



# Operationalizing Land Use Planning in Alberta

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Adopted by the AUMA Convention:  
October 2, 2008



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## **Regional Land Use Planning: Operationalizing Regional Planning in Alberta**

### ***Introduction***

When the Government of Alberta commenced work on a provincial Land Use Framework in 2006, AUMA developed positions on land use planning in the following two papers: Multi-Jurisdictional Planning (February 2007), and Sustainable Land Use Planning: Analysis and Recommendations (August 2007). Both papers were adopted by AUMA at its 2007 Convention.

The purpose of this paper is to make recommendations as to how the Provincial Land-use Framework can be implemented.

### ***Provincial Land Use Framework***

On May 21, 2008, the Government of Alberta released its DRAFT Provincial Land-use Framework. The result of many months of hard work, and stakeholder discussions, the DRAFT document takes another step towards sustainability, but further detail and implementation is required before the true effects of the Framework will be realized.

The DRAFT Provincial Land-use Framework outlines six strategies for land use in Alberta:

1. Develop six regional land-use plans based on six new land-use regions.
2. Create a Cabinet Committee supported by a Land-use Secretariat and establish an Advisory Council for each region.
3. Cumulative effects management will be the instrument used at the regional level to manage the impacts of development on land, water and air.
4. Develop a strategy for conservation and stewardship on private and public lands.
5. Establish an information, monitoring and knowledge system to contribute to the continuous improvement of land-use planning and decision-making.
6. Include Aboriginal Peoples in land-use planning

### ***Roles and Responsibilities within the Provincial Land-use Framework***

#### **Provincial Government**

The DRAFT Provincial Land-use Framework released on May 21, 2008, sets out a land use system in Alberta that includes a provincial Land-use Secretariat that is overseen by a Cabinet Committee.

AUMA believes that a vital first step in implementing a land-use framework is to set the minimum requirements for all land use in the province, through. It will be

difficult, if not impossible, for Regional Plans to be created without a clear articulation of specific provincial goals to address the following provincial policy gaps and areas of provincial interest outlined in the Provincial Land-Use Framework:

- Managing subsurface and surface activities within our province,
- reducing the fragmentation and conversion of agricultural land,
- transportation and utility corridors,
- recreational use of public lands,
- conserving and protecting the diversity of Alberta's land base and
- managing flood risk.

Equally important to setting Provincial Land-use Policies, is the selection of members of the Cabinet Committee that oversees the Land-use Secretariat. In order to sustain and thrive from Alberta's land resources, it is recommended that the Cabinet Committee be made up of Ministers that understand and can speak to all five dimensions of sustainability (governance, economic, social, environmental, cultural). Ideally, there would be strong understanding of how to balance the five dimensions of sustainability in a planning process.

In setting out the mandate of the Cabinet Committee, and the Secretariat, strong checks and balances must be in place that will ensure an objective and thoughtful process, based on facts and achieving a vision of sustainable Alberta communities and regions.

AUMA notes that the DRAFT Provincial Land-use Framework indicates that an appeals system will be created for regional land-use plans. AUMA awaits further documentation of the appeals system, but submits that such a system must be robust, and draw upon the best aspects of the current planning appeals system.

### **Regional Advisory Councils**

AUMA is concerned that the Land-use Regions will not benefit from having local elected officials contribute to the decisions made regarding regional land-use planning. AUMA suggests that Regional Advisory Councils be empowered to provide more than "advice" to the Cabinet Committee. Regional Advisory Councils should be empowered to make recommendations that are given serious consideration, and are only rejected after a strong argument is provided as to the reasons for rejection.

As the regions are so large, and made up of so many municipalities, AUMA recommends that at least half of the Regional Advisory Council seats be filled by municipal representatives (municipal elected officials). The Councils should be set up in a flexible manner such that Sub-regions within the larger regions can choose to coordinate their planning as a region. The sub-regions could be made up of any types of municipalities, First Nations and Metis Settlements. The sub-regions should also have access to the planning expertise found in the Provincial Land use Secretariat.

With the assistance of the Provincial Land-use Secretariat, the Regional Advisory Councils should develop Regional Plans, and recommend them to the Cabinet Committee for adoption. Regional Plans<sup>1</sup> must address:

- o growth management
- o land use and density
- o sustainability planning
- o transportation planning
- o utilities planning
- o inter-municipal dispute resolution processes
- o tax-sharing, cost-sharing, and revenue-sharing

MLAs and MPs would be invited to sit as observers of the process only, and would be non-voting observers of the Regional Advisory Councils.

### **Municipal governments**

Municipal governments continue to have authority for land use and zoning within their boundaries, and there would be no erosion of municipal autonomy, as municipalities would work within the parameters of the approved Regional Plan. It is suggested that the system be established such that municipal governments are challenged and perhaps provided with incentives to go beyond the minimum requirements for land use planning that will be laid out in the provincial land use policies.

### **Alberta citizens**

Citizens must have the opportunity to provide input to the Regional Plan through a citizen engagement process to be adopted by the Regional Advisory Councils and the Provincial Land-use Secretariat. A strong citizen engagement component is required in order for all Albertans to have a stake in the planning of their province.

### **AUMA Recommendations for an Effective Land Use Planning System in Alberta**

With the development of a Provincial Land-use Framework, Alberta is poised to make great gains in conserving the province's land resource, while allowing for sustainable economic growth and development that Albertans value. AUMA believes there are some necessary steps to take before implementing the framework. Taking these steps will guide the Land-use Planning process in Alberta, and will help to ensure that the process is positive for all Albertans.

AUMA recommends that the following actions be carried out as soon as possible:

1. Enunciation by the Government of Alberta of provincial land use policies that protect Alberta's land resource and link with water and air resources. Provincial policies are viewed by AUMA as the minimum guidelines around land use planning, and municipalities are challenged to go beyond what is laid out in provincial policy.

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<sup>1</sup> These items are more fully discussed in AUMA's Paper: **AUMA, February 2007. *Multi-Jurisdictional Planning*.**

2. While maintaining the autonomy of municipal governments, issuing a challenge to municipal governments such that they think and act towards the enhancement of the region, and for the benefit of the people and environment of the region.
3. Encouragement of innovation and creativity to avoid or mitigate problems and challenges that arose with regional planning in the past.
4. Development of strong incentives that allow neighbours that work well together and wish to enhance their working relationships, to partner in regional planning efforts.
5. Development of strong disincentives to impeding regional land use planning, through a process whereby neighbours, if they have tried in good faith for a period of 6 months, and are unable to work together, are mandated to work together by the Government of Alberta, as per a process to be established in the Municipal Government Act, and the provincial land use framework.
6. High priority must be given to developing and agreeing on a dispute resolution process for each of the Land-use planning regions.