

Municipal Government Act Review

What We Heard: A Summary of Consultation Input

Public Open House
Held in Lethbridge on February 27, 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 Lethbridge.

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	Lethbridge Lodge, Lethbridge
Date	February 27, 2014
Number of Participants	18

- 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.

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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 modernized to prepare for the next 20 years of technological advancement. The MGA should be designed so that it is adaptive to change.
- There should be a regularly scheduled review of the MGA more often than every 20 years.
- A policy manual related to the MGA should be reviewed and published annually.

Governance and Administration

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

Municipal Powers, Structures, Annexations and Other Changes

Fundamental changes and municipal restructuring

Comments from participants included that:

- Annexation rules should force municipalities to utilize their own land better before taking more land.
 - Municipalities should have to justify why they need to swallow land from smaller municipalities.

Municipal Governance and Administration

Municipal governance

Comments from participants included that:

- The MGA needs to provide tools that promote accountability when councils are not doing their jobs.
 - For example, there is no accountability when council chooses not to follow land-use bylaws.
 - Council needs to be accountable for how they use *in camera* sessions.
- The MGA should require mandatory training for people thinking of running for council to ensure that all potential councillors understand the role.

Municipal Accountability, Liability, and Risk Management

Liability and risk management

Comments from participants included that:

- Section 535.1 (Protection of Sporting Commissions) of the MGA allows each municipality the opportunity to form their own combative sports commissions. This ability must be maintained. There should not be a provincial commission for the sport.
- Abandoned infrastructure represents a large liability to municipalities. Companies should be required to pay for future reclamation when they are paying for development. This funding for reclamation should be placed in municipal environmental reserve funds.
- Oil and gas infrastructure should have comparable long-term liability planning to landfills, requiring 50 years of land monitoring.

Public Participation and Municipal Relations

Public participation

Comments from participants included that:

- Citizens who own multiple properties should be empowered to choose how many times they would like to vote.
- The MGA should require mandatory voting in elections.
- Petition periods should be extended from 15 days to 60 days.
- Council should be required to provide a full list of electors to groups who wish to petition.
- The public should be able to petition land use matters.
- The public should have at least 14 days notice prior to major meetings or any council meetings.
- The MGA should require all municipalities to video record and release all council meetings. Councils should also be required to release agendas and meeting minutes within a mandated timeframe.
- Municipalities should not be able to limit the amount of time people have to present at public hearings.
- Newspapers are not an effective way to notify the public.

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:

- Land owners shouldn't have to assume taxation costs of wind towers in the event that the lessee does not pay.

Exemptions from Assessment and Taxation

Exemptions and other special tax treatment

Comments from participants included that:

- In cases like abandoned well sites, companies should be taxed until their infrastructure is properly reclaimed.

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:

- Intermunicipal development plans should be required in the MGA.
 - Affected land owners should also be involved in the planning process for intermunicipal development plans.

Subdivision and Development Authorities and Processes

Planning authorities

Comments from participants included that:

- The timeframe to provide notice of appeal for subdivision applications should be increased.
- Development agreements are defined differently in two different places in the MGA.
 - Currently, development agreements are not actually agreements between two equal parties, as municipalities hold all of the control.
- Municipality should be required to approve development and process applications within 60 days.

Regional Approaches

Municipal relationships and dispute resolution

Comments from participants included that:

- There should be a dispute resolution mechanism between municipalities and developers to reduce appeals.

Managing growth and development

Comments from participants included that:

- Planning should reverse-engineer for a future with a much higher population. This would help control urban sprawl, and would focus planning on densification rather than swallowing farm and rural land.
 - Urban sprawl is a very expensive and unsustainable form of growth, as municipalities struggle to keep up with new infrastructure demands.
- Regionalization should remain voluntary.

Public Participation and Planning Appeals

Planning and inter-municipal appeals

Comments from participants included that:

- There should be both local and provincial appeal boards under the MGA.
- The members of appeal boards need to be qualified and independent.