

# Municipal Government Act Review

## What We Heard: A Summary of Consultation Input

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Planning and Development Technical Session

Held in Peace River on April 23<sup>rd</sup>, 2014

Released on June 24, 2014

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
Planning and Development .....	6
Fees and Levies .....	6
Land Management and Planning Tools .....	6
Subdivision and Development Authorities and Processes.....	6
Land Dedication and Use of Reserves .....	7
Regional Approaches .....	7
Public Participation and Planning Appeals .....	7
Appendix A: Session Agenda.....	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 Planning and Development Technical Session held in Peace River.

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>	Planning and Development Technical Session
<b>Location</b>	Sawridge Inn and Conference Centre, Peace River
<b>Date</b>	April 24 <sup>th</sup> , 2014
<b>Number of Participants</b>	7

- 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 updated to be in line with case law.

## **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 allow levies to be used to fund area development and redevelopment.
- The MGA should not allow fees and levies to be used to expand infrastructure.
- The MGA should expand the list of what offsite levies can be applied to. Other provinces have much more comprehensive lists than Alberta.
  - Expanded offsite levies would allow municipalities to provide services in a more sustainable way.
- If municipalities use too many fees and levies, the cost of land will be artificially inflated.

### Land Management and Planning Tools

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

Comments from participants included that:

- Section 619 (NRCB, ERCB, AEUB or AUC authorizations) of the MGA needs to be updated because some bodies outlined in this section no longer exist.

### Subdivision and Development Authorities and Processes

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

Comments from participants included that:

- Municipalities should be defined as the ultimate planning authority in the MGA. It is difficult to convene an appropriate authority besides council in smaller communities.
- The MGA should have a provision for river lots. Currently, river lots are only defined as a quarter section.
- The MGA should outline what a quarter section is.

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

Comments from participants included that:

- The MGA should have one section for enforcement provisions. Currently, the provisions for enforcement are scattered in many different sections.
- The MGA should set the expiry periods for development to occur.

- The MGA should state that reclamation and “upfront” development costs will be combined in initial development costs.
- The MGA should outline a clear minimum and maximum security that a municipality can charge a developer.

## Land Dedication and Use of Reserves

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

Comments from participants included that:

- The MGA should outline how development on Crown land should progress, with the role of the municipality clearly outlined.

## Regional Approaches

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

Comments from participants included that:

- Remote development is difficult to track, since permits are often not obtained.
  - The MGA should have a mechanism to address remote work camps.
  - Municipalities have a very difficult time registering and tracking down remote work camps.

## Public Participation and Planning Appeals

### ***Public participation***

Comments from participants included that:

- The MGA should require public consultation when a development is turned over to a municipality.
- The MGA has archaic requirements for consultation that are far from current best practices.

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

Comments from participants included that:

- The MGA should outline appropriate steps to follow for disputes between a municipality and a developer.

## Appendix A: Session Agenda

### *MGA Review: Planning and Development Technical Session*

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