



Regional Planning Update

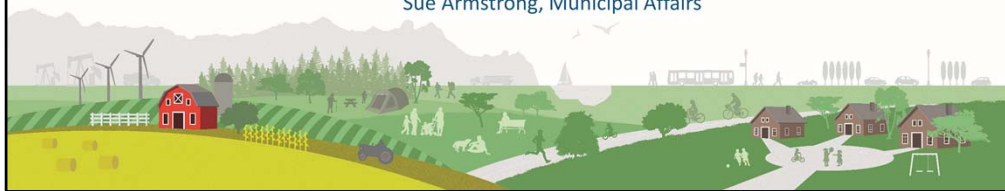
AUMA Mayors' Caucus

Strathmore, Alberta June 17-18 2015

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Topics

1. Land-use Framework regional plans
2. Regional plan alignment
3. Efficient use of land





What is the Land-use Framework, what is in a regional plan and who is responsible for developing regional plans?



Land-use Framework

- Introduced in 2008, it is a blueprint for land-use management and decision making to address Alberta's growth pressures
- Establishes a provincial vision and a set of desired outcomes
- Considers the economic, environmental and social perspectives

- **Land-use Framework Regional Plans**
 - The framework commits to the development of seven regional land-use plans, based on seven land-use regions
- **Alberta Land Stewardship Act (ALSA)**
 - Proclaimed in 2009
 - Established the legal basis for the development of regional plans under the Land-use Framework
 - Mandate for the Land Use Secretariat

Vision:
Albertans work together to respect and care for the land as the foundation of our economic, environmental and social well-being.

Outcomes:

- Healthy economy supported by our land and natural resources
- Healthy ecosystems and environment
- People-friendly communities with ample recreational and cultural opportunities

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The Land-use Framework was developed through extensive consultation with Albertans and their collective feedback formed the guidance from which a provincial vision and a set of desired provincial outcomes were created. These outcomes recognize that Alberta's economic, environmental and social goals are interdependent. As such, achieving these outcomes will require an integrated and balanced approach to land-use management.

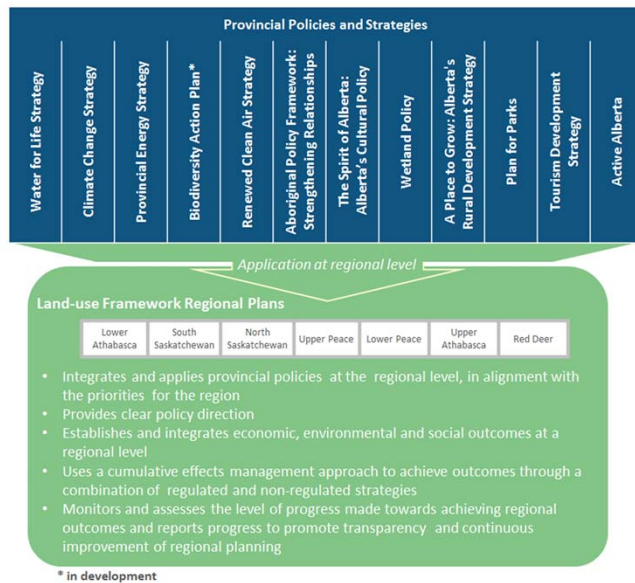
Resolving the complexities in land-use planning and decision making requires provincial leadership and an integrated planning process. Establishing a formal regional planning system is the most effective way to implement provincial policy, and a regional approach will allow us to establish land-use management objectives and determine land-use trade-offs.

The Land-use Framework commits to the development of seven regional land-use plans, based on seven land-use regions. This approach recognizes the great diversity of Alberta's landscapes and allows us to make important land-use trade-off decisions. Regional planning will integrate economic, environmental and social factors and provide the context for future, more detailed planning, to ensure that planning for land-use and environmental management are aligned and integrated

Regional Plans – Integrating Provincial Policies

Regional plans:

- **Integrate** existing provincial policies and strategies
- **Align** policies with regional economic, environmental and social outcomes
- Provide **clear policy direction** for land users and land-use decision-makers
- Follow a **cumulative effects approach**



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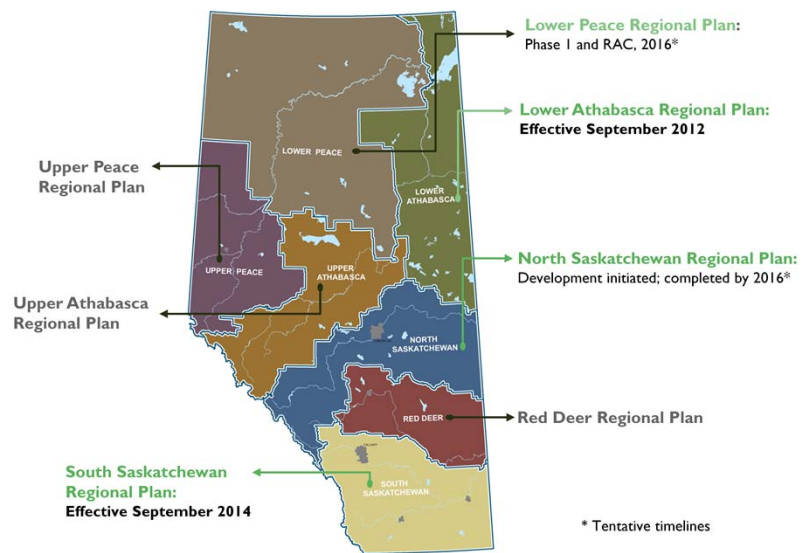
Integrating outcomes and setting environmental parameters

- Regional plans will set and integrate economic, environmental and social outcomes for the region and manage cumulative development to achieve these outcomes.
- Regional plans will set environmental parameters that will be linked to provincial monitoring, assessment and reporting programs.
- Each plan will define the cumulative effects management approach for its region, which would include identifying the triggers and limits for effects on the land-base and determining the appropriate land and natural resource management for specific landscapes within the region.

Environmental Management Frameworks (EMFs)

- EMFs are a key approach to managing the long-term cumulative effects of development on the environment at a regional level.
- Environmental Management Frameworks are created in a separate, but parallel process to support cumulative effects management in regional plans.

Regional Planning is a Government Priority



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Who's Involved in Regional Planning?



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Regional plans are built through a collaborative process that requires contribution and input from the Government and all Albertans, including aboriginal peoples, land owners and users, and decision-makers.

Cabinet

Cabinet provides overall direction to regional plan development, considering input received from Albertans, and approves the draft and final regional plans.

The Land Use Secretariat

Formally established in 2009, the Land Use Secretariat is an arms-length body that is part of the public service of Alberta, but is not a part of a government department. Headed by the Stewardship Commissioner, under the guidance and executive sponsorship of the Stewardship Minister, the Secretariat leads and works with a cross-ministry team and is responsible for the implementation of the Land-use Framework.

Government Ministries

A cross-ministry team works with the Land Use Secretariat to develop regional plans by providing policy analysis and research. This team is integral to the development process and provides advice and input to ensure an integrated perspective. The team works with their respective ministries to complete specific activities and analysis in order to deliver information required by stakeholders, including RACs and government, to support the identification of key issues for the region, and approaches to addressing these issues. The team is actively engaged throughout the entire development process and also plays a large role in Land-use Framework related public consultations and engagements.

RACs

RACs provide regional knowledge and expertise to the Government of Alberta on how to address specific issues and challenges for each region. Each RAC provides their recommendations to government through a recommendations report, on which the government will seek feedback from Albertans. RAC's recommendations and feedback from Albertans will be considered when drafting the regional plan.

Feedback and Input

Key stakeholder organizations representing various interests in each region, aboriginal peoples and all Albertans are engaged throughout the regional plan development process. Creating and maintaining strong partnerships and obtaining feedback and input is the foundation to supporting and encouraging the principle of shared stewardship of our lands and natural resources



What are the legal effects and how can regional plans be implemented by municipalities?

Regional Plans are Legal Instruments



- Section 15(1) of the **Alberta Land Stewardship Act** binds municipalities and their decision-makers, to any applicable regional plan. Section 630.2 of the **Municipal Government Act** further specifies that a subdivision authority, a development authority, a municipal planning commission and/or a subdivision and development appeal board must each carry out its functions and exercise its jurisdiction (as decision-makers) in accordance with any applicable regional plan.
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- The **regional plans contain regulations** which require municipalities align the strategic and implementation sections of the plan in carrying out their daily functions, duties and responsibilities. These functions and duties may extend beyond land-use planning, to include such areas as economic development or budgetary discussions.

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The relationship between municipalities and the regional planning system is established in both the *Municipal Government Act* and the *Alberta Land Stewardship Act*. Regional plans do not change the municipal planning process for municipalities; the *Municipal Government Act* still provides municipalities with the legislative authority to make land-use planning and development decisions within their boundaries.

The *Alberta Land Stewardship Act* legally binds municipalities to the regional plans. Within the regional plans there are regulations that require municipalities to consider the regional plan in day-to-day decision making.

Two Parts of Regional Plan Alignment

- 1. Implementing the regional plan
 - ✓ Be familiar with the Land-use Framework and the regional planning process
 - ✓ Participating in the consultation sessions for your regional plan
 - ✓ Being ready to implement the plan, the day it comes into effect
 - ✓ Be familiar with the environmental management frameworks associated with the regional plan
 - ✓ Considering the regional plan in day-to-day decision-making
- 2. The statutory compliance declaration

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There are two parts to regional plan alignment. The first is activating and implementing the regional plan in your municipality and the second is the preparation of the statutory compliance declaration.

Municipalities can help to implement their respective regional plan before it comes into effect by being familiar with the Land-use Framework and the regional planning process, and also by participating in the in the consultation sessions while the plan is being developed. This way your municipality will be informed of the issues impacting the entire region, which may assist in thinking about what changes, if any, may need to occur locally.

The day the regional plan comes into effect, municipalities must start considering the plan in all of their decision-making.

Implementing the Regional Plan

- **Considering the regional plan in day-to-day decision-making and operations must start the day the plan comes into effect.** Some suggestions of how to **show** the regional plan was considered:
 - Keep a record of how the regional plan was considered in decisions
 - Reference the regional plans in administrative reports for decision-makers
- Be familiar with the environmental management frameworks and implement any management responses in effect.
- Regional Plan amendments may occur from time to time. Municipalities will be notified by the Land Use Secretariat if a new statutory declaration is required.



Let's take a minute here to talk about day-to-day decision making and showing that your respective regional plan has been considered. First off, please know that the Land Use Secretariat will not be auditing municipal decisions for compliance with the regional plans. The only way these decisions will come to the attention of the Secretariat is through the complaint process, which I get to in a little bit.

If the environmental management framework does not provide specific direction to the region's municipalities regarding an environmental issue, there is no requirement for changes to local regulatory instruments or decision-making. Municipal action may be required if a management response is initiated by the Minister of Environment and Parks. The response could include, but is not limited to, the development of new partnerships, a requirement for updating a municipality's regulatory instruments and/or changes to decisions on land-use applications. Municipalities in the affected region will be notified by Alberta Environment and Parks of any required management actions as part of the management response.

Amendments will be made to the regional plans from time to time. Depending on the type of amendment, municipalities may be required to submit a new statutory compliance declaration. The Land Use Secretariat will provide notification and issue a bulletin, along with submission dates, for any new required statutory compliance declarations. Municipalities will also be invited to participate in consultation events and to provide feedback for any proposed amendments. It should be noted that whether a statutory declaration is required or not, a municipality must ensure that their regulatory instruments and decision-making aligns with the amendment.



Statutory Compliance Declaration

- Section 20 of the *Alberta Land Stewardship Act* specifies that when a regional plan is adopted, local government bodies (municipalities) must review their regulatory instruments, determine what changes are required (if any), make the necessary changes, and file a statutory compliance declaration with the Land Use Secretariat.
- The statutory compliance declaration declares that the regulatory instrument review is complete, the regulatory instruments are aligned with the regional plan, and that the municipality is in compliance with the regional plan.

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Section 20 of the Alberta Land Stewardship Act sets out the requirement for the preparation of the statutory compliance declaration. In order to prepare and submit the declaration, municipalities must review and amend, if necessary, all of their regulatory instruments.

Regulatory instruments includes documents such as the Municipal Development Plan, Area Structure Plans, design guidelines, etc .

There are many different ways that one could go about reviewing a municipality's regulatory instruments in order to prepare for the submission of a statutory compliance declaration. It is timely and occurs within the timeframe set out in the regulatory details of the regional plan

- ✓ It is comprehensive and well documented
- ✓ There is evidence in how the regional plan was considered
- ✓ Regulatory instrument gaps or needs are identified (if any)
- ✓ It is clear that municipal decision-makers are involved throughout
- ✓ Regulatory instruments are updated as required
- ✓ New regulatory instruments are developed as required
- ✓ Consultation is conducted as needed

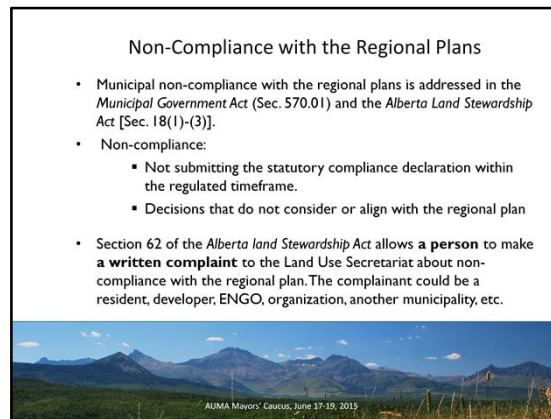
The statutory compliance declaration is essentially an implementation tool for the regional plans. It is intended to ensure that all local government bodies and decision-making bodies across the province have regulatory instruments that enable decision making that support

respective regional economic, social and environmental outcomes.

Important Dates

Municipalities within the Lower Athabasca Region have until **September 1, 2017** to declare their compliance with the Lower Athabasca Regional Plan.

Municipalities within the South Saskatchewan Region have until **September 1, 2019** to declare their compliance with the South Saskatchewan Regional Plan.



It is the mandate of the Land Use Secretariat to monitor the progress on achieving the outcomes of the regional plans, along with ensuring that regional plan objectives and policies are achieved or maintained. We are responsible for managing all aspects of regional plan compliance, including complaints. The Land Use Secretariat tracks and files the statutory compliance declarations that are prepared by the municipalities. If a municipality submits a statutory compliance declaration within the timeline provided in their respective regional plan, they are deemed to be compliant.

There are a number of possible enforcement measures for non-compliance provided between the *Alberta Land Stewardship Act* and the *Municipal Government Act* to uphold the regional planning system. In reviewing these measures, it's important to keep in mind that the Government of Alberta views enforcement of the regional plans and the *Alberta Land Stewardship Act*, as a staged or progressive process. The enforcement measures provided in the *Alberta Land Stewardship Act* and the *Municipal Government Act* should be considered the absolute final measures to address non-compliance. Before the Government of Alberta takes any of these measures, municipalities will be notified and provided with the opportunity to remedy or rectify any cases on non-compliance.

In addition to monitoring the statutory compliance declarations, the Land Use Secretariat will assess municipal compliance with the regional plans and the *Alberta Land Stewardship Act* through the complaint process. The *Alberta Land Stewardship Act* allows any person to make a complaint about non-compliance with the regional plan. This is where it will be very important for municipalities to ensure that they are making decisions that aligned with the regional plans and also documenting how they considered the plan in those decisions. Having a well-documented regulatory instrument review process can also assist a municipality if a complaint is launched against them.

Complaints about municipal non-compliance with the regional plans must be addressed through existing processes set out in the *Municipal Government Act*. For example, if the complaint is tied to a subdivision or development application, an appeal would be made to the Subdivision and Development Appeal Board, and then possibly the Court of Appeal. If there is no mechanism in the *Municipal Government Act* to address the complaint, it can then be made to the Land Use Secretariat and it will be dealt with under the *Alberta Land Stewardship Act*.

Mention the online compliance course, to be released later this year.



*How do plans fit within the larger planning system,
what are the legal effects and how are regional plans
implemented?*

What is Efficient Use of Land (EUL)?

- One of the Land-use Framework's (LUF) seven strategies is to: "promote [the] efficient use of land to reduce the footprint of human activities on Alberta's landscape."
- This strategy (LUF strategy 5) in response to strong calls by Albertans and stakeholders to build on past and existing efforts to promote the efficient use of public and private land and reduce the footprint of human activities on Alberta's landscape.

Objective: Not to stop growth, but ensure that once the appropriate land use is determined, it occurs in a manner that minimizes the amount of land that is taken up.



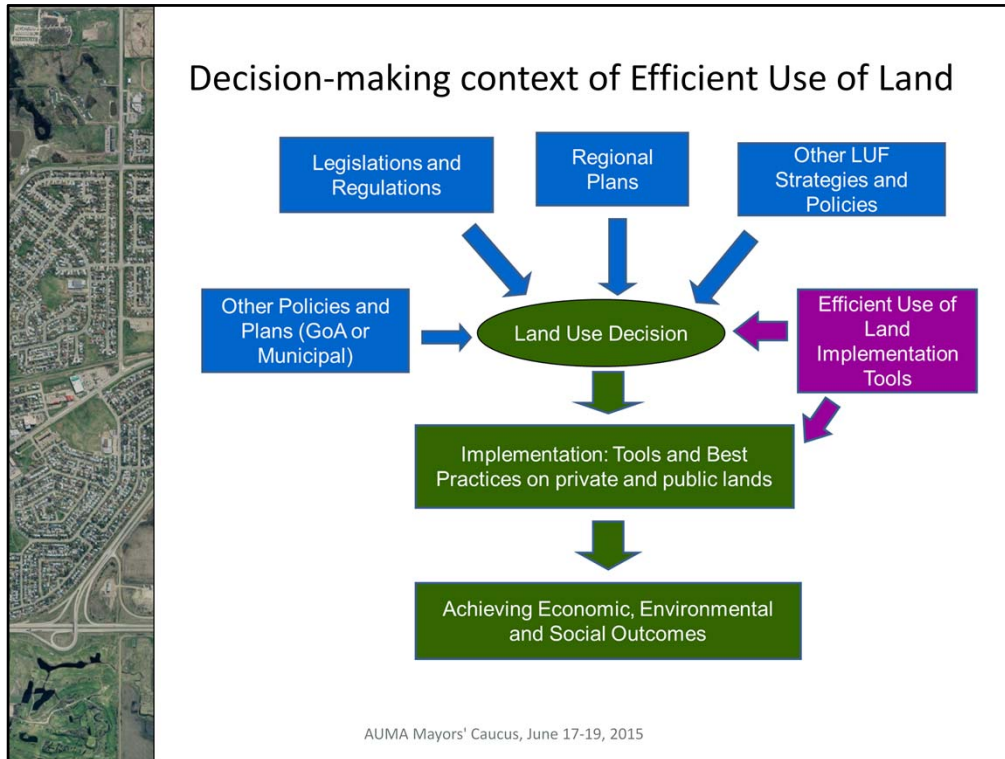
The overall intent of EUL comes from the Land-use Framework which is based on the recognition that land is a limited, non-renewable resource and should not be wasted... less is more – more choices for future generations.

Using land efficiently is the “right thing to do”. One outcome of the EUL is to build awareness and educate land managers and decision makers so that it becomes a normal way of doing business.

Efficient Use of Land Principles

1. Reduce the rate at which land is converted from an undeveloped state into the permanent, built environment;
2. Utilize the minimum amount of land necessary for new development and build at a higher density than current practice;
3. Increase the proportion of future built environment footprint that takes place within already developed or disturbed lands, either through infill, redevelopment and/or shared use, relative to the future built environment footprint that takes place on previously undeveloped lands;
4. Plan, design and locate future built environment in a manner that utilizes existing infrastructure and minimizes the need for new or expanded infrastructure;
5. Reclaim and/or convert previously developed lands that are no longer required for their original purpose to alternative productive uses in a progressive and timely manner; and
6. Decision-makers, land users and individuals have the information they need to make decisions and choices that support efficient land use.

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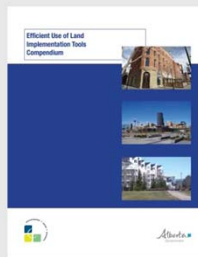
The EUL strategy provides tools to guide land use decision makers to minimize, overtime, the amount of land required for development associated with built environment.

Tools to support the Efficient Use of Land

On Private Lands:

Efficient Use of Land Compendium

- Describes 29 voluntary best practices that can reduce the amount of land required for development of the built environment.
- Many of these tools are already in use in Alberta (e.g., adaptive reuse, priority growth areas, variable development levies.)

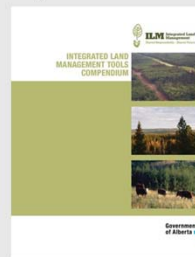


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On Public Lands:

Integrated Land Management Tools Compendium

- Identifies a range of tools that can be applied to manage the development footprint on public lands.
- **Tools focus on:**
 - Sharing existing footprint
 - Reusing old footprint
 - Removing old footprint
 - Coordinating development to minimize new footprint



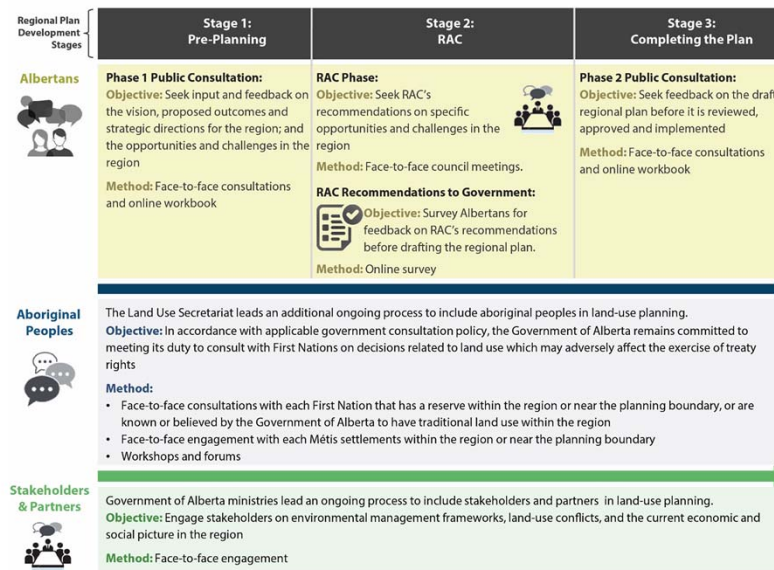
- The Efficient Use of Land Compendium was released with the SSRP
- EUL principles was incorporated into the South Saskatchewan Regional Plan
- Implementation of the EUL tools must be determined by local land-use decision-makers
- It is anticipated these EUL principles will be incorporated into future regional plans.
- The Government is committed to work collaboratively with municipalities, land-use decision-makers and land users (on both public and private lands) to:
 1. Build awareness and understanding of the efficient use of land principles
 2. Determine how the principles might be applied and their effectiveness measured.



Is there a better way to engage with municipalities for regional planning?

Consultation and Engagement

• Consultation and engagement are critical components to the long-term success of regional planning.



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Consultation and engagement are critical components to the long-term success of regional planning. The Land Use Secretariat completes consultation at three key points throughout the regional development process.

The process is initiated with the Government of Alberta communicating their current understanding of the region, through the profile of the region document, and proposing a strategic approach to developing the regional plan through the terms of reference. During phase 1 consultation, stakeholders, partners, aboriginal peoples, and all Albertans will have an opportunity to provide their feedback on the opportunities and challenges identified for the region, as well as the government's proposed strategic approach for developing the regional plan.

The Government of Alberta is responsible for developing the draft regional plan. This includes establishing strategies to support achievement of the vision and desired outcomes, as well as establishing regulations to support implementation of the plan. In developing the draft plan, the Government of Alberta will consider the feedback from Phase 1 consultations, as well as RAC's recommendations.

Question for discussion with the Mayors: Is there a better way for the Land Use Secretariat to engage with your municipality for regional planning?

Questions?

For more information:
www.landuse.alberta.ca

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