


# Implementation Fact Sheet

*Amendments to the Municipal Government Act, 2015-17*

## Environmental Reserve

Legislation	<a href="#">Municipal Government Act (MGA)</a> 
Regulation	None
Category	Planning and Development
Section Numbers	s. 1(1.2), s. 664, s. 664.1

### Previous MGA requirement:

The *MGA* identifies certain types of land that can be dedicated by a municipality as environmental reserve (ER). This type of land is not suitable for development and contains features such as swamps, gullies, ravines, coulees, floodplains, or land adjacent to a body of water. ERs are used to preserve natural features of land, prevent pollution, ensure public access, and prevent the development of land that is subject to flooding or unstable. [s.664\(1\)](#)

### What's changed?

Under the amended *MGA*, municipalities will continue to be able to designate ERs as they have done under the previous legislation. However, some clarifications have been made in the amended legislation that will assist municipalities in identifying and designating these types of reserves.

The amended *MGA* contains clearer definitions of certain terms, and sets out specific purposes for the setting aside of ER lands, in order to help municipalities and developers identify lands to be deemed as this type of reserve. It also includes tools that municipalities and developers may use to establish agreement on ER boundaries earlier in the planning process.

### What do municipalities need to know?

- The amended legislation clarifies that the specific purposes of dedicating ERs are to preserve natural features, prevent pollution of land, ensure safe use of land, and/or maintain access to a body of water. [s.664\(1.1\)](#)
- The amended legislation will assist municipalities in determining the boundaries of an ER by:
  - clarifying the definition of “body of water” to reference permanent or naturally occurring water bodies, and naturally occurring rivers, streams, watercourses or lakes; [s.1\(1.2\)](#)
  - clarifying the definition of “bed and shore” by aligning the definitions with Alberta’s *Surveys Act* and [s.664\(1.2\)](#);
  - specifying the purposes of these reserve lands, as noted above; and [664\(1.1\)](#)
  - providing that a municipality and owner of land may enter into an agreement before subdivision approval specifying that no ER is to be taken or specifying the boundaries of ER that is to be taken. [s.664.1\(1-4\)](#)
    - If such an agreement is entered into, then ER must be taken only in accordance with the agreement unless the municipality or owner demonstrate that a material change affecting the parcel has occurred after the agreement was entered into. [s664.1\(5\)](#)




### When does this change take place?

- These sections came into force October 26, 2017.

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## What resources are/will there be available to assist?

- [Municipal Planning Hub \(AUMA\)](#) 
- [Municipal Affairs Regional Training Session](#). 
- [Modernized Municipal Government Act, 2016](#) 



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