

Municipal Government Act Review

What We Heard: A Summary of Consultation Input

Public Open House
Held in Red Deer on March 13, 2014

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Developed by KPMG for Alberta Municipal Affairs



Contents

Introduction	1
Purpose	1
The Municipal Government Act Review	1
Session Overview	2
Regional Consultation Methodology	3
Summary of Input	5
General Comments about the MGA	5
Governance and Administration	5
Municipal Powers, Structures, Annexations and Other Changes	5
Public Participation and Municipal Relations	6
Assessment and Taxation	7
Taxation and Municipal Finances	7
Industrial and Agricultural Property Assessment	7
Planning and Development	8
Land Management and Planning Tools	8
Regional Approaches	8
Public Participation and Planning Appeals	8

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 Public Open House held in Red Deer.

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	Public Open House
Location	Westerner Park, Red Deer
Date	March 13, 2014
Number of Participants	12

- This session was open to anyone who wished to attend. No registration was required.

Regional Consultation Methodology

How the Open House was organized

Participants were free to browse available materials or to engage in informal conversations with facilitators from Municipal Affairs, KPMG and ADR Education on any MGA relevant topic of interest to them. The Public Open House presented information on six topics that were thought to be of particular importance to the public:

- What rules can municipalities set?
- Why do municipalities change land use plans?
- What services do municipalities provide?
- How are municipalities funded?
- How do municipalities manage growth and development?
- How do we ensure accountability?

The information was presented on handouts and posters. The structure of the Open Houses allowed participants to provide feedback in the following ways:

- Comment cards were available for participants that invited them to note:
 - What is working well under the current MGA;
 - What is not working well under the current MGA;
 - What changes they would suggest; and
 - What the implications of desired changes would be.
- Where possible, facilitators from Municipal Affairs, KPMG and ADR Education took notes to record input provided by participants through informal conversations. Given the informal and unstructured format of these discussions, not all comments from participants may be captured.

Reporting

The summary below documents the input received from participants during the Open House, as well as written feedback provided through comment sheets. This input has been organized according to relevant topics under the three themes for the MGA Review. Comments 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 applied 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 is working very well as-is.
- There are concerns about how changes to the MGA will affect all Albertans. Changes to the MGA can have huge ramifications across the province.
- There is concern about the MGA review process. There is a need to ensure the public has another opportunity to provide input on the options being considered before they are finalized.

Governance and Administration

The following input was received and documented related to governance and administration.

Municipal Powers, Structures, Annexations and Other Changes

Municipal powers

Comments from participants included that:

- The *Alberta Land Stewardship Act* takes away all the rights of the local council and overpowers the MGA.
 - Under the *Alberta Land Stewardship Act*, landowners are losing control of their land.
- Municipalities should have more power to deal with oil and gas development within their jurisdiction.
 - The MGA should be able to trump oil and gas regulators' decisions.
 - Municipalities should have final say on oil and gas development within their boundaries.

Municipal structures

Comments from participants included that:

- The MGA is working well for rural municipalities.
- If urban municipalities want changes to the MGA, these changes shouldn't infringe on rural rights.

Public Participation and Municipal Relations

Public participation

Comments from participants included that:

- There is concern that the oil and gas industry has too strong a voice in municipal and public venues. Rural property owners need a stronger voice.

Assessment and Taxation

The following input was received and documented related to assessment and taxation.

Taxation and Municipal Finances

Taxation

Comments from participants included that:

- Municipalities should be able to tax municipal property at the value of the adjacent land, accounting for setbacks.

Industrial and Agricultural Property Assessment

Linear property assessment

Comments from participants included that:

- Municipalities should be responsible for linear assessment, rather than the Province.
- There is too much discrepancy between revenue received from linear property tax by urban and by rural municipalities.

Machinery and equipment

Comments from participants included that:

- Depreciation should not be included in industrial property assessments.
- Municipalities should determine the tax formulas and depreciation rates to be used for industry within their borders.

Planning and Development

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

Land Management and Planning Tools

Statutory plans and land use bylaws

Comments from participants included that:

- Inter-municipal development plans work well to allow urban and rural municipalities to address and work out issues.

Regional Approaches

Managing growth and development

Comments from participants included that:

- The preamble to the new MGA should give priority to surface land development, such as use for public enjoyment, over oil and gas development. The Province should reinstate “the public good” as a principle guiding the MGA.
- The MGA should restrict the dumping of solid oilfield waste into municipal landfills.
- Oil and gas wells on farmland limit future development and land value. Land owners should have a say on oil and gas access to their land.
- There should be tighter guidelines for development near rail lines, such as a 30-metre setback, noise and vibration testing, and berms.
 - Ontario is an example of a jurisdiction with more robust guidelines for development near railway lines.

Public Participation and Planning Appeals

Planning and inter-municipal appeals

Comments from participants included that:

- The ability to go to court to address issues governed by the MGA should remain in place.