

# Municipal Government Act Review

## What We Heard: A Summary of Consultation Input

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Public Open House  
Held in Calgary on April 10, 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 Public Open House held in Calgary.

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](mailto: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](http://mgareview.alberta.ca)), the MGA Review Consultation Workbook, and official submissions.

## Session Overview

<b>Session</b>	Public Open House
<b>Location</b>	Radisson Hotel & Conference Center Calgary Airport East
<b>Date</b>	April 10, 2014
<b>Number of Participants</b>	23

- This session was open to anyone who wished to attend.

## 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:

- In general, the MGA works well.
- The challenges with the MGA tend to be with the inconsistent way it is applied across the province.
- Municipalities should be required to provide rationale after implementing more stringent provisions or bylaws than is minimally required by the MGA.
- MGA consultations should be located closer to the inner city for easy accessibility.

## **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 MGA should provide tools to help municipalities protect the environment.
  - To protect health and air quality, municipalities should be able to regulate industry and energy operations whose emissions flow outside their lease boundaries.
  - The municipalities should play a greater role in addressing water issues, as they are the ones who are most in touch with their local area.
- The Province should cede some of its tax powers to municipalities so they may address their infrastructure issues.

#### ***Fundamental changes and municipal restructuring***

Comments from participants included that:

- Annexation should not be allowed. It is not needed and does not provide real benefits.
- When annexations occur, 10 to 15 year timeframes for anticipated growth are more appropriate than 60 year growth plans.
- The MGA should focus on sustaining existing communities, rather than always focusing on growing.

### **Municipal Governance and Administration**

#### ***Municipal governance***

Comments from participants included that:

- The ward system is not effective for good governance.
- Councillors should be required to have greater education and qualifications.

### **Municipal Finances**

#### ***Financial administration***

Comments from participants included that:

- The current way financial administration is held accountable is through municipal elections every four years. More accountability mechanisms are needed.

- More transparency is needed on how money is spent. This information should be accessible to the public, and decisions should be communicated to the public as they are made.

### ***Municipal revenue sources***

Comments from participants included that:

- Municipalities are not receiving stable and predictable infrastructure funding. Municipalities are best positioned to determine their infrastructure needs, but they are subject to other orders of government.
- Municipalities need more options for revenue sources to address infrastructure needs.
  - For example, residents would be inclined to pay more tax if it was for a school in their community.
  - There should be a specific levy for repairing certain types of infrastructure.

## **Municipal Services and Delivery**

### ***Service provisions***

Comments from participants included that:

- More clarity is needed about what level of government (municipal, provincial, or federal) is responsible for water services.
  - Water should be managed by a single level of government.
  - There is a lack of accountability from local councillors when it comes to water quality, and this is a safety hazard for the public.
  - The lack of testing and regulating from Alberta Environment and Sustainable Resource Development is putting municipalities in a liable position. There needs to be more clarity about who is responsible for water testing.
  - Water supply treatment is inconsistent across the province. It is very expensive to test for everything.

## **Public Participation and Municipal Relations**

### ***Public participation***

Comments from participants included that:

- An online poll should be held for the public to give their input on how municipal budgets should be spent.
- The public needs a way to raise issues with municipal decisions, such as through dispute resolution or an ombudsman.
- New bylaws should require public consultation.

## **Assessment and Taxation**

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

### Market Value, Equalized and Supplementary Assessment

#### ***Market value assessment and administration***

Comments from participants included that:

- The market value assessment process is not effective and is not the best way to calculate property taxes.
- Revenue should be used as the basis to determine commercial assessments.

### Industrial and Agricultural Property Assessment

#### ***Farm property assessment***

Comments from participants included that:

- Farm property should be assessed at market value because of the services farms receive, such as miles of gravel roads to reach the house.
- There could be negative impacts assessing commercial farms at market value, as the farms may be put out of business. The MGA needs to provide the ability for municipalities to scale rates.

## **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:

- There should be minimums instead of maximums for the amount of offsite levies.
- There needs to be more oversight for how fees and levies are used. Currently, there is no transparency or accountability, and existing reporting is meaningless.
- Levies should not be applied citywide. The revenue from the levy should be spent where it is collected.

### Land Management and Planning Tools

#### ***Statutory plans and land use bylaws***

Comments from participants included that:

- Municipal development plans should include environmental overlays and align with provincial guidance on environmentally significant areas, as well as surface and groundwater areas.
- Area structure plans and redevelopment plans should be consistent with municipal development plans.

### Subdivision and Development Authorities and Processes

#### ***Planning authorities***

Comments from participants included that:

- There should be a requirement for big issues to be considered over two terms to ensure the decisions are well thought out, because the impacts will be permanent.

#### ***Administrative decision-making processes***

Comments from participants included that:

- The process for subdivision developments should be to garner support first, rather than apply for the development and wait for opposition.
- There should be limits on how many times development applications can go forward for approval.
- If there is no demand for land, it should be rezoned as seniors housing. In some instances, condo development should not be allowed.

- The connectivity between natural areas should be incorporated into the local planning process.

## Land Dedication and Use of Reserves

### ***Land dedication (reserves)***

Comments from participants included that:

- Reserves should be defined with a more environmentally protective perspective, and reflect a commitment to biodiversity.
- The MGA needs to provide greater protection around bodies of water. Current regulations are not being properly enforced.
  - The Province should give oversight and guidelines about when and how wetlands can be developed.
  - New York City is a good example of watershed protection. They have a forged agreements and payments with upstream landowners.
- Municipalities should be able to reclaim school reserve land.

## Regional Approaches

### ***Municipal relationships and dispute resolution***

Comments from participants included that:

- Cooperation between urban municipalities is working well. However, cooperation is not working well between urban and rural municipalities.

### ***Managing growth and development***

Comments from participants included that:

- There is a need for more clarity on how the Calgary Metropolitan Plan developed by the Calgary Regional Partnership and the Calgary municipal development plan are coordinated.
- The MGA needs to provide more definition of how regional plans are implemented and the role of municipalities. The Province needs to manage the interpretations of different municipalities.
- Provincial and municipal responsibilities for water biodiversity and environmental stewardship should be recognized and clarified.
- Municipalities may need provincial support in assessing environmental impacts, and need to be able to consider “environmental infrastructure.”

## Public Participation and Planning Appeals

### ***Public Participation***

Comments from participants included that:

- There needs to be better notification to landowners when new oil and gas wells are drilled.
- Public participation requires better notification and communication to affected landowners.
  - The definition under the MGA of who is an “affected party” needs to be broadened.
  - Currently, registered landowners are notified. Notification needs to expand to include other residents who are also affected.

### ***Planning and inter-municipal appeals***

Comments from participants included that:

- Councillors should not be members of any appeal boards.
- Residents should be consulted when changes are being made to land use in their area. Subdivision appeals should involve the public.
  - Citizens should have the right to appeal subdivision applications.