

BACKGROUNDER

BILL 36 – LACK OF SUBSTANTIVE PLANNING CRITERIA

Bill 36, the Alberta Land Stewardship Act (ALSA), sets out a variety of regulation making powers that allow government to pursue valid land use planning goals, including dealing with the establishment of thresholds, transitional provisions and monitoring and enforcement. In addition, Bill 36 allows the use of various planning tools such as expanded conservation easements, conservation off-sets and tradable development credits systems. Enabling these tools is a major step to effective land use planning in Alberta; however, the lack of substantive planning criteria in Bill 36 itself is of significant concern.

The Bill should be amended to require that all regional land use plans have stated environmental, social and economic objectives. In addition, each objective should have a statutory set of indicators that must be measured. Monitoring and biannual reporting of all plans should be legally required and measured against the stated objectives. Reports on how decision-making complies with regional land use plans should be made public. Timelines for implementation of regional land use plans and their objectives must also be legally required.

These amendments are focused not only on ensuring sound land use planning across Alberta but also on providing a measure of accountability that is currently lacking in Bill 36. The political elements of Cabinet decision-making are not likely to result in effective, long-term land use planning. There is a need to ensure that Alberta's land use planning is effective in dealing with the impacts of development and is not open to excessive politicization.

About the ELC: The ELC's vision is a clean, healthy and diverse environment protected through informed citizen participation and sound law and policy, effectively applied. Its mission is to ensure that laws, policies and legal processes protect the environment.