



**Bill 28:**  
***Municipal Affairs and  
Housing Statutes  
Amendment Act, 2026***  
**– RMA Analysis**

**April 2026**

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# Bill 28 – Overview

*Bill 28: Municipal Affairs and Housing Statutes Amendment Act, 2026* was introduced to the Legislative Assembly on April 2, 2026. The Bill proposes amendments to the *Municipal Government Act (MGA)*, the *Alberta Housing Act*, the *Libraries Act*, and the *Municipal Affairs Statutes Amendment Act, 2025*.

Bill 28 introduces a wide range of amendments across five major areas of municipal responsibility:

- ◆ **Enabling Growth and Housing:** New provincial requirements intended to support housing development and streamline planning processes
- ◆ **Aggregate Pits:** Limits municipal ability to regulate development of aggregate pits
- ◆ **Seniors Housing:** Broadens reserve requirements and requisitioning scope related to seniors and social housing, and increases power of Minister to determine reserve levels and requisition responsibilities.
- ◆ **Assessment and Property Tax:** Adjustments to regulated assessment, taxation authority, and growth-related cost recovery
- ◆ **Governance and Accountability:** Creation of a new provincial councillor accountability framework and updates to municipal governance processes
- ◆ **Municipal Transparency:** Expanded reporting, disclosure, and information-sharing requirements
- ◆ **Public Institutions:** New provincial oversight mechanisms for public libraries and authority to direct the governance of municipal utilities

Overall, the Bill reflects a shift toward greater provincial involvement in several areas traditionally managed at the local level. While some amendments introduce tools or clarify existing processes, others establish new provincial authorities or standardize municipal practices in ways that may influence how municipalities plan, govern, and deliver services. Some of the changes may be intended, or at least appear positioned, to increase consistency across municipalities, though they may also affect the flexibility municipalities have to set local priorities, make community-specific decisions, and oversee development in a manner that reflects local goals and circumstances – which can differ significantly from community to community.

Several elements of Bill 28 introduce new governance provisions and administrative or requirements, and in many cases the full impact will depend on future regulations. As these regulations are developed, it will be important that the intent behind the changes is clearly defined, that municipalities have the capacity and tools needed to implement them effectively, and that local decision-making remains appropriately supported. Rural municipalities play a critical role in delivering services and maintaining infrastructure, and ensuring that provincial and local approaches remain aligned will be essential to achieving the outcomes envisioned in the legislation.

It is also important to note that many of the changes related to planning and development were the subject of provincial engagements with industry and municipalities in recent years. Many of the engagements, and the specific municipal powers that have since been modified in Bill 28, were discussed through a lens of “red tape reduction” for industry. Despite a lack of data or evidence as to why municipal planning powers posed unreasonable financial or time impacts on industry, and a lack of discussion as to why such powers were required to support proper local planning and development, many of the changes appear to be moving forward. RMA is concerned that many of the changes will have the effect of reducing municipal influence into local planning and development without transferring accountability for such decisions to the provincial level.

## How to Use this Document

This document provides RMA members with a focused overview and analysis of the most significant amendments introduced through Bill 28. It does not include every legislative change. Members seeking clarification or analysis of amendments not covered here are encouraged to contact RMA's Policy and Advocacy Department.

Each amendment summarized in this document includes:

- ◆ **Summary:** A concise explanation of the change and its understood or apparent purpose based on the legislative language.
- ◆ **Previous Status:** The relevant provision as it existed prior to Bill 28, using legislative wording where appropriate or a concise summary.
- ◆ **Amended Status:** The change introduced by Bill 28, presented using the Bill's wording or a concise summary.
- ◆ **Analysis:** RMA's interpretation of how the change may be implemented, including potential considerations, risks, implications, and potential impacts on members.

As noted, in some cases, the "previous" and "amended" descriptions use the exact wording from the relevant Act or from Bill 28. Where the legislative language is lengthy or requires cross-referencing other sections, a clear summary is provided instead.

The analysis reflects RMA's understanding of how each amendment may affect municipal operations, governance, or finances. Where impacts are uncertain or expected to be minimal, the section serves primarily as a descriptive explanation. Where changes are likely to have meaningful implications – or relate to existing RMA positions – the analysis highlights potential risks, opportunities, and considerations for members.

# Overview of Key Legislative Changes

## Enabling Growth and Housing

“Automatic Yes” and Automated Systems, S. 640(2)

Summary	Previous Status	Amended Status	Analysis
<p>These amendments introduce new provisions allowing municipalities to use automated systems for processing and issuing development permits, while also granting the Minister authority to require municipalities to adopt such systems. This establishes a legislative basis for an “automatic yes” framework in which applications meeting predetermined criteria must be approved without discretionary review.</p>	<p>No previous provision.</p>	<p>s. 640(2) A land use bylaw (c.1) may authorize the use of an automated system for making decisions on applications for development permits and issuing development permits, if applicable;</p> <p>(2.1) Notwithstanding subsection (2)(c.1), the Minister may, by regulation, require a municipality to use an automated system referred to in clause (c.1).</p> <p>(2.2) A regulation under subsection (2.1) may apply either generally or specifically.</p>	<p>Section 640(2) establishes the rules municipalities must follow when creating land use bylaws, including the processes used to review and decide development permit applications. Prior to Bill 28, permit decisions were made by municipal development authorities, and the MGA did not contemplate automated approvals. The addition of s. 640(2)(c.1) allows municipalities to adopt automated systems capable of issuing development permits, but the more consequential change is the Minister’s new regulation-making authority under s. 640(2.1) and (2.2) to require individual, several or all municipalities to use such systems.</p> <p>These amendments represent a significant shift in decision-making authority, enabling the province to mandate automated approvals and reduce municipal discretion. While automation may streamline processes, it may also limit municipalities’ ability to consider local context, cumulative impacts, or site-specific issues, and may create operational challenges for rural municipalities with limited technological capacity. It is crucial that this remain an enabling provision for municipalities and not be mandated through a regulation.</p>

Regulation-Making Authority Pertaining to Automated Systems, S. 694

Summary	Previous Status	Amended Status	Analysis
<p>These amendments expand the Minister’s regulation-making authority under s. 694 to include the ability to prescribe processes, timelines, information requirements, and rules governing automated development permit systems.</p> <p>The amendments also allow the Minister to modify statutory requirements in Part 17 through regulation.</p>	<p>No previous provision.</p>	<p>s. 694(1) The Minister may make regulations</p> <p>(a) respecting the use of an automated system for the purposes of section 640, including</p> <p>(i) making decisions on applications for development permits, and</p> <p>(ii) issuing development permits;</p> <p>(a.01) prescribing processes, timelines or other requirements for the purposes of issuing a development permit under section 642(1) or a notice under section 642(4);</p> <p>(a.02) respecting applications for the subdivision and development of land;</p> <p>(h.3) respecting the documents and information that a development authority may require as part of an application under section 683.1;</p> <p>(2.1) Regulations under subsection (1)(a.01) may modify the requirements in this Part to any extent the Minister considers necessary or appropriate to give effect to the regulations.</p>	<p>Section 694 establishes the Minister’s regulation-making authority under the MGA. The amendments to this section significantly expand this authority by enabling the Minister to regulate several core components of municipal planning and development processes. New powers include the ability to establish rules for the use of automated systems in development-permit decision-making under s. 640, prescribe processes and timelines for issuing development permits and notices under s. 642, and create requirements related to subdivision and development applications more broadly.</p> <p>The amendments also authorize the Minister to determine what information a development authority may require when assessing application completeness under s. 683.1. In addition, s. 694(2.1) allows regulations made under s. 694(1)(a.01) to modify statutory requirements in Part 17 (Planning and Development) to any extent the Minister considers necessary.</p> <p>Collectively, these changes provide the Minister with broad discretion to reshape municipal development-approval processes, override existing legislative requirements, and impose province-wide or targeted procedural standards on municipalities. While these tools may be used to streamline approvals and increase consistency, they also reduce flexibility and may limit the ability of rural municipalities to tailor planning and development processes to local capacity and context, and to seek information from applicants necessary to make a proper decision on a development application.</p>

Community Design Codes, S. 640.3

Summary	Previous Status	Amended Status	Analysis
<p>These amendments establish Ministerial authority to create “community design codes” by regulation. These codes may set detailed design and development standards for residential and commercial subdivision, development, and redevelopment.</p>	<p>No previous provision. The MGA did not authorize provincial design codes or provide a mechanism for the Minister to impose detailed design standards on municipalities.</p>	<p>s 640.3(1) Defines a community design code</p> <p>s 640.3(2) Authorizes the Minister to establish one or more community design codes by regulation for residential and commercial subdivision, development, and redevelopment.</p> <p>s. 640.3(3) A design code may:</p> <ul style="list-style-type: none"> <li>• set rules for architectural styles, districting, frontage standards and heights, historical architectural styles, landscaping, parks and open spaces, and parking and street design;</li> <li>• establish adoption procedures;</li> <li>• set alternative approval criteria or timelines.</li> </ul> <p>s. 640.3(4) Unless otherwise stated, a design code:</p> <ul style="list-style-type: none"> <li>• prevails over statutory plans, land-use bylaws, and other Part 17 regulations;</li> <li>• is binding on subdivision and development authorities, appeal boards, and the LPRT.</li> </ul> <p>s.640.3(5) A municipality may adopt a design code by bylaw.</p> <p>s. 640.3(6) The Minister may require a municipality to adopt a design code for all or part of the municipality.</p>	<p>This section introduces a new provincial mechanism that could alter how municipalities regulate subdivision and development, how municipalities and developers collaborate to design new development, and how redevelopment occurs in mature neighbourhoods. By enabling the Minister to establish design codes that supersede municipal plans and bylaws, the amendment shifts authority over planning and design decisions to the province if the Minister enacts a design code regulation.</p> <p>Design codes create the potential for provincially prescribed standards that may not reflect local context, servicing realities, or community priorities. This raises practical concerns about how municipalities will reconcile provincially imposed design requirements with existing land-use plans, redevelopment strategies, or infrastructure constraints.</p> <p>Design codes also add a new regulatory requirement that could affect development feasibility, particularly in capacity-constrained municipalities that may struggle to implement or administer design standards. Without clarity on how codes will be tailored to diverse municipal conditions, the amendment creates uncertainty around future planning autonomy and the degree to which local decision-making will remain respected.</p> <p>It is also important to note that codes may apply to both development of private property (frontage standards, architectural styles, etc.) and public infrastructure (street design, parks, etc.). This further complicates the roles of the province, municipalities, and private developers.</p>

Expansion of Off-Site Levy Exemptions to Charter and Independent Schools, S. 648(1.2)

Summary	Previous Status	Amended Status	Analysis
<p>This amendment broadens the existing exemption from off-site levies for school-related development. The exemption, previously limited to school boards, now applies to charter schools and accredited independent schools, whether they own or lease the land. This standardizes levy treatment across school-authority types and removes municipal authority to recover off-site infrastructure costs for new school sites.</p>	<p>s. 648(1.2) A bylaw may not impose an off-site levy on land required for a school building project that is</p> <ul style="list-style-type: none"> <li>(a) owned by a school board, or</li> <li>(b) leased to a school board in accordance with section 187.1(4)(b) of the Education Act.</li> </ul>	<p>s. 648(1.2) A bylaw may not impose an off-site levy on land required for a</p> <ul style="list-style-type: none"> <li>(a) school building project that is owned by a school board or charter school,</li> <li>(b) school building project that is leased to                             <ul style="list-style-type: none"> <li>(i) a school board in accordance with section 187.1(4)(b) of the Education Act, or</li> <li>(ii) a charter school,</li> </ul> </li> <li>(c) development for a school building on land that is owned by an accredited independent school, or</li> <li>(d) development for a school building on land that is leased by an accredited independent school.</li> </ul>	<p>Section 648(1.2) restricts the ability of municipalities to impose off-site levies on lands used for school building projects. Prior to this amendment, the exemption applied only to land owned by a school board or leased to a school board under the Crown-ownership and leaseback model established in s. 187.1(4)(b) of the <i>Education Act</i>, which ensures school authorities retain a defined legal interest in new school sites even when title is held by the Crown.</p> <p>The amendment broadens the exemption to include charter schools and accredited independent schools, whether they own or lease the land. As a result, municipalities are prohibited from imposing off-site levies on any land used for constructing a school building across all major school-authority types.</p> <p>The expanded exemption means municipalities cannot apply off-site levies to any school-related development, regardless of ownership or lease structure, limiting the tools available to fund infrastructure required to accommodate new school sites.</p>

Off-Site Levy Restrictions, S. 648(2.11)

Summary	Previous Status	Amended Status	Analysis
<p>These amendments clarify which costs off-site levies cannot fund. While the MGA previously identified eligible levy uses, it did not specify excluded categories. The new provisions explicitly prohibit using levy revenues for operational expenses, non-essential commercial components, movable items, and capital upgrades that exceed required building-code standards.</p>	<p>No previous provision. The MGA listed eligible off-site levy categories but did not identify specific costs that were excluded off-site levies.</p>	<p>s. 648(2.11) An off-site levy may not be used to pay for the following:</p> <ul style="list-style-type: none"> <li>(a) operational costs;</li> <li>(b) capital costs relating to commercial retail facilities included in the design of a facility referred to in subsection (2) or (2.1) that are not required to deliver the facility’s core services;</li> <li>(c) anything not permanently affixed to a facility referred to in subsection (2) or (2.1);</li> <li>(d) capital costs referred to in subsection (2) or (2.1) incurred to build to a standard higher than the standard required under any applicable building codes.</li> </ul>	<p>Section 648(2.11) restricts the types of costs that can be funded through off-site levies, excluding operational expenses, non-essential commercial elements within public facilities, movable items, and infrastructure built to a higher standard than required by code. While intended to tighten levy eligibility, these restrictions may limit municipal discretion in project design, reduce the ability to incorporate community-desired features, and create challenges for municipalities seeking to deliver infrastructure that reflects local needs or long-term planning objectives.</p>

Charter School Access to Reserve Land, S. 671

Summary	Previous Status	Amended Status	Analysis
<p>Charter schools are tuition-free, autonomous public schools operated by a non-profit society rather than an elected school board, usually offering specialized or enhanced programming.</p> <p>This amendment will allow charter schools to have access to reserve and municipal land in developing communities in the same way that public, separate (Catholic), and Francophone school boards do.</p>	<p>s. 671(2) Municipal reserve, school reserve or municipal and school reserve may be used by a municipality or school board or by them jointly only for any or all of the following purposes:</p> <p>(a) a public park;</p> <p>(b) a public recreation area;</p> <p>(c) school board purposes;</p> <p>(d) to separate areas of land that are used for different purposes.</p>	<p>Section 671 is amended by adding the following after subsection (2):</p> <p>s. 671(2.01) A charter school may use municipal reserve, school reserve or municipal and school reserve for the operation of the charter school.</p>	<p>This amendment, which allows charter schools to use municipal, school, and municipal/school reserve land introduces opportunities and challenges. Rural municipalities often have limited reserve parcels, many of which are already planned to be used for parks, community facilities, or future school sites for other school boards. Adding charter schools as eligible users increases competition for this land and may complicate long-term planning, especially since charter schools operate outside of the traditional communication and planning channels that exist between the Government of Alberta, municipalities and local school boards.</p> <p>Charter schools bring diverse educational opportunities to rural families and the benefits of this should not be ignored. However, this change will require rural municipalities to think carefully about how they allocate reserve land, how they manage infrastructure obligations, and how they balance community needs with the interests of charter school providers.</p>

Development Permit Statistics, S. 683.2

Summary	Previous Status	Amended Status	Analysis
<p>Beginning in 2027, municipalities with populations over 15,000 must annually publish detailed development permit statistics, including application volumes, processing timelines, and comparisons to statutory requirements.</p>	<p>No previous provision.</p>	<p>s. 683.2 Commencing in 2027, on or before March 31 of each year, each municipality with a population of more than 15 000 people must publish the following on the municipality’s website in respect of the previous calendar year:</p> <p>(a) the total number of applications for development permits that were received;</p> <p>(b) the total number of development permits issued;</p> <p>(c) the average and median number of days from when an application for a development permit was received to when the application is determined, deemed or acknowledged to be complete under section 683.1(1), (4) or (7), as the case may be, or deemed to be refused under section 683.1(8);</p> <p>(d) the average and median number of days from when an application was determined, deemed or acknowledged to be complete under section 683.1(1), (4) or (7), as the case may be, to when a development permit is issued under section 642(1) or (2) or refused under section 642(2) or 684(3), as the case may be;</p> <p>(e) a comparison between the averages in clauses (c) and (d) to required timelines in sections 683.1(1) and 684(1).</p>	<p>This amendment introduces a new annual reporting requirement for municipalities with a population over 15,000, mandating the publication of detailed development permit statistics and processing timelines. While the information may support transparency and provide the public with clearer insight into how municipal performance aligns with statutory timelines, it also represents an additional administrative obligation.</p> <p>Producing and publishing the mandated statistics may require new tracking systems, staff time, and administrative processes. This adds to municipal workload without clear evidence that the reporting itself will improve development outcomes or meaningfully support housing supply.</p> <p>Alberta’s municipalities already lead the country in housing growth, and provincial requirements should support rather than constrain the local planning processes that enable this success. New reporting obligations may increase administrative burden and costs, particularly if not accompanied by provincial support or flexibility. It may also result in a focus on approval speeds at the cost of proper review of applications, introducing both planning and safety risks. Ensuring that these requirements are implemented in a way that is practical, proportionate, and aligned with municipal capacity will be important to avoid unintended impacts on local development processes.</p>

Restrictions on Non-Statutory Planning Studies, No MGA Section (Future Regulation)

Summary	Previous Status	Amended Status	Analysis
<p>While Bill 28 does not include legislation restricting the use of non-statutory plan requirements, the Government of Alberta has informed RMA and other municipal stakeholders of an intention to develop a future regulation addressing the use of non-statutory studies in the development approval process.</p>	<p>No legislative provisions addressed non-statutory studies, and municipalities retain discretion to require supporting studies as part of development and subdivision applications.</p>	<p>Bill 28 does not amend the MGA with respect to non-statutory studies. The only change is a stated intention to develop a future regulation.</p> <p>S. 694(1)(f.1), which already exists in the MGA, allows the Minister to make regulations respecting the types of studies that a development authority is able to require.</p>	<p><a href="#">Municipal Affairs’ Bill 28 Information Guide</a> indicates that future regulatory work will build on related Bill 28 amendments intended to “reduce unnecessary costs and delays” and will examine the role of non-statutory studies to “further streamline approvals.”</p> <p>It is unclear how the province intends to determine which studies are considered unnecessary, or how limits on study requirements would account for local conditions. Municipalities rely on non-statutory studies to ensure development is safe, appropriately serviced, and compatible with surrounding land uses. Restricting these tools could reduce municipal ability to manage growth responsibly, address site-specific risks, or require information needed to make informed planning decisions. While it is possible some non-statutory studies are requested unnecessarily by one or a small number of municipalities, prohibiting or restricting their use on a provincewide basis could introduce significant local risks.</p> <p>Further detail will be needed to understand the scope of any proposed restrictions and their implications for municipalities. RMA plans to advocate for the Government of Alberta to not move forward on this change and maintain local autonomy to gather information required to make informed development decisions. Continued engagement with Municipal Affairs will be important as the regulatory framework is developed.</p>

## Enabling Growth and Housing: RMA Analysis

### Initial Reaction

The amendments within this theme signal a substantial shift toward increased provincial oversight of municipal planning, development approvals, and growth-related infrastructure decisions, many of which reflect lobbying efforts from the development industry. While framed as a measure to support development, accelerate housing supply, and streamline processes, many of the changes introduce new provincial mechanisms that can override or constrain local planning processes and impose uniform standards across diverse municipal contexts.

At the same time, municipalities are expected to meet new administrative and reporting obligations while losing flexibility in how they manage growth and fund supporting infrastructure. Expanded off-site levy exemptions and restrictions, and potential limits on non-statutory studies reduce the tools municipalities rely on to ensure development is safe, financially sustainable, and aligned with long-term plans.

Taken together, these amendments prioritize speed and provincial control over local expertise, community context, and long-term planning considerations. They also create a risk that municipalities will be held accountable for costs, delays, or infrastructure pressures they can no longer fully control – effectively downloading new responsibilities without committed funding or support. The result is a more centralized system that will likely create challenges for municipalities already working efficiently to support responsible development.

### Autonomy Impact

The Minister's authority to require automated permit systems, prescribe approval processes, and establish community design codes that override statutory plans and land-use bylaws represents a significant rebalancing of planning power from municipalities to the province. Expanded regulation-making authority under s. 694 allows the Minister to set or modify core components of development-approval processes, including timelines, information requirements, and even statutory provisions in Part 17 (Planning and Development).

Financial autonomy is also reduced. Off-site levy exemptions for charter and independent schools limit municipal ability to recover infrastructure costs associated with growth, while new restrictions on levy-eligible expenses narrow the scope of what municipalities can fund. Granting charter schools access to reserve land introduces additional competition for community-serving land assets, complicating long-term planning.

Mandatory reporting requirements and potential future limits on non-statutory studies further constrain how municipalities manage their planning processes and assess development impacts. Collectively, these changes reduce municipal discretion in both planning and financial decision-making, increasing provincial oversight and limiting the ability to tailor growth management to local conditions.

## Rural Impact

While most of the changes in this section appear intended to address residential development in urban communities, rural municipalities are likely to feel these changes more acutely due to limited administrative capacity, higher per-capita infrastructure and servicing costs, and fewer technological resources. Requirements such as automated approval systems and expanded reporting may be difficult to implement in some rural communities, and could ultimately increase costs and red tape for municipalities that process a small amount of permits. Provincially imposed design standards may not reflect local development patterns, servicing realities, or rural property owner preferences. These pressures are amplified by rural geographic realities, where long distances, limited serviced land, and aging infrastructure mean that even modest growth can create significant operational demands.

Overall, the cumulative effect is a greater administrative and financial burden on rural municipalities, combined with reduced flexibility to manage growth and support responsible development in ways that reflect local conditions.

## Aggregate Pits

### Pit Applications Under the EPEA, S. 619.1(1)-(2)

Summary	Previous Status	Amended Status	Analysis
<p>This amendment specifies the connection between the <i>Environmental Protection and Enhancement Act</i> (EPEA) and the <i>Municipal Government Act</i> (MGA) is administered by the Director (as defined in the EPEA) and their authority under the EPEA</p>	<p>No previous provision.</p>	<p>619.1(1) In this section,  (a) “Director” means a Director as defined in the <i>Environmental Protection and Enhancement Act</i>;  (b) “registration” means a registration issued by a Director under section 68 of the <i>Environmental Protection and Enhancement Act</i>.</p>	<p>Section 619.1(1) confirms the connection between the <i>Environmental Protection and Enhancement Act</i> (EPEA) and MGA and provides some clarity around roles and responsibilities. However, RMA is concerned that this provides the Director and Alberta Environment and Protected Areas with a level of authority that appears to exceed that of other agencies listed in section 619. The NRCB, ERCB, AER, AEUB and AUC are now required, to varying degrees, to consider municipal statutory plans in their decision making. There is no similar requirement under section 68. Rather, “the Director may issue approval subject to any terms and conditions the Director considers appropriate”.</p>
<p>This amendment introduces the concept of provincial prevalence over pit developments and permits, overriding municipal statutory plans, land use bylaws, subdivision decisions, development permits, appeals or LPRT decisions.</p>	<p>No previous provision.</p>	<p>619.1(2) A registration in respect of a pit prevails, in accordance with this section, over any statutory plan, land use bylaw, subdivision decision or development decision by a subdivision authority, development authority, subdivision and development appeal board, or the Land and Property Rights Tribunal or any other authorization under this Part.</p>	<p>Section 619.1(2) establishes a provincial level primacy for pit registrations issued under section 68 of the EPEA. This would ensure that EPEA registrations override any municipal statutory plans, land-use bylaws, subdivision decisions, development permits, or Tribunal decisions.</p> <p>This shifts decision making authority to the province and infringes on municipal jurisdiction. It limits the ability to ensure that local factors, risks and impacts associated with improper pit developments or operating practices are mitigated. Without a requirement on the Director to give due consideration to municipal planning documents, this risks longer term unintended consequences for land use and management. It undermines the municipality’s ability to balance economic growth, infrastructure needs, environmental constraints, and community expectations.</p> <p>The amendment also goes beyond recommendations or areas noted for further discussion from the Sand and Gravel Task Force.</p>

Pit Applications Under the EPEA, S. 619.1(3)

Summary	Previous Status	Amended Status	Analysis
<p>This amendment requires the municipality to approve the pit application and amend their statutory plans and bylaws to accommodate the development.</p>	<p>No previous provision.</p>	<p>619.1(3) When a municipality receives an application for a statutory plan amendment, land use bylaw amendment, subdivision approval, development permit or other authorization under this Part and the application is consistent with a registration in respect of a pit, the municipality must approve the application to the extent that it complies with the registration.</p>	<p>Section 619.1(3) requires a municipality to approve pit applications and amend their planning documents to align with the registration. Municipalities cannot amend the plan or matters that have been approved by the Director. This amendment effectively requires the municipality to amend their planning and zoning framework to prioritize aggregate development. This may have effects for local infrastructure such as roadways. It also undermines long-term planning undertaken by the municipality. RMA does not support provisions that reduce municipal autonomy.</p> <p>Overriding municipal statutory planning instruments may lead to greater land use conflict in the long term. It limits the ability of rural municipalities to tailor planning and development processes to local factors. The amendment may provide greater short-term certainty for industry, but it increases uncertainty for municipalities and residents particularly in the absence of any long-term planning.</p> <p>It may also place the Council in direct conflict with residents who may not support prioritization of aggregate development over other land uses.</p> <p>It is unclear how matters not covered under the EPEA, Water Act or Conservation and Reclamation Regulation will be addressed (e.g., whether other matters remain within a municipality’s jurisdiction) and whether or how those matters should be assessed for consistency or compliance with a registration.</p>

Pit Applications Under the EPEA, S. 619.1(4)

Summary	Previous Status	Amended Status	Analysis
<p>Municipalities must decide on statutory plan or land use bylaw amendments within 90 days unless a longer timeline is agreed to, and they are no longer required to hold a public hearing when the amendment is triggered by a pit registration issued by the Director.</p>	<p>No previous provision.</p>	<p>619.1(4) An approval of a statutory plan amendment or land use bylaw amendment under subsection (3)</p> <p>(a) must be granted within 90 days after receipt of the application or a longer time agreed on by the applicant and the municipality, and</p> <p>(b) is not subject to the requirements of section 692 unless, in the opinion of the municipality, the application relates to matters not included in the registration.</p>	<p>Section 619.1(4) introduces a 90-day timeframe for approval and integration of amendments. The 90-day timeframe does not appear to be based on historical application processing data or other evidence. While aggregate pits have typically been classified as “low risk” development by EPA, there is no clear provision for more complex applications or higher risk developments, particularly if a longer time cannot be agreed upon.</p> <p>Section 692 requires council to hold a public hearing on a proposed bylaw or amendment. As section 619.1(4)(b) would no longer require municipalities to hold a public hearing, broader public input, intervenor participation and public accountability is removed. This poses a risk to the municipality, particularly if the community is not aware of the shift in provincial regulatory oversight. This risk is further increased due to the lack of clarity as to whether the provincial approval process will be broadened to allow for greater municipal or public input.</p> <p>The municipality can hold a public hearing if it is of the opinion that the application relates to matters not included in the registration. However, it is not clear what those matters can include. It is also not clear whether the outcome of the hearing and any public input can be properly accounted for by the municipality if the registration prevails over any municipal statutory plan, land use bylaw or development decision. In other words, a hearing is unlikely to change the outcome.</p>

Pit Applications Under the EPEA, S. 619.1(5)-(6)

Summary	Previous Status	Amended Status	Analysis
<p>This amendment allows municipalities to include conditions in the subdivision approval or development permit as long as they have been previously set out in their decision-making frameworks and do not conflict with the pit registration.</p>	<p>No previous provision.</p>	<p>619.1(5) A subdivision approval or development permit under subsection (3) may include one or more conditions permitted under section 640(2)(c)(iv) or 655 if the condition does not conflict with the registration.</p>	<p>Section 619.1(5) retains some municipal planning authority and provides for the inclusion of conditions in a subdivision approval or development permit that do not conflict with the registration. Clarity is needed regarding what conditions are regulated under provincial legislation and which remain under municipal authority. For example, dust is regulated at both the provincial and municipal level but for different purposes.</p> <p>Section 640(2)(c)(iv) requires that a municipality’s land use bylaw establish a decision-making framework for development permit applications, including the conditions that may be attached to a permit. This provision ensures that the bylaw sets out both the general and permit-specific conditions a development authority may impose, providing a clear statutory basis for conditioning approvals and regulating how development permits are issued. It will be important that the decision-making framework is not overridden or modified by the registration.</p> <p>Section 655 sets out conditions of subdivision approvals.</p>
<p>This amendment specifies if the municipality holds a public hearing, the hearing cannot engage on matters already decided on by the Director under the EPEA.</p>	<p>No previous provision.</p>	<p>619.1(6) If a municipality that is considering an application under subsection (3) holds a hearing, the hearing may not address matters already decided by a Director in the registration, except as necessary to determine whether an amendment to a statutory plan or land use bylaw is required.</p>	<p>Section 619.1(6) states that if a municipality holds a hearing, the hearing can only be held to determine whether an amendment to a statutory plan or land use bylaw is required. Any matters decided by a Director in the registration cannot be discussed or modified.</p> <p>However, section 619.1(4)(b) states that a municipality can hold a public hearing if it is of the opinion that the application contains matters not included in the registration. Further clarity is required.</p>

Pit Applications Under the EPEA, S. 488 (1) and 619.1(7)-(12)

Summary	Previous Status	Amended Status	Analysis
<p>These amendments introduce the process by which the LPRT can hear appeals related to aggregate registrations and municipal approvals. There are numerous changes that formalize give the LPRT expanded powers to make decisions in cases of dispute between municipalities and aggregate proponents with a registration.</p>	<p>No previous provisions.</p>	<p>MGA S. 488(1) and S. 619.1(7) – (12):</p> <ul style="list-style-type: none"> <li>• give the LPRT authority to hear cases where municipal statutory plans are not amended to enable an EPA registration</li> <li>• define the appeal application process</li> <li>• establish hearing timelines</li> <li>• establish that the scope of a hearing is limited to whether or not a statutory plan conflicts with a registration</li> <li>• give the LPRT authority to order a municipality to revise a statutory plan</li> <li>• includes clarity that an LPRT decision may be appealed to the Alberta Court of Appeals</li> </ul>	<p>These amendments give the LPRT authority to hear and make decisions in the case where an aggregate proponent with an EPA registration may appeal a municipal decision in the case that municipal statutory plans conflict with the EPA registration or municipal approvals have not met the set timelines. Additionally, the amendments do not specify under S. 494 that the chair of the LPRT must notify any assessed person of a hearing related to aggregate pits, limiting local input.</p> <p>RMA previously published a report regarding the LPRT that highlights concerns with some of their processes. Introducing aggregate approval appeals to the LPRT may necessitate further review to ensure procedural fairness.</p>

## Aggregate Pits: RMA Analysis

### Initial Reaction

The amendments creates a binding process that ensures municipal planning instruments cannot contradict or impede provincially approved pit registrations. Pit registrations under the *Environmental Protection and Enhancement Act* (EPEA) override any conflicting municipal statutory plans, land-use bylaws, subdivision decisions, development permits, or LPRT decisions. The proposed amendments do not require the Director to consider municipal statutory plans in their decision-making process. As a result, the Director/EPA has more discretion under section 619.1 compared to the quasi-judicial agencies under section 619, as entities such as the NRCB and AUC have some level of consideration for municipal plans within their approval processes; the EPEA does not.

RMA does not support provisions that increase provincial overreach and limit municipal autonomy. Rural municipalities require the ability to make decisions that reflect local priorities without provincial interference or external pressures. While a municipality retains some oversight on conditions that may be attached to a development permit or subdivision approval, these conditions cannot conflict with a provincially approved registration. Further clarity is required on the differentiation of responsibilities between the province and municipalities, particularly regarding development impacts that may fall outside previous provincial legislative and regulatory requirements, or that fell under both provincial and municipal jurisdiction but for different purposes.

### Autonomy Impact

Municipalities will be required to approve a pit application to the extent that it aligns with the provincial registration under the EPEA with limited ability to include local conditions or hold public hearings. Municipal approvals must meet prescribed timeframes.

These changes raise concerns about continued erosion of municipal land use authority, reduced local decision-making, and restricted opportunities for community input. The amendment effectively requires the municipality to amend their planning and zoning framework to prioritize aggregate development. It undermines long-term planning undertaken by the municipality and may lead to greater land use conflict in the future, increasing uncertainty for municipalities, residents and other prospective developers. The amendment does not go as far as reserving land in advance of aggregate pit developments, but establishing provincial level primacy in pit developments sets a precedence for further intrusion into local land use decisions.

### Rural Impact

Aggregate extraction occurs primarily within rural municipalities, and has a history of creating land use conflicts in some municipalities. Limited ability to hold public hearings or to engage on any matters already decided on by the Director restricts input from those directly affected by the pit operation, such as neighbouring rural businesses, farms, and residential developments. Shifting greater authority to the province can impact rural municipalities' long-term planning for economic growth, housing and infrastructure.

## Seniors Lodges

### New Definitions Related to Seniors Lodges, S. 1 (*Alberta Housing Act*)

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 introduces the ability for the Minister to define an “operating reserve fund by regulation. This amendment enables subsequent changes in the Act that allow housing management bodies to requisition municipalities for operating reserve funds for lodge (seniors) accommodation. It is unclear whether a regulation will be developed to define what the fund includes or how it can be used.</p>	<p>No previous provision.</p>	<p>1(h.1) “operating reserve fund” means an operating reserve fund as defined in the regulations;</p>	<p>Bill 28 introduces important housing terminology to the <i>Alberta Housing Act</i> (AHA) but leaves the definition to potential forthcoming regulation, giving the Minister broad discretion over how these terms are interpreted. Operating reserve funds are currently utilized for seniors’ housing, however, this has occurred without any legislative or regulatory parameters. The content and permitted uses of the newly defined operating reserve fund for lodge (seniors) accommodations are left entirely to regulation, meaning that the practical rules will be set later and can be changed without returning to the legislature. This leaves municipalities and housing management bodies uncertain about how the fund may actually function.</p>
<p>Amendments through Bill 28 allow for the Minister to define “social housing accommodation” through regulation.</p>	<p>No previous provision.</p>	<p>1(h.2) “social housing accommodation” means a social housing accommodation as defined in the regulations.</p>	<p>Bill 28 allows for the Minister to define “social housing accommodation” through regulation. “Social Housing Accommodation” is not currently defined in the AHA, however, it is used in the Act as a housing type separate from “affordable housing accommodation”, which the Minister has authority to designate. Currently, the Minister cannot designate social housing accommodation as affordable housing accommodation. It is unclear how the newly introduced definition powers may change this relationship and what the practical impacts will be.</p>

Requisition Scope, S. 7 (Alberta Housing Act)

Summary	Previous Status	Amended Status	Analysis
<p>This amendment limits the scope of lodge accommodation management bodies to request municipal contributions for reserve funds. As discussed below, s. 34(1)(c)(iii.1) gives the Minister authority to regulate reserve funds. As such, it appears that s. 7(1) is amended to remove the ability of a housing body to create new types of reserve funds that they can requisition municipalities for. Going forward, these bodies may only request amounts necessary to cover their annual operating deficit under this provision.</p> <p>Allocations to reserve funds will now operate under the newly added s. 7.1 (Requisitions – capital maintenance reserve fund, capital reserve funds and operating reserve fund for lodge accommodations) described below.</p>	<p>7(1) On or before April 30 in any year a management body that provides lodge accommodation may requisition those municipalities for which the management body provides lodge accommodation for</p> <p>(a) the amount of the management body’s annual deficit for the previous fiscal year arising from the provision of lodge accommodation, and</p> <p>(b) any amounts necessary to establish or continue a reserve fund for the management body.</p>	<p>7(1) Each year, on or before April 30, a management body that provides lodge accommodation may requisition those municipalities for which the management body provides lodge accommodation for the amount of the management body’s annual deficit for the previous fiscal year arising from the provision of lodge accommodation.</p>	<p>This amendment shifts the legislative authority for an HMB to requisition municipalities for a reserve fund to a new sub-section (7.1(1)). The details of the new sub-section are covered below, however, it appears that the result of the change is that there are additional parameters on what types of reserve funds an HMB can requisition a municipality for.</p> <p>Additionally, s. 34(1)(c)(iii.1) gives the Minister regulation making authority related to the types of reserve funds a housing body can requisition a municipality for. Correspondingly, s. 7(1) removes the ability of a housing body to requisition a municipality for new reserve funds. This change may improve clarity on what an HMB can requisition for.</p>

HMB Requisitioning Authority, S. 7.1 (Alberta Housing Act)

Summary	Previous Status	Amended Status	Analysis
<p>The introduction of section 7.1 (Requisitions – capital maintenance reserve fund, capital reserve funds, and operating reserve fund for lodge accommodations) allows an HMB to requisition its member municipalities each year for the amount needed to meet the Minister-required minimum in the capital maintenance reserve fund, and with municipal approval, additional amounts for capital, operating, or extra capital maintenance reserves. The Minister may also require other municipalities that were previously uninvolved to contribute to these funds.</p> <p>Once a municipality receives written notice of their requisition, they must pay within the timeframe set by the Minister. Any unpaid amount will be subject to interest and will become a debt owed to the HMB by the municipality.</p>	<p>No previous provision.</p>	<p>Section 7.1(1) outlines that an HMB that operates lodge accommodations can requisition the municipalities it serves annually, by April 1, for:</p> <ul style="list-style-type: none"> <li>• Required capital maintenance funds (the amount the Minister determines must be in the capital maintenance reserve).</li> <li>• Additional reserve funds (ie. capital reserve funds, operating reserve funds, and extra capital maintenance funds beyond the required minimum) if the municipalities agree.</li> </ul> <p>Municipalities will still decide how to split costs. If they cannot agree, the cost is shared based on each municipality’s share of total equalized assessment.</p> <p>The Minister can also order municipalities not originally requisitioned by the HMB to contribute.</p> <p>Once a Municipality receives written notice of the requisition, they must pay within the timeframe set by the Minister. Interest will apply if the timeframe is not adhered to, at a rate also set by the Minister. The unpaid amount plus interest will become a debt owed to the HMB by the municipality.</p>	<p>The new requisition framework significantly reshapes the financial relationship between municipalities, HMBs, and the Government of Alberta. HMBs must now meet provincially determined minimum reserve levels, which could increase annual requisition amounts. This introduces an uncertain financial obligation for municipal budgeting and may force municipalities to make difficult financial decisions related to service delivery or increasing property taxes.</p> <p>This shift also changes how municipalities may participate in long-term planning for seniors housing. Because management bodies can request additional reserve contributions only with municipal approval, municipalities retain some influence, but the baseline obligations are set by the Minister. This means that municipalities may have less ability to shape capital planning priorities or negotiate contributions based on local circumstances.</p> <p>The Minister’s authority to add new contributing municipalities introduces another layer of uncertainty. A municipality that has not historically funded a lodge could suddenly be required to contribute, potentially without a role in governance or planning. This could strain intermunicipal relationships and further complicate budgeting processes.</p>

Regulation-Making Authority Related to Reserves, S. 34 (*Alberta Housing Act*)

Summary	Previous Status	Amended Status	Analysis
<p>S. 34 outlines the Minister’s regulation-making authority within the affordable housing framework. These amendments update the authority to reflect the new reserve fund structure, allowing the Minister to regulate capital maintenance reserve funds, capital reserve funds, and operating reserve funds for lodges, social housing, and other accommodations.</p>	<p>34(1)(c)(iii.1) respecting reserve funds for management bodies that provide lodge accommodation;</p>	<p>s. 34(1)(c)(iii.1) respecting capital maintenance reserve funds, capital reserve funds and operating reserve funds for management bodies that provide:</p> <p>(A) lodge accommodation, or</p> <p>(B) social housing accommodation other than lodge accommodation,</p>	<p>This amendment expands the Minister’s authority to regulate all types of housing reserve funds, which have indirect but potentially significant impacts on municipalities. By allowing the GOA to set detailed rules for capital maintenance, capital, and operating reserve funds through regulation, municipalities may face new or adjusted funding requirements which are currently unknown. Future provincial regulations could directly influence the size, structure, and reporting expectations of the reserve contributions municipalities are required to support.</p>

## Seniors Lodges: RMA Analysis

### Initial Reaction

Bill 28 centralizes significant decision-making authority with the Minister by introducing key definitions and rules for reserve funds into regulations rather than through legislation. This creates uncertainty for municipalities because major financial and operational decisions for lodges can now be changed without legislative oversight. The Bill also introduces new unknowns around reserve fund requirements, minimum levels, and future requisition expectations. Overall, municipalities are likely to face increased requisitioning requirements, with greater provincial involvement in setting total amounts and contribution levels among participating municipalities.

### Autonomy Impact

Changes through Bill 28 reduce municipal autonomy in several ways. By allowing the Minister to redefine “social housing accommodation” and to set standards surrounding reserve funds through regulation, municipalities lose influence over their housing responsibilities and the finances that support them. The ability of HMBs to requisition municipalities is now tied to provincially determined reserve fund rules, which will likely limit municipal discretion in long-term planning, budgeting, and negotiating. The Minister’s authority to add new contributing municipalities puts further limits on local autonomy, as municipalities may be required to fund housing assets that they did not help plan, govern, or approve. It appears that changes related to seniors lodges through Bill 28 shifts responsibility away from municipalities and towards the province, creating a high level of uncertainty. Additionally, new references to capital-related reserves suggest that at an increased portion of responsibility for capital maintenance will be downloaded onto municipalities moving forward.

### Rural Impact

Rural municipalities are likely to feel the effects of these changes because any increase or fluctuation in requisition amounts introduces a level of budgetary uncertainty in the short term and has the potential to create long term implications. The Minister’s ability to add new contributing municipalities could pull smaller rural municipalities into funding arrangements without prior involvement, putting pressure on tight budgets and potentially creating intermunicipal tension. With key lodge and reserve fund rules now set through regulation, rural municipalities face a level of uncertainty that they may be less equipped to handle, especially with limited administrative capacity and fewer financial resources.

## Assessment and Property Tax

### Clarification of “Equity” Within the Regulated Assessment Model, S. 293

Summary	Previous Status	Amended Status	Analysis
<p>The addition of s. 293.1 clarifies how “equity” is determined among properties that are assessed using the regulated model.</p> <p>The new section clarifies that the assessment outcome (assessed value) is not relevant in determining whether assessment among properties is equitable; what is relevant is that the regulated assessment process was appropriately followed.</p> <p>The section also clarifies that the value of a property based on other valuation models is not relevant to defining whether its valuation under the regulated model is equitable.</p>	<p>No previous provision.</p>	<p>s. 293(1.1) For the purposes of subsection (1), an assessment of designated industrial property or machinery and equipment is not unfair or inequitable if</p> <p>(a) the assessor has applied the valuation and other standards and followed the procedures set out in the regulations, and</p> <p>(b) the assessment differs from the assessment of comparable properties or from the results that would be obtained by using other valuation standards</p>	<p>The addition of s. 293 (1.1) is an important and welcome change for municipalities, as it provides clarity as to how equity among regulated properties is defined within the regulated assessment model. Municipal and some industry stakeholders have long held different views on how to determine equity among properties assessed using regulated methods. Municipal stakeholders, including RMA, have taken the position that “equity in process” should be used for regulated assessment, as the regulated model is, by definition, not market-value based, therefore comparing the outcomes of the assessment process (assessed values) should not be relevant as long as the assessment for all properties properly follows the process and methodology prescribed the Minister. In other words, equitable treatment for property owners means that the assessment was conducted appropriately based on the prescribed methodology; the outcomes of the assessments are irrelevant.</p> <p>Some industry stakeholders have argued that equity among properties should be based on their assessed value, or “equity in outcome.” This is a common concept in market value-based assessment models, but because the regulated methodology is specifically designed to not follow market value approaches, applying an equity in value lens to regulated assessment would undermine the process and may require artificial adjustments to assessed values of some properties even if the prescribed assessment methods are followed.</p> <p>This addition will support consistency and objectivity in the regulated assessment model moving forward.</p>

Regulation-Making Authority for Regulated Property Categories, S. 322(1)(d.4) and (e.101)

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 amends s. 322(1) to expand the Minister’s regulation-making authority related to developing categories for regulated property types and applying valuation methodologies for the various categories, as well as addressing “grandfathering” of assessments for existing regulated properties when regulated assessment processes and methodologies are changed, which could have significant and sudden impacts on the assessment value of existing properties.</p>	<p>S. 322(1) did not include specific regulation-making provisions related to categorizing regulated properties or to grandfathering of properties when regulated assessment methodologies or processes are updated.</p>	<p>S. 322(1) is amended to include several subsections providing the Minister with new regulation-making powers, including:</p> <p>(d.4)(i-iii) which allows the Minister to divide regulated property into multiple categories for assessment and assign valuation and other standards that assessors must follow when assessing property in the categories.</p> <p>(e.101)(i-ii) which allows the Minister to apply previous valuation standards or assessments to properties assessed under the regulated model.</p>	<p>The changes to section 322 are intended to support continuation of the assessment model review (AMR) and allow for the Minister to mitigate the impacts of changes to the assessment model on existing properties with a history of assessment under the previous methodology. The Minister has already stated that changes to methodology to determine a regulated property’s base construction costs will only apply to properties that are built, or receive significant capital upgrades, after January 1, 2027. All other properties will continue to have their base costs determined using the previous methodology. This will be allowable based on the addition of s. 322(i)(e.101).</p> <p>The addition of the explicit ability for the Minister to develop more property categories for the purposes of regulated assessment requires further explanation from Municipal Affairs as part of the AMR process. While this may be helpful in allowing more accurate and targeted assessment methodology to be developed for new or emerging regulated property types (such as renewable energy developments and data centres), the reference to “valuation standards” could be interpreted as allowing the Minister to, by regulation, direct an assessment methodology that strays from the cost-based valuation standard applied to regulated property. It is also concerning in the context of the Minister’s statements indicating an interest in pursuing a new property class for mature oil and gas assets.</p>

Property Tax Sub-Class Prohibition, S. 297 & 297.1

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 amends s. 297 to restrict how municipalities may use residential property sub-classes. Municipalities may still create sub-classes within the residential class, but any sub-class for non-primary-residence (NPR) properties cannot be assigned to properties owned wholly or partly by individuals who reside in Alberta. A new transitional section, s. 297.1, requires municipalities to amend any non-compliant bylaws for the 2026 taxation year and correct any resulting assessment or tax errors.</p>	<p>s. 297(2) A council may by bylaw divide class 1 into sub-classes on any basis it considers appropriate, and if the council does so, the assessor may assign one or more sub-classes to property in class 1.</p> <p>(2.01) [did not exist]</p> <p>(2.02) [did not exist]</p> <p>s. 297.1 [did not exist]</p>	<p>New s. 297(2.01) prohibits assessors from assigning an NPR sub-class to any residential property owned wholly or partly by individuals who “reside in Alberta,” defined in s. 297(2.02) as living in Alberta for at least 183 days in the current or previous year and not intending to reside elsewhere. NPR sub-classes may therefore only be applied to properties owned by non-residents.</p> <p>s. 297.1 establishes a transitional process requiring municipalities to amend any non-compliant residential sub-class bylaws for the 2026 taxation year within 45 days, correct any resulting assessment or tax errors, and provide amended bylaws to the Minister. If passed, this amendment is deemed to have come into force on January 1, 2026.</p>	<p>These amendments introduce a substantive limitation on municipal authority to differentiate tax treatment within the residential class. While municipalities may continue to create NPR sub-classes, these sub-classes can no longer be applied to properties owned wholly or partly by individuals who meet the statutory definition of residing in Alberta. In effect, NPR sub-classes become a tool that can only be applied to properties owned by non-residents, regardless of how the property is used.</p> <p>This restriction narrows municipal flexibility to address local housing or taxation issues through differentiated residential tax rates. Municipalities that previously used, or were considering using, NPR sub-classes to influence vacancy, redevelopment, or housing availability will now be limited in their ability to apply those tools.</p> <p>It is RMA’s understanding that the creation of the restrictions to s. 297 are in response to developer and government concerns with the use of an NPR-related sub-class in a specific municipality. While RMA does not have a position on the instance that appears to have driven this legislative change, it is concerning that the Government of Alberta has significantly reduced municipal autonomy in this area in response to a single local example.</p> <p>The amendments reduce municipal discretion in shaping residential tax policy and introduce short-term administrative pressures for municipalities that had already begun implementing NPR sub-classes. The changes primarily affect municipalities that use residential sub-classes; those without such subclasses will see minimal impact.</p>

Regulated Assessment Compliance and Reporting Requirements, S. 322(1)(e.102)

Summary	Previous Status	Amended Status	Analysis
<p>The addition of s. 322(1)(e.102) empower the Minister to make regulations that impose fines or administrative penalties on persons responsible for responding to assessor information requests for regulated properties. While the ability of assessors to make information requests previously existed, there was no provision to penalize non-compliance.</p>	<p>No previous provision.</p>	<p>s. 322(1) (e.102) respecting administrative penalties for the purposes of section 295(1.1), including</p> <ul style="list-style-type: none"> <li>(i) penalty amounts,</li> <li>(ii) the contents of notices of administrative penalties,</li> <li>(iii) timelines for payment of penalties,</li> <li>(iv) appeals of administrative penalties,</li> <li>(v) limitation periods,</li> <li>(vi) service of notices and documents, and</li> <li>(vii) enforcement of administrative penalties;</li> </ul>	<p>Both provincial and municipal assessors have long faced non-compliance from some regulated property owners in relation to providing requested information required to inform assessments. Based on information shared by the Minister of Municipal Affairs, the regulation will apply a \$10,000 fine for non-compliance with assessor information requests, and only the provincial assessor (not municipal assessors) will be able to levy the fine.</p> <p>While the addition of s. 322(1)(e.102) is a positive step in holding regulated property owners accountable for providing information required for assessments, the relatively low maximum amount may limit its effectiveness. It is also disappointing that the powers will only apply to the provincial assessor; this will create an inequity in authority among provincial and municipal assessors, and could result in greater inconsistencies in assessment accuracy.</p>

## Assessment and Property Tax: RMA Analysis

### Initial Reaction

The regulated assessment model is both complex and crucially important to rural municipalities and industries such as oil and gas, forestry, renewable energy, and others. The Minister has stated that the intent of most assessment-related changes in Bill 28 is to clarify the function of the regulated model, or to provide a path for implementation of possible changes to regulated assessment rates that may be the result of the ongoing Assessment Model Review.

S. 293.1 is crucial to embedding in legislation that the concept of “equity” in the regulated model is based on proper and consistent application of the regulated model across properties, rather than the assessment outcome (value). Because the market-based assessment model used for most residential and commercial properties in Alberta is not suited to large industrial properties, the regulated model was created, and continues to exist, to assess those properties using a regulated process, created by the Minister, to ensure equitable assessments for both regulated property owners and municipalities. S. 293.1 re-affirms the process-based approach to equity in the regulated model.

Changes to s. 322, and in particular the ability to add additional rate categories, will have unknown impacts on municipalities and industry. While additional rates may be warranted for some property types, any additional standardization must be developed through the assessment model review, be based on sound data, and must ensure that any new standardized rates fully reflect actual construction costs of regulated assets.

### Autonomy Impact

The assessment-related changes are unlikely to directly impact municipal autonomy, as s. 293.1 further confirms the continuation of a cost-based regulated assessment model. While s. 322 amendments may result in a shift in how some regulated properties are assessed which could have fiscal impacts on municipalities, autonomy should not be directly impacted. The exception to this is the stated scope of penalty provisions for non-reporting of information required for assessment (s. 322(1)(e.102)). If these provisions ultimately apply only to the provincial assessor and not municipal assessors, it will result in reduced municipal autonomy to conduct regulated assessments based on fulsome data.

Beyond assessment, the creation of s. 297(2.01), restricting use of residential sub-classes, poses significant autonomy risks for municipalities. While this particular change is unlikely to impact most rural municipalities, it creates a precedent for restriction of tax rate sub-class powers. Given that municipalities have limited revenue-generation tools and already have less flexibility to create sub-classes than municipalities in most Canadian jurisdictions, this decision is concerning and disproportionate.

### Rural Impact

Any changes to the regulated assessment model will have impacts on rural municipalities. As mentioned, the introduction of s. 293.1 is crucial in further embedding the link between assessment process and equity in the regulated model, which will contribute to long-term assessment stability and predictability. The impacts of s. 322 changes related to regulated property rates remain to be seen, but they do open the door to further use of standardized rates, which will be problematic if applied to properties where data is insufficient.

## Governance and Accountability

### Ministerial Authority Over Municipal Dissolution Decisions, S. 130.1

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 makes the resident vote following a viability review non-binding. After electors vote on whether a municipality should dissolve, the Minister has full discretion to recommend dissolution to Cabinet or to direct the municipality to take actions intended to support viability. The Minister’s decision is no longer tied to the outcome of the public vote.</p>	<p>s. 130.1(2) Where a vote of the electors is held under subsection (1)(b),</p> <p>(a) if the electors vote that the municipality should be dissolved, the Minister must recommend to the Lieutenant Governor in Council that the municipality be dissolved in accordance with section 133, or</p> <p>(b) if the electors vote that the municipality should not be dissolved, the Minister may by order direct the council or the chief administrative officer to take the actions referred to in subsection (1)(b)(ii).</p>	<p>s. 130.1(2) After a vote of the electors is held under subsection (1)(b), the Minister may</p> <p>(a) recommend to the Lieutenant Governor in Council that the municipality be dissolved in accordance with section 133, or</p> <p>(b) by order direct the council or chief administrative officer to take any actions that the Minister considers appropriate to ensure the viability of the municipality.</p> <p>(3) When making a recommendation or order under subsection (2), the Minister is not bound by the results of the vote held under subsection (1)(b).</p>	<p>The amendments provide the Minister with significant decision-making authority by making viability votes advisory rather than binding. The change from “must” to “may” removes the requirement for the Minister to follow the outcome of the public vote, giving the Minister full discretion to recommend dissolution or impose remedial measures regardless of how electors voted.</p> <p>The Minister’s discretion under the amended section is broad. The amendment does not limit the actions that may be ordered to support viability, nor does it prescribe criteria for when dissolution should be recommended. This represents a meaningful change to the viability review process, where the public vote previously determined the Minister’s next steps.</p> <p>For municipalities, this shift raises questions about how viability votes will be weighed in practice and under what circumstances the Minister will choose dissolution over corrective measures. The non-binding nature of the vote may also influence public expectations and the dynamics of viability review processes.</p> <p>Because the legislation provides no guidance on how this discretion will be exercised, municipalities will need clarity from Municipal Affairs on the circumstances in which dissolution may be recommended despite a contrary vote, and how viability concerns will be assessed going forward.</p>

Councillor Accountability Framework, S. 146.01-09

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 creates Division 1.1, which establishes a councillor accountability framework. The Minister may, by regulation, set conduct standards, complaint procedures, investigative powers, sanctions, and appeal processes. The framework introduces provincially designated investigators and appeals commissioners, formalizes complaint and investigation procedures, and gives the Minister final authority over determinations and sanctions.</p>	<p>After the Municipal Affairs Statutes Amendment Act, 2025 (Bill 50) came into force, municipalities were explicitly prohibited from governing councillor behaviour or conduct by way of bylaw or resolution, and all existing codes of conduct were repealed. This left no local authority to set conduct standards or manage complaints, aside from the existing pecuniary interest and disqualification MGA provisions.</p>	<p>Bill 28 introduces s. 146.01-09, which:</p> <ul style="list-style-type: none"> <li>• authorizes the Minister to establish a binding accountability framework by regulation, including rules on conduct, confidentiality, use of municipal assets, pecuniary interest, and defined forms of misconduct;</li> <li>• empowers the Minister to designate investigators and appeals commissioners;</li> <li>• creates formal complaint, investigation, preliminary review, reporting, and sanctioning processes;</li> <li>• requires councils to determine whether a contravention occurred and to apply sanctions;</li> <li>• establishes a provincial appeal mechanism where the Minister makes the final determination and may impose sanctions; and</li> <li>• allows regulations to modify or replace existing MGA provisions related to councillor conduct.</li> </ul>	<p>The new accountability framework is intended to fill the gap created by Bill 50, but does so by centralizing control over the scope of issues that warrant a formalized complaint process, as well as by introducing significant standardization of the process itself. The legislation is largely enabling, as many substantive elements – conduct standards, complaint procedures, investigative powers, timelines, sanctions, publication rules, fees, and even key definitions – will be set through regulation. Regulations may also modify or replace existing MGA provisions, giving the Minister broad discretion to shape how councillor conduct is governed.</p> <p>This shift means that procedural and substantive rules related to the scope of issues addressed through the framework, which were previously set locally, will now be determined provincially. The process related to complaints, investigations, sanctions, and appeals will be standardized, and municipalities will need to align their practices with the provincially established framework once released.</p> <p>For municipalities, the framework is likely to introduce more formal and resource-intensive processes, including investigation management, documentation, and compliance with prescribed timelines and reporting requirements. The scale of these impacts remains uncertain until regulations are developed.</p> <p>Given the breadth of the Minister’s regulation-making authority, it will be important for Municipal Affairs to engage closely with municipalities ensure the final framework reflects local capacity, governance realities, and operational constraints.</p>

## Governance and Accountability: RMA Analysis

### Initial Reaction

The amendments in this theme significantly expand provincial authority over municipal governance, reducing the influence of local electors and councils in decisions that directly affect their communities. Making viability votes non-binding shifts dissolution decisions entirely into provincial discretion; it is RMA's expectation that any decision that contradicts a community's expressed direction will require clear, transparent justification from the Minister.

The councillor accountability framework represents an even more substantial shift. Although the legislation identifies broad categories of misconduct, the detailed definitions, thresholds, and procedural requirements will be established later through regulation, meaning many key elements of the framework remain unknown. This uncertainty extends to how investigations will operate, how third-party investigators will be selected, how appeals will function, and how costs will be allocated. What is clear is that the framework will introduce more formal, resource-intensive, and potentially costly processes without any committed provincial funding or capacity supports.

The introduction of a provincial accountability framework does provide an opportunity to restore clarity and consistency following the repeal of codes of conduct under Bill 50. RMA expects the province to engage closely with stakeholders to ensure the framework is practical, clearly defined, respectful of the roles of elected officials and administrators, and that municipalities are not required to absorb significant costs.

### Autonomy Impact

Making viability votes advisory rather than binding reduces the role of local electors in determining their community's future and places dissolution decisions entirely within provincial discretion. Without criteria guiding when the Minister may override a vote, municipalities face reduced certainty and diminished local control over a decision with significant long-term implications.

The councillor accountability framework further centralizes authority by shifting control over conduct standards, complaint processes, investigations, sanctions, and appeals from councils to the province. Regulations may override existing MGA provisions, meaning municipalities will be required to adopt provincially prescribed processes regardless of local context or capacity. This represents a substantial rebalancing of authority away from councils and toward ministerial oversight.

## Rural Impact

Rural municipalities may experience significant downstream impacts from these changes. When viability outcomes lead to the dissolution of neighbouring municipalities, rural municipalities often assume substantial new responsibilities, including expanded service delivery and infrastructure obligations. These transitions can carry long-term financial and operational implications, particularly given that provincial transitional support has historically been limited. The shift to a non-binding vote therefore carries meaningful consequences for rural municipalities, and clear justification will be essential in any case where provincial decisions diverge from local direction.

The councillor accountability framework may also impose disproportionate administrative and financial pressures on rural municipalities. Formalized complaint and investigation processes, coordination with provincially designated investigators, strict timelines, and potential investigation or appeal costs may be challenging to absorb without additional support. These changes introduce more complex and resource-intensive governance requirements at a time when many rural municipalities already face capacity constraints.

## Municipal Transparency

### Business Improvement Area Governance, S. 53

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 establishes the Minister’s regulation-making authority over Business Improvement Areas (BIAs). While BIAs remain locally established entities, the procedural requirements for their creation, amendment, operation, boundary changes, and disestablishment will now be set through provincial regulation. This shifts certain aspects of BIA governance from municipal discretion to provincial oversight, particularly around notice and procedural requirements.</p>	<p>s. 53 The Minister may make regulations</p> <p>(a) respecting the establishment of a business improvement area;</p> <p>(b) setting out what must be included in a business improvement area bylaw;</p> <p>...</p> <p>(e.1) [did not exist]</p>	<p>s. 53 The Minister may make regulations</p> <p>(a) respecting the establishment or change in boundary of a business improvement area;</p> <p>(b) respecting business improvement area bylaws, including</p> <p>(i) what the council must include in a business improvement area bylaw,</p> <p>(ii) what the council may include in a business improvement area bylaw, and</p> <p>(iii) amendments to a business improvement area bylaw;</p> <p>...</p> <p>(e.1) respecting the notices that must be provided in respect of the establishment, operation, amendment, change in boundary and disestablishment of a business improvement area or the board of a business improvement area;</p>	<p>While BIAs remain locally initiated and governed, the Minister may now set detailed rules for bylaw content, bylaw amendments, boundary changes, and the notices that must be provided for the establishment, operation, amendment, and disestablishment of a BIA or its Board.</p> <p>This represents a centralization of procedural oversight. Previously, councils determined most notice and process requirements through local bylaws. Under the amended section, these requirements will be standardized through regulation, reducing local flexibility but potentially increasing consistency and transparency across municipalities.</p> <p>The practical impact will depend on the forthcoming regulations. Depending on how prescriptive they are, municipalities may need to adjust existing BIA bylaws, notice practices, and administrative processes to ensure compliance.</p>

CAO Natural Person Powers Reporting, S. 208(1) & 208(3)

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 introduces a requirement for the CAO to notify council in writing after each use of the municipality’s natural person powers, subject to defined exceptions. The amendment establishes timelines and delivery methods for these notices while exempting several administrative and operational actions. Bill 28 also repeals the unproclaimed natural person powers reporting provision enacted under Bill 50, replacing it with a more detailed framework.</p>	<p>s. 208(1) The chief administrative officer must ensure that . . .</p> <p>(e) [did not exist]</p> <p>s. 208(3) [did not exist]</p>	<p>s. 208(1)(e) requires the CAO to notify council in writing after each use of the municipality’s natural person powers, subject to defined exceptions.</p> <p>s. 208(3), sets out:</p> <ul style="list-style-type: none"> <li>• acceptable delivery methods (personal delivery, email, or at a public meeting),</li> <li>• a deadline (the earlier of the next council meeting or 14 days), and</li> <li>• circumstances where notice is not required (actions authorized by council, personnel matters, routine operational matters, emergency responses, or seeking legal advice).</li> </ul>	<p>These amendments establish a reporting requirement for the CAO’s use of the municipality’s natural person powers; the new provisions require written notice to council within a defined timeline and through specified delivery methods.</p> <p>The exceptions are intended to narrow the scope of mandatory reporting and reduce the administrative burden that had been anticipated under the earlier framework introduced by Bill 50.</p> <p>However, several reporting requirement exceptions, such as “routine operational matter” and “personnel matter,” remain undefined, leaving some interpretive uncertainty depending on context and local practice. While the amendment clarifies when reporting is required, it does not fully eliminate ambiguity. It functions as a refinement of Bill 50’s open-ended approach, rather than a departure from it.</p> <p>RMA input on the previous natural person powers provisions included in Bill 50 highlighted several concerns that remain relevant. RMA noted that “natural person powers” encompass a wide range of day-to-day administrative activities, raising questions about how reporting obligations might affect the division between governance and administration. There were also concerns about increased administrative workload, the potential for political interference in operational decisions, and uncertainty about how compliance would be assessed. These issues persist to some degree under the revised framework, as the underlying ambiguity around what constitutes a reportable use of natural person powers – and what problem the reporting requirement is intended to solve – remain unresolved.</p>

## Councillor Information Access & Substantial Information Requests, S. 208.1

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 restructures the councillor information-access framework by creating three procedural streams for information requests: publicly available information, “substantial information requests,” and all other requests that remain subject to the existing 72-hour disclosure rule. Councils may define substantial information requests by bylaw and set local procedures for how they are handled, including any required council resolutions and reporting expectations. The Minister’s regulation-making authority is expanded to include oversight of substantial information request bylaws.</p>	<p>s. 208.1(1) Councillors requesting information under s. 153(d) were entitled to receive it from the CAO as soon as practicable, subject to subsection (2) and any regulations.</p> <p>s. 208.1(2) The CAO could refuse to provide personal or confidential information after considering statutory factors.</p> <p>s. 208.1(3) Information provided to one councillor had to be provided to all councillors within 72 hours.</p> <p>s. 208.1(4) The CAO was required to provide reasons for refusing a request.</p> <p>s. 208.1(5) The Minister could make regulations on procedures and additional confidentiality factors.</p>	<p>Retains councillors’ right to access information necessary to perform their duties.</p> <p>Adds new subsections (3.1)-(3.4), which:</p> <ul style="list-style-type: none"> <li>Changes the language to say the CAO may share publicly available information with all councillors and removes the 72-hour requirement,</li> <li>Introduces the concept of “substantial information requests,”</li> <li>Authorizes councils to define substantial requests by bylaw and establish local procedures (e.g., requiring a council resolution before the CAO must comply, or imposing reporting requirements).</li> </ul> <p>Maintains the requirement to provide reasons for refusing a request.</p> <p>Expands the Minister’s regulation-making authority to include substantial information requests and related bylaws.</p>	<p>The amendments create a three-stream framework for councillor information access. The existing process in s. 208.1(1) and (3) continues to apply to information requests that do not fall into one of the new categories, requiring the CAO to provide the information as soon as practicable and to share it with all councillors within 72 hours. Publicly available information is treated differently under s. 208.1(3.1), as the CAO may (but is not required to) share it with all councillors. A third stream is introduced through “substantial information requests,” which councils may define by bylaw and for which local procedures may be established, including whether a council resolution is required before the CAO must comply and what form of reporting to council is required.</p> <p>As the legislation does not define what constitutes a substantial information request, municipalities will need to establish criteria through bylaw to support consistent application. Clear definitions and procedures will help ensure both council and administration understand when the 72-hour disclosure requirement applies and how substantial requests are to be processed.</p> <p>Concerns previously raised by RMA when this provision was introduced in Bill 50 remain relevant, as s. 208.1(2)(d) continues to allow the CAO or designate to consider “any other relevant factor” when deciding whether to release personal or confidential information. The breadth of this clause may create uncertainty for administrations in determining what must be weighed and increases the risk of inadvertent disclosure if a factor later deemed relevant was not considered.</p>

Public Disclosure of Employee Compensation, S. 215.1-7

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 adds sections 215.1-7 to the MGA, requiring municipalities, beginning in 2027, to annually publish compensation information for employees whose total compensation and severance exceed the threshold set under the <i>Public Sector Compensation Transparency Act</i> (PSCTA). Municipalities must post specified details on their website, notify the Minister if no employees exceed the threshold, and follow Minister- determined processes for reporting and corrections. The amendments include safety-based exemptions, audit and enforcement powers for the Minister, transitional protections for pre-2026 confidentiality clauses, and statutory immunity for disclosures made in accordance with these requirements.</p>	<p>No previous provision.</p>	<p>s. 215.1 defines key terms, including compensation, non-monetary benefits, severance, and the threshold tied to the PSCTA.</p> <p>s. 215.2 requires municipalities, starting in 2027, to publish by June 30 the name, position, compensation, non-monetary benefits, and severance of employees whose total compensation and severance exceed the threshold, or to publish a notice and inform the Minister if none do. Municipalities must submit information to the Minister before publication, and a safety-based exemption is available. Division 2 of Part 1 of the <i>Access to Information Act</i> does not apply.</p> <p>s. 215.3 authorizes the Minister to order audits, with municipalities required to cooperate and responsible for associated costs.</p> <p>s. 215.4 provides a temporary exemption for employees with pre-2026 contractual confidentiality rights, ending at expiry, waiver, or December 31, 2027.</p> <p>s. 215.5 allows the Minister to publicly disclose municipal non-compliance.</p> <p>s. 215.6 provides statutory immunity for disclosures made under s. 215.2.</p> <p>s. 215.7 authorizes regulation-making.</p>	<p>The amendments expand provincial oversight of municipal employment practices by introducing a standardized compensation-disclosure framework aligned with provincial public-sector reporting. The amendments reflect direction from the Minister of Municipal Affairs’ 2025 mandate letter and represents a shift toward greater provincial influence over municipal operations, particularly in how municipalities structure and report employee compensation.</p> <p>The new requirements add administrative complexity for municipalities, including mandatory pre-publication reporting to the Minister, compliance with Minister-established correction processes, and the possibility of internal or external audits. These oversight tools strengthen provincial enforcement but may increase administrative and financial pressures, particularly for smaller or rural municipalities with limited capacity.</p> <p>Expanding salary disclosure to municipal staff raises privacy concerns and may affect municipal workforce stability. Publicizing individual compensation can discourage prospective applicants or current employees who prefer greater privacy, increasing the risk of a chilling effect on recruitment and retention. This impact may be more pronounced in smaller or rural municipalities that already face challenges attracting and retaining qualified administrative professionals.</p>

Policing Cost Transparency on Tax Notices, S. 334

Summary	Previous Status	Amended Status	Analysis
<p>Section 334(4) authorizes municipalities to disclose, directly on the annual tax notice, the specific portion of municipal tax rates and resulting tax amounts that are used to fund policing costs under the <i>Police Act</i>.</p>	<p>No previous provision.</p>	<p>s. 334(4) Despite subsection (2), a tax notice may show, separately from all other tax rates shown on the notice,</p> <p>(a) the portion of the tax rates set by the property tax bylaw that is required to raise the revenue to pay the amounts owing under section 4(1) of the <i>Police Act</i> or under an agreement referred to in section 22(1) of the <i>Police Act</i>, and</p> <p>(b) the amount of tax imposed in respect of the portion of the tax rates referred to in clause (a).</p>	<p>Section 334(4) lets municipalities display policing costs as a separate line on tax notices, but it does not let them treat policing as a true requisition.</p> <p>This amendment functions primarily as a communication tool, through which municipalities can show residents what portion of their taxes are driven by provincial policing obligations. This may help explain rising tax pressures, but there is no mechanism for rural municipalities to separate policing costs from their general tax rate as an actual requisition.</p> <p>When policing costs rise, municipalities must raise taxes for residents or cut funding for other essential services to account for the charge. In Fall 2024, RMA members passed <a href="#">Resolution 4-24F</a>, calling for an amendment to the MGA to classify the PFM levy as a requisition. This resolution was driven by concerns over the transparency of PFM costs and the need for residents to be fully aware of their contributions toward policing services.</p> <p>A separate requisition would clearly show that policing costs are imposed externally and collected by municipalities on behalf of the Government of Alberta. With changes through Section 334(4), it may still leave the impression that the municipality itself is responsible for the increased costs. This can lead to frustrations when policing costs are rising significantly, likely with no accompanying visible increases to service levels.</p>

## Municipal Transparency: RMA Analysis

### Initial Reaction

The amendments within this theme introduce several new governance and information-management requirements for municipalities. While transparency is an important principle, the intent behind these changes is not clearly articulated, and it remains unclear what specific problems they are intended to solve. Without clarity, the risk is that municipalities will face new processes and obligations that may not meaningfully improve accountability or public understanding.

The amendments collectively expand provincial influence over internal municipal processes, ranging from CAO reporting, councillor information access, employee compensation disclosure, to BIA governance processes, and even how provincially imposed policing costs may be displayed on tax notices. While this last change allows municipalities to show policing costs separately, it does not permit them to treat the Police Funding Model levy as a requisition, meaning municipalities must still fund the obligation from their own tax base on the province's behalf. While some of the amendments provide varying levels of clarity, overall, they increase provincial oversight with uncertain benefits, particularly given the absence of a clear rationale showing how these changes will enhance transparency or public trust.

### Autonomy Impact

The amendments narrow municipal autonomy by prescribing how internal information must be managed, reported, and disclosed. Requirements for CAO reporting on natural person powers introduce provincial expectations into administrative decision-making, creating the potential for blurred governance-administration boundaries, particularly given that several key exceptions such as "routine operational matter" and "personnel matter" remain undefined. As a result, the amendments refine but do not fundamentally resolve the ambiguity introduced under Bill 50, and municipalities will likely face challenges in determining what constitutes a reportable action.

A similar challenge arises with the councillor information-access amendments. Although municipalities may now define "substantial information requests" through bylaw, the legislation does not itself define the term, leaving municipalities to determine the threshold without statutory guidance. The new framework effectively creates three categories of information: publicly available information, "substantial information" to be governed by bylaw, and all other requests that default to the existing process in which the CAO must provide information to the requesting councillor as soon as practicable and then share it with all councillors within 72 hours of doing so. If information is not clearly captured in a substantial information request bylaw, it falls into this third category, which could trigger broad reporting obligations. This recreates concerns RMA raised when the Bill 50 provisions were introduced: that large volumes of information could still fall into this catch-all category, increasing administrative workload and creating potential tension between councils and administrations.

Further to this, Bill 28 expands the Minister's regulation-making authority to include substantial information requests and the bylaws that govern them. While municipalities may draft their own bylaws, the Minister now has the ability to prescribe requirements or procedures that may not reflect local dynamics or administrative capacity, further constraining municipal autonomy.

## Rural Impact

Rural municipalities may face disproportionate impacts from the transparency amendments due to limited administrative capacity and the broad operational responsibilities inherent to smaller organizations. New reporting and disclosure requirements, particularly those related to natural person powers and councillor information access, could strain already stretched administrations, as even modest increases in information-management responsibilities can have significant effects in rural contexts.

Ambiguity around what constitutes a reportable action or a substantial information request may heighten the risk of administrative burden and political tension, especially where CAOs perform multiple operational roles. The compensation-disclosure framework may also pose challenges in rural communities, where employees are easily identifiable and privacy concerns can affect recruitment and retention.

## Public Institutions

### Expanded Ministerial Inspection Powers for Public Libraries, S. 39 (*Libraries Act*)

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 expands the Minister’s inspection powers under s. 39 of the <i>Libraries Act</i>. Previously limited to reviewing a Board’s records, the Minister may now appoint inspectors to examine any matter related to the management, administration, or operation of a public library, including library property, services, and staff information. Inspectors may require employees to provide information, and the Minister may issue any order considered appropriate following an inspection.</p>	<p>s. 39(1) The Minister or a person authorized in writing by the Minister may, during regular business hours, inspect the records of a board.</p> <p>s. 39(2) A person authorized under subsection (1) shall, while inspecting the records of a board, carry identification in the prescribed form and present it on request.</p>	<p>s. 39(1) defines “library service point.”</p> <p>s. 39(2) authorizes the Minister to appoint inspectors to review any matter related to a public library’s management, administration, operation, or compliance with the Act and regulations.</p> <p>s. 39(3) permits inspectors to inspect library property and services, examine and copy relevant records, and require employees to provide information.</p> <p>s. 39(4)-(5) require inspections to occur during regular business hours and for inspectors to carry prescribed identification.</p> <p>s. 39(6) requires inspectors to report findings to the Minister and provide a copy to the Board.</p> <p>s. 39(7) allows the Minister to make any order considered appropriate following an inspection.</p>	<p>The amendments significantly broaden the Minister’s authority over public libraries by transforming s. 39 from a narrow records-inspection provision into a comprehensive operational oversight tool. Inspectors may now review any aspect of a library’s management, administration, or service delivery, extending provincial oversight into areas previously left to local governance.</p> <p>The expanded inspection authority results in a more active provincial role in overseeing library operations, allowing the Minister to review operational practices, service delivery, and compliance in ways that were not previously authorized.</p> <p>These changes may also introduce additional administrative demands for library boards and staff, who may need to allocate time and resources to support inspections, prepare documentation, and respond to information requests. Depending on the frequency and breadth of inspections, there could be associated financial implications, such as staff time, record-management requirements, or the need to implement operational adjustments in response to Ministerial orders. The expanded powers also raise concerns about potential impacts on the autonomy of locally governed library boards.</p>

Ministerial Guidance for Library Governance, S. 40 & 40.1 (*Libraries Act*)

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 expands the Minister’s authority to regulate access to and use of public library property, including the ability to create age-based restrictions on borrowing or use. It also introduces a new section, s. 40.1, allowing the Minister to issue publicly available guidelines interpreting or applying these regulations.</p>	<p>s. 40 allowed the Minister to make regulations, but did not include authority over access, use, or borrowing of library property.</p> <p>s. 40(b.1) [did not exist]</p> <p>s. 40.1 [did not exist]</p>	<p>s. 40(b.1) authorizes the Minister to make regulations respecting access to, use of, and borrowing of public library property by members of the public, including regulations that restrict access, use, or borrowing based on age.</p> <p>s. 40.1(1) allows the Minister to issue guidelines on how regulations made under s. 40(b.1) should be interpreted or applied.</p> <p>s. 40.1(2) requires the Minister to make such guidelines publicly available in a manner the Minister considers appropriate.</p>	<p>These amendments expand the Minister’s authority to establish rules governing how the public accesses and uses library property, including the ability to establish age-based restrictions. Decisions about borrowing privileges, access to materials, and circulation policies have historically been made by local library boards, so this represents a shift toward more centralized provincial direction.</p> <p>The practical impact of these amendments will depend on the scope of future regulations. <a href="#">Municipal Affairs’ Fact Sheet</a> indicates that upcoming rules may address age-appropriate access to materials containing explicit visual content which could require libraries to adjust how certain materials are stored, accessed, or borrowed.</p> <p>The addition of s. 40.1 allows the Minister to issue guidelines interpreting these regulations, which may further shape how local boards implement provincial requirements. This may have implications for the traditional autonomy of locally governed library boards, though the degree of impact will depend on how prescriptive future regulations and guidelines become.</p>

Authority Over Municipal Public Utility Governance, S. 44.1

Summary	Previous Status	Amended Status	Analysis
<p>Bill 28 introduces s. 44.1, giving Cabinet the authority to require a municipality to transfer ownership or control of a public utility to a designated “public utility entity.” Future regulations may determine governance, operations, asset transfers, and which parts of the MGA apply. This introduces a new provincial mechanism for intervening in municipal utility governance and service delivery.</p>	<p>No previous provision.</p>	<p>s. 44.1(1) Defines “public utility entity” as:</p> <ul style="list-style-type: none"> <li>• a controlled corporation;</li> <li>• a regional services commission; or</li> <li>• any other entity prescribed by regulation.</li> </ul> <p>s. 44.1(2) Authorizes the Lieutenant Governor in Council to make regulations:</p> <ul style="list-style-type: none"> <li>• prescribing additional public utility entities;</li> <li>• requiring a municipality to transfer ownership or control of a public utility to such an entity.</li> </ul> <p>s. 44.1(3) Regulations may:</p> <ul style="list-style-type: none"> <li>• set out governance, operation, and management of the public utility entity;</li> <li>• address the transfer of assets, employees, and operations;</li> <li>• modify or exclude MGA provisions;</li> <li>• apply generally or specifically;</li> <li>• prevail over the MGA where inconsistent.</li> <li>• address any additional matters the Lieutenant Governor in Council considers necessary to carry out the purposes of this section.</li> </ul>	<p>This amendment establishes new provincial authority to alter the governance of municipal public utilities. By allowing Cabinet to require a municipality to transfer ownership or control of a utility to a designated entity, s. 44.1 introduces a level of provincial intervention not previously present in the MGA. This raises important considerations for municipal autonomy.</p> <p>The intent of this authority has not been articulated, and further clarity will depend on forthcoming regulations. Until regulations are developed, municipalities have limited visibility into the circumstances under which Cabinet might compel a transfer, the criteria that would guide such a decision, or the possible form of “public utility entities” that may be created through regulation.</p> <p>The regulation-making powers under s. 44.1 allow Cabinet to determine governance structures, operational models, the terms of asset and staff transfers, and to override portions of the MGA. This creates uncertainty for municipalities, residents, and businesses until the regulatory framework is defined, and could, in theory, impact governance, costs, and service levels associated with public utilities.</p> <p>From an RMA perspective, any use of this authority should be guided by clear criteria, transparent processes, and meaningful collaboration with affected municipalities. Local expertise, operational realities, and the importance of municipal autonomy should be central considerations in any decision to alter the governance of public utilities. The ability for the Lieutenant Governor in Council to prescribe “any other entity” as a public utility entity under s. 44.1(1)(c) further underscores the need for clarity, as this could include entities beyond traditional municipal or regional structures.</p>

## Public Institutions: RMA Analysis

### Initial Reaction

The amendments within this theme introduce new provincial mechanisms to intervene in the governance of public institutions, specifically municipal utilities and public libraries. The changes introduce oversight provisions that significantly expand provincial involvement in institutions traditionally governed locally, reducing municipal and board-level decision-making authority and shifting control to the province. The extent of these impacts will depend on how these powers are applied through future regulations, leaving municipalities uncertain about the potential implications for governance, operations, and service delivery. It is currently unclear what circumstances or thresholds may be used to activate the new powers, particularly related to public utilities.

### Autonomy Impact

The most consequential autonomy impact arises from s. 44.1, which allows Cabinet to require a municipality to transfer ownership or control of a public utility to a designated entity. Municipalities currently have no clarity on the criteria that would trigger such a transfer, the governance structures that may be imposed, or the implications for assets, staff, and service levels or service costs. The ability for Cabinet to prescribe “any other entity” as a public utility entity further underscores the breadth of this authority, allowing future governance structures to be defined entirely through regulation and creating uncertainty about the types of entities that may ultimately assume control of municipal utilities. Until regulations are developed, municipalities face considerable uncertainty regarding the future governance of their utilities.

The amendments to the *Libraries Act* expand provincial authority by allowing the Minister to inspect any aspect of a library’s management, administration, or operations and by enabling new regulations and guidelines governing access to and use of library property. These changes extend provincial involvement well beyond the previous records-focused provisions and shift certain decisions from local authorities. As a result, library boards and associated municipal representatives may face increased oversight in an area traditionally governed at the local level.

### Rural Impact

In rural communities, utilities and libraries are closely tied to local decision-making and community identity. Centralizing authority over these services may have a more pronounced impact in rural areas, where changes imposed externally may not align with local priorities or existing service practices. The potential for provincially directed governance shifts introduces uncertainty for rural municipalities, residents, and businesses who rely on locally responsive service delivery.