



O.C. 355 /2017

OCT 26 2017

Province of Alberta
Order in Council

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor
or
Administrator

The Lieutenant Governor in Council makes the Edmonton
Metropolitan Region Board Regulation set out in the attached Appendix.

CHAIR

FILED UNDER
THE REGULATIONS ACT

as ALBERTA REGULATION 189/2017

ON October 26 20 17

DEPUTY REGISTRAR OF REGULATIONS

For Information only

Recommended by: Minister of Municipal Affairs

Authority: Municipal Government Act
(section 708.02)

APPENDIX
Municipal Government Act
EDMONTON METROPOLITAN
REGION BOARD REGULATION

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Definitions

1 In this Regulation,

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

Part 1

Edmonton Metropolitan Region Board

Continuation of Board

2(1) In accordance with section 708.02(1.2) of the Act, the Capital Region Board is continued under the name of the Edmonton Metropolitan Region Board.

- (2) Each participating municipality may appoint a person to act in the representative's place in the event of the representative's temporary absence or temporary inability to act.
- (3) A representative appointed under section 708.04 of the Act and subsection (2) must be a councillor of the participating municipality that is appointing the representative.
- (4) Until a participating municipality appoints a representative under section 708.04 of the Act, the chief elected official of the participating municipality is designated as that municipality's representative.
- (5) If the representative of a participating municipality is unable to attend a meeting of the Board, the Board, on the request of the participating municipality, may provide for an alternative method of representation for the participating municipality at that meeting.
- (6) Representatives appointed under section 708.04 of the Act are expected to represent the perspectives of their respective municipality during Board deliberations, but have a duty to act in the best interests of the Board when taking actions or making decisions.

Mandate of Board

- 3(1)** The Board shall
 - (a) strive towards consensus regarding matters before the Board,
 - (b) promote the long term sustainability of the Edmonton Metropolitan Region,
 - (c) ensure environmentally responsible land-use planning, growth management and efficient use of land,
 - (d) develop policies regarding the coordination of regional infrastructure investment and service delivery,
 - (e) promote the economic well-being and competitiveness of the Edmonton Metropolitan Region, and
 - (f) develop policies outlining how the Board shall engage the public on the Growth Plan and the Servicing Plan.
- (2) In fulfilling its mandate, the Board shall further

- (a) prepare a Growth Plan,
- (b) prepare a Servicing Plan,
- (c) advise and make recommendations to the Minister regarding the implementation of the Growth Plan and the Servicing Plan,
- (d) facilitate the resolution of issues arising from the preparation and implementation of the Growth Plan and the Servicing Plan, and
- (e) develop and implement policies for the sharing of costs for regional projects of the Edmonton Metropolitan Region.

Chair of Board

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

Voting rights of representatives

- 5(1)** Subject to section 708.03(2) of the Act and section 4(4) and (6) of this Regulation, each representative has one vote.
- (2)** If a decision of the Board is to be made by a vote, the decision must be supported by not fewer than 2/3 of the representatives from

participating municipalities that collectively have at least 2/3 of the population in the Edmonton Metropolitan Region.

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

Power and duties of Board

6 The Board may

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

Part 2 Preparation of Edmonton Metropolitan Growth Plan

Preparation of Growth Plan

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

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

Objectives of Growth Plan

8 The objectives of the Growth Plan are

- (a) to promote an integrated and strategic approach to planning for future growth in the Edmonton Metropolitan Region,
- (b) to identify the overall development pattern and key future infrastructure investments that would
 - (i) best complement existing infrastructure, services and land uses in the Edmonton Metropolitan Region,

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

Contents of Growth Plan

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

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

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

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

Limitation of Plan

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

Part 3 Approval of Statutory Plans

Application of Part

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

Regional Evaluation Framework

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

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

plans in relation to the Growth Plan and the Servicing Plan.

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

Approval of statutory plan

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

Part 4

Preparation of Edmonton Metropolitan Region Servicing Plan

Servicing Plan

14(1) The Board shall, within 2 years from the coming into force of this Regulation, prepare a Metropolitan Region Servicing Plan for the Edmonton Metropolitan Region and file a copy with the Minister.

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

Objectives of Servicing Plan

15 The objectives of the Servicing Plan are as follows:

- (a) to identify the services required to support the goals of, and to implement, the Growth Plan;
- (b) to support the optimization of shared services to enhance use of ratepayer dollars;
- (c) to facilitate orderly, economical and environmentally responsible growth in the Edmonton Metropolitan Region;
- (d) to coordinate planning and decisions regarding services among member municipalities to ensure the optimization of ratepayer dollars.

Contents of Servicing Plan

16 The Servicing Plan must

- (a) list the servicing required to support the development outlined in the Growth Plan, which may include
 - (i) transportation, including regional transit,
 - (ii) water, waste water and storm water,
 - (iii) solid waste,
 - (iv) emergency services, and
 - (v) any other services, identified by the board which benefit residents in more than one of the municipalities that are parties to the Servicing Plan,

- (b) for services to be provided on an intermunicipal basis, outline how each service will be
 - (i) intermunicipally delivered, including which municipality will lead delivery of the service, and
 - (ii) intermunicipally funded,
- (c) set the timeframe for implementing services to be provided on an intermunicipal basis,
- (d) contain other matters necessary to support the Growth Plan, and
- (e) contain any other matter the Minister considers appropriate.

Part 5 General Matters

Regulation review

17 This Regulation shall be reviewed every 5 years.

Repeal

18 The *Capital Region Board Regulation* (AR 38/2012) is repealed.

Coming into force

19 This Regulation comes into force on the coming into force of section 133(a) of the *Modernized Municipal Government Act*.

Schedule Participating Municipalities

- (a) City of Edmonton;
- (b) Town of Beaumont;
- (c) Town of Devon;
- (d) City of Fort Saskatchewan;
- (e) City of Leduc;
- (f) Leduc County;
- (g) Town of Morinville;
- (h) Parkland County;
- (i) City of St. Albert;
- (j) City of Spruce Grove;
- (k) Town of Stony Plain;
- (l) Strathcona County;
- (m) Sturgeon County.