

The Communicator



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Words from the Editor

Its finally Spring!

Down south we had a mild winter but it dragged on for a long time. It's been a while since we had snowstorms at the end of April. The storm of 1986, which is considered the worst spring storm in Alberta's history was in my neck of the woods, Brooks and County of Newell. The upside, at the time, was that school was cancelled and if you were in school in the 80's then you know that school very seldom closed for weather. We didn't have power for 3 days in the City of Brooks and a week in the County of Newell, it was crazy.

Just recently, April 26, 2026, in northern Alberta they got their crazy storm, 50 cm of snow, winds that tore roofs off buildings, trees uprooted, semi trucks blown over on the highways. Good time to be working from home.

Today, we have sunshine, birds singing and flowers blooming, makes a person feel like Snow White.

The ADOA has some exciting things coming our way to the members. The lunch and learn is June 4, 2026 and you can join in person or online. The topics are Unsightly properties and Effective Communication Styles. Both of these speakers have allowed time for questions.

There is going to be a revamp to the website which will have a lot of new fun features to make everyone's life easier.

And of course, the conference! Nate from Olds has submitted an article later on in this newsletter to wet your whistle and it's looking like a very fun conference that you won't want to miss!

Did you know?

The Alberta Municipal Development Authority Manual is Your Go-To Planning Resource

Did you know the Alberta Municipal Development Authority Manual was created as a *practical working handbook* for Development Officers across Alberta? Developed by the Alberta Development Officers Association (ADOA), the Manual supports day-to-day decision-making and serves as a valuable training tool for new and in-training Development Officers.

Did you know the Manual was updated to reflect major legislative changes, including updates to the Municipal Government Act? It helps translate legislation into clear, practical guidance for real-world planning and development decisions.

Did you know the Manual provides a clear overview of Alberta's entire planning system? It explains statutory plans, land use bylaws, subdivision and development processes, appeals, and enforcement, showing how municipalities, Development Authorities, Councils, and appeal bodies all fit together.

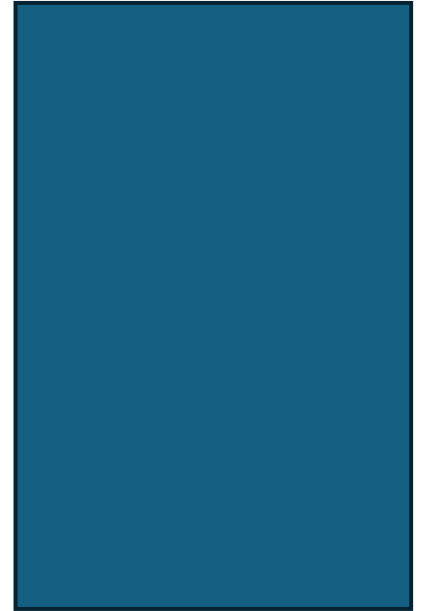
Did you know the Manual includes ready-to-use tools? Templates, checklists, sample agreements, and enforcement documents are included to help Development Officers work more efficiently and consistently.

Did you know the Manual reflects the realities faced by municipalities of all sizes? It addresses a wide range of planning scenarios, making it a useful reference whether you work in a small rural community or a large urban municipality.

Did you know the Manual isn't intended to replace legal advice, but it *does* help Development Officers better understand their roles, responsibilities, and the legislative framework they work within?

The Alberta Municipal Development Authority Manual continues to be an essential resource for ADOA members, supporting informed, consistent, and defensible planning decisions across Alberta.

 **The Manual can be found on the ADOA website at www.adoa.net under the "Documents" section.**



Conference 2026 Update – Nate Hill

The Alberta Development Officers' Association Annual Conference is coming to the Pomeroy Inn & Suites at Olds College, bringing together Development Officers from across Alberta for our annual opportunity to connect with one another, share our experiences, and learn from a series of excellent speakers.

Hosted by the Town of Olds and Mountain View County, this year's conference theme, *Different Landscapes, Shared Strategies*, highlights the unique opportunities available to Alberta's diverse communities while recognizing the shared frameworks and desired outcomes we work towards, and how we can identify and use the best tools for the job.

Conveniently located right between Calgary and Red Deer, the Olds region offers ADOA members an ideal conference destination surrounded by pristine landscapes, strong regional partnerships, and vibrant community development. As part of the conference's programming, ADOA members will have their choice of several local attractions to experience what the region has to offer! Keep your eyes open for details in the soon-to-come registration package.

The conference will feature three keynote presentations alongside a diverse range of specialized sessions designed to provide valuable insight, practical strategies, and meaningful discussion for development officers working in communities of all sizes. These specialized sessions will include use of AI in the workplace, Development Compliance Strategies, Emergency Management Planning, Safety in Site Visits, Public Participation training, and more!

With refreshed programming, a revamped approach to the traditional banquet, and a positively vibrant community, the 2026 ADOA conference will be another wonderful opportunity to connect with your fellow development officers and brush up on some of the more nuanced areas of our field. Keep your eyes peeled for the registration form, which will be released this month. I look forward to seeing all of you there!



Introducing DCO Chippy

Municipal Training Solutions is proud to introduce DCO Chippy, a professional and educational mascot designed to promote Development Compliance awareness, training, and best practices within municipalities across Alberta. Chippy represents professionalism, fairness, officer safety, education, and consistent enforcement principles while helping bring a modern and engaging approach to municipal training.



The Importance of Development Compliance in Alberta Municipalities

Development Compliance plays a critical role in maintaining safe, orderly, and sustainable communities. While Development Officers issue permits and approvals, Development Compliance Officers help ensure that developments proceed in accordance with municipal bylaws, approved permits, and provincial legislation.

Effective compliance is not simply about enforcement. It is about education, communication, fairness, and achieving voluntary compliance whenever possible. Officers regularly work with residents, contractors, and landowners to resolve concerns, explain regulations, and guide projects toward compliance before escalation becomes necessary.

Strong documentation, professional communication, and consistent procedures are essential to defensible enforcement. From advisory letters and warning letters to Stop Orders and inspections, each step must be reasonable, proportionate, and supported by evidence.

As municipalities continue to grow and development pressures increase, Development Compliance remains an essential function in protecting public confidence, supporting community standards, and ensuring fair and consistent application of municipal bylaws.

"Compliance is not about punishment. It is about protecting communities through fairness, consistency, and professionalism." – Chippy.





Boat and water safety with BrokerLink

Boating and other water activities are a favourite pastime for many Canadians during the summer. At BrokerLink, we care about you and your family. We've put together some tips on how to ensure you stay safe in and out of the water this summer.

On the water

- **Boat insurance.** First and foremost, you should know whether you need separate insurance coverage for your boat. Some homeowners' policies provide automatic coverage for smaller watercraft, such as canoes, rowboats, or sailboats. For boats with higher value or higher horsepower-to-length ratio you'll need additional boat insurance.
- **Inspect your boat.** Make sure the engine and all equipment are in working order. Once your boat is 10 to 15 years old, and every five years after, your insurance advisor will ask for proof of a professional inspection.
- **Ensure you can legally operate a boat.** It's illegal to drive a boat without a proper boating license. In addition, boating without the proper documents on board may result in a fine.
- **Safety equipment.** Life jackets and wearable personal flotation devices (PFD) should always be worn and in the appropriate size for each person on board. In most provinces, kids 16 and under, are required to wear a PFD on a moving vessel. Create a boat safety equipment and pre-departure checklist to ensure you have everything you need.

In the water

- **Always have your eyes on the kids.** Children should never be left alone near water. Always have an adult supervising. For younger kids it's a good idea to make them wear lifejackets if they like playing near the water.
- **Don't drink and play.** Swimming can be very dangerous when you've been enjoying alcoholic beverages. Ensure others are also acting responsibly and advise them not to go near or in the water if they have had a couple of bevies to beat the heat.

- **Local risks.** Always look for "do not swim" warnings when you're venturing somewhere unfamiliar. Disobeying official warnings by local authorities can be very dangerous. Be careful when wading in rivers and lakes, it can be difficult to determine if there are any undertows or currents present. If a body of water looks deep enough to dive into, try entering the water the first time feet-first to avoid a head injury.

Around the pool

- **Fence it in.** It's important to make sure pools can't be accessed by little ones, pets, or unwanted visitors. It's not enough to put a fence around your entire backyard, the pool itself should have a fence and lockable gate around it to prevent people or pets from accidentally falling in from your yard, deck, or patio.
- **Floatation devices.** Have an abundance of noodles, life jackets, etc. nearby and within reach of your pool.
- **First-aid training.** Make sure every member of your household has basic first aid training and knows how to do CPR in the event of an emergency.
- **Never swim alone.** Make sure at least one other person is around when swimming. Never leave young children unattended by a pool.

Rest Assured, BrokerLink Has You Covered*

To learn more and for your free, no-obligation quote, contact us today.

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CONTEST PERIOD: January 1 - December 31, 2026

*Conditions and restrictions apply to all offers. No purchase required. Must be an active BrokerLink group member at time of entry. Offer ends December 31, 2026. Draws held quarterly at the BrokerLink Woodbridge office. Offers may change without notice. The twelve prizes are valued at \$1,000 each. For full contest details please visit BrokerLink.ca/contest-rules. ©2026 BrokerLink Inc. *BrokerLink & Design is a trademark of BrokerLink Inc. All rights reserved.

Brownlee LLP – LEGAL CORNER

Responding to Data Centres Proposals in your Community - Part 3: How to control what Data Centres end up looking like in the Land Use Bylaw

As communities see more and more data center proposals, a municipality will have the opportunity to calibrate their land use regulations to help shape where this form of development may occur. This article is the third part in a multi-part series of articles for the ADOA regarding the increasing demand for data centers in Alberta. Please reference the other articles in the series. In Part 1, we provided background information on the province’s push for increasing the development of data centers and discussed who has jurisdiction over different components of a typical data center site. In Part 2, we focused on how a municipality can control where small-scale data centres could be located within the community through the Land Use Bylaw (“LUB”).

Regulating scale, built form, and impacts

The Land Use Bylaw does not just indicate where different activities and structures can occur, but also outlines what those activities and structures can look like. All development has the potential of creating a concern that can be responded to via local regulation. An apartment building may cast a shadow. A business’s operation may create noise. A large hard-surfaced parking lot may create drainage concerns. Land use and development regulations allow local authorities to avoid these concerns by imposing rules that seek to mitigate them before they arise.

Data centres create various kinds of concerns, such as: noise, traffic, loss of agricultural lands, and security issues. These can be responded to via local land use regulation. Concerns around water, energy, and electricity impacts are handled by the province through different regulatory frameworks. As discussed in the prior articles, municipalities can have total control over the computing facilities land use and lesser control over the power plants; for the power plant component, the municipality must approve a development permit application to the extent that it is consistent with the AUC approval for that same power plant, all by virtue of s. 619 of the Municipal Government Act (“MGA”). Power plants will only be subject to AUC approval if the generating capability of the power plant is more than 1 megawatt (AUC Rule 007).

Requiring information (LUB application requirements)

The municipality will want to ensure that the references in the Land Use Bylaw authorizing the Development Authority to require information for applications covers the things necessary to review a development permit application for a data centre, usually regardless of the scale. Though power plants may need to be approved because of overlying AUC approval, the municipality will want to be in a position where they are able to request the information needed to make a decision. If these provisions do not cover all the kinds of information the municipality would like to require when they receive an application, they should consider amending the LUB. This could include noise studies, emergency response frameworks, or nuisance mitigation plans (including dust and weeds).

Extent of municipal regulation of power plants

Though the municipality must approve power plant developments, when the project has received the same under the AUC approvals cannot be changed due to MGA, s. 619. Therefore, if something like fencing or parking is already covered in the provincial approval (or was addressed in the proceedings before the AUC), then the municipality cannot require something that would then conflict with that approval.

That said, to the extent that the LUB contains regulations respecting key municipal concerns (dust, transportation weed control, waste management; key locations where the power plant would be appropriate and key locations in the municipality where it would not be appropriate), the LUB may assist the municipality in either opposing the power plant application outright before the AUC or obtaining a negotiated resolution as part of the AUC process. Consider the following examples:

- 1) In Decision 28906-D01-2026, the AUC outright rejected the application for the Laramide Battery Energy Storage Facility and Connection in Foothills County. The AUC respected references in the LUB and other planning documents, and found that the siting proposed by the proponent was contrary to the public interest. The AUC stated:

The Commission considers municipal requirements, including municipal planning documents and ...concerns when evaluating whether a proposed project is in the public interest. While the Commission is not bound by the municipal planning documents or policies...the Commission endeavors to achieve consistency with them.

This is not a case where a municipality has unreasonably developed land use policies in order to restrict energy storage facilities in the municipality....[T]he municipal planning documents demonstrate a credible and rational commitment on the part of Foothills County to finding balance and compromise between conflict land uses and perspectives.

...the lack of full-time firefighting coverage and reliable access to year-round piped water for firefighting in the vicinity of the proposed and alternate sites contribute industrial corridor [lands some distance from the proposed site] has full-time firefighting coverage and reliable access to year-round piped water for firefighting, which the agricultural district does not.

[T]he material non-compliance with Foothills County's municipal planning documents and land use policies outweighs the benefits of the project.

- 2) In Decision 29810-D0102026, the AUC recognized that consistency with municipal planning instruments is desired. The AUC decision effectively incorporated commitments agreed to between the municipality (Clearwater County) and the proponent relating to traffic impacts, road use, emergency response, screening and fencing, and communicating municipal requirements to personnel working on the power plant. Because it had negotiated this resolution, Clearwater County was able to ensure that these requirements were embedded in the AUC approval, all without the County having to participate in a costly hearing.

By having regulations and policy statements in the LUB and other planning documents, a municipality can create leverage to have significant impacts on the AUC approval process including both: whether a power plant project gets approved by the AUC; and if approved, relevant requirements for the project to proceed.

Municipal regulation of computing facilities

There is no provincial paramountcy respecting the computing component; therefore, a municipality will have far greater latitude, through the LUB, to set out requirements for siting, setbacks, fencing, noise limits and attenuation, security, and parking. This allows the municipality to shape a computing component as either a permitted or discretionary uses. Some examples are listed below.

- 1) **Setbacks from other uses** - To mitigate concerns around noise or conflict between uses, the municipality could require a minimum setback distance for a computing facility from the property line, specific kinds of uses, or types of buildings.
- 2) **Landscaping/buffering requirements** - The Land Use Bylaw could grant discretion for the Development Officer to require certain kinds of buffers like landscaping materials or fences. This could similarly help respond to concerns around noise or conflict between uses.
- 3) **Security concerns** - The Land Use Bylaw could grant discretion for the Development Officer to require types of security measures like lighting, controlled gates, or surveillance systems on site. This helps respond to concerns around safety, especially in rural locations, since valuable materials could be contained within the data centre facilities and there may be no personnel on site overseeing the materials.
- 4) **Transportation/Parking/Emergency Access** - Because data centres are often remote and rural, access by vehicle is often the only feasible option to get to the site. Transportation impacts may be particularly onerous during construction. Standard conditions referencing: development agreements, crossing agreements, road use should be referenced in the LUB. Minimum parking requirements can be imposed to ensure that the site is sufficiently supplied with parking, though the applicant will normally be driven to supply this parking themselves since there may be no public parking available for those visiting the site. More importantly, the municipality will want to ensure that emergency vehicles can get to and access the site because data centre technology poses the risk of overheating and fire. Referencing standard conditions through the Land Use Bylaw for the Development Officer to require adequate access to the site and imposing obligations to improve municipal roads can be a way to respond to this.

Other Bylaws

The municipality will also want to consider whether there are other bylaws that can be amended to respond to concerns that relate to the activity occurring on site. Instead of proactively requiring several different kinds of noise attenuation measures at the development stage, something like a Community Standards Bylaw could potentially provide a form of responsive regulation regarding

noise concerns if they arise. The municipality will need to consider what monitoring and enforcement resources available when leaning on these other tools.

Amendments to utilities bylaws may be in order. Rates for water consumption is a complex issue, and beyond the scope of this article; that said, we did wish to underscore that you may wish to seek legal advice in this regard.

We advise that municipalities should set any development permit application fees within a separate bylaw and not within the Land Use Bylaw to avoid onerous public hearing requirements when fees need to be updated. A Fees and Charges Bylaw should be used, and may need to be amended to consider the level of resources required to review development permit applications for data centres. The application fees should reflect workload required to assess applications and, when an expert is required to assess an application, their fees should be recoverable by the municipality.

Conclusion

In this article (Part 3), we discussed how different scales of data centres can be regulated using different controls over size, impact, and access to the development. In Part 4, we will discuss how the municipality can use the broader land use planning framework to encourage data centres to be placed in certain areas of the community and discouraged from other areas.

For more information on general municipal questions, please contact a member of the Brownlee LLP Municipal Team on our Municipal Helpline at 1-800-661-9069 (Edmonton) or 1-877-232-8303 (Calgary). Should you have any general questions that you would like answered, please reach out to these members of Brownlee LLP's planning and development team; Jeneane Grundberg, KC (jgrundberg@brownleelaw.com), Alifeyah Gulamhusein (agulamhusein@brownleelaw.com), Brendan Dzioba (bdzioba@brownleelaw.com), and Jack Stout (jstout@brownleelaw.com). For more information on general municipal contacts, please contact a member of the Brownlee LLP Municipal Team on our Municipal Helpline at 1-800-661-9069 (Edmonton) or 1-877-232-8303 (Calgary).

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Contact us

Send us an email or give us a call for more information about our membership and our non-profit group.

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