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BOMA Calgary and BOMA Edmonton, combined to form BOMA in Alberta, to develop recommendations and policy considerations regarding the Government of Alberta's review of the Municipal Government Act (MGA). This document represents a summary of input and direction received *from BOMA members and industry stakeholders* as it relates to Municipal & Regional Planning under the MGA. Further detail is available through BOMA's previously drafted White Paper, which has been circulated to various stakeholders including the government.

BOMA initially developed a set of established principles to guide all subsequent discussions and form the foundation for the recommendations. Key criteria were also defined to align with the overarching theme of establishing equity for all Albertans. The principles and criteria are described below:

Principle #	Description
Principle #1:	The MGA has and will continue to have significant implications for all of Alberta
Principle #2:	The Province and Municipalities play a fundamental role in building Alberta's growth through investment in infrastructure, providing services and stewarding communities
Principle #3:	The Province can help ensure Alberta is a strong choice for locating businesses by ensuring the competitiveness of municipal jurisdictions in Alberta in terms of taxation policy and regulation
Principle #4:	Rate paying stakeholders, like electoral stakeholders, have a vested interest in the future of the Province

Criteria	Description
a) Equitable	Rules and procedures should be equitable within and across jurisdictions and applied equally to all market participants
b) Transparent	Processes and evaluation metrics should be clear and defined
c) Efficient	Review processes should be streamlined wherever possible and timelines should be defined and adhered to with consequences for inaction
d) Appropriate	Guidelines or codes of practice should be established to ensure responsibility and accountability
e) Competitive	Jurisdictions need to remain competitive in attracting new businesses
f) Consistent	Rules and procedures should be consistent within and across jurisdictions
g) Predictable	The assessment process and resulting decisions should be consistent over time, replicable, with certainty of entitlement, and consistent with other sources of valuation
h) Competent	Deciding authorities should be extensively trained in valuation fundamentals and maintain independence and professionalism in adjudicating planning and assessment matters

BOMA, along with all Albertans, recognizes that fundamental differences between areas of the province exist and the need to address the issues and challenges that are specific to each region in the formation of Regional Planning frameworks. Regarding the Municipal & Regional Planning component of the MGA Review, BOMA has developed the following recommendations:

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1. **Implement Regional Planning Frameworks.** The goal of these frameworks should be to balance the needs of different municipalities while also recognizing the finite nature of resources, the need for fair costing for use and delivery of services and infrastructure, as well as the differences between regions. This structure would position regions to manage growth and limit regional disputes and would define the clear limitations of municipal powers and recognise that patterns of development do not follow the historical boundaries of municipalities.
2. **Ensure Fair and Equitable Access to Infrastructure and Resources.** Access to major infrastructure, such as transportation corridors, water, utilities and sanitary sewer should be equitable, efficient and transparent within and across municipalities. Regional, Municipal, and Provincial planning should be coordinated for the long-term development of infrastructure and stewardship of resources.
3. **Recognize that planning and development related decisions can be of a highly technical nature.** Such decisions require relevant experience and an understanding of the industry and other affected stakeholders in order to make decisions that are fair, consistent and predictable.
 - a. Members of decision making bodies will come from a variety of backgrounds; therefore education and training is a critical factor in enabling the decision makers to achieve their mandate(s). Education should be balanced and provide an understanding of the diversity of public and private sector perspectives to be considered. Education requirements should also be centrally mandated to ensure consistency across jurisdictions.
 - b. Boards should be supported by institutional arrangements that protect them from any real or perceived pressure to make adjudicative and regulatory decisions based upon anything other than merit. They should operate at arm's length to maintain impartiality and manage conflict appropriately.
 - c. The framework should also consider that small jurisdictions may face challenges in establishing an impartial or learned Board given their smaller pools of qualified applicants. Consideration should be given to establishing a better framework to facilitate the challenges in the rural jurisdictions.
4. **Establish a centralized dispute resolution mechanism to enable more organic resolution of disputes prior to entering the appeal process.** Our Stakeholders believe that a suitable process could substantially reduce the number of appeals and reduce the number of court proceedings that follow unsuccessful appeals; reducing the burden on the system and ultimately the costs to all parties.
5. **Align levies with intended use, and increase predictability.** In keeping with the key criteria, allocation of levies collected in respect of a development or with a specific intent should directly benefit the development or intent, and within a specified time period.
 - a. Leading and lagging infrastructure is different, and some improvements require greater predictability (e.g. sewers) than others (e.g. schools). However, a process should be in place to ensure both predictability and accountability of all parties.
 - b. Consistent with the key criteria, the MGA should recognize "endeavours to assist" for the cost of front-ending infrastructure. "Oversizing" of infrastructure is typically required in anticipation of future demand and requires the initial developer to front-end the cost of development that will be utilised by others in the future. The Stakeholders

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believe that a more robust framework is required to ensure that the municipality is recovering the cost of oversizing that infrastructure for the initial developer in a timely manner.

- c. The current City of Calgary practice to utilize multi-year levies provides a suitable level of predictability. Industry operates on multi-year and long-term planning horizons and increased certainty of assessments and levies enables greater competitiveness for members. BOMA supports the continued development and implementation of such approaches by other jurisdictions across Alberta.
6. ***Encourage innovative solutions to address existing land use issues through Sustainability and Environmental Stewardship.***
- a. Use incentives to promote sustainability improvements of the existing building stock in Alberta. Programs such as BOMA BEST (Building Environmental STANDards) provide building owners and managers with the tools to more closely monitor their building's performance, and rewards improvements. Such incentive programs would enable the Government of Alberta to facilitate the transformation of buildings into environmentally responsible assets.
 - b. Consider creative approaches, such as Adaptive Reuse, to accommodate innovative solutions to environmental problems. Stakeholders believe an opportunity exists to provide for legal non-conforming properties to be adapted for reuse without applying modern land use bylaw restrictions that would force the closure of, or prevent the upgrading of, the property. The reuse of the properties would have environmental benefits in the avoidance of demolition and reconstruction.
 - c. Allocate resources using a regional perspective to help manage infrastructure requirements and energy costs. For example, allocating water using a regional planning context may help to increase equity of distribution among municipalities and also prevent unnecessary water transportation infrastructure, resulting in environmental and cost savings.
 - d. Maintain a balance between the priorities of sustainability and economics to foster continued economic development and competitiveness in Canada.
7. ***Use Charter Cities to complement, not replace components of the MGA.*** The MGA should form the universal foundation for Regional Planning, even if Charter Cities are established.
- a. Charter City frameworks should be developed in a manner that leads to greater equity between the major population centres and the municipalities that surround them.
 - b. Charter Cities bring an opportunity for different methodologies and mechanisms to fund infrastructure; providing a fresh alternative to levies and traditional funding models. They should not be a means to introduce new taxes, levies, user fees etc.

Throughout the course of the MGA review process, and on an ongoing basis, BOMA has engaged industry stakeholders and government as well as other interested Albertans to ensure that input to be considered for the MGA review is balanced, constructive and relevant.

The MGA Review process is an essential exercise to ensure our province and our municipalities are competitive in the years to come. The frameworks and policies established today will set the groundwork for the growth and development of Alberta. It is essential that the frameworks work in the

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best interests of all stakeholders and that the principles of fairness, transparency, efficiency, appropriateness, competitiveness, consistency, predictability and competence are reinforced and enshrined in the legislation and subsequent regulation.

BOMA's stakeholders are committed to working with the Province to develop solutions, practices and approaches that are able to acknowledge and address the different priorities and objectives of different parties and also remain consistent with the identified key criteria. BOMA believes that its recommendations are consistent with the intent of the MGA review and looks forward to ongoing involvement in and contribution to the review process.