

Subject: Bylaw No. 20/003 - Intermunicipal Collaboration Framework (ICF) with Mackenzie County

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

1. THAT Bylaw No. 20/003, being a bylaw to create an Intermunicipal Collaboration Framework Agreement with Mackenzie County, be read a first time.
2. THAT Bylaw No. 20/003 be read a second time.
3. THAT Bylaw No. 20/003 be considered for third and final reading.
4. THAT Bylaw No. 20/003 be read a third and final time.
5. THAT Administration be directed to notify the Minister of Municipal Affairs by April 1, 2020, that the Intermunicipal Collaboration Framework with Mackenzie County has been completed in accordance with Section 708.33 (4) of the *Municipal Government Act*.

Summary:

On April 1, 2018 changes to the *Municipal Government Act* came into effect, requiring two or more neighbouring municipalities to develop and adopt an Intermunicipal Collaboration Framework (ICF) and create an Intermunicipal Development Plan (IDP).

An Intermunicipal Collaboration Framework has been developed with Mackenzie County for Council consideration (Attachment 1).

On February 12, 2019, the Municipality was exempted by the Minister of Municipal Affairs from the requirement to prepare an IDP.

Background:

The *Municipal Government Act* (MGA) requires two or more neighbouring municipalities to develop an Intermunicipal Collaboration Framework and create an Intermunicipal

Development Plan.

Intermunicipal Collaboration Framework

The purpose of the ICF is to promote a more integrated and strategic approach to intermunicipal land-use planning, service delivery and funding. The ICF is a tool to facilitate cooperation between neighbouring municipalities with a view to providing efficient services to residents. The ICF addresses services that benefit residents in more than one of the neighbouring municipalities, for example, transportation, water and wastewater, solid waste, emergency services, and recreation.

There is no standard format for an ICF, only that it meets the requirements set out in the MGA.

Intermunicipal Development Plans

Intermunicipal Development Plans are statutory land-use plans, prepared by two or more municipalities, for lands along their shared boundaries. Their purpose is to provide land-use and development policy direction for areas of mutual importance and interest.

However, the Province, recognizing the limited value in creating an IDP in areas where development is restricted, introduced Ministerial Order MSL: 047/18, in July 2019. The MSL enables a municipality to seek Ministerial exemption from the requirement to prepare an IDP if the following conditions are met:

- The entire area along one or both sides of the common boundary is composed entirely of federal or provincial Crown land
- Both municipalities agree that an IDP is unnecessary, and both councils must pass motions, similar in intent, declaring their mutual desire to opt out of the IDP
- Both municipalities confirm with the Minister that the resolution has been passed within 90 days

In accordance with Ministerial Order MSL: 047/18, a resolution seeking an exemption for an IDP with Mackenzie County was passed by Council on December 11, 2018. Mackenzie County's Council passed a similar resolution for an IDP exemption on December 12, 2018. The Minister of Municipal Affairs approved the exemptions by "letter consent" on February 12, 2019.

Changes to the *Municipal Government Act* and ICF requirements

Bill 25 (*Red Tape Reduction Implementation Act, 2019*) received Royal Assent on December 5, 2019 and introduced changes to the ICF requirements of the Municipal Government Act, effective from January 1, 2020. These changes include:

- The requirement to list all services provided by each municipality has been

removed from the ICF. Only those services that benefit the residents in more than one municipality are to be addressed in the ICF.

- ICFs can be adopted either by bylaw or resolution.
- The Intermunicipal Development Plan is no longer a required component of the ICF.
- Copies of the ICF Agreement no longer need to be filed with the Minister. However, the Minister must be notified when the ICF is completed.
- The Arbitration Act now applies to the arbitration element of the dispute process of the ICF, except as modified by the MGA.

Discussions with Mackenzie County

Mackenzie County is one of four municipalities that the Regional Municipality shares a common boundary with and where an ICF Agreement and IDP are required. The other municipalities are MD of Opportunity No. 17, ID No. 349, and Lac La Biche County. (Attachment 2).

An ICF with Mackenzie County has been prepared that complies with the recent changes to the ICF requirements of the MGA. For consistency with the previous approaches taken to preparing ICFs with their neighbouring municipalities, Mackenzie County has requested that the ICF be adopted by bylaw rather than by resolution.

Rationale for Recommendation:

The preparation and adoption of an Intermunicipal Collaboration Framework between municipalities that share a common boundary is a requirement of the *Municipal Government Act* (section 708.28). The Province requires all municipalities in Alberta to prepare ICFs with their neighbouring authorities by April 1, 2020. Administration is therefore bringing forward an ICF that is mutually agreeable with Mackenzie County for Council's consideration.

Strategic Priorities:

Responsible Government

Attachments:

- 1 Bylaw 20/003 & Schedule A ICF between RMWB and Mackenzie County**
- 2. Map of ICF - IDP Neighbouring Municipalities**