


Implementation Fact Sheet

Amendments to the Municipal Government Act, 2015-17

Conservation Reserve

Legislation	Municipal Government Act (MGA) 
Regulation	None
Category	Planning and Development
Section Numbers	s. 135, s. 632, s. 633, s. 664.2, s.674.1, and s. 674.2

Previous MGA requirement:

Prior to the recent amendments to the *MGA*, the legislation did not provide municipalities with the ability to conserve environmentally significant lands, other than lands that met the criteria under Environmental Reserve (ER). ER lands are those that are undevelopable and may or may not have key environmental features a municipality wishes to preserve.

What's changed?

The amended *MGA* now enables municipalities to designate land for a new type of reserve, called Conservation Reserve (CR), in order to protect environmentally significant features such as wildlife corridors, significant tree stands, or other environmentally significant features a municipality chooses to conserve.

- The amended *MGA* includes provisions relating to a municipality's designation of CR, including:
 - compensation from the municipality to the developer for the CR lands taken;
 - the need for CR dedication;
 - bylaw authority;
 - the disposal of a CR by a municipality;
 - an appeal mechanism for landowners regarding the compensation for land set aside for CR; and
 - a requirement that a municipality must ensure land designated CR maintain a natural state. [s.664.2\(1\)](#), [s.674.1\(1\)](#)

What do municipalities need to know?

- In the event of an annexation of lands from one municipality to another, environmentally significant areas will continue to be protected following the annexation process. [s.135\(1\),\(2\)](#)
- Within thirty (30) days after the Registrar issues a new certificate of title for a CR, the municipality must pay compensation to the landowner in an amount equal to the market value of the land at the time the application for subdivision approval was received by the municipality's subdivision authority. [s.664.2\(2\)](#)
- If the municipality and landowner disagree on the market value, the matter must be determined by the Land Compensation Board. [s.664.2\(3\)](#)
- Municipalities will be allowed to include policies addressing conservation reserve in municipal development plans and area structure plans. [s.632](#), [s.633](#)
- Municipalities will also be allowed to remove the CR designation and dispose of the lands based on a prescribed process that requires public involvement. Any money received through disposal must support conservation. [s.674.1](#)

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- Any proceeds from the disposal of conservation reserve must be used for conservation and related purposes.
[s.674.2](#)

When does this change take place?

- These sections come into force October 26, 2017.

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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Document information:

Title: Implementation Fact Sheet: Conservation Reserve
Date of publication: October 2017
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Availability: This document is available online at <https://open.alberta.ca/publications/mga->

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