



November 10, 2016

Honourable Danielle Larivee
Minister of Municipal Affairs – Government of Alberta
204 Legislature Building
10800 - 97 Avenue
Edmonton, AB
T5K 2B6

RE: CHBA – ALBERTA’S RESPONSE TO CITY CHARTER OVERVIEW PACKAGE

Dear Minister Larivee,

Thank you for the opportunity to provide a response to the province’s City Charter Overview Package. We have been encouraged with the level of engagement throughout the MGA Review process and hope that the City Charter process will allow for considerable discussion with industry and other key stakeholders. We note that this could be challenging given the timeframe available to finalize these regulations however the policies contained within the Charters will directly impact over 50% of the province’s population and it is unclear what powers the province will have to scale back powers should negative consequences arise.

In reviewing the Charter Overview Package we identified a few key items we hope to have clarified in the coming weeks:

- It is currently unclear why there is a need for the enabling powers requested and how they will benefit Albertans.
- Will the province be entertaining any potential to change or modification to policy items that have been discussed extensively through the MGA Review process? Policy development in this area should reflect the considerable work already done by the province and all stakeholders over the past 4 years.
- What flexibility, if any, Calgary and Edmonton will have in the future to add or modify any new powers under the Charters without approval of the province?
- Would the province be willing to remove powers from the Charters if negative consequences arise?

Understanding the challenging timeframe associated with enacting the Charters we would suggest the province move forward with consensus items in preliminary Charters to be adopted in advance of the fall 2017 municipal elections. Following the elections we would recommend the province engage key stakeholders, in a process similar to that undertaken for the MGA Review, to work through non-consensus items. This will allow the Cities to formally adopt their Charters and achieve some positive results, while providing the time and engagement required to ensure more controversial and impactful policy items do not cause harm to Albertans in our largest cities.

Attached is a submission prepared based on the direct input of CHBA members in Calgary and Edmonton and through discussions with UDI Edmonton Region. We look forward to working



with the province in the coming weeks to discuss the Charters and hope this will include numerous opportunities for the various stakeholders to work through the proposed proposals.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Fash', is positioned above the printed name.

Scott Fash, MCIP, RPP

Planning & Development Lead, CHBA – Alberta

CC: Ryan Scott (President of CHBA – Alberta); Keith McLaughlin (Chief of Staff - Municipal Affairs); Brad Pickering (Deputy Minister – Municipal Affairs); Stephanie Clarke (Executive Director, Municipal Services Branch – Municipal Affairs).

Response to City Charter Overview Package

November 10, 2017



1. INTRODUCTION

CHBA – Alberta represents the home building industry across Alberta including local associations in Calgary and Edmonton. Through a recent amalgamation of CHBA – Calgary Region and UDI – Calgary region, we also represent the development industry in Calgary. Our association is appreciative of the opportunity to provide the following submission on behalf of our membership. This submission has been prepared based on the direct insight of CHBA members in Calgary and Edmonton and through discussions with UDI-Edmonton Region.

Overall, CHBA – Alberta has been satisfied with the process and outcome of the MGA Review to-date. While we do not necessarily agree with all aspects of the proposed changes, we have felt heard by the province and appreciate the further involvement in the development of the regulations associated with the Act.

While we understand that stakeholder engagement on City Charters has only just begun, the process does not appear to be as robust as the MGA Review process given the limited time available. Given the time restraints to complete this substantial undertaking our members are looking for clarity on the implications of these critical pieces of legislation. In the period remaining to finalize and adopt the Charters, there will be limited time for key stakeholders (outside of the Cities of Calgary and Edmonton) to fully understand the potential impacts and consequences of proposed policies. This is challenging as it limits our ability to respond with thoughtful, research-based analysis of the proposals. There are a number of policy proposals with the potential to benefit all parties but more information and a more fulsome discussion on the specifics of these items is needed.

We are pleased to be working on these issues now, and ask that careful attention be given to the remaining piece – the fiscal framework – when it is ready in early 2017. We know that until the first two phases are complete, the need for any associated fiscal tools won't be fully understood. However, it would be helpful for the province to note which policy proposals will have accompanying fiscal policies so we can understand and assist the province in assessing various alternatives / mechanisms to achieve a desirable outcome for all parties. Policy changes should be arrived at with a stated and clear benefit to the citizens of Edmonton and Calgary, information that is currently missing from the Charter Overview Package.

Taking the necessary time to assess policy changes is vital. This is why we would advocate moving ahead on consensus items and areas that have been more fully researched during the MGA review process. These could be enacted prior to the fall 2017 municipal elections with the province providing additional time for all stakeholders to work through non-consensus items.

2. RESPECTING THE WORK ALREADY UNDERTAKEN

The public and stakeholder engagement associated with the MGA Review was inclusive and robust, allowing all residents and stakeholders to help the province fully understand the implications of various policy changes within the legislation. It is important to recognize the time dedicated by stakeholders in attending hundreds of hours of meetings over 4 years to comprehensively discuss various legislative changes designed to improve the lives of Albertans.

With this in mind, the Charters should respect the past process and not be used as a tool to modify areas that have already been addressed or comprehensively discussed through the MGA Review process. The Cities of Calgary and Edmonton were involved throughout the MGA Review and had every opportunity to discuss modifications of the Act at that stage. The Charters should focus on the stated goal of acknowledging the two large cities' increased capacity and unique attributes. It should not replace or modify the MGA generally in those cities, or include "perks" that other municipalities will (rightly) ask for immediately in an effort to serve their citizens.

3. NEED FOR SPECIFICITY

At this stage and based on the information that has been provided to-date, it is difficult for us to provide a fulsome response to the enabling proposals due to a lack of detail, context and overall intent. As currently written the proposed policies are extremely broad and appear to be enabling significant additional powers for the Cities of Calgary and Edmonton. Numerous proposed polices also override changes that are already proposed under the Modernized Municipal Government Act. Our understanding, based on conversations with the province, is that these enabling policies are intended to deal with very specific matters. However, the wording as it currently stands does not reflect this. Further to this, there will be little time for meaningful public and stakeholder engagement between now and the enactment of the Charters, specifically when the current proposals are so broad. This represents substantial risks for businesses, housing affordability and taxpayers if left broad and entirely at the discretion of the individual cities. Local governments often see substantial change from election to election and provincial legislation needs to carefully regulate the powers of municipalities in order to protect Albertans.

Even if a policy is intended to address a specific issue, the broad nature of the current wording will enable the Cities of Calgary and Edmonton to use these tools for matters which they were not intended, opening up the potential for numerous unintended consequences. An example of this is increased municipal powers related to Building Codes. If Calgary and Edmonton are permitted to establish standards above and beyond those currently in the Alberta Building Code, there are significant implications for housing affordability. The recent code changes brought into force on November 1, 2016 have resulted in a \$5,000 increase for a 2,000 ft² home. Providing the ability for Edmonton and Calgary to increase standards beyond the current code requirements runs the risk of eroding housing affordability in those cities which runs counter to provincial policies such as inclusionary housing. This does not even consider the difficulties it will present builders and trades who would then have three separate codes to potentially deal with across the province.

It is critical that industry and the public be provided with adequate time to review, assess and respond to Charter policies before they are enacted and this engagement needs to be comprehensive, not simply through holding a single stakeholder session and allowing for a single submission. It is unclear what ability, if

any, the province will have to scale back or remove any of the powers once the Charters are enacted. If negative consequences arise due to any of the enabled powers, the province needs to articulate a process for their removal from the City Charters.

4. PRIORITY POLICY PROPOSALS FOR OUR ASSOCIATION

This section highlights some specific policy proposals that would be priorities for our association, with full commentary on all of the enabling proposals being provided in the attachment.

4.1 Environment

Policies related to the environment have been discussed extensively through the MGA Review process and it is disconcerting to see new policy proposals that were either previously addressed or not discussed as part of the MGA. It unclear what specific need Calgary and Edmonton have that other municipalities do not. The broad enabling polices include:

- Add consideration for the environment as a general purpose for the cities, allowing for greater environmental stewardship in urban development;
- Add ‘the environment as it relates to land use’ as a matter for which the cities may pass bylaws. Council can pass bylaws for other specific environmental matters such as contaminated sites, brownfield redevelopment, climate change, mature trees and biodiversity; and
- Include environment as part of the planning and development section of the MGA, providing cities with appropriate authority to be better partners for the province in environmental stewardship.

The above policies are extremely vague and provide no information related to what specific powers this would enable for Calgary and Edmonton. Specific information related to why this is needed and what specific policies could come from it are needed to fully understand the implications and consequences of these items. These policies are dangerous as they could open the door to Calgary and Edmonton circumventing the rules and policies that are being established through the MGA. This has the potential to erode the recent changes to Environmental Reserve and establishment of Conservation Reserve that were intended to prevent the taking of privately held developable lands without compensation.

Environmental stewardship in urban development is addressed through land use policies, environmental reserve and conservation reserve. These are all tools that are either currently or soon to be available to all municipalities and not something that requires additional powers for Calgary and Edmonton. These matters were discussed in detail throughout the MGA Review and regulation consultation process. It is not reasonable that substantial changes, such as the proposed, be included at this stage in the process.

4.2 Changes to the Alberta Building Code

The Charter Overview Package outlines two enabling powers that have direct implications on the application and requirements of the Alberta Building Code:

- 1) Allow Calgary and Edmonton to become members of the SCC, supporting the governance and administration of the safety codes system. The province will work with the SCC to secure Calgary and Edmonton participation as members of their Board of Directors.

- 2) Ensure Cities have the flexibility to raise the bar on environmental sustainability and, in turn, contribute to the evolution of best practices that other municipalities could learn from and adopt. Cities would be limited to applying new requirements within municipal boundaries on a go forward basis.

The first policy proposal is potentially a roundabout way for Calgary and Edmonton to direct changes to the Alberta Building Code. The Safety Codes Council must be an independent body free from municipal agendas. Allowing membership to the City of Calgary and Edmonton opens up the potential for municipal politics to play a role in decisions related to the building code. Decisions on matters of the building code need to be made in the best interest of all Albertans and be free from the agendas of specific municipalities. Even seemingly minor code changes can result in substantial costs increases which directly impact housing affordability.

The second policy proposal has potentially huge implications for our industry as any change to the building code result in direct increases to the cost of housing. Edmonton, Calgary and the province need to provide the specific changes that are being contemplated and allow for meaningful engagement with industry before we are able to identify the potential impacts of this item.

4.3 Subdivision Process

Additional subdivision powers should not be considered as part of City Charters. These matters were addressed extensively in the MGA Review and will be further addressed with revisions to the Subdivision and Development Regulation which has already been consulted on. The Cities of Calgary and Edmonton were well represented throughout the engagement process so it would not be reasonable for them to circumvent the previously undertaken process.

This issue has substantial implications for not only developers and home builders but any resident who is required to apply for a permit. Latitude has already been given to cities and specialized municipalities in allowing them to establish their own approval timeframes; to provide Calgary and Edmonton with free rein with the subdivision process (including appeals) would create substantial uncertainty where it is not needed. Some of the changes discussed and proposed as part of the regulation process include:

- Processes to identify, determine value and transfer Conservation Reserve;
- Determination of floodways;
- A process for determining complete applications, including appeals; and
- Definitions of key terms such as “bed and shore”, “water body”, “conservation reserve” and “environmental reserve”.

While it is currently unclear which direction the government will take on some of these matters, every key stakeholder (including Calgary and Edmonton) was at the table and had every opportunity to provide input. To circumvent this through City Charters would erode confidence in the considerable work that was and continues to be done as part of the MGA Review process. At no point in that consultation was an argument made that the requirements and process should be different for Calgary and Edmonton or that they have a special need different from any other Alberta municipality on this particular policy issue.

4.4 Statutory Plans & Land Use Bylaws

Statutory Plans

The delineation and hierarchy of statutory documents is an important policy structure that requires uniformity across the province. This is a principle that has been strengthened through a number of proposed amendments to the MGA which will legislate a consistent policy framework for all municipalities. As it stands, municipalities will be required to ensure all statutory plans (from Intermunicipal Collaboration Frameworks / Growth Management Plans all the way to Land Use Bylaws) be consistent. This allows residents and industry to readily understand the policy framework that governs land use and development decisions across Alberta.

The Cities of Calgary and Edmonton have requested the enabling power to allow them to enact any other policy or non-policy document as a statutory plan. Currently these are considered non-statutory plans and if municipalities want to make these requirements mandatory, they have the ability to do so through amending their various legal statutory plans. This framework provides clarity and consistency not only on how rules are applied, but where the rules can be found. Should Calgary and Edmonton be provided this power, it would create a system where they are no longer required to ensure consistency between all levels of policy. This would also create a situation where residents and industry would be responsible for complying with 30 or more different statutory plans (as of 2013, Calgary had 52 non-statutory plans). This requested policy appears to have the intent of negating Calgary and Edmonton's requirements (under changes to the MGA) to implement broad policies from non-statutory documents into concrete policies and requirements through amendments to their current statutory documents. If Calgary and Edmonton want to enact these policies, they have every ability to do so (through amendments to existing statutory plans) under the existing legislative framework.

Land Use Bylaws

Calgary and Edmonton have proposed enabling policy that would allow them to regulate the content of their land use bylaw, including land allowable under districts, and the method of decision making and issuance of development permits. What is the challenge with the current provincial policies related to land use bylaws and development permit processes? The requirements under the Act provide the framework for preparing Land Use Bylaws while providing flexibility in terms of how municipalities design and craft the standards it contains. It is unclear what barrier is currently in place that necessitates the need for Calgary and Edmonton to have this broad and far reaching power.

This is a substantial change with considerable implications for industry. If this is being considered as part of the Charters, the province must allow for substantial consultation with stakeholders on this matter. The implications of this need to be studied and fully understood by the province before they should consider enabling this broad power.

In terms of the development permit process, the same concerns stated for the Subdivision Process apply. This matter has already been addressed through MGA Review and it is unacceptable to allow changes at this stage when stakeholders have not been provided the opportunity to engage in these discussions.

4.5 Affordable Housing

Calgary and Edmonton have requested a number of additional powers related to affordable housing including:

- Enable the implementation of housing agreements that authorize a municipality or nonprofit organization to enter into an agreement on land that it does not own. The agreement would run with the land, bind future owners of the land, and allow the municipality or nonprofit organization to outline the terms and conditions;
- Enabling the cities to create approval conditions requiring a contribution by the developer where council reasonably anticipates that a redevelopment will result in the loss of affordable housing units; and
- Enabling the cities to develop municipally derived definitions for affordable housing.

These proposals present a number of concerning elements that are expanded on further in the attached. Ultimately, the intent and rationale behind these requests is unclear but more problematic is the fact that these items were open to discussion as part of the MGA Review and specifically the Inclusionary Housing Regulation. The province is also currently undertaking development of an Affordable Housing Strategy which clearly cannot be included in the Charter discussions at this point.

CHBA – Alberta has attempted to work with the province on addressing this issue and along with UDI Alberta has provided a number of functional tools designed to assist with the development of inclusionary units in a manner that protects affordable market housing. We have not been afforded any opportunity for discussions on the proposals suggested by Calgary and Edmonton. Principles involving affordability are applicable province-wide and industry is ready to work with the province and municipalities to get this right.

4.6 Supplementary Assessments on Land

The Cities and Calgary and Edmonton have requested that they have the power to prepare supplementary assessments for lands converted from farm to another land use. This issue was pursued as part of amendments to the MGA, however, no changes were proposed. This would open the door for a variety of changes to farmland tax assessments that were not supported through the extensive MGA Review process. This appears to be an attempt to circumvent these past discussions and put policies into place through Charters.

Land should be taxed on its actual use and not on its intended use. Converting land from agricultural to residential or another land use designation does not mean that it is no longer farmed, nor does it mean the lands receive any additional services warranting a higher tax rate. Some additional points for consideration:

- Developers currently act as stewards of farmland until it is time for it to be developed, generally leasing the land for farming until they begin construction. Should landowners be charged serviced residential rates, when the land is not yet serviced, there would be no incentive to maintain the lands in an agricultural state. Therefore it may become more economically feasible to strip and grade more land if there is no incentive to continue to farm the property.
- These properties do not receive or require services (water, sewer, stormwater, police, recreation, etc.) beyond the roads that run along their boundaries. It is unreasonable to expect them to pay full

serviced residential rates or be assessed at any value other than farm value when they do not in fact receive any services other than road access.

- Cities establish their growth areas either independently or through Growth Management Boards thereby deciding if farmland is protected or developed. If they decide to designate farmland for development they should not then be able to then to tax it at a serviced residential rate or assess the land at any value other than a farmed land value. If they truly want to protect farmland they have planning mechanisms available for them to do so.
- This would discourage proper planning of complete communities as it would incentivize developers to refrain from redesignating land until it was required for development, thus requiring a redesignation for each phase of a community.
- This could also violate annexation Board Orders as many of those Board Orders stipulate that land should continue to be taxed at farmland rates as established in the jurisdiction from which the land was annexed.
- As per the discussions during the MGA – stripping of land should be the trigger mechanism for charging a market value assessment on farmland. At that point in time the land is no longer being farmed. By using stripping of land as the trigger mechanism, a developer is incentivized to continue to farm land as long as possible, thereby keeping the land agriculturally productive as long as possible. In some cases, stripped land has been reclaimed as viable farm land and it would appear to be logical that if this were to occur that a landowner should be incentivized to do so through the application of farm rates to the subject property.

4.7 Public Engagement and Communication

Calgary and Edmonton have requested the power to establish their own processes for public communication and consultation. It is unclear what in the current legislation prevents Edmonton and Calgary from establishing comprehensive public consultation processes. This would potentially allow municipalities to substantially increase engagement requirements for development projects which results in cost increases that are eventually paid for by home buyers.

In addition to previous MGA amendments which require the creation of public participation policies at the municipal level, Calgary and Edmonton have undertaken substantial initiatives aimed at improving their engagement processes. It is unclear why additional powers are needed and what they would be used for. The MGA needs to provide the requirements for consistent community consultation that is tied to approval processes so that applicants and landowners do not get stuck in an endless consultation loop that has no end point.

5. CONCLUSION

The Charter Overview Package is intended to provide some broad policy proposals brought forward by the cities of Edmonton and Calgary through the Charter process. While we understand these are preliminary and subject to considerable change, we can only respond to the information made available to-date. The previous sections detail some key areas for us and the attached provides our preliminary response to each of the policy proposals. Moving forward it is important that the province keep the following questions in mind as they assess the individual policy proposals:

- Is the situation of Edmonton and Calgary so unique that this power is specific to these municipalities?
- What is the benefit to residents of the enabling power?
- Has this been discussed as part of the broader amendments to the MGA? If so, why is it being discussed again through the Charter process?
- What are the potential consequences of the proposed policy? Has adequate time been provided to fully explore these?

We look forward to working with the province in the coming weeks to discuss the Charters and hope this will include numerous opportunities for the various stakeholders to work through the various proposals.

Finally, we would like to stress the opportunity to move ahead on consensus and well researched items, while providing additional time for consultation and consideration of non-consensus items amongst all stakeholders. This would provide wins for all stakeholders involved, and allow for the positive work that has taken place in recent years to continue informing the province. A real potential resource has been created through the MGA Review process, and it should not be wasted.

APPENDIX: RESPONSE TO INDIVIDUAL ENABLING PROPOSALS

The following table provides CHBA – Alberta’s response to each of the enabling proposals outlined in the Charter Overview Package.

ADMINISTRATIVE EFFICIENCY

Topic	Enabling Proposal	CHBA – Alberta Comments
<i>Modernization of the Assessment Process</i>		
1. Online School Support Declarations	The cities will make school support declaration forms available online. Cities will provide paper copies when requested.	No comment at this time.
2. Supplementary Assessments on Land	Cities may prepare supplementary assessments on property that has changed from farm land to another use due to its increase in value.	<p><i>Same comments as those found in the covering document.</i></p> <p>This issue was pursued as part of amendments to the MGA, however, no changes were proposed. This would open the door for a variety of changes to farmland tax assessments that were not supported through the extensive MGA Review process. This appears to be an attempt to circumvent these past discussions and put policies into place through Charters. Land should be taxed on its actual use and not on its intended use.</p> <p>Converting land from agricultural to residential or another land use designation does not mean that it is no longer farmed, nor does it mean the lands receive any additional services warranting a higher tax rate. Some additional points for consideration:</p> <ul style="list-style-type: none"> • Developers currently act as stewards of farmland until it is time for it to be developed, generally leasing the land for farming until they begin construction. Should landowners be charged serviced residential rates, when the land is not yet serviced, there would be no incentive to maintain the lands in an agricultural state. Therefore it may become more economically feasible to strip and grade more land if there is no incentive to continue to farm the property.

Topic	Enabling Proposal	CHBA – Alberta Comments
		<ul style="list-style-type: none"> • These properties do not receive or require services (water, sewer, stormwater, police, recreation, etc.) beyond the roads the run along their boundaries. It is unreasonable to expect them to pay full serviced residential rates or be assessed at any value other than farm value when they do not in fact receive any services other than road access. • Cities establish their growth areas either independently or through Growth Management Boards thereby deciding if farmland is protected or developed. If they decide to designate farmland for development they should not then be able to then to tax it at a serviced residential rate or assess the land at any value other than a farmed land value. If they truly want to protect farmland they have planning mechanisms available for them to do so. • This would discourage proper planning of complete communities as it would incentivize developers to refrain from redesignating land until it was required for development, thus requiring a redesignation for each phase of a community. • This could also violate annexation Board Orders as many of those Board Orders stipulate that land should continue to be taxed at farmland rates as established in the jurisdiction from which the land was annexed. • As per the discussions during the MGA – stripping of land should be the trigger mechanism for charging a market value assessment on farmland. At that point in time the land is no longer being farmed. By using stripping of land as the trigger mechanism, a developer is incentivized to continue to farm land as long as possible, thereby keeping the land agriculturally productive as long as possible. In some cases, stripped land has been reclaimed as viable farm land and it would appear to be logical that if this were to occur that a landowner should be incentivized to do so through the application of farm rates to the subject property.

Topic	Enabling Proposal	CHBA – Alberta Comments
3. ARB information disclosure timelines	If more than the minimum legislated amount of time to prepare materials for a hearing is available, the mailing date of the hearing notice and the date of the hearing set in the notice are divided into equal time periods for the complainant and assessor to be able to prepare their evidence.	No comment at this time.
4. Assessment Review Board Governance	Provide councils with municipal input into the recruitment, training, scheduling, evaluation, and standardization of costs associated with the provincial members on the Composite Assessment Review Boards.	No comment at this time.
5. Evidence and Property Inspections	Clarify that a city assessor may inspect properties following a complaint or inquiry, and present evidence at ARB hearings that arise from the inspection completed for assessment purposes.	We would support this policy if municipalities are required to provide this information to the affected parties in advance of the ARB hearing.
6. Electronic Notices	Clarify that the cities may send documents, disclose evidence and receive evidence and information including assessment and tax notices electronically on a web portal.	We support this policy based on the information provided to-date and so long as residents are adequately advised where and when this information is available.
7. Allow Continuous Bylaws for Supplementary Assessment and Tax, Sub-Class and Business Assessment and Tax	Allow particular city bylaws to be continuous, such as bylaws for supplementary assessment and tax, sub-class, and business assessment and tax.	We need to understand specific details and the intent of this tool before we are able to comment.
8. Improvements Used for Manufacturing and Processing Operations	Clarify that a property is only non-assessable if improvements are <u>primarily</u> used for manufacturing or processing operations.	No comment at this time.
9. COPTER Timelines and Exemption Requirements	Allow city councils to vary the dates, timelines, and application process listed in COPTER for efficient use of staff time and resources.	This is unnecessary as the COPTER regulation was discussed by numerous stakeholders (including Calgary and Edmonton) over multiple days through the MGA Review process. If changes are

Topic	Enabling Proposal	CHBA – Alberta Comments
		needed, this decision should come in the form of amendments to COPTER.
10. Tax Cancellation	City council can delegate its authority to cancel or defer taxes. Within the bylaw delegating this authority, council will be required to prescribe specific parameters and limits.	The Charters need to indicate that tax cancellations / deferrals cannot be applied to Municipally Controlled Corporations (MCCs). Municipalities have requested increased autonomy to establish MCCs which we would support provided there are substantial requirements related to accounting, transparency and that MCCs do not receive any benefits beyond those afforded to industries that may have to compete with them.
11. Technology and Assessments	Assessors may use electronic means to gather information and photographs when collecting or recording property data.	No comment at this time.
12. Define Derelict and Contaminated Property	Allow the cities to define assessment subclasses for derelict and contaminated property.	No comment at this time.
Streamlining Decision-Making		
13. Roles in Council	Councils may establish the roles and relationships within council, including setting out duties and powers that are assigned or delegated to the mayor or other members of council.	Further information required before we can provide a formal response.
14. Delegation of Powers	Provide councils greater flexibility to delegate powers, duties, or functions unless an enactment or bylaw provides otherwise. The purpose of delegation could be to provide advice, collect information, provide oversight to a specific issue, make decisions, or carry out a statutory obligation.	This is rather broad which is potentially concerning. However, this could offer the possibility for Council's to remove some red tape on applications / approvals. Prior to providing a formal comment, we need to understand the intent and how this would be theoretically implemented.
15. Election Processes	Provide councils with authority to modify several LAEA provisions above a minimum standard set out by the province including: -changes to definitions to suit the urban context -clarification and assignment of certain election responsibilities to the returning officer -determining methods of providing notice -setting timing of nomination day -deferring vote on a question to	No comment at this time.

Topic	Enabling Proposal	CHBA – Alberta Comments
	<p>the general election within 6 months</p> <ul style="list-style-type: none"> -establishing voter identification requirements and process -determining ballot box requirements -establishing restrictions on campaign advertising within proximity to voting stations -determining the form and content of election forms <p>The cities would continue to be subject to the general election process and rules set out in the <i>LAEA</i>. The proposal would not allow the cities to change the date of the general election. Existing election regulations will be repealed.</p>	
16. Alternate Voting	Enable the cities to use nontraditional voting methods, such as internet, telephone, or touch screen voting.	No comment at this time.
17. Municipal Campaign Financing	<p>Councils will be able to establish their own election campaign contribution, finance, and reporting requirements above a minimum standard set by the province. Cities would have the authority to establish:</p> <ul style="list-style-type: none"> - requirements and processes for registration of candidates - reporting, use, and holding of surplus campaign funds - elimination of campaign deficits - audit or review processes for campaign finance reporting - enforcement of campaign finance requirements 	No comment at this time.
18. Investments	City councils will have authority to determine how the city invests. To ensure transparency, city council will be required to establish an investment policy and a debt management policy and make these public. Councils will be required to follow prudent person principles; a legal maxim restricting the discretion in a client’s account to investments that a prudent person seeking reasonable income and preservation of capital might buy for their own portfolio.	This potentially puts a lot of financial risk on taxpayers, however, we understand this could be designed as an effective tool as it relates to debt servicing and financing the front end costs for projects. We will await additional information on the specific intent and language surrounding this proposed policy before providing a more formal response.

Topic	Enabling Proposal	CHBA – Alberta Comments
19. Financial Administration	Councils can create their own financial administration practices for budgets, municipal accounts, financial statements, validity of borrowing, and setting the financial year. Cities are able to set their own budget process and requirements, including the contents of the budget and how it is adopted. Cities will still be required to submit annual financial information returns to the province.	While some flexibility may be beneficial to Edmonton and Calgary, the province needs to legislate specific transparency and accountability requirements to ensure the cities are following acceptable accounting practices. We will await additional information on the specific intent and language surrounding this proposed policy before providing a formal response. We would also request that the province explore the use of Community Finance Districts through Charters as an effective financing tool for Calgary and Edmonton.
20. Bylaw Fines	Councils have the authority to determine the maximum potential fine for bylaw violations. Cities require additional flexibility in setting fines for serious bylaw offenses such as development or drainage infractions.	This is an extremely broad and potentially dangerous tool. While we would agree fines can be an effective deterrent against non-compliance with bylaws and standards, this has the potential for abuse as municipal revenue generating tool. The scope and a maximum limit for fines needs to be established at the provincial level to ensure this power is not abused. It is unclear why the Cities Calgary and Edmonton would require larger fines than any other community in Alberta. Additional information on the intent and potential application of this tool is needed before we can provide a more detailed response.
21. Council Processes	<p>Councils have authority to establish the processes of council, including the authority to determine what matters may be decided by resolution or bylaw. Matters of significant impact that necessitate public engagement via multiple readings, such as budget setting and land use, will continue to be addressed via bylaw.</p> <p><i>MGA</i> requirements will be maintained for public notice and public attendance at council and committee of council meetings. Any bylaw passed by the cities must not derogate the minimum public engagement requirements set in the <i>MGA</i>, but may impose additional requirements if desired.</p>	We need to understand the intent of this tool and what it could potentially be used for prior to providing comment. Who determines what is “significant” enough to warrant a public hearing?
22. Bylaws and Municipal Purpose	Councils may determine the matters for which they may create bylaws within the scope of municipal purpose. The proposal would broaden the potential scope of bylaw making authority for the cities.	Prior to comment, we need to understand the intent of this tool and what forms of bylaws Edmonton and Calgary would like to create. What bylaws are needed that they are currently restricted from making?

Topic	Enabling Proposal	CHBA – Alberta Comments
23. Public Engagement and Communication	<p>Provide councils with the authority to establish their own processes for public communication and engagement, including the authority to establish timing, methods and process for advertising, notifications, and public hearings.</p> <p>As well, give cities authority over their petition process, including documentation requirements, eligibility requirements and the setting of sufficiency requirements or thresholds.</p>	<p><i>Same comments as those found in the covering document.</i></p> <p>Calgary and Edmonton have requested the power to establish their own processes for public communication and consultation. It is unclear what in the current legislation prevents Edmonton and Calgary from establishing comprehensive public consultation processes. This would potentially allow municipalities to substantially increase engagement requirements for development projects which results in cost increases that are eventually paid for by home buyers.</p> <p>In addition to previous MGA amendments which enable the creation of public participation policies at the municipal level, Edmonton and Calgary have undertaken substantial initiatives aimed at improving their engagement processes. It is unclear why additional powers are needed and what they would be used for. The MGA needs to provide the requirements for consistent community consultation that is tied to approval processes so that applicants and landowners do not get stuck in an endless consultation loop that has no end point.</p>
24. Subdivision Process	<p>City Councils will have the explicit power to determine their own process and process requirements for subdivision, including:</p> <ul style="list-style-type: none"> • Requirements for applications • Application referees, and where applicable, circulate to the appropriate Provincial bodies • Relevant considerations in making a decision 	<p><i>Same comments as those found in the covering document.</i></p> <p>Additional subdivision powers should not be considered as part of City Charters. These matters were addressed extensively in the MGA Review and will be further addressed with revisions to the Subdivision and Development Regulation which has already been consulted on. The Cities of Calgary and Edmonton were well represented throughout the engagement process so it would not be reasonable for them to circumvent the previously undertaken process.</p> <p>This issue has substantial implications for not only developers and home builders but any resident who is required to apply for a permit. Latitude has already been given to cities and specialized municipalities in allowing them to establish their own timeframes; to provide Calgary and Edmonton with free rein with the subdivision process (including appeals) would create substantial uncertainty where it is not needed. Some of the changes discussed and proposed as part of the regulation process include:</p> <ul style="list-style-type: none"> • Processes to identify, determine value and transfer Conservation Reserve;

Topic	Enabling Proposal	CHBA – Alberta Comments
		<ul style="list-style-type: none"> • Determination of floodways; • A process for determining complete applications including appeals; and • Definitions of key terms such as “bed and shore”, “water body”, “conservation reserve” and “environmental reserve”. <p>While it is currently unclear which direction the government will take on some of these matters, every key stakeholder (including Calgary and Edmonton) was at the table and had every opportunity to provide input. To circumvent this through City Charters would erode confidence in the considerable work that was and continues to be done as part of the MGA Review process. At no point in that consultation was an argument made that the requirements and process should be different for Calgary and Edmonton or that they have a special need different from any other Alberta municipality on this particular policy issue.</p>
25. Municipal Tribunal	Enable the cities to create an administrative tribunal system to manage bylaw offenses, starting with transit and parking bylaw tickets. An administrative tribunal can be an innovative and efficient forum to streamline ticket processes and reduce provincial justice system costs.	Additional information is required before we can formally comment. While we understand the initial intent of this tool, what flexibility will Calgary and Edmonton have to expand this tool for other uses?
26. Affidavit Evidence	Permit affidavit evidence for bylaw offenses. Affidavit evidence is a written, sworn statement of fact voluntarily made under oath.	No comment at this time.
27. Regulating Licensed Premises	City councils are enabled to pass bylaws regulating licensed premises including varying opening and closing hours, regulating patios, and regulating ‘happy hour’ times.	No comment at this time, though we would expect the Alberta Chambers of Commerce to have considerable thoughts on this item.
28. Weed Control Authority	City councils would not require ministerial approval to create weed control bylaws that require property owners to be responsible for the area between the edge of their property line and the midpoint of the adjacent highway.	Prior to formally commenting, we need to understand how this would be implemented and who would be impacted. Would this offload responsibility for weed control of city owned land onto adjacent

Topic	Enabling Proposal	CHBA – Alberta Comments
		private land owners? Would a property owner be responsible for maintaining medians on major arterial roads?
29. Weed Designation Authority	Allow municipalities to elevate weeds from prohibited to noxious status, or add weeds as either prohibited or noxious without ministerial approval. All existing appeal mechanisms under the <i>Weed Control Act</i> would be applicable.	No comment at this time.
30. Assessment Complaint Period for Non-Residential and Residential Properties with More than 3 Dwelling Units	The cities will be allowed to choose from the following two options. 1. 60 calendar day complaint period that begins immediately after the mailing of the annual assessment notices. No preconsultation period required, OR 2. 30 calendar day complaint period that begins immediately after the mailing of the annual assessment notices, with a mandatory pre-consultation period. Timing of the preconsultation is at the discretion of the City but must take place between the valuation date and the mailing of annual assessment notices and be no less than 30 calendar days long. Details, including rules on the type of information the City may use during preconsultation, will be subject to approval from the Minister of Municipal Affairs.	No comment at this time.
31. Rezoning Notification	The public advertising requirements will be satisfied by publishing a notice on the city’s website or other electronic means. However, notification to those directly impacted by the rezoning will still need to occur through a letter that, at minimum, directs the recipient to a website for more information.	We support this policy based on the information provided to-date though we would suggest consideration be given to the fact that not everyone has access to a computer or regularly checks a Cities’ website. It is important that this information be easily accessible and residents are made aware to the maximum extent possible.
Enhanced Clarity for Assessments		
32. “Restricted” definition	The definition of ‘restricted’ under COPTER is clarified to allow non-profit office space to be exempt, but not private group space.	This item was discussed extensively through consultation on the COPTER Regulation and should be addressed there, not in Charters.

Topic	Enabling Proposal	CHBA – Alberta Comments
33. For-profit in exempt spaces	For-profit uses in exempt spaces, including commercial spaces in universities, hospitals, and airports is made taxable.	This item was discussed extensively through consultation on the COPTER Regulation and should be addressed there, not in Charters.
34. Catch-all assessment class	The non-residential assessment class becomes the catch-all assessment class.	It is unclear exactly what this enabling proposal is attempting to achieve. Further information is required.

SUPPORTING COMMUNITY WELL-BEING

Topic	Enabling Proposal	CHBA – Alberta Comments
Affordable Housing		
35. Housing Agreements to Follow Title	Enable the implementation of housing agreements that authorize a municipality or non-profit organization to enter into an agreement on land that it does not own. The agreement would run with the land, bind future owners of the land, and allow the municipality or non-profit organization to outline the terms and conditions.	The purpose, intent and application of this needs to be more fully understood. This could theoretically tie up parcels of land for decades and prevent redevelopment. What would these agreements specifically be for and why are they necessary? How would someone ever get out of an agreement? Will there be a mechanism for terminating an agreement at any point? Our understanding is that similar mechanisms exist today so it is unclear why additional powers are needed.
36. Affordable Housing Loans	Allow the cities to advance loans and take-back mortgages to private individuals and organizations exclusively for the development of affordable housing.	This will need to be extremely transparent. At the very least legislation needs to include maximum terms and amounts. How are defaults managed to minimize impacts on taxpayers? Our understanding is that similar mechanisms exist today so it is unclear why additional powers are needed.
37. Protection of Existing Affordable Housing Stock	Enable the cities to create approval conditions requiring a contribution by the developer where council reasonably anticipates that a redevelopment will result in the loss of affordable housing units. This contribution would fund a portion of new affordable housing development.	Inclusionary housing, including contributions required as it relates to redevelopment, were discussed in detail throughout consultation associated with the Inclusionary Housing Regulation. Similar to comments on other proposed policies that have already been addressed through the MGA Review, it would be frustrating to have charter requirements circumvent discussions that have already occurred. If this item is to be considered further, we need to understand specifically why this is needed and why it cannot be properly addressed in the Inclusionary Housing Regulation.

Topic	Enabling Proposal	CHBA – Alberta Comments
38. Definition of Affordable Housing	Enable the cities to develop municipally derived definitions for affordable housing related to authorities of municipalities under the <i>Municipal Government Act (MGA)</i> . The definitions cannot override other legislation such as the <i>Alberta Housing Act</i> .	It is unclear why the province would enable Cities to create their own definitions when there is an Inclusionary Housing Regulation (under the MGA) and Affordable Housing Strategy underway at the provincial level. There needs to be consistency. Principles involving affordability are applicable province-wide.
39. Affordable Housing Tax Exemptions	City of Calgary would like the ability to exempt affordable housing providers, and the ability to define and set out in writing the basis for exemption. City of Edmonton would like the province to determine who is exempt, and provide a grant directly to the proponents if they meet provincial criteria. The ability to exempt non-market and affordable housing would be subject to the limitations of authorities under the <i>MGA</i> and would not override any other legislation.	<p>The City of Calgary can and already does this by bylaw for certain not-for-profits and Residents’ Associations. It is unclear why additional powers are needed here.</p> <p>The Provincial Affordable Housing Strategy needs to be finalized before any of these matters should proceed.</p>
Non-Profit Support		
40. Non-Profit Tax Relief	Provide “tax agreement” authority, expanding on <i>MGA</i> section 333 (1.1). The city council may make a tax agreement with a non-profit organization with property under capital funding agreements with both the municipality and the Government of Alberta. The agreement will facilitate the construction of a municipal infrastructure facility to be operated by the non-profit organization for the benefit of the community. Tax agreement authority under the Charter must be predicated upon (a) the provincial property tax portion being cancelled to the taxpayer and (b) the provincial property tax portion being waived by the province through the agreement.	No comment at this time.

SMARTER COMMUNITY PLANNING

Topic	Enabling Proposal	CHBA – Alberta Comments
Transportation		
41. Variations to the Traffic Safety Act (TSA) Within Municipal Boundaries	<p>Enable authority for components of the <i>TSA</i> that apply exclusively within city boundaries (below):</p> <ul style="list-style-type: none"> • Changes to the ‘default’ speed limit on residential streets • Back-in angled parking • Variable speed limit signage • Parking next to painted curbs • Provide cities with greater flexibility to address cyclist infrastructure and operational issues • Allowing for parking fines to be increased. • Allow cities to change the default maximum speed limits. • Allow cities to distinguish between commercial trucking vehicles and municipal fleet vehicles. <p>Further, use the Transportation Policy and Planning Table as an avenue to raise necessary changes to the <i>TSA</i> with Alberta Transportation in a more streamlined way, and provide a mechanism for the Minister of Transportation to ensure implementation.</p>	<p>We are supportive of allowing the cities to adopt innovative solutions but are concerned with the vagueness of the policy as proposed. Specifically, many of the items would be open to interpretation which should be addressed in provincial policy, particularly on:</p> <ul style="list-style-type: none"> • Flexibility regarding cyclist infrastructure and operational issues; • Distinguishing between trucking and municipal fleet vehicles; and • Using the Transportation Tables as an avenue to raise <i>Transportation Safety Act</i> changes.
Neighbourhood Revitalization		
42. Freehold School Sites	<p>Allow the cities to maintain a part of the freehold school site for open, public use purposes, while allowing the landowner (school board) to sell or develop the remainder of the land as it sees fit.</p>	<p>Additional information on this proposed policy is required before we can provide a fulsome response. Does this specific power relate to lands held by a school board or does it include any lands designated as school reserve through the subdivision process?</p> <p>There needs to be a substantial review of how and when lands are dedicated for the purposes of schools. As part of preparing Municipal Development Plans and Area Structure Plans, school boards and a municipality are required to identify locations for schools. Theoretically this should be done in accordance with previously prepared master or</p>

Topic	Enabling Proposal	CHBA – Alberta Comments
		strategic plans that are based on the intent of actually building schools. Currently municipalities and school boards seemingly request parcels of land be donated to them even if they have no plan to actually build a school. This is misleading to residents, developers and home builders who have the belief that a school will be built when in fact municipalities and school boards may never actually do so. Converting these lands to other uses can directly impact property values and quality of life for the residents within the community.
43. Tools for brownfields redevelopment	Enable the cities to develop tools to enforce compliance and notification related to brownfield redevelopment.	<p>We would need to understand how this would be applied. Would landowners be required to remediate the land in absence of plans for development? Depending on the application of this tool there are also issues of liability for the cities:</p> <ul style="list-style-type: none"> • What would be the logistics of allowing city inspectors to enforce provincial regulations? • What if the city misinterprets a situation and approves something they shouldn't? • Does the city become liable or is the responsible party still required to satisfy provincial requirements?
44. Conditions for Facility Setbacks	Create enabling conditions on land use, subdivisions, and development permits related to restricted uses within applicable setbacks. Allow the cities to develop tools to enforce notification and compliance related to the development of restricted uses within applicable setbacks.	Prior to formally commenting, we need clarity on the specific concern this is trying to address.
<i>Enabling Smarter Growth</i>		
45. Statutory Plans	City councils will have the authority to define additional types of statutory plans and how they fit into the hierarchy of plans.	There needs to be further articulation on how this would be applied (specific examples) and why it is needed. The concern is that if left unfettered, applicants could be responsible for complying with dozens of different statutory plans which is extremely onerous. Under changes to the MGA, municipalities will have until 2019 to provide a list of all non-statutory plans and articulate how they relate to statutory plans. Until the extent of this list is understood, it is premature to grant the broad authority for Edmonton and Calgary to create statutory plans at their discretion.

Topic	Enabling Proposal	CHBA – Alberta Comments
		<p>The delineation and hierarchy of statutory documents is an important policy structure that requires uniformity across the province. This is a principle that has been strengthened through a number of proposed changes to the MGA which will legislate a consistent policy framework for all municipalities. As it stands, municipalities will be required to ensure all statutory plans (from Intermunicipal Collaboration Frameworks / Growth Management Plans all the way to Land Use Bylaws) be consistent. This allows residents and industry to readily understand the policy framework that governs land use and development decisions across Alberta.</p> <p>Enabling powers to allow Calgary and Edmonton to enact any other policy or non-policy document as a statutory plan is extremely problematic. Currently these are considered non-statutory plans and if municipalities want to make these requirements mandatory, they have the ability to do so through amending their various legal statutory plans. This framework provides clarity and consistency of not only how rules are applied, but where the rules can be found. Should Calgary and Edmonton be provided this power, it would create a system where they are no longer required to ensure consistency between all levels of policy. This will also create a situation where residents and industry would be responsible for complying with 30 or more different statutory plans (as of 2013, Calgary had 52 non-statutory plans). This requested policy appears to have the intent of negating Calgary and Edmonton’s requirements (under changes to the MGA) to implement broad policies from non-statutory documents into concrete policies and requirements through amendments to their current statutory documents. If Calgary and Edmonton want to enact these policies, they have every ability to do so (through amendments to existing statutory plans) under the existing legislated framework.</p>
46. Land Use Bylaws	Enable city councils to regulate the content of their land use bylaw, including land allowable under districts, and the method of decision making and issuance of development permits.	<p><i>Same comments as those found in the covering document.</i></p> <p>What is the challenge with the current provincial policies related to land use bylaws and development permit processes? The requirements under the Act provide the framework for preparing Land Use Bylaws while providing flexibility in terms of how municipalities design and</p>

Topic	Enabling Proposal	CHBA – Alberta Comments
		<p>craft the standards it contains. It is unclear what barrier is currently in place that necessitates the need for Calgary and Edmonton to have this broad and far reaching power.</p> <p>This is a substantial change with considerable implications for industry. If this is being considered as part of the Charters, the province must allow for substantial consultation with stakeholders on this matter. The implications of this cannot be understood from the province through a couple of consultation sessions and a submission. The impacts of this need to be studied and fully understood by the province before they should consider enabling a power which can have such far reaching implications.</p> <p>In terms of the development permit process, the same concerns stated for the Subdivision Process apply. This matter has already been addressed through MGA Review and it is unacceptable to allow changes at this stage when stakeholders have not been provided the opportunity to engage in these discussions.</p>
47. Safety Codes Council Membership	<p>Allow Calgary and Edmonton to become members of the SCC, supporting the governance and administration of the safety codes system. The province will work with the SCC to secure Calgary and Edmonton participation as members of their Board of Directors.</p>	<p>This is potentially a roundabout way for Calgary and Edmonton to direct changes to the Building Code. The Safety Codes Council must be an independent body free from municipal agendas. Allowing membership to the City of Calgary and Edmonton opens up the potential for municipal politics to play a role in decisions related to the building code. Decisions on matters of the building code need to be made in the best interest of all Albertans and be free from the agendas of specific municipalities. Even seemingly minor code changes can result in substantial costs increases which directly impact housing affordability.</p>
48. Definitions for Schools, Hospitals, and Food Establishments	<p>Review Subdivision Regulations, specifically sections related to uses prohibited within legislated landfill and waste water treatment plant setback distances. Develop more concise and precise definitions for schools, hospitals and food establishments.</p>	<p>This was discussed as part of the consultation associated with the Subdivision & Development Regulation. This is not something needed specifically for Calgary and Edmonton so it should be addressed as part of province-wide legislation.</p>

EMPOWERING LOCAL ENVIRONMENTAL STEWARDSHIP

Topic	Enabling Proposal	CHBA – Alberta Comments
Energy Efficiency and Energy Security		
49. Building Code Energy Excellence	Ensure Cities have the flexibility to raise the bar on environmental sustainability and, in turn, contribute to the evolution of best practices that other municipalities could learn from and adopt. Cities would be limited to applying new requirements within municipal boundaries on a goforward basis.	This is potentially a huge concern for our industry as any changes to the building code result in direct increases to the cost of housing. Edmonton, Calgary and the province need to provide the specific changes that are being contemplated and allow for meaningful engagement with industry before we are able to identify the potential impacts of this item.
50. Energy Micro-Generation	Remove barriers limiting the ability of municipalities to own/operate power generation assets. Enable municipalities to own micro-generation systems larger than 1 megawatt. Enable the cities to expedite the approval and implementation of power generation by private households and/or energy cooperatives to export to the grid within city limits.	Additional information needed prior to comment.
51. Clean Energy Loans	Enable Property Assessed Clean Energy (PACE) loans to property owners in the cities. Under this program, the cities would be allowed to provide loans to homeowners to fund energy efficiency or renewable energy upgrades in their homes.	No comment at this time though we would be interested in understanding if this would have any potential impact on Edmonton’s or Calgary’s debt ceiling.
Climate Adaptation and Mitigation		
52. Climate Change Adaptation and Mitigation Plans	<p>Require the cities to develop adaptation management plans that include an assessment of key vulnerabilities, risks, and proposed actions to build resilience to a changing climate within their municipality. These plans should be reviewed every five years.</p> <p>The cities will be required to include in these plans:</p> <ul style="list-style-type: none"> Greenhouse gas emissions reporting on city-owned and operated facilities 	Additional information needed prior to comment, though we would note that matters of climate change policy should be directed at the provincial level prior to delineating powers to local authorities. Given the Climate Leadership Plan is still in a relatively early stage, any local powers should wait until the formal policies and programs are established at the provincial level.

Topic	Enabling Proposal	CHBA – Alberta Comments
	<ul style="list-style-type: none"> Greening government plans for building efficiency, green fleets, and green electricity 	
Environmental Protection		
53. Environment as a General Purpose	Add consideration for the environment as a general purpose for the cities, allowing for greater environmental stewardship in urban development.	<p>This is extremely vague and provides no information related to what powers this would enable Edmonton and Calgary. Specific information related to why this is needed and what policy implications it would have need to be provided by the province.</p> <p>This could be dangerous if the correlating policies are just as vague as it will open the door to Edmonton and Calgary circumventing the rules and policies that are being established through the MGA. Environmental stewardship in urban development is addressed through land use policies, environmental reserve and conservation reserve. These are tools currently available to all municipalities and not something that requires additional powers for Calgary and Edmonton. These matters were discussed in detail throughout the MGA Review and Regulation consultation process. It is not reasonable that substantial changes, such as the proposed, be included at this stage in the process.</p>
54. Environment as it Relates to Land Use	Add ‘the environment as it relates to land use’ as a matter for which the cities may pass bylaws. Council can pass bylaws for other specific environmental matters such as contaminated sites, brownfield redevelopment, climate change, mature trees and biodiversity.	It is unclear why this is needed as part of City Charters when most of these matters were discussed in detail throughout the MGA Review process (with full involvement from the Cities of Calgary and Edmonton). This has the potential to erode the recent changes to Environmental Reserve and establishment of Conservation Reserve that were intended to prevent the taking of privately held developable lands without compensation. The Charters must not override the work done as part of the MGA Review process.
55. Include Environment in Planning and Development as Part of the MGA	Include environment as part of the planning and development section of the MGA, providing cities with appropriate authority to be better partners for the province in environmental stewardship.	It is unclear why this would be discussed as part of City Charters. This speaks to changes to the MGA which have already been introduced to the legislation.

Topic	Enabling Proposal	CHBA – Alberta Comments
56. Alberta Energy Regulator (AER) Directive 071 Revision	Revise AER Directive 071, 'Emergency Preparedness and Response Requirements for the Petroleum Industry' to ensure that public health and safety risks related to oil and gas development in proximity to residential development are addressed.	Additional information required prior to providing a response. Does this relate to setbacks?
57. Oil and Gas Operator Emergency Response Plans	Enable the cities with authority in dealing with oil and gas operator emergency response plans (e.g. enforce compliance on municipal-related issues and register notifications on land titles).	It is not clear why the current process through the AER is not working at present. This may have the potential to erode the well-developed processes which exist to date. It is also our understanding that land titles are not to act as notice boards.
58. Alberta Energy Regulator Standing	Legislatively clarify that the cities have standing in Alberta Energy Regulator hearings.	The Responsible Energy Development Act establishes the Alberta Energy Regulator and sets out its mandate, structure, powers, duties, and functions so it is unclear why this is being discussed as part of City Charters. If the topic is open to discussion, the development and home building industry would also like to have standing in AER hearings.

COLLABORATION

Topic	Enabling Proposal	CHBA – Alberta Comments
<i>Environment and Climate Change Policy and Planning</i>		
59. Building Energy Labelling	Cities and the GOA work together to encourage building labelling for the private sector.	This is consistent with what has been discussed as part of the Climate Leadership Plan so it is unclear why policies are needed in City Charters for this. While we need additional information on this enabling policy before providing a formal position, we have supported labelling at the provincial level so long as it applies to all homes, both existing and new. This program will require significant collaboration between the province, municipalities and industry.
60. Alternative Energy	The cities and the GOA collaborate on the development of alternative energy industries and district energy systems, which would contribute to diversification of our energy sector and enhance economic development in Alberta.	No comment at this time though we would like additional information on what specific initiative(s) are being considered.
61. Coordination of Waste Reduction Efforts	Improved coordination of efforts (including programs and funding) between Calgary, Edmonton and the GOA on	No comment at this time though we would like additional information on what specific initiative(s) are being considered. Additionally, does this consider that waste management / reduction will likely be

Topic	Enabling Proposal	CHBA – Alberta Comments
	shared waste reduction goals, including wasteflow reporting.	addressed as part of Growth Management Boards? If so, how does this work with policies in Charters versus the MGA?
<i>Social Policy and Planning</i>		
62. Community Hubs	<p>Develop community hubs to optimize multiple uses of infrastructure and services. Identify uses, gaps and strengths and coordinate information with potential user groups.</p> <p>Create shared spaces for community organizations. Coordinate between organizations with complementary missions and mandates, but who serve different client groups.</p>	It is unclear why this specific item requires additional legislative powers under City Charters. If this relates to granting powers for Edmonton and Calgary to use MR and SR for multiple uses beyond parks and schools, then that should be clearly stated and it will require considerable consultation with stakeholders.
63. Provincial Emergency Social Services Framework Database	Create a province-wide electronic registration database for emergency social services, further expanding on the program and city support for evacuations across the province.	It is unclear why this would need to be enabled through Charters. This appears to be more of a strategic initiative that does not require legislative powers and if it is province-wide, it should be addressed in the MGA, not Charters.
64. Event Attraction	Develop a program for major sport and cultural event attraction in Calgary and Edmonton, including planning, designing, and implementing major sport and cultural attractions.	It is unclear why this would need to be enabled through Charters. This appears to be more of an initiative / agreement so why does it require legislative authority under Charters?
65. Accountability for Social Planning	Confirm the cities' accountability for social planning, which may include research, analysis and coordination related to identification of social needs, to address social well-being, and social development in the city.	It is unclear why this would need to be enabled through Charters. This appears to be more of an initiative / agreement so why does it require legislative authority under Charters?
66. Disaster Financial Assistance Arrangements (DFAA)	Collaborate across levels of government to address potential changes to the DFAA.	It is unclear why this would need to be enabled through Charters. This appears to be more of an initiative / agreement so why does it require legislative authority under Charters?
67. Urban Indigenous Issues	The province and cities will work together on addressing social issues that impact urban indigenous populations.	It is unclear why this would need to be enabled through Charters. This appears to be more of an initiative / agreement so why does it require legislative authority under Charters?

Topic	Enabling Proposal	CHBA – Alberta Comments
Transportation Policy and Planning		
68. Investment Plan Alignment	The province and the cities work together to align infrastructure investment plans, including transportation capital plans in order to facilitate smart growth and develop a sustainable, efficient transportation network.	No comment at this time.
69. Sharing of Infrastructure Plans and Priorities	The province and the cities agree to share their transportation infrastructure plans and priorities on a regular basis. The cities agree to participate on the Edmonton and Calgary highway network planning studies being completed by the GOA.	No comment at this time.
70. Integrated Transportation and Land Use Strategy	The province and the cities work together to develop an integrated transportation and land use strategy that includes coordination of project priorities and regional input. Parties complete joint planning studies to address long term transportation issues.	No comment at this time.
71. Highway Penetrator Agreements	The GOA, Edmonton and Calgary work together to update the Penetrator Agreements.	Any agreement should include a timeframe for the acquisition of land. This should occur within a specified number of months / years from the time a plan or agreement is put in place.
72. Rail Strategy	The GOA, Edmonton and Calgary work together with CN and CP to develop a Rail Strategy for Edmonton and Calgary. One of the core objectives of the strategy would be to reduce at-grade separations.	What precludes province and cities from pursuing without policy in a Charter?
73. Pedestrian and Cycling Design Guidelines and Infrastructure	Infrastructure projects address the needs of pedestrians and cyclists through continued collaboration on planning and design to develop seamless networks. Establish common, up-to-date policy and design guidelines that support walking and cycling.	Why does this need to be included in City Charters? Cities already have the ability to do everything under the policy proposal. Is this required for funding agreements? If this relates specifically to provincial projects, this should be determined on a project by project basis, not through a City Charter.
74. Review Funding Eligibility of Pedestrian and Cycling Infrastructure Projects	Funding agreements are reviewed to allow for increased eligibility of pedestrian and cycling infrastructure projects.	No comment at this time.