

Municipal Government Act Review

Summary of Input and Identified Issues

Developed by KPMG for Alberta Municipal Affairs

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Purpose

This document provides a high-level summary of the stakeholder engagement process that occurred as part of the *Municipal Government Act (MGA)* Review, including the timing, stakeholders included, and number of participants. It also provides a list of the principal policy issues that were identified by stakeholders, as well as options to address these issues.

The Municipal Government Act Review

The *MGA* is designed to help build strong, prosperous and sustainable communities throughout Alberta. Alberta Municipal Affairs (AMA) is reviewing and refreshing the *MGA* to address evolving circumstances and priorities in Alberta's many communities, and to ensure the *MGA* continues to meet its objective. A successful *MGA* review process will continue to position Alberta as the leading Canadian jurisdiction in terms of municipal legislation, having incorporated sound thinking, input and research into a clear Act that meets the needs of the Province, municipalities, and Albertans. In order to achieve this vision, an inclusive and comprehensive engagement process was implemented to ensure stakeholders across the province have opportunities to provide input to the review.

The *MGA* Review has included a number of different avenues for engaging with Albertans and stakeholder organizations, including:

- regional engagements held in person around the province;
- a website and extensive online workbook;
- a questionnaire distributed to municipal councillors in Fall 2013; and
- inviting written submissions from individuals, municipalities, and other organizations.

An external Advisory Committee provided advice on the consultation process. Membership of the Committee was comprised of representatives from the following organizations:

- Alberta Association of Municipal Districts and Counties (AAMDC);
- Alberta Rural Municipal Administrators' Association (ARMAA);
- Alberta Urban Municipalities Association (AUMA);
- Alberta Chambers of Commerce;
- City of Calgary;
- City of Edmonton; and
- Local Government Administration Association (LGAA).

Regional Engagement Process

As part of the *MGA* Review, regional engagement sessions were held in eleven locations around the province, to give Albertans an opportunity to provide input in person. In each location, the following types of sessions were held:

- technical sessions for each of the three major themes of the *MGA*: Governance and Administration, Assessment and Taxation, and Planning and Development;
- a Business and Industry Session;
- a Municipal Administrators Session;
- an Elected Officials Session; and
- a Public Open House.

These engagements were conducted in February 2014 to April 2014 in the following locations throughout the province:

Location	Dates	Attendees
Edmonton	February 5-7	330
Fort McMurray	February 12-14	45
Vermilion	February 19-21	65
Lethbridge	February 26-28	144
Edson	March 5-7	54
Red Deer	March 12-14	215
Brooks	March 26-28	48
Grande Prairie	April 2-4	134
Calgary	April 9-11	314
Medicine Hat	April 14-16	55
Peace River	April 23-25	66

Sessions were promoted via news releases, direct email invitations, social media, and by the Minister of Municipal Affairs at stakeholder conventions. Information on regional session locations, dates and registration was located on the *MGA* Review website.

Nearly 1,500 participants attended the sessions, representing municipal governments, industry, technical experts, and the general public. Feedback received about the sessions was extremely positive (See Appendix A).

The input collected through the regional engagement sessions was made available to the public via “What We Heard” summaries posted on the *MGA* Review website (<http://mgareview.alberta.ca/what-we-heard/>). Summaries of what was heard through

the workbook and written submissions will also be made available on the *MGA* Review website once completed.

Policy Issues and Options Identified

Alberta Municipal Affairs has been working to synthesize a list of the major policy issues identified through the *MGA* Review process. The result is a list that does not necessarily include every suggestion received, but does address the major areas where there is an opportunity to improve on the current *MGA*. In addition to the engagement activities described above, the present list of issues reflects input from over 1,900 amendment requests received for the *MGA*, as well as from government policy experts.

It is important to emphasize that stakeholder input suggests the existing *MGA* is a strong piece of legislation, and though it requires some improvements, the Act in general is working well. Notwithstanding this overall endorsement, a number of substantial policy issues have been identified to be addressed through the *MGA* Review. In total, 54 policy issues are listed below, together with several options to address each, including the option to maintain the current approach under the *MGA* (i.e., “status quo”). The options listed below were developed using input and submissions from engagement with stakeholders.

Considerable policy analysis and synthesis of stakeholder input has already been conducted to arrive at the list summarized below. These issues and options will continue to be refined, however, as the review proceeds toward drafting of the new legislation. It is expected that as further analysis and targeted consultations proceed over the next several months, the list of options will be expanded and refined. Ultimately, options for each policy issue will be presented to Cabinet for decision.

Summary: Policy Issues and Options

	Policy Issue	Status Quo Option	Option 1	Option 2	Additional Options
1.	Roles and Responsibilities of the Province and Municipalities: Should the Province legislate municipal and provincial roles and responsibilities?	The relationship between the province and municipalities is implied but not explicitly mentioned in the <i>MGA</i> or other legislation.	List roles and responsibilities of the province and municipalities explicitly in the <i>MGA</i> .	Utilize a preamble in the Act to describe the relationship between the province and municipalities, not in specific detail but in broad intent.	

	Policy Issue	Status Quo Option	Option 1	Option 2	Additional Options
2.	<p>Inclusion of Preamble(s) and/or Purposes in the MGA:</p> <p>Should the <i>MGA</i> provide clearer direction to the courts in interpreting the legislation by providing purpose statements that describe the intention of the policies?</p>	<p>The governance and assessment provisions of the <i>MGA</i> do not have explicit purpose statements, only the planning provisions include an explicit purpose statement.</p>	<p>Add a general purpose statement in the <i>MGA</i> and include explicit purpose statements for the governance, assessment, and planning provisions that define the relationship between municipalities and the province.</p>	<p>Remove all purpose statements from the <i>MGA</i>.</p>	
3.	<p>The One-Act-Fits-All Framework: Should the <i>MGA</i> provide for different levels of autonomy and authority for different sizes and/or types of municipalities?</p>	<p>The <i>MGA</i> considers all municipalities equal regardless of capacity, population, or geographic location; however some municipalities are seeking specialized legislation.</p>	<p>Provide specialized legislation for certain municipalities based upon their capacity, population, and/or geographical location.</p>		
4.	<p>Municipally Controlled Corporations: What role, if any, should Municipal Affairs have in the establishment and operation of municipally controlled corporations?</p>	<p>Municipalities require the approval of the Minister of Municipal Affairs to establish a municipally controlled corporation. The ministry has limited expertise to evaluate the increasing complexity of applications that municipalities are bringing forward, and the ministry has no authority to monitor the activities of the corporation once it has been established.</p>	<p>Legislate clear requirements for municipal responsibility for the establishment, operation and transparency of municipally controlled corporations, and eliminate the requirement for Ministerial approval of their formation.</p>	<p>Maintain current requirements for Ministerial approval, and introduce new provisions authorizing Municipal Affairs to monitor ongoing activities of the corporations and enforce compliance with legislative and regulatory requirements.</p>	
5.	<p>Enforcement of the MGA: Should the current approach of relying on the courts to enforce compliance with the <i>MGA</i> be maintained, or should some other legislated mechanism be introduced?</p>	<p>The <i>MGA</i> provides a high degree of municipal autonomy and enforcement is at the local level, through the courts, or, in certain circumstances by the Minister.</p>	<p>Enhance the use of existing provincial enforcement mechanisms, such as municipal inspectors or assessment auditors and create new mechanisms to deal with clarification and non-compliance of the Act.</p>	<p>Establish a legislated body that would be responsible for clarifying the legislation and for enforcing matters related to municipal governance, assessment, and planning (i.e. Municipal Ombudsman or Municipal Auditor General).</p>	

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6.	Accountability and Conduct of Elected Officials: Who should be accountable for ensuring municipally elected officials are conducting themselves in an ethical, businesslike, and lawful manner, and what should be the consequences if they are not?	Issues of councillor accountability and conduct are addressed locally or through Ministerial directives following an inspection, inquiry or audit.	Continue to allow municipalities to adopt a voluntary code of conduct, but expressly enable them through the legislation to include locally determined obligations and enforcement mechanisms.	Require all municipalities to adopt a mandatory code of conduct which must meet or exceed basic standards established in the <i>MGA</i> , and empower municipalities to enforce the code of conduct.	
7.	Public Consultation Requirements: Should the Province legislate minimum standards for municipalities with respect to public consultation practices?	The <i>MGA</i> provides flexibility for municipalities to determine their own best practices for consultation with their citizens, under certain circumstances.	Formalize the use of standardized guidelines for all municipal consultation with their citizens	Require municipalities to adopt mandatory consultation plans which must meet or exceed basic standards established under the <i>MGA</i> . Enhance processes for enabling citizens to bring forward bylaw proposals for council consideration.	
8.	Open Council Meetings: Should municipal councils have expanded flexibility to meet in private?	The <i>MGA</i> requires councils to hold meetings in public unless the purpose is to discuss specific matters as permitted under the <i>Freedom of Information and Protection of Privacy (FOIP) Act</i> . There is no definition of “council meeting” in the <i>MGA</i> , and there is a perception of a lack of transparency in some council deliberations.	Expand the exemptions for disclosure as defined under FOIP to allow for the educating and training of elected and appointed officials.	Define “council meeting” in the <i>MGA</i> to include what matters, in addition to the exceptions for disclosure under FOIP, may be closed to the public.	
9.	Petitioning Processes: Should the <i>MGA</i> make it easier for the public to petition against municipal policies and decisions?	With respect to petitions, the <i>MGA</i> mandates a percentage of eligible signatories and time limits for completion, which can be challenging for the public to meet.	Update provisions to increase flexibility for municipalities and their citizens on existing petitionable matters (for example, include online signatures, etc.).	Provide municipalities over a certain population size special treatment for petition requirements.	

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10.	Public Notification Requirements: Should the Province allow municipalities to determine their own notification methods to maximize effectiveness and efficiency?	The <i>MGA</i> typically relies on traditional communication methods (such as mail and newspapers) to notify the public and stakeholders in various situations.	Provide municipalities with some flexibility to pass a bylaw that specifies how citizens will be notified (for example, bylaws that are required to be advertised, development permit notifications, etc.).	Require municipalities to enhance notifications through both traditional hard copy and new electronic methods.	
11.	Roles and Responsibilities of Council and Administration: Should the <i>MGA</i> provide mechanisms to enforce the prohibition against council engaging in administrative duties and functions?	The <i>MGA</i> sets out the respective responsibilities of council and administration, and prohibits council encroachment into administrative duties. The <i>MGA</i> does not provide any specific mechanism to address violations of the legislated relationship; thus, individual councils are largely left to monitor their own behaviour, which can leave CAOs in a difficult position given the employee-employer relationship of administration to council.	Enhance existing provincial mechanisms (such as inspectors) or establish a new legislated body to address alleged violations.	Introduce mandatory orientation and training requirements for elected officials, and rely on municipal self-monitoring based upon better training and awareness.	
12.	Elected Officials Training Requirements: Should the <i>MGA</i> establish minimum standards for council orientation and training of elected officials?	The <i>MGA</i> does not require council orientation and training following a municipal election. Municipal Affairs provides voluntary training on council roles and responsibilities as requested.	Legislate standards for council orientation following a municipal election (E.g. timelines, roles and responsibilities, conflict of interest, councillor liabilities, procedural rules, etc.)		
13.	Participation of Elected Officials on Municipal Boards, Authorities, and Commissions: Should the Province prohibit municipal councillors from sitting on municipal boards and authorities to reduce the perception of bias in decisions?	Councillors are currently not prohibited from sitting on many boards and authorities. This can cause a perception of bias when council members sit on boards and authorities.	Establish abstention and disclosure criteria for councillors when sitting on boards and authorities and promote the use of regional membership.	Prohibit councillors from sitting on boards and authorities and create a regional pool of members.	

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14.	<p>Strategic Corporate Planning:</p> <p>Should the <i>MGA</i> place more onus on municipalities to plan for the future, by requiring the development, implementation, and updating of tools such as business plans, strategic plans, and asset management plans?</p>	<p>The <i>MGA</i> does not require municipalities to adopt future-focused governance plans; however a number of municipalities do so as a best practice.</p>	<p>Legislate future-focused governance plans, such as business plans, strategic plans, and asset management plans.</p>	<p>Establish non-legislative incentives to promote governance planning from councils (i.e. new grant program)</p>	
15.	<p>Criteria for Municipal Structures:</p> <p>Should the Province enforce criteria for municipal structures?</p>	<p>Population and land density are the determining factors in categorizing municipalities; however municipalities choose what structure type they request the Minister to grant them.</p>	<p>Amend municipal structure provisions, and enforce these, and link to minimum servicing standards.</p>	<p>Mandate a viability review for municipalities that do not meet the requirements of their current structure type.</p>	
16.	<p>Municipal Viability Measurement: Should the <i>MGA</i> establish minimum thresholds for measuring municipal viability, and include a mechanism to address situations where municipalities do not meet the thresholds?</p>	<p>Currently the <i>MGA</i> does not establish measurement criteria for determining the viability of a municipality. However, Municipal Affairs' Municipal Sustainability Strategy identifies 10 key measures to assist in determining the viability of municipalities.</p>	<p>Legislate the 10 key measures (e.g. Percentage of provincial/ federal grants of total municipal revenue, substantial reduction in non-residential assessment over a period of time, etc.) as viability criteria that would trigger the viability review process.</p>		
17.	<p>Dispute Resolution/ Mediation: Should the Province mandate additional dispute resolution mechanisms in advance of third party intervention (the Province, appeal boards, or the courts)?</p>	<p>Except for annexations, the <i>MGA</i> does not require dispute resolution mechanisms. The province offers voluntary dispute resolution support for municipalities in various capacities and situations.</p>	<p>Enhance the scope of dispute resolution mechanisms to include mechanisms for businesses and landowners and mandate in advance of third party intervention.</p>	<p>Mandate the use of dispute resolution mechanisms and create an arm's-length dispute resolution tribunal.</p>	

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18.	Regional Collaboration: Should municipalities be required to cooperate with each other?	Cooperation initiatives between neighboring municipalities are voluntary and in some cases have not lead to proactive planning, development and service delivery.	Retain voluntary cooperation but establish a process that is tied to incentives.	Retain voluntary cooperation until certain triggers have been met, then mandatory regional collaboration via statutory plans or shared services would be required.	
19.	Annexation Requirements: What conditions should municipalities be required to meet before an annexation application is accepted?	The <i>MGA</i> enables municipalities to make an annexation application for any reason at any time, which can lead to conflict between neighbouring municipalities regarding how growth should occur.	Establish principles for annexation within the <i>MGA</i> , and require municipalities to adopt Intermunicipal Development Plans, which contemplate boundary growth, based on population thresholds. This process would include potential mediation.	Minimum densities are mandated/defined in urban areas prior to allowing annexations to proceed.	
20.	Annexation Compensation: How should compensation be determined in an annexation order?	Within annexations, compensation is completed on an ad-hoc basis by the annexation order, which does not compensate those impacted by annexation in a consistent manner.	Include provisions to guide municipalities in assessing impacts of annexation to determine compensation (e.g. linkages with taxation, farming operations, rural gas co-ops etc.). The Municipal Government Board would be bound to honour municipally negotiated agreements.	Include provisions to ensure the Municipal Government Board assesses the impacts of annexation to determine compensation (e.g. linkages with taxation, farming operations, rural gas co-ops etc.). The Municipal Government Board would determine that amount of compensation.	

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21.	Additional Municipal Taxation Powers: Should municipalities be granted authority to levy new and broader types of taxes?	The current taxation powers are: property tax, business tax, special tax, well drilling equipment tax, business revitalization zone tax, local improvement tax, as well as fees and levies.	Allow for additional municipal taxation powers through binding public plebiscites for any new taxes such as: amusement, gaming, alcohol, tourism, property transfer, vehicle registration, and fuel, or through expanding the scope of existing taxes and levies.	Allow for additional municipal taxation powers that are applied at the discretion of the municipality.	
22.	Sharing of Provincial Revenues: Should the Province commit to legislated revenue sharing with municipalities?	Provincial revenue transfers to municipalities are non-legislated, and administered by the Province through grant funding to municipalities.	Develop legislated funding arrangements for municipalities based on municipal type.		
23.	Education Property Tax Collection: Should the Province continue to require municipalities to collect and submit education property taxes without reimbursement for administrative costs?	Municipalities collect and submit education property tax to the Alberta School Foundation Fund, with no reimbursement for administration. Municipalities do not view education property tax as a local tax as they have little local control over its distribution.	Maintain collection of education property taxes at the municipal level, and establish a framework to offset the costs of administering the education property tax collection and remission.	Discontinue the collection of education property tax at the municipal level, and replace with a provincial framework to collect the necessary revenues.	
24.	Regional Funding Approaches: Should the Province legislate mandatory sharing of municipal tax revenues from linear property?	Revenue sharing between municipalities is voluntary. Municipal Affairs informally encourages municipally-initiated regional agreements on various items through sharing of best practices, mediation support for local negotiations, etc. Currently there is the perception of inequitable distribution of linear property tax revenues, however linear pooling does not occur.	Specify that linear pooling is not under consideration, and establish a provincial framework that more actively promotes collaborative municipally-initiated regional revenue sharing (e.g. recommended formulas, best practices, provincial acknowledgements and incentives, etc.)	Establish a linear property tax pooling formula that would be collected provincially and distributed across the Province.	

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25.	<p>Development Levies: Should municipalities be given additional freedom to use funds collected from developers for other municipal purposes? Should the <i>MGA</i> include requirements for a more open and inclusive process in determining development levies?</p>	<p>The <i>MGA</i> limits what off-site and redevelopment levies can be used to pay for (e.g. water, wastewater, roads, etc.); however, there is limited flexibility to use offsite levies and redevelopment levies for other types of services. Additionally, disputes surrounding the calculation and use of offsite levies and redevelopment levies are dealt with through the courts.</p>	Defer decision pending outcomes from the Development Levies Symposium in Fall 2014.	Establish a dispute resolution process in the levy bylaw and calculation process.	
26.	<p>Well Drilling Equipment Tax: Should industries other than oil and gas pay for damages to roads? If so, which industries (e.g. forestry, agriculture, mining)?</p>	A well drilling equipment tax (WDET) imposes a tax only on oil and gas drilling equipment to offset the cost of road damages. This tax does not apply to other industries operating in a municipality.	Defer decisions pending outcomes from recent stakeholder meetings anticipated to occur in summer 2014.	Discontinue the WDET and add drilling costs onto the linear property assessment rates.	
27.	<p>Property Tax Recovery: Should municipalities have more flexibility in recovering taxes?</p>	Property tax collection and recovery provisions for property (e.g. linear properties) are procedural in order to recognize and protect owners' rights, and non-collection of taxes can result in potential municipal liability.	For oil and gas (linear) properties, allow municipalities to apply to the Alberta Energy Regulator's "Orphan Well Fund" to assist in the recovery of taxes. Maintain existing procedures for recovery of other taxes.	Provide more flexibility in the tax recover process to allow municipalities a greater ability to recovery unpaid taxes in a timely manner.	

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28.	Industrial Property: Harmonization: Should linear property, machinery and equipment property, and railway property be assessed and taxed in the same manner?	Currently machinery and equipment is assessed and taxed differently from linear property, and there are two separate types of assessable railway property (main lines and spur lines), each with different valuation standards. There are inconsistencies in the application of these standards at the municipal level.	Harmonize the assessment of linear property, machinery and equipment property, and railway property into a single type of regulated industrial property based on principles that would improve equity within the non-residential assessment and tax class.		
29.	Industrial Property: Definitions: Should the province update the definitions in the legislation to reflect current characteristics and technologies?	Existing linear property and machinery and equipment property definitions overlap, and challenges regarding the clarification of these definitions occurs at the local level or through the courts.	Update definitions to reflect existing industrial property technologies and practices.		
30.	Industrial Property: Valuation Methodology: Should the buildings and structures and land at sites that are predominately regulated industrial property be assessed using a regulated process?	Currently all buildings and structures and lands are assessed at market value, including those at sites that are predominately regulated property.	Assess buildings, structures, and land at regulated industrial plants using regulated rates.		
31.	Industrial Property: Timing of First Assessment and Supplementary Assessments: Should linear property, machinery and equipment and railway be assessed and taxed while under construction?	Linear property is assessed for property tax purposes once it completed or capable of being used; machinery and equipment is assessed once it is operational; railway and all other property is assessable based on its stage of completeness at the end of each year.	Use the term “operational” as the test for the date when all regulated industrial property (linear, machinery and equipment and railway) is first assessed and allow all regulated industrial property to be taxed for the portion of the year in which it became operational.		

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32.	Industrial Property: Statutory Assessment Level: Should the 23 percent assessment reduction on machinery and equipment property continue?	Currently machinery and equipment property receives a 23 percent assessment reduction, while linear property and railway property do not.	Reduce the assessment of all regulated industrial property by 23 percent.	Do not reduce the assessment of all regulated industrial property by 23 percent.	
33.	Farm Property: Assessment of Farm Residences: Should owners of farm land continue to receive an exemption on their residence?	Owners of farm land receive an assessment exemption to their residences based on the amount of farm land they own. The purpose and amount of this exemption has not been updated since the 1980s. No other acreage owners receive this exemption.	Remove the assessment exemption on farm residences.	Update the amount of the assessment exemption on farm residences.	
34.	Farm Property: Assessment of Farm Land: Should farm land continue to be assessed at agriculture use value?	Farm land is assessed at its agricultural use value through regulated rates and processes. These rates have not been updated since the 1980s.	Assess farm land at its agricultural use values through annually updated regulated rates and procedures.	Assess farm land at market value.	
35.	Farm Property: Assessment of Farm Land Intended for Development: Should farm land soon to be developed be assessed and taxed at its agricultural use value?	Farm land is assessed and taxed annually at its agricultural use value until the year in which it converted to a non-farm use.	When farm land held for speculative purposes is converted to a non-farm use, apply a retroactive market-value-based levy to the property owner.	Assess and tax farm land held for speculative purposes annually at its market value.	
36.	Farm Property: Assessment of Farm Buildings and Intensive Livestock Operations: Should farm buildings, including those in urban areas, and those that are used for intensive livestock operations, continue to receive significant reductions in assessment?	Farm buildings are exempt from assessment in rural areas, and are only assessable to a 50% level in urban areas. As such rural municipalities containing intensive livestock operations receive little property tax revenue from this sector.	Assess farm buildings used for intensive livestock operations at their agricultural use value in rural and urban areas.	Assess all farm buildings at their agricultural use value in rural and urban areas.	

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37.	Airport Property: Should airport terminals not owned by municipalities continue to be assessed at market value?	Airport terminals not owned by municipalities are wholly or partially assessed and taxed at market value. Airport terminals under expansion are subject to significant changes in assessment from year to year making it difficult to predict property tax liabilities.	Airport terminals are assessed using a regulated “per-passenger” rate.	Airport terminals assessed using a hybrid valuation model based on both market value assessment and a “per passenger” rate.	
38.	Linking Residential and Non-Residential Tax Rates: Should there be an established differential between tax rates for non-residential properties and residential properties?	Currently, there are no legislated links between residential and non-residential property tax rates and, as a result, some non-residential properties pay a significantly higher rate of taxes in some municipalities.	Establish a legislated link between residential and non-residential municipal tax rates within established guidelines.		
39.	Splitting the Non-Residential Property Class: Should municipalities be allowed to charge different tax rates for large industrial properties and for small local businesses?	Municipalities do not have the ability to sub-class improved non-residential tax classes and, as a result, smaller non-residential properties (small businesses) are levied the same tax rate as large industrial properties (e.g. oil and gas properties).	Allow municipalities to establish sub-classes for the improved non-residential tax class to differentiate between small and large businesses. This should only be done in concert with a legislated link between residential and non-residential tax rates (see item immediately above).		
40.	Education Tax on Industrial Properties: Should education tax be levied against all industrial property?	Machinery and equipment property and electric power generation property are levied a 0% education property tax rate, while linear property and railway property are levied the non-residential education property tax rate.	Do not levy education property tax on all regulated industrial property.	Levy education property tax on all regulated industrial property.	

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41.	Industrial Property: Jurisdiction for Complaints: Should the Municipal Government Board hear complaints on all heavy industrial property?	Machinery and equipment property assessment complaints are heard at the local level, while linear property assessment complaints are heard by the Municipal Government Board.	Hear all assessment complaints related to regulated industrial property at the Municipal Government Board.		
42.	Assessment Complaint Period: Is the 60 day complaint period appropriate?	A property owner may file an assessment complaint within 60 days of receiving an assessment notice, which has been deemed by some stakeholders to be too long.	Shorten the 60 day complaint period to 45 days.	Allow municipalities to establish their own complaint periods, with a legislated minimum and maximum amount of days.	
43.	Access to Assessment Information for Assessors and Property Owners: Should more onus be placed on the assessor or the property owner to provide appropriate information prior to the appeals process?	Existing flexibility in the <i>MGA</i> gives assessors the ability to request any information deemed “necessary” from property owners to accurately prepare an assessment. It also requires municipalities to provide property owners with information “sufficient” to determine how their assessment is prepared.	Prescribe the specific requirements of what constitutes “necessary” and “sufficient” assessment information.		
44.	Property Assessment and Tax Exemptions: How can the Province ensure that assessment and tax exemptions are applied consistently across the Province?	Many property assessment and tax exemptions in the <i>MGA</i> are not consistently applied and do not necessarily reflect current property uses.	Add clarity to property assessment and tax exemption terms to ensure consistency in meeting provincial objectives.		
45.	Industrial Property: Centralized Assessment: Should the Province be responsible for the assessment of all regulated industrial property?	The application of definitions and valuation methodologies are varied due to the complex nature of regulated industrial properties. Assessment of these properties is currently separated between municipalities and the province.	All regulated industrial property is assessed by one provincial assessment body.	All regulated industrial property is assessed by local municipal assessors.	

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46.	Decision Making Timelines: Should the <i>MGA</i> provide greater clarity and direction regarding timelines for the review and approval of subdivision or development permit applications?	The <i>MGA</i> specifies timelines for issuing decisions and lodging appeals for subdivision and development applications. However, timelines for ensuring these applications contain accurate information are not specified, which can create delays in approval timelines.	Update and enhance timelines for decision making processes of particular applications. Specify within the legislation the stage at which an application is deemed complete and the date from when a decision must be made.	Provide flexibility for municipalities to determine their own timelines for determining when an application is complete and for issuing a decision.	
47.	Purpose, Types, and Content of Plans: What plans should municipalities be required to adopt and what should be the content of these plans?	The <i>MGA</i> specifies the purpose, types and content of development plans (statutory and non-statutory).	Recognize Integrated Community Sustainability Plans as an optional statutory plan and update and enhance existing plan criteria, detail and scope.	Require municipalities to adopt Intermunicipal Development Plans, based on population thresholds, and recognize Integrated Community Sustainability Plans as an optional statutory plan.	
48.	Hierarchy and Relationships of Plans: Should the hierarchy and relationship of statutory plans, non-statutory plans and <i>Alberta Land Stewardship Act</i> regional plans be legislated?	Within the <i>MGA</i> there is no explicit hierarchy amongst statutory and non-statutory plans, which has resulted in court challenges when there is an inconsistency amongst the plans. The legislation indicates that <i>Alberta Land Stewardship Act</i> regional plans are paramount over municipal statutory plans and that statutory plans must be consistent with each other.	Identify within the legislation the hierarchy, relationship and sequence of development between statutory plans, the land use bylaw and non-statutory plans.		

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49.	Provincial Land Use Policies: Should the Province continue to have land use policies that apply province wide?	Once all <i>Alberta Land Stewardship Act</i> regional plans are created, the land use policies within the <i>MGA</i> will be repealed. This could cause a gap in land use policies if the <i>Alberta Land Stewardship Act</i> regional plans do not adequately cover the policies that are currently within the land use policies.	Do not repeal the land use policies when the <i>Alberta Land Stewardship Act</i> regional plans are completed.	Create new land use policies in the future that address any policy gaps that may occur as a result of the <i>Alberta Land Stewardship Act</i> regional plans.	
50.	Reserve Land Dedication: Should municipalities be given more flexibility in requesting land from developers?	During the subdivision application process, municipalities can require up to 10% be dedicated as reserve land without compensation to the developer; however the land dedication process is not always appropriate in ensuring that there is enough suitable reserve land dedicated. During redevelopment, no additional land can be dedicated.	Municipalities can require that up to 10% can be dedicated as reserves. Enable municipalities to require land dedication during redevelopment.	Establish a new basis for reserve dedication related to the number of households created in the plan. Do not allow land dedication for commercial and industrial subdivision purposes.	
51.	Permitted Uses of Reserve Lands: Should municipalities be given freedom to use reserve lands that have been provided by developers with no compensation, as they deem appropriate?	The <i>MGA</i> limits what municipalities may use various types of reserve land for (e.g. public park, school, buffer purpose, etc.).	Expand the scope to allow municipalities more flexibility in the uses of reserve land, but limit these uses for public use only.	Expand the scope to allow municipalities more flexibility in the uses of reserve land and these uses can be for public use and for public-private partnership use that is complementary to public use (e.g. coffee houses in recreation centers, libraries).	

	Policy Issue	Status Quo Option	Option 1	Option 2	Additional Options
52.	Environmental Reserve: Should the purpose of ER be expanded to include lands that are environmentally sensitive or in need of protection?	The <i>MGA</i> identifies situations where municipalities may require ER land dedication, and states that it is to prevent pollution and to provide public access to a body of water. In practice, ER is typically used for land not suitable for development.	Expand the purpose of “ER” for environmental conservation and define “body of water.”		
53.	Subdivision Appeals: Provincial Interest: Should local subdivision and development appeal boards be given the authority to hear subdivision appeals where there is a “provincial interest”?	The Municipal Government Board hears subdivision appeals where there is a “provincial interest”; however, there are instances where this definition has led to appeals being filed to the wrong appeal board.	Redefine “provincial interest” and clarify “body of water” in the <i>MGA</i> and continue to have appeals where there is a “provincial interest” be heard by the Municipal Government Board.	Require that all appeals to be heard by the Subdivision and Development Appeal Board.	
54.	Subdivision and Development Appeal Board Training Requirements: How should the province ensure that local subdivision and development appeal boards are knowledgeable?	Municipalities appoint public and council members to planning authorities with voluntary training provided by Municipal Affairs; however there is sometimes a lack of interested parties, appropriate expertise, and impartiality of the members.	Establish a mandatory training program to increase expertise and ability to address impartiality concerns with the members.	Establish qualification requirements or criteria (e.g. no council members). In the absence of locally qualified people then members would be appointed by the province.	

Next Steps

The Province is working to complete analysis of these issues and options in preparation for the introduction of the new legislation. This entails considerable collaboration among government ministries in order to refine solutions to address the identified issues. In addition, the Minister of Municipal Affairs will be undertaking targeted consultations to engage with key stakeholders about policy issues and options. In August, the Minister will be conducting a focus group of elected officials that includes:

- Mayor Naheed Nenshi, City of Calgary
- Mayor Don Iveson, City of Edmonton
- Mayor Steve Christie, Mayor of Lacombe & AUMA Director, Cities up to 500,000
- Helen Rice, President, AUMA
- Bob Barss, President, AAMDC

A similar focus group process is being developed to engage with other key stakeholders, including industry. Following these targeted consultations, policy decisions by Cabinet decisions and legislative drafting process will begin in late 2014 to prepare new legislation.

Appendix A: Engagement Session Evaluation Results

At each of the stakeholder engagement sessions, participants were given the opportunity to complete an evaluation form to capture their perspective on the effectiveness of the session. The survey asked participants to rate six statements regarding components of the session according to the following scale:

Strongly Disagree | Disagree | Neutral or Unsure | Agree | Strongly Agree

A total of 634 surveys were collected. The graph below presents the respondents' level of agreement with statement. Overall, participants expressed very high levels of satisfaction with the stakeholder engagement sessions, with 90% or more of respondents agreeing or strongly agreeing with statements 1, 2, 4, 5, and 6. The lowest ratings, related to the background materials for the sessions, were still positive, with at least half of respondents in all locations except one rating the materials as helpful.

