

Planning and Development

Municipalities play a large role in planning for the responsible use of land, both within their boundaries and regionally. Planning and development involves the appropriate use and management of land resources, provision of services and infrastructure, orderly development of new growth, management of risks, and proper decision-making models for land-related issues.

What is the RMA's position on the importance of having a municipal perspective in planning and development?

- ◆ With 86.5% of Alberta's land mass located within rural municipalities, the critical role that rural municipal governments play in both planning and development cannot be understated.
- ◆ Planning and development are core municipal functions. Each municipality has a fundamental interest in land-use planning within their own and neighbouring communities. Municipalities are mandated as the agent of land-use planning by the *Municipal Government Act*.
- ◆ Rural municipal perspectives on growth and planning are diverse. Depending on their location within Alberta, some rural municipalities may be dealing with the challenges of rapid growth, while others may be examining ways to stimulate new economic development in rural and remote areas.
- ◆ It is imperative that jurisdiction for local land-use planning remains with municipalities.
- ◆ Municipalities are responsible for considering all aspects of planning and development, including those related to economic growth, infrastructure strain, environmental impacts, and others. Changes to provincial legislation and policy to reduce or restrict municipal control over local land-use planning may lead to unintended local and regional consequences.
- ◆ While reducing the ability of municipalities to regulate planning and development processes may result in reduced up-front costs or timelines for developers, doing so may create significant development and safety risks, could undermine the ability of municipalities to provide required services for new developments, and may result in development-related costs being shifted to the broader tax base.
- ◆ While encouraging residential development is an important consideration for the Government of Alberta, any changes to municipal autonomy related to regulating planning and development must be viewed not only through the lens of industry efficiency, but also risk to municipalities and other property owners.
- ◆ Municipalities should be equipped with digital planning tools (e.g. GIS) to improve efficiency and accuracy in land-use management. The province should support access to these technologies in rural areas, including providing training opportunities.

What financial considerations do rural municipalities have with respect to planning and development?

- ◆ As regional planning collaboration increases through the development of Intermunicipal Collaboration Frameworks, some municipalities are investigating regional approaches through voluntary amalgamation or dissolutions. Local autonomy should be supported in cases where all municipalities are willing participants, but such processes should not proceed without research and understanding of the governance, financial, and service delivery implications.

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- ◆ Amalgamations should not be encouraged through provincial financial incentives. Amalgamations should be locally driven based on what is in the best long-term interest of the involved municipalities. Incentivizing amalgamations may lead to existing and future risks and challenges being exacerbated within the newly amalgamated municipality when short-term incentives are no longer available.
- ◆ The ability of a neighbouring municipality to receive a dissolving municipality should be a formal consideration in the viability review process. A municipality should not be forced to take on the financial risks of inheriting a dissolved municipality if they are not equipped to do so.
- ◆ To enable sound planning, promote sustainability, and minimize liability, the province should provide municipalities on the receiving end of a dissolution with information regarding the state of infrastructure in municipalities that are at risk of dissolving, and access to proper funding to address the infrastructure costs inherited as a result of the dissolution process (e.g. aging water and wastewater infrastructure).
- ◆ The RMA continues to support the viability review process, and participates in viability reviews, as a means to support the financial well-being of rural municipalities impacted by the viability challenges of their municipal neighbours.
- ◆ Rural municipalities are champions of development and recognize its financial benefit for municipalities, communities, and Alberta as a whole.
- ◆ Funding models must account for rural realities. Provincial grants programs should be flexible and not rely on per-capita formulas that disadvantage rural municipalities.

What collaborative relationships are essential to rural municipalities in planning and development?

- ◆ Planning and development requires municipalities to have clear bylaws and statutory plans. To create those plans municipalities must engage with citizens and local business owners. Such bylaws and plans should be easily understandable to residents, developers, and industry.
- ◆ Municipalities and the development industry must communicate and collaborate effectively to ensure local land-use planning processes balance municipal oversight of planning with an efficient and streamlined development process. The current planning and development tools in the *Municipal Government Act* allow for this balance and should not be restricted.
- ◆ Although some developments are regulated and approved by provincial bodies such as the Alberta Utilities Commission, Alberta Energy Regulator, Natural Resources Conservation Board, and others, such developments have significant local impacts. It is crucial that provincially regulated developments continue to require approval at the local level and that any appeals of municipal decisions on such properties be directed to local subdivision and development appeal boards, rather than provincial appeal boards.

How does the work of RMA support the sustainability of municipal planning and development?

- ◆ The RMA has produced a position paper outlining the detrimental effects of forced regionalization and highlighting the importance of municipal autonomy or voluntary collaboration in intermunicipal land-use planning.
- ◆ The RMA has produced a member resource titled *Municipal Structures: An Alternative Dialogue for Municipalities in Alberta* which examines the link between various municipal challenges and municipal structures and provides municipalities direction as to when to consider (or not consider) changes to municipal structures as a solution to address various challenges.

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- ◆ The RMA has produced several resources and training options to support municipal planning and development efforts, particularly in relation to changes to the *Municipal Government Act*. These include an Intermunicipal Collaboration Framework toolkit, a Public Participation Policy and Public Notification Guide, Subdivision and Development Appeal Board Training, and an Elected Officials Education Program course focused on land-use and development approvals, and an Off-Site Levies manual.
- ◆ RMA has developed a report examining the financial and non-financial impacts dissolutions have on absorbing municipalities. The report, titled *Post-Dissolution Decision Impact Report*, examines the current viability process and includes a series of recommendations on how to minimize the risks and financial impacts incurred by rural municipalities when absorbing a dissolved municipality.
- ◆ The RMA formed a member committee examining the impacts of development approval decisions made by provincial regulators on local land-use planning. The committee focused on the Alberta Energy Regulator, the Alberta Utilities Commission, and the Natural Resources Conservation Board. The committee released a report, the *RMA Member Committee on Quasi-Judicial Agencies*, which outlined the various challenges municipalities face when working with these agencies. As well, the RMA commissioned a report which reviewed the legislative aspects of quasi-judicial agencies, resulting in a report entitled *Quasi-Judicial Agencies Review Paper*.
- ◆ The RMA formed a member committee to explore member experiences with the Land and Property Rights Tribunal (LPRT), as well as issues RMA has identified in the LPRT's governing legislation and rules. Informed by the findings of the member committee, the RMA recently released a final report, titled *Development Hearings at the Land and Property Rights Tribunal*, which includes recommendations for improving the LPRT's processes and ensuring it aligns with its mandate of providing fair and timely dispute resolution.

What current planning and development-related issues are impacting rural Alberta?

Cost of Development

- ◆ The expanded use of offsite levies (i.e. development levies) through the *Municipal Government Act* should provide greater flexibility to municipalities and ensure that municipalities are able to cover the capital costs of new facilities in new development areas.
- ◆ Prior to creating or expanding an offsite levy regime, it is critical that municipalities understand where planned growth will occur, and the services required to support it. Offsite levies must be collected for a clearly defined purpose within a clearly defined benefitting area.
- ◆ The *Municipal Government Act* and associated regulations include significant requirements for municipalities to consult with stakeholders in developing, calculating and applying offsite levies. These requirements support transparency, and further requirements will be an example of unnecessary red tape being placed on municipalities that may encourage the use of offsite levies.

Planning with Indigenous Communities

- ◆ Effective planning within a region should take into consideration the priorities of both municipalities and Indigenous communities.
- ◆ To promote positive relationships, it is necessary for municipalities to be exempt from paying a flat rate fee to consult with their Indigenous neighbours. RMA has advocated to the government

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on this proposal arguing that requiring a fee to engage with Indigenous communities will only result in animosity and resentment, which is opposite of the intent to build strong relationships.

- ◆ Rural municipalities need clear and consistent direction and leadership from the Government of Alberta and the Aboriginal Consultation Office in the consultation processes to ensure timely and appropriate consultations are completed in connection with municipal development, and without the expectation that municipalities incur punitive financial costs to enter into consultations with neighbouring Indigenous communities.

Quasi-Judicial Agencies

- ◆ Industrial developments have significant impacts on local land-use and any projects being proposed on municipal land should be required to adhere to local land-use planning bylaws. Municipalities dedicate significant resources to develop planning bylaws which reflect the future needs and growth of their community, and any new projects need to fit into these plans.
- ◆ The Government of Alberta and quasi-judicial agencies should work with stakeholders to develop an approach to integrating land-use impact assessments and reclamation requirements into all project approvals. The AER and AUC should adopt NRCB requirements related to aligning projects with municipal development plans, and that the requirements be expanded to include land-use bylaws and intermunicipal development plans.

Disaster Mitigation

- ◆ Land-use planning at the municipal level should consider possible environmental impacts, including the potential for flooding, wildfires, and drought.
- ◆ The development of a Floodway Development Regulation is crucial to ensure a consistent provincewide approach to regulating development in flood-prone areas.
- ◆ Municipal land-use bylaws must be amended to address legislative changes for planning in floodways. Flood mitigation efforts are timely and needed but must involve local governments, comprehensive consultation, and consider both environmental impacts and agriculture considerations.
- ◆ The provincial government should, through extensive consultation, address drought mitigation planning through legislation.
- ◆ RMA encourages municipalities to work with government, residents, and landowners through programs such as FireSmart to plan for and mitigate risks of wildfire.
- ◆ Municipalities must address the increased likelihood of disasters and build resiliency into asset management planning and infrastructure investment decisions.
- ◆ Federal and provincial climate change-related funding should support municipalities to plan and upgrade infrastructure for climate resiliency.

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