



Approval & Best Practices Checklist

For municipalities seeking to understand what is needed in establishing a Transfer of Development Credits program, there are two sets of considerations. The first is the regulatory requirements, and the second is best practices. For the first, the *Alberta Land Stewardship Act* (Sec. 49) identifies the program components that a municipality must include in order to secure approval from the provincial government for a Transfer of Development Credits program. For the second set of considerations, the Miistakis Institute has compiled a list of valuable steps based on our review of best practices around the continent. This second list is not required to secure approval, but goes a long way to ensuring a TDC program is effective and well supported.

The Stewardship Commissioner identified under the *Alberta Land Stewardship Act* is ultimately responsible for taking a municipal TDC program application to the Lieutenant Governor in Council (i.e., Cabinet), so make sure to check in with the Land Use Secretariat as you work through this checklist.

What the *Alberta Land Stewardship Act* Requires

Section 49 of the *Alberta Land Stewardship Act* identifies the components that a TDC program (or 'scheme, as they call it) requires in order to be approved:

- Designate area(s) of land as TDC Conservation Area(s) for allowable purposes
- Provide for identification of TDC Conservation Area(s) parcels
- State attributes of Stewardship Units (i.e., TDC credits in the case of a TDC program)
- Terms and conditions of TDC credit use by landowner in TDC Conservation Area
- Designation and terms and conditions of TDC Development Area(s)



What Best Practices Could Require

- Enact a TDC Bylaw
 - State the program purpose
 - Include the requirements from ALSA
 - Make necessary amendments to Land Use Bylaw, Area Structure Plan, Municipal Development Plan
- State any conditions on TDC credits
- State when title restrictions must occur
- Specify how/by whom TDC credits are created and issued
- Specify how/by whom TDC credit activity will be recorded
- State requirements for program participants to provide notification of program activity
- State any other requirements for program administration
- For intermunicipal programs:
 - Adopt or amend appropriate Intermunicipal Development Plan
 - Enact Intermunicipal TDC Bylaw
- Provide public notice of intent to develop TDC program after first reading of TDC Bylaw/amendment
- Complete TDC Scheme Approval Application Form for submission to Stewardship Commissioner
- Provide required notification to Lieutenant Governor in Council for TDC Bylaw amendments