

**NOTICE OF DECISION**

**DL 012/18**

**FILE NO. 17/IMD-004**

**Solicitor for Appellant,  
Town of Sundre**

**Respondent for Appellant, Mountain View  
County**

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**Re: Intermunicipal Dispute under Section 690 Municipal Government Act (Act)  
Appeal Filed by: Town of Sundre  
Bylaw under Appeal: Mountain View County Bylaw LU43/17, an amendment to the  
Mountain View County Land Use Bylaw for SE 32-32-5-W5M**

This letter is the decision of the Municipal Government Board (MGB) in response to a written request of the parties for an adjournment to the dates set out in DL 005/18.

**Before:** D. Thomas, Presiding Officer  
J. Jones, Member

C Miller Reade, Case Manager

**Background**

[1] As described in DL 005/18, Mountain View County (Mountain View) passed third reading of a land use bylaw amendment on October 11, 2017 to amend its existing land use bylaw. Sundre filed an appeal under section 690 on November 1, 2017 stating that the land use bylaw amendment has or may have a detrimental effect upon Sundre. After convening a hearing on December 5, 2017, the parties reported mediation underway and expressed optimism that mediation would be successful. However, to ensure that a timetable for the mediation was maintained, both municipalities requested that the MGB set a second hearing date of March 12, 2018.

[2] On February 15, 2018, a progress report and joint request from the chief administrative officers for each municipality was received by the MGB. The report explained that mediation was proceeding on this matter, and the parties had developed a draft Memorandum of Understanding (MOA). Currently the municipalities are considering whether to include this agreement separately

or as part of the Intermunicipal Collaboration Framework. Sundre and Mountain View requested that the second hearing be adjourned to April 12, 2018.

**Decision:**

1. After considering the joint request, the MGB decided that the second hearing will commence at 10 A.M on Thursday April 12, 2018 in the MGB's Calgary hearing facility.

Any submissions for this hearing are due no later than 12:00 noon on Wednesday March 28, 2018. Submissions may be emailed to all parties. The MGB's submissions are to be emailed to [mgbmail@gov.ab.ca](mailto:mgbmail@gov.ab.ca). Five hard copies (one unbound) are to be delivered to the Municipal Government Board's Edmonton office within three (3) business days following the due date. One hard copy is to be delivered to other parties within three (3) business days.

2. A court reporter is required for this hearing. A copy of the transcript will be produced and provided, at no cost, to the MGB within 14 days of the date of hearing. Sundre will make the necessary arrangements and the related costs are to be shared equally.

**Reasons**

[3] The MGB appreciates the efforts to date by Sundre and Mountain View to engage in mediation. The requested adjournment of one month is reasonable to allow each council to review and consider the agreement.

[4] The panel is not seized with this matter.

Dated at the City of Edmonton, in the Province of Alberta, this 2<sup>nd</sup> day of March 2018.

MUNICIPAL GOVERNMENT BOARD



D. Thomas, Presiding Officer

cc: L. Nelson, CAO, Town of Sundre  
J. Holmes, CAO, Mountain View County  
P. Ngo, Alberta Transportation  
C. Cowles, Alberta Transportation  
A. Dick, Alberta Environment and Parks  
M. Scheidl, Manager, Intermunicipal Relations, Alberta Municipal Affairs