

# LPRT INTERMUNICIPAL DISPUTE PROCEDURE RULES

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April 30, 2023

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## PREFACE

These *Intermunicipal Dispute Procedure Rules* are established under section 6 of the *Land and Property Rights Tribunal Act*, and apply to all intermunicipal dispute appeals filed under section 690. The Tribunal reviews and amends its rules from time to time to ensure continued relevance and consistency with governing legislation. This version applies as of July 4, 2023.

Informal Bulletins explaining hearings and the subject matter they deal with can be found on the Land and Property Rights Tribunal website: <http://www.lpvt.alberta.ca>

For further information you can also contact the Tribunal's office at 780-427-2444 (outside Edmonton call 310-0000 to be connected toll free) or email [lpvt.appeals@gov.ab.ca](mailto:lpvt.appeals@gov.ab.ca).

### Purpose of the Rules

The **purpose** of the *Intermunicipal Dispute Procedure Rules* is to

- Provide information about the steps involved with intermunicipal dispute proceedings before the LPRT.
- Ensure a fair, open and accessible process.
- Increase efficiency and timeliness of Board proceedings.

### Operating Principles

These *Rules* recognize that municipalities, landowners, and persons affected by an intermunicipal dispute should have a fair opportunity to voice their concerns to the Tribunal before it makes a decision.

Hearing participants are encouraged to discuss, develop and bring forward mutually acceptable solutions to issues wherever possible.

## Part A – Interpretation and Application of these Rules

1. *Definitions*
- 1.1 “**Act**” means the Alberta *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time.
  - 1.2 “**Affected person**” means a person affected by an intermunicipal dispute who has a right to participate in Tribunal proceedings to the extent permitted under the *Act* and these *Rules*.
  - 1.3 “**Appellant municipality**” means a municipal authority that filed a notice of appeal with the Tribunal pursuant to section 690 of the *Act*.
  - 1.4 “**Case manager**” means a Tribunal member or member of the Tribunal administration designated by the Chair as such.
  - 1.5 “**Chair**”, for the purposes of these *Rules*, means the Chair of the Land and Property Rights Tribunal.
  - 1.6 “**Days**” means calendar days.
  - 1.7 “**Landowner**” means an owner of the land within the area of the plan, bylaw, or amendment that is the subject of the appeal pursuant to section 691 of the *Act*.
  - 1.8 “**LPRT**” means the Land and Property Rights Tribunal
  - 1.9 “**Panel**” means a panel selected pursuant to section 4 of the *Land and Property Rights Tribunal Act*.
  - 1.10 “**Person**” includes a natural person, government agency, corporate or other legal entity.
  - 1.11 “**Respondent municipality**” means a municipality whose by-law has been appealed by an appellant municipality.
  - 1.12 “**Rules**” mean these *Intermunicipal Dispute Procedure Rules*.
  - 1.13 “**Tribunal**” means the Alberta Land and Property Rights Tribunal and includes any panel of the Land and Property Rights Tribunal.
  - 1.14 “**Tribunal administration**” means staff engaged to support the Tribunal and Chair carry out their duties.

- 1.15 “**Tribunal member**” means a member of the Tribunal appointed by the Lieutenant Governor in Council pursuant to section 3 of the *Land and Property Rights Tribunal Act*.
2. *Application of These Rules*
- 2.1 Subject to Rules 2.2 and 2.3, these *Rules* apply to any intermunicipal dispute proceeding before the Tribunal pursuant to Part 17, Division 11 of the *Act*.
- 2.2 These *Rules* apply only to the extent they are consistent with the *Act* and regulations made under the *Act*.
- 2.3 The Tribunal may give specific procedural directions which, to the extent of those directions, waive or modify the *Rules* for any given case.
3. *Effect of Non-compliance*
- 3.1 If a person fails without reasonable excuse to comply with these *Rules* or with an order of the Tribunal, the Tribunal may
- (a) Limit or bar the presentation of evidence or argument or give it less weight, where the person has disregarded a Rule or Tribunal decision concerning disclosure or exchange of evidence or argument,
  - (b) Order the non-complying person to reimburse another person for costs incurred as a result of the non-compliance, or
  - (c) Take any other action it deems appropriate.

## **Part B – Communication with and Representation before the Tribunal**

4. *Communication with the Tribunal*
- 4.1 Unless made during a hearing, preliminary hearing, or prehearing conference, communications with the Tribunal about specific ongoing proceedings must be made through the Tribunal administration.
- 4.2 The Tribunal administration may copy correspondence received to other persons in order to facilitate Tribunal proceedings.

5. *Representation*
- 5.1 Persons who participate in Tribunal proceedings may represent themselves or be represented by another person.
- 5.2 Upon the Tribunal's or the Tribunal administration's request, a person who acts for another person must provide, by the date requested
- (a) Proof of authorization to act for the other person, and
  - (b) An address for service

## **Part C – Procedures for Filing Intermunicipal Disputes**

6. *Notice of Appeal*
- 6.1 The notice of appeal and statutory declaration to be filed with the Tribunal under section 690(1)(a) of the *Act* may be made using the forms attached to these *Rules* as Appendix "A" and must be accompanied by
- (a) A copy of the written notice of concern sent to the adjacent municipality prior to second reading under section 690(1).
7. *Response to Notice of Appeal*
- 7.1 The statutory declaration required from the respondent municipality under section 690(3) of the *Act* may be made using the form attached to these *Rules* as part of Appendix "A", and should be accompanied by
- 7.2 The respondent municipality will also provide the Tribunal and appellant municipality
- (a) a copy of the statutory plan, land use bylaw or amendment under appeal, and
  - (b) its adopting bylaw
- at the same time or as soon as possible after the statutory declaration required under 690(3) and Rule 7.1.

## **Part D – Case Management and Preliminary Hearings**

8. *Case Management*
- 8.1 A case manager may do one or more of the following:

- (a) Direct the appellant municipality, respondent municipality, landowner, or one or more affected persons to
  - (i) Clarify or focus the issues in dispute.
  - (ii) Identify any relevant agreed facts.
  - (iii) Identify any witnesses to be called and provide a summary of the evidence intended to be introduced through those witnesses.
- (b) Provide the appellant municipality, respondent municipality, landowner, or one or more affected persons with copies of correspondence received, decisions, authorities and other information relevant to a dispute.
- (c) Determine an application is
  - (i) incomplete, or fails to comply with requirements of the Act or these Rules,
  - (ii) late, or
  - (iii) about a matter over which the Tribunal has no authority

and direct that applications about such matters will not be processed, subject to direction under Rule 8.1(e) or from a preliminary hearing under Rule 8.2.
- (d) Direct an appellant municipality or respondent municipality to provide any landowner or affected person with access to a notice of appeal or statutory declarations required under section 690.
- (e) Direct disclosure of further material or information from the appellant municipality, respondent municipality, landowner, or one or more affected persons to facilitate a fair, orderly and timely hearing process or to promote compliance with these *Rules*.
- (f) Establish or reschedule dates for hearings, disclosure or exchanges of information.

(g) Hold meetings or discussions with the appellant municipality, respondent municipality, landowner, or one or more affected persons to facilitate any of the above.

(h) Refer any matter to a panel for a preliminary hearing.

8.2 A municipality, landowner, or affected person who disagrees with a case manager's directive may request a preliminary hearing.

8.3 A Tribunal member who has acted as a case manager in respect of a matter will not participate in any subsequent hearing concerning the same matter unless all affected participants consent.

**9. Preliminary Hearings**

9.1 At a preliminary hearing, the Tribunal may do one or more of the following:

(a) Direct the appellant municipality, respondent municipality, landowner, or one or more affected persons to pursue discussions on their own, with a case manager, or with another independent facilitator by specified dates and monitor the progress of such discussions.

(b) Establish dates for hearings.

(c) Determine whether further disclosure is required and direct the appellant municipality, respondent municipality, landowner, or one or more affected persons to provide or expand particulars, evidence summaries, legal analyses, authorities, or any other relevant documents or material.

(d) Give directions for disclosure or exchange of material, including the timing for production of material, the persons to whom the material must be produced, measures to protect confidential information, and any further directions it deems necessary.

(e) Determine whether procedures, filing or disclosure requirements established by legislation or the Tribunal have been met and determine the effects of any defects.

(f) Determine whether a person is affected by an intermunicipal dispute and the extent to which that person is entitled to participate in the proceedings.



- (g) Determine what matters are properly before the Tribunal or whether one or more grounds of appeal should be struck out as frivolous or not reasonably supportable.
  - (h) Determine requests for postponements, withdrawals, or joint recommendations.
  - (i) Make any order it deems appropriate to establish procedures by which a hearing may proceed in a fair and expeditious manner.
- 9.2 Tribunal members who have heard or participated in a panel for a preliminary hearing may also hear or participate in panels for any subsequent hearings concerning the same proceeding if so scheduled by the Chair.

## **Part E – Prehearing Submissions and Disclosure**

- 10. Disclosure***
- 10.1 Municipalities, landowners, and affected persons must disclose or exchange any material required under Rules 8 or 9 as directed by a case manager or the Tribunal.
  - 10.2 Unless it grants special permission, the Tribunal will not accept written material filed after it has convened to hear oral submissions.
- 11. Form of Documents***
- 11.1 Documents may be filed electronically in a format directed by a case manager, Tribunal, or Tribunal administration.
  - 11.2 Material filed must be clear and understandable.
  - 11.3 All pages must be numbered consecutively throughout the entire text and graphic content, even if there are dividers or tabs.
  - 11.4 If directed by a case manager, Tribunal or the Tribunal administration, parties must file the specified number of hard copies of their material with the Tribunal.

## Part F – Orders for Further Disclosure or to Protect Confidential Information

### 12. Orders for Disclosure

12.1 After reviewing the material provided under Rule 10.1, an affected person, landowner, appellant or respondent municipality may request in writing that the Tribunal issue an order for further disclosure. Such a request must

- (a) Identify as precisely as possible the information or material required and the issue(s) to which it relates,
- (b) Provide details explaining how the disclosure requested may be relevant to the issue(s) before the Tribunal, and
- (c) Identify the person who will be required to disclose the information.

12.2 When entertaining a request made under this Rule, the Tribunal may consider whether

- (a) The material requested should have been disclosed under these *Rules*, a preliminary hearing decision, or other legal requirement;
- (b) The material requested is
  - (i) Within the control of another person,
  - (ii) Not readily available from another source,
  - (iii) Potentially relevant to the proceedings before the Tribunal, and
  - (iv) Reasonably required by the person requesting the information to make their own submissions.

12.3 After considering a request under this Rule, the Tribunal may

- (a) Order disclosure within a specific time of all or some of the material requested by the other person, with or without conditions, including conditions to protect any confidential information.
- (b) Refuse to order disclosure of the information requested.
- (c) Give any other direction it deems to be appropriate.

- 13. Disclosure of Confidential Information**      13.1    Upon request, the Tribunal may make any order it deems appropriate to help protect the confidential nature of information contained in documents filed with it.
- Sealing Orders**      13.2    An order under Rule 13.1 may include a sealing order to exclude documents or parts thereof from the public record in accordance with section 525.1(5) of the Act.
- Confidentiality on Production of Documents**      13.3    Where the Tribunal determines that information in documents containing confidential or sensitive material must be disclosed to another person, the Tribunal may, if it deems it appropriate
- (a)    Order the first person to make and disclose a non-sensitive summary or extract of the original,
  - (b)    Order the material to be provided to the other person subject to a signed undertaking satisfactory to the panel,
  - (c)    Order restrictions on the use of information by observers to a hearing where confidential information is presented,
  - (d)    Hold a hearing wholly or partially in private in accordance with section 525.1 of the Act,
  - (e)    Make any other arrangement suitable in the context of an open hearing to allow access to the information without unnecessarily compromising its sensitive nature.

## **Part G – Withdrawals, Agreements, and Postponements**

- 14. Withdrawals**      14.1    An appellant municipality may request to withdraw an appeal that it initiated before the Tribunal.
- 14.2    Subject to waiver from the Tribunal or Tribunal administration, an appellant municipality who submits a withdrawal request either
- (a)    After the hearing has been advertised, or
  - (b)    After notices of the hearing have already been distributed
- shall appear on the scheduled date to explain the reason for the late withdrawal.

## ***15. Agreements***

- 15.1 Where two or more municipalities or affected persons reach an agreement concerning an issue before the Tribunal, they may provide the Tribunal with a notice of agreement.
- 15.2 Agreements are to be submitted to the Tribunal in writing.
- 15.3 The Tribunal may accept or reject an agreement, or ask for supporting information.
- 15.4 Subject to waiver from the Tribunal or a case manager, parties must be prepared to proceed at the scheduled hearing date to explain the agreement and to provide other submissions as may be required.

## ***16. Postponements***

- 16.1 A request to postpone a scheduled hearing must
  - (a) Include reasons for the postponement,
  - (b) Be discussed with the appellant and respondent municipalities, landowners and affected parties, and state whether parties concur or do not concur and the reasons,
  - (c) Suggest suitable replacement dates for the hearing, or in the case of a request for postponement sine die, include reasons why a specific date cannot be identified,
  - (d) Be communicated to the Tribunal as soon as the need arises.
- 16.2 The Tribunal may consider the following factors as relevant to deciding postponement requests:
  - (a) Whether the request is based on
    - (i) a serious impediment to the attendance of a principal hearing participant, witness or agent, such as illness, injury or impassable weather conditions, or
    - (ii) a serious issue affecting the fairness of the Tribunal's proceedings.
  - (b) The degree and likelihood of prejudice or cost to other persons if the request is granted and to the person seeking the postponement if the request is denied.

- (c) The number of persons affected by the delay and whether they have consented to the postponement.
- (d) The likelihood of unreasonable disruption to the Tribunal's schedule.
- (e) Where the request is based on relevant pending Tribunal or Court decisions
  - (i) Whether the decision(s) is expected within 30 days, and
  - (ii) Whether the relevant proceedings have been pursued expeditiously.
- (f) Legislated timelines for hearings and decisions.
- (g) Any other factor the Tribunal deems relevant.

16.3 Subject to waiver from the Tribunal or Tribunal administration, all hearing participants must be prepared to proceed at the hearing date scheduled in case the request is not granted.

16.4 Subject to waiver from the Tribunal or Tribunal administration, a person who submits a postponement request either

- (a) After the hearing has been advertised, or
- (b) After notices of the hearing have already been distributed

shall appear on the scheduled date to explain the reason for the postponement request.

## Part H – Hearing Procedures

- 17. Mode of Hearings**
- 17.1 Hearings are by videoconference, subject to Rule 17.2
- 17.2 Upon written request, a case manager or panel may direct a different mode of hearing if they deem a videoconference to be impractical or unfair in the circumstances. Potential modes of hearing include.
- (a) Teleconference
  - (b) In person hearing
  - (c) Written materials and submissions delivered to the Tribunal
  - (d) Any of the above in combination, or in combination with a videoconference, or any other means a panel or case manager deems appropriate.
- 18. Location of Hearings**
- 18.1 Any in person hearings will be scheduled in Edmonton.
- 18.2 Notwithstanding Rule 18.1, the Tribunal or Tribunal administration may choose a different location, having consideration for the circumstances, including convenience and cost to those attending the hearing and to the Tribunal.
- 19. Cost of Participation**
- 19.1 Subject to an award for costs under Part J, persons who participate in Tribunal proceedings do so at their own expense.
- 20. Identification of Participants and Notice of Oral Submissions**
- 20.1 A panel or case manager may make any arrangements they deem necessary to identify all participants at a hearing and ensure an orderly hearing process.
- 20.2 Subject to waiver from the panel, persons intending to make oral submissions at a hearing must notify the case manager of their intent within a reasonable time before the hearing begins.
- 21. Matters Consolidated, Heard at the Same Time or One After Another**
- 21.1 The Tribunal may order that two or more matters be consolidated, heard at the same time or one after the other.
- 21.2 Where two or more matters are heard at the same time or one after the other, the Tribunal may order that the same evidence be admitted for more than one proceeding.

- 22. Severance**
- 22.1 The Tribunal may sever a single proceeding into two or more separate hearings dealing with separate participants or separate issues.
- 22.2 Where a proceeding is severed, evidence and submissions already made may be applied to the separate hearings that ensue, unless otherwise ordered by a panel.
- 23. Admission of Evidence from Other Proceedings**
- 23.1 The Tribunal may admit evidence that was previously heard by a tribunal, Court or another panel of the Tribunal if the Tribunal finds that doing so does not significantly affect the fairness of the proceeding.
- 23.2 When making an order under this Rule, the Tribunal may consider, without limitation, whether the matters, parties, and counsel involved in the other proceeding are the same, and whether testimony given in the other proceeding was subject to cross examination.
- 24. Recording of Proceedings**
- 24.1 No person shall make an audio, video, photographic or other electronic record of Tribunal proceedings or a verbatim record without obtaining permission from the Tribunal prior to the hearing.
- 24.2 If the Tribunal permits a party to make a verbatim record of the proceedings, the Tribunal is to receive paper and electronic copies of the record, as applicable, at no cost to itself and the Tribunal may apply one or more of the following conditions:
- (a) The costs of transcription, including expedited transcription if requested by the Tribunal, and copies for the Tribunal are to be borne by the person who requested the record, unless others agree to share the costs.
  - (b) Other persons specified by the Tribunal are to receive additional copies of any transcription or recording, provided they cover the cost of the copies they receive.
  - (c) The process of recording or transcription will not interrupt the orderly conduct of Tribunal proceedings.
  - (d) The recording or transcription proposed will be, in the view of the panel, of sufficient accuracy.
  - (e) Any other condition the Tribunal finds appropriate.

- 24.3 The Tribunal may provide for the recording of its own proceedings where
- (a) A transcript may be requested by the Court of Appeal under section 688 of the Act, or
  - (b) The Tribunal otherwise deems it necessary to do so.
- 24.4 The Tribunal will not provide access to recordings or transcripts made under Rule 21.3(a) except as necessary to fulfill its responsibility under section 688 of the Act or other legal requirement including freedom of information and protection of privacy legislation.

## **Part I – Recusal of Panel Members**

### ***25. Withdrawal of Panel Members Owing to Apprehension of Bias***

- 25.1 Where a panel member becomes aware of circumstances that he or she believes may raise a reasonable apprehension of bias, that member will
- (a) Disclose the circumstances and withdraw from the panel, or
  - (b) Disclose the circumstances and give the affected parties an opportunity to either
    - (i) Waive any objection to the member sitting on the panel, or
    - (ii) Give reasons as to why the panel member should or should not withdraw.
- 25.2 An appellant or respondent municipality, a landowner, or an affected person may ask a panel member to withdraw because of a reasonable apprehension of bias. A person who makes such a request must do so as soon the circumstances giving rise to it become known and must provide reasons for the request.
- 25.3 Where a member has been asked to withdraw, the panel will give an opportunity to the appellant municipality, respondent municipality and any other affected person it deems to have a sufficient interest to address the question of whether the circumstances raise a reasonable apprehension of bias.



- 25.4 The decision to grant or dismiss a request to withdraw must be made by the member in question.
- 25.5 A panel member may confer with other panel members before deciding whether to withdraw.
- 25.6 A panel from which one or more members has withdrawn may
  - (a) Proceed to hear the matters before it, subject to quorum requirements, or
  - (b) Make arrangements to reschedule a matter so that it may be heard by a full panel.

## **Part J - Post-Hearing Procedures**

### ***26. Costs***

- 26.1 When determining whether to award costs, the Tribunal may consider whether the person(s) against whom they are to be awarded
  - (a) Has abused the Tribunal's process,
  - (b) Has acted contrary to an agreed-upon or Tribunal-directed process,
  - (c) Has caused unreasonable delays, postponements, or expense,
  - (d) Has acted unreasonably or engaged in conduct worthy of an order to reimburse another person for costs and expenses incurred as a result of that conduct.
- 26.2 Where the Tribunal does not otherwise direct, a request for costs must
  - (a) Be filed with the Tribunal no later than 30 days after the date of the Tribunal's decision,
  - (b) Specify the total sum sought for costs together with a description of how the amount is calculated and an itemized list of any expenses sought to be recovered,
  - (c) Specify the reasons why an award of costs is appropriate in the circumstances.

*27. Rehearings/  
Reviews*

- 27.1 A request may be submitted to the Tribunal in writing to rehear, review, vary or rescind any matter or decision under the discretionary power granted by section 504 of the Act.
- 27.2 A request under this Rule must include
- (a) A detailed statement explaining how the request meets the grounds for a rehearing or review listed under this Rule; and
  - (b) The following background information:
    - (i) Name of the applicant,
    - (ii) Tribunal decision number,
    - (iii) Address, phone number and contact persons for the appellant and respondent municipalities.
- 27.3 Requests must be made no later than 30 days following the date of the decision.
- 27.4 After a request is filed pursuant to this Rule, the Chair may
- (a) Refer the matter to a case manager for case management,
  - (b) Refer the request to the panel that originally heard the matter for further directions, final determination, or both, or
  - (c) Refer the request to a new panel for further directions, final determination, or both,
  - (d) Refuse to order a rehearing or review, providing reasons for the refusal.
- 27.5 The Tribunal may exercise its power under section 504 of the Act in the following circumstances:
- (a) New facts, evidence or case-law that was not reasonably available at the time of the hearing, and that could reasonably have affected the decision's outcome had it been available,
  - (b) A procedural defect during the hearing which caused prejudice to one or more of the parties,

- (c) Other material errors that could reasonably have changed the outcome of the decision, or
- (d) Any other circumstance the Tribunal considers reasonable.

27.6 The following are generally not sufficient grounds to grant a rehearing or review:

- (a) Disagreement with a decision,
- (b) A party's failure to provide evidence or related authorities that were reasonably available at the time of the hearing.

***28. Access to Tribunal Decisions***

28.1 The Tribunal may publish its reports or have them published in any form, including posting them on the Internet.

***29. Access to other Tribunal Records***

29.1 The Tribunal will not make available a filed notice of appeal or statutory declarations required under section 690 that can be viewed at the initiating or responding municipality.

29.2 Other records that have been filed with the Tribunal for an intermunicipal dispute will be made accessible for viewing at the LPRT office in Edmonton, subject to

- (a) Restrictions imposed by Tribunal orders, freedom of information and protection of privacy legislation or other legal restrictions, and
- (b) Payment of any prescribed fee if copies are required following viewing.

**Appendix "A"**

**Notice of Appeal for Intermunicipal Dispute Form  
Statutory Declaration Form**



RETURN TO:  
 Land and Property Rights Tribunal  
 1229 – 91 Street SW  
 Edmonton AB T6X 1E9  
 Telephone: 780-427-2444 Fax: 780-427-0986  
 Email: [lpri.appeals@gov.ab.ca](mailto:lpri.appeals@gov.ab.ca)  
 Web URL: <http://www.lpri.alberta.ca>

# Notice of Appeal for Intermunicipal Dispute

As per section 690(1) of the *Municipal Government Act (Act)*, a municipality that

1. is of the opinion that a statutory plan (or amendment) or a land use bylaw (or amendment) adopted by an adjacent municipality has or may have a detrimental effect on it,
2. has given written notice of its concerns to the adjacent municipality prior to second reading of the bylaw, and
3. is attempting or has attempted to use mediation to resolve the matter

may appeal the matter to the Land and Property Rights Tribunal. A statutory declaration indicating the status of mediation must accompany this Notice of Appeal. The Notice of Appeal and Statutory Declaration must be filed with the LPRT within 30 days after the passing of the bylaw to adopt or amend the statutory plan or land use bylaw.

## Part 1 – General Information – Please Print

### APPELLANT MUNICIPALITY

Name of Municipality		Telephone Number	
Designated Contact		Position (e.g. C.A.O.)	
Address (Street, PO Box, RR)	(Town/City/Village)	(Province)	(Postal Code)
E-mail Address		Fax Number	

### AGENT INFORMATION AND CERTIFICATION (if Appellant is Represented by a Lawyer/Agent)

Name of Firm			
Designated Contact		(Last) (First)	Telephone Number (daytime)
Address (Street, PO Box, RR)	(Suite, Apartment)	(Town/City/Village)	(Province) (Postal Code)
E-mail Address		Fax Number	

### RESPONDENT MUNICIPALITY

Name of Municipality		Telephone Number	
Designated Contact (e.g. C.A.O.)			
Address (Street, PO Box, RR)	(Town/City/Village)	(Province)	(Postal Code)
E-mail Address		Fax Number	

## Part 2 – Owner(s) of Land that is the Subject of the Appeal

(If more than one owner, please attach list of the names and addresses of each landowner of any land that will be directly affected by this appeal)

Name	(Last)	(First)	Telephone Number	(daytime)
Address	(Street, PO Box, RR)	(Suite, Apartment)	(Town/City/Village)	(Province) (Postal Code)
E-mail Address				Fax Number

## Part 3 – Bylaw Information

(all to be completed)

Please indicate which bylaw is under appeal	
Date bylaw received second reading	Date bylaw passed

Please attach a copy of the notice sent to the municipality prior to the second reading.

## Part 4 – Reasons for Appeal

Indicate the specific provisions appealed and the reasons you think they are detrimental (attach more pages as necessary).

.....

.....

.....

.....

.....

\_\_\_\_\_  
Signature of Appellant OR  
Person Authorized to Act on Behalf of Appellant

\_\_\_\_\_  
Date

This information is being collected for the purposes of setting up appeal hearings in accordance with Section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The contact information you provide may also be used to conduct follow-up surveys designed to measure satisfaction with the appeal process. Questions about the collection of this information can be directed to Alberta Municipal Affairs, Land and Property Rights Tribunal, 1229 – 91 Street SW, Edmonton, Alberta T6X 1E9 780-427-4864. (Outside of Edmonton call 310-0000 to be connected toll free)



RETURN TO:  
 Land and Property Rights Tribunal  
 1229 – 91 Street SW  
 Edmonton AB T6X 1E9  
 Telephone: 780-427-2444 Fax: 780-427-0986  
 Email: [lprt.appeals@gov.ab.ca](mailto:lprt.appeals@gov.ab.ca)  
 Web URL: <http://www.lprt.alberta.ca>

**Statutory  
 Declaration**  
 (Intermunicipal Dispute  
 Appeal)

I \_\_\_\_\_ of \_\_\_\_\_ DO SOLEMNLY DECLARE THAT:

(Name)

1. \_\_\_\_\_ wishes to file an Appeal with the  
 (Appellant Municipality)

Land and Property Rights Tribunal concerning \_\_\_\_\_, and  
 that \_\_\_\_\_  
 (Bylaw provision under appeal)

2. I am the \_\_\_\_\_ of the \_\_\_\_\_, and that  
 (Position) (Appellant Municipality)

3. (Please choose one of the following)
- (a) Mediation with (adjacent municipality) was not possible
  - (b) Mediation was undertaken but was not successful
  - (c) Mediation is ongoing and the appeal is being filed to preserve the right of appeal

4. And further, the reasons why mediation was either not possible or not successful  
 are as follows in Attachment "A" (please tick N/A if option (c) was selected),  N/A

**AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND  
 KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.**

\_\_\_\_\_  
 \_\_\_\_\_  
 (Signature of Appellant OR  
 Person Authorized to Act on Behalf of Appellant)

\_\_\_\_\_  
 (Print Name)

DECLARED BEFORE ME AT \_\_\_\_\_

In the Province of Alberta, this \_\_\_\_\_ day  
 of \_\_\_\_\_, 2\_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 (Commissioner for Oaths)  
 \_\_\_\_\_  
 (Expiry Date of Commission)

\_\_\_\_\_  
 (Print Name)

This information is being collected for the purposes of setting up appeal hearings in accordance with Section 33(c) of the Freedom of Information and Protection of Privacy Act. The contact information you provide may also be used to conduct follow-up surveys designed to measure satisfaction with the appeal process. Questions about the collection of this information can be directed to Alberta Municipal Affairs, Land and Property Rights Tribunal, 1229 – 91 Street SW, Edmonton, Alberta T6X 1E9, 780-427-2444. (Outside of Edmonton call 310-0000 to be connected toll free)