

Agenda Item	4
Submitted to	Board
Purpose	For Information
Subject	Bill 48, Proposed Changes to MGA
Meeting Date	November 20, 2020
<p><i>Motion that the Board receive for information an update on changes to the Municipal Government Act, Part 17.1 as presented in Bill 48, Red Tape Reduction Implementation Act</i></p>	
<p>Summary</p> <ul style="list-style-type: none"> • First reading of changes to the <i>Municipal Government Act (MGA), Bill 48, Red Tape Reduction Implementation Act, 2020 (No. 2)</i> was passed on November 16, 2020. • In addition to other changes to the MGA, there are changes proposed to Part 17.1 Growth Management Boards. • The changes to the MGA related to Part 17.1 demonstrate the Government's commitment to the Growth Management Boards and are meant to streamline the legislation, moving some content to regulation with the goal of elevating the performance of the boards. • The changes to Part 17.1 are not scheduled to come into force until June 1, 2021. Review of the CMRB Regulation is expected to follow. • There will be a letter forthcoming from Minister Allard to provide additional detail. 	
<p>Attachments</p> <ul style="list-style-type: none"> • Summary of Key <i>Municipal Government Act</i> Changes of Potential Interest • Sections of the First Reading Copy of <i>Bill 48, Red Tape Reduction Implementation Act</i> pertaining to amending Part 17.1 of the MGA • <i>Calgary Metropolitan Region Board Regulation</i> 	

Background

First reading of changes to the Municipal Government Act (MGA), *Bill 48, Red Tape Reduction Implementation Act, 2020 (No. 2)* was passed on November 16, 2020. In addition to other changes to the MGA, there are changes proposed to Part 17.1 Growth Management Boards.

Overview of Proposed Changes to the MGA

Changes to Part 17.1 of the MGA relate to clarifying and simplifying the provisions around growth management boards, with the intent of moving some content from to regulation. Changes to the MGA will not come into effect until June 1, 2021, after the March 1, 2021 deadline for delivery of the CMRB's growth and servicing plans.

As advised by Municipal Affairs, the intent of the changes to the MGA is to elevate the performance of the growth management boards and to allow for more flexibility as to what may or be contained within the regulations of individual growth management boards.

Key changes of potential interest to the Board include:

- Removal of a specific provision enabling the grandfathering of plans in place prior to the establishment of a growth management board. The MGA changes also add in new provisions that conformity with the growth plan “applies to statutory plans adopted, bylaws made, resolutions passed and municipal agreements entered into before or after the coming into force of [a growth management board] regulation.” (amended Section 708.061(6))
- Removal of a requirement for a growth plan. Growth plans may be required for growth management board as directed by the Lieutenant Governor, but it is no longer a provision that a growth management board must complete a growth plan or what must be included within a growth plan.
- Removal of a requirement for an annual report.
- Various provisions of the Act have been simplified and consolidated into updates specifying the authority of the Lieutenant Governor to make regulations respecting various aspects of growth management boards, such as their mandates, boundaries, operations, voting rights, management and administration, the requirement for a growth plan, and so on.

The intent or effect of the MGA changes on the CMRB Regulation is not yet known. Further consultation will occur between Municipal Affairs and the Edmonton and Calgary Metropolitan Region Boards as part of updating regulations for growth management boards.

Attachment 1: Key Changes to Part 17.1 of the Municipal Government Act

The table below outlines some of the key changes to the MGA contained within Bill 48. It does not include every proposed change to the MGA. Please note that these are intended to provide a general overview of the proposed changes for the benefit of the Board only and do not represent a legal opinion.

Key Area of Change	MGA Changes	CMRB Regulation
Removal of specific requirement for a growth plan	<ul style="list-style-type: none"> Change to the definition of "growth plan" to indicate that a growth plan may or may not be required. Proposed Section 708.01(1)(b) states that "'growth plan' means a plan, if any, required by a regulation..." Removal of the specific requirement for a growth management board to prepare a growth plan (current Section 708.02(2)(d-k)) 	The objectives, contents, timelines, form, desired effect, related servicing and process for amending the growth plan are contained in CMRB Regulation Sections for Growth Plan, Section Sections 7 to 10; for Servicing Plan, Sections 14 to 16.
Removal of a specific requirement for an annual report	<ul style="list-style-type: none"> The requirement to file an annual report with the Minister has been removed (current Section 708.09) 	The CMRB Regulation does not include an annual report requirement.
Consolidating and simplifying provisions	<ul style="list-style-type: none"> Several provisions of the existing MGA are removed and consolidated into other sections. Many provisions are consolidated into a proposed Section 708.02(2). This updated section identifies that the Lieutenant Governor may make regulations related to growth management boards including their mandate; voting rights; boundaries; operations, management and administration; appointment of board representatives and a chair; powers, duties and functions; consistency of statutory plans and bylaws with a growth plan, without limitation, other matters. Reference to the need for an appeal or dispute resolution mechanism remains. Details around meetings of the growth management board have been removed to refer to Sections 197 and 199 of the MGA, requirements for Council proceedings. 	The CMRB Regulation includes reference to the establishment of the Board, Board mandate, Board Chair, voting rights, powers and duties of the Board contained in CMRB Regulation Sections 2 to 6.

<p>Removal of provision grandfathering statutory plans in place prior to the establishment of a board</p>	<ul style="list-style-type: none"> • The provision grandfathering statutory plans, existing Section 708.16, has been removed. The provision stated that “all statutory plans...in effect on the coming into force of the regulation establishing the growth management board...remain in full force and effect.” • In place of existing Section 708.16, the Lieutenant Governor can make regulations “respecting the consistency of statutory plans and bylaws, with a growth plan including, without limitation, respecting any requirements for the council of a participating municipality to amend statutory plans or bylaws to conform with a growth plan.” (proposed Section 708.02(2)(g)) • In addition, proposed Section 708.061(6) Conformity with a Growth Plan states that “except otherwise provided in the regulation establishing the growth management board... this section applies to statutory plans adopted, bylaws made, resolutions passed and municipal agreements entered into before or after the coming into force of that regulation.” 	<p>The CMRB Regulation reference to grandfathering is included in Part 5, Section 17. Section 17 states that “Sections 708.13 and 708.14 of the Act do not apply to statutory plans adopted, bylaws made, resolutions passed or municipal agreements entered into by a participating municipality before the coming into force of this Regulation.”</p>
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(57) Section 708.01(1)(b) is repealed and the following is substituted:

- (b) “growth plan” means a plan, if any, required by a regulation under section 708.02;

(58) Section 708.011 is repealed and the following is substituted:

Purpose

708.011 The purpose of this Part is to provide for integrated and strategic planning for future growth in municipalities.

(59) Section 708.02 is amended

- (a) **by repealing subsections (1) and (1.1) and substituting the following:**

Establishing a growth management board

708.02(1) The Lieutenant Governor in Council may, by regulation

- (a) on the recommendation of the Minister on the request of 2 or more municipalities, establish a growth management board in respect of those municipalities, or
- (b) on the Lieutenant Governor in Council’s own initiative, establish a growth management board and determine the membership of that board.

- (b) **by repealing subsections (2) and (3) and substituting the following:**

(57) Section 708.01(1) presently reads in part:

708.01(1) In this Part and Part 17.2,

- (b) “growth plan” means an integrated growth management plan, including any amendments to that plan, approved by the Minister under section 708.1;*

(58) Section 708.011 presently reads:

708.011 The purposes of this Part are

- (a) subject to clause (b), to enable 2 or more municipalities to initiate, on a voluntary basis, the establishment of a growth management board, and*
- (b) to establish growth management boards for the Edmonton and Calgary regions*

to provide for integrated and strategic planning for future growth in municipalities.

(59) Section 708.02 presently reads in part:

708.02(1) The Lieutenant Governor in Council, on the recommendation of the Minister on the request of 2 or more municipalities, may establish a growth management board in respect of those municipalities by regulation.

(1.1) Despite subsection (1), the Lieutenant Governor in Council must by regulation establish a growth management board for both the Edmonton region and the Calgary region and determine the membership of each of those boards.

(2) The regulation establishing a growth management board must

- (a) specify the name of the growth management board,*
- (b) designate the municipalities that are members of the growth management board,*
- (c) designate all or part of the land lying within the boundaries of the participating municipalities as the growth region for the growth management board,*

- (2) The Lieutenant Governor in Council may make regulations
- (a) respecting the mandate of a growth management board;
 - (b) respecting the membership of a growth management board and the voting rights of the participating municipalities;
 - (c) respecting the land lying within the boundaries of the participating municipalities that is included in the growth region for the growth management board;
 - (d) respecting the operations, management and administration of the growth management board;
 - (e) respecting the appointment of
 - (i) persons to represent the participating municipalities on the growth management board, and
 - (ii) a chair of the growth management board and, if necessary, the appointment of an interim chair;
 - (f) respecting the powers, duties and functions of
 - (i) the growth management board, and
 - (ii) the representatives on the growth management board;
 - (g) respecting the consistency of statutory plans and bylaws with a growth plan including, without limitation, respecting any requirements for the council of a participating municipality to amend statutory plans or bylaws to conform with a growth plan;
 - (h) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary or advisable to carry out the purposes of this Part.

- (d) *require the growth management board to prepare a growth plan for the growth region,*
- (e) *specify the objectives of the growth plan,*
- (f) *specify the contents of the growth plan,*
- (g) *specify the timelines for completing the growth plan,*
- (h) *specify the form of the growth plan,*
- (i) *specify the desired effect of the growth plan,*
- (j) *specify regional services and the funding of those services, and*
- (k) *specify the process for establishing or amending the growth plan.*

(3) The regulation establishing a growth management board may deal with one or more of the following matters:

- (a) *the appointment of persons to represent the participating municipalities;*
- (b) *the appointment of the chair of the growth management board, including, if necessary, the appointment of an interim chair;*
- (c) *the voting rights of the participating municipalities;*
- (d) *the mandate of the growth management board;*
- (e) *subject to this Part, the powers, duties and functions of*
 - (i) *the growth management board, and*
 - (ii) *the representatives on the growth management board;*
- (m) *the application of section 708.14 in respect of a participating municipality;*
- (n) *any other matter or thing that the Lieutenant Governor in Council considers necessary or advisable to carry out the purposes of this Part.*

(60) Section 708.041 is repealed and the following is substituted:

Meetings of growth management board

708.041(1) Subject to subsection (2), sections 197 and 199 apply to the meetings of a growth management board.

(2) Notwithstanding sections 197 and 199, for the purposes of this Part, a reference in sections 197 and 199 to a council, councils and council committees shall be read as a reference to a growth management board, growth management boards and growth management board committees, respectively.

(61) Section 708.06 is repealed and the following is substituted:

Consistency with ALSA regional plans

708.06(1) In carrying out its functions and in exercising its jurisdiction under this Part and other enactments, a growth management board must act in accordance with any applicable ALSA regional plans.

(60) Section 708.041 presently reads:

708.041(1) Growth management boards and their committees must conduct their meetings in public unless subsection (2) applies.

(2) Growth management boards and their committees may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.

(4) When a meeting is closed to the public, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting held in public.

(5) Before closing any part of a meeting to the public, a growth management board or growth management board committee must by resolution approve

(a) the part of the meeting that is to be closed, and

(b) the basis on which, under an exception to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act, the part of the meeting is to be closed.

(6) After the closed meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.

(7) Where a growth management board or growth management board committee closes all or part of a meeting to the public, the board or committee may allow one or more other persons to attend, as it considers appropriate.

(61) Section 708.06 presently reads:

708.06 In carrying out its functions and in exercising its jurisdiction under this Part and other enactments, a growth management board must act in accordance with any applicable ALSA regional plans.

(2) In the event of a conflict or inconsistency between a growth plan prepared by a growth management board and an ALSA regional plan, the ALSA regional plan prevails to the extent of the conflict or inconsistency.

Conformity with growth plan

708.061(1) Despite any other enactment, but subject to this section, a growth plan prevails in the event of a conflict or inconsistency between the growth plan and a statutory plan, bylaw, resolution or municipal agreement of a participating municipality.

(2) The council of a participating municipality must amend every statutory plan and bylaw as necessary to conform with a growth plan no later than the date specified by the growth management board.

(3) If the council of a participating municipality fails to amend a statutory plan or bylaw in accordance with subsection (2), the statutory plan or bylaw is deemed to be invalid to the extent that it conflicts or is inconsistent with a growth plan.

(4) The Minister may, in respect of a municipal agreement entered into by a participating municipality that conflicts or is inconsistent with a growth plan, require the council of the participating municipality, to the extent possible under the terms of the municipal agreement,

- (a) to amend the municipal agreement so that it conforms to the growth plan, or
- (b) to terminate the municipal agreement.

(5) If the council of a participating municipality fails to amend or terminate a municipal agreement when required to do so by the Minister under subsection (4), the municipal agreement is deemed to be invalid to the extent that it conflicts or is inconsistent with the growth plan.

(6) Except as otherwise provided in the regulation establishing the growth management board of which the participating municipality is a member, this section applies to statutory plans adopted, bylaws made, resolutions passed and municipal agreements entered into before or after the coming into force of that regulation.

(62) Section 708.08 is amended

- (a) by renumbering subsection (1) as subsection (1.1);**
- (b) by adding the following before subsection (1.1.):**

Bylaws

708.08(1) A growth management board must, at its inception, establish by bylaw an appeal mechanism or dispute resolution mechanism, or both, for the purposes of resolving disputes arising from actions taken or decisions made by the growth management board.

- (c) in subsections (2) and (3) by striking out “subsection (1)” and substituting “this section”.**

(63) Section 708.09 is repealed.

(64) Sections 708.1 to 708.16 are repealed.

(62) Section 708.08 presently reads:

708.08(1) A growth management board may make bylaws respecting its conduct and affairs, including, without limitation, rules and procedures for dealing with matters before the growth management board.

(2) Unless the Minister directs otherwise, a bylaw made under subsection (1) does not come into force until it has been approved by the Minister.

(3) The Regulations Act does not apply to a bylaw made under subsection (1).

(63) Section 708.09 presently reads:

708.09(1) A growth management board must, within 120 days after the end of every financial year, submit to the Minister a report summarizing its activities during the financial year.

(2) On receiving the report under subsection (1), the Minister must lay a copy of it before the Legislative Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

(64) Section 708.1 to 708.16 presently read:

708.1(1) On receiving a proposed growth plan from a growth management board, the Minister may by order approve the growth plan or reject it.

(2) A growth plan is not a regulation within the meaning of the Regulations Act.

708.11 A growth plan takes effect on the date specified by the Minister.

708.12(1) Despite any other enactment, no participating municipality shall take any of the following actions that conflict or are inconsistent with a growth plan:

(a) undertake a public work, improvement, structure or other thing;

- (b) adopt a statutory plan;*
- (c) make a bylaw or pass a resolution;*
- (d) enter into a municipal agreement.*

(2) If a growth management board finds that a participating municipality has taken an action described in subsection (1)(a) that conflicts or is inconsistent with a growth plan, the growth management board may, by written notice to the participating municipality, order the participating municipality to stop the action within the time set out in the notice.

(3) If a participating municipality fails or refuses to comply with a notice under subsection (2), the growth management board may apply to the Court of Queen's Bench for an injunction or other order.

(4) The Court of Queen's Bench may grant or refuse the injunction or other order or may make any order that in the opinion of the Court is just in the circumstances.

708.13 Despite any other enactment, but subject to section 708.14(5), a growth plan prevails in the event of a conflict or inconsistency between the growth plan and a statutory plan, bylaw, resolution or municipal agreement of a participating municipality.

708.14(1) The council of a participating municipality must amend every statutory plan and bylaw as necessary to conform with a growth plan no later than the date specified by the growth management board.

(2) If the council of a participating municipality fails to amend a statutory plan or bylaw in accordance with subsection (1), the statutory plan or bylaw is deemed to be invalid to the extent that it conflicts or is inconsistent with a growth plan.

(3) The Minister may, in respect of a municipal agreement entered into by a participating municipality that conflicts or is inconsistent with a growth plan, require the council of the participating municipality, to the extent possible under the terms of the municipal agreement,

- (a) to amend the municipal agreement so that it conforms to the growth plan, or*
- (b) to terminate the municipal agreement.*

(65) Section 708.23 is repealed.

(66) Section 708.25 is repealed.

(4) If the council of a participating municipality fails to amend or terminate a municipal agreement when required to do so by the Minister under subsection (3), the municipal agreement is deemed to be invalid to the extent that it conflicts or is inconsistent with the growth plan.

(5) Except as otherwise provided in the regulation establishing the growth management board of which the participating municipality is a member, section 708.13 and this section apply to statutory plans adopted, bylaws made, resolutions passed and municipal agreements entered into before or after the coming into force of that regulation.

708.15 In the event of a conflict or inconsistency between a growth plan and an ALSA regional plan, the ALSA regional plan prevails to the extent of the conflict or inconsistency.

708.16 For greater certainty, except as provided in this Part and Part 17, all statutory plans of a participating municipality that are in effect on the coming into force of the regulation establishing the growth management board of which the participating municipality is a member remain in full force and effect.

(65) Section 708.23 presently reads:

708.23(1) A growth management board must at its inception establish by bylaw an appeal mechanism or dispute resolution mechanism, or both, for the purposes of resolving disputes arising from actions taken or decisions made by the growth management board.

(2) Section 708.08(2) and (3) apply to a bylaw made under this section as if the bylaw were made under that section.

(66) Section 708.25 presently reads:

708.25(1) The Capital Region Board Regulation (AR 38/2012), in addition to being declared valid under section 603.1, is deemed, on the coming into force of this section, to have been made under this Part.

(67) Section 708.26(1)(c) is repealed.

(68) Section 708.28(2) is amended by striking out “the growth plan or the servicing plan” and substituting “a growth plan”.

(69) Section 708.36(7)(d) is amended by striking out “or servicing plan”.

(70) Subsections (3)(c), (32) to (35), (56)(c) and (57) to (69) come into force on June 1, 2021.

New Home Buyer Protection Act

Amends SA 2012 cN-3.2

11(1) The *New Home Buyer Protection Act* is amended by this section.

(2) Section 1.1(2) is repealed and the following substituted:



Province of Alberta

MUNICIPAL GOVERNMENT ACT

CALGARY METROPOLITAN REGION BOARD REGULATION

Alberta Regulation 190/2017

Extract

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Note

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ALBERTA REGULATION 190/2017

Municipal Government Act

**CALGARY METROPOLITAN
REGION BOARD REGULATION**

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Definitions

1 In this Regulation,

- (a) “Act” means the *Municipal Government Act*;
- (b) “Board” means the Calgary Metropolitan Region Board established by section 2;
- (c) “Calgary Metropolitan Region” means the lands lying within the boundaries of the participating municipalities;
- (d) “Framework” means the Regional Evaluation Framework, including any amendments to the Framework, approved by the Minister under section 12;
- (e) “Growth Plan” means an integrated growth management plan for the Calgary Metropolitan Region, including any amendments to that plan, approved by the Minister under section 708.1 of the Act;
- (f) “Minister” means the Minister responsible for the Act;
- (g) “participating municipality” means a municipality listed in the Schedule;
- (h) “recreation corridor” means a corridor with varying width where one or more trail recreation activities occur;
- (i) “representative” means a person appointed by a participating municipality under section 708.04 of the Act or designated under section 2(4) of this Regulation;
- (j) “Servicing Plan” means a plan to provide services referred to in section 16 on a regional basis;
- (k) “statutory plan” means
 - (i) a statutory plan as defined in section 616(dd) of the Act, or

- (ii) an amendment to a statutory plan referred to in subclause (i).

Part 1

Calgary Metropolitan Region Board

Establishment of Board

2(1) The Calgary Metropolitan Region Board is established in accordance with section 708.02(1.1) of the Act.

(2) Each participating municipality may appoint a person to act in the representative's place in the event of the representative's temporary absence or temporary inability to act.

(3) A representative appointed under section 708.04 of the Act and subsection 2(2) must be a councillor of the participating municipality that is appointing the representative.

(4) Until a participating municipality appoints a representative under section 708.04 of the Act, the chief elected official of the participating municipality is designated as that municipality's representative.

(5) If the representative of a participating municipality is unable to attend a meeting of the Board, the Board, on the request of the participating municipality, may provide for an alternative method of representation for the participating municipality at that meeting.

(6) Representatives appointed under section 708.04 of the Act are expected to represent the perspectives of their respective municipality during Board deliberations, but have a duty to act in the best interests of the Board when taking actions or making decisions.

Mandate of Board

3(1) The Board shall

- (a) strive towards consensus regarding matters before the Board,
- (b) promote the long term sustainability of the Calgary Metropolitan Region,
- (c) ensure environmentally responsible land-use planning, growth management and efficient use of land,
- (d) develop policies regarding the coordination of regional infrastructure investment and service delivery,

- (e) promote the economic well-being and competitiveness of the Calgary Metropolitan Region,
 - (f) develop policies outlining how the Board shall engage the public on the Growth Plan and the Servicing Plan, and
 - (g) be limited in its mandate and role to those powers given to the Board under the Act and this Regulation.
- (2)** In fulfilling its mandate, the Board shall further
- (a) prepare a Growth Plan,
 - (b) prepare a Servicing Plan,
 - (c) advise and make recommendations to the Minister regarding the implementation of the Growth Plan and the Servicing Plan,
 - (d) facilitate the resolution of issues arising from the preparation and implementation of the Growth Plan and the Servicing Plan, and
 - (e) develop and implement policies for the sharing of costs for regional projects of the Calgary Metropolitan Region.

Chair of Board

- 4(1)** Representatives appointed under section 708.04 of the Act or designated by section 2(4) shall elect from among them a Chair of the Board.
- (2)** Despite subsection (1), the Minister may by order appoint an interim Chair of the Board.
- (3)** If the Minister appoints an interim Chair, the term of the Chair elected under subsection (1) commences on the day after the expiry of the term of the interim Chair.
- (4)** The interim Chair does not have voting rights.
- (5)** The representatives appointed under section 708.04 of the Act or designated by section 2(4) may appoint a Chair that is not a representative appointed under section 708.04 of the Act or designated by section 2(4) in accordance with policies established by the Board.
- (6)** A Chair appointed under section 4(5) does not have voting rights.

Voting rights of representatives

5(1) Subject to section 708.03(2) of the Act and section 4(4) and (6) of this Regulation, each representative has one vote.

(2) If a decision of the Board is to be made by a vote, the decision must be supported by not fewer than $2/3$ of the representatives from participating municipalities that collectively have at least $2/3$ of the population in the Calgary Metropolitan Region.

(3) Subject to section 2(5), if a representative is not present for a vote of the Board, or abstains from voting, the representative is deemed to have voted in the affirmative.

Power and duties of Board

6 The Board may

- (a) develop policies allowing for the participation of non-members,
- (b) requisition participating municipalities for operating costs related to the operations of the Board, and
- (c) carry out any other functions and duties as the Minister directs.

Part 2

Preparation of Calgary Metropolitan Region Growth Plan

Preparation of Growth Plan

7(1) The Board shall, within 3 years from the coming into force of this Regulation, prepare and submit to the Minister a proposed Calgary Metropolitan Region Growth Plan.

(2) The Board shall review the Growth Plan every 10 years, or earlier as determined by the Board, unless otherwise ordered by the Minister under section 708.24(2) of the Act.

Objectives of Growth Plan

8 The objectives of the Growth Plan are

- (a) to promote an integrated and strategic approach to planning for future growth in the Calgary Metropolitan Region,
- (b) to identify the overall development pattern and key future infrastructure investments that would

- (i) best complement existing infrastructure, services and land uses in the Calgary Metropolitan Region,
 - (ii) best complement the desired scale of development and community visions across the Calgary Metropolitan Region,
 - (iii) best address efficient and cost effective growth and development, and
 - (iv) maximize benefits to the Calgary Metropolitan Region,
- (c) to coordinate decisions in the Calgary Metropolitan Region to sustain economic growth and ensure strong communities and a healthy environment, and
- (d) to promote the social, environmental and economic well-being and competitiveness of the Calgary Metropolitan Region.

Contents of Growth Plan

9(1) Except as otherwise specified by the Minister, a proposed Growth Plan must contain a comprehensive, integrated regional land-use plan for the Calgary Metropolitan Region that includes the following:

- (a) population and employment projections;
- (b) the identification of
 - (i) growth areas,
 - (ii) land supply for residential, commercial and industrial purposes,
 - (iii) agricultural lands,
 - (iv) density of development,
 - (v) the development and location of infrastructure, and
 - (vi) corridors for recreation, transportation, energy transmission, utilities and intermunicipal transit;
- (c) policies regarding the planning for corridors for recreation, transportation, energy transmission, utilities and intermunicipal transit;
- (d) policies regarding environmentally sensitive areas;

- (e) policies regarding the coordination of infrastructure planning and development among the participating municipalities;
- (f) policies that address new settlement areas;
- (g) policies that address the intensification of existing settlement areas;
- (h) policies regarding the conservation of agricultural lands;
- (i) specific actions to be taken by the participating municipalities to implement the Growth Plan.

(2) In preparing a proposed Growth Plan, the Board may also have regard to any matter relating to the physical, social or economic development of the Calgary Metropolitan Region.

Limitation of Plan

10 Despite anything to the contrary in this Regulation, the Growth Plan is of no effect to the extent it directs the Government of Alberta to expend funds, to commit to funding arrangements or to undertake particular actions or adopt particular policies or programs.

Part 3 Approval of Statutory Plans

Application of Part

11 This Part applies to a statutory plan only after a Regional Evaluation Framework is approved by the Minister under section 12.

Regional Evaluation Framework

12(1) The Board shall prepare and submit to the Minister a Regional Evaluation Framework containing

- (a) criteria to be used to determine whether a statutory plan must be submitted for approval under section 13(1),
- (b) procedures for submitting statutory plans for approval under section 13(1), and
- (c) the criteria and procedures to be followed by the Board for the objective evaluation and approval of statutory plans in relation to the Growth Plan and the Servicing Plan.

- (2) The Minister may, by order, approve, reject or amend a Framework.
- (3) The Framework has no effect until it is approved by the Minister.
- (4) If the Board fails to provide a Framework, the Minister may, by order, establish a Framework.
- (5) Subject to subsections (3) and (4), if the Minister establishes or approves a Framework, the Minister shall provide a copy of it to each participating municipality.
- (6) The Framework is not a regulation within the meaning of the *Regulations Act*.

Approval of statutory plan

- 13(1)** Statutory plans to be adopted by a participating municipality that meet the criteria set out in the Framework must be submitted to the Board for approval.
- (2) In accordance with the Framework, the Board may approve or reject a statutory plan.
- (3) A statutory plan referred to in subsection (1) has no effect unless it is approved by the Board under subsection (2).
- (4) Subject to an appeal or dispute resolution mechanism established under section 708.23(1) of the Act or as otherwise provided in the Framework, a participating municipality has no right to a hearing before the Board in respect of its approval or rejection of a statutory plan.
- (5) Subject to section 708.23(1) of the Act, a decision of the Board under this section is final and not subject to appeal.
- (6) This section applies only to statutory plans to be adopted by a participating municipality after the establishment of the Framework.

Part 4 Preparation of Calgary Metropolitan Region Servicing Plan

Servicing Plan

- 14(1)** The Board shall, within 3 years of the establishment of the Board, prepare a Metropolitan Region Servicing Plan for the Calgary Metropolitan Region and file a copy with the Minister.

(2) The Board shall review the Servicing Plan every 5 years.

Objectives of Servicing Plan

15 The objectives of the Servicing Plan are as follows:

- (a) to identify the services required to support the goals of, and to implement, the Growth Plan;
- (b) to support the optimization of shared services to enhance use of ratepayer dollars;
- (c) to facilitate orderly, economical and environmentally responsible growth in the Calgary Metropolitan Region.

Contents of Servicing Plan

16 The Servicing Plan must

- (a) list the servicing required to support the development outlined in the Growth Plan, which may include
 - (i) transportation, including regional transit,
 - (ii) water, waste water and storm water,
 - (iii) solid waste,
 - (iv) emergency services, and
 - (v) any other services, identified by the board which benefit residents in more than one of the municipalities that are parties to the Servicing Plan,
- (b) for services to be provided on an intermunicipal basis, outline how each service will be
 - (i) intermunicipally delivered, including which municipality will lead delivery of the service, and
 - (ii) intermunicipally funded,
- (c) set the timeframe for implementing services to be provided on an intermunicipal basis,
- (d) contain any other matters necessary to support the growth plan, and
- (e) contain any other matter the Minister considers appropriate.

Part 5 General Matters

Transitional

17 Sections 708.13 and 708.14 of the Act do not apply to statutory plans adopted, bylaws made, resolutions passed or municipal agreements entered into by a participating municipality before the coming into force of this Regulation.

Regulation review

18 This Regulation shall be reviewed every 5 years.

Coming into force

19 This Regulation comes into force on January 1, 2018.

Schedule Participating Municipalities

- (a) City of Airdrie;
- (b) City of Calgary;
- (c) City of Chestermere;
- (d) Town of Cochrane;
- (e) Town of High River;
- (f) Town of Okotoks;
- (g) Town of Strathmore;
- (h) Rocky View County;
- (i) Municipal District of Foothills;
- (j) That portion of Wheatland County described as follows:

Starting at the southeast corner of section 21, township 23, range 24; Then westerly until the southwestern corner of section 19, township 23, range 26; Then northerly until the northwestern corner of section 31, township 24, range 26; Then easterly until the northeastern corner of section 33, township 24, range 24; Then southerly to the point of commencement. All west of the fourth meridian

Approximate area: 87 000 acres

Includes all of:

Township 23, Range 24
Sections 28-33, 19-21

Township 23, Range 25
Sections 19-36

Township 23, Range 26
Sections 19-36

Township 24, Range 24
Sections 4-9, 16-21, 28-33

Township 24, Range 25
All sections

Township 24, Range 26
All sections

All west of the fourth meridian



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