

Enabling Legislative Opportunities

The legislative provisions identified in the following table relate to Planning & Development areas of work. These opportunities are grouped into theme areas first identified by the Province in its communication's related to *Municipal Government Act* changes.

Legislative provisions	Theme Areas
Alternative time periods for applications <i>MGA s. 640.1</i> <i>Municipality may provide for alternative time periods for reviewing completeness, and for making decisions, on development and subdivision applications.</i>	Collaboration and planning
Off-site levies - expanded list of facilities <i>MGA s. 648(2.1); Off-site Levies Regulation</i> <i>Greater flexibility to determine when and how levies are imposed. Off-site levies under 648(2.1) may be appealed to the Municipal Government Board.</i>	Collaboration and planning
Intermunicipal off-site levies <i>MGA s. 648.01</i> <i>Municipalities can jointly create off-site levy bylaws for projects that benefit portions of two or more municipalities.</i>	Collaboration and planning
Conservation reserve <i>MGA s. 661.1 and 664.2</i> <i>New type of reserve - CR – created. Municipality may require landowner to provide CR land to protect and conserve the land; municipality must pay market value.</i>	Collaboration and planning
Tax incentives for brownfield development <i>MGA s. 364.1</i> <i>Ability to defer or exempt brownfield site from property tax. Brownfield is a commercial or industrial property that is (possibly) contaminated, vacant, derelict or under-utilized, and suitable for redevelopment.</i>	Collaboration and planning
Define derelict and contaminated property <i>City Charter s. 4(16)</i> <i>When assessing property City may, by bylaw, establish sub-classes for derelict or contaminated property and may define those terms. Definitions must apply across the municipality.</i>	Collaboration and planning; Smarter community planning
Fostering environmental well being is a municipal purpose <i>MGA s. 3(a.1)</i> <i>Fostering well-being of the environment is a municipal purpose.</i>	Environmental stewardship

Legislative provisions	Theme Areas
City may pass bylaws respecting environmental issues <i>City Charter, s. 4(2)(a)</i> <i>City could pass bylaws related to the environment and the creation, implementation and management of programs respecting any or all:</i> <ul style="list-style-type: none"> • Contaminated sites, • Climate change, • Environmental conservation and stewardship, • Biodiversity and habitat, • Energy conservation/ efficiency, and • Waste management. 	Environmental stewardship
Environmental sustainability and stewardship are planning purposes <i>City Charter s. 4(32)</i> <i>Adds words “promotion of environmental sustainability and stewardship” to s. 617(b) of MGA for Charter cities.</i>	Environmental stewardship
Building code - energy excellence <i>Charter s. 7(2), 8(2) – modifies s. 66 of Safety Codes Act - City may make bylaws relating to environmental matters, including matters relating to energy consumption and heat retention.</i>	Environmental stewardship
Advertising Bylaw <i>MGA s. 606.1</i> <i>For things that need to be advertised, The City may, by bylaw, provide for electronic notification.</i>	Governance
Pass bylaws for any municipal purpose <i>City Charter, s. 4(4)</i> <i>City may pass bylaws related to any municipal purpose listed in s. 3 of MGA.</i>	Improving administrative efficiency
Statutory Plans <i>City Charter s. 4(31), (33)</i> <i>City may define additional types of statutory plans.</i>	Smarter community planning
Land Use Bylaws (LUB) <i>City Charter s. 4(35)</i> <i>City LUB may prohibit or regulate and control the use and development of land and buildings in the City in any manner the council considers necessary; may prescribe permitted or discretionary uses for one or more districts (previously could only prescribe for one district at a time).</i>	Smarter community planning
Subdivision requirements <i>City Charter s. 5(4); addition to Subdivision and Development Regulation</i> <i>City may, in the Land Use Bylaw (LUB), vary or add to subdivision application requirements.</i>	Smarter community planning

Legislative provisions	Theme Areas
Facility setbacks <i>Subdivision Regulation, various sections</i> <i>City Charter s. 4(35) (b), 5(4)</i> <i>Regulation has changed for all municipalities. City Charter legislation allows Calgary to vary the requirements for applications for subdivision or development within setback area for landfills, wastewater treatment plants in LUB; may set definitions for uses within the setbacks in LUB.</i>	Smarter community planning
Bylaw fines <i>City Charter, s. 4(2)(b)</i> <i>Council can set fines up to \$100,000 for egregious offences if, in the opinion of the council, a maximum fine of \$10,000 would be insufficient:</i> <i>(a) for deterrence due to the amount of profit that could be realized by committing the offence; (b) because of the magnitude of harm; or (c) inherent nature of the offence.</i>	Smarter community planning
Housing agreements to follow title <i>City Charter s. 4(36) (creates s. 651.3 of MGA)</i> <i>Enables City to enter into agreement for affordable housing, and ensure that commitments follow title and can be enforced against subsequent owners.</i>	Supporting community wellbeing