

## About the Regional Evaluation Framework (REF)

### 1. WHAT IS THE REGIONAL EVALUATION FRAMEWORK (REF)?

The REF is a review and approval process that is designed to ensure that:

1. the statutory plans of each Capital Region Board (CRB) member municipality are consistent with the Capital Region Growth Plan; and,
2. the statutory plans of each CRB municipality support the objectives of the CRB Regulation and the Land Use Principles and Policies of the Growth Plan.

The review process requires the 24 member municipalities of the CRB to submit certain statutory planning documents for CRB approval between first and third reading of the related bylaw.

The REF was established under Ministerial Order (M.O.) L:270/10 on November 29, 2010. It has a retroactive effective date of March 31, 2010 and replaces the rescinded REF (M.O. L:046/10) that was established in April 2010.

For REF review, municipalities submit those plans that are defined as statutory plans in the Municipal Government Act. These are Intermunicipal Development Plans (IDPs), Municipal Development Plans (MDPs), Area Structure Plans (ASPs) and Area Redevelopment Plans (ARPs).

Any new IDPs and MDPs, and amendments to IDPs and MDPs, must be submitted to the CRB for review under the REF. ASPs and ARPs, and amendments to ASPs and ARPs, may need to be submitted to the CRB for review under the REF if any of the referral criteria for an evaluation under M.O. L:270/10 are met.

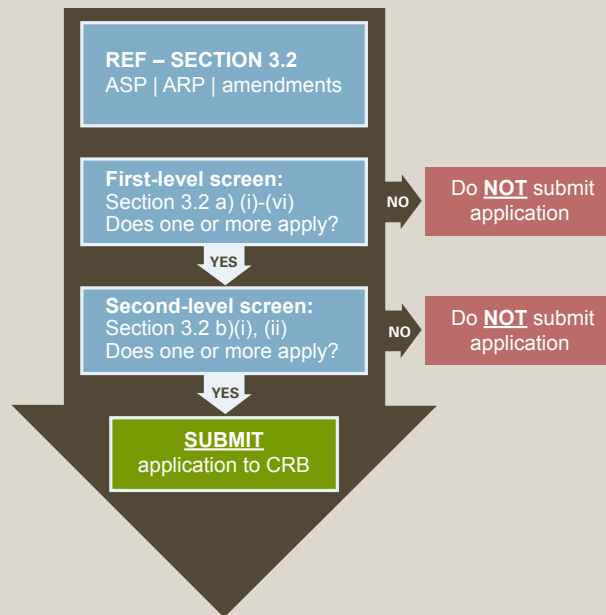
### 2. WHAT ARE THE REFERRAL CRITERIA FOR A REF EVALUATION?

Section 3.0 of Ministerial Order (M.O.) L:270/10 establishes the referral screening criteria for a REF evaluation. These are based on the Land Use Principles and Policies of the Capital Region Growth Plan. The referral criteria that establish the requirement of an evaluation are summarized below:

- A Municipality must refer to the Board any proposed new Intermunicipal Development Plan (IDP) or Municipal Development Plan (MDP), and any proposed amendment to an IDP or MDP.
- A Municipality must refer any other statutory plan or statutory plan amendment where:
  - the statutory plan or statutory plan amendment designates land for Heavy Industrial Use;
  - the statutory plan or statutory plan amendment would result in a residential density that differs by 10% or more from the density target in the Growth Plan for the corresponding Priority Growth Area (PGA) or Cluster County Residential Area (CCRA);
  - the plan boundaries are within 0.8 km of a road identified in the Regional Transportation Infrastructure map in the December 2009 Addendum to the Growth Plan (*Section 3: Land Use, Figure 1*);

- the plan boundaries are within 1.0 km of an approved Intermunicipal Transit route or Park and Ride facility as identified by the Growth Plan (*Figures 8, 9, or 10 of the Capital Region Intermunicipal Transit Plan*) or a Transportation Master Plan as approved by the City of Edmonton;
  - the plan is located outside a PGA or CCRA, as identified on the Priority Growth Areas and Cluster County Residential Areas map in the October 2009 Addendum to the Growth Plan (*Section 2: Land Use, Figure 1*), and, at full build-out, the plan equals 10% or more the municipality’s official population (as stated in the most recent Alberta Municipal Affairs Official Population List); and
  - the statutory plan or statutory plan amendment proposes land uses that would add to, alter, interrupt or interfere with:
    - the land use development pattern required by the Land Use Principles and Policies for residential density targets established in the Growth Plan; or,
    - the distribution, expansion, and/or integrated development of regional infrastructure and recreation, transportation, utility corridors as identified on the Regional Transportation Infrastructure, Regional Water and Wastewater Infrastructure, Regional Power Infrastructure and Regional Corridors maps in the December 2009 Addendum to the Growth Plan (*Section 3: Land Use, Figures 1-4*) or conservation buffers as shown on the Regional Buffer Areas map in the October 2009 Addendum to the Growth Plan (*Section 2: Land Use, Figure 3*).
  - A municipality must refer any other statutory plan or statutory plan amendment where the plan is within 1.6 km of the boundaries of the Alberta’s Industrial Heartland Area Structure Plans or the Edmonton International Airport Area Structure Plan.
- Section 3.2 of the REF provides municipalities with two levels of screening criteria for the referral of Area Structure Plans (ASPs), Area Redevelopment Plans (ARPs) and amendments to ASPs and ARPs, as shown below on *Exhibit 1: Regional Evaluation Framework Screening Criteria*. A REF application is submitted when the application meets both levels of criteria.

**EXHIBIT 1: REGIONAL EVALUATION FRAMEWORK SCREENING CRITERIA**



### 3. WHAT ARE THE EVALUATION CRITERIA FOR A REF EVALUATION?

Ministerial Order (M.O.) L:270/10 establishes the evaluation criteria for REF applications. Refer to Section 5.4 of M.O. L:270/10 for the specific wording of the evaluation criteria. The criteria are summarized below:

- the new statutory plan, or statutory plan amendment, must be compatible with the objectives of the Capital Region Growth Plan, as set out in Section 11 of the Capital Region Board (CRB) Regulation.
- approval and full implementation of the new statutory plan or statutory plan amendment must result in development that is consistent with the Land Use Principles and Policies of the Growth Plan, including:
  - Provisions for buffer areas, Priority Growth Areas (PGAs), Cluster Country Residential Areas (CCRAs), density targets and growth outside of PGAs and CCRAs;
  - Regional population and employment forecasts;
  - Identified regional transportation network;
  - The Capital Region Intermunicipal Transit Network Plan and the City of Edmonton's approved Transportation Master Plan;
  - Identified regional infrastructure (transportation, water, wastewater and power) and regional corridors; and
  - Boundaries and policies of the Alberta's Industrial Heartland Area Structure Plans, and the Edmonton International Airport Area Structure Plan.

### 4. SECTION 3.2(A)(VI) OF THE REF REFERS TO THE ALBERTA MUNICIPAL AFFAIRS OFFICIAL POPULATION LIST. WHAT IS THE OFFICIAL POPULATION LIST, WHERE CAN I FIND IT, AND WHAT ARE THE CURRENT OFFICIAL POPULATIONS OF CRB MEMBER MUNICIPALITIES?

On an annual basis, Alberta Municipal Affairs publishes an Official Population List that presents the official population of each municipality in the Province. This population data is the basis for the referral criteria listed under Section 3.2(a)(vi) of the REF. Official populations are derived from the most recent federal census results or Alberta Municipal Affairs-accepted municipal census results.

Municipal census results not accepted by Alberta Municipal Affairs shall not be used as a basis for determining if a REF application is triggered under Section 3.2(a)(vi) of the REF. Population projections, estimates or extrapolations, also shall not be used in determining if a REF application is triggered under Section 3.2(a)(vi) of the REF.

If a REF application is received after a member has submitted its municipal census result to Alberta Municipal Affairs for acceptance and before the release of the current calendar year's Official Population List (indicating Alberta Municipal Affairs' acceptance of the result), then the official population from the previous calendar year's Official Population List shall be used as a basis for implementing Section 3.2(a)(vi) of the REF.

Results from a municipal census that are conducted in the current calendar year do not become official populations for the purpose of Section 3.2(a)(vi) of the REF until the annual Official Population List is released. The annual Official Population List is typically released sometime in the final quarter of each calendar year, and can be obtained through Alberta Municipal Affairs (contact information below).

#### **Alberta Municipal Affairs**

Ministry Main Page: [www.municipalaffairs.alberta.ca](http://www.municipalaffairs.alberta.ca)

Official Population Lists: [www.municipalaffairs.alberta.ca/mc\\_official\\_populations.cfm](http://www.municipalaffairs.alberta.ca/mc_official_populations.cfm)

Phone: (780) 427-2225

Email: [lgs.update@gov.ab.ca](mailto:lgs.update@gov.ab.ca)

The following is a list of the official populations of all CRB member municipalities derived from the 2011 Municipal Affairs Population List, which was released in December 2011.

CRB Member Municipality	Municipal Status	2011 Official Population	Official Census Date	Official Census Type
Edmonton	City	782,439	1-Apr-2009	Municipal
Fort Saskatchewan	City	18,653	4-May-2009	Municipal
Leduc	City	24,139	1-Apr-2011	Municipal
Spruce Grove	City	24,646	9-Apr-2010	Municipal
St. Albert	City	60,138	1-Apr-2010	Municipal
Strathcona County - Sherwood Park - Rural Service Area	Specialized Municipality	87,998 61,660 26,338	1-May-2009	Municipal
Lamont County	Municipal District	3,925	16-May-2006	Federal
Leduc County <sup>1</sup>	Municipal District	13,260	16-May-2006	Federal
Parkland County	Municipal District	30,089	1-May-2009	Municipal
Sturgeon County	Municipal District	19,165	26-May-2008	Municipal
Beaumont	Town	13,287	1-May-2011	Municipal
Bon Accord	Town	1,534	16-May-2006	Federal
Bruderheim	Town	1,215	16-May-2006	Federal
Calmar	Town	2,033	1-Apr-2009	Municipal
Devon	Town	6,534	1-May-2009	Municipal
Gibbons	Town	2,848	27-Jun-2007	Municipal
Lamont	Town	1,664	16-May-2006	Federal
Legal	Town	1,192	16-May-2006	Federal
Morinville	Town	8,504	02-May-2011	Municipal
Redwater	Town	2,192	16-May-2006	Federal
Stony Plain	Town	14,177	15-Apr-2010	Municipal
Thorsby	Village	988	1-Apr-2010	Municipal
Wabamun	Village	662	14-Apr-2009	Municipal
Warburg	Village	696	15-Jun-2009	Municipal

<sup>1</sup> Leduc County's population of 13,260 includes its original population of 12,730 from the 2006 federal census and the population of the former Village of New Sarepta, 530, from its 2009 municipal census. New Sarepta dissolved to hamlet status on September 1, 2010.

## 5. WHO SUBMITS A REF APPLICATION TO THE CRB?

A REF application must be submitted by a Capital Region Board (CRB) member municipality to the CRB for approval. REF applications cannot be submitted by landowners, developers or other third parties.

## 6. AT WHAT POINT IN THE MUNICIPAL PLANNING PROCESS SHOULD A REF APPLICATION BE SUBMITTED?

If a member municipality decides that a proposed statutory plan or plan amendment needs to be submitted as a REF application, they can submit their application to the Capital Region Board at any time after Council's first reading of the proposed bylaw and before third reading.

## 7. CAN MUNICIPALITIES CONSULT WITH THE CRB ABOUT REF APPLICATIONS?

Yes. The Capital Region Board (CRB) Administration will consult with the municipality before a REF application is made. The CRB Administration will not consult with landowners or developers and their third party consultants. This is the responsibility of the municipal administration.

The applicant municipalities should consider consulting with the CRB Administration in advance of making a REF application when:

- a. The municipality does not submit many REF applications to the CRB and feels that it needs help working through the process; or,
- b. The municipality feels that the REF application may be complex and decides that some discussion about the details and merits of the REF application would be of value.

The CRB Administration will normally prefer not to consult with municipalities during the REF application evaluation process once the application has been deemed complete. This is necessary given the CRB Administration's workload and the short timelines to complete the REF review.

## 8. WHAT IS INCLUDED IN A REF APPLICATION?

Section 3.5 of the REF lists what the applicant municipality must include with their REF application as:

- the proposed statutory plan or plan amendment bylaw;
- sufficient documentation to explain the statutory plan or statutory plan amendment bylaw;
- sufficient information to ensure that the statutory plan or statutory plan amendment bylaw can be evaluated according to the evaluation criteria in Section 5.4 of the REF; and
- a copy of the most recent amended plan without the proposed amendment.

It is recommended that the municipality includes the following points in the cover letter for their application:

- explain the intent of the application;
- identify both levels of Section 3.2 selection criteria that are applicable to the application;
- list the documentation provided;
- list any consultants or sub-consultants that worked on the preparation of the statutory plan or statutory plan amendment; and
- the municipality's recommendation on the decision to be reached (i.e. to approve or reject the application).

## 9. WHAT MAY BE INCLUDED IN A REF APPLICATION?

The applicant municipality may include in its REF application:

- the Municipal Administration report to Council with respect to the statutory plan or plan amendment;
- a summary of public consultations;
- a summary of intermunicipal and referral agency comments; and
- a traffic impact assessment, or other supporting technical documents, if available, to address evaluation criteria in the REF (e.g. Section 5.4(b)(iii)).

## 10. WHAT MUNICIPAL PLANNING DOCUMENTS DO NOT NEED TO BE SUBMITTED UNDER THE REF?

Capital Region Board review is limited to statutory plans and plan amendments as defined by the Municipal Government Act. REF applications are not required for:

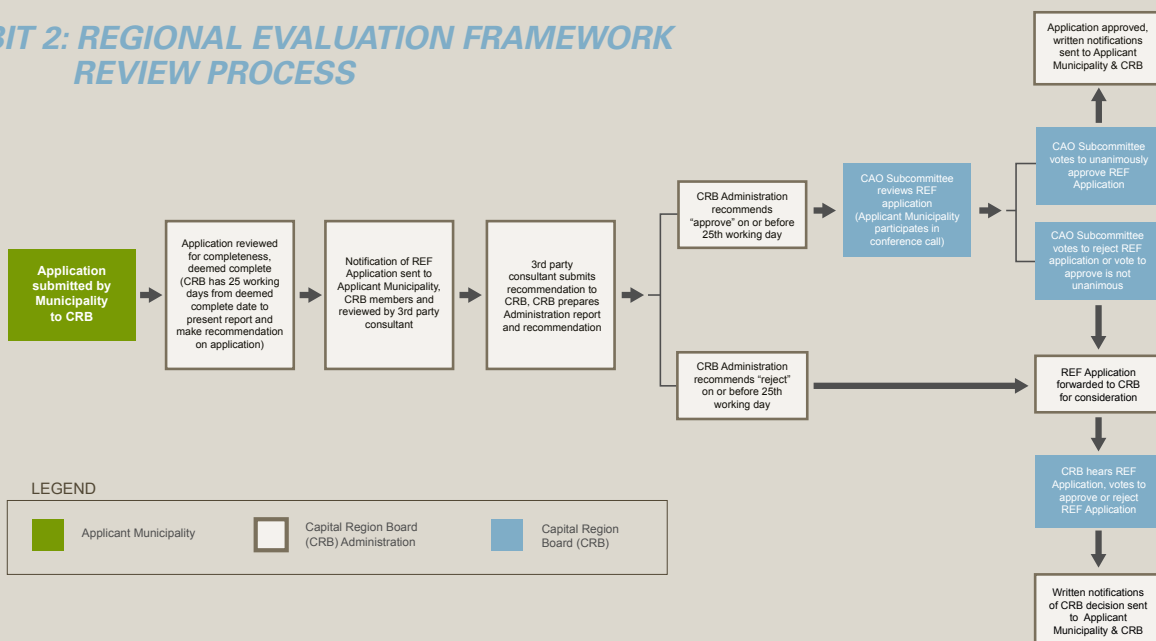
- redistricting or rezoning applications;
- subdivision applications;
- development permit applications; and
- subdivision and development appeals.

## 11. WHAT IS THE PROCESS FOR REVIEWING A REF APPLICATION?

The process for reviewing a REF application is summarized in *Exhibit 2: Regional Evaluation Framework Review Process*, of this Module. When the Capital Region Board (CRB) Administration receives a REF application, it follows these steps to review the application:

1. Determines whether the application is complete in accordance with Section 3.5 of REF.
  - a. If not considered complete, the CRB Administration notifies the municipality of the application deficiencies and the municipality submits the outstanding information.
2. Once deemed complete, the acceptance date for the REF application is recorded, and the CRB and the submitting municipality are notified of the application’s acceptance. This begins the 25 working day review period where the application is referred to a third party consultant for review in relation to Section 5.4 of the REF.
3. The third party consultant prepares and submits an evaluation of the application to the CRB Administration. CRB Administration must then prepare a report and recommendation as soon as possible before the twenty-fifth working day.
4. Once the evaluation and the report and recommendation are complete, a meeting is scheduled for the earliest possible date and it is then that a decision on the REF application will be made.

**EXHIBIT 2: REGIONAL EVALUATION FRAMEWORK REVIEW PROCESS**



## 12. WHO APPROVES A REF APPLICATION?

Capital Region Board (CRB) Administration does not and cannot make a decision on a REF application. It can only make a recommendation.

The CRB Regulation requires the CRB to make the decision. However, the Regulation provides legal authority to the CRB to delegate some of its decision-making powers. Through a motion on April 8, 2010, the CRB delegated the authority to make decisions on REF applications to a Subcommittee of Capital Region Chief Administrative Officers (CAOs) on behalf of the CRB.

All CAOs in the quorum have to vote to approve the application. If this does not happen, or if an application is rejected by the CAOs, the application must go to the CRB for a final decision. The CAO Subcommittee cannot “table” an application or send it back to the applicant municipality for further input. The CAO Subcommittee is expected to make decisions on the majority of REF applications. A small number of REF applications may go to the CRB for a decision.

If the CRB Administration recommendation is to reject a REF application, the application does not go to the CAO Subcommittee – it goes directly to the CRB for a decision.

## 13. WHAT IS THE BASIS FOR A CRB DECISION ON A REF APPLICATION?

Reasons for approving or rejecting a REF application must be based on the REF evaluation criteria as established by Section 5.4 of the REF.

Whether it is the Chief Administrative Officer Subcommittee or the Capital Region Board (CRB) that makes the decision on an application, the only criteria that can be used to make the decision are the evaluation criteria in the REF.

CRB Administration must work within this framework to prepare the report and recommendation. The CRB’s third party consultants must also work within this framework to prepare their evaluation.

## 14. HOW LONG DOES THE CRB HAVE TO MAKE A DECISION ON A REF APPLICATION?

The Chief Administrative Officer (CAO) Subcommittee is not required to make a decision within a specific period of time. However, in practice, CAO Subcommittee decisions usually occur within 25 working days.

In instances where REF applications are referred to the CRB, the CRB is not required to make a decision within a specific period of time. If a REF application must go to the CRB for a decision, CRB Administration must put the application on the agenda for the next Board meeting.

## 15. CAN A REF APPLICATION BE PUT “ON HOLD”, OR CAN THE 25 WORKING DAY PERIOD BE EXTENDED?

No. The Capital Region Board (CRB) Administration has no authority under the CRB Regulation or Ministerial Order L:270/10 to put an application “on hold” or to extend the 25 working day period.

## 16. CAN A MUNICIPALITY WITHDRAW ITS REF APPLICATION?

Yes. The municipality may decide to withdraw its REF application during the 25 working day review period if:

- a. the municipality decides that more can be done to strengthen the application; or
- b. a recommendation is emerging to “reject” the application and the municipality would prefer to withdraw the application and either amend it or gather additional information in support of the application.

In either case, the municipality can decide to withdraw the REF application and the decision to do so is entirely at the discretion of the municipality.

If the municipality chooses to withdraw a REF application, the Capital Region Board (CRB) Administration records the application as “withdrawn”. The applicant municipality can resubmit the REF application at any time. The CRB will treat resubmission as a new application.

There is no application fee.

### **ADDITIONAL INFORMATION**

#### **Capital Region Board**

Web: [www.capitalregionboard.ab.ca](http://www.capitalregionboard.ab.ca)

Phone: (780) 638-6000

Email: [info@capitalregionboard.ab.ca](mailto:info@capitalregionboard.ab.ca)

**DISCLAIMER:** This Planning Toolkit is a guide to aid understanding of the Land Use Principles and Policies of Capital Region Growth Plan and this Module is a guide to aid understanding of the Regional Evaluation Framework (REF). The Planning Toolkit and this Module are not substitutes for reading and understanding the Growth Plan and the REF. For certainty, the reader is advised to refer to the Growth Plan, the REF, and related legislation available through the Capital Region Board.