Bill 20 and Bill 21 MGA Changes Affecting Planning

Section of MGA	Proposed Section of MGA	
	Bill 20	**Bill 21**
Part 1 – Purposes, Powers and Capacity of Municipalities		**2** - A preamble is added to the Act setting a tone within which the provisions of the Act should be interpreted and implemented. The preamble reflects a provincial recognition of the role that municipalities play in creating and sustaining safe and viable communities, as well as determining Alberta's economic, environmental and social prosperity. Additionally, the preamble recognizes "the importance of (the Province) working together with Alberta's municipalities in a spirit of partnership to co-operatively and collaboratively advance the interests of Albertans generally" and that "Alberta's municipalities have varying interests and capacity levels that require flexible approaches to support local, intermunicipal and regional needs". **Preamble** **Municipal Purposes** **6**- Adds working "collaboratively with neighbouring municipalities to plan, deliver and fund municipal services" to the purposes of a municipality**. s.3(d)**
Part 2 – Bylaws	**Division 1 – General Jurisdiction** **Relationship to Provincial law** **3** – inconsistency broadened to include conflict between bylaw and MGA, as well as inconsistency - **s.13**	
Part 3 – Special Municipal Powers and Limits on Municipal Powers		
Part 4 – Formation, Fundamental Change and Dissolution	**Division 6 - Annexation** **Annexation refused** **13** – Provision for Minister to make regulations respecting procedures and defining terms used in Annexation but not defined in the MGA. – **s.128.1**	
Part 4.1 – City Charters	**Division 8 – General Provisions** **Location of Boundaries** **14** - Entire part is added to MGA, to authorize establishment of charters to address evolving needs, responsibilities and capabilities of cities in a manner that best meets the needs of their communities. With exceptions for MGA provisions related to regional services commissions and growth management boards, provides for a charter to govern all matters related to the administration and governance of the charter city, including, without limitation, the powers, duties and functions of the charter city and any other matter that the Lieutenant Governor in Council considers desirable". The charter prevails over the MGA or any other enactment in the case of conflict or inconsistency. **s.141.1 – 141.5**	
Part 5 – Councils, CouncilLors and Council Committees		**Division 3 – Duties, Titles and Oaths of Councillors** **General duties of councillors** **15** - Adds a new duty to the list of duties of councillors to "promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities". **s.153(a.1)**
Part 6 – Municipal organization and Administration		
Part 7 – Public Participation	**Public participation policy** **24** - All municipalities are required to establish a public participation policy.	

	The Minister is enabled to make regulations regarding public participation policies respecting: • contents of public participation policies; • considerations to be taken into account by a council in establishing its public participation policy; • requirements for a council to review its public participation policy periodically and consider whether any amendments should be made; and • requirements to make publicly available a public participation policy and any amendments made to it. As well, a regulation may set a date by which every municipality must have its first public participation policy in place; However, nothing in such a public participation policy affects any right or obligation that a municipal authority or any person has under any other provision of the Act: nor can any resolution or bylaw of a council be challenged for noncompliance with the policy, if the policy is made by council resolution. **s.216.1(1) to (5)**	
Part 8 Financial Administration		
Part 9 – Assessment of Property		
Part 10 – Taxation		
Part 11 – Assessment Review Boards		
Part 12 – Municipal Government Board		
Part 13 – Liability of Municipalities, Enforcement of Municipal Law and other Legal Matters		
Part 14 – General Ministerial Powers		
Part 15 – Improvement Districts		
Part 15.1 – Regional Service Commissions		
Part 16 - Miscellaneous	**Requirements for advertising** **56** - Enhances a municipality's options for advertising by adding the ability to publish notice of a bylaw, resolution, meeting, public hearing or other thing on the municipality's website, or by giving notice by a method, including electronic means, provided for in an advertisement bylaw prepared pursuant to new provisions contained in section 606.1 and requiring that, if the notice is being advertised on the municipality's website, it contain a copy of the proposed bylaw, resolution, and any document relating to it or to the meeting or public hearing. **s.606(2) and 606(6)(e)** **57** - Provisions for the advertisement bylaw must satisfy council that the methods included in the bylaw would bring items to the attention of substantially all residents in the area the bylaw or hearing addresses. **s.606.1(2)**	

	58 - Documents to be served on a municipality can be received via electronic means and can be sent by a municipality through electronic means if the recipient has consented to receive electronic documents and if it is possible to make a copy of the document from the electronic transmission. **s.607**	**Public input** **87** – Documents can be sent by a municipality to a person via electronic means if the recipient has consented to receive electronic documents, provided an electronic address for that purpose, and if it is possible to make a copy of the document from the electronic transmission. **S608(1)(a) & (b)**
Part 17 - **Planning and Development**		**Definitions** **88** – Definitions are added/amended for: • "community recreation facilities" - means indoor municipal facilities used primarily by members of the public to participate in recreational activities conducted at the facilities; **s.616(a.11) as amended by Amendment A1 R, agreed to November 30, 2016** • "conservation reserve" - means the land designated as conservation reserve under Division 8; **s.616(a.3)** • "environmental reserve" - means the land designated as environmental reserve (ER) under Division 8; **s.616(e)** • "inclusionary housing" - means the provision of dwelling units or land, or money in place of dwelling units or land, for the purpose of affordable housing as a condition of subdivision approval or of being issued a DP; **s.616(h.1)** • "inclusionary housing regulation" - means a regulation made under section 694(1)(j); **s.616(h.2)** • "land use policies" means - the policies referred to in section 622; and **s.616(l)** • "reserve land" - means ER, conservation reserve, municipal reserve, community services reserve, school reserve or municipal and school reserve. **s.616(z)**
	Division 2 - Land Use Policies	**Division 2 - Land Use Policies** **Land Use Policies** **90** - Provides for the Lieutenant Governor, on the recommendation of the Minister and by regulation, to both establish land use policies and rescind former land use policies. **s.622(2)** Positions an Alberta Land Stewardship Act (ALSA) regional plan to prevail over any conflict amongst it and other land use policies. **s.622(3)**
	Division 3 – Planning Authorities **Appeal board established** **61** – The minister is enabled to make regulations regarding the qualifications of subdivision and development appeal board (SDAB) members to participate in a hearing of the board and no member may participate unless so qualified. **s.627.2 & 627.3(b)**	**Division 3 – Planning Authorities**
	Division 4 – Statutory Plans	**Division 4 – Statutory Plans** **Intermunicipal Development Plans** **94** – Requires all municipalities to engage in some form of intermunicipal planning with their neighbouring municipalities. By December 6, 2018, by bylaw and through negotiation carried out in good faith, all municipalities are required to adopt an IDP with neighbouring municipalities with which they share common boundaries, unless the municipalities are members of a growth region, where they would be party to a growth plan developed by the growth management board. **s.631(1) & (3), as amended by Amendment A1 T, agreed to November 30, 2016 and as amended by Bill 21 being given Royal Ascent on December 6, 2016** The Minister may, by order, exempt municipalities from the requirement to adopt an intermunicipal development plan. **s.631(1.2)** Future land use within the plan area and the manner of and proposals for future development in the

		plan area have been added to the matters that an IDP must address. In addition, other matters that an IDP must address include: • provision of transportation systems for the area; • co-ordination of intermunicipal programs relating to the physical, social and economic development of the area; • environmental matters within the area; and • any other matter related to the physical, social or economic development of the area that the councils consider necessary. **s.631(2)(a) as amended by Amendment A1 T, agreed to November 30, 2016** Matters originally identified as mandatory components of an IDP and contained in s.631(2)(b) remain unchanged in Bill 21. Provides that, if municipalities that are required to create an intermunicipal development plan are not able to agree on a plan, provisions addressing methods of creating an intermunicipal collaboration framework (ICF), arbitration roles and procedures when unable to create an ICF or when municipalities are not able to agree that their framework remains relevant, and measures to ensure compliance with ICFs apply as if the intermunicipal development plan were an ICF. **s.631(1)(4)**
	Municipal Development Plans **Municipal development plan** **62-** Requires a MDP be consistent with an IDP for the area of land that is identified in both plans. **s.632(4)** **Area Structure Plans** **Area structure plan** 63 – Requires an ASP be consistent with a MDP and be consistent with an IDP for the area of land that is identified in both plans. **633(3)(a) & (b)** **Area Redevelopment Plans** **Area redevelopment plan** 64 – Requires that an ARP be consistent with a MDP and be consistent with an IDP for the area of land that is identified in both plans. **s.634(2)(a) 7 (b)** **General Provisions** **Plans consistent** **65 -** This hierarchy applies to both conflicts and inconsistencies between relevant plans. **s.638**	**Municipal Development Plans** **Municipal development plan** **95** – Requires that every municipality must, by bylaw, adopt a MDP by December 6, 2018. **s.632(2.1) as amended by Amendment A1 U, agreed to November 30, 2016 and as amended by Bill 21 being given Royal Ascent on December 6, 2016** **General Provisions** **Listing and publishing of policies** **96** – Requires that every municipality must compile and keep updated a list of any policies that may be considered in making decisions under Part 17. This includes policies that a council has approved by resolution or bylaw, or that have been made by a body or person to whom powers, duties or functions are delegated under section 203 or 209, and that are not part of a bylaw. **s.638.2(1)** The municipality must publish a list and a summary of these policies and the policies themselves on the municipality's website, indicating how they relate to each other and to any statutory plans and bylaws. Additionally, any documents incorporated by reference in any bylaws passed in accordance with this Part must be published on the website. **s.638.2(2)** A development authority, subdivision authority, SDAB, Municipal Government Board (MGB) or a court cannot pay regard to any policy noted above unless the policy is set out in the list. **s.638.2(3)**

	Division 5 - Land Use **Division 6 – Development Levies and Conditions** **Off-site levy** **67** – Implementation of off-site levies in relation to a development or subdivision application approval is expanded to be applied once for each purpose defined under the Act, rather than just once for the land on which the off-site levy is being imposed. **s.648((2.2))**	These provisions become effective January 1, 2019. **s.638.2(4)** **Division 5 - Land Use** **Land Use Bylaw** **97** - Allows a land use bylaw (LUB) to provide for standards and requirements for inclusionary housing in accordance with an inclusionary housing regulation. **s.640(4)(s)** **98** - Provision is made for cities and other municipalities with a population of 15,000 or more to prescribe alternative time periods in a LUB for determining the completeness of and for making decisions regarding DP and subdivision applications. **s.640.1(a) to (d) as amended by AmendmentA1-W, agreed to November 30, 2016** **Permitted and discretionary uses** **99** – Clarifies provisions for issuing DPs for both permitted and discretionary uses to reflect that a DP application must be determined to be complete and an acknowledgement of this in the form and manner provided for in the land use bylaw must be issued before a DP can be issued. **642(1) & (2)** **Acquisition of land designated for public use** **100** - The requirement for the municipality to acquire, start proceedings to acquire, or redesignate land to another use does not apply to land designated as conservation reserve. **s.644(3)** **Division 6 – Development Levies and Conditions** **Off-site levy** **101** – Expands the list of purposes that, given that no off-site levy has previously been imposed for the same purpose on that parcel, an off-site levy can be applied to, now including capital costs associated with new or expanded: • community recreation facilities; • fire hall facilities; • police station facilities; • libraries. **s.648(2.1) & (2.2)** This provision is retroactively applied to fees or other charges imposed on a developer or through a development agreement entered into prior to December 6, 2018. **s.648(8) as amended by Bill 21 being given Royal Ascent on December 6, 2016** **102** - Provides for the right for any person, subject to and in accordance with the regulations, to appeal, to the MGB, the imposition of a levy for any of these new uses if: • the purpose for which the off-site levy was imposed is unlikely to benefit future occupants of the land who may be subject to the off-site levy to the extent required by the regulations; • the principles and criteria that must be applied by a municipality when passing the off-site levy bylaw have not been complied with; • the determination of the benefitting area was not determined in accordance with regulations; • the levy or any portion of it is not for the payment of the capital costs of the new uses; • the calculation of the levy is inconsistent with regulations or is incorrect; • an off-site levy for the same purpose has already been imposed and collected with respect to the proposed development or subdivision. **s.648.1(1) as amended by amendment A1 Y, agreed to on November 30, 2016** If an off-site levy bylaw amends the amount of a levy, an appeal may only be brought with respect to that amendment. **s.648.1(3)**

		After hearing the appeal, the MGB may dismiss, or declare invalid, all or a part of the appeal. If declared invalid, the MGB may determine an alternate form for the bylaw and provide that it be repassed or amended. **s.648.1(2)**
	Condition of issuing development permit **69** – Clarifies the intent for conditions attached to a development agreement to require the developer to pay for installation of only those public utilities described in section 616(v)(i) to (ix) necessary to serve the development, whether or not the utility is located on the land being developed **s.650(1)(c)** This provision is retroactively applied to fees or other charges imposed on a developer or through a development agreement entered into prior to this provision coming into effect. **s.650(4)**	**Conditions of issuing development permit** **103** - Adds the provision of inclusionary housing, in accordance with the LUB and the inclusionary housing regulation, to the conditions that can be attached to an approved DP. **s.650(1)(f)**
	Division 7 – Subdivision of Land	**Division 7 – Subdivision of Land** **Subdivision applications** **105** - Augments the current provisions for subdivision approval applications with more exhaustive provisions that detail circumstances under which applications can be determined to be complete, including providing process around how a municipality must deal with both complete and incomplete applications. Within 20 days of receipt of an application, unless an extended time period is agreed to, the municipality must issue to the applicant, an acknowledgement that the application is either complete or incomplete. If incomplete, the acknowledgement must identify what additional information must be submitted before an identified date. Failure to submit all additional required information by the identified date will result in the application being deemed to be refused. If this is the case, the municipality must provide the applicant with a notice, in the form and manner provided for in the LUB, that the application has been refused and the reason for the refusal. **s.653.1(1) – (11)** **Approval of subdivision** **106** – Adds that a subdivision authority must not approve a subdivision application unless it conforms to a relevant growth plan, as well as any relevant statutory plan or LUB. **s.645(1)(b)** **Conditions of subdivision approval** **107** - Adds the provision of inclusionary housing, in accordance with the LUB and the inclusionary housing regulation, to the conditions attached to approval of a subdivision application. **s.655(1)(b)(vii)** **Decision** **108** – Provides for waiving LUB conditions restricting another similar DP or redesignation application to be filed within a specified time period after application refusal if the refusal was deemed incomplete **s.656(4)**
	Division 8 – Reserve Land, Land for Roads and Utilities	**Division 8 – Reserve Land, Land for Roads and Utilities** **Land dedication** **110** – Limits the requirement for land to be given to the Crown for ER without compensation by not requiring ER to be provided if: • one lot is being created from a quarter section; • the land is to be subdivided into lots that are at least16 ha. in area and are to be used for agricultural purposes; • the parcel to be subdivided is less than or equal to 0.8 ha. in area; or

		• if reserve land, an ER easement or money in place of it was already provided. **s.661(a.1)** **Land for conservation reserve** **111** – Adds the requirement that the municipality may require provision of land for conservation reserve as required by the subdivision authority pursuant to new conditions added to the MGA as in section 664(2) (see Bill 21 section 114 below)**. s.661.1** **Environmental reserve** **112** – Removes the qualification under which ER can be taken on lands abutting the bed and shore of a body of water and clarifies that bed and shore means the natural bed and shore as determined under the *Surveys Act*. **s.664(1)(c) and s.664(1)(1.2)** Limits the purposes for taking ER to: • preserving the natural features of land that is defined as being subject to ER (s.664(1)) if the subdivision authority thinks those features should be preserved; • preventing pollution of the land or the bed and shore of an adjacent body of water; • ensuring public access to and beside the bed and shore of a body of water lying on or adjacent to the land; and • preventing development of land where natural features of the land would present a significant risk of personal injury or property damage occurring during development of or use of the land. **s.664(1.1)** **113** – Provides for a written agreement to be reached between the land owner and the municipality, prior to either a subdivision application being made or being approved, regarding the requirement to provide ER. The agreement will stipulate if ER is required, where it is located on the land to be subdivided, and identify the boundaries of land required. Whether or not ER is required to be dedicated, the substance of the agreement cannot be changed as a condition of approving a subdivision application, unless a material change affecting the parcel occurred subsequent to the agreement being reached. **S664.1(1) to (5)** Provides for conservation reserve to be provided if all of the following conditions exist: • the land has environmentally significant features; • the land does not qualify as ER; • taking the reserve enables the municipality to protect and conserve the land, and • taking the reserve is consistent with the MDP. **s.664.2(1)** The landowner must be compensated, within 30 days of a new CR certificate of title being issued, at the full market value of the land at the time the subdivision application was received. If market value cannot be agreed upon, it must be referred to the Land Compensation Board. **s.664.2(2) & (3)** **Designation of municipal land** **114** – Allows for conservation reserve to be assigned, through adoption of a bylaw, to municipally owned land or to land the municipality is in the process of acquiring. Once a copy of the approved bylaw is received by the registrar, a new title identified by a number suffixed by the letters CR must be issued. The new title must be free of all encumbrances. **s.665(1) to (3)** **Municipal and school reserves** **115** – Requires that land required for conservation reserve, in addition to land for ER and any ER easement, be deducted from the parcel area before determining the 10% of the parcel area that can be taken as MR, SR, or MSR or before determining 10% of the appraised market value of the parcel, if money is to be take in lieu of land for MR, SR or MSR. **s.666(2) & (3)**

		Clarifies that land required for roads, public utilities or both, is not to be deducted from the parcel area prior to the 10% calculation. **s.666(3.1)**
	Division 9 – Use and Disposal of Reserve Land	**Division 9 – Use and Disposal of Reserve Land** **Transfer of school and other reserves to municipality** **116** – Clarifies that it is the school building footprint rather than the school building envelope that can be designated as community services reserve and clarifies what lands constitute a school building footprint. **s.672(3) & (5)** **Disposal of municipal and school reserve** **117** – Stipulates that a municipality must not sell, lease or otherwise dispose of conservation reserve and must ensure that the land remains in its natural state. **s.674.1**
	Division 10 – Subdivision and Development Appeals	**Division 10 – Subdivision and Development Appeals** **Subdivision Appeals** **Appeals** **118** – Indicates that a subdivision appeal must be filed with the MGB if the land: • is within the Green Area; • contains, is adjacent to, or is within the prescribed distance of a highway, a body of water, a sewage treatment plant or waste management facility or a historical site; or • is described by any other circumstances in the regulations. **s.678(a)** Changes the date of receipt of the decision of the subdivision authority from five to seven days for purposes of determining the start of the 14 day period during which an appeal may be filed. **s.678(3)** **Notice of hearing** **119** – Clarifies that if a subdivision is deemed to be refused because it was considered to be incomplete, the board hearing the appeal need only give written notice of the hearing to the applicant and the subdivision authority that made the decision. **s.679(3.1)** **Hearing and decision** **120** – Requires that the board hearing a subdivision appeal must comply with the inclusionary housing provisions of the LUB and the inclusionary housing regulation. **s.680(2)(a.2)** If the appeal is for a deemed refusal, the board must determine if the documents are complete and have been received by the date specified by the municipality. In such an appeal, the board is not required to hear from the owner(s) of adjacent lands. **s.680(2)(2.1) & (2.2)** **Development Appeals** **121** - Repeals the heading for Section 683, replacing it with “Development Permits”, effectively distinguishing DPs from development appeals in the Act. **Heading preceding s.683** **Development applications** **Permit** **122** – Expands upon the current provisions for DP applications with more exhaustive provisions that detail circumstances under which applications can be determined to be complete, including providing process around how a municipality must deal with both complete and incomplete applications. Within 20 days of receipt of an application, unless an extended time period is agreed to, the municipality must issue to the applicant, an acknowledgement that the application is either complete or

		incomplete. If incomplete, the acknowledgement must identify what additional information must be submitted before an identified date. Failure to submit all additional required information by the identified date will result in the application being deemed to be refused. If the application is refused or is deemed to be refused, the municipality must provide the applicant with a notice, in the form and manner provided for in the LUB, that the application has been refused and the reason for the refusal. **s.683.1(1) to (11) as amended by Amendment A1 BB, agreed to on November 30, 2016** **Development Appeals** **Permit deemed refused** **123** – Requires that the development authority must, within 40 days of receipt of a complete DP application, unless an extended time period is agreed to, make a decision on the application. If no decision is rendered, the application is deemed to be refused. **s.684(1) to (3)** Provides for waiving LUB conditions restricting another similar development application to be filed within a specified time period after application refusal, if the refusal was deemed incomplete. **s.684(4)**
	Grounds for appeal **73** – Provides clarity on the appeal of a (DP) in a direct control district, indicating that there is no appeal to the SDAB if the decision was made by the council, but if it was made by a development authority the SDAB may rule on whether the decision follows the directions of the council. If it finds that council directions were not followed, the SDAB may substitute its decision, which must follow the council directions. **s.685(4)**	**Grounds for appeal** **124** – Clarifies that an appeal exists for a DP refused because it was deemed to be incomplete. **s.685(3)**
		Appeals **125** – Clarifies that, in the case of a deemed refusal, any person, other than the applicant, affected by the application is not able to appeal to the SDAB, nor does the SDAB have to provide at least 5 days notice of the appeal to adjacent owners or affected persons. **s.686(4.1)**
	Hearing and decision **74** – Clarifies the authority of the SDAB in determining an appeal, indicating that the board must comply with any applicable land use plans, rather than being limited to an ALSA regional plan and, given the standardized hierarchy of plans, must comply with any applicable statutory plans. **s.687(3)(a.1) and (3)(a.2)**	**Hearing and decision** **126** - Requires that a SDAB, in determining an appeal for a DP, must comply with the inclusionary housing provisions of the LUB and the inclusionary housing regulation. **s.687(3)(a.01)**
		Courts of Appeal **Law, jurisdiction appeals** **127** – Clarifies what MGB decisions can be appealed to the Court of Appeal, including decisions respecting: • whether a proposed statutory plan or LUB amendment is consistent with a NRCB,ERCB,AEUB or AUC authorization (Section 619); • imposition of an off-site levy or the amount of the levy (section 648.1); • a decision of a subdivision authority (Section 678(2)(a)); or • an intermunicipal dispute (Section 690). **s.688(1)(b)**
	Division 12 – Bylaws, Regulations	**Division 12 – Bylaws, Regulations** **Regulations** **128** – Provides for the Lieutenant Governor to make regulations regarding the application of MGA provisions related to: • ICFs for the purposes of resolving the inability of two or more municipalities to create and

		IDP, including: ○ methods of creating ICFs, ○ arbitration roles and procedures when municipalities are unable to create an ICF, or when municipalities are not able to agree that their framework remains relevant, or ○ measures for ensuring compliance of frameworks; • Prescribing distances and circumstances regarding when a subdivision appeal must be filed with the MGB; • Provisions regulating the provision of inclusionary housing including: ○ standards for inclusionary housing, ○ requirements and conditions under which a LUB may require inclusionary housing as a condition of DP or subdivision application approval, ○ conditions when money can be accepted in lieu and purposes for which the money can be used, ○ conditions or restrictions on the use of land provided, ○ responsibility for management of inclusionary housing units and conditions for sale or disposal of units or land provided, ○ ownership of dwelling units or land provided, and ○ measures and any requirement to offset, in whole or in part, a requirement to provide inclusionary housing; • Implementation of off-site levies, including: ○ calculation, in a bylaw, of an off-site levy for new or expanded outdoor community recreation facilities, fire halls, police stations or libraries, ○ determining the benefitting area and the extent of the anticipated benefit of future occupants for those facilities, ○ identifying principles and criteria that must be applied by a municipality when passing an off-site levy bylaw, or ○ the process and procedures of an appeal, including filing a notice of appeal and the time within which an appeal may be filed. **s.694(1) & (4), as amended by amendment A1(DD) on November 30, 2016**
Part 17.1 – Growth Management Boards		**Purpose** **129** – Amends the purpose of this part of the act to require growth management boards to be created for the Edmonton and Calgary regions. **S708.011(b**) **Division 1 – Establishment and Operation of Growth Management Boards** **Establishing growth management board** **130** - Requires the Lieutenant Governor to establish, by regulation, a growth management board for both the Edmonton and Calgary regions and to recognize the Capital Region Board Regulation (AR 38/2012) as the growth management board for the Edmonton region. **s.708.02(1.1) & (1.2)** Requires mandatory, rather than discretionary, consideration of the following matters by a growth management board, including requiring the board to prepare a growth plan for the region and specifying for the growth plan : • its objectives; • contents; • timeline for completion; • form; • desired effect; and • process for establishing or amending the plan. Additionally, a board is required to specify regional services and the funding of those services. **s.708.02(2)**

Part 17.2 – Intermunicipal Collaboration		**Purpose** **131** - Part 17.2 "Intermunicipal Collaboration" is added with the purpose of requiring development of an intermunicipal collaboration framework among 2 or more municipalities to: • provide for integrated and strategic planning, delivery and funding of intermunicipal services, • steward scarce resources efficiently in providing local services, and • ensure municipalities contribute funding to services that benefit their residents. **s.708.27** A reference to "municipality" in this part includes an improvement district. **s708.26(2) as amended by Amendment A1 EE, agreed to November 30, 2016** **Division 1 – Intermunicipal Collaboration Framework** **Framework is mandatory** Creation of an ICF becomes mandatory between municipalities that have common boundaries, by December 6, 2018. However, municipalities that do not have common boundaries may be party to a framework and a given municipality may be party to more than one ICF and the Minister may exempt one or more municipalities from the requirement to create a framework.. **s.708.28(1) to (4)** Municipalities that are members of a growth management board must, within 2 years of the date on which the growth management board is established, create an ICF with other municipalities in the same growth management board, but only in respect of those matters that are not addressed in the growth management plan. Calgary and Edmonton region growth management boards must create such an ICF by December 6, 2018. In all cases, municipalities that are members of a growth management board must create an ICF with municipalities with which they have common boundaries that are not members of that growth management board. **s.708.28(4), (4.1), (4.2) & (6) as amended by Amendment A1 EE, agreed to November 30, 2016 and by Bill 21 being given Royal Ascent on December 6, 2016** **Contents of Framework** The list of items that are mandatory or discretionary within a framework is extensive and is provided in proposed s708.29(1) & (2). ICFs must be consistent with growth management plans and with an ALSA regional plan. **s.708.29 (1) & (2)** The existence of an ICF relating to services constitutes an agreement among the municipalities that are party to the framework for the purposes of section 54, that enables municipalities to provide any service or thing that it provides in its own municipality in another municipality with the agreement of the other municipality. **S708.29(5)** **Relationship to intermunicipal development plan** Unless the Minister has exempted one or more municipalities from the requirement to adopt an IDP, A framework is not considered complete unless the participating municipalities have also adopted an IDP or unless an IDP is included as an appendix to the framework. **s.708.3(1) & (2)** To the extent that a matter is already dealt with in an ICF, the matter does not need to be included in and IDP. **s.708.3(1)(3)** **Conflict or inconsistency** An ICF must address any conflict or inconsistency that exists between it and an existing agreement between 2 or more municipalities that are party to the ICF and, if necessary, alter or rescind the agreement. **s.708.31** **Term and review** An ICF needs to be reviewed at least every 5 years by participating municipalities. If the IFC pertains to municipalities that are required to create a framework, and they can no longer agree that the ICF

		continues to serve the interests of the municipalities, they are obligated to create a replacement framework. **s.70832(1) to (3)** **Division 2 – Framework Created by Agreement** Requires an ICF to be negotiated in good faith and adopted by matching bylaws by all participating municipalities. **s.708.33(1) & (3)** **Division 3 - Arbitration** Provides arbitration roles, procedures and requirements for both arbitrators and municipalities when municipalities are unable to create an ICF or when they are not able to agree that their framework remains relevant. Subject to the regulations, arbitrators are able to either create a framework or mediate with participating municipalities, enabling them to complete a framework themselves. New ICFs under these provisions must be complete by December 6, 2019: replacement ICFs within one year of the date when the arbitrator is chosen. Measures to ensure compliance with an ICF are specified, requiring all participating municipalities to amend their bylaws, other than their land use bylaw, to be consistent with the ICF. Bylaws must not be amended, repealed or revised to be inconsistent with an ICF that it is party to, or with an applicable arbitrator's order. Additionally, a municipality must not amend, repeal or revise its land use bylaw in a manner inconsistent with an IDP to which it is a party. In the case of non compliance, one municipality may apply to the Court of Queen's Bench for an order requiring the dissenting municipality to change its bylaws. The Minister may also take measures to ensure compliance and these are listed in section 708.43(3). **s. 708.34 to 708.43 as amended by Amendment A1 EE, agreed to November 30, 2016 and by Bill 21 being given Royal Ascent on December 6, 2016** **Division 4 – Resolving Disputes Under Existing Framework** Requires that every ICF contain a binding dispute resolution process that meets the requirements of the regulations regarding interpretation or implementation of the framework. Otherwise, a model framework contained in the regulations will be enforced. In the case of non-compliance, the option to apply to the Court of Queen's Bench exists. **s.708.45 & 708.46** **Division 5 – General** Identifies what an arbitrator may make a determination on and identifies what matters the Lieutenant Governor may make regulations about. This Part of the Act prevails over Parts 1 - 8 and Part 17 of the MGA. **s.708.47 to 708.52**
Part 18 – Transitional Provisions		**135 -** Provides for the Lieutenant Governor in Council may make regulations providing for the transitional application of the amendments to the *Municipal Government Act* made by this Act.

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