



IMPORTANT NOTICE

September 29, 2006

ATTENTION: Mayors, Councillors & CAOs

Emergent Resolution

Attached is an important Emergent Resolution that will be addressed at the AUMA Convention next week.

This is an important emergent resolution so please review it carefully in preparation for the Convention resolution sessions taking place on Thursday and Friday October 5th and 6th at the Shaw Conference Centre in Edmonton – Hall A.

Thank you.

Bob Hawkesworth
President

John McGowan
CEO

**AUMA RESOLUTION 2006.
AUMA BOARD OF DIRECTORS**

PROVINCIAL FREEZE ON DEVELOPMENT

WHEREAS the present municipal land use planning system in Alberta 1) relies too heavily on voluntary cooperation for resolution of regional issues; (2) unduly limits potential future land inventories for outward expansion of urban centers; (3) allows for unhealthy inequalities to exist between municipalities in revenues and costs of service provision; (4) provides for inter-municipal Development Plans that address bilateral issues but which do not sufficiently address regional growth management and planning; (5) allows for continued economic growth and diversification that create further development pressures; and (6) lacks the requirement for a regional growth perspective in local government; AND

WHEREAS the present municipal land use planning system is not effective, with its lack of useful Provincial Planning Policies, and its lack of urban and rural settlement direction, and its enforcement provisions for inter-municipal dispute settlements which place demands on the Municipal Government Board (MGB) and the Minister of Municipal Affairs to resolve inter-municipal disputes without a good Provincial planning framework; AND

WHEREAS the MGB Order No. 096/06 dismissed a complaint by an urban municipality regarding urban-style development in an adjacent rural municipality; AND

WHEREAS undue reliance on voluntary inter-municipal cooperation (as encouraged in the Provincial Land Use Policies) to achieve beneficial regional outcomes such as growth management, planning, and efficient service provision is not effective or sustainable; AND

WHEREAS Alberta's growth, combined with the existing planning legislation, are creating enormous development pressures on the boundaries of urban municipalities, AND

WHEREAS urban municipal growth will unwillingly be forced into a "leap frog" development style because of approved residential/industrial developments adjacent to the urban boundaries, lack of appropriate planning, and insufficient support for transportation, utilities and other municipal services; AND

WHEREAS there is mismatch between where development is approved and the costs of providing services to development; AND

WHEREAS uncontrolled development in rural areas is leading to further fragmentation of rural lands, which contributes to reduction in productive land, open space, and water sheds, and places further pressures on the ecosystem; AND,

WHEREAS the current annexation process is too complex and too time-consuming, and is being settled for cash transfers from urban municipalities to rural municipalities rather than for

good planning reasons; AND

WHEREAS there is an uneven playing field where urban municipalities are expected to increase residential and commercial densities at the same time as rural residential and commercial developments are expanding on their boundaries; AND

WHEREAS the Government of Alberta is currently reviewing its Land Use Policies, and stronger Provincial Land Use Policies would assist all municipalities with regional planning and the cost and coordination of service provision, resulting in the achievement of long-term public benefits at the local, regional, and Provincial levels;

THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urges the Government of Alberta to immediately freeze all commercial and residential developments and subdivisions, within an 8 kilometer zone from all borders of every urban municipality, until such time as the Provincial Land Use consultations are complete, and a strong, effective Land Use Policy framework is legislated in Alberta; AND

FURTHER BE IT RESOLVED THAT the Government of Alberta be urged to expedite all current urban annexation applications to ensure those municipalities can meet their long term planning needs; AND

FURTHER BE IT RESOLVED THAT the Government of Alberta be urged to adopt the position that if urban municipalities cannot accommodate growth demands within their boundaries, that those boundaries must be immediately expanded to accommodate the demand for urban-style development.

Background

In the matter of the MGB Order No. 096/06 which dismissed a complaint by an urban municipality regarding urban-style development in an adjacent rural municipality, the following grounds were given:

1. Before intervening in the local legislative process pursuant to section 690 of the Municipal Government Act, the MGB must be satisfied that the appealed provisions have, or may have, a significant detrimental affect on the appealing municipality. A minor or remote detriment does not warrant intervention.
2. Municipalities should be cognizant of, and implement the Provincial Land Use Policies within their planning documents. Those Policies encourage municipal cooperation and coordination and also establish a fundamental philosophy of equal, fair and beneficial establishment of land use patterns in all municipalities, regardless of size or type.
3. All municipalities are equal and have the same rights regarding growth and development.

4. Unless required by an Intermunicipal Development Plan (IDP), development in one municipality is not required to be in accordance with standards adopted by another municipality. Each municipality is entitled to adopt their own planning processes and development standards. Different planning processes, or different development standards, do not equate to detriment.
5. Detriment may be caused if the land is to be annexed into the municipality in the future. However, the annexation must be likely to occur within the next 5 to 10 years, and evidence of that probability must be provided. Such evidence would include an annexation application, or concrete plans for annexation outlined in a Municipal Development Plan (MDP), Intermunicipal Development Plan (IDP), or other planning document.