

Municipal Government Act Review

What We Heard: A Summary of Consultation Input

Planning and Development Technical Session
Held in Fort McMurray on February 12, 2014

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Developed by KPMG for Alberta Municipal Affairs



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Introduction

Purpose

This document provides a summary of what was heard during a consultation session for the *Municipal Government Act* (MGA) review. The summary below includes the comments and opinions of the participants of the Planning and Development Technical Session held in Fort McMurray.

These contributions have not been reviewed or edited for accuracy. Comments recorded here reflect the opinions of individuals offered in person and recorded by session facilitators; they do not necessarily represent the opinion of the Government of Alberta.

The input summarized below will be considered by Alberta Municipal Affairs as part of the review of the legislation. Municipal Affairs would like to thank the participants of this session, as well as all Albertans participating in the review of the MGA. Any inquiries related to this summary or to the consultation process should be directed by email to the MGA Review Team at mga.review@gov.ab.ca.

The Municipal Government Act Review

The MGA is designed to help build strong, prosperous and sustainable communities throughout Alberta. Alberta Municipal Affairs 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 and municipalities. In order to achieve this vision, an inclusive and comprehensive engagement process was developed to ensure stakeholders across the province have opportunities to provide input to the review.

As part of the MGA review, regional consultations were held in eleven locations around the province to give Albertans an opportunity to provide input face-to-face. In each location, different types of sessions were held, including Technical Sessions, 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 11 locations throughout the province. Each location was held over 3 days in the following locations:

- Brooks
- Calgary
- Edmonton
- Edson
- Fort McMurray
- Grande Prairie
- Lethbridge
- Medicine Hat
- Peace River
- Red Deer
- Vermilion

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 were on the MGA Review website.

Input to the MGA Review has also been provided through other channels, including the MGA Review website (mgareview.alberta.ca), the MGA Review Consultation Workbook, and official submissions.

Session Overview

Session	Planning and Development Technical Session
Location	Macdonald Island Park, Fort McMurray
Date	February 12, 2014
Number of Participants	10

- This session was open to anyone who wished to attend. Participants were asked to register in advance in order to receive background materials before the session.

Regional Consultation Methodology

How sessions were organized

Regional consultations were structured around one or more of the three themes of the MGA Review:

- Governance and Administration
- Assessment and Taxation
- Planning and Development

Participants were provided with agendas in advance, which identified a list of potential topics for discussion. These topics were taken directly from the MGA Review Consultation Workbook. Several of the topics for discussion appear under more than one of the three themes of the review because they are relevant to more than one theme (e.g. public participation). The agenda is attached as Appendix A.

At this session, participants provided input through facilitated table discussions. The goal of the facilitated conversations was to give the opportunity to all participants to discuss the issues that mattered most to them. Given the large size and scope of the MGA, participants at each table were asked to focus their discussion on those topics that they felt were most important to provide input on, using the list provided in advance. In addition, this session included time for “open discussion” during which participants could provide any additional input that they felt was important to the review. Table facilitators and note takers included staff from Municipal Affairs, KPMG and ADR Education.

Capturing input and reporting

Input from session participants was captured on flipcharts by facilitators during the discussion. It was explained to participants that:

- Comments were being recorded on flipcharts so that they could be captured and considered by Municipal Affairs as part of the review of the MGA.
- Comments would not be attributed to individuals or organizations.
- Other avenues were also available to provide written input to the review.

The summary below documents the input heard from participants and recorded on flipcharts. These comments have been transcribed and organized according to the list of topics for discussion; they have not been screened for accuracy and do not reflect consensus of participants. As a result, comments and opinions listed may be contradictory. Comments that apply to issues outside of the scope of the review (e.g., suggested changes to other legislation) have been removed.

It is important to emphasize that this summary reflects the input heard from participants, and does not necessarily reflect the position of the Government of Alberta.

How the Summary of Responses is Organized

Input from session participants is organized according to the three themes for the review:

- *Governance and Administration*
- *Assessment and Taxation*
- *Planning and Development*

Within these themes, comments are organized according to the applicable topics for discussion, using the list provided to participants in advance. In some sessions, not all themes may have been discussed.

Summary of Input

General Comments about the MGA

The following input was received and documented related to the MGA in general. Comments from participants included that:

- The MGA needs to be in a user-friendly format to allow for ease of navigation.
- The MGA should include a visionary preamble to set the tone and establish the legislative context.
- The “may” and “must” provisions in the MGA imply that “must” clauses have more importance than “may” clauses. This reduces clarity and causes inconsistent interpretations of legislation.
 - Policies and processes need to have “must” clauses.
 - Vision statements and guidelines should have “may” clauses.
- Clarity is needed on how the MGA interacts with other provincial and federal legislation and institutions. This is needed even to clarify what the MGA does not cover, such as transportation.
- The MGA should clearly define the roles and responsibilities for each level of government, including federal, provincial and municipal.

Governance and Administration

During the discussions surrounding planning and development some discussion occurred on governance and administration. The following input was received and documented related to governance and administration.

Municipal Finances

Municipal revenue sources

Comments from participants included that:

- The MGA should allow municipalities to tax people who do not reside in the community, but who use the infrastructure and services.

Planning and Development

The following input was received and documented related to planning and development.

Fees and Levies

Fees and levies

Comments from participants included that:

- The MGA should require developments to cover costs of their entire life cycle through appropriate fees and levies.
- Too many fees and levies will ultimately increase the cost of land, as developers will pass the cost onto buyers.

Land Management and Planning Tools

Statutory plans and land use bylaws

Comments from participants included that:

- The MGA needs to be more specific and clear about what is required for statutory plans. A step-by-step process should be included within the MGA.
- The MGA should require every statutory plan to identify policies, infrastructure, requirements and an action plan for implementation to enhance municipal accountability and transparency.
- It is difficult to fit a non-statutory plan within the current types of plans in the MGA. For example, it is not clear whether or not an affordable housing plan falls under the MGA.
- The MGA should provide a hierarchy of plans to state which plans supersede others.
 - The new integrated community sustainability plans should be at the top of the hierarchy, above municipal development plans.
 - The MGA should clarify where a land-use bylaw takes its direction from (i.e. the municipal development plan or from other plans, if any).
- The MGA should require different area structure plans in a municipality to be consistent and better integrated.
 - Currently, ad hoc area structure plans are created to address specific issues, which results in no consistent pattern and incongruent content.
 - Area structure plans should have consistent ground rules, definitions and clear explanations.
- The MGA should ensure land-use bylaws and statutory plans consider infrastructure, traffic nodes and affordable housing.

- The MGA should strengthen the link between land use, natural environment and transportation.
 - For example, municipal development plans must address land use, but may address environment. Environment should be required to be addressed.

Public Participation and Planning Appeals

Public participation

Comments from participants included that:

- Municipalities should work with the public to develop all local plans.
- The MGA should require public input at the initial planning stage of development.
- The public participation provisions in the MGA needs to consider shadow populations of workers who do not reside in the municipality where they work.

Regional Approaches

Managing growth and development

Comments from participants included that:

- The MGA should allow for the public to report to a third party who can scrutinize whether a municipality is complying with the legislation or not.
 - The Ontario Municipal Board could be considered as an example of a third party used for reporting purposes.

Appendix A: Session Agenda

MGA Review: Planning and Development Technical Session

Agenda Item	Timing
1. Welcome and introductions	4:00-4:10
2. Potential topics for discussion: <p><u>Subject 1: Fees and Levies</u></p> <ul style="list-style-type: none"> • Fees and levies <p><u>Subject 2: Land Management and Planning Tools</u></p> <ul style="list-style-type: none"> • Statutory plans and land use bylaws <p><u>Subject 3: Subdivision and Development Authorities and Processes</u></p> <ul style="list-style-type: none"> • Planning authorities • Administrative decision-making processes <p><u>Subject 4: Land Dedication and Use of Reserves</u></p> <ul style="list-style-type: none"> • Land dedication (reserves) <p><u>Subject 5: Regional Approaches</u></p> <ul style="list-style-type: none"> • Municipal relationships and dispute resolution • Managing growth and development • Regional funding approaches <p><u>Subject 6: Public Participation and Planning Appeals</u></p> <ul style="list-style-type: none"> • Municipal Government Board • Public participation • Planning and inter-municipal Appeals 	4:10-4:20
3. Change tables (if needed)	4:20-4:25
4. Table facilitation <ul style="list-style-type: none"> ▪ Up to three topics will be prioritized for discussion (~20 minutes each) ▪ Discussion will focus on what is working well, desired changes, and potential impacts of changes to the legislation 	4:25-5:35
5. Open discussion <ul style="list-style-type: none"> ▪ Are there any other relevant topics participants want to address? 	5:35-5:55
6. Wrap-up	5:55-6:00