

The *Modernized Municipal Government Act (MMGA)*

Bird's eye view presentation to
Alberta Professional Planners Institute
April 27, 2017



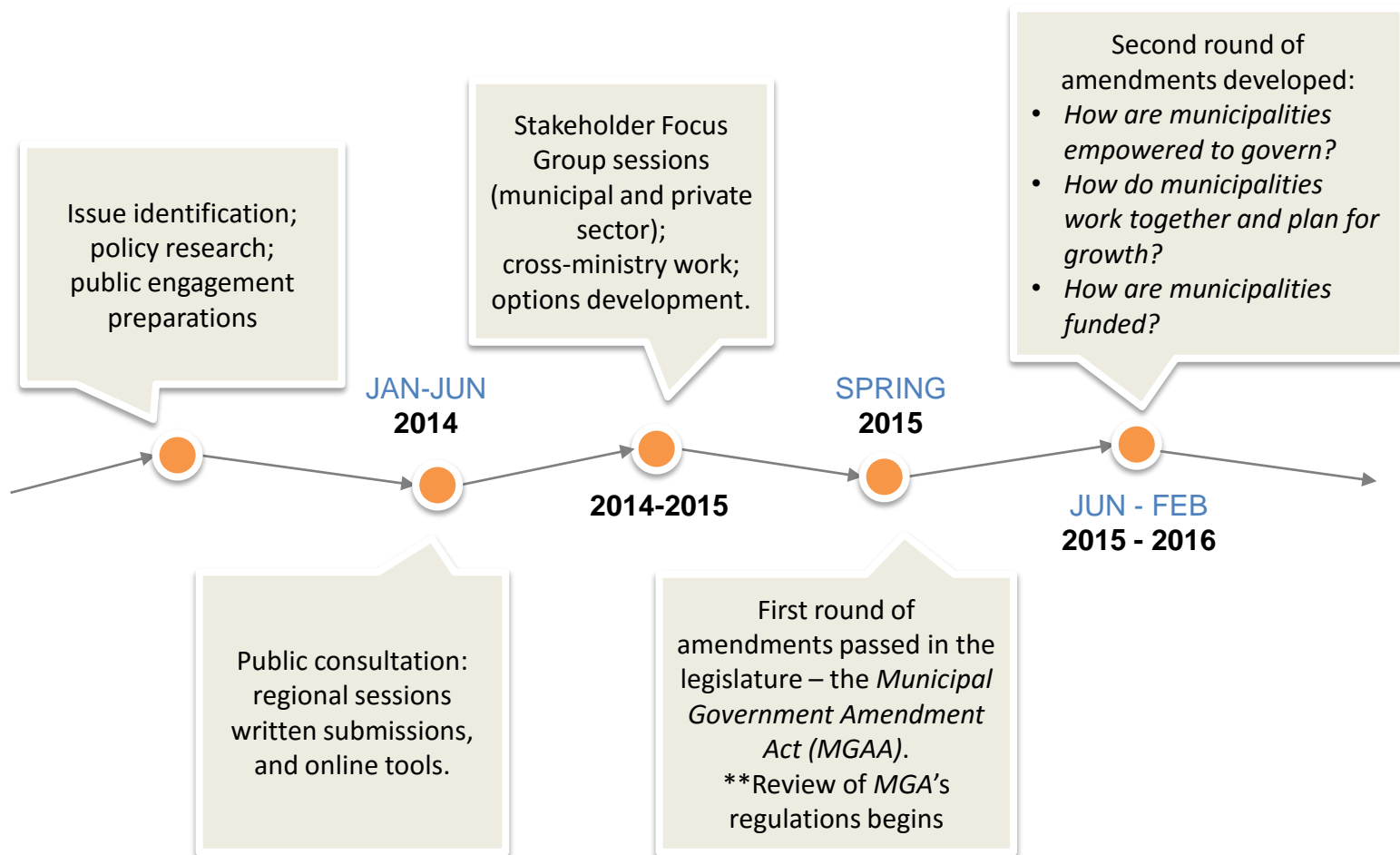
Presentation Outline

- Vision and Timeline for the MGA Review
- Current and New
 - Growth Management Board
 - Intermunicipal Collaboration Framework
 - Intermunicipal Development Plan
 - Municipal Development Plan
 - Hierarchy of Plans

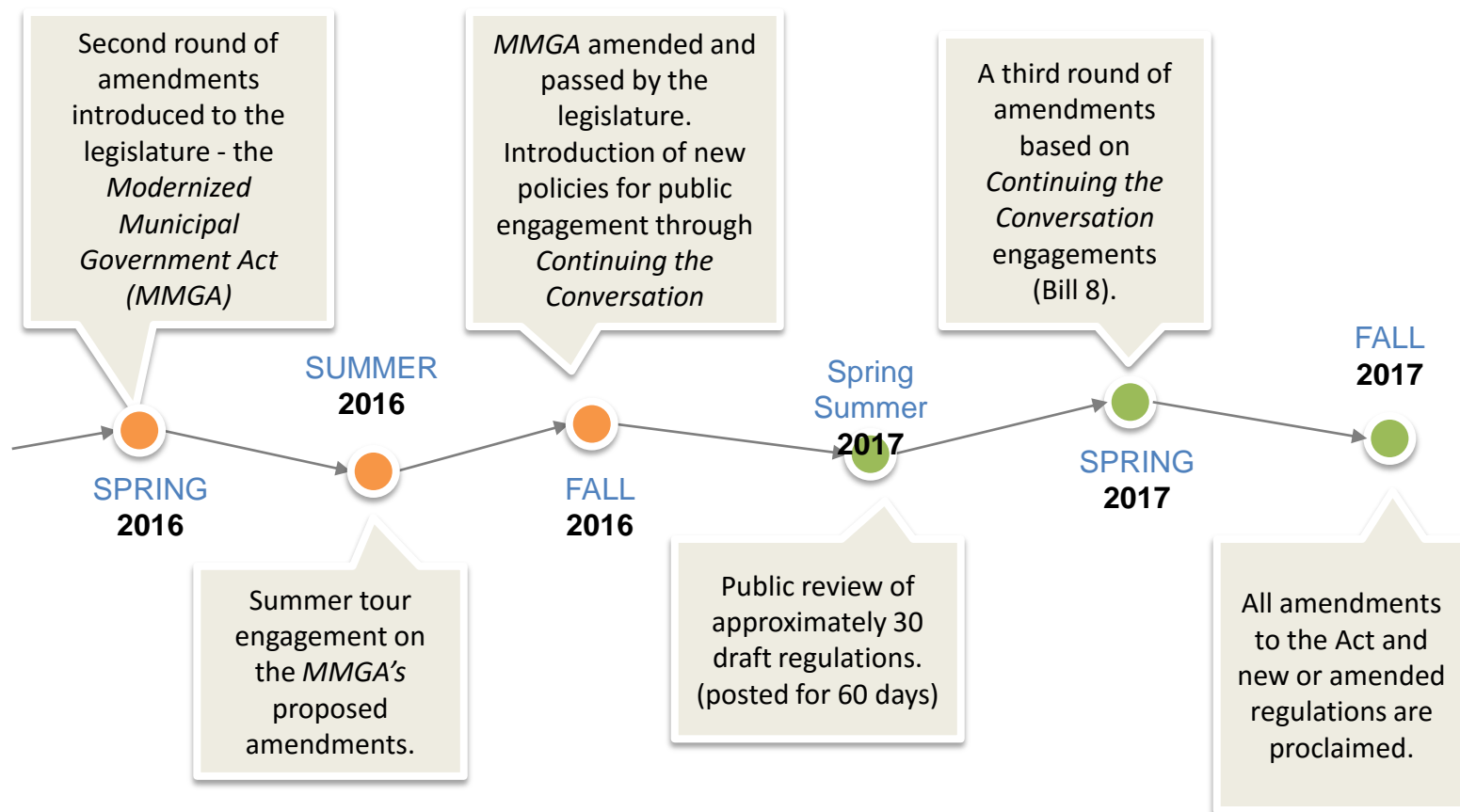
Vision for the *MMGA*

- A new vision for the *MGA* is based upon three pillars:
 - an enhanced partnership relationship with municipalities in providing effective and responsive governance to Albertans;
 - strengthened accountability mechanisms to allow Albertans to hold their local governments accountable; and
 - a shift away from competition to collaboration, with new tools to ensure that municipalities work with neighbouring communities to better serve their collective residents.

Timeline for the *MMGA*



Timeline for the *MMGA* (cnt'd)



Growth Management Board (GMB)

Current

The Capital Region Board in Edmonton is the only growth management board with mandatory participation established through the *MGA*. The Calgary Regional Partnership is a voluntary organization of municipalities that have prepared and adopted the Calgary Metropolitan Plan for the participating members within Calgary region.

New

Growth Management Boards and related plans for Edmonton and Calgary regions will be mandatory.

S780.011 The purpose of this Part are

- (a) subject to clause (b), to enable 2 or more municipalities to initiate, on a voluntary basis, the establishment of a growth management board, and
- (b) to establish growth management boards for the Edmonton and Calgary regions to provide for integrated and strategic planning for future growth in municipalities.

Part 17.1 Growth
Management Boards
Sections 708.01 to 708.25

What this Means:

- The mandate of these boards will be expanded to address the planning, delivery, and funding of regional services.
- Regulations under development to provide more details

Growth Management Board (GMB)

Regulations to be developed, must include:

- The name of each GMB
- The membership of each of the boards
- The existing Capital Region Board (CRB) deems to be the GMB for the Edmonton region
- The requirement to prepare a growth plan for the region
- The required objectives, contents, timelines for completion, form and desired effect, regional services and the funding of those services, and the process for establishing or amending the growth plan



What this Means:

- Mandatory GMB to ensure both major urban centres are able to grow in a coordinated, efficient way
- GMBs will
 - Promote long term sustainability of the region which is environmentally responsible in areas of land use planning, growth management and efficient use of land
 - Coordinate investments in infrastructure development and service delivery in the region
 - Share and coordinate information within the region, including geospatial information services

Intermunicipal Collaborative Frameworks (ICF)

Current

The *MGA* encourages the municipalities to engage in co-operative initiatives with neighbouring municipalities through a variety of mechanisms. These initiatives are voluntary and typically done on an ad-hoc basis.

- IDPs are optional – the *MGA* doesn't mandate municipalities to do IDPs

New

Mandatory collaborative mechanisms will be required for municipalities to work together regarding service delivery and cost-sharing.

Part 17.2 Intermunicipal
Collaboration
Sections 708.26 to 708.52

What this Means:

- All municipalities outside of the Edmonton and Calgary GMB regions must adopt an ICF.
 - Regulations to provide more details, such as approval mechanisms, arbitration, etc.
- The IDPs will be mandatory, and the ICFs will require an IDP as appendix.
- ICF must be completed within 3 Years (2 years to complete with 1 year additional year for arbitration if required)

Intermunicipal Collaborative Frameworks (ICF)

Who's involved:

- Municipalities that have common boundaries must create a framework
- Municipalities that do not have common boundaries may be parties to a framework
- GMB members are required to create a framework only for those matters that are not addressed in the growth plan
- GMB members must create a framework with non-GMB municipalities where there is a common boundary
- In creating or reviewing the framework, municipalities must negotiate in good faith
- Once created, municipalities must file a copy with the Minister within 90 days



What this Means:

- ICF will highlight and formalize existing collaborative work across the province, and provide a forum for municipalities to work more closely together to better manage growth, coordinate service delivery, and optimize resources for citizens
- ICF will need to address intermunicipal land use planning and how servicing will support development, as well as regional service delivery and funding

Intermunicipal Collaborative Frameworks (ICF)

What's involved:

- ICF must list:
 - Services being provided by each municipality – transportation, water and wastewater, solid waste, emergency services, recreation and others
 - ICF must identify:
 - Services that are best provided on a municipal or intermunicipal or third parties basis
 - The timeframe for implementation
 - The dispute resolution mechanism
 - a term of review that does not exceed five (5) years
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What this Means:

- ICF will provide a forum for municipalities to work more closely together to better manage growth, coordinate service delivery, and optimize resources for citizens and address how servicing will support development, as well as regional service delivery and funding

Intermunicipal Collaborative Frameworks (ICF)

What's the relationship with Intermunicipal Development Plan (IDP):

- ICF is not complete unless municipalities involved have also adopted an IDP under section 631 of the MGA
- This IDP is included as an appendix to the ICF.
- The ICF and IDP may not contain provisions that are inconsistent with a growth plan under Part 17.1 or with a ALSA regional plan.



What this Means:

- Municipalities with common boundaries must adopt an IDP
- The IDP must address:
 - The future land use and the manner of and the proposals for future development in the area
 - The provision of transportation systems for the area
 - The coordination of intermunicipal programs and environmental matters in the area
 - Any other matters related to the physical, social or economic development in the area that councils consider necessary
 - A dispute and resolution mechanism and process to deals with conflict
 - Matters already dealt with in the ICF it does not need to be included in the IDP.

Intermunicipal Collaborative Frameworks (ICF)

- Conflict or Inconsistency between a Framework and Existing Agreement
 - If there is a conflict or inconsistency between a framework and existing agreement between two (2) or more municipalities that are party to the framework, the framework must address this conflict or inconsistency, and if necessary, alter or rescind the agreement
- Arbitration
 - This part of legislation applies to municipalities who are unable to create or review the framework within the time required.
 - Disputes must be referred to an arbitrator in accordance with the regulations.
 - The arbitrator must be chosen by the municipalities, or if they cannot agree, by the Minister.
 - Any mediator who has assisted the municipalities in attempting to create a framework is eligible to be an arbitrator.
 - Arbitration ends if municipalities create a framework by agreement.
 - Except to the extent provided for in the regulations the *Arbitration Act* does not apply to arbitration conducted under Part 17.2.

Municipal Development Plan (MDP)

Current

MDP are mandatory for municipalities with a population of 3,500 or greater

Municipalities have an option for an MDP if, for example, municipalities are under 3,500 population or municipalities want to create direct control district in the land use bylaw, etc.

New

Require all municipalities, despite the population, to adopt a MDP

The mandatory and optional content of the MDP remains the same

The MDP must be consistent with any IDP in respect of land identified in both the MDP and IDP

Section 632 - MDP

What this Means:

- Municipalities that do not have an MDP must adopt an MDP within 2 years (2 year timeframe in Bill 21 proposed to be amendment to 3 years in Bill 8) after proclamation of the MGA.
- Municipalities who have an existing MDPs are not required to amend them unless the municipality wishes to do so.

Hierarchy of Plans

Current

The *MGA* does not explicitly state the relationship among different statutory plans, i.e. Intermunicipal Development Plan, Municipal Development Plan, Area Structure Plan and Area Redevelopment Plan

New

The *MMGA* sets out the consistency requirements among statutory plans that must be considered in planning decision making.
A subdivision and/or development authority, subdivision & development appeal board, and Municipal Government Board is bound by the provisions of the hierarchy of plans in the event of an inconsistency as well as the consistency of these plans.

S 632 – MDP; S 633 – ASP; S 634 – ARP;
S 638 – Plan consistency
S 654 – Subdivision Decision;
S 687 – Appeal Hearing & Decision

What this Means:

- Statutory plans are done in a consistent manner and that each plan is consistent with the plans above it
- Developers and community members have all the information they require when seeking or engaging in planning approvals

Index of *Municipal Government Act* Amendments 2015-2016

- Link to Bill 20, *Municipal Government Amendment Act*, 2015:
http://www.assembly.ab.ca/net/index.aspx?p=bills_status&selectbill=020&legl=28&session=3
- Link to Bill 21, *Modernized Municipal Government Act*, 2016:
http://www.assembly.ab.ca/net/index.aspx?p=bills_status&selectbill=021&legl=29&session=2
- Link to Bill 8, *An Act to Strengthen Municipal Government*, 2017:
http://www.assembly.ab.ca/net/index.aspx?p=bills_status&selectbill=008&legl=29&session=3

Thank you! Questions?

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