



AGENDA

INTERGOVERNMENTAL AFFAIRS COMMITTEE

November 14, 2019, 9:30 AM

LEGAL TRADITIONS COMMITTEE ROOM

Members

Mayor N. Nenshi
Councillor G-C. Carra
Councillor G. Chahal
Councillor P. Demong
Councillor S. Keating
Councillor J. Farkas
Councillor R. Jones

1. CALL TO ORDER
2. ELECTION OF VICE CHAIR
3. OPENING REMARKS
4. CONFIRMATION OF AGENDA
5. CONFIRMATION OF MINUTES
 - 5.1 Minutes of the Regular Meeting of the Intergovernmental Affairs Committee, 2019 October 17
6. CONSENT AGENDA
 - 6.1 DEFERRALS AND PROCEDURAL REQUESTS
None
 - 6.2 BRIEFINGS
None
7. POSTPONED REPORTS
(including related/supplemental reports)
None

8. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

- 8.1 Federation of Canadian Municipalities (FCM) (Verbal) - IGA2019-1414
- 8.2 Alberta Urban Municipalities Association (AUMA) (Verbal) - IGA2019-1415
- 8.3 Calgary Metropolitan Region Board (CMRB) (Verbal) - IGA2019-1416
- 8.4 Calgary Metropolitan Region Board (CMRB) - Land Use Committee (Verbal) - IGA2019-1418
- 8.5 Calgary Metropolitan Region Board (CMRB) - Intermunicipal Servicing Committee (Verbal) - IGA2019-1419
- 8.6 Intermunicipal Committees (IMC) (Verbal) - IGA2019-1423
- 8.7 Interim Protocol for City-Initiated Challenges to the Calgary Metropolitan Region Board, IGA2019-1383

9. ITEMS DIRECTLY TO COMMITTEE

- 9.1 REFERRED REPORTS
None
- 9.2 NOTICE(S) OF MOTION
None

10. URGENT BUSINESS

11. CONFIDENTIAL ITEMS

11.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

- 11.1.1 Town of Okotoks Water Servicing Update (Verbal) - IGA2019-1442
Held confidential pursuant to Sections 21 (Disclosure harmful to intergovernmental relations), 25 (Disclosure harmful to economic and other interests of a public body), and 27 (Privileged information) of the *FOIP* Act.

Review By: 2020 November 14

11.2 URGENT BUSINESS

12. ADJOURNMENT

Members of Council may participate remotely, if required.



MINUTES

INTERGOVERNMENTAL AFFAIRS COMMITTEE

**October 17, 2019, 9:30 AM
LEGAL TRADITIONS COMMITTEE ROOM**

PRESENT: Mayor N. Nenshi, Chair
Councillor G-C. Carra, Vice-Chair
Councillor G. Chahal
Councillor P. Demong
Councillor J. Farkas
Councillor R. Jones
Councillor J. Magliocca

ALSO PRESENT: Deputy City Manager B. Stevens
Manager K. Cote
Acting City Clerk A. Brouwer
Legislative Advisor D. Williams

1. **CALL TO ORDER**

Councillor Carra called the Meeting to order at 9:32 a.m.

2. **OPENING REMARKS**

Councillor Carra provided opening remarks.

3. **CONFIRMATION OF AGENDA**

Moved by Councillor Magliocca

That the Agenda for today's Meeting be amended by adding a Closed Meeting discussion with respect to Item 7.2, Federation of Canadian Municipalities (FCM) (Verbal), IGA2019-1252.

MOTION CARRIED

Moved by Councillor Chahal

That the Agenda for the 2019 October 17 Regular Meeting of the Intergovernmental Affairs Committee be confirmed, as amended.

MOTION CARRIED

4. **CONFIRMATION OF MINUTES**

4.1 Minutes of the Regular Meeting of the Intergovernmental Affairs Committee, 2019 September 19

Moved by Councillor Jones

That the Minutes of the Regular Meeting of the Intergovernmental Affairs Committee, held on 2019 September 19, be confirmed.

MOTION CARRIED

5. CONSENT AGENDA

5.1 DEFERRALS AND PROCEDURAL REQUESTS

None

5.2 BRIEFINGS

None

6. POSTPONED REPORTS

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

7.1 Alberta Urban Municipalities Association (AUMA) (Verbal), IGA2019-1251

Mayor Nenshi assumed the Chair at 9:39 a.m. and Councillor Carra returned to his seat at Committee.

Moved by Councillor Demong

That with respect to Verbal Report IGA2019-1251, the following be approved:

That the Intergovernmental Affairs Committee receive the Verbal Presentation for the Corporate Record.

MOTION CARRIED

7.2 Federation of Canadian Municipalities (FCM) (Verbal), IGA2019-1252

A presentation entitled "Federation of Canadian Municipalities Update", dated 2019 October 17, was distributed with respect to Report IGA2019-1252.

Administration in attendance during the Closed Meeting discussions with respect to Verbal Report IGA2019-1252:

Clerks: A. Brouwer and D. Williams. Observers: B. Stevens, K. Cote, N. Younger, A. McIntyre, A. Chan, N. Schaefer, F. Snyders and M. Surgenor-Sands. Law: D. Mercer.

Moved by Councillor Magliocca

That with respect to Verbal Report IGA2019-1252, the following be approved:

That the Intergovernmental Affairs Committee:

1. Receive the verbal presentation for the Corporate Record; and

2. Direct that Closed Meeting discussions remain confidential pursuant to Sections 21 (disclosure harmful to intergovernmental relations) and 25 (disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*.

MOTION CARRIED

7.3 Calgary Metropolitan Region Board (CMRB) (Verbal), IGA2019-1253

Moved by Councillor Carra

That Verbal Report IGA2019-1253, Calgary Metropolitan Region Board (CMRB) (Verbal), be tabled to the Closed Meeting portion of today's Meeting.

MOTION CARRIED

Verbal Report IGA2019-1253 was lifted from the table at this time.

Administration in attendance during the Closed Meeting discussions with respect to Verbal Report IGA2019-1253:

Clerks: A. Brouwer and D. Williams. Observers: B. Stevens, K. Cote, N. Younger, A. McIntyre, A. Chan, N. Schaefer, F. Snyders and M. Surgenor-Sands. Law: D. Mercer.

Moved by Councillor Carra

That with respect to Verbal Report IGA2019-1253:

That the Intergovernmental Affairs Committee:

1. Receive the verbal presentation for the Corporate Record; and
2. Direct that Closed Meeting discussions remain confidential pursuant to sections 21 (disclosure harmful to intergovernmental relations) and 25 (disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*.

MOTION CARRIED

7.4 Calgary Metropolitan Region Board (CMRB) - Land Use Committee (Verbal), IGA2019-1254

Moved by Councillor Carra

That with respect to Verbal Report IGA2019-1254, the following be approved:

That the Intergovernmental Affairs Committee receive the verbal presentation for the Corporate Record.

MOTION CARRIED

7.5 Calgary Metropolitan Region Board (CMRB) - Intermunicipal Servicing Committee (Verbal), IGA2019-1255

Moved by Councillor Carra

That with respect to Verbal Report IGA2019-1255, the following be approved:

That the Intergovernmental Affairs Committee receive the verbal presentation for the Corporate Record.

MOTION CARRIED

- 7.6 Calgary Metropolitan Region Board (CMRB) - Advocacy Committee (Verbal), IGA2019-1256

Moved by Councillor Chahal

That with respect to Verbal Report IGA2019-1256, the following be approved:

That the Intergovernmental Affairs Committee receive the verbal presentation for the Corporate Record.

MOTION CARRIED

- 7.7 Calgary Metropolitan Region Board (CMRB) - Policing Sub-Committee Update (Verbal), IGA2019-1335

Moved by Councillor Farkas

That with respect to Verbal Report IGA2019-1335, the following be approved:

That the Intergovernmental Affairs Committee receive the verbal presentation for the Corporate Record.

MOTION CARRIED

- 7.8 West View ASP Area Structure Plan (Ward 01) – Calgary Metropolitan Region Board Update (Verbal), IGA2019-1315

A presentation entitled "West View Area Structure Plan", dated 2019 October 16, was distributed with respect to Report IGA2019-1315.

A confidential presentation, that is to remain confidential pursuant to Sections 21 (disclosure harmful to intergovernmental relations) and 25 (disclosure harmful to economic and other interest of a public body) of the *Freedom of Information and Privacy Act*, was distributed with respect to Report IGA2019-1315.

Moved by Councillor Carra

That Verbal Report IGA2019-1315, West View ASP Area Structure Plan (Ward 01) – Calgary Metropolitan Region Board Update (Verbal), IGA2019-1315, be tabled to the Closed Meeting portion of today's Meeting.

MOTION CARRIED

Verbal Report IGA2019-1315 was lifted from the table at this time.

Administration in attendance during the Closed Meeting discussions with respect to Verbal Report IGA2019-1315:

Clerks: A. Brouwer and D. Williams. Advice: B. Stevens, K. Cote, N. Younger, M. Bishoff, M. Krizan, M. Norman. Observers: A. McIntyre, A. Chan, N. Schaefer, S. LeBouthillier, F. Snyders and M. Surgenor-Sands. Law: D. Mercer.

Moved by Councillor Carra

That with respect to Verbal Report IGA2019-1315:

That the Intergovernmental Affairs Committee:

1. Receive the verbal presentation for the Corporate Record; and
2. Direct that Closed Meeting discussions and presentation remain confidential pursuant to sections 21 (disclosure harmful to intergovernmental relations) and 25 (disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*.

MOTION CARRIED

7.9 Intermunicipal Committees (IMC) (Verbal), IGA2019-1257

Moved by Councillor Carra

That with respect to Verbal Report IGA2019-1257, the following be approved:

That the Intergovernmental Affairs Committee receive the Verbal Presentation for the Corporate Record.

MOTION CARRIED

7.10 Calgary Metropolitan Region Board – Governance Committee Representation, IGA2019-1270

Moved by Councillor Jones

That Intergovernmental Affairs Committee recommends that Council at the 2019 Organizational Council Meeting nominate a Council representative and alternate to the Governance Committee of the CMRB.

MOTION CARRIED

Moved by Councillor Demong

That Committee add an item of Confidential Urgent Business 10.2.2, Calgary Metropolitan Region Board (CMRB) Supplementary Material in Association with Report IGA2019-1270 (Verbal) - IGA2019-1360.

MOTION CARRIED

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS

None

8.2 NOTICE(S) OF MOTION

None

9. URGENT BUSINESS

None

10. CONFIDENTIAL ITEMS

Moved by Councillor Demong

That pursuant to Sections 16 (disclosure harmful to the business interests of a third party), 21 (disclosure harmful to intergovernmental relations), 24 (advice from officials), and 25 (disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*, the Intergovernmental Affairs Committee move into Closed Meeting, in the Legal Traditions Boardroom, at 10:22 a.m., to discuss confidential matters with respect to the following Items

- 7.2 Federation of Canadian Municipalities (FCM) Verbal – IGA2019-1252;
- 7.3 Calgary Metropolitan Region Board CMRB (Verbal) – IGA2019-1253;
- 7.10 Calgary Metropolitan Region Board - Governance Committee Representation, IGA2019-1270;
- 10.1.1 Potential Annexation from Foothills County - IGA2019-0326;
- 10.2.1 (FCSS) Family Community Support Services Budget issues (Verbal) Update - IGA2019-1358; and
- 10.2.2 Calgary Metropolitan Region Board (CMRB) Supplementary Material in Association with Report IGA2019-1270 (Verbal) - IGA2019-1360.

MOTION CARRIED

That the Committee moved into Public Meeting at 11:28 a.m.

Moved by Councillor Magliocca

That the Committee rise and report.

MOTION CARRIED

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

10.1.1 Potential Annexation from Foothills County - IGA2019-0326

A confidential map, that is to remain confidential pursuant to Sections 16 (disclosure harmful to the business interests of a third party), 21 (disclosure harmful to intergovernmental relations), 24 (advice from officials), and 25 (disclosure harmful to economic and other interests of a

public body) of the *Freedom of Information and Protection of Privacy Act*, was distributed with respect to Report IGA2019-0326.

Administration in attendance during the Closed Meeting discussions with respect to Verbal Report IGA2019-0326:

Clerks: A. Brouwer and D. Williams. Advice: B. Stevens, K. Cote, N. Younger. Observers: A. McIntyre, A. Chan, N. Schaefer, F. Snyders and M. Surgenor-Sands. Law: D. Mercer.

Moved by Councillor Demong

That with respect to Report IGA2019-0326, the following be approved:

That the Intergovernmental Affairs Committee recommend that Council:

1. Refer Report IGA2019-0326 back to the Administration for broader discussion and further input returning to Council with the report arising from the 2019 September 16 Strategic Council Meeting in Q1 2020; and
2. Direct that the Report, Attachment 2, and Closed Meeting discussions remain confidential pursuant to Sections 16 (disclosure harmful to the business interests of a third party), 21 (disclosure harmful to intergovernmental relations), 24 (advice from officials), and 25 (disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*, except as needed to further discussions with other parties and to be reviewed by 2021 October 17.

MOTION CARRIED

10.2 URGENT BUSINESS

10.2.1 (FCSS) Family Community Support Services Budget issues (Verbal) Update - IGA2019-1358

Administration in attendance during the Closed Meeting discussions with respect to Verbal Report IGA2019-1358:

Clerks: A. Brouwer and D. Williams. Advice: B. Stevens, K. Cote, N. Younger. Observers: A. McIntyre, A. Chan, N. Schaefer, F. Snyders and M. Surgenor-Sands. Law: D. Mercer.

Moved by Councillor Carra

That with respect to Verbal Report IGA2019-1358, the following be approved:

That the Intergovernmental Affairs Committee:

1. Receive the verbal presentation for the Corporate Record; and
2. Direct that Closed Meeting discussions remain confidential pursuant to Sections 21 (Disclosure harmful to intergovernmental relations) and

24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

Against: Councillor Farkas

MOTION CARRIED

10.2.2 Calgary Metropolitan Region Board (CMRB) Supplementary Material in Association with Report IGA2019-1270 (Verbal) - IGA2019-1360

Administration in attendance during the Closed Meeting discussions with respect to Verbal Report IGA2019-1360:

Clerks: A. Brouwer and D. Williams. Advice: B. Stevens, K. Cote, N. Younger. Observers: A. McIntyre, A. Chan, N. Schaefer, F. Snyders and M. Surgenor-Sands. Law: D. Mercer.

Moved by Councillor Chahal

That with respect to Verbal Report IGA2019-1360 the following be approved:

That the Intergovernmental Affairs Committee:

1. Direct that That the City of Calgary representative at the 2019 October 18, meeting of the Calgary Metropolitan Region Board to vote with respect to the Dispute Resolution Mechanism proposal consistent with the Intergovernmental Affairs Committee discussion; and
2. Direct that Closed Meeting discussions remain confidential pursuant to Sections 21 (Disclosure harmful to intergovernmental relations) and 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

MOTION CARRIED

11. ADJOURNMENT

Moved by Councillor Jones

That this meeting adjourn at 11:30 a.m.

MOTION CARRIED

The following Item has been forwarded to the 2019 November 18 Combined Meeting of Council:

Consent Confidential

Potential Annexation from Foothills County - IGA2019-0326

The next Regular Meeting of the Intergovernmental Affairs Committee is scheduled to be held on 2019 November 14 at 9:30 a.m.

CHAIR

ACTING CITY CLERK

UNCONFIRMED

Deputy City Manager's Office Report to
Intergovernmental Affairs Committee
2019 November 14

ISC: UNRESTRICTED
IGA2019-1383

Interim Protocol for City-Initiated Challenges to the Calgary Metropolitan Region Board

EXECUTIVE SUMMARY

The Calgary Metropolitan Region Board (CMRB) (Board) is the provincially legislated and mandated growth management board for the Calgary region. It is comprised of elected officials representing ten municipalities including The City of Calgary. The Board has the authority to approve or reject statutory plans and plan amendments submitted to the Board for approval.

Member municipalities are required to submit their regionally significant statutory plans and certain plan amendments to the Board. Submissions are evaluated based on alignment with the Provincially-approved Calgary Metropolitan Region Interim Growth Plan (IGP) and Interim Regional Evaluation Framework (IREF). The CMRB's application review process provides an opportunity for other member municipalities to either support or challenge the submission. The purpose of this report is to establish The City's interim protocol including roles, responsibilities and decision-making accountability for responding to member municipality's statutory plans and plan amendments that are referred to the Board for approval. Administrative Leadership Team has endorsed the proposed interim protocol in Attachment 2.

ADMINISTRATION RECOMMENDATION:

That Intergovernmental Affairs Committee recommends that Council:

1. Approve the proposed Interim Protocol for The City outlined in this report and Attachment 2; and
2. Direct Administration to report back to Intergovernmental Affairs Committee with an update no later than Q1 2021.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 October 15, confidential report IGA2018-0980, Council approved Administration Recommendations contained in the report on Interim Calgary Metropolitan Region Growth Plan and Interim Regional Evaluation Framework Update.

On 2019 September 16, confidential report C2019-0868, Council directed Administration to prepare a revised regional strategy based on feedback from the Strategic Meeting of Council and report back to Intergovernmental Affairs Committee no later than Q1 2020.

BACKGROUND

On 2018 January 01, the Calgary Metropolitan Region Board Regulation came into effect, establishing the CMRB (Board) with the authority to approve or reject a statutory plan, and requiring its members municipalities to submit certain statutory plans and plan amendments to the Board for approval.

On 2018 December 13, the Province approved the Calgary Metropolitan Region Interim Growth Plan (IGP), and the Interim Regional Evaluation Framework (IREF) by Ministerial Order. The IGP and IREF form the current statutory regional planning framework, and enable the Board to evaluate and approve submissions. The final Growth Plan and Regional Evaluation Framework are anticipated to be forwarded to the Minister by Q1 2021.

Deputy City Manager's Office Report to
Intergovernmental Affairs Committee
2019 November 14

ISC: UNRESTRICTED
IGA2019-1383

Interim Protocol for City-Initiated Challenges to the Calgary Metropolitan Region Board

The purpose of the IGP and IREF are:

1. The IGP provides planning direction and guidance on certain areas of regional significance. All statutory plans and certain plan amendments submitted by member municipalities will be evaluated against the IGP.
2. The IREF provides the submission criteria to determine which plans are considered regionally significant and therefore should be referred to the Board; and the evaluation criteria to evaluate consistency with the IGP.

The final Growth Plan and Regional Evaluation Framework are being developed, and an appeal or dispute resolution mechanism is expected to be developed. These initiatives may alter our internal processes. Until they are adopted, an interim protocol is needed to clarify decision-making under the current regional framework.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

A key element of the IREF Application Review Process (Attachment 1) is where applications receive a CMRB Administration Recommendation of Approval and no member challenges are initiated during the twenty-eight (28) day Review Period, the IREF application will be deemed approved. This allows certain plans and amendments to proceed without Board review. While this approach is streamlined, vigilance will be necessary by The City to evaluate the plans and CMRB Recommendations of Approval. The City will need to determine whether a challenge is warranted. The City of Calgary both initiated a challenge (together with City of Airdrie and Town of Cochrane) to a member municipality (Rocky View County) and have received a challenge from a member municipality (Rocky View County). This proposed protocol addresses only challenges that The City initiates.

Member challenges to a CMRB Recommendation of Approval are referred to the next Board meeting where the Board will have an opportunity to hear presentations, discuss and decide to approve or reject the application. It is important that The City be prepared to present its rationale for the challenge to influence decisions at the Board.

All decisions of the Board require a double majority vote. The City's support is necessary for a decision of approval to be passed. If The City were not in favour of an approval then support could be withheld at the Board as Calgary's representative can utilize a veto. Currently, there is no appeal process for Board decisions; all Board decisions are final. Members can resubmit after a refusal.

A successful challenge by The City requires both a time-sensitive response to initiate a challenge, and a well-articulated rationale at a Board meeting.

Protocol for Responding to Member Submissions

Administration proposes a protocol to respond to CMRB Administrations Recommendations of Approval for submitted plans as outlined within the attached Protocol for City-Initiated Challenges (Attachment 2), and the following principles, roles, responsibilities, and decision-making accountability.

Deputy City Manager's Office Report to
Intergovernmental Affairs Committee
2019 November 14

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Interim Protocol for City-Initiated Challenges to the Calgary Metropolitan Region Board

A. City Principles

1. Administrative evaluation and recommendation of member municipality submissions will be based on alignment to the Growth Plan.
2. Where administration from Intergovernmental and Corporate Strategy (ICS) have documented no concern with an IREF Application, this will be reported to the General Manager (GM) that ICS reports to and a verbal update will be provided to IGA.
3. ICS will bring all recommendations for a City-initiated IREF challenge to the Intergovernmental Affairs Committee for decision.
4. Where calendars are not aligned to solicit a decision from IGA, a challenge will be initiated at the discretion of the GM and the Board representative.
5. Should IGA/GM decide to initiate a challenge, ICS will coordinate the challenge with a cross-corporate approach.

B. Roles, Responsibilities & Decision-Making Accountability

Intergovernmental Affairs Committee (IGA)

IGA's mandate is well-suited to provide a decision with regards to recommendations for IREF challenges as described in within the Procedural Bylaw 35M2017:

"Section B.7 Intergovernmental Affairs Committee has the following mandate:

- (a) preparing representations on the impact of other governments' policies on The City;*
- (b) co-ordinating long term growth and development plans between The City and other municipalities; and*
- (c) developing strategies to address the needs for affordable housing in Calgary."*

Board Representative

The Board representative is the voice of The City at Board meetings. Where timelines are not conducive to securing IGA Committee endorsement, then the Board representative will be consulted and support for challenge confirmed.

General Manager (GM) that ICS reports to

GM provides sponsor-level support for ICS activities.

- The protocol provides authority for the GM to sign-off on challenges where IGA calendars are not aligned to allow sign-off.

Intergovernmental and Corporate Strategy (ICS)

This protocol confirms ICS's role to coordinate IREF reviews and initiate challenges including:

- reviewing member IREF submissions for alignment to the IGP and IREF
- determining whether to respond to supportable IREF submissions with either a courtesy letter of support or non-challenge, or to stay silent where warranted
- coordinating Departmental technical inputs into the development of challenge rationale and presentation at the Board
- liaising with the GM and Board representative.

Deputy City Manager's Office Report to
Intergovernmental Affairs Committee
2019 November 14

ISC: UNRESTRICTED
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Interim Protocol for City-Initiated Challenges to the Calgary Metropolitan Region Board

This role is well-aligned to ICS' current work:

- supporting Calgary's elected officials representing at the CMRB and Committees, and The City's relationships in the region
- coordinating Calgary's technical input into the development of the 2021 Growth Plan, Servicing Plan and Regional Evaluation Framework.

Stakeholder Engagement, Research and Communication

The proposed interim protocol has been presented to and endorsed by the Administrative Leadership Team. ICS will communicate the interim protocol to the corporation if IGA committee approval is given.

Strategic Alignment

Objective 5.2.1 in the Municipal Development Plan states "*maintain strong relationships with municipal neighbours, regional partners and key stakeholders within Calgary, to ensure that growth and change decisions reflect provincial and regional policies and the direction of the MDP and CTP.*"

The Triple Bottom Line Policy Framework (October 2011) under the heading of Smart Growth Framework states that "*The City works with its regional partners to ensure that growth is managed effectively to achieve the goal of long-term urban sustainability.*"

The Interim Growth Plan's urban intensification and expansion of settlement areas policies (which relates to Calgary's new planning efforts), have strong alignment to Calgary's Municipal Development Plan policy framework.

Social, Environmental, Economic (External)

The proposed interim protocol provides role clarity and more process certainty with regards to City-initiated challenges, which aligns with the Council priority to create a well-run City.

Financial Capacity

Current and Future Operating Budget: Administrative resources from several departments would likely be required to adequately prepare for a challenge at a Board meeting. At present there is no fee charged by the CMRB to file a Challenge to a member plan/amendment.

Current and Future Capital Budget: There are no anticipated current or future implications to the Capital Budget.

Risk Assessment

Without a protocol in place, there is a risk The City could miss the opportunity to initiate a challenge where it is considered warranted. Once a submission receives a deemed approval, there is no appeal process within the CMRB's review system. Further recourse would rely on Section 690 appeals under the Municipal Government Act to resolve bilateral concerns. With a protocol in place, The City will be better prepared to mitigate these risks.

Deputy City Manager's Office Report to
Intergovernmental Affairs Committee
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ISC: UNRESTRICTED
IGA2019-1383

Interim Protocol for City-Initiated Challenges to the Calgary Metropolitan Region Board

A challenge to the CMRB Recommendation of Approval will require a vote of the Calgary Metropolitan Region Board. For any Board decision to move forward, it must include the support of both The City of Calgary and six other member municipalities. An approval at the Board can be halted by either The City or by a coalition of four member municipalities.

Where a representative is not present for a vote of the Board, the representative is deemed to have voted in the affirmative. (Section 5(2) & (3) of the Calgary Metropolitan Region Board Regulation). This is mitigated by the appointment of several Calgary elected representatives to the Calgary Metropolitan Region Board and Committees.

REASON(S) FOR RECOMMENDATION(S):

Administration identified a need to clarify roles and decision-making accountability when initiating challenges to applications at the Board. The interim protocol reflects current regional process, which is likely to change once the Board adopts a dispute resolution mechanism and develops the final Regional Evaluation Framework. The interim protocol is considered important because a governance protocol is needed at this stage. Administration will monitor changing events to determine when the interim protocol should be updated.

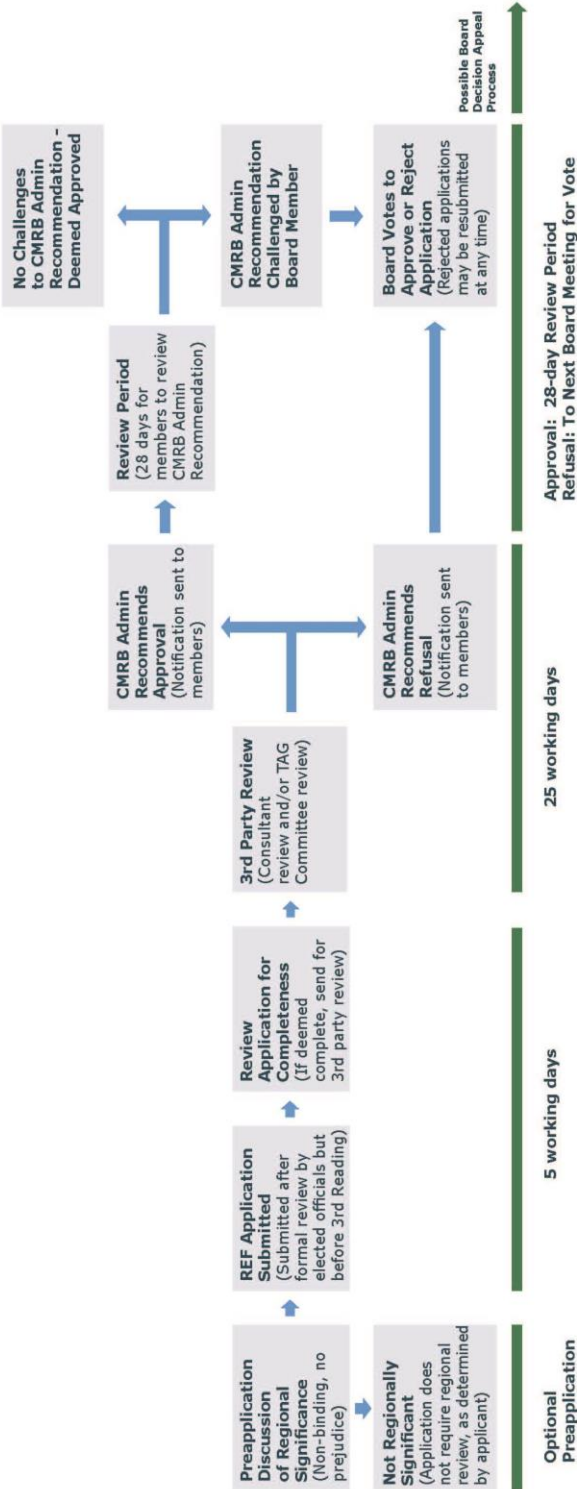
ATTACHMENT(S)

1. CMRB's IREF Application Review Process
2. Calgary's Protocol for City-Initiated Challenges

CMRB's IREF Application Review Process

Ministerial approval on 2018 December 13

IREF Application Review Process



Calgary's Interim Protocol for City-initiated Challenges

