENDIX 1

### DISPUTE RESOLUTION PROCESS

#### 1. Staff Review and Discussion

Upon receipt of a proposed statutory plan, land use bylaw, or amendment, staff will undertake a review of the proposal and provide comments to the approving municipality. Issues of concern, if any, will be identified in writing to the other municipality. Every attempt will be made to discuss the issue with the intent of arriving at a mutually agreeable solution.

#### 2. Senior Administrative Review

If an issue of concern cannot be resolved at the staff level, it shall be referred to the Chief Administrative Officers of the Town and Municipal District for discussion and resolution. They will determine whether or not the proposal could be processed without being referred to the two Councils.

This review process shall occur after First Reading is granted, but before the Public Hearing is conducted. The Act requires that any concerns or objections be provided in writing prior to Second Reading in order for the issue to be eligible for appeal to the Board.

#### 3. Council Review

In the event that agreement cannot be reached at the Administrative level, the approving municipality shall proceed with the Public Hearing is conducted and the bylaw given Second Reading. Prior to Third Reading, the issue would be referred to the two Councils for further review and decision.

In order for this proposed dispute resolution process to work properly, it is important to ensure that the administrative and political components of the process be clearly separated. It will likely not work effectively if Council members were involved in the process prior to Step #3.

#### **4. Mediation**

Assuming that an agreement is not reached between the two Councils, a mediation process shall be employed as a means of resolving the matter.

Prior to the initiation of the mediation process, the municipalities shall:

- appoint an equal number of representatives to participate in the mediation process;
- engage a mediator agreed to by the municipalities at equal cost to each municipality; and
- approve a mediation process and schedule. (There may be opportunity for the municipalities to request assistance from the Minister of Municipal Affairs under the provisions of the Act in terms of the mediation process.)

At the conclusion of the mediation process, the mediator will submit a report to both Councils for consideration. The mediator's report and recommendations would not be binding on the municipalities and would be subject to the approval of both Councils.

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

If there is no agreement based on the mediation report and Third Reading is given to the disputed bylaw, then the disputing municipality may initiate an appeal to the Board as provided for in the Act.

#### **5. Appeal**

In the event that mediation proves unsuccessful, the affected municipality may appeal the matter to the Municipal Government Board for resolution in accordance with the Act.