



**RMA**  
**INSURANCE**

The background of the slide features a photograph of a large, dark metal truss bridge spanning a river. In the foreground, there are some bare, thin branches. The background shows a forested hill under a clear sky. The entire image is overlaid with a large, semi-transparent orange triangle that points from the bottom left towards the top right, partially obscuring the bridge and the hill.

# **DEVELOPMENT PLANNING & LIABILITY**

**Today's Decisions Affecting Your Municipalities Future**

# *Municipal Government Act – Part 17*



Orderly, economical,  
beneficial development

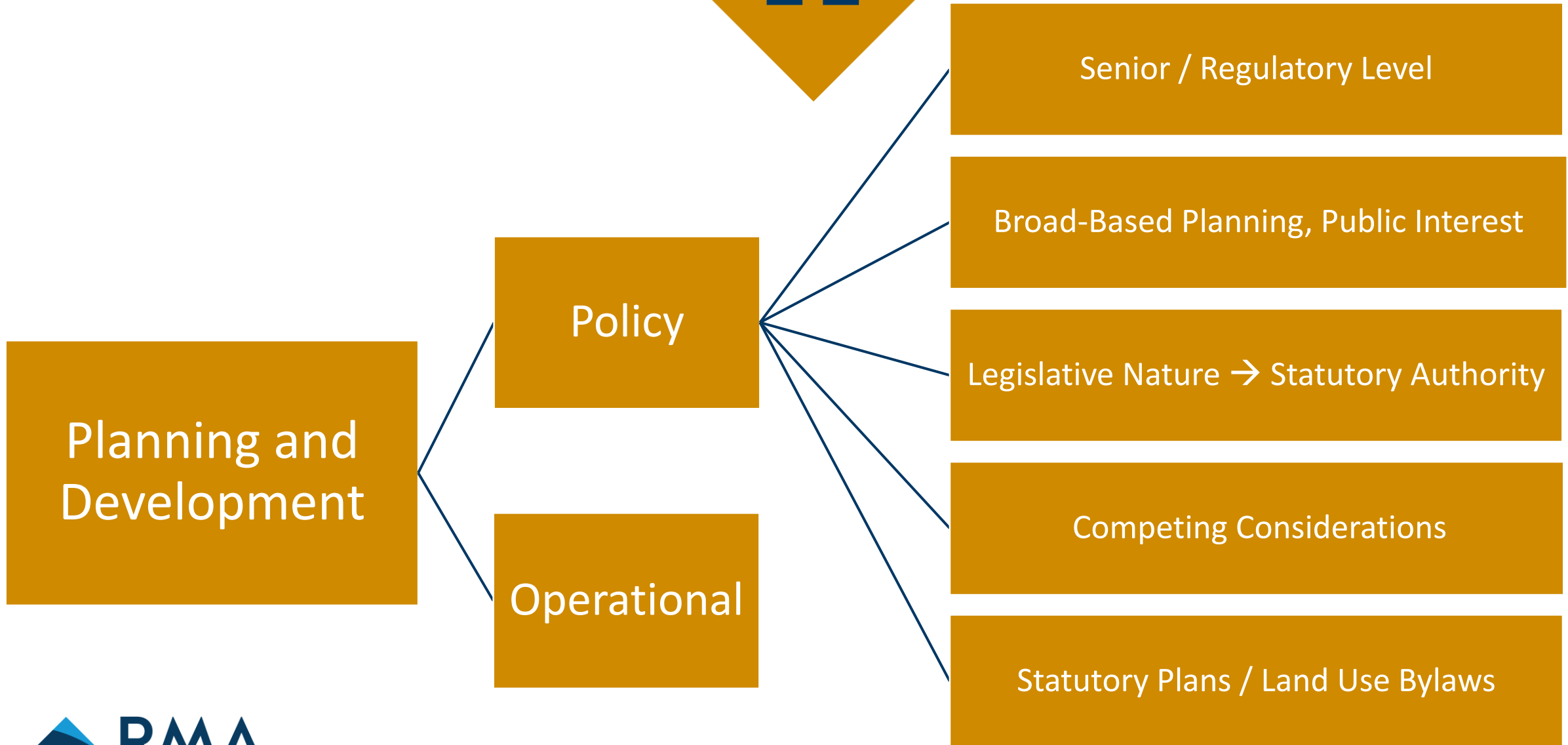


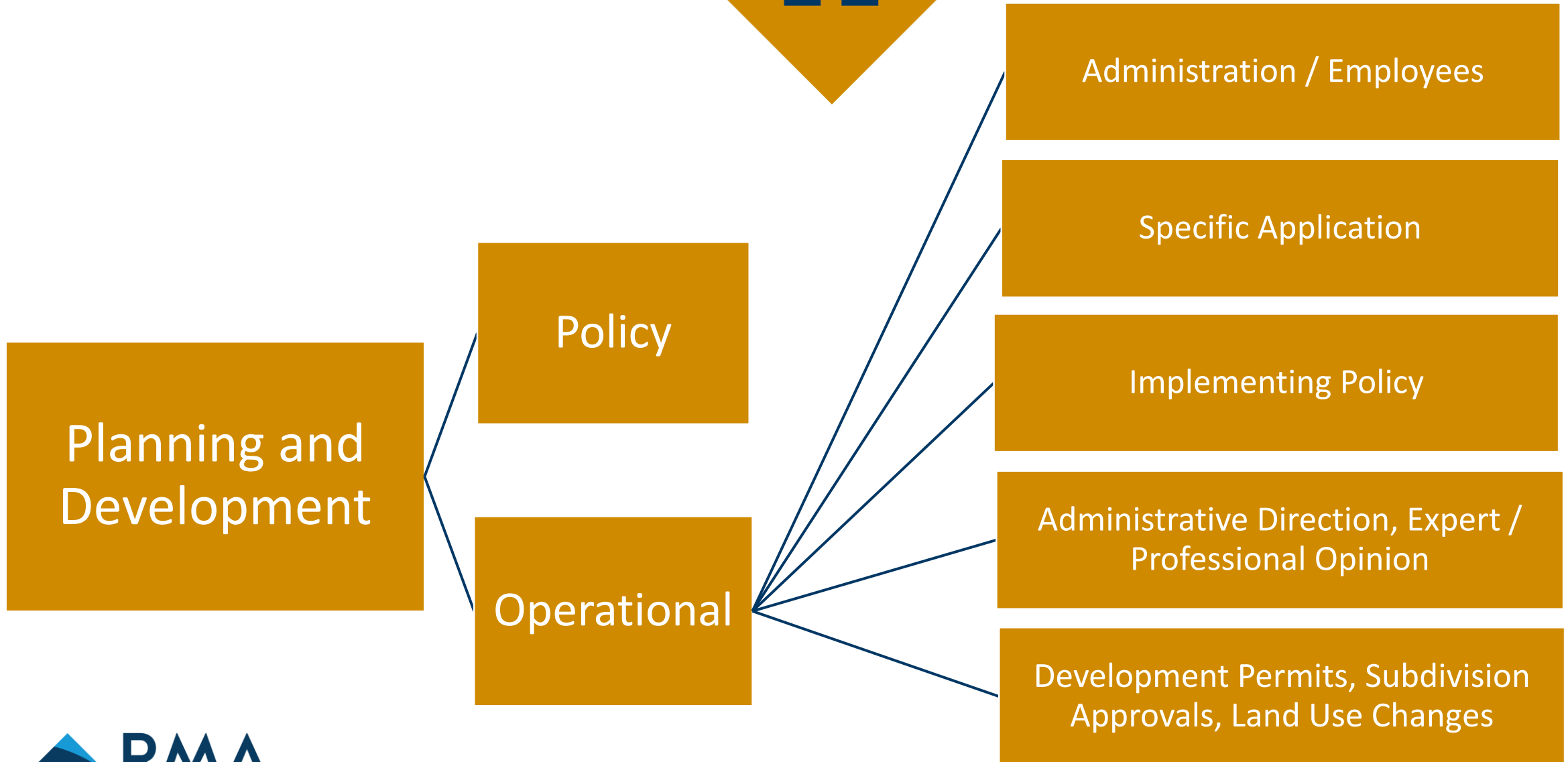
Maintain and improve  
quality of physical  
environment

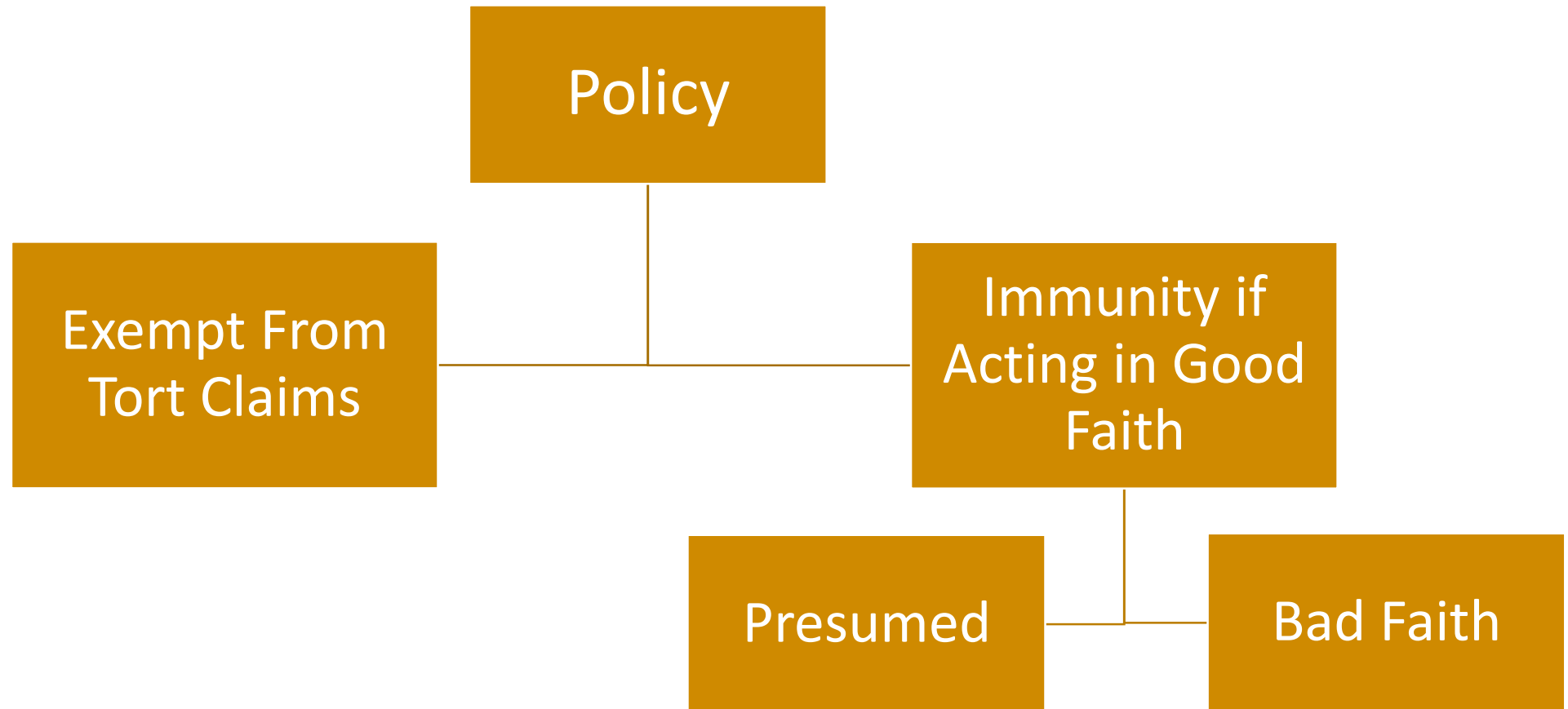


Without infringing on  
rights of individuals except  
for greater public interest











# BAD FAITH

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Dishonesty

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Intent to harm

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Conflict of interest

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Fraud

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Bias

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Abuse of power

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Corruption

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Patently unreasonable

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Operational

Compliance with  
Policy

Discretion

Negligence

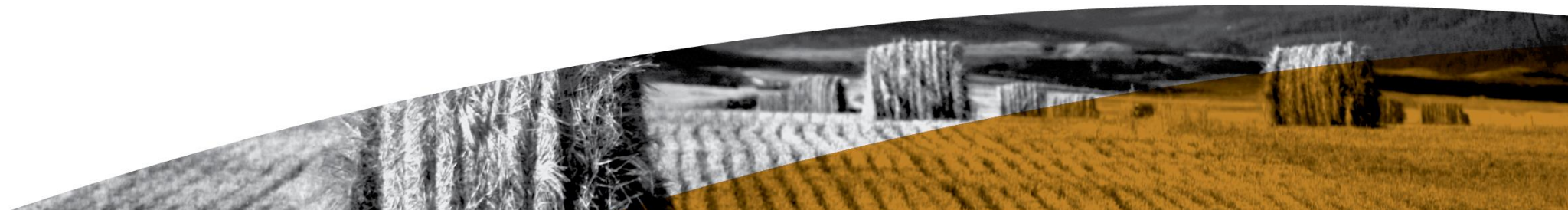
Review of information

Review of reports and  
disclose concerns

**REASONABLE CARE**

Disclose information  
regarding defects and  
dangerous conditions

Follow policies and  
procedures





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# OPERATIONAL LIABILITY

Reasonable steps to confirm property  
suitable for intended use

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Topography, soil characteristics, storm water  
collection / disposal, flooding potential,  
erosion of land, access to roads, etc.

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Being aware of environmental limitations  
and failing to disclose

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# OPERATIONAL LIABILITY

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Creating hazard and allowing development to proceed

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Alert applicants of known risks/hazards

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Impose suitable conditions to deal with risk/hazard & follow-up

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Breaching policy

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Making decisions in bad faith

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# Statutory Defences

s.527

Municipality can only be held liable in negligence

s.529

Municipality with discretion is not liable for deciding not to do that thing in good faith or for not doing that thing

s.535

Councillors, committee members, municipal officers, and volunteers are not liable as individuals if acting in good faith

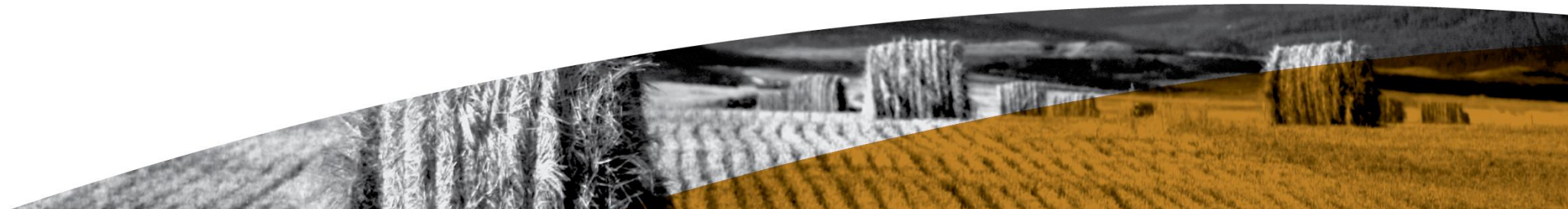


Large number of  
players

Issues come to  
light down the  
road

Present and  
future  
landowners

Records,  
reports,  
correspondence



# QUESTIONS?

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