

What We Heard

Stakeholder Consultation Sessions

Real Property Governance: K-12 School Ownership Changes - Infrastructure/ Education and Childcare/ Municipal Affairs

Contents

- Background and Context**..... 3
- Framework of Stakeholder Sessions**..... 3
 - Purpose..... 3
 - Virtual Stakeholder Sessions..... 4
 - Education and Childcare Stakeholder Session - May 29, 2025..... 4
 - Municipalities Stakeholder Session - June 12 (and July 3, 2025)..... 4
 - Follow Up Survey Responses..... 4
- What We Heard - Key Themes and Insights** 4
 - Ownership Changes**..... 5
 - New Ownership Model..... 5
 - School and Municipal Reserve Designations and Land Allocation 6
 - Playgrounds and Playing Fields/Sports Fields 7
 - Leasing**..... 8
 - Master Lease and Sub-Lease 8
 - Legislative and Other Amendments**..... 8
 - Joint Use and Planning Agreements (JUPAs) 8
 - Off-Site Levies 9
 - Public Hearings..... 9
 - Other**..... 9
- Conclusion**10
 - Next Steps10

Background and Context

Bill 50 *Municipal Affairs Statutes Amendment Act, 2025*, and Bill 51 *Education Amendment Act, 2025*, received royal assent on May 15, 2025, enabling the province to own all new K-12 real property related to new or replacement school projects. The real property includes land, buildings, playgrounds, sports fields, and parking lots. New schools also include buildings that are repurposed as new schools. The legislation will take effect for projects announced in Budget 2025 and onwards.

Infrastructure will assume ownership of all new and replacement K-12 school real property and then lease the property to school jurisdictions (including public, separate, francophone, and charter schools) for operation and maintenance. The transfer of ownership will occur once provincial funding to design and/or build the school is secured, and written notice is provided by the Minister of Infrastructure.

Infrastructure will be responsible for overseeing the transfer of ownership and managing leasing of these properties, ensuring better oversight, transparency, and strategic use of assets in alignment with broader government priorities. The separation of ownership and operations allows Infrastructure to use its expertise in real estate, construction, and managing public infrastructure, allowing school jurisdictions to focus on delivering education and maintaining the schools with their specialized knowledge.

Through discussions with impacted stakeholders¹, Infrastructure is seeking to support better effective and efficient implementation of the new ownership model. While Infrastructure will own school real property, school jurisdictions will continue to be responsible for the operation and maintenance of the properties through a leasing arrangement.

Framework of Stakeholder Sessions

Purpose

In spring 2025, the ministries of Infrastructure, Education and Childcare, and Municipal Affairs conducted virtual stakeholder engagement sessions with impacted education and municipal stakeholders. The purpose of these sessions was to provide stakeholders with information regarding changes in ownership and leasing arrangements and clarify the respective roles and responsibilities of all parties involved. Dialogue at the sessions was intended to provide Infrastructure, Education and Childcare, and Municipal Affairs with a better understanding of the potential impacts and considerations for implementation of the new ownership model.

Infrastructure hosted and facilitated the stakeholder engagement sessions with support from Education and Childcare, and Municipal Affairs. The sessions focused on:

- Ownership Changes
 - The Crown is enabled to own K-12 schools
 - Future planning and reserve designations
 - Written notice of transfer

¹ First Nations reside on federal Crown land and Metis Settlements are governed by the Metis Settlements General Council under the Metis Settlements Act, which provides for autonomy and self-governance, including the management and ownership of land. Their K-12 school real property is not subject to the GOA Real Property Governance or *Real Property Governance Act*.

- Scope of ownership
- Partnership/shared ownership considerations and municipal interests
- Leasing
 - Insurance and liability
 - Joint usage
 - Subleases
- Legislative and Other Amendments
 - Amendments to the *Municipal Government Act* and *Education Act* enable the change in ownership
 - Joint Use and Planning Agreements (JUPAs)
 - Compensation
- Implementation
 - To ensure seamless implementation with no impact to educational programming, thorough input was required from stakeholders.

Virtual Stakeholder Sessions

Infrastructure hosted virtual stakeholder engagement sessions via Zoom, supported by Education and Childcare and Municipal Affairs, who provided both the invite list of impacted stakeholders and subject matter expertise to support the sessions. As mentioned, the purpose of the sessions was to share the legislative amendments and discuss potential impacts to implementation. Due to the volume of attendees, two separate sessions were held, one for Education and Childcare stakeholders and one for Municipal Affairs stakeholders. A duplicate, third session was held for a subset of municipal stakeholders due to scheduling challenges.

Following each session, a follow up survey was emailed to attendees providing them with an opportunity to share additional implementation considerations that were either not raised at the session, or where they wished to provide additional information or context. The surveys were open for two weeks.

Education and Childcare Stakeholder Session - May 29, 2025

260 representatives from school boards and associations across Alberta were invited to the stakeholder session with approximately 162 attendees.

Municipalities Stakeholder Session - June 12 (and July 3, 2025)

Nearly 400 representatives from municipalities and associations across Alberta were invited to the stakeholder session with about 100 attending.

Follow Up Survey Responses

A total of 45 survey responses were received: 16 responses from Municipal Affairs stakeholders and 29 responses from Education and Childcare stakeholders.

The survey responses provided following the stakeholder sessions have been integrated into this document in the “Key Themes and Insights” section. Stakeholder responses provided valuable input that helped identify priorities and concerns.

What We Heard - Key Themes and Insights

Participants shared a range of perspectives on Real Property Governance: K-12 School Ownership changes. Presented below are the collective key observations and concerns that

stakeholders raised with respect to each theme discussed during the stakeholder consultation session.

Disclaimer:

- The terms ‘playing fields’ and ‘sports fields’ are used interchangeably and are intended to convey the same meaning. Both refer to outdoor areas designated for athletic and recreational activities.
- Stakeholder questions, comments, and key discussion points have been summarized to reflect key themes and insights. While every effort has been made to accurately represent the perspectives shared, individual responses are not captured verbatim. The summaries provided are intended to convey the overall sentiment and high-level viewpoints expressed during the engagement process.
- Questions about the *Real Property Governance Act* (RPGA) are not included within this document as it was out of scope for these stakeholder consultation sessions. However, Infrastructure has retained them.

Ownership Changes

New Ownership Model

What We Heard
Stakeholders expressed an interest in:
A clear rationale behind the ownership changes of K-12 schools’ real property and the problem it aims to address. <ul style="list-style-type: none"> • Stakeholders pointed out they feel as if they now have reduced autonomy in long-term planning for school sites, and there is a perception this is a land grab from the province and provides no benefit to Albertans.
Earlier engagement in policy discussions versus only being engaged at the implementation stage.
Preserving municipal land use authority and the ability to determine permissible land use. <ul style="list-style-type: none"> • Stakeholders are concerned that if municipal school reserve (MSR) land remains undeveloped and not designated for a school project, it will be transferred to the province. • Also concerned about whether the entire parcel of land will need to be transferred to Infrastructure even if the school site itself is smaller. • The public will be concerned about loss of green space in the future if site is no longer needed for a school.
Clarity around compensation given both Bill 50 <i>Municipal Affairs Statutes Amendment Act, 2025</i> , and Bill 51 <i>Education Amendment Act, 2025</i> , do not indicate what the compensation to school jurisdictions or municipalities will be if costs were incurred prior to transfer to Infrastructure.
Clarity on whether stakeholders will retain a role in shaping school design and size, or if Infrastructure will be leading this process with accompanying guidance.
Certainty on how the province will own the land while municipalities build, maintain, and modify playgrounds and sports fields, and what happens if a municipality withdraws from these responsibilities.
Any planned changes to the naming process of schools.
Which school projects are subject to the new legislation. <ul style="list-style-type: none"> • Are the schools that are approved through the Alberta’s School Construction

<p>Accelerator Program included?</p> <ul style="list-style-type: none"> Clarification on whether new and replacement schools, and non-school facilities such as administrative buildings and bus garages are subject to the new ownership model.
Clarity on whether the new ownership model impacts the Grants in Place of Taxes (GIPOT) program.
Any changes envisioned to the warranty period on new school builds.
Clarification on whether the province has implemented mechanisms to account for the rising costs associated with an expanding infrastructure portfolio.

School and Municipal Reserve Designations and Land Allocation

What We Heard
Stakeholders expressed an interest in:
<p>Designations related to Municipal Reserve (MR), School Reserve (SR), or Municipal and School Reserve (MSR) designations and impacts related to capital planning, subdivision, timing of transfer of real property to the Crown, site servicing, and transfer of title.</p> <ul style="list-style-type: none"> Municipalities have traditionally owned, operated, and maintained sports fields with MSR/MR designations and wonder why the government would now wish to own it. School projects build on land with no MR, SR, or MSR designation. Stakeholders inquired who pays the costs of subdivision. If the government owns playgrounds and playing fields, municipalities commented there is no longer an incentive to make significant investment when they no longer own or control the land. Municipalities may quietly attempt to block transfer of sports fields through further subdivision, zoning of land, or not sub leasing sports fields for operation and maintenance. This may hinder cooperative long-term planning for school sites. Clarification regarding subdivision of the land parcels for school and playgrounds. When approving the subdivision, municipalities need to provide separate access and access restrictions to/for the subdivided parcels, which may result in separation of schools from the playground and recreation facilities. Municipalities also lose the ability to have the land transferred back to them once a school jurisdiction no longer has a program use for it in the future.
<p>Incentives for municipalities to provide MR, MSR, or SR land for school sites if they will not own the land.</p> <ul style="list-style-type: none"> Without incentives, there may be less inclination to allocating reserve lands for schools, so they can retain ownership.
Process for Infrastructure to change the minimum percentage of reserve land allocated for school sites.
School jurisdictions agree sites need to be fully serviced (stripped, graded, and utility ready) before title transfer; however, expressed concern that municipalities and developers may deprioritize site servicing, which may delay a school building project.
<p>The mechanisms around the transfer of the land to Infrastructure.</p> <ul style="list-style-type: none"> Education and Childcare stakeholders indicated a preference for land transfers to be dealt with directly between municipalities and Infrastructure.
The status of past municipal restrictive covenants on land transferred to school boards and how that would be impacted with the new ownership model.
How the process for any major modification, maintenance repairs, or recapitalization projects would work.
If there will be potential for joint ownership.

<ul style="list-style-type: none"> • E.g., A school board with a private investor and/or municipality where the investor or municipality are contributing the capital amenities.
There are instances where school jurisdictions receive donated land to build a school. How would restricted donations be transferred to Alberta Infrastructure?
Documents the province needs to be aware of: <ul style="list-style-type: none"> • Area Structure Plan application process and related agreements • Area Redevelopment Plan application process and agreements • Development agreements • Subdivision Servicing agreements • Subdivision application process • Neighborhood plans • Master planning for recreation and open space amenities • Use agreements with local non-profit and sports associations

Public-Private Partnership

What We Heard
Stakeholders expressed an interest in:
Clarification on whether the P3 model includes offering nominal below-market leases to operators, and whether these leases are intended to be leveraged for financing purposes. <ul style="list-style-type: none"> • If so, there are concerns about how the municipality and school board would be protected in the event of insolvency or bankruptcy of the P3 partner, particularly regarding continued access to the site. • The province should consider the site's land use restrictions and reserve designation may limit its market value.

Playgrounds and Playing Fields/Sports Fields

What We Heard
Stakeholders expressed an interest in:
Ownership related to playgrounds and playing fields and requested consideration be given to only transferring the school building envelope (i.e., school building(s), parking lot).
Lost incentive for municipalities to use their funds (municipal reserve funds, parent/community investments) to build playgrounds. <ul style="list-style-type: none"> • Stakeholders noted that the province's \$250,000 playground funding covers only a small portion of costs, with municipalities often investing millions in related park infrastructure. They seek clarification on whether the province plans to expand funding to fully support playgrounds, sports fields, and trails for new schools.
Community access to playing fields and playgrounds will be affected for charter schools that have unique programming that may not always be accessible to the public.
Clarity regarding subdivision of the land parcels for school and playgrounds. When approving the subdivision, municipalities need to provide separate access and access restrictions to/for the subdivided parcels, which may result in separation of schools from the playground and recreation facilities.
In the absence of appropriate incentives, municipalities may choose to limit the transfer of sports fields by means such as restricting further subdivision, implementing specific zoning measures, or opting to not sublease fields for ongoing operation and maintenance.

Community integration into parks, playgrounds, and recreational amenities is considered best practice and is an expectation by Albertans.

Leasing

Master Lease and Sub-Lease

What We Heard
Stakeholders expressed an interest in:
Clarity regarding master leases and sub-leases: <ul style="list-style-type: none"> • Terms of the master lease and sub-leases • Duration of the lease term, as well as grounds to terminate a lease between Infrastructure and school boards • Dispute resolution mechanism for the master lease and sub-leases • Whether sub-leases require approval from the Crown • Whether there be a consultation process with the community once the lease of a school board ends • Costs for the lease between Infrastructure and school boards
Challenges related to current and future schools share joint-use sites or in rural areas with multi-use facilities, creating complexity in ownership and operational responsibilities.
Clarity on the nature of leases, operating vs. capital: <ul style="list-style-type: none"> • If the lease is operating, it affects the school boards' cash flow
Clarification on the continuation of Maintenance and Renewal, and Capital Maintenance and Renewal grants.
Continuation of operations and maintenance grants, and whether lease funding is restricted to leased buildings, or if it can be combined with other operation and maintenance funds.
Clarification if there will be reporting for maintenance requirements.
Questions raised concerning the delineation of insurance responsibilities in the lease agreement, including asset coverage, and liability in the event of accidents or emergencies.
Requested guidance on how the new ownership model and post-lease will be reflected in their financial statements, including any new accounting requirements.
Collaboration with the Auditor General and external auditors to ensure that lease agreements align with their expectations.
Clarification on whether charter schools will be subject to the same lease conditions as public and separate school boards, with consideration given to accommodating their unique programming needs.
Risks related to a school being identified as underutilized and being reassigned by Infrastructure to another school board once a lease ends.
Municipal financial contributions toward upsizing school gymnasiums that intended to support broader community use. If lease agreements with school districts are terminated, the future of community access becomes uncertain, potentially resulting in a loss of taxpayer investment.
Clarification on when a school board's leasehold interest is registered in cases where the municipality initially owns the site.

Legislative and Other Amendments

Joint Use and Planning Agreements (JUPAs)

What We Heard

Stakeholders expressed an interest in:
The need for JUPAs deadline to be extended due to the new ownership changes. <ul style="list-style-type: none"> The deadline to submit school board and municipality JUPAs to Municipal Affairs was previously extended to June 10, 2026.
Clarification if Infrastructure will be a part of JUPAs.
A change in ownership may impact how JUPAs are drafted and support in re-draft would be helpful.
JUPAs do not apply to land without an MR, MSR, or SR designation. Reserve designation will dissolve upon transfer to Infrastructure.

Off-Site Levies

What We Heard
Stakeholders expressed an interest in:
Who will be responsible for off-site infrastructure costs (e.g., road upgrades and servicing extensions).
How sites are exempted from levies, particularly in cases where, for example, a municipality uses transportation levies at subdivision. <ul style="list-style-type: none"> Municipalities wondered if they must amend their off-site levy bylaws as a result.
Whether offsite levies can still be applied at the subdivision stage, even if a school is later announced and exempted at the Development Permit stage.

Public Hearings

What We Heard
Stakeholders expressed an interest in:
Requirements for public hearings when land parcels change reserve designation. Reserves are particularly important to the public because they are limited in what uses are allowed.
Adequate public consultation when a site is no longer required for school use and community may lose green space if redeveloped.

Other

What We Heard
Stakeholders expressed an interest in:
An opportunity to review and provide input into the development of the regulations and a timeline for when regulations are expected to be finalized.
Analysis and compliance of the new ownership structure with the Public Sector Accounting Standards.
Joint consultation sessions with municipal representatives, board chairs, and superintendents.
More resources so stakeholders can better understand the changes.
Clear and transparent processes for the new school ownership model, including future repurposing are essential, particularly for smaller municipalities, which may lack the dedicated land titles and legal resources needed to support additional administrative and legal work. Without adequate support, this could delay lease reviews, negotiations, and title transfers, requiring careful prioritization of limited municipal resources.
Certain municipal policies and procedures would no longer apply to school and park sites transferred to the Government of Alberta. There are concerns about continuance in

maintenance and delivery.

Conclusion

The stakeholder engagement sessions and follow-up surveys provided valuable insight into the perspectives and priorities of school jurisdictions and municipalities with respect to the implementation of the new K–12 school ownership model.

Feedback highlighted key considerations related to land ownership and reserve designations, leasing arrangements, compensation, joint use, and the need for clear roles and responsibilities. Stakeholders expressed a strong interest in ongoing communication and involvement, particularly in the development of regulations, leases, and supporting processes. The input received to date, as well as that received through ongoing discussions with stakeholders, will help inform implementation and guide future policy and regulatory development.

Next Steps

This document is intended to ensure the concerns and questions are reflective of the discussion and information provided via the Q&A in Zoom as well as the follow-up survey responses. It is circulated only for validation by the stakeholders. Work is also underway in collaboration with Service Alberta and Red Tape Reduction on a land titles transfer process that meets the legislated transfer requirements.

Stakeholders were requested to review the “What We Heard – Key Themes and Insights” section of this document to ensure its accuracy, completeness, and relevance during the stakeholder consultation session(s).

Infrastructure, in collaboration with Education and Childcare and Municipal Affairs, is committed to supporting a smooth transition that maintains continuity in educational programming and promotes effective use of public assets. Further updates will be shared as implementation proceeds.

FREQUENTLY ASKED QUESTIONS

Ownership Changes

1. **What are the key changes to ownership roles and responsibilities under Bills 50 and 51?**

A: Bills 50 and 51 introduce a shift in ownership and governance of new and replacement school real property. Under Bill 51, the *Education Amendment Act, 2025*, legal ownership of new or replacement school sites approved for funding in Budget 2025 and onward will transfer to the Crown, represented by the Minister of Infrastructure, following a written notice of transfer and the expiry of a 45-day notice period. Upon transfer, school jurisdictions will be offered a leasehold interest from Infrastructure.

Bill 50 supports these changes by aligning the *Municipal Government Act* with this new ownership model, allowing for the removal of special land-use restrictions (reserve designations) when school lands are transferred to the Crown. Together, these legislative changes consolidate provincial ownership of new school infrastructure to improve oversight, asset management, and long-term planning, while maintaining school board responsibility for educational programming and day-to-day operations.

Legal ownership of the land and property will be transferred to Infrastructure, but the operations and maintenance will remain with the school's jurisdiction.

2. **What is considered a “new” or “replacement” school under this model?**

A: Bill 51 defines a “new” or “replacement” school project as one that involves building a completely new school facility, replacing an old school with a new building, or repurposing an existing non-school building for use as a school. It also includes any site preparation work needed to support these activities. Any new or replacement school projects announced under the Alberta School Construction Accelerator Program (SCAP), will also fall under this ownership framework.

Projects that only involve renovations, maintenance, additions, structural upgrades, or building access roads are not considered new or replacement schools under this definition and are not included in the new ownership model.

3. **What is considered “new school real property” under the new ownership model?**

A: As defined in Bill 51, “new school real property” refers to a parcel of land for which a fee simple interest is held, as recorded on the certificate of title issued under the *Land Titles Act*. This applies specifically to land associated with an “approved new school project”. Only these parcels are subject to the provincial ownership and leasing model. Land associated with modernization or maintenance projects is not included.

4. **How will the new ownership model apply to replacement schools?**

A: Replacement schools approved in Budget 2025 or later are included in the new ownership model. The associated real property, including land and buildings, will transfer to the Crown

under Bill 51. The school jurisdiction will continue to operate the school under a lease from Alberta Infrastructure. If a replacement school is built on a new or subdivided site, only the portion used for the new school will transfer.

5. How are additions and modernization impacted by the changes?

A: Additions or modernizations to existing schools that are not part of a replacement project are not subject to an ownership transfer. Ownership and governance of these existing sites will remain with the current landowner (typically the school jurisdiction or municipality).

6. Will existing schools or previously approved projects be affected by this change?

A: No. Existing schools and school projects approved before Budget 2025 will continue under the current ownership structure. Projects that received planning or design approval as part of Budget 2024 or earlier will continue under the existing ownership structure.

7. How does the new ownership model apply to replacement schools, especially when they are co-funded or enhanced?

A: If a project qualifies as a replacement school and is announced through Budget 2025 or later, Alberta Infrastructure will take ownership of the land and buildings, including co-funded enhancements (e.g., larger gyms, specialized spaces). School jurisdictions and municipal partners may retain operational or sublease agreements for shared-use components, but the legal title will transfer to the Crown under Bill 51.

8. What parts of a school site will the province own, and what will stay under local control?

A: The legislation enables Alberta Infrastructure to own all designated school real property for new or replacement schools funded from Budget 2025 onward. This includes land, buildings, parking lots, playgrounds, and playing fields. However, Infrastructure will not own recreational facilities that existed previously or are newly built but separate from school property. Infrastructure will also not assume ownership of buildings or facilities outside the designated school real property, such as standalone administration offices or storage sheds. Infrastructure leases only to school jurisdictions; any third-party use (e.g., municipal offices) must be arranged through subleases managed by the school jurisdiction.

9. Why is school ownership not retroactive and only applied on a go forward basis?

A: The approach minimizes disruption to ongoing school operations and facilitates a smoother transition to centralized real property ownership.

10. How will the land transfer process work under the new model?

A: Under Bill 50 and Bill 51, land ownership officially transfers to the Crown (represented by Infrastructure) for new or replacement school projects approved in Budget 2025 or later, generally during the design phase once site readiness is confirmed. No significant changes to timelines are anticipated. Existing municipal processes for subdivision, servicing, and zoning remain in place. Once the site is ready, ownership transfers to the province.

11. What happens with land that is currently designated as Municipal and School Reserve (MSR), School Reserve (SR), or Municipal Reserve (MR)?

A: When Infrastructure is transferred ownership of school property built on MSR, SR, or MR lands, the reserve designation will be removed from the land title. This change is enabled by amendments in Bills 50 and 51 to support provincial ownership of new school infrastructure.

12. How does the transfer process apply to board-owned land or third-party holdings?

A: If the land for a new or replacement school is owned by a school board or a third party (e.g., municipality or developer), it must be transferred to Infrastructure within 45 days of the written notice being received. The school board will then operate the school under a lease from the province. It is important to note that the legislation does not specify the source of the transfer; it simply refers to the “owner.” This means transfers could occur from a school board, municipality, or other legal owner, depending on the circumstances.

13. Will Infrastructure be responsible for the cost of repairs and maintenance given that they own the building and site?

A: The change in ownership in the title of the property is not intended to result in the removal of existing costs or add new costs to school jurisdictions or to Infrastructure. School jurisdictions will continue to be responsible for operations and maintenance, including improvements if required, through existing funding mechanisms such as Operations and Maintenance, maintenance and renewal funding.

Maintenance and Renewal will remain the responsibility of school jurisdictions as outlined in the lease agreement with Infrastructure. Education continuously reviews its funding policies, such as maintenance and renewal funding, to ensure school jurisdictions are equipped with adequate resources to provide a safe, healthy, and thriving educational environment.

14. What safeguards are in place to ensure property remains for educational use?

A: Lease agreements between Infrastructure and school jurisdictions include permitted use clauses, ensuring the site is used for educational purposes. There is no intent to repurpose school properties for non-educational use, and Infrastructure’s role is limited to oversight of assets, not educational programming.

15. Will Infrastructure repurpose a school site for another jurisdiction?

A: Infrastructure leases directly to school jurisdictions. While it retains legal title, the operational use remains with the original school board for the purpose of delivering education. The lease framework reinforces that educational use is prioritized.

16. What is the rationale for this change?

A: Infrastructure will oversee the ownership and leasing of new and replacement school projects, ensuring better strategic use of assets in alignment with broader provincial priorities, strengthening government oversight, and improving strategic planning and resource allocation for school properties. The separation allows Infrastructure to focus on the ownership and leasing of school properties, using its expertise in managing public infrastructure, while school jurisdictions can focus on delivering education and maintaining the schools with their specialized knowledge.

17. Isn't this just a land grab and an attempt to reduce autonomy for school jurisdictions?

A: The new centralized school ownership model under Infrastructure is not a land grab or an attempt to reduce the autonomy of school jurisdictions. Instead, it aims to enhance resource management, transparency, and efficiency in the governance of school properties. School jurisdictions will continue to operate and maintain the facilities for educational services, while Infrastructure handles ownership and leasing of real property, ensuring better oversight and strategic use of government assets to support broader government priorities.

18. What are the responsibilities of school jurisdictions and municipalities regarding school property?

A: School jurisdictions remain responsible for the ongoing operation, maintenance, and use of school facilities, including those on leased land. Municipalities handle land assembly, subdivision, and servicing up to the property boundary prior to transfer. The project delivery process remains unchanged, and school boards continue to participate in design, approvals, and construction oversight. The province will not take on a role in negotiating school reserve land.

19. Who will be responsible for site servicing a school site?

A: Existing site servicing processes and responsibilities remain unchanged. Shared Planning Responsibility: School jurisdictions and municipalities will continue to jointly conduct planning and needs assessments for new school sites. Municipalities will continue to be responsible for coordinating and providing core site servicing amenities such as roads, sidewalks, water, sanitary, storm water infrastructure, power, gas, and telecommunications. Municipalities will also ensure that servicing aligns with land-use plans and community development timelines to support timely school construction. School jurisdictions and/or developers may contribute to site-servicing under specific agreements.

The intention is to maintain existing school site readiness practices, where preparatory steps such as servicing and site development may proceed before title transfer is finalized. Title transfer will continue to be the last step in the process, aligned with existing practices, rather than occurring in advance of site readiness work.

20. How will these changes affect public-private partnership (P3) schools?

A: New and replacement P3 schools will be owned by Infrastructure; however, the leasing agreements may differ from design-build and design-bid-build as P3 projects have a long-term maintenance component.

21. What is the rationale for Infrastructure owning playing fields? We have concerns regarding public access.

A: Going forward, school sites will be owned by the Crown. This includes buildings and all associated land (e.g., playgrounds, playing fields, parking lots), that support educational programming. Through the leasing arrangements and Joint Use and Planning Agreements (JUPAs), it is expected that school jurisdictions will continue to work closely with municipalities

regarding operations and maintenance of playing fields, ensuring all activities remain coordinated and in the public interest.

22. Can a municipality retain ownership of sports fields with Municipal Reserve (MR) designation and lease them to a school?

A: Yes, this is possible, but it requires collaboration with Municipal Affairs to ensure compliance with the Municipal Government Act and any applicable reserve regulations.

23. Would government consider taking playing fields out of the real property school project envelope, allowing municipalities to continue to own, operate, and maintain? This would provide ongoing incentive to invest in the playing field in partnership with school jurisdictions.

A: The new ownership model is not intended to impact current partnerships, JUPAs or impede investment by the municipality or community. It is recognized however that a one-size-fits all approach may not be appropriate in all situations and we will review playing fields being automatically included in the school real property that is transferred to Infrastructure.

Leasing

Leasing Terms Structure Renewal and Termination

1. Will all school authorities have the same lease conditions? How will leases accommodate unique programming needs?

A: Yes. All school authorities, including public, separate, francophone, and charter—will have lease agreements with consistent core terms. These include the type of lease, roles and responsibilities, and lease duration. While the overall structure is standardized, the lease allows for flexibility to support the specific programming and operational needs of each school authority. Leases remain in place as long as the property is required for educational purposes.

2. How long will the lease be when Infrastructure owns a school property?

A: Leases will typically be long-term, structured as land leases. School boards will retain full operational responsibility and receive leasehold title registered under Infrastructure's fee simple title. Further analysis is being conducted on the optimal lease length.

3. Will leases be operating or capital in nature?

A: The intent is to structure leases as operating leases, similar to previous models used with other government properties. The approach has been reviewed with the Auditor General in the past.

4. Can a lease be terminated by Infrastructure?

A: Leases are intended to remain in place as long as the facility is used for educational purposes. Termination may occur only if a school board determines the facility is no longer needed or if it ceases to serve an educational function.

5. Will there be lease payments?

A: Net rent will be set at \$1. These are direct-pay/cost-recovery leases where the school board pays all operating and maintenance costs directly to service providers. No rent is paid to Infrastructure unless it provides additional services.

6. How should lease assets be recorded for accounting purposes?

A: Value for insurance and accounting will be provided upon facility turnover. School boards can use this to record the asset and ensure compliance with accounting standards.

7. Will there be any impact on IMR, O&M, or CMR grants?

A: Funding streams such as IMR (Infrastructure Maintenance and Renewal) and CMR (Capital Maintenance and Renewal) will continue as before, supporting ongoing maintenance and operational needs without change.

8. What happens at the end of a lease term?

A: Leases generally will be renewed as long as the facility continues to be used for educational purposes.

9. For lease-to-own agreements, when and how does title transfer occur? How will leasehold titles be registered relative to Infrastructure's fee simple title?

A: The new model does not include lease-to-own arrangements. Alberta Infrastructure retains full fee simple ownership of school properties. School boards are offered a leasehold interest for the duration of their occupancy, and this leasehold title is formally registered beneath the province's fee simple title on the land title record.

10. How are municipal contributions to joint-use facilities managed?

A: Municipal investments are managed through subleases with school boards. Infrastructure does not lease directly to municipalities, community groups or third-party organisations.

Insurance and Reporting

11. Who is responsible for insurance under the new lease model?

A: School jurisdictions will remain responsible for insuring the parts of the property they occupy and use. The leasehold interest allows school boards to obtain the necessary insurance coverage even though the province owns the property.

12. What types of insurance will school boards need and will there be changes to coverage or insurable value?

A: School boards will continue to maintain insurance similar to current requirements, including general liability, all-risk property insurance for tenant-owned items, boiler and machinery insurance, and coverage for construction or tenant improvements. No significant changes to insurable value calculations or liability coverage are expected at this time.

13. What is the impact on financial reporting?

A: Since leases are structured as operating leases, they will be recorded as expenses. There is no significant change in financial reporting obligations due to the lease structure.

14. Does the leasing model apply to new schools built on existing properties, and what are the typical lease terms and costs?

A: Yes. The leasing model applies to all new schools regardless of the existing ownership status of the property. The leases will be operating leases treated as an expense for accounting purposes, including depreciation. This approach has precedent in other government properties and has been reviewed by the Auditor General.

15. Will there be new reporting or maintenance requirements for school boards under the leasing model?

A: There are no new reporting or cost requirements resulting from the lease model. Current reporting practices remain unchanged; Infrastructure does not receive additional reports due to these leases.

16. Are there any changes to the warranty period on new school builds?

A: No changes are anticipated. Issues arising after the standard one-year warranty remain the responsibility of the school division, managed through their maintenance funding.

Subleasing and Use of Space

17. Can school boards lease parts of their school facilities to third parties (e.g., community groups or associations)?

A: Yes. The master lease between Infrastructure and the school board allows for subleasing. School boards manage these agreements, and any associated revenue remains with them. While the master lease provides a general framework, its terms may be tailored to meet the specific needs of the parties involved. The province does not intend to interfere in the subleasing arrangements between school boards and third parties.

18. Who would be responsible for leases in community schools (e.g., Francophone schools leasing space to community organizations)?

A: The school board, as tenants, would oversee sublease agreements directly. Infrastructure will not be party to such subleases.

19. Will subleases require government approval?

A: No. School boards may enter into subleases without Crown approval. These include agreements with municipalities for facilities like diamond balls or fields.

20. Will school boards need to request permission from Infrastructure to modify schools or undertake major maintenance or recapitalization projects?

A: School boards are required under the *Education Act* to seek Ministerial approval for major modifications or recapitalization projects. These legislative changes under Bills 50 and 51 do not alter that requirement.

21. What happens if municipalities choose not to sublease?

A: School boards will continue to hold leases for school properties and can negotiate subleases with municipalities. If a municipality declines, alternative arrangements may be made. Infrastructure has no role in subleasing.

22. Will municipalities now be responsible for operating and maintaining playgrounds or sports fields?

A: No change is anticipated. Municipalities and school boards may continue their current arrangements through subleases or agreements. Infrastructure is not responsible for direct operations or maintenance of shared use amenities.

23. How will lease agreements address shared-use spaces (e.g., sports fields, community facilities) and subleasing arrangements involving municipalities and third-party partners?

A: Lease agreements under the new model will include provisions to accommodate shared-use spaces such as sports fields and community facilities. While Infrastructure holds ownership, school jurisdictions as leaseholders will have the ability to enter into subleases with municipalities or third-party partners to support ongoing collaborative use.

24. Will Education and Childcare require a different asset retirement obligation treatment for government-owned new schools compared to other recently constructed schools?

A: This question is under review. We are consulting accounting experts to determine appropriate treatment.

25. If a municipality has contributed to capital amenities inside a school, such as joint-use facilities, and the land is transferred to the Province, will the municipality become a lessee for that facility?

A: No. Under the new ownership model, Alberta Infrastructure leases school properties only to school jurisdictions. Municipalities do not become lessees. They may continue to access joint-use facilities through agreements directly with the school board, which holds the lease from the Province. The province is not a party to these subleases or agreements.

Joint Use and Planning Agreements (JUPAs)

1. Will Alberta Infrastructure participate as a party in JUPAs going forward?

A: At present, Alberta Infrastructure is not a formal party to JUPAs; these agreements remain between school boards and municipalities. Infrastructure will monitor developments and may adjust its role as needed based on stakeholder feedback and operational requirements.

2. What happens to existing JUPAs under the new model?

A: Existing JUPAs between school jurisdictions and municipalities will remain in effect. Infrastructure is not currently expected to be a direct party to these agreements. However, there may be opportunities in the future to update or revise JUPAs to align with the new ownership and leasing structure, ensuring continued coordination and partnership between all parties.

3. **How will the removal of reserve designation affect JUPAs and maintenance responsibilities?**

A: Government of Alberta (GOA) needs to review further with respect to Infrastructure's responsibilities once they become the owner, and how that might impact JUPAs and maintenance of land once the reserve designation is removed.

4. **How will the new regulations (if any) affect municipal land ownership under existing JUPAs?**

A: We are not anticipating amendments to JUPAs. However, we will continue to monitor how things progress with feedback and comments from stakeholders to determine next steps with respect to Infrastructure's roles and responsibilities in JUPAs, if need be.

5. **Can you confirm that school sites will continue to remain open for public access when the province assumes ownership of the entire school site?**

A: The ownership change will not alter how school sites are managed currently and how school boards operate the facilities. While the province will own all newly built and replacement schools going forward, the day-to-day operation and maintenance remains as they are.

6. **How will changes to ownership impact community groups (e.g., parent societies) who fundraise and manage school playground assets?**

A: Ownership of playground equipment and related assets will transfer to the GOA with new schools, but operational maintenance under JUPAs will continue, ensuring municipalities or school boards remain involved in upkeep.

7. **Will municipalities remain on the title for jointly owned school sites, especially for playing fields intended for public use?**

A: While ownership will transfer solely to the Crown for new and replacement schools. Operations and maintenance responsibilities under JUPAs will continue between school boards and municipalities, including shared use and upkeep of playing fields.

Compensation

1. **Will school jurisdictions or municipalities be compensated for land transferred to Infrastructure?**

A: At this time, there is no legislative requirement for compensation for land transferred to Infrastructure. However, section 187.1(4)(a) of the Education Amendment Act, 2025 includes a provision that the Minister may pay compensation to the owner transferring land to Infrastructure, as determined by regulation, if any. Any such regulation would also determine the amount payable to the owner. The development of any such regulation would be subject to future government decision-making.

If at the time of transfer, and if there has been no cost incurred, there will be no compensation for transferring the property. If there are special circumstances where there are perceived or actual costs that have been incurred prior to the notice of transfer, we will follow process/policy to determine if compensation will be provided.

2. Under what conditions might compensation be considered?

A: If no costs have been incurred at the time of transfer, compensation is not expected. Where there are special circumstances, such as actual costs incurred prior to the notice of transfer, the matter will be reviewed through government policy and process to determine if compensation is appropriate. The development of related regulations is under consideration, though no timelines have been established.

3. How will Infrastructure gather information to budget for compensation costs, and what role will stakeholders have?

A: The Ministry of Infrastructure will work with stakeholders, including school jurisdictions and municipalities, to collect relevant data on costs incurred for land or site improvements. Input from stakeholders will help ensure that regulations reflect actual costs and circumstances, but specific processes and timelines for consultation will be set once regulations are finalized

Legislative Changes and Other Amendments

1. Will existing agreements or school sites need to be changed because of this legislation?

A: Existing agreements, partnerships and school sites are not affected by the changes in Bills 50 and 51. The new ownership and management model applies to new and replacement school projects approved from Budget 2025 onward. Current school properties and agreements will continue under existing terms unless changes are specifically required in the future.

2. What is the anticipated date for the regulations?

A: There is no confirmed timeline for when the regulations will be finalized or come into effect.

3. How will projects currently underway or funded before the legislation be impacted? Will schools approve under existing programs (e.g., School Construction Accelerator Program) be subject to the new rules?

A: Projects currently underway or funded before the enactment of Bills 50 and 51 are not subject to the new ownership and leasing model introduced by these bills. School projects approved under budget 2024 and earlier, will continue under existing agreements and governance structures. These projects are exempt from the new provisions, as they were approved prior to the legislation's passage and are not affected by the changes to property ownership and leasing outlined in Bills 50 and 51. Therefore, there is no requirement to alter current agreements or management approaches for these projects.

4. How are off-site levies and transportation levies affected?

A: Section 648(1.1) of the *Municipal Government Act* exempts school buildings either owned or leased by school jurisdictions from off-site levies.

Overall Implementation

1. **Under the new real property framework in Bill 50 and Bill 51, do municipalities lose any authority for designating reserve land for school sites?**

A: No. Municipalities retain their authority under the *Municipal Government Act* (MGA) to identify and allocate reserve lands for future school sites in consultation with school boards. Bill 50 does not amend the reserve allocation requirements of the MGA.

2. **Will public access and use of reserve lands be protected?**

A: Public access to amenities such as playgrounds and sports fields may continue through subleasing arrangements with school boards. Infrastructure will not restrict access, but municipalities and school boards must negotiate continued shared use.

3. **As jurisdictions adjust to the new ownership model, what kinds of transition supports—technical, or otherwise will be available to help ensure smooth implementation?**

A: We are working on processes and documents to support implementation, and Infrastructure, Education and Childcare and Municipal Affairs will continue to work closely together as everything is rolled out. If you have a new school project approved under Budget 2025 or later, Infrastructure will work directly with you throughout the process. If you have additional questions or concerns that were not addressed at the session, please reach out to us by email address infra.policy@gov.ab.ca.

4. **How does the province plan to respond to stakeholder concerns about specific or diverse situations under the new model?**

A: We recognize that a one-size-fits-all approach may not be appropriate for all circumstances. These unique circumstances are actively being reviewed as part of the implementation process. The concerns and issues raised have been noted and are actively being examined to identify any gaps or necessary adjustments. As this review progresses, we will continue to update stakeholders and provide guidance accordingly.