



REVISED AGENDA

COMBINED MEETING OF COUNCIL

March 16, 2020, 9:30 AM
IN THE COUNCIL CHAMBER

1. CALL TO ORDER
2. OPENING REMARKS
3. RECOGNITIONS
4. QUESTION PERIOD
5. CONFIRMATION OF AGENDA
6. CONFIRMATION OF MINUTES
 - 6.1 Minutes of the Special Meeting of Council, 2019 October 28
 - 6.2 Minutes of the Special Meeting of Council, 2020 February 19
 - 6.3 Minutes of the Combined Meeting of Council, 2020 February 24
 - 6.4 Minutes of the Strategic Meeting of Council, 2020 March 02
7. CONSENT AGENDA
 - 7.1 DEFERRALS AND PROCEDURAL REQUESTS
 - 7.1.1 Deferral Request - Community Representation Framework Progress (CPS2018-1393), C2020-0349
Request to move from Q1 2020 to Q2 2021 to allow for a more substantive report back, including an update on the Council Innovation Fund project for a Greater Forest Lawn Governance and Communication strategy.

7.2 BRIEFINGS

7.2.1 Forensic Investigation Into Ward 02 City Councillor's Expenses - Update, C2020-0348

7.2.2 Community-Based Public Safety Task Force Terms of Reference, C2020-0362

7.3 Summary of Real Estate Transactions for the Third Quarter 2019, UCS2020-0230

7.4 Green Line – Project Readiness Report, GC2020-0246

7.5 Administration Response to Motion Arising regarding TwinHills Outline Plan (CPC2019-0823), PUD2020-0243

7.6 Update on the Establishment of a Downtown District, PUD2020-0204

7.7 Summary of Green Line Real Property Transactions for the Fourth Quarter 2019, UCS2020-0229
Attachments held confidential pursuant to Sections 23 (Local public body confidences), 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*.

Review By: 2029 February 12.

7.8 Dispatch Service Agreement Calgary 9-1-1 (Verbal), IGA2020-0253
Presentation held Confidential pursuant to Section 21 (Disclosure harmful to intergovernmental relations) and Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, until dispatch service agreement has either expired or is re-negotiated.

Review By: 2021 March 31

NEW MATERIAL

7.9 *Golf Sustainability Framework Q1 2020 Update, PFC2020-0251*

8. PLANNING MATTERS FOR PUBLIC HEARING

Note: Members of the public wishing to address Council, on any public hearing matter on this Agenda, may pre-register by contacting the City Clerk's Office at PublicSubmissions@Calgary.ca or by calling 403-268-5861.

8.1 CALGARY PLANNING COMMISSION REPORTS

8.1.1 Land Use Amendment in North Glenmore Park (Ward 11) at 2011 – 51 Avenue SW, LOC2019-0174, CPC2020-0058
Proposed Bylaw 40D2020

8.1.2 Land Use Amendment in Bridgeland – Riverside (Ward 09) at 1018 McDougall Road NE, LOC2019-0164, CPC2020-0060
Proposed Bylaw 39D2020

- 8.1.3 Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178, CPC2020-0134
Proposed Bylaw 41D2020
- 8.1.4 Land Use Amendment in Southview (Ward 09) at 2414 - 27 Street SE, LOC2019-0179, CPC2020-0141
Proposed Bylaw 42D2020
- 8.1.5 Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to 4725 – 8 Avenue SE, LOC2019-0175, CPC2020-0080
Proposed Bylaw 3C2020 and 43D2020
- 8.1.6 Land Use Amendment in Skyview Ranch (Ward 5) at 151 and 171 Skyview Bay NE, LOC2019-0163, CPC2020-0142
Proposed Bylaw 44D2020
- 8.1.7 Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and 538 - 10 Avenue SW, POL2019-0004, CPC2020-0081
Proposed Bylaw 14P2020

8.2 OTHER REPORTS AND POSTPONEMENTS FOR PUBLIC HEARING
(including non-statutory)

None

9. PLANNING MATTERS NOT REQUIRING PUBLIC HEARING

9.1 CALGARY PLANNING COMMISSION REPORTS
None

9.2 OTHER REPORTS AND POSTPONEMENTS NOT REQUIRING PUBLIC HEARING

- 9.2.1 Amendment to the Bylaw Map associated with LOC2017-0368, C2020-0369
Proposed Bylaw 52D2020

REVISED

- 9.2.2 *Land Use Amendment in Ramsay (Ward 09) at multiple addresses, LOC2016-0088, Bylaw 6D2020, C2020-0190*
Proposed Bylaw 6D2020

9.3 BYLAW TABULATIONS
(related to planning matters)

- 9.3.1 Bylaw Tabulation 233D2019, Land Use Amendment in Haysboro (Ward 11) at 9232 Horton Road SW, LOC2019-0106, CPC2019-1217
Proposed Bylaw 233D2019 - Second and Third Readings

10. POSTPONED REPORTS
(including related/supplemental reports)

None

11. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

11.1 CONSENT AGENDA ITEMS SELECTED FOR DEBATE

11.2 OFFICER OF COUNCIL REPORTS

None

11.3 ADMINISTRATION REPORTS

11.3.1 2020 Group One Local Improvements Projects, C2020-0238
Proposed Bylaw 1R2020

11.3.2 2020 Local Improvement Bylaws for Stephen Avenue Mall and Barclay Mall,
C2020-0239
Proposed Bylaws 1L2020 and 2L2020

11.3.3 Calgary Police Commission – Resignation and Appointment, C2020-0299
Attachments 2 and 3 held confidential pursuant to Sections 17 (Disclosure to
personal privacy) and 19 (Confidential evaluations) of the *Freedom of Information
and Protection of Privacy Act*.

Review By: 2045 March 15, Attachments 2 and 3 only

11.4 COMMITTEE REPORTS

11.4.1 Proposed Encroachment Bylaw to Replace Encroachment Policy CS008,
UCS2020-0228
Proposed Bylaw 9M2020

11.4.2 Bylaw Amendment for Carshare Parking Policy, TT2020-0212
Proposed Bylaw 11M2020

11.4.3 Truck Route Bylaw Amendment – Rail Crossing Closure, TT2020-0165
Proposed Bylaw 10M2020

12. ITEMS DIRECTLY TO COUNCIL

12.1 BYLAW TABULATIONS

None

12.2 MISCELLANEOUS BUSINESS

12.2.1 *Airport Authority - Annual Presentation*
Time Specific: 2020 March 17, 1:00 p.m.

13. URGENT BUSINESS

14. CONFIDENTIAL ITEMS

14.1 CONSENT AGENDA ITEMS SELECTED FOR DEBATE

14.2 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

- 14.2.1 Development Approvals Update (Verbal), C2020-0363
Held confidential pursuant to Section 24 (advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

Review By: 2020 April 30.

- 14.2.2 Personnel Item (Verbal), C2020-0378
Held confidential pursuant to Section 17 (Disclosure to personal privacy) and 19 (Confidential evaluations) of the *Freedom of Information and Protection of Privacy Act*.

- 14.2.3 Governance Update (Verbal), C2020-0380
Held confidential pursuant to Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

14.3 URGENT BUSINESS

NEW MATERIAL

- 14.3.1 *Low Income Transit Pass (Verbal), C2020-0384*
Held confidential pursuant to Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

15. ADMINISTRATIVE INQUIRIES
None

16. ADJOURNMENT
Members of Council may participate remotely, if required.



MINUTES
SPECIAL MEETING OF COUNCIL
RE: 2019 PROVINCIAL BUDGET

October 28, 2019, 1:00 PM
IN THE COUNCIL CHAMBER

PRESENT:

Mayor N. Nenshi
Councillor G-C. Carra
Councillor G. Chahal
Councillor S. Chu
Councillor D. Colley-Urquhart
Councillor J. Davison
Councillor P. Demong
Councillor J. Farkas
Councillor D. Farrell
Councillor J. Gondek
Councillor R. Jones
Councillor S. Keating
Councillor J. Magliocca
Councillor W. Sutherland
Councillor E. Woolley

ALSO PRESENT:

City Manager D. Duckworth
Deputy City Manager B. Stevens
City Solicitor and General Counsel G. Cole
Chief Financial Officer C. Male
A/ General Manager K. Black
General Manager S. Dalgleish
A/General Manager D. Limacher
A/General Manager D. Morgan
General Manager M. Thompson
City Clerk L. Kennedy
Recorder D. Williams

1. CALL TO ORDER

Mayor Nenshi called today's Meeting to order at 1:02 p.m.

Council recessed at 1:03 p.m. and reconvened at 1:36 p.m. with Mayor Nenshi in the Chair.

2. OPENING REMARKS

Mayor Nenshi provided opening remarks for today's Meeting.

3. CONFIRMATION OF AGENDA

Moved by Councillor Keating

Seconded by Councillor Chahal

That the Agenda for the 2019 October 28 Special Meeting of Council be confirmed.

MOTION CARRIED

4. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

Council recessed at 3:10 p.m. and reconvened at 3:40 p.m. with Deputy Mayor Sutherland in the Chair.

4.1 2019 Provincial Budget (Verbal), C2019-1392

Distributions with respect to Verbal Report C2019-1392:

- A presentation entitled "Provincial Budget 2019-2020 Government of Alberta Budget and City of Calgary implications", dated 2019 October 28; and
- A confidential presentation dated 2019 October 28.

Moved by Councillor Demong

Seconded by Councillor Chahal

That pursuant to Sections 19 (Confidential evaluations), 21 (Harmful to intergovernmental relations), 23 (Local Public body confidences), 24 (advice from officials), 25 (Disclosure harmful to economic and other interests of the public body) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*, Council now move into Closed Meeting, in the Council Boardroom, at 3:43 p.m., to discuss confidential matters with respect to the following item:

- 4.1 2019 Provincial Budget (Verbal), C2019-1392

ROLL CALL VOTE

For (10): Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Gondek, Councillor Keating, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION CARRIED

Council moved into Public Meeting at 5:24 p.m. with Mayor Nenshi in the Chair.

Moved by Councillor Colley-Urquhart

Seconded by Councillor Carra

That Council rise and report.

MOTION CARRIED

Administration in attendance during the Closed Meeting discussions with respect to Report C2019-1392:

Clerks: L. Kennedy and D. Williams. Advice: D. Duckworth, B. Stevens, M. Thompson C. Male, D. Limacher, D. Morgan, M. Lavalley and M. Brunsdon. Legal Advice: G. Cole and M. Benfield. and J. Floen. Observer: S. Dalgleish, K. Black, S. Brandt, M. Perpeluk, C. Jacyk and O. Shyllon

Moved by Councillor Chu

Seconded by Councillor Davison

That with respect to Verbal Report C2019-1392, the following be adopted:

That Council:

1. Receive the public and confidential presentations for the Corporate Record; and
2. Direct that the Closed Meeting presentation and discussions remain confidential pursuant to Sections 19 (Confidential evaluations), 21 (Harmful to intergovernmental relations), 23 (Local Public body confidences), 24 (advice from officials), 25 (Disclosure harmful to economic and other interests of the public body) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*.

ROLL CALL VOTE

For: (10): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Davison, Councillor Demong, Councillor Farrell, Councillor Jones, Councillor Magliocca, and Councillor Woolley

Against: (4): Councillor Colley-Urquhart, Councillor Farkas, Councillor Gondek, and Councillor Sutherland

MOTION CARRIED

Mayor Nenshi recognized Councillor Colley-Urquhart as a 2019 Women of Inspiration for her 50 years working in public service as a Healthcare Professional and Elected City Official.

5. CONFIDENTIAL ITEMS

None

6. ADJOURNMENT

Moved by Councillor Jones

Seconded by Councillor Colley-Urquhart

That this Meeting adjourn at 5:51 p.m.

ROLL CALL VOTE

For: (14): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Jones, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION CARRIED

CONFIRMED BY COUNCIL ON

MAYOR

CITY CLERK

UNCONFIRMED



MINUTES

SPECIAL MEETING OF COUNCIL

**February 19, 2020, 1:15 PM
IN THE COUNCIL CHAMBER**

PRESENT:

Mayor N. Nenshi
Councillor G-C. Carra (Remote Participation)
Councillor G. Chahal (Remote Participation)
Councillor S. Chu
Councillor D. Colley-Urquhart
Councillor J. Davison
Councillor P. Demong
Councillor J. Farkas
Councillor D. Farrell
Councillor J. Gondek
Councillor R. Jones
Councillor S. Keating (Remote Participation)
Councillor W. Sutherland
Councillor E. Woolley (Remote Participation)

ABSENT:

Councillor J. Magliocca (Personal)

ALSO PRESENT:

City Manager D. Duckworth
A/City Solicitor and General Counsel J. Floen
City Auditor K. Palmer
City Clerk L. Kennedy
Legislative Advisor D. Williams

1. **CALL TO ORDER**

Mayor Nenshi called today's Meeting to order at 1:18 p.m.

2. **OPENING REMARKS**

Mayor Nenshi provided opening remarks and called for a moment of quiet contemplation and provided a traditional land acknowledgment.

3. **CONFIRMATION OF AGENDA**

Moved by Councillor Jones
Seconded by Councillor Farrell

That the Agenda for the 2020 February 19 Special Meeting of Council be confirmed.

MOTION CARRIED

4. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

None

5. CONFIDENTIAL ITEMS

Moved by Councillor Colley-Urquhart

Seconded by Councillor Davison

That pursuant to Sections 17, (Disclosure to personal privacy), 19 (Confidential evaluations) 24 (Advice from officials), and 27 (Privileged Information) of the *Freedom of Information and Protection of Privacy Act*, Council now move into Closed Meeting at 1:24 p.m., in the Council Boardroom, to discuss confidential matters with respect to the following Item:

- 5.1.1 Advice from City Manager, City Solicitor, Ethics Advisor and Integrity Commissioner (Verbal), C2020-0267;

And further that Appendix F, subsection F.6 of Procedure Bylaw 35M2017, as amended, be suspended in order to allow the following, to participate remotely in the Closed Meeting:

- Councillors Carra, Chahal, Keating and Woolley.

ROLL CALL VOTE:

For: (11): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Gondek, Councillor Jones, Councillor Keating, and Councillor Sutherland

Against: (2): Councillor Farkas and Councillor Farrell

MOTION CARRIED

Council recessed in Closed Meeting at 3:20 p.m. and reconvened at 3:37 p.m. with Mayor Nenshi in the Chair.

Council moved into Public Meeting at 5:50 p.m. with Mayor Nenshi in the Chair.

Moved by Councillor Demong

Seconded by Councillor Jones

That Council rise and report.

MOTION CARRIED

5.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

- 5.1.1 Advice from City Manager, City Solicitor, Ethics Advisor and Integrity Commissioner (Verbal), C2020-0267

People in attendance during the 2020 February 19 Closed Meeting discussions with respect to Verbal Report C2020-0267:

City Clerk: L. Kennedy. Legal Advice: J. Floen. Advice: D. Duckworth, E. Laidlaw, S. J. LoVecchio and K. Palmer.

Moved by Councillor Colley-Urquhart
Seconded by Councillor Jones

That with respect to Verbal Report C2020-0267, the following Recommendation 1 be adopted as follows:

That Council direct:

1. That the Closed Meeting discussions remain confidential pursuant to Sections 17(Disclosure to personal privacy), 19(Confidential evaluations), 24 (Advice from officials), and 27(Privileged Information) of the *Freedom of Information and Protection of Privacy Act*.

MOTION CARRIED

Moved by Councillor Colley-Urquhart
Seconded by Councillor Jones

That with respect to Verbal Report C2020-0267, the following Recommendation 2 be adopted as follows:

2. That the Mayor be requested to act as Council's spokesperson on the current matter of Councillor's expenses and the Integrity Commissioner recusal.

ROLL CALL VOTE:

For: (10): Mayor Nenshi, Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farrell, Councillor Gondek, Councillor Jones, Councillor Keating, and Councillor Woolley

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Sutherland

MOTION CARRIED

Moved by Councillor Colley-Urquhart
Seconded by Councillor Jones

That with respect to Verbal Report C2020-0267, the following Recommendation 3 be adopted as follows:

3. That the City Clerk be requested to place the Notice of Motion, Closing the Governance Gap in the Office of the Councillors Effort at the Public Disclosure C2020-0263, on the Agenda for Monday 2020 February 24 in the Public portion.

MOTION CARRIED

6. ADJOURNMENT

Pursuant to Section 6(1) of Procedure Bylaw 35M2017, as amended, Section 78(1)(c), was suspended by general consent, to allow Council to complete the remainder of today's Agenda, without recess.

Moved by Councillor Jones
Seconded by Councillor Colley-Urquhart

That this Council adjourn at 6:03 p.m.

ROLL CALL VOTE:

For: (13): Mayor Nenshi, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Jones, Councillor Keating, Councillor Sutherland, and Councillor Woolley

MOTION CARRIED

CONFIRMED BY COUNCIL ON

MAYOR

CITY CLERK

UNCONFIRMED



**MINUTES
COMBINED MEETING OF COUNCIL**

**February 24, 2020, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT:

Mayor N. Nenshi
Councillor G-C. Carra
Councillor G. Chahal
Councillor S. Chu
Councillor D. Colley-Urquhart
Councillor J. Davison
Councillor P. Demong
Councillor J. Farkas
Councillor D. Farrell
Councillor J. Gondek
Councillor R. Jones
Councillor S. Keating (Remote Participation)
Councillor J. Magliocco
Councillor W. Sutherland
Councillor E. Woolley

ALSO PRESENT:

City Manager D. Duckworth
City Solicitor and General Counsel J. Floen
A/General Manager K. Black
General Manager S. Dalgleish
Chief Financial Officer C. Male
Assistant City Solicitor D. Jakal
Deputy City Clerk T. Mowrey
A/City Clerk S. Muscobey
Legislative Advisor L. Gibb
Legislative Advisor J. Palaschuk

1. CALL TO ORDER

Mayor Nenshi called today's Meeting to order at 9:31 a.m.

2. OPENING REMARKS

Mayor Nenshi provided opening remarks and called for a moment of quiet contemplation.

3. RECOGNITIONS

3.1 Freedom to Read Week 2020 Recognition

Mayor Nenshi, on behalf of Members of Council, recognized 2020 February 23 through February 29 as Freedom to Read Week.

Mayor Nenshi welcomed Mark Asberg, Chief Executive Officer of the Calgary Public Library, and called upon him to say a few words.

Mark Asberg presented the book "Don't Label Me", written by Irshad Manji, to Mayor Nenshi, on behalf of The Calgary Public Library.

3.2 Alberta Minister's Municipal Award of Excellence for Innovation for the 311 Live Map Initiative

Mayor Nenshi invited Gilberto Ancheta, 311 Operations Coordinator, Zoe Ter Berg, IT Project Manager, and Clarke Bellamy, Manager of 311 Citizen Services to accept the award on behalf of all City staff that worked on this initiative.

3.3 United Way Employee Campaign Cheque Presentation

Mayor Nenshi invited City Manager Duckworth to remark upon the 2019 United Way Employee Campaign.

City Manager Duckworth offered his appreciation to City employees for their fundraising efforts in a challenging year, and presented a Cheque in the amount of \$380,000 to Beth Gignac, Vice President and Chief Operation Officer of the City of Calgary United Way of Calgary and area.

Mayor Nenshi invited Ms. Gignac to say a few words.

Mayor Nenshi invited Jessica O'Connell, Alexandra Burdeyney, and the United Way Cabinet Members for a group photo.

Councillor Carra introduced a group of Grade 11 students from Forest Lawn High School along with their teachers, Christine Sorenson and Karie Evans.

4. QUESTION PERIOD

1. Councillor Demong

Topic: Proposed ward boundary map changes

2. Councillor Demong

Topic: Changes to Provincial funding and low income transit passes

3. Councillor Farrell

Topic: The City's initiatives targeting youth

5. CONFIRMATION OF AGENDA

Moved by Councillor Farkas

Seconded by Councillor Farrell

That the Agenda for today's meeting be amended by moving Item 12.2.1, Closing the Governance Gap in Office of the Councillors Efforts at Public Disclosure, C2020-0263, to be the first item following the lunch recess.

ROLL CALL VOTE

For: (7): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Demong, Councillor Farkas, and Councillor Farrell

Against: (8): Councillor Colley-Urquhart, Councillor Davison, Councillor Gondek, Councillor Jones, Councillor Keating, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION DEFEATED

Moved by Councillor Colley-Urquhart

Seconded by Councillor Gondek

That the Agenda for today's be amended by moving Item 12.2.1, Closing the Governance Gap in Office of the Councillors Efforts at Public Disclosure, C2020-0263, to be the first item following the confirmation of the Minutes.

Against: Mayor Nenshi and Councillor Farrell

MOTION CARRIED

Council, by general consent, moved Item 8.1.9, Policy Amendment and Land Use Amendment in Springbank Hill (Ward 6) at multiple addresses, LOC2018-0085, CPC2019-1079, to be heard immediately following Item 8.1.11, Land Use Amendment in Springbank Hill (Ward 6) at multiple addresses, LOC2018-0101, CPC2020-0030.

Moved by Councillor Demong

Seconded by Councillor Carra

That the Agenda for today's meeting be amended by adding and Item of Urgent Business, Item 13.1, 2020 Federal Budget Submission, IGA2020-0199.

MOTION CARRIED

Moved by Councillor Demong

Seconded by Councillor Carra

That the Agenda for today's meeting be amended by adding an Item of Urgent Business, Item 13.2, Local Authorities Elections Act (LAEA) Consultation (Verbal), IGA2020-0296.

MOTION CARRIED

Moved by Councillor Demong

Seconded by Councillor Carra

That the Agenda for today's meeting be amended by adding a Confidential Item of Urgent Business, Item 14.3.1, Calgary Airport Vicinity Protection Area Regulation Provincial Consultation (Verbal), IGA2020-0219, to be the first item after the dinner recess.

MOTION CARRIED

Moved by Councillor Carra
Seconded by Councillor Demong

That the Agenda for today's meeting be amended by adding a Confidential Item of Urgent Business, Item 14.3.2, Intergovernmental Negotiations Update One (Verbal), C2020-0301.

MOTION CARRIED

Moved by Councillor Carra
Seconded by Councillor Demong

That the Agenda for today's meeting be amended by adding a Confidential Item of Urgent Business, Item 14.3.3, Intergovernmental Negotiations Update Two (Verbal), C2020-0302.

MOTION CARRIED

Moved by Councillor Jones
Seconded by Councillor Chahal

That the Agenda of the 2020 February 24 Combined Meeting of Council be confirmed, **as amended.**

MOTION CARRIED

6. CONFIRMATION OF MINUTES

6.1 Minutes of the Combined Meeting of Council, 2020 February 03

Moved by Councillor Demong
Seconded by Councillor Farkas

That the Minutes of the 2020 February 03 Regular Meeting of the Combined Meeting of Council be confirmed.

MOTION CARRIED

7. CONSENT AGENDA

Moved by Councillor Farkas
Seconded by Councillor Chahal

That Council adopt the Committee Recommendations contained in the following Reports, in an omnibus motion:

7.1 DEFERRALS AND PROCEDURAL REQUESTS

7.1.1 Land Use in Ramsay CPC2019-0695, amendments to proposed DC District, Bylaw 6D2020 - Defer to 2020 March 16 Council, C2020-0280

7.1.2 Procedural Request - Notice of Motion CPS2019-1468 reporting from the SPC on Community and Protective Services to the Priorities and Finance Committee, C2020-0271

7.1.3 Procedural Request - Change Special Meeting of SPC on Planning and Urban Development to Priorities and Finance Committee, C2020-0291

7.2 BRIEFINGS

None

7.3 Sales, Acquisitions and Leases Environmental (S.A.L.E.) Policy Update and Rescindment, UCS2020-0126

7.5 Audit Committee Strategic Working Group Update, AC2020-0082

7.6 2017 Municipal Election Follow-up Audit, AC2020-0196

7.7 City Auditor's Office 2019 Annual Report, AC2020-0223

7.8 Proposed Method of Disposition (North Glenmore Park) – Ward 11 (5101 19 ST SW), UCS2020-0121

7.9 Proposed Lease Amendment (Sunalta) – Ward 08 (1920 Pumphouse RD SW), UCS2020-0128

MOTION CARRIED

7.1 DEFERRALS AND PROCEDURAL REQUESTS

7.1.4 Reconsideration of vote to cancel March 02 Strategic Council Meeting and call new Strategic Meeting of Council for March 30, C2020-0289

Moved by Councillor Gondek

Seconded by Councillor Chahal

That Council schedule a second Strategic Meeting of Council at 9:30 am, 2020 April 30 to continue discussion on Economic Structural Change: Calgary in the new economy.

MOTION CARRIED

7.4 Integrated Traffic Safety Feasibility, CPS2020-0197

Pursuant to Section 6(1) of Procedure Bylaw 35M2017, as amended, Section 78(1)(a), be suspended by general consent, to allow Council to complete the item before the dinner recess on Monday, February 24, 2020.

Moved by Councillor Keating

Seconded by Councillor Colley-Urquhart

That with respect to report CPS2020-0197, the following be adopted:

That Council

File the recommendations of Administration, and Direct administration to retain an external consultant to:

1. Review reports/documents from report Integrated Traffic Safety Feasibility CPS2020-0197 for possible alternatives with the goal of increasing safety and reducing cost of a two-year pilot project.
2. Consult with Council members, Administration and Calgary Police Service to define pilot project.
3. Develop best parameters for possible pilot.
4. Return to Council no later than Q3 2020.

ROLL CALL VOTE:

For: (6): Mayor Nenshi, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Jones, and Councillor Keating

Against: (9): Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION DEFEATED

Moved by Councillor Carra
Seconded by Councillor Woolley

That Council receive Report CPS2020-0197 for the Corporate Record.

MOTION CARRIED

8. PLANNING MATTERS FOR PUBLIC HEARING

8.1 CALGARY PLANNING COMMISSION REPORTS

8.1.1 Land Use Amendment in Highland Park (Ward 4) at 4205 and 4207 – 2 Street NW, LOC2019-0130, CPC2020-0068

The Public Hearing was called and Sarah Sy addressed Council with respect to Bylaw 28D2020.

Moved by Councillor Chu
Seconded by Councillor Farrell

That with respect to Report CPC2020-0068, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed redesignation of 0.13 hectares \pm (0.32 acres \pm) located at 4205 and 4207 – 2 Street NW (Plan 9811669, Block 4, Lots 11 and 12) from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District; and
2. Give three readings to Proposed Bylaw 28D2020.

Against: Councillor Demong

MOTION CARRIED

That Bylaw 28D2020 be introduced and read a first time.

Against: Councillor Demong

MOTION CARRIED

That Bylaw 28D2020 be read a second time.

Against: Councillor Demong

MOTION CARRIED

That authorization now be given to read Bylaw 28D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 28D2020 be read a third time.

Against: Councillor Demong

MOTION CARRIED

8.1.2 Land Use Amendment in Forest Lawn (Ward 9) at 911 - 38 Street SE,
LOC2019-0171, CPC2020-0042

The Public Hearing was called and Clay Israelson, New Century Design,
addressed Council with respect to Bylaw 36D2020.

Moved by Councillor Carra

Seconded by Councillor Chahal

That with respect to Report CPC2020-0042, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed Redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 911 – 38 Street SE (Plan 5299HK; Block 39; Lot 16) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District; and
2. Give three readings to Proposed Bylaw 36D2020.

MOTION CARRIED

That Bylaw 36D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 36D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 36D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 36D2020 be read a third time.

MOTION CARRIED

8.1.3 Land Use Amendment in Saddle Ridge Industrial (Ward 5) at 6620 – 36 Street NE, LOC2019-0147, CPC2020-0069

The Public Hearing was called and Brian Holzli addressed Council with respect to Bylaw 29D2020.

Moved by Councillor Chahal
Seconded by Councillor Jones

That with respect to Report CPC2020-0069, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed redesignation of 1.64 hectares \pm (4.04 acres \pm) located at 6620 – 36 Street NE (Meridian 4, Range 29, Township 25, Section 10, Portion of Legal Subdivision 4) from Industrial – Business f0.5 (I-B f0.5) District to Industrial – Business f0.75 (I-B f0.75) District; and
2. Give three readings to Proposed Bylaw 29D2020.

MOTION CARRIED

That Bylaw 29D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 29D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 29D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 29D2020 be read a third time.

MOTION CARRIED

8.1.4 Policy Amendment and Land Use Amendment in Sherwood (Ward 2) at 12414 - 53 Street NW, LOC2019-0127, CPC2020-0084

The Public Hearing was called and Bruce McKenzie, NORR, addressed Council with respect to Bylaws 12P2020 and 38D2020.

Mayor Nenshi left the Chair at 11:36 a.m. and Deputy Mayor Chu assumed the Chair.

The Mayor resumed the Chair at 11:42 a.m. and Councillor Chu returned to his regular seat in Council.

Moved by Councillor Magliocca

Seconded by Councillor Chahal

That with respect to Report CPC2020-0084, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed amendment to the Symons Valley Community Plan (Attachment 2); and
2. Give three readings to Proposed Bylaw 12P2020.
3. Adopt, by bylaw, the proposed land use redesignation of 10.8 hectares \pm (26.4 acres \pm) located at 12414 - 53 Street NW (Portion of NW1/4 Section 25-25-2-5) from DC Direct Control District to Industrial – Commercial (I-C) District, and
4. Give three readings to Proposed Bylaw 38D2020.

MOTION CARRIED

That Bylaw 12P2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 12P2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 12P2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 12P2020 be read a third time.

MOTION CARRIED

That Bylaw 38D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 38D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 38D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 38D2020 be read a third time.

MOTION CARRIED

8.1.5 Road Closure and Land Use Amendment in Residual Sub-Area 02K (Ward 2) at multiple properties, LOC2017-0368, CPC2020-0091

The Public Hearing was called, and the following people addressed Council with respect to Bylaws 1C2020 and 31D2020:

1. Claire Woodside, Stantec
2. Jay German, Ronmor Holdings Inc.
3. Carly Silver, Stantec
4. Chris Delaney

Council, by general consent, and pursuant to Section 6(1) of the Procedure Bylaw 35M2017, as amended, suspended Section 78(1)(a) in order to finish the Public Hearing prior to the scheduled lunch recess.

Council recessed at 12:03 p.m. and reconvened at 1:48 p.m. with Deputy Mayor Chu in the Chair.

Mayor Nenshi resumed the Chair at 1:49 p.m. and Councillor Chu returned to his regular seat in Council.

Moved by Councillor Magliocca

Seconded by Councillor Chu

That with respect to Report CPC2020-0091, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed closure of 1.81 hectares (4.47 acres) of road (Plan 1912426, Areas 'A', 'B', and 'C') consisting of portions of the road allowance of 37 Street NW and 53 Street NW, with conditions (Attachment 4); and
2. Give three readings to Proposed Bylaw 1C2020.
3. Adopt, by bylaw, the proposed redesignation 368.93 hectares \pm (911.61 acres \pm) located at 14800 and 15505 Symons Valley Road NW and 3810, 3900 4040, 4500, 4800, 5200, 5290, 5400 and 6500 - 144 Avenue NW and the closed road (Portion of W1/2 Section 6-26-1-5; NE1/4 Section 2-26-2-5; Plan 7510325, Blocks 1 and 2; SE1/4

Section 1-26-2-5; Plan 9010196, Lot 1; SW1/4 Section 1-26-2-5; SW1/4 Section 1-26-2-5, Lot 4; SW1/4 Section 1-26-2-5; SE1/4 Section 2-26-2-5; S1/2 Section 2-26-2-5; Plan 1912426, Areas 'A', 'B', and 'C') from Special Purpose – Future Urban Development (S-FUD) District and the Undesignated Road Right-of-Way to Residential – Low Density Mixed Housing (R-G and R-Gm) Districts, Multi-Residential – At Grade Housing (M-G) District, Multi-Residential – Low Profile (M-1) District, Multi-Residential – Medium Profile (M-2) District, Multi-Residential – Low Profile Support Commercial (M-X1) District, Mixed Use - General (MU-1f3.0h20) District, Commercial – Community 2 f2.0h24 (C-C2f2.0h24) District, Commercial – Neighbourhood 2 (C-N2) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – School, Park and Community Reserve (S-SPR) District, Special Purpose – Urban Nature (S-UN) District; and

4. Give three readings to Proposed Bylaw 31D2020.

MOTION CARRIED

That Bylaw 1C2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 1C2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 1C2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 1C2020 be read a third time.

MOTION CARRIED

That Bylaw 31D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 31D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 31D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 31D2020 be read a third time.

MOTION CARRIED

8.1.6 Land Use Amendment in Tuscany (Ward 1) at 157 Tuscany Summit Heath NW, LOC2019-0133, CPC2020-0089

The Public Hearing was called and the following people addressed Council with respect to Bylaw 30D2020:

1. Brian, Horton, O2 Planning and Design
2. Tim Heger, Tuscany Residents Association and Tuscany Community Association
3. Jason MacGregor
4. Isabel Grijalva

Councillor Carra introduced a group of Grade 4 and 5 students from Ramsay School, along with their teacher, Erin Elder.

Mayor Nenshi left the Chair at 2:12 p.m. and Deputy Mayor Chu assumed the Chair.

Moved by Councillor Sutherland
Seconded by Councillor Davison

That with respect to Report CPC2020-0089, the following be adopted:

That Council:

1. Adopt, by bylaw the proposed redesignation of 1.65 hectares \pm (4.08 acres \pm) located at 157 Tuscany Summit Heath NW (Plan 1610744; Block 90; Lot 129) from Special Purpose – Community Institution (S-CI) District to Multi-Residential – Contextual Grade-Oriented (M-CGd57) District; and
2. Give three readings to Proposed Bylaw 30D2020.

MOTION CARRIED

That Bylaw 30D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 30D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 30D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 30D2020 be read a third time.

MOTION CARRIED

Moved by Councillor Sutherland
Seconded by Councillor Woolley

That with respect to Report CPC2020-0089, the following Motion Arising be adopted:

Direct administration to work with the applicant to undertake potential traffic calming funded by the applicant.

MOTION CARRIED

- 8.1.7 Policy Amendment and Land Use Amendment in Mount Pleasant (Ward 7) at 1007 – 17 Avenue NW, LOC2019-0167, CPC2020-0070

The Public Hearing was called and Robert Moskovitz addressed Council with respect to Bylaws 11P2020 and 37D2020.

Moved by Councillor Farrell
Seconded by Councillor Carra

That with respect to Report CPC2020-0070, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed amendment to the 16 Avenue North Urban Corridor Area Redevelopment Plan (Attachment 3); and
2. Give three readings to Proposed Bylaw 11P2020.
3. Adopt, by bylaw, the proposed redesignation of 0.08 hectares \pm (0.21 acres \pm) located at 1007 – 17 Avenue NW (Plan 3150P, Block 1, Lots 27 to 29) from Multi-Residential – Contextual Medium Profile (M-C2) District to Mixed Use - General (MU-1f3.5h29) District; and
4. Give three readings to Proposed Bylaw 37D2020.

MOTION CARRIED

That Bylaw 11P2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 11P2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 11P2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 11P2020 be read a third time.

MOTION CARRIED

That Bylaw 37D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 37D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 37D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 37D2020 be read a third time.

MOTION CARRIED

8.1.8 Land Use Amendment in Glendale (Ward 6) at 2005 - 37 Street SW,
LOC2019-0157, CPC2020-0078

The Public Hearing was called and Max Parish, Sarnia Homes,
addressed Council with respect to Bylaw 35D2020.

Moved by Councillor Davison

Seconded by Councillor Woolley

That with respect to Report CPC2020-0078, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 2005 - 37 Street SW (Condominium Plan 1912217, Units 1 to 5) from Multi-Residential – Contextual Low Profile (M-C1) District to Mixed Use - General (MU-1f2.2h14) District; and
2. Give three reading to Proposed Bylaw 35D2020.

MOTION CARRIED

That Bylaw 35D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 35D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 35D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 35D2020 be read a third time.

MOTION CARRIED

8.1.9 Policy Amendment and Land Use Amendment in Springbank Hill (Ward 6) at multiple addresses, LOC2018-0085, CPC2019-1079

The Public Hearing was called and the following people addressed Council with respect to Bylaws 10P2020 and 27D2020:

1. Brian Horton, O2 Planning + Design
2. Marshall Naruzny, Springback Community Association
3. Elio Cozzi, President, Springbank Hill Community Association
4. Peter Paauw, Slokker Canada West

By general consent, and pursuant to Section 90(2) of Procedure Bylaw 35M2017, as amended, Council recalled the Applicant in order to ask additional questions of clarification.

Moved by Councillor Davison

Seconded by Councillor Magliocca

That with respect to Report CPC2019-1079, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed amendments to the Springbank Hill Area Structure Plan (Attachment 5); and
2. Give three readings to Proposed Bylaw 10P2020.
3. Adopt, by bylaw the proposed redesignation of 10.65 hectares \pm (26.32 acres \pm) located at 1880, 2188 and 2220 – 85 Street SW, 2027 – 81 Street SW and 8361 and 8473 – 17 Avenue SW (Plan 3056AC, Lots 26 and 27; Plan 2747HB; Blocks 28, 30, 32 and 33) from DC Direct Control District to Mixed-Use – General (MU-1f5.0h50) District, Mixed-Use – General (MU-1f3.0h20) District, Multi-Residential – Low Profile (M-1) District, Special Purpose – School, Park and Community Reserve (S-SPR) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – Urban Nature (S-UN) District and DC Direct Control District to accommodate a moderate increase in residential density with guidelines (Attachment 3); and
4. Give three readings to Proposed Bylaw 27D2020.

MOTION CARRIED

That Bylaw 10P2020 be introduced and read a first time.

MOTION CARRIED

Moved by Councillor Davison
Seconded by Councillor Gondek

That with respect to Report CPC2019-1079, the following be adopted:

That Council amend the Proposed Bylaw 10P2020, as follows:

Amend Proposed Bylaw 10P2020 by deleting 1. (j)

MOTION CARRIED

That Bylaw 10P2020 be read a second time, **as amended.**

MOTION CARRIED

That authorization now be given to read Bylaw 10P2020 a third time, **as amended.**

MOTION CARRIED UNANIMOUSLY

That Bylaw 10P2020 be read a third time, **as amended.**

MOTION CARRIED

That Bylaw 27D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 27D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 27D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 27D2020 be read a third time.

MOTION CARRIED

Moved by Councillor Gondek
Seconded by Councillor Davison

That with respect to Report CPC2019-1079, the following Motion Arising be adopted:

That Council direct Administration to direct the DP (when submitted by the applicant) be sent for review by Calgary Planning Commission in addition to the planned review by the Urban Design Review Panel.

MOTION CARRIED

8.1.10 Road Closure and Land Use Amendment in Springbank Hill (Ward 6) at multiple addresses, LOC2017-0386, CPC2020-0032

Mayor Nenshi resumed the Chair at 2:57 p.m. and Councillor Chu returned to his regular seat in the Chamber.

The Public Hearing was called and the following people addressed Council with respect to Bylaws 2C2020 and 33D2020.

1. Claire Woodside, Stantec
2. Jay German, Ronmor Holdings Inc.
3. Marshall Naruzny, Springback Community Association

Moved by Councillor Davison

Seconded by Councillor Chu

That with respect to Report CPC2020-0032, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed closure of 0.39 hectares \pm (0.99 acre \pm) of road (Plan 1912529, Area 'A'), adjacent to 8259 - 17 Avenue SW with conditions (Attachment 1); and
2. Give three readings to Proposed Bylaw 2C2020.
3. Adopt, by bylaw the proposed redesignation of 8.44 hectares \pm (20.85 acres \pm) located at 7955, 8181 and 8259 – 17 Avenue SW and the closed road (Plan 3056AC, Blocks 14 to 16; Plan 2747HB, Block 31; Plan 1912529, Area 'A') from DC Direct Control District and Undesignated Road Right-of-Way to Commercial – Community 2 f1.0h20 (C-C2f1.0h20) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – School, Park and Community Reserve (S-SPR) District and DC Direct Control District to accommodate medium density residential development with guidelines (Attachment 2); and
4. Give three readings to Proposed Bylaw 33D2020.

MOTION CARRIED

That Bylaw 2C2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 2C2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 2C2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 2C2020 be read a third time.

MOTION CARRIED

That Bylaw 33D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 33D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 33D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 33D2020 be read a third time.

MOTION CARRIED

8.1.11 Land Use Amendment in Springbank Hill (Ward 6) at multiple addresses,
LOC2018-0101, CPC2020-0030

Council recessed at 3:15 p.m. and resumed at 3:48 p.m. with Mayor
Nenshi in the Chair.

The Public Hearing was called and the following people addressed
Council with respect to Bylaw34D2020:

1. Claire Woodside, Stantec
2. Marshall Naruzny, Springback Community Association
3. Elio Cozzi, President, Springbank Hill Community Association

By general consent, and pursuant to Section 90(2) of Procedure Bylaw
35M2017, as amended, Council recalled the Applicant in order to ask
additional questions of clarification.

Moved by Councillor Davison

Seconded by Councillor Magliocca

That with respect to Report CPC2020-0030, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed redesignation of 11.48 hectares \pm (28.36 acres \pm) located at 2232, 2334, 2435 and 2436 - 85 Street SW and 8334 and 8484 Mystic Ridge Gate SW (Plan 3056AC, Blocks 23, 22, 20, 19, 17 and 18) from DC Direct Control District to Residential – Low Density Mixed Housing (R-G) District, Multi-Residential – At Grade Housing (M-G) District, Special Purpose – School, Park and Community Reserve (S-SPR) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – Urban Nature (S-UN) District; and
2. Give three readings to Proposed Bylaw 34D2020.

MOTION CARRIED

That Bylaw 34D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 34D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 34D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 34D2020 be read a third time.

MOTION CARRIED

- 8.1.12 Land Use Amendment in Yorkville (Ward 13) at 19515 Sheriff King Street SW, LOC2019-0129, CPC2020-0067

The Public Hearing was called and Kathy Oberg, B&A Planning Group addressed Council with respect to Bylaw 32D2020.

Moved by Councillor Colley-Urquhart

Seconded by Councillor Demong

That with respect to Report CPC2020-0067, the following be adopted:

That Council:

1. Adopt, by bylaw, the proposed redesignation of 1.68 hectares \pm (4.15 acres \pm) located at 19515 Sheriff King Street SW (Portion of E1/2 Section 22-16-1-5) from Residential – Low Density Mixed Housing (R-G) District, DC Direct Control District, Special Purpose – School, Park and Community Reserve (S-SPR) District and Special Purpose – Urban Nature (S-UN) District to Residential – Low Density Mixed Housing (R-G) District, Special Purpose – School, Park and Community (S-SPR) District, Special Purpose – Urban Nature (S-UN) District, Special Purpose – City and Regional Infrastructure (S-CRI)

District and DC Direct Control District to accommodate residential development with guidelines (Attachment 1); and

2. Give three readings to Proposed Bylaw 32D2020.

MOTION CARRIED

That Bylaw 32D2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 32D2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 32D2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 32D2020 be read a third time.

MOTION CARRIED

8.2 OTHER REPORTS AND POSTPONEMENTS FOR PUBLIC HEARING

8.2.1 New Policy: Calgary–Chestermere Interface Intermunicipal Development Plan, POL2017-0012 (Ward 9), PUD2020-0047

A revised page 4 was distributed with respect to Report PUD2020-0047.

The Public Hearing was called and the following people addressed Council with respect to Bylaws 13P2020:

1. Jaymal Ruparell
2. Jonathan Ryder

Moved by Councillor Carra

Seconded by Councillor Gondek

That with respect to Report PUD2020-0047, the following be adopted:

That Council:

1. Hold a Public Hearing at the 2020 February 24 Combined Meeting of Council;
2. Give FIRST READING to Proposed Bylaw 13P2020, the proposed Calgary-Chestermere Interface Intermunicipal Development Plan;
3. WITHHOLD second and third readings of Proposed Bylaw 13P2020 until Calgary-Chestermere Interface Intermunicipal Development Plan has been approved by the Calgary Metropolitan Region Board, then return to Council for SECOND and THIRD READING;

4. Direct Administration to submit the proposed Calgary–Chestermere Interface Intermunicipal Development Plan to the Calgary Metropolitan Region Board for review; and
5. Direct Administration to complete any consequential amendments to the Belvedere Area Structure Plan and the Rocky View/Calgary Intermunicipal Development Plan and report back no later than Q4 2020.

MOTION CARRIED

That Bylaw 13P2020 be introduced and read a first time.

MOTION CARRIED

Moved by Councillor Carra

Seconded by Councillor Gondek

That Bylaw 13P2020 be amended, as follows:

Section 2.1: General Policies (Page 18) Remove policies 16, 17 and 18 and renumbered policies 19-31 accordingly to be policies 16-28.

16. Increased attention should be given to architectural materials and features on the façades of buildings that face the Interface Street and Crossroads.

17. Building façades greater than 30 m long should suggest a pattern of narrow storefronts or units.

18. Weather-protective elements for publicly accessible spaces on private lands should be included in the overall building design, especially for those buildings that are next to a transit stop.

Section 2.2: Character Area 1: The Nodes (page 20). Add the deleted policies as policy 9, 10 and 11. And renumbered policies 9-19 accordingly to be policies 12-22.

9. Increased attention should be given to architectural materials and features on the façades of buildings that face the Interface Street and Crossroads.

10. Building façades greater than 30 m long should suggest a pattern of narrow storefronts or units.

11. Weather-protective elements for publicly accessible spaces on private lands should be included in the overall building design, especially for those buildings that are next to a transit stop.

MOTION CARRIED

9. PLANNING MATTERS NOT REQUIRING PUBLIC HEARING

9.1 CALGARY PLANNING COMMISSION REPORTS

None

9.2 OTHER REPORTS AND POSTPONEMENTS NOT REQUIRING PUBLIC HEARING

None

9.3 BYLAW TABULATIONS

9.3.1 Bylaw Tabulation 62P2019

Pursuant to Section 184(a) of the Municipal Government Act, Councillors Jones and Magliocca were absent from the public hearing on Bylaw 62P2019, and therefore were ineligible to vote and participate in debate on Bylaw Tabulation 62P2019. They left the Council Chamber at 5:56 p.m.

Moved by Councillor Sutherland
Seconded by Councillor Davison

That Bylaw 62P2020 be read a second time.

Against: Mayor Nenshi and Councillor Farrell

MOTION CARRIED

That Bylaw 62P2020 be read a third time.

Against: Mayor Nenshi and Councillor Farrell

MOTION CARRIED

Councillor Jones and Councillor Magliocca returned to their seat in the Council Chamber at 5:57 p.m. after the conclusion of this item.

10. POSTPONED REPORTS

None

11. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

11.1 CONSENT AGENDA ITEMS SELECTED FOR DEBATE

The following Consent Agenda Items were selected for debate:

7.1.4. Reconsideration of vote to cancel March 02 Strategic Council Meeting and call new Strategic Meeting of Council for March 30, C2020-0289

7.4. Integrated Traffic Safety Feasibility, CPS2020-0197

11.2 OFFICER OF COUNCIL REPORTS

None

11.3 ADMINISTRATION REPORTS

11.3.1 Council Innovation Fund Application - Roadside Naturalization Pilot, C2020-0265

Council reconvened on Tuesday, February 25, 2020, at 1:04 p.m. with Mayor Nenshi in the Chair.

Councillor Keating rejoined the meeting via remote participation.

A presentation entitled "Roadside Naturalization Pilot Project: Application to the Council Innovation Fund," dated Monday, February 24, 2020, was distributed with respect to Report C2020-0265.

Moved by Councillor Farrell
Seconded by Councillor Davison

That with respect to Report C2020-0265, the following be adopted:

That Council:

1. Approve this application to the Council Innovation Fund for the Roadside Naturalization Pilot Project in the amount of \$450,000;
2. Direct Administration to engage with private sector and philanthropic groups to leverage available private contributions for this project;
3. Direct Administration to partner with public institutions to optimize the assessment and monitoring program elements of this project; and
4. Direct Administration to report back to the Priorities and Finance Committee on the outcomes of this project no later than Q2 2023, with interim reports on project progress and return-on-investment as information becomes available.

Against: Councillor Farkas and Councillor Gondek

MOTION CARRIED

11.4 COMMITTEE REPORTS

11.4.1 Waste Bylaw, UCS2020-0052

A clerical correction was noted to delete the word "Rewrite" from the title of this item.

Moved by Councillor Sutherland
Seconded by Councillor Demong

That with respect to Report UCS2020-0052, the following be adopted:

That Council give three readings to the Proposed Waste Bylaw (Attachment 1).

Against: Councillor Farkas and Councillor Chu

MOTION CARRIED

That Bylaw 4M2020 be introduced and read a first time.

Against: Councillor Farkas and Councillor Chu

MOTION CARRIED

That Bylaw 4M2020 be read a second time.

Against: Councillor Farkas and Councillor Chu

MOTION CARRIED

That authorization now be given to read Bylaw 4M2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 4M2020 be read a third time.

Against: Councillor Farkas and Councillor Chu

MOTION CARRIED

11.4.2 Calgary Transit Bylaw 4M81 Amendments, TT2020-0099

Moved by Councillor Davison

Seconded by Councillor Chu

That with respect to Report TT2020-0099, the following be adopted:

That Council give three readings to Proposed Bylaw 5M2020 to amend the Calgary Transit Bylaw 4M81.

MOTION CARRIED

That Bylaw 5M2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 5M2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 5M2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 5M2020 be read a third time.

MOTION CARRIED

11.4.3 2020 Supplementary Property Assessment and Tax Bylaws, PFC2020-0010

Moved by Councillor Chu

Seconded by Councillor Magliocca

That with respect to report PFC2020-0010, the following be adopted:

That Council give three readings to Proposed Bylaw 7M2020, 2020 Supplementary Property Assessment Bylaw and Proposed Bylaw 8M2020, 2020 Supplementary Property Tax Bylaw.

MOTION CARRIED

That Bylaw 7M2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 7M2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 7M2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 7M2020 be read a third time.

MOTION CARRIED

That Bylaw 8M2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 8M2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 8M2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 8M2020 be read a third time.

MOTION CARRIED

Council, by general consent, brought forward Item 14.2.2 Potential Annexation from Foothills County – Update, C2020-0200 to be dealt before Item 11.4.4 Council Spending on Federation of Canadian Municipalities Conferences, PFC2020-0237.

11.4.4 Council Spending on Federation of Canadian Municipalities Conferences, PFC2020-0237

Councillor Farkas rose on a Question of Privilege related to comments made by Councillor Demong on this topic.

Moved by Councillor Chahal

To amend the cap on expenses from \$2800 to **\$3000**

For: (10): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farrell, Councillor Jones, Councillor Keating, and Councillor Sutherland

Against: (3): Councillor Chu, Councillor Farkas, and Councillor Magliocca

MOTION CARRIED

Moved by Councillor Farkas

Seconded by Councillor Chu

THEREFORE BE IT RESOLVED that Council reconsiders the Motion Arising with respect to Notice of Motion C2018-0121, and directs the Office of the Councillors to:

1. Disallow any new bookings (besides the Council-appointed FCM representative) for the 2020 Federation of Canadian Municipalities (FCM) Conference in Toronto, ON. In order to avoid costly cancellation charges, Councillors currently booked to attend may do so, but their total conference-related expenses are to be capped at \$3000.

ROLL CALL VOTE:

For: (4): Councillor Chu, Councillor Colley-Urquhart, Councillor Farkas, and Councillor Magliocca

Against: (9): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Davison, Councillor Demong, Councillor Farrell, Councillor Jones, Councillor Keating, and Councillor Sutherland

MOTION DEFEATED

Moved by Councillor Farkas

Seconded by Councillor Chu

THEREFORE BE IT RESOLVED that Council reconsiders the Motion Arising with respect to Notice of Motion C2018-0121, and directs the Office of the Councillors to:

2. Effective immediately, for 2020 and beyond:
 - i. require a public presentation to Council on the learnings and outcomes from the Councillor attendees of FCM conferences, to be presented within a month following the conference.

ROLL CALL VOTE:

For: (6): Councillor Carra, Councillor Chu, Councillor Colley-Urquhart, Councillor Farkas, Councillor Farrell, and Councillor Magliocca

Against: (7): Mayor Nenshi, Councillor Chahal, Councillor Davison, Councillor Demong, Councillor Jones, Councillor Keating, and Councillor Sutherland

MOTION DEFEATED

Moved by Councillor Farkas

Seconded by Councillor Chu

THEREFORE BE IT RESOLVED that Council reconsiders the Motion Arising with respect to Notice of Motion C2018-0121, and directs the Office of the Councillors to:

2. Effective immediately, for 2020 and beyond:

- ii. enforce the allowable daily expense amounts for Councillor-attendee and cap total FCM conference-related expenses at \$3000 per attendee, increasing annually at the rate of inflation. Spending on alcohol is strictly prohibited.

MOTION CARRIED

Moved by Councillor Farkas

Seconded by Councillor Chu

THEREFORE BE IT RESOLVED that Council reconsiders the Motion Arising with respect to Notice of Motion C2018-0121, and directs the Office of the Councillors to:

2. Effective immediately, for 2020 and beyond:

- iii. require all FCM conference-related expenses be fully disclosed, as part of the City Councillor's ward budget, not the Office of the Councillors or other city department.

MOTION CARRIED

Moved by Councillor Farkas

Seconded by Councillor Chu

THEREFORE BE IT RESOLVED that Council reconsiders the Motion Arising with respect to Notice of Motion C2018-0121, and directs the Office of the Councillors to:

3. For FCM conferences in 2021 and beyond, limit the number of Councillor-attendees in attendance to the Council-appointed FCM representative, and one Councillor selected by lottery.

ROLL CALL VOTE:

For: (4): Councillor Chu, Councillor Colley-Urquhart, Councillor Farkas, and Councillor Magliocca

Against: (9): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Davison, Councillor Demong, Councillor Farrell, Councillor Jones, Councillor Keating, and Councillor Sutherland

MOTION DEFEATED

12. ITEMS DIRECTLY TO COUNCIL

12.1 BYLAW TABULATIONS

12.1.1 Bylaw Tabulation on Capital Borrowing and Loans

Moved by Councillor Chu

Seconded by Councillor Keating

That Council give:

1. Borrowing Bylaw 1B2020 first, second and third readings.
2. Borrowing Bylaws 2B2020 to 4B2020 inclusive and Loan Bylaw 6M2020 first reading.

MOTION CARRIED

12.1.1.1 Proposed Bylaw 1B2020 Three Readings

That Bylaw 1B2020 be introduced and read a first time.

MOTION CARRIED

That Bylaw 1B2020 be read a second time.

MOTION CARRIED

That authorization now be given to read Bylaw 1B2020 a third time.

MOTION CARRIED UNANIMOUSLY

That Bylaw 1B2020 be read a third time.

MOTION CARRIED

12.1.1.2 Proposed Bylaw 2B2020 First Reading Only

That Bylaw 2B2020 be introduced and read a first time.

MOTION CARRIED

12.1.1.3 Proposed Bylaw 3B2020 First Reading Only

That Bylaw 3B2020 be introduced and read a first time.

MOTION CARRIED

12.1.1.4 Proposed Bylaw 4B2020 First Reading Only

That Bylaw 4B2020 be introduced and read a first time.

MOTION CARRIED

12.1.1.5 Proposed Bylaw 6M2020 First Reading Only

That Bylaw 6M2020 be introduced and read a first time.

MOTION CARRIED

12.2 MISCELLANEOUS BUSINESS

12.2.1 Closing the Governance Gap in Office of the Councillors Efforts at Public Disclosure

Councillor Magliocca declared a Pecuniary Interest and abstained from discussion voting with respect to Report C2020-0263, because of financial implications. Councillor Magliocca left the Council Chamber at 10:09 a.m. and returned at 11:13 a.m. after the vote was declared.

Councillor Davison introduced a group of students from the Calgary French and International School in Ward 6, along with their teacher Susan Coates.

Moved by Councillor Gondek

Seconded by Councillor Colley-Urquhart

NOW THEREFORE BE IT RESOLVED THAT:

- In order to address the issue of Ward 2 expense claim discrepancies, Council direct the City Auditor:
- to immediately conduct a forensic investigation into the Ward 2 City Councillor's expenses (including those incurred at FCM) to the beginning of the present Council's term in office,
- to be funded through the Fiscal Stability Reserve (FSR), and
- to be conducted by a specialist (internal or external) under the direct oversight of the City Auditor's Office in order to ensure independence, objectivity and an unbiased result, with recommendations to be presented to Council as soon as possible;
- In order to objectively and cost-effectively demonstrate adherence to expense policies by all members of Council (including the Mayor), Council direct the City Auditor to immediately determine and execute the best way to verify expenses for all ward council offices and Mayor's Office budgets for the present Council's term in office, to identify whether individual or systemic issues exist that require further attention;
- In order to make all event related expenses easily available to the public (similar to the publicly posted Ward Office expenses), Council

direct the Chief Financial Officer to immediately determine and execute the best way to make all centrally disclosed expenses for **Members of Council** and Administration (e.g. FCM, AUMA, Grey Cup, etc.) publically accessible going back to the beginning of the present Council's term in office; and

- In order to address the governance gap that exists in some matters of Council oversight, Council direct the City Manager to work with the City Auditor and other appropriate parties to determine a better governance model for Council oversight that either enhances and/or replaces some processes or responsibilities presently residing with the CCCO to eliminate conflicts of interest for members of Council and ensure that staff within the Office of the Councillors are able to act independently of Council, with recommendations to be presented to Council as soon as possible.

MOTION CARRIED

13. URGENT BUSINESS

13.1 2020 Federal Budget Submission, IGA2020-0199

Moved by Councillor Carra

Seconded by Councillor Demong

That with respect to Report IGA2020-0199, the following be adopted:

That Council request the Mayor to submit a letter to the Federal Minister of Finance based on Attachment 1 as the City of Calgary's recommendations for Budget 2020.

MOTION CARRIED

13.2 Local Authorities Elections Act (LAEA) Consultation (Verbal), IGA2020-0296

A document containing Mayor Nenshi's position with respect to Report IGA2020-0296 was received for the Corporate Record.

Moved by Councillor Carra

Seconded by Councillor Demong

That Council make a formal submission to the LAEA Consultation Process based on today's discussion.

MOTION CARRIED

14. CONFIDENTIAL ITEMS

Council recessed at 6:30 p.m. on Monday, February 24, 2020 and reconvened at 7:30 p.m. on Monday February 24, 2020, with Mayor Nenshi in the Chair.

Pursuant to Section 6(1) of the Procedure Bylaw 35M2017, as amended, Council, by general consent, suspended Section 79 in order to complete Closed Meeting items prior to the Monday, February 24 evening recess.

Moved by Councillor Colley-Urquhart
Seconded by Councillor Demong

That Council suspend Section 29.1 (Appendix F. 6) of the Procedure Bylaw 35M2017, as amended, in order to allow Councillor Keating to participate in the Closed meeting remotely;

and

That pursuant to Sections 17 (Disclosure harmful to personal privacy), 19 (Confidential evaluations), 21 (Disclosure harmful to intergovernmental relations), 23 (Local public body confidences), 24 (Advice from officials), 25 (Disclosure harmful to economic and other interests of a public body) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*, Council now move into Closed Meeting, in the Boardroom, at 7:32 p.m. to discuss confidential matters with respect to the following items:

- 14.2.1. Legal Briefing - Highland Park (Verbal), C2020-0268
- 14.2.2. Potential Annexation from Foothills County – Update, C2020-0200
- 14.2.3. Urban Design Review Panel Appointments, C2020-0041
- 14.3.1. Calgary Airport Vicinity Protection Area Regulation Provincial Consultation (Verbal), IGA2020-0219
- 14.3.2 Intergovernmental Negotiations Update One (Verbal)
- 14.3.3 Intergovernmental Negotiations Update Two (Verbal)

ROLL CALL VOTE:

For: (14): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Jones, Councillor Keating, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION CARRIED

Council reconvened in Public Meeting at 10:07 p.m. on Monday, February 24, 2020.

Moved by Councillor Farkas
Seconded by Councillor Jones

That Council Rise and Report

MOTION CARRIED

14.2 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

14.2.1 Legal Briefing - Highland Park (Verbal), C2020-0268

Administration in attendance during the Closed Meeting discussion with respect to Report C2020-0268:

Clerk: T. Mowrey Advice: D. Duckworth, F. Bouchard, S. Dalgleish, D. Hamilton, D. Jackal and S. McClurg Law: J. Floen

Moved by Councillor Chu

Seconded by Councillor Magliocca

That with respect to Report C2020-0268, the following be adopted:

1. That Council authorize Administration to pursue the direction outlined in the Closed Meeting discussion and report back on outcomes through the SPC on Utilities and Corporate Services no later than Q3 2020.
2. That the presentation and verbal discussions remain confidential pursuant to Sections 24 (Advice from officials), 25 (Disclosure harmful to economic and other interests of a public body), and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*; and
3. That the presentation be reviewed for release 2025 December 31.

ROLL CALL VOTE:

For: (9): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Davison, Councillor Farrell, Councillor Jones, Councillor Keating, and Councillor Magliocca

Against: (6): Councillor Colley-Urquhart, Councillor Demong, Councillor Farkas, Councillor Gondek, Councillor Sutherland, and Councillor Woolley

MOTION CARRIED

14.2.2 Potential Annexation from Foothills County – Update, C2020-0200

Administration in attendance during the Closed Meeting discussion on Monday, February 24, 2020, with respect to Report C2020-0200:

Clerk: T. Mowrey Advice: D. Duckworth, C. Arthurs, M. Bishoff, S. Dalglish, N. Younger Law: J. Floen

Moved by Councillor Carra

Seconded by Councillor Jones

That with respect to Report C2020-0200, the following be adopted:

That Council:

1. Direct Administration to consider the potential annexation from Foothills County (as identified in Attachment 3) as part of the Regional Strategy Update report in Q2 2020; and
2. Direct that this report, Attachments 2, 3 and 4, and discussion 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* to be reviewed by 2022 February 24.

RECORDED VOTE:

For: (7): Mayor Nenshi, Councillor Carra, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, and Councillor Jones

Against: (8): Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Gondek, Councillor Keating, Councillor Magliocca, Councillor Sutherland, and Councillor Woolley

MOTION DEFEATED

Council, by general consent, postponed competition of this item until Tuesday, February 25, 2020.

Moved by Councillor Colley-Urquhart

Seconded by Councillor Gondek

That Council suspend Section 29.1 (Appendix F, 6) of the Procedure Bylaw 35M2017, as amended, in order to allow Councillor Keating to participate in the Closed meeting remotely;

and

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*, Council now move into Closed Meeting, in the Council Lounge, at 1:51 p.m. on Tuesday, February 25, 2020, to discuss confidential matters with respect to the following item:

- 14.2.2. Potential Annexation from Foothills County – Update, C2020-0200

ROLL CALL VOTE:

For: (9): Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Gondek, Councillor Keating, Councillor Magliocca, and Councillor Sutherland

Against: (5): Mayor Nenshi, Councillor Demong, Councillor Farkas, Councillor Farrell, and Councillor Jones

MOTION CARRIED

Administration in attendance during the Closed Meeting discussion with respect to Report C2020-0200:

Clerk: T. Mowrey Advice: D. Duckworth, C. Arthurs, M. Bishoff, S. Dagleish, N. Younger Law: J. Floen

Pursuant to Section 6(1) of the Procedure Bylaw 35M2017, as amended, Section 78(1)(b) be suspended, by general consent, in order to complete the remainder of items prior to the scheduled afternoon recess.

Council returned to Public Meeting at 3:15 p.m. on Tuesday, February 25, 2020, with Mayor Nenshi in the Chair.

Moved by Councillor Gondek

Seconded by Councillor Davison

That Council rise and report.

MOTION CARRIED

Moved by Councillor Colley-Urquhart
Seconded by Councillor Demong

That with respect to Report C2020-0200, the following be adopted:

That Council:

1. Direct Administration to consider the potential annexation from Foothills County (as identified in Attachment 3) **and bring a separate report to Council at the same time as the** Regional Strategy Update report in Q2 2020; and
2. Direct that this report, Attachments 2, 3 and 4, and discussion 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* to be reviewed by 2022 February 24.

RECORDED VOTE:

For: (10): Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Gondek, Councillor Jones, Councillor Keating, Councillor Magliocca, and Councillor Sutherland
Against: (4): Mayor Nenshi, Councillor Carra, Councillor Chu, and Councillor Farrell

MOTION CARRIED

14.2.3 Urban Design Review Panel Appointments, C2020-0041

Administration in attendance during the Closed Meeting discussion with respect to Report C2020-0041:

Clerk: T. Mowrey Advice: D. Duckworth, C. Arthurs, S. Dalglish, D. Down

Moved by Councillor Gondek
Seconded by Councillor Farrell

That with respect to Report C2020-0041, the following be adopted:

That Council:

1. Appoint Jeff Lyness, Noorullah Hussain Zada, and Jack Vanstone to the Urban Design Review Panel for terms expiring at the 2020 Organizational Meeting of Council;
2. Direct that the Report be released as a public document after Council rises and reports on the matter; and
3. Direct that Attachments 1 and 2 remain confidential pursuant to Sections 17 (personal information) and 19 (confidential evaluations)

of the *Freedom of Information and Protection of Privacy Act*, to be reviewed 2045 February 24.

MOTION CARRIED

14.3 URGENT BUSINESS

14.3.1 Calgary Airport Vicinity Protection Area Regulation Provincial Consultation (Verbal), IGA2020-0219

Council, by general consent, brought forward Item 14.2.1 Legal Briefing-Highland Park to be heard after Item 14.3.1 Calgary Airport Vicinity Protection Area Regulation Provincial Consultation (Verbal), IGA2020-0219, following the dinner recess.

Administration in attendance during the Closed Meeting discussion with respect to Report IGA2020-0219:

Clerk: T. Mowrey Advice: D. Duckworth, C. Arthurs, M. Bishoff, S. Dalgleish, and C. Hunka

Moved by Councillor Carra
Seconded by Councillor Chahal

That with respect to Verbal Report IGA2020-0219, the following be adopted:

That Council:

1. Direct that Administration respond to the Government of Alberta as per the discussion at the 2020 February 20 Intergovernmental Relations Committee Closed Meeting; and
2. Direct Administration to bring forward the item discussed to the SPC on Planning and Urban Development as soon as possible; and
3. Direct that Closed Meeting discussions and presentation remain confidential pursuant to Section 21 (Disclosure harmful to intergovernmental relations) of the *Freedom of Information and Protection of Privacy Act* to be reviewed by 2021 December 31.

MOTION CARRIED

14.3.2 Intergovernmental Negotiations Update One (Verbal), C2020-0301

Administration in attendance during the Closed Meeting discussion with respect to Report C2020-0301:

Clerk: T. Mowrey Advice: D. Duckworth and C. Arthurs

Moved by Councillor Demong
Seconded by Councillor Carra

That with respect to report C2020-0301, the following be adopted:

That the 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

14.3.3 Intergovernmental Negotiations Update Two (Verbal), C2020-0302

Administration in attendance during the Closed Meeting discussion with respect to Report C2020-0302:

Clerk: T. Mowrey Advice: D. Duckworth and C. Arthurs

Moved by Councillor Demong

Seconded by Councillor Carra

That with respect to report C2020-0302, the following be adopted:

That the 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

15. ADMINISTRATIVE INQUIRIES

15.1 Administrative Response Re Deputy Mayor Protocol (AI2020-0002)

15.2 Administrative Inquiry - Working Area of an Operating Hazardous Waste Management Facility

Date: February 21, 2020

Submitted Councillor: Shane Keating

Re: Working Area of an Operating Hazardous Waste Management Facility

Businesses operating within 450m of a Working Area of an Operating Hazardous Waste Management Facility are being impacted negatively. Some of the facilities that have this designation share the same requirements as a chemical processing plant or landfill despite being relatively safe work with no risk of exposure of chemicals to employees or residents within the immediate area.

The Businesses and developers that are seeking a variance through the Province to operate near these locations are faced with a difficult, uncertain and drawn out process. This procedure stalls meaningful development, commerce and creates conflict between landlords and renters.

I understand that The City has the ability under the City Charter through bylaw to authorize a subdivisions authority, circumventing Provincial Ministerial Approval. This seems like the best approach for businesses, and as we explore to what capability we can employ this strategy. I think it is important to ask these questions

- Is this an issue of resources? Do we have the budget and staff to take on the regulation?
- If resources are a major concern, can we bring in any outside resources?
- When will this work plan start?
- What can we do to streamline the process, lessening the negative impacts on business owners and developers?
- If the concern is funding, is there a way we can utilize a cost-recovery model? I.E. Can we incur an additional fee for businesses dealing with Hazardous Waste Materials?
- Can we look at different categories for hazardous waste sites so that we limit the need for exemption, if it is appropriate?

16. ADJOURNMENT

Moved by Councillor Jones
Seconded by Councillor Farkas

That this Council adjourn at 4:33 p.m. on Tuesday, February 25, 2020.

For: (13): Mayor Nenshi, Councillor Carra, Councillor Chahal, Councillor Chu, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Jones, Councillor Keating, Councillor Magliocca, and Councillor Sutherland

MOTION CARRIED

CONFIRMED BY COUNCIL ON

MAYOR

CITY CLERK



MINUTES
STRATEGIC MEETING OF COUNCIL

March 2, 2020, 9:30 AM
IN THE COUNCIL CHAMBER

PRESENT:

Deputy Mayor Davison
Councillor G-C. Carra
Councillor S. Chu
Councillor D. Colley-Urquhart
Councillor P. Demong
Councillor J. Farkas
Councillor D. Farrell
Councillor J. Gondek
Councillor R. Jones
Councillor S. Keating (Remote Participation)
Councillor J. Magliocco
Councillor W. Sutherland
Councillor E. Woolley

ABSENT:

Mayor N. Nenshi (Council Business)
Councillor G. Chahal (Council Business)

ALSO PRESENT:

City Manager D. Duckworth
City Solicitor and General Counsel J. Floen
Chief Financial Officer C. Male
General Manager S. Dalglish
General Manager M. Thompson
A/General Manager C. Arthurs
A/General Manager K. Black
A/General Manager F. Bouchart
A/General D. Morgan
City Clerk L. Kennedy
Legislative Advisor M. A. Cario

1. CALL TO ORDER

Deputy Mayor Davison called today's Meeting to order at 9:34 a.m.

2. OPENING REMARKS

Deputy Mayor Davison provided opening remarks and called for a moment of quiet contemplation.

3. QUESTION PERIOD

1. Councillor Farkas

Topic: Mailout cost for new Property tax bill mailout to clearly articulate tax division between municipal and provincial requisitions

2. Councillor Demong

Topic: Possibility of Property tax bills to include two separate sheets, one for Provincial education taxes and the other for Municipal taxes

3. Councillor Woolley

Topic: Can this billing cycle clearly articulate the differences in the tax bills.

Deputy Mayor Davison introduced a group of grade six students from Menno Simons Christian School, along with their teacher Megan Beriault.

4. CONFIRMATION OF AGENDA

Moved by Councillor Jones

Seconded by Councillor Magliocca

That the Agenda for the 2020 March 02 Strategic Meeting of Council be confirmed.

MOTION CARRIED

5. ITEMS FROM OFFICERS AND COMMITTEES

5.1 Current Economic Events - Calgary in the New Economy (Verbal), C2020-0300

The following documents were distributed with respect to Report C2020-0300:

- PowerPoint presentation entitled "C2020-0300 Provincial Budget 2020-2021 Government of Alberta Budget and City of Calgary implications", dated 2020 March 02
- Document entitled "Total Impact to Non-Residential \$5 Million Property Payers Before PTP include BTC", dated 2020 March 02

Councillor Demong introduced a group of grade five and six students from Midnapore School, along with their teacher Danielle Carriere.

By general consent, pursuant to Section 6(1) of Procedure Bylaw 35M2017, as amended, Council suspended Sections 107 and 109, to allow for questions and debate without a time limit with respect to Report C2020-0300.

By general consent, Council recessed at 11:06 a.m. and reconvened at 11:15 a.m. in the Calgary Power Reception Hall, in public for a further facilitated discussion with Deputy Mayor Davison in the Chair.

Council recessed at 11:55 a.m. and reconvened at 1:17 p.m. with Deputy Mayor Davison in the Chair.

The following documents were distributed at the Public Meeting in the Calgary Power Reception Hall with respect to Report C2020-0300:

- PowerPoint presentation entitled "Calgary Office Market Update", dated 2020 March 02
- PowerPoint presentation entitled "Innovation at UCalgary and Beyond", dated 2020 March 02
- PowerPoint presentation entitled "Closing Remarks Presented by David Duckworth", dated 2020 March 02.
- Package of Documents including "Health Enforcement Orders Environment Public Health", "Minimum Housing and Health Standards", "Order of an Executive Officer Closed for Tenant Accommodation Purposes Order to Vacate" and "Order of an Executive Officer Unfit for Human Habitation Order to Vacate".

Moved by Councillor Gondek

Seconded by Councillor Sutherland

That with respect to Report C2020-0300, the following be adopted:

That Council receive the following distributions for the Corporate Record:

- PowerPoint presentation entitled "C2020-0300 Provincial Budget 2020-2021 Government of Alberta Budget and City of Calgary implications", dated 2020 March 02
- Document entitled "Total Impact to Non-Residential \$5 Million Property Payers Before PTP include BTC"
- PowerPoint presentation entitled "Calgary Office Market Update", dated 2020 March 02
- PowerPoint presentation entitled "Innovation at UCalgary and Beyond", dated 2020 March 02
- PowerPoint presentation entitled "Closing Remarks Presented by David Duckworth", dated 2020 March 02.
- Package of Documents including "Health Enforcement Orders Environment Public Health", "Minimum Housing and Health Standards", "Order of an Executive Officer Closed for Tenant Accommodation Purposes Order to Vacate" and "Order of an Executive Officer Unfit for Human Habitation Order to Vacate".

MOTION CARRIED

6. CONFIDENTIAL ITEMS

6.1 ITEMS FROM OFFICERS AND COMMITTEES

None

7. ADJOURNMENT

Moved by Councillor Jones
Seconded by Councillor Chu

That this Council adjourn at 3:03 p.m.

ROLL CALL VOTE

For: (12): Councillor Davison, Councillor Carra, Councillor Chu, Councillor Colley-Urquhart, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Jones, Councillor Keating, Councillor Magliocca, and Councillor Sutherland

MOTION CARRIED

MAYOR

CITY CLERK

UNCONFIRMED

BRIEFING

Page 1 of 1

Item # 7.2.1

City Auditor's Office Briefing to

Combined Meeting of Council

2020 March 16

ISC: UNRESTRICTED

C2020-0348

Forensic Investigation Into Ward 2 City Councillor's Expenses - Update

PURPOSE OF BRIEFING

On 2020 February 24, Council directed the City Auditor to conduct a forensic investigation into the Ward 2 City Councillor's expenses as part of the Closing the Governance Gap in Office of the Councillors Efforts at Public Disclosure Notice of Motion C2020-0263. The purpose of this briefing is to provide transparency on readiness actions completed to ensure an independent, objective and unbiased result, as well as what to expect going forward.

SUPPORTING INFORMATION

The City Auditor has taken immediate action, with the support of Law and Supply Management, to ensure readiness to begin the forensic investigation that will result in recommendations to be presented to Council as soon as possible. These readiness steps included:

- Receipt of public complaints originally directed to the City of Calgary Integrity Commissioner that are applicable to this forensic investigation;
- Appointment of an outside firm with significant experience in forensic investigation;
- Selection of a seasoned lead investigator who is independent of the City of Calgary and the Province of Alberta; and
- Established terms of engagement that emphasize the importance of timeliness and cost efficiency without jeopardizing the quality or thoroughness of the investigation.

The forensic investigation will begin shortly, and will include examination of all relevant documentation and additional information obtained through interviews. There will be no updates to Council or to the public during this period in order to ensure the forensic investigation is conducted in an objective manner without influence, or undue delay. Once the investigation is concluded a briefing update will be provided by the City Auditor to Council on the anticipated timing when a report on the result and recommendations will be presented.

BRIEFING

Page 1 of 1

Item # 7.2.2

Community Services Briefing to

Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0362

Community-Based Public Safety Task Force Terms of Reference

PURPOSE OF BRIEFING

On 2020 February 3, Council approved Notice of Motion PFC2020-0120 directing Administration to prepare terms of reference for the Community-Based Public Safety Task Force, including membership drawn from a broad base of community stakeholders. This briefing responds to Council's direction to report back by 2020 March 16.

SUPPORTING INFORMATION

The Community-Based Public Safety Task Force (the Task Force) Terms of Reference (Attachment 1) drafted in consultation with Calgary Police Commission, Calgary Police Service and interested members of Council. The key purpose of the Task Force is to provide a foundation for a community-driven and community-owned collaborative approach to community concerns around gang and gun violence.

The Task Force will bring together a diverse group of citizens that will report back to Council with its best advice and recommendations related to identifying and addressing community concerns around violence and will be informed by engagement with community groups. The mandate of the Task Force is to:

- Review existing prevention programs and services locally and in other relevant jurisdictions;
- Listen to the community and identify positive actions underway, gaps, challenges and issues with existing programs and services; and
- Report back to Council in 2021 Q1 with a summary of what was heard from the community and actionable recommendations with a focus on prevention related to community concerns around violence, including gang and gun violence.

The Task Force will be composed of a variety of stakeholders, including elected officials from The City of Calgary, a Appointed Member/Representative of the Federal Government, a Member of Legislative Assembly, Calgary Police Commission, Calgary Police Service, local service agencies and community leaders. The membership establishes a diverse coalition required to confront complex issues related to community concerns around violence and will meet four times to seek the best advice possible from the community through a cross-sector collaborative approach.

ATTACHMENT(S)

1. Community-Based Public Safety Task Force Terms of Reference

COMMUNITY-BASED PUBLIC SAFETY TASK FORCE

TERMS OF REFERENCE

1. PURPOSE STATEMENT

Maintaining Calgary's consistent ranking as a great city within which to live will require commitment that ensures we are addressing social, environmental, and economic pillars of success in city-building, including public safety. The recommendations of the Community-Based Public Safety Task Force will support a broad, community-driven and community-owned, collaborative approach to gang and gun violence, built upon the strong foundation of established policies for efficient and effective policing. Community-Based Public Safety Task Force recommendations will encourage community partnerships that create safe and inspiring neighbourhoods where all citizens feel secure and are welcome to participate in the social, cultural, and economic life of the city.

2. AUTHORITY

The Community-Based Public Safety Task Force is advisory in nature and as directed by Notice of Motion PFC2020-0120 will provide Council with recommendations relating to community concerns around violence but will not have the authority to direct the activities of Council, the Calgary Police Commission, or the Calgary Police Service.

3. MANDATE

To (a) Review existing prevention programs and services locally and in other relevant jurisdictions;
(b) Listen to the community and identify positive actions underway, gaps, challenges and issues with existing programs and services; and
(c) Report back to Council with a summary of what was heard from the community and actionable recommendations with a focus on prevention related to community concerns around violence, including gang and gun violence.

4. TERM

The Community-Based Public Safety Task Force is expected to report back to Council in 2021 Q1 with a summary of what was heard from the community and actionable recommendations with a focus on prevention related to community concerns around violence, after which the task force will be disbanded.

5. FUNCTIONS

The Community-Based Public Safety Task Force is established to:

- (a) Develop a work plan and a timeline to guide Community-Based Public Safety Task Force work;
- (b) Liaise with members' respective agencies to support the identification of current programs, services, trends, and data providing members with a consistent overview. Members may be asked to bring forward existing reports from their organizations to inform all participants, but organizations will not be

COMMUNITY-BASED PUBLIC SAFETY TASK FORCE

TERMS OF REFERENCE

expected to conduct additional analysis or reporting, although may do so voluntarily.

- (c) Conduct a jurisdictional scan to identify programs and evidence that could be relevant locally;
- (d) Identify and approach external subject matter experts whose testimony or existing work would be beneficial to the work of the Community-Based Public Safety Task Force;
- (e) Receive and review input and presentations from the community and academia;
- (f) Hold public consultations, at the call of the Chair, to engage directly with communities throughout Calgary on their experiences with current programs and services and to identify gaps;
- (g) Request information, available in existing reports and documentation, through Community-Based Public Safety Task Force members that would assist in evaluating current prevention programs;
- (h) Report to Council with advice and recommendations addressing community concerns around violence, with a focus on prevention.

6. MEMBERSHIP

The Community-Based Public Safety Task Force will be representative of a diverse group of stakeholders. Participants will serve on a voluntary basis and be comprised of up to 14 members representing the following:

- (a) Calgary Police Commission (1)
- (b) Calgary Police Service (1)
- (c) Local Service Agency (2)
- (d) Calgary Board of Education (1)
- (e) Community Leaders (3)
- (f) Indigenous Community (1)
- (g) Academia (1)
- (h) Appointed Member/Representative of the Federal Government from the Calgary area (1)
- (i) Member of the Legislative Assembly from the Calgary area (1)
- (j) Councillor Chahal is the Chair and central point of contact for the Community-Based Public Safety Task Force
- (k) Mayor Nenshi is appointed to the Community-Based Task Force ex-officio

7. MEETINGS

- (a) Meetings will be held based on an agreed upon schedule, and/or at the call of the Chair.
- (b) The Committee shall meet a minimum of four (4) times prior to the production of final recommendations to be presented to Council.
- (c) A quorum for a meeting of the Community-Based Public Safety Task Force shall be eight (8) members. Members may send a designate at the approval of the Chair.

COMMUNITY-BASED PUBLIC SAFETY TASK FORCE

TERMS OF REFERENCE

- (d) The agenda consistent with the scope and mandate of the Community-Based Public Safety Task Force shall be prepared by the Chair.
- (e) Community-Based Public Safety Task Force meetings will be conducted in public unless the meeting may or must be closed to the public, pursuant to FOIP Act requirements.
- (f) Minutes of the meetings of the Community-Based Public Safety Task Force shall be recorded.

8. GENERAL TERMS & CODE OF CONDUCT

(a) Decorum and Debate

Community-Based Public Safety Task Force members are expected to prepare for meetings by reading through their agenda materials ahead of time, arriving to the meeting on time and being respectful of others' thoughts and opinions.

(b) Recommendations and Decision-making

It is desirable that recommendations are acceptable to all Community-Based Public Safety Task Force members, but in circumstances where a consensus cannot be achieved, decisions will be made by a majority vote.

(c) Communication Channels

Community-Based Public Safety Task Force members will be the primary point of contact for their respective agencies and will manage questions, consultation, and requests for information.

(d) Attendance and Participation

Members must devote the necessary time and effort to prepare for meetings and provide feedback in keeping with the Community-Based Public Safety Task Force mandate.

(e) Authority and Reporting

The Community-Based Public Safety Task Force and its members will not represent themselves as having any authority beyond that delegated in the terms of reference.

(f) Conflict of Interest

Community-Based Public Safety Task Force members are expected to provide objective perspectives and perform functions that will not place or be seen to place them in real or perceived conflict with the mandate and scope of the task force. Community-Based Public Safety Task Force members must not have private interests that could be affected by final recommendations.

(g) Confidentiality

COMMUNITY-BASED PUBLIC SAFETY TASK FORCE

TERMS OF REFERENCE

It is the policy of The City of Calgary to encourage clear and effective communication with all Community-Based Public Safety Task Force members, stakeholders, and members of the public. Community-Based Public Safety Task Force members will not release information obtained through the position that is not generally available to the public or use it to further private interest or those of friends, relatives, or colleagues. Any use of social media must, as with all other forms of communication meet tests of credibility, privacy, authority and accountability.

**Deputy City Manager's Office Report to
SPC on Utilities and Corporate Services
2020 February 19**

**ISC: UNRESTRICTED
UCS2020-0230
Page 1 of 3**

Summary of Real Estate Transactions for the Third Quarter 2019

EXECUTIVE SUMMARY

Pursuant to Real Property Bylaw 52M2009 and LAS2011-17, Administration must report quarterly to Council on closed transactions approved through delegated authority. This report for information includes a summary of the following closed transactions for Third Quarter 2019.

- Remnant land sales less than \$5,000,000;
- Stand alone sales;
- Other dispositions;
- Land exchanges;
- Acquisitions less than \$5,000,000;
- Occupations less than \$500,000; and
- Demolitions.

ADMINISTRATION RECOMMENDATION:

The Standing Policy Committee on Utilities and Corporate Services recommends that Council:

1. Direct the Recommendations, Report and Attachments be held confidential pursuant to Sections 23 (Local public body confidences), 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* until the report is published in the Council agenda, to be reviewed 2020 April 06.

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON UTILITIES AND CORPORATE SERVICES 2020 FEBRUARY 19:

That Council receive the Report and Attachments for the Corporate Record.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2017 September 11, Council approved Bylaw 32M2017 to amend Real Property Bylaw 52M2009, which grants delegated authority to the City Manager who further delegates to those officers as set out in the Delegation of Authority by the City Manager.

On 2011 March 21, Council approved LAS2011-17 and directed Administration to report quarterly only on closed transactions approved through Delegated Authority.

On 2009 November 16, Council approved Real Property Bylaw 52M2009, which granted delegated authority to the City Manager who further delegated to those officers as set out in the Confirmation of Delegation of Authority by the City Manager.

BACKGROUND

Pursuant to Bylaw 52M2009 Section 18 (5) *"The City Manager must prepare and submit to Council a report listing all Transactions approved pursuant to the Bylaw every three (3) months, or as otherwise directed by Committee or Council, commencing January, 2010."* Further to Section 18 (5) of Bylaw 52M2009, Administration was directed to report quarterly only on closed transactions approved through delegated authority through LAS2011-17.

Real Property Bylaw 52M2009 is supported by a business process review that established well-defined real estate processes in a consistent, accountable and effective manner. The

Summary of Real Estate Transactions for the Third Quarter 2019

redesigned processes, procedures and forms ensure the necessary due diligence and documentation to support Bylaw 52M2009. Delegated authority was only exercised as defined in the Bylaw.

All of the attached remnant land sales are less than \$5,000,000 and are adjacent to the property owner(s).

All of the attached stand alone sales have been the subject of method of disposition reports and have been approved by either Land and Asset Strategy Committee or SPC on Utilities and Corporate Services (UCS) and Council.

All of the attached acquisitions are requirements of Council approved projects or otherwise authorized by Council and less than \$5,000,000.

All of the attached leases/licenses have an annual base rent or fee less than \$500,000, the term does not exceed five (5) years and there are no more than two (2) options to renew, as per Bylaw 52M2009 Section 8(1)(a).

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Not applicable.

Valuation

The negotiated prices of the real estate transactions referenced in the Attachments are either based on internal valuations or independent appraisals which were endorsed by Administration's Valuation Review Committee, or are based on set rates and fees. One exception is for real estate transactions that are for nominal consideration. Valuations or appraisals have not been completed for nominal consideration real estate transactions.

Stakeholder Engagement, Research and Communication

Not applicable.

Strategic Alignment

This report aligns with Real Property Bylaw 52M2009 and LAS2011-17 whereby Administration must report quarterly to Council on closed transactions approved by delegated authority.

Social, Environmental, Economic (External)

Social

Bylaw 52M2009 provides a single point of reference for Council, Administration and the public concerning the authorities and responsibilities for real estate transactions to be undertaken by Real Estate & Development Services. Staff members are provided with training and are supported in implementing business processes and the Bylaw for all real estate transactions.

Environmental

The real estate processes are in accordance with The City of Calgary's Sales, Acquisitions and Leases Environmental (S.A.L.E.) Policy.

Economic

Deputy City Manager's Office Report to
SPC on Utilities and Corporate Services
2020 February 19

ISC: UNRESTRICTED
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Summary of Real Estate Transactions for the Third Quarter 2019

Where applicable, the changes to the processes and authorities for real estate transactions will streamline the transaction timeline by four to six weeks, thus reducing the time and financial costs associated with finalizing the transaction.

Financial Capacity

Current and Future Operating Budget:

Not applicable.

Current and Future Capital Budget:

Not applicable.

Risk Assessment

The approval processes place additional decision-making responsibility on Administration for The City's real estate transactions. The potential risks associated with giving Administration greater authority, are mitigated in several ways:

- Increased due diligence and documentation achieved by the clearly defined business processes for all real estate transactions;
- All proposed real estate transactions documented by a land report or land authorization form will be reviewed by the Management Real Estate Review Committee or authorized delegated authority position;
- Administrative approvals will only be exercised where the established guidelines are met;
- The Acting General Manager of the Deputy City Manager's Office can opt to forward any proposed sale, lease or acquisition under their authority on to UCS and Council for approval; and
- Quarterly reporting to UCS and Council regarding closed transactions approved by Administration.

REASON(S) FOR RECOMMENDATION(S):

Report for information.

ATTACHMENT(S)

1. Attachment 1 – Summary of Remnant Land Sales less than \$5,000,000 for the Third Quarter 2019
2. Attachment 2 – Summary of Stand Alone Sales for the Third Quarter 2019
3. Attachment 3 – Summary of Other Dispositions for the Third Quarter 2019
4. Attachment 4 – Summary of Land Exchanges for the Third Quarter 2019
5. Attachment 5 – Summary of Acquisitions less than \$5,000,000 for the Third Quarter 2019
6. Attachment 6 – Summary of Occupations less than \$500,000 for the Third Quarter 2019
7. Attachment 7 – Summary of Demolitions for the Third Quarter 2019

**SUMMARY OF REMNANT LAND SALES LESS THAN \$5,000,000.00
THIRD QUARTER 2019**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	SALE PRICE	ACRES	PRICE PER ACRE	CLOSING DATE	DELEGATED AUTHORITY
1.	Adjacent road right of way to 816 McDougall RD NE	Sale of surplus road right of way in the community of Bridgeland / Riverside to Keith Hlewka for consolidation with the adjacent property for a multi-family development.	MRER2018-18	Ward 09 Councillor Gian-Carlo Carra	\$301,389.49	0.069	\$4,329,188.41	2019 September 27	Authorized by: Director, Real Estate & Development Services Pursuant to Bylaw 52M2009 Section 7.(3)
2.	Adjacent road right of way to 23 McDougall CO NE	Sale of surplus property in the community of Bridgeland / Riverside to the adjacent property owner, Calgary Catholic Immigration Society, for a new building, a new amenities area and playground.	MRER2018-79	Ward 09 Councillor Gian-Carlo Carra	\$25.00* (*sold at book value as per Notice of Motion by Council).	0.25	\$100.00	2019 July 31	Authorized by: Acting Deputy City Manager Pursuant to Bylaw 52M2009 Section 7.(1)(a)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

UCS2020-0230
ATTACHMENT 1

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	SALE PRICE	ACRES	PRICE PER ACRE	CLOSING DATE	DELEGATED AUTHORITY
3.	6903 108 AV SE and 6903R 108 AV SE	Sale of surplus closed road in the community of East Shepard Industrial to Temake Investments Ltd. for parking and access.	LAF2019-17	Ward 12 Councillor Shane Keating	\$250,000.00	0.90	\$277,777.78	2019 May 09	Authorized by: Acting Director, Real Estate & Development Services Pursuant to Bylaw 52M2009 Section 7.(1)(b)
4.	191R Evansview RD NW	Sale of surplus property in the community of Evanston to 1826222 Alberta Ltd. to consolidate with the adjacent parcel for a residential development.	LAF2019-76	Ward 02 Councillor Joe Magliocca	\$16,000.00	0.04	\$400,000.00	2019 August 30	Authorized by: Acting Director, Real Estate & Development Services Pursuant to Bylaw 52M2009 Section 7.(1)(b)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	SALE PRICE	ACRES	PRICE PER ACRE	CLOSING DATE	DELEGATED AUTHORITY
5.	6000, 6600 133 ST NW	Sale of surplus closed road in the community of Haskayne to Brookfield Residential (Alberta) LP by its general partner 1714974 Alberta Ltd. for incorporation into their Rowan Park development within the Haskyne Area Structure Plan.	LAF2019-83	Ward 01 Councillor Ward Sutherland	\$1,494,000.00	7.47	\$200,000.00	2019 July 31	Authorized by: Acting Director, Real Estate & Development Services Pursuant to Bylaw 52M2009 Section 7.(1)(b)
6.	837 68 ST SE	Sale of surplus closed road in the community of Red Carpet to Lansdowne Equity Ventures Ltd. to consolidate with the adjacent lands to incorporate into their multi-family development.	LAF2019-96	Ward 09 Councillor Gian-Carlo Carra	\$55,000.00	0.09	\$611,111.11	2019 August 30	Authorized by: Acting Director, Real Estate & Development Services Pursuant to Bylaw 52M2009 Section 7.(1)(b)

TOTAL REMNANT LAND SALES THIRD QUARTER 2019: \$2,116,414.49

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

**SUMMARY OF STAND ALONE SALES
THIRD QUARTER 2019**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	SALE PRICE	ACRES	PRICE PER ACRE	CLOSING DATE	PREVIOUS COUNCIL DIRECTION	DELEGATED AUTHORITY
1.	6202 106 AV SE	Sale of property in the community of East Shepard Industrial in the Dufferin North Distribution and Intermodal Site to Sofina Foods Inc./Aliments Sofina Inc. to construct a poultry processing facility to replace its current facility which is located on land required for construction of Green Line LRT project.	MRER2017-72	Ward 12 Councillor Shane Keating	\$16,824,500.00	29.26	\$575,000.00	2019 July 11	On 2016 July 04 Council approved LAS2016-62 – Proposed Method of Disposition (East Shepard Industrial), authorizing Administration to publicly market the Property and to negotiate a sale with the successful applicant.	Authorized by: Acting Deputy City Manager Pursuant to Bylaw 52M2009 Section 7.(1)(a)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

**UCS2020-0230
ATTACHMENT 2**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	SALE PRICE	ACRES	PRICE PER ACRE	CLOSING DATE	PREVIOUS COUNCIL DIRECTION	DELEGATED AUTHORITY
2.	1305 and 1313 36 ST SE	Sale of two surplus properties in the community of Albert Park / Radisson Heights to Habitat for Humanity Southern Alberta Society to construct an affordable housing development.	MRER2018-23	Ward 09 Councillor Gian-Carlo Carra	\$183,000.00	0.344	\$531,976.74	2019 July 08	On 2017 April 24 Council approved UCS2017-0275, Proposed Method of Disposition authorizing the targeted marketing and sale of the Property to the affordable housing sector.	Authorized by: Acting Deputy City Manager Pursuant to Bylaw 52M2009 Section 7.(1)(a)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

**UCS2020-0230
ATTACHMENT 2**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	SALE PRICE	ACRES	PRICE PER ACRE	CLOSING DATE	PREVIOUS COUNCIL DIRECTION	DELEGATED AUTHORITY
3.	7120 107 AV SE	Sale of property in the community of East Shepard Industrial in the Point Trotter Industrial Park to 2166394 Alberta Ltd. for a proposed 10,000 square foot single occupancy industrial warehouse to be occupied by the purchaser.	MRER2019-45	Ward 12 Councillor Shane Keating	\$1,001,100.00	1.41	\$710,000.00	2019 August 23	On 2014 November 03, Council approved LAS2014-53 – Proposed Method of Disposition, authorizing Administration to publicly market the Property and negotiate a sale with the successful applicant.	Authorized by: Deputy City Manager Pursuant to Bylaw 52M2009 Section 7.(1)(a)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

**UCS2020-0230
ATTACHMENT 2**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	SALE PRICE	ACRES	PRICE PER ACRE	CLOSING DATE	PREVIOUS COUNCIL DIRECTION	DELEGATED AUTHORITY
4.	1404 and 1406 22 AV NW	Sale of properties in the community of Capitol Hill to Riverview Custom Homes Ltd. for construction of a row house project.	MRER2019-46	Ward 07 Councillor Druh Farrell	\$845,000.00	0.176	\$4,801,136.36	2019 August 30	On 2019 January 14 Council approved UCS2018-1422 – Proposed Method of Disposition authorizing Administration to publicly market the Property and negotiate a sale with the successful applicant.	Authorized by: Acting Deputy City Manager Pursuant to Bylaw 52M2009 Section 7.(1)(a)

TOTAL STAND ALONE SALES FOR THIRD QUARTER 2019: \$18,853,600.00

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

**SUMMARY OF OTHER DISPOSITIONS
THIRD QUARTER 2019**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	SALE PRICE	ACRES	PRICE PER ACRE	CLOSING DATE	DELEGATED AUTHORITY
1.	1010 10 AV SW	Disposition of a utility right of way in the community of Beltline to Enmax Power Corporation for Enmax's Downtown Calgary Transmission Reinforcement Plan Project.	LAF2019-93	Ward 08 Councillor Evan Woolley	\$161,500.00	0.037	\$4,364,864.86	2019 June 24	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 7.(1)(f)
2.	2635 Dartmouth RD SE	Disposition of a utility right of way in the community of Alyth / Bonnybrook to Enmax Power Corporation for Enmax's Downtown Calgary Transmission Reinforcement Plan Project.	LAF2019-94	Ward 09 Councillor Gian-Carlo Carra	\$14,000.00	0.02	\$700,000.00	2019 June 21	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 7.(1)(f)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

**SUMMARY OF LAND EXCHANGE
THIRD QUARTER 2019**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	OWNER EXCHANGE	CITY EXCHANGE	CLOSING DATE	DELEGATED AUTHORITY
1.	8620 68 ST SE	Land exchange of surplus road right of way in the community of Section 23 to Knightview Developments Inc. in exchange for land required for the 68 Street SE widening.	MRER2018-80	Ward 12 Councillor Shane Keating	Knightview Developments Inc.	The City of Calgary	2019 July 15	Authorized by: Director, Real Estate & Development Services Pursuant to Bylaw 52M2009 Sections 6.(1)(a) and 7.(1)(b)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

SUMMARY OF ACQUISITIONS LESS THAN \$5,000,000.00
THIRD QUARTER 2019

	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	PURCHASE PRICE	ACRES	PRICE PER ACRE	COMMENCEMENT DATE OR CLOSING DATE	DELEGATED AUTHORITY
1.	507 23 AV NW	Acquisition of an easement in the community of Mount Pleasant for a public bus shelter and platform.	LAF2019-28	Ward 07 Councillor Druh Farrell	\$10.00	0.0036	N/A	2019 August 30	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 6.(1)(f)
2.	101 25 AV SW	Acquisition of a utility right of way in the community of Mission for existing and future water infrastructure.	LAF2019-46	Ward 11 Councillor Jeromy Farkas	\$10.00	0.025	N/A	2019 August 01	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 6.(1)(f)
3.	1213 4 ST SW	Acquisition of an easement in the community of Beltline for a permanent bus shelter at an existing bus stop.	LAF2019-97	Ward 08 Councillor Evan Woolley	\$1.00	0.008	N/A	2019 August 30	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 6.(1)(f)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	PURCHASE PRICE	ACRES	PRICE PER ACRE	COMMENCEMENT DATE OR CLOSING DATE	DELEGATED AUTHORITY
4.	66 New ST SE	Acquisition of an easement in the community Inglewood for the implementation of the Inglewood Flood Protection Works along the Bow River.	LAF2019-116	Ward 09 Councillor Gian-Carlo Carra	\$1,000.00	0.062	\$16,129.03	2019 September 30	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 6.(1)(f)

TOTAL ACQUISITIONS FOR THIRD QUARTER 2019: \$1,021.00

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

**SUMMARY OF OCCUPATIONS LESS THAN \$500,000.00
THIRD QUARTER 2019**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	ANNUAL RENT/FEE	COMMENCEMENT DATE	DELEGATED AUTHORITY
1.	Portion of 3504 17 AV SE	Lease of property in the community of Albert Park / Radisson Heights to Fassil's Ethiopian Restaurant Inc. to operate a restaurant.	MRER2018-75	Ward 09 Councillor Gian-Carlo Carra	\$50,508.00	2019 July 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
2.	64 12 ST NW	Lease of property in the community of Bridgeland / Riverside to Muslim Association of Canada to operate a school.	MRER2019-04	Ward 09 Councillor Gian-Carlo Carr	\$101,136.00	2019 June 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
3.	4203 17 AV SE	Lease of property in the community of Forest Lawn to Adobo Experience Ltd. for the purpose of a restaurant.	MRER2019-05	Ward 10 Councillor Ray Jones	\$48,000.00	2018 May 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	ANNUAL RENT/FEE	COMMENCEMENT DATE	DELEGATED AUTHORITY
4.	7000 48 ST SE	Lease of property in the community of Foothills to All Beef Catering Inc. for the purpose of a restaurant and lounge.	MRER2019-15	Ward 09 Councillor Gian-Carlo Carra	\$63,624.00	2018 September 01	Authorized by: Acting Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
5.	2424 University DR NW	Lease of property in the community of University of Calgary to 1930029 Alberta Inc. for the purpose of a concession for food and beverage services.	MRER2019-31	Ward 07 Councillor Druh Farrell	\$5,931.60	2019 September 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
6.	1895 9 AV SW	Third party license extension in the community of Shaganappi to The City of Calgary for a temporary public detour road and pedestrian pathway for the Crowchild Trail Expansion Project.	MRER2019-53	Ward 08 Councillor Evan Woolley	\$44,290.00	2019 July 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
7.	3415 Ogden RD SE	Third party license extension in the community of Alyth / Bonnybrook to The City of Calgary for enabling work in process for the Green Line LRT project.	MRER2019-64	Ward 09 Councillor Gian-Carlo Carra	\$5,160.00	2019 September 01	Authorized by: Manager, Sales & Acquisitions – Green Line Pursuant to Bylaw 52M2009 Section 8.(1)(a)

LEGEND / NOTES

MRER Management Real Estate Review (e.g. MRER2019-XX)
LAF Land Authorization Form (e.g. LAF2019-XX)
UCS SPC on Utilities and Corporate Services (e.g. UCS2019-XX)
MOD Method of Disposition (report that establishes reserve price)

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	ANNUAL RENT/FEE	COMMENCEMENT DATE	DELEGATED AUTHORITY
8.	3619 Ogden RD SE	Third party license extension in the community of Alyth / Bonnybrook to The City of Calgary for enabling work in process for the Green Line LRT project.	MRER2019-65	Ward 09 Councillor Gian-Carlo Carra	\$4,603.36	2019 September 01	Authorized by: Manager, Sales & Acquisitions – Green Line Pursuant to Bylaw 52M2009 Section 8.(1)(a)
9.	1511 90 AV SW	Third party license of property in the community of Pump Hill to The City of Calgary for construction at 14 Street SW and 90 Avenue SW as part of the southwest Bus Rapid Transit (SWBRT) project.	LAF2018-71	Ward 11 Councillor Jeromy Farkas	\$83,200.00	2019 September 30	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 8.(1)(a)
10.	2424 University DR NW	License of property in the community of University of Calgary to 1930029 Alberta Inc. for a seasonal concession stand at the Father David Bauer Arena.	LAF2018-117	Ward 07 Councillor Druh Farrell	\$2,967.00	2019 January 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
11.	507 23 AV SW	Third party license of property in the community of Mount Pleasant to The City of Calgary for the construction of bus shelter and platform.	LAF2019-28	Ward 07 Councillor Druh Farrell	\$10.00	No later than 2019 August 30	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 8.(1)(a)

LEGEND / NOTES

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#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	ANNUAL RENT/FEE	COMMENCEMENT DATE	DELEGATED AUTHORITY
12.	4321 15 ST SE and 4277 15 ST SE	Third party license of property in the community of Alyth / Bonnybrook to The City of Calgary for a temporary workspace for the construction of the Inglewood Sanitary Trunk Project.	LAF2019-31	Ward 09 Councillor Gian-Carlo Carra	\$3,985.74	No sooner than 2019 August 15 and no later than 2019 December 15	Authorized by: Acting Director, Real Estate & Development Services Pursuant to Bylaw 52M2009 Section 8.(1)(a)
13.	840 9 AV SW	License of property in the community of Downtown Commercial Core to 1883865 Alberta Ltd. o/a Knoxville's Tavern for the installation of a temporary tent for use during the Calgary Stampede.	LAF2019-66	Ward 08 Councillor Evan Woolley	\$66,100.00	2019 July 18	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
14.	88 Transportation and Utility Corridor ST SE	Third party license of property in the community of Mahogany to The City of Calgary to conduct geotechnical investigations for the 88 th Street SE Roadway Preliminary Design project.	LAF2019-74	Ward 12 Councillor Shane Keating	\$1,575.00	2019 July 31	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 8.(1)(a)

LEGEND / NOTES

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#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	ANNUAL RENT/FEE	COMMENCEMENT DATE	DELEGATED AUTHORITY
15.	850 16 ST SW	License of property in the community of Sunalta to Tribal Productions Ltd. to facilitate the filming of a television series in Calgary by the Aboriginal Peoples Television Network.	LAF2019-88	Ward 08 Councillor Evan Woolley	\$72,000.00	2019 June 14	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
16.	138 Crestwood DR SW	License of property in the community of Crestmont to ATCO Gas and Pipelines Ltd. for access and to conduct weld inspections and pipeline repair.	LAF2019-91	Ward 01 Councillor Ward Sutherland	\$1,000.00	2019 July 08	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
17.	1968 Cottonwood CR SE	License of property in the community of Southview to Aileen Harley and Shane McMorrow for landscaping.	LAF2019-92	Ward 09 Councillor Gian-Carla Carra	\$500.00	2019 July 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 9.(1)

LEGEND / NOTES

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18.	3909 162 AV SW	Third party license of property in the community of Residual Ward 13 – Sub Area 13G to The City of Calgary for continued operation of telecom antenna on a Telus telecom tower.	LAF2019-95	Ward 13 Councillor Diane Colley-Urquhart	\$15,000.00	2018 June 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 10.(1)
19.	3351 Sarcee TR NW	License of property in the community of Bowness to Telus Communications Inc. for a telecommunications tower.	LAF2019-98	Ward 01 Councillor Ward Sutherland	\$20,000.00	2019 August 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 10.(1)
20.	2925 Wolfe ST SW	License of property in the community of Upper Mount Royal to George Baptist for landscaping.	LAF2019-99	Ward 08 Councillor Evan Woolley	\$500.00	2019 August 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 9.(1)
21.	4 McKinley RD SE	License of property in the community of McKenzie Lake to Jamie L. Walker and Aaron J. Walker for landscaping.	LAF2019-100	Ward 14 Councillor Peter Demong	\$500.00	2019 August 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 9.(1)

LEGEND / NOTES

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#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	ANNUAL RENT/FEE	COMMENCEMENT DATE	DELEGATED AUTHORITY
22.	5 Silverado Creek CR SW	License of property in the community of Silverado to Sanjeev Kapur and Jossie Kapur for landscaping.	LAF2019-101	Ward 13 Councillor Diane Colley-Urquhart	\$500.00	2019 June 01	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 9.(1)
23.	12450 15 ST NE	License of property in the community of Stoney 1 to ATCO Gas and Pipelines Ltd. for access to and maintenance of a high pressure gas line.	LAF2019-103	Ward 03 Councillor Jyoti Gondek	\$10.00	2019 August 13	Authorized by: Manager, Sales & Acquisitions Pursuant to Bylaw 52M2009 Section 8.(1)(a)
24.	1001 Barlow TR SE	License of property in the community of Albert Park / Radisson Heights to Telus Communications Inc. for a temporary Cell on Wheels with associated equipment.	LAF2019-104	Ward 09 Councillor Gian-Carlo Carra	\$1,000.00	2019 July 22	Authorized by: Acting Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)
25.	1750 30 AV SE	License of property in the community of South Calgary to cSpace Projects to construct a piece of art on the property.	LAF2019-105	Ward 08 Councillor Evan Woolley	\$10.00	2019 August 01	Authorized by: Acting Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)

LEGEND / NOTES

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#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	ANNUAL RENT/FEE	COMMENCEMENT DATE	DELEGATED AUTHORITY
26.	3351 Sarcee TR NW	License of property in the community of Bowness to Rogers Communications Inc. for a telecommunications tower.	LAF2019-111	Ward 01 Councillor Ward Sutherland	\$20,000.00	2019 September 01	Authorized by: Acting Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 10.(1)
27.	138 Crestbrook DR SW	License of property in the community of Crestmont to ATCO Gas and Pipelines Ltd. for access and use to conduct weld inspections and pipeline repair.	LAF2019-112	Ward 01 Councillor Ward Sutherland	\$1,000.00	2019 July 22	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 8.(1)(a)

LEGEND / NOTES

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**SUMMARY OF DEMOLITIONS
THIRD QUARTER 2019**

#	MUNICIPAL ADDRESS	TRANSACTION SUMMARY	MRER OR LAF ITEM NUMBER	WARD	DELEGATED AUTHORITY
1.	2216 36 ST SE, 1115 36 ST SE, 5002 1 ST SW, 2436 1 AV NW, 4112 Montgomery View NW and 2724 19 AV SE	Demolition of properties in the communities of Forest Lawn, Manchester, West Hillhurst, Montgomery and Southview due to the properties being in a state of despair.	LAF2019-70	Ward 07 Councillor Druh Farrell Ward 09 Councillor Gian-Carlo Carra	Authorized by: Manager, Land & Asset Management Pursuant to Bylaw 52M2009 Section 16.(1)(c)

LEGEND / NOTES

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Transportation Report to
Green Line Committee
2020 February 21

ISC: UNRESTRICTED
GC2020-0246

Green Line – Project Readiness Report

EXECUTIVE SUMMARY

This report includes information about the project readiness plan developed jointly by the Green Line project team, the Green Line Technical and Risk Committee (TRC) and external experts supporting the project in response to the conclusions and recommendations of the TRC in their project deliverability review requested by the General Manager of the Green Line Project and by Council on 2019 July 29. The readiness plan is intended to move the Green Line project from its current state of maturity, as reflected in the TRC members' findings, to the state of maturity required for successful delivery of a complex megaproject.

The TRC is comprised of independent, external, professional project advisors possessing expertise in the areas of governance, procurement, commercial matters, stakeholder consultation, design, and tunnel constructability. The TRC analysis confirms that there are critical gaps across various elements and a significant amount of work needs to be done to eliminate the gaps and complete the activities outlined in the readiness plan to ensure project success. However, it is the opinion of both the TRC and the General Manager of the Green Line Project that should the actions outlined in the readiness plan be properly executed in a timely manner and by a team having all the required competencies, this will place The City on a successful path to plan, procure and deliver the Green Line project.

Execution of the activities in the readiness plan is already underway.

ADMINISTRATION RECOMMENDATION:
That the Green Line Committee:
Recommend that Council receive this report for the Corporate Record.
RECOMMENDATION OF THE GREEN LINE COMMITTEE, 2020 FEBRUARY 21:
That Council adopt the Administration Recommendation contained in Report GC2020-0246.

PREVIOUS COUNCIL DIRECTION / POLICY

See attachment.

BACKGROUND

Since 2019 July 29, the members of the TRC have:

- completed the review of the RFQ for Contract #1 requested by Council through its adoption of Recommendation 5 on 2019 July 29;
- provided a verbal report to the Green Line Committee on project governance;
- undertaken extensive reviews and detailed analysis towards fulfilling various other aspects of the mandate included in their terms of reference and as directed by Council;
- completed their project deliverability review;
- assisted Administration in the preparation of the readiness plan; and
- provided advice that has assisted with preventative risk management.

**Transportation Report to
Green Line Committee
2020 February 21**

**ISC: UNRESTRICTED
GC2020-0246**

Green Line - Project Readiness Report

This report outlines the 2020 January 15 conclusions of the TRC's project deliverability review requested by Council through its adoption of Recommendation 4 on 2019 July 29 and includes information about a readiness plan developed jointly by the Green Line project team, the TRC, and external experts supporting the project. The readiness plan has been reviewed by the TRC to confirm that it addresses the TRC conclusions. The actions outlined in the readiness plan are intended to position The City for success in the ongoing planning, procurement and delivery of the Green Line project.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The TRC's findings have been shared with and accepted by General Manager Thompson, Managing Director Neill and the Green Line project management team. The initiatives identified in the readiness plan are being actioned under General Manager Thompson and Managing Director Neill's leadership.

The Green Line project's Executive Steering Committee (ESC), chaired by the City Manager and comprised of the General Manager and Managing Director of the Green Line Project, the Chief Financial Officer, the City Solicitor and General Counsel, the General Manager of Transportation, the Director of Calgary Transit, and the Director of Supply, has been briefed by Chair Fairbairn and General Manager Thompson on the conclusions of the TRC deliverability review and the actions and initiatives included in the readiness plan to address these conclusions. The ESC is committed to providing the Green Line project with the resources, advice, assistance, and oversight required to ensure project success.

TRC Review Process:

The TRC commenced its deliverability review on 2019 September 26 and concluded its review on 2020 January 15. The TRC's goals were to:

- assess Green Line program management, functional, technical, procurement, and risk elements to determine the deliverability readiness of the program;
- identify critical gaps that impact deliverability; and
- engage the program team to develop a readiness plan.

Steps undertaken to complete the review included:

- a review of key project management documentation;
- interviews and discussions with key project team members;
- development of preliminary TRC findings;
- a series of meetings with the General Manager and Managing Director of the Green Line Project and members of the project's senior leadership team to validate the preliminary findings; and
- presentation of final findings to the Green Line team and to ESC.

TRC Findings:

The TRC defined "successful delivery" as "a program that meets or surpasses the program objectives including safety, budget, schedule, and quality" and concluded that immediate action is required to ensure project success and avoid project failure. The TRC also concluded that

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Green Line - Project Readiness Report

execution of the readiness plan “would place the program on a strong trajectory towards success”.

It is important to note that the TRC assessed the Green Line project’s readiness relative to their view of best practice standards for mega projects. This is a higher standard than The City has historically used to assess lower cost capital projects. Administration will ensure that lessons learned from the TRC review are shared with The City’s Corporate Project Management Office for consideration when planning and executing future City capital projects.

The TRC reviewed the following elements of the Green Line program relative to those required for a successful mega project:

- program status;
- governance framework;
- business case;
- program structure;
- scope;
- property acquisitions;
- utilities;
- enabling works;
- program controls;
- technical;
- constructability;
- procurement;
- quality plan;
- reporting;
- readiness;
- risk management; and
- stakeholder plan;

and assigned to each area one of the following “Key Deliverability Scores” to indicate their view of the extent to which each key area was developed:

- aspects fully developed and functioning;
- some aspects partly developed and some still developing; or
- required aspects not developed or not fit for purpose.

The TRC’s conclusions and comments as at 2020 January 15 are outlined below. It is important to note that a great deal of additional work has been undertaken by the Green Line project team to advance progress on many of the items that are indicated. This is evidenced by the creation of a readiness plan and the other activities noted in this report.

Key Deliverability Score: Aspects fully developed and functioning:

- Property acquisition for Segment 1: 80% complete; and
- Utilities: Relocations for Segment 1 are 80 to 90% complete.

Key Deliverability Score: Some aspects partly developed and some still developing:

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- Program structure: The program has selected a matrix organizational structure that is incomplete and not understood by the team;
- Enabling works: The program needs to strengthen the management of these contracts. The program needs a stronger site presence and a renewed sense of urgency around the management of these contracts;
- Constructability: A constructability review has been conducted on Segment 1 only; and
- Risk management: The risk management plan needs to be refined and properly implemented to be used to inform decision making.

Key Deliverability Score: Required aspects not fully developed or not fit for purpose:

- Program status: Not all of the processes, procedures and staffing are currently in place to provide successful delivery of the program;
- Governance framework: The governance framework is ineffective for the delivery of a mega-program;
- Business case: The business case is outdated and incomplete;
- Scope: Segment 1 scope is mostly fixed. Segment 2 scope is under development;
- Property acquisitions: Segment 2 awaits a final scope;
- Utilities: Segment 2 awaits a final scope;
- Program controls: The program controls for a \$4.903 billion program have not been established;
- Technical: There is currently no Council-approved technical solution that meets the approved funding. Project Agreement documents for Segment 1 require extensive development and coordination;
- Procurement: The program is not tracking the progress of the preparation of procurement documentation. Procurement is tracking six to seven months behind schedule;
- Quality Plan: The program has no quality plan;
- Readiness: The program is not using a gated approved management system or readiness reviews and is proceeding in an unregulated manner; and
- Stakeholder Plan: The program has work plans but does not have an overall stakeholder management plan.

Due diligence and risk management: The role of the readiness plan:

The readiness plan was developed to:

- address gaps in program delivery identified by the TRC and required for successful execution over the ongoing alignment planning, procurement and construction stages of the program; and
- support the successful completion of set-up, planning, procurement, and delivery activities required to be ready to go to market, with minimal impacts to the overall schedule.

The following principles guided the development of the plan:

- Structure: Defining how the program and the definition of key deliverables (including scope, procurement documents and cost/schedule definition) will mature over time;

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Green Line - Project Readiness Report

- Focus: Establishing a sequence and division of work to efficiently allocate resources, prioritize activities, reduce unnecessary change, and eliminate re-work;
- Accountability: Establish transparency and ownership of activities across the Green Line team;
- Confidence: Re-establish confidence in the program and the realization of the vision from within the team as well as from within The City organization, Council and other key stakeholders; and
- Discipline: Create discipline across the program, reflected in the actions of every team member, to adhere to the plan and proactively support structure, focus, accountability, and confidence within themselves and their peers.

Many of the TRC's recommendations and the initiatives in the readiness plan are already being implemented. General Manager Thompson recently led three workshops between TRC members, project team members and other expert external advisors to share the TRC members' findings and secure input into the readiness plan that will now guide the work of the Green Line team as they complete the planning phase of the project and move into the procurement and construction phases.

2020 Objectives:

To ensure focus, Green Line project team members have agreed to achieve the following three goals for 2020:

- Governance and staffing:
 - Governance model is finalized, approved by Council and fully operational;
 - Senior leadership positions and required staff requirements are filled by people with the right level of expertise and who excel in the project environment;
 - Clear roles, responsibilities and authorities are defined, documented and embedded into the culture of the team; and
 - Program set-up and systems are in place and all actions identified through TRC reviews have been completed;
- Planning:
 - Segment 2 planning is complete and the class 3 cost and schedule for the complete Stage 1 is within the approved \$4.9 billion funding; and
 - An updated Business case is approved by Council;
- Delivery:
 - **RFQ** for Segment 1 and the LRV's have commenced;
 - Segment 1 enabling works are substantially complete; and
 - Segment 2 construction management utilities contract is issued and underway.

Work Streams:

To execute on the readiness plan, four work streams with the following objectives have been identified and staff or external experts assigned to lead each:

- Governance and Program Set-Up:

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- Establish a governance framework that allows for effective and efficient delivery; and
 - Establish processes, procedures and onboard personnel with the necessary capabilities and experience required to support effective and efficient delivery of the program;
- Planning:
 - Establish a viable scope, technical solution and funding arrangement and develop the supporting business case documentation which demonstrates the need/basis for the successful delivery of the Green Line;
- Commercial:
 - Establish the procurement strategy, develop procurement documentation (Request for Quotation, Request for Proposal, Technical Performance Requirements, and Project Agreement) and manage smaller procurements and contract administration processes necessary for successful delivery of the program; and
- Technical and Delivery:
 - Deliver the enabling works program and develop the technical deliverables (including the design, estimating, schedule, and risk deliverables) necessary for successful delivery of the program.

Future quarterly reports updating the Green Line Committee on the status of the project will outline progress of each work stream.

Stage Gates:

A best practice for all major capital projects is the creation of stage gates. Transportation Infrastructure's stage gate standard forms the basis for the Green Line stage gates.

"Stages" are the period of time between gates in which information is collected, activities are completed and deliverables are produced. Stages are designed to progressively reduce uncertainty, provide definition and validate project value.

"Gates" are formal checkpoints at which careful consideration is given as to whether a project should proceed. "Gate reviews" are used to determine this. These are formal reviews of a project or program's current state to determine whether it should proceed and if so, under what conditions.

A project does not proceed unless all requirements to move beyond each gate are fulfilled or ESC has approved proceeding without a required element.

Project Controls:

Fit for purpose systems, processes and reporting tools, such as issues and decision logs, are being established to provide consistent and pertinent information to ESC, General Manager Thompson, Managing Director Neill, the City Manager, and the Green Line team. Ensuring proper project controls are in place is critical to mega project success.

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Additional External Expertise with Mega-Project Experience:

To provide further due diligence on costing and to enhance risk management around the project, additional external project advisors with mega-project experience have been secured:

- **Steer Group:** Steer is an international public transit planning and project economics company. They were retained for their transportation planning expertise and for their expertise in writing project business cases;
- **Hanscomb Quantity Surveyors:** This international company has a 60-year history of providing tools needed to control costs and help ensure project success. Their role is to conduct an independent review of The City's cost estimates for the program;
- **SMA Consulting Ltd.:** SMA provides risk management advisory services to the project team. They were retained to assist the project team, the ESC and The City's Integrated risk management team with identifying, documenting, managing, mitigating, monitoring, transferring or avoiding risk. SMA's scope of work includes:
 - project controls program setup and implementation support; and
 - risk management, including quantified cost and schedule risk assessments.

Continuing Governance Review:

On 2019 December 17, Chair Fairbairn advised the Green Line Committee that enhancements to project governance are required. Discussions with the City Manager and ESC continue to assess the best governance model for this project. A recommendation regarding the optimal governance structure for the project will be brought to the Green Line Committee for consideration on 2020 April 17.

Stakeholder Engagement, Research and Communication

The TRC consulted with the General Manager and Managing Director of the Green Line project and various internal and external project team members in the preparation of their deliverability review and in the development of the readiness plan. Some members of the TRC facilitated or participated in the three project team workshops held since the deliverability review was finalized. The ESC was briefed on the result of the deliverability review and the purpose and content of the readiness plan.

Strategic Alignment

The TRC's work is consistent with General Manager Thompson's request for assistance from independent external experts and with the Council-approved terms of reference for the TRC.

Social, Environmental, Economic (External)

Financial Capacity

Current and Future Operating Budget:

This report has no impact on the operating budget for the project.

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Green Line - Project Readiness Report

Current and Future Capital Budget:

This report has no impact on the capital budget for the project.

Risk Assessment

The TRC was established by Administration to assist in identifying, mitigating, monitoring, transferring, or avoiding risk associated with planning, procuring and delivering the project.

The TRC's deliverability report highlighted significant risks associated with various aspects of the project. The members of the TRC, other external experts supporting the work of the project team and the members of the project team have collaborated to develop the readiness plan to address the findings of the TRC deliverability review. The project team has commenced executing the activities outlined in the plan and are securing the additional internal and external resources required to reduce risk and ensure project success. The TRC members will monitor the progress of implementing the activities and initiatives outlined in the readiness plan.

The TRC's work is continuing in accordance with General Manager Thompson's requests for assistance and Council direction. The TRC will continue to report to Council on a quarterly basis and will report its findings on various Council-directed reviews as soon as those reviews are completed.

The TRC's findings will be of continuing value to the corporation as lessons learned from this review are shared with the Corporate Project Management Office and used to inform planning, design, procurement, and delivery processes on other City capital projects.

REASON(S) FOR RECOMMENDATION(S):

In the Spring of 2019 Administration recognized the need to secure the services of independent, external, professional project advisors possessing governance, procurement, commercial negotiation, stakeholder consultation, design, and tunnel constructability expertise to assist the Green Line project team.

Council and Administration have greatly benefited from the advice of the expert advisors serving as TRC members. The TRC's deliverability review is now complete and this report outlines the TRC members' findings and the readiness plan (developed by the Green Line project team, the TRC and external experts supporting the project) designed to address gaps in the project team's readiness to successfully plan, procure and deliver the project.

It is the opinion of the TRC and the General Manager of the Green Line Project that The City will be on a successful path to plan, procure and deliver the Green Line project if the actions outlined in the readiness plan are properly executed in a timely manner and by a team having all the required competencies. Execution of the activities in the readiness plan is already underway.

ATTACHMENT(S)

1. Attachment 1 – Previous Council Direction

PREVIOUS COUNCIL DIRECTION

At its 2019 July 29 Combined Meeting, Council considered report TT2019-0811 titled “Green Line Q2 2019 Update”. The “Risk Assessment” section of that report indicated that Administration was establishing a Technical and Risk Committee (TRC) comprised of external industry project specialists in the areas of procurement, commercial strategies, stakeholder management, design, and construction to help mitigate risk associated with mega projects. Council adopted the following motions in regard to the TRC:

- Recommendation 4: “Direct Administration to have the Green Line Technical Risk Committee carry out an independent peer review of the following:
 - Overall project budget and scope;
 - Sufficiency of funding for the Project;
 - Suitability of the proposed technical solution with respect to Contract 2;
 - Deliverability of the Project;
 - Risk identification, quantification and mitigation process; and
 - Suitability and adequacy of the governance and resourcing of the Project”;
- Recommendation 5: “Direct Administration not to release the Request for Qualifications (RFQ) to the market for Contract 1 (4th Street SE to Shepard SE) until the RFQ has been reviewed by the Green Line Technical and Risk Committee”; and
- Recommendation 6: “Direct Administration to have the Green Line Technical and Risk Committee report to the SPC on Transportation & Transit Committee as part of the Green Line quarterly updates with respect to their independent peer review over the previous quarter”.

On 2019 September 18, in the “Risk Assessment” section of report TT2019-1073 titled “Green Line Q3 2019 Update”, Administration advised the SPC on Transportation & Transit that the members of the TRC had been selected and on that date, the TRC provided its first report (TT2019-1076 titled “Green Line Technical Risk Committee – Q3 2019 Update”) to the Committee. Council considered both reports on 2019 September 30 and adopted the recommendation of the SPC on Transportation and Transit in report TT2019-1076 directing Administration to have the TRC return with a quarterly update no later than Q4 2019. Report TT2019-1076 included biographies for each of the TRC members (Chair Don Fairbairn and members Albert Sweetnam, Eric Tromposch, and Erich Neugebauer) and, as Attachment 2, the TRC’s terms of reference. The terms of reference indicate that the TRC’s work is divided into two modules, module 1 focusing on the independent review of specific work elements as defined in report TT2019-0811 and module 2 focusing on preventative risk management.

On 2019 December 17, in accordance with Recommendations 4 and 6 adopted by Council on 2019 July 29, Chair Fairbairn provided a verbal report to the members of the Green Line Committee outlining the TRC’s analysis of enhancements required to Green Line project governance (GC2019-1594 titled “Technical and Risk Committee (TRC) Governance Review (Verbal)”). The Committee received his presentation for the Corporate Record.

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**ISC: UNRESTRICTED
PUD2020-0243**

**Administration Response to Motion Arising regarding TwinHills Outline Plan
(CPC2019-0823)**

EXECUTIVE SUMMARY

The purpose of this report is to provide an update to Council in response to a Motion Arising subsequent to the approval of report CPC2019-0823 for LOC2018-0024 regarding the TwinHills community in the Belvedere Area Structure Plan (ASP). This report details:

- the analysis and confirmation of the number and allocation of school sites required within the Belvedere ASP area,
- the review and reconfiguration of school sites in the TwinHills community; and
- the approach for enabling multiple-use school sites.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Planning and Urban Development recommend that Council receive this report for the Corporate Record.

**RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON PLANNING AND
URBAN DEVELOPMENT 2020 MARCH 04:**

That Council receive the Report and Attachments for the Corporate Record.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2019 July 29 Public Hearing of Council, the following Motion Arising was adopted subsequent to the approval of report CPC2019-0823 for LOC2018-0024:

That Council:

- a) Direct Administration to commence work on revisiting the number of school sites necessary in the TwinHills community based on an analysis of school site generation numbers, and Council's direction on new uses of multiple use school sites for the entire Belvedere ASP area;
- b) Work with the applicant, Joint Use Coordinating Committee (JUCC) and Site Planning Team to confirm suitable locations for the required schools prior to submission of the first outline plan application within stage 2; and
- c) If the sites south of TwinHills Ridge SE, removed from the associated Outline Plan (LOC2018-0024), are no longer required for a school site, that Administration accept a Land Use amendment application without the need to redo the Stage 1 Outline Plan, conditional on addressing the Growth Management Overlay on the subject sites.
- d) Direct that the costs for the above work to be borne by the developer.

And to return to Council through the Standing Policy Committee on Planning and Urban Development no later than Q1 2020.

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**ISC: UNRESTRICTED
PUD2020-0243**

**Administration Response to Motion Arising regarding TwinHills Outline Plan
(CPC2019-0823)**

BACKGROUND

On 2019 July 29, Council held a Public Hearing for LOC2018-0024: a land use amendment, outline plan, road closure, and policy amendment application for the development of Stage 1 of the TwinHills community within the Belvedere ASP area.

A portion of Stage 1 lands that had been identified as a joint use site in the ASP was removed from the application area. The ASP and original calculations for school site requirements had contemplated more traditional residential development, whereas the approved outline plan for TwinHills focused instead on higher intensity, mixed-use development which brought into question the appropriateness of a school in this location. This uncertainty resulted in the above Motion Arising to revisit the location and nature of schools within the Belvedere ASP area.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The approval of the land use amendment for the TwinHills community marked the second large land use amendment within the Belvedere ASP area, with the remainder of the lands not yet comprehensively developed. This has allowed for Administration to input the recently approved land use statistics for a more precise calculation of the number of joint use sites required to serve the future population of the area.

The calculation was applied to the entire Belvedere ASP area, including the approved land uses for the 130 hectares of land covered by the outline plans for the Belvedere and TwinHills communities. The calculations for the remainder of the Belvedere ASP assume that development will generally align with the use types assigned on the Land Use Concept (Attachment 1) in the Belvedere ASP.

This analysis concludes that 12.1 total joint use sites are required in the Belvedere ASP area, allocated to the various school boards as shown in Table 1 below. This table also lists the existing allocation of Calgary Board of Education (CBE), Calgary Separate School Division (CSSD) and FrancoSud schools in the Belvedere ASP.

Table 1

	Re-Calculated Requirement	Existing ASP Allocation
CBE Elementary School	4.59	5
CBE Middle School	3.21	3
CSSD Elementary School	2.29	2
CSSD Elementary & Middle (K-9) School	1.65	2
FrancoSud	0.43	0
Total	12.17	12

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This analysis indicates that the current allocation of schools in the Belvedere ASP is appropriate.

Number of Schools in Belvedere ASP

Administration met with representatives from all school boards to confirm that the new calculation results and the allocation of schools in the Belvedere ASP area continue to satisfy their anticipated needs. All school boards confirmed that the current allocation of sites meets their needs.

Municipal Reserve in TwinHills Community

The Belvedere ASP identifies the need for three joint use sites in the overall TwinHills plan area, consisting of one CBE elementary school, one CBE middle school and one CSSD elementary school. However, due to wetlands in the area, the amount of Municipal Reserve (MR) land available in this area may be insufficient to provide three full size joint use sites.

The land within the TwinHills Stage 2 area (shown on Attachment 2) contains several wetlands that may be claimed by the Province of Alberta as Environmental Reserve (ER) at the future outline plan stage. If any or all of the wetlands are claimed by the crown, the amount of MR land dedication would be reduced, due to the fact that crown-claimed wetlands and ER land is deducted from the total area to determine the net developable area, and MR dedication requirements are 10 per cent of the net developable area. Therefore, for every wetland claimed, the amount of MR to be dedicated decreases.

Location of Sites in TwinHills Community

The location of the CSSD elementary school as identified in the Belvedere ASP is at the northern edge of TwinHills Stage 1. Since the school site was not included in the Stage 1 application LOC2018-0024, the land that would be required for that site was excluded from the outline plan area and a condition was added to the application (to be implemented at the subdivision stage) that a deferred reserve caveat would be added to the Stage 2 lands to provide the MR for the provision of that school.

Administration brought this matter to the Site Planning Team to reconsider the allocation of school sites within the TwinHills Stage 1 and Stage 2 lands, as shown in Attachment 2. In that meeting, the CBE agreed to accept one full-sized joint-joint use site to accommodate their elementary and middle schools with shared playfields, and the CSSD agreed to consider alternate locations for their elementary school. However, the CSSD anticipates high demand for an elementary school in this location, and so any alternate location would need to be available in the nearer term and be in close proximity to 17 Avenue SE since there are no other CSSD schools in the Belvedere ASP area south of 17 Avenue SE.

Administration has advised the developer of the new joint use site requirements and will work with the developer and the school boards to determine the appropriate location for these alternate school sites prior to applying for an outline plan for Stage 2, however the developer has not yet provided any alternate location proposals.

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Following this compromise by the school boards at Site Planning Team, Administration brought the matter forward to the Joint Use Coordinating Committee (JUCC) for discussion and confirmation. The JUCC confirmed that the reconfiguration of school sites is acceptable and discussed the opportunities and challenges with multiple use school sites.

Multiple Use Schools

The school boards indicated that one of the fundamental challenges with introducing multiple use sites is the funding and approvals structure that is in place for new schools, between the school boards and the Ministry of Education (Province of Alberta). The Ministry of Education would need to approve the uses within the school and the construction costs of the structures. In addition, the Joint Use Agreement would need to be revised to determine and delineate details such as which parties are responsible for which costs, etc. Undertaking these tasks would require a significant amount of resources from the school boards that are not currently funded.

Some additional challenges that school boards face when contemplating multiple use sites involve the incurrence of higher than usual operating costs and determination of who should bear those costs, development of operating agreements between the various parties, coordination of timelines for development of the site (as schools typically develop when communities are nearing build out), and the extensive provincial criteria for site readiness which would need to be in alignment.

In order to explore provision of multiple use sites in the Belvedere ASP area and generally within Calgary, negotiations would need to be initiated with the Ministry of Education, with the school boards in attendance, to determine how to initiate changes to the current infrastructure and funding systems.

Costs

As directed, Administration has tracked time spent on this project related to the TwinHills joint use sites, and this cost will be included in the application fees for the community's Stage 2 application when an application is received.

Stakeholder Engagement, Research and Communication

Administration worked with the school boards, Site Planning Team, Joint Use Coordinating Committee and many internal stakeholders on this project. The groups collaborated to analyze the school joint use site needs, outline the process required to accommodate multiple use school sites in the future, and to ensure that the next stages of the TwinHills community make the most sensible use of the municipal reserve land available. Administration will continue to engage with the developer on future stages of TwinHills.

Strategic Alignment

No changes that would affect this area's alignment with City of Calgary policies or procedures are proposed at this time. The Belvedere ASP remains consistent with the policies in the

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Municipal Development Plan (2008), the South Saskatchewan Regional Plan (2014), and the (Calgary Metropolitan) Interim Growth Plan (2018).

Social, Environmental, Economic (External)

The more efficient use of MR land for the joint-joint use site will create the potential for closer, more accessible park spaces for residents of the communities in Stage 2. This may not have been possible if the provision of three full-sized, individual school sites was required. This compromise has the potential to create a more desirable, livable community for the future residents, could decrease the operating costs for the school board, and supports the creation of more sustainable communities.

Financial Capacity

Current and Future Operating Budget:

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget:

This proposal does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time. There is a Growth Management Overlay in place on all Stage 2 lands that must be removed prior to any development occurring in that area.

Risk Assessment

There are no significant risks associated with this report.

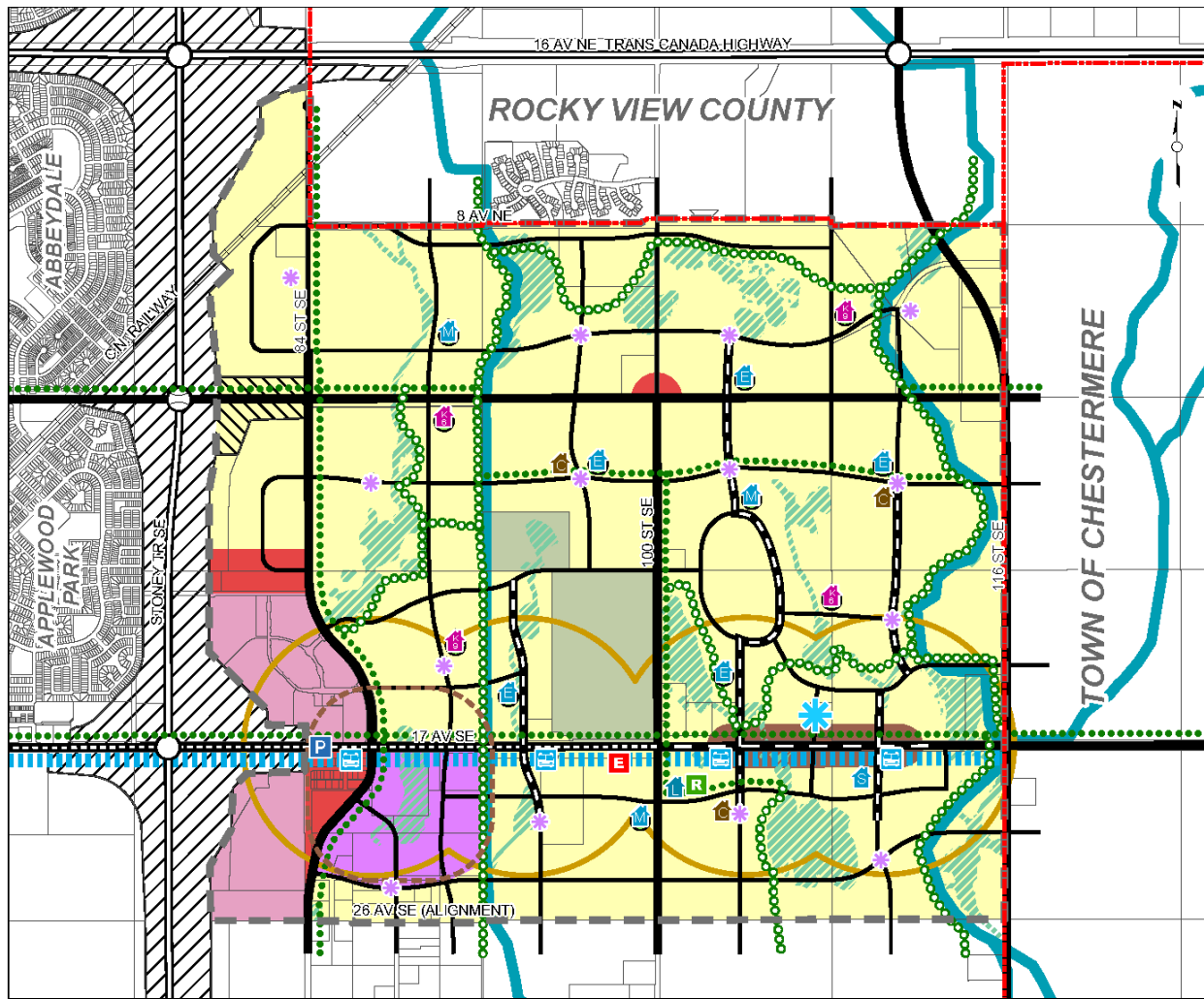
REASON(S) FOR RECOMMENDATION(S):

Administration's analysis of the school site requirements in the Belvedere Area Structure Plan area indicated that no significant changes are required to the policy to accommodate the currently anticipated development. Administration will continue working with the developer of the TwinHills community to determine the best locations for schools in that area and will return to Council if any amendments are required to the Belvedere Area Structure Plan and/or any other bylaw.

ATTACHMENT(S)

1. Belvedere Area Structure Plan - Land Use Concept
2. TwinHills Community – Stage Plan (Concept)

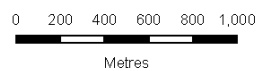
Belvedere Area Structure Plan - Land Use Concept



All land use areas shown are conceptual in nature, will be subject to further study and delineation and are to be interpreted pursuant to 3.4.1 Map Interpretation and in accordance with 3.7 Plan Limitations

Map 5

Land Use Concept



Legend

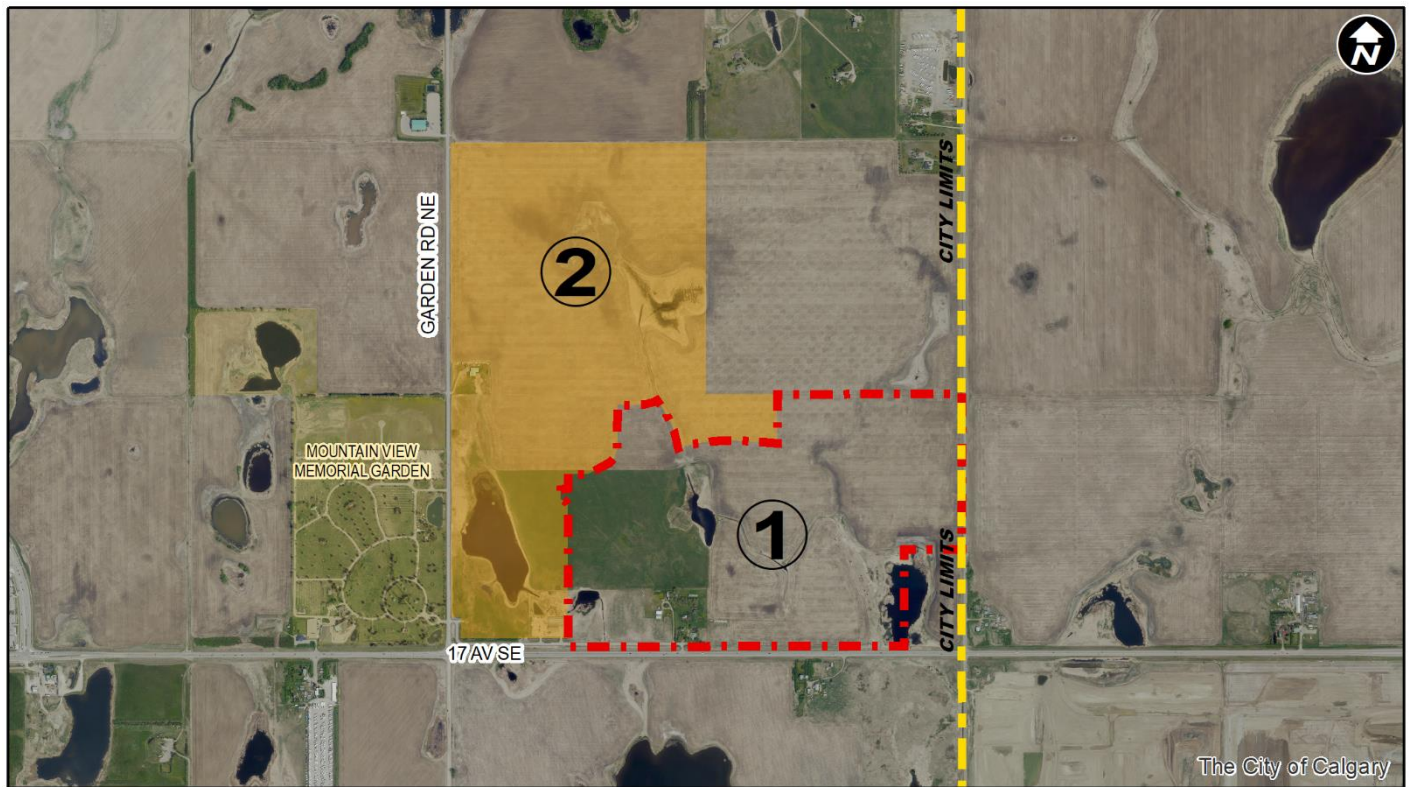
- City / Town / County Limits
- Transportation / Utility Corridor
- Plan Area Boundary
- Neighbourhood Area
- Neighbourhood Area (Restricted)
- Community Retail 2 Centre
- Special Study Area
- Urban Corridor
- Super Regional Retail Centre
- Cemetery
- Environmental Open Space Study Area
- Transit Station Planning Area
- 300m Permanent Setback

- Community Centre
- Emergency Response Station
- Library
- Recreation Facility
- Community Activity Centre
- Neighbourhood Activity Centre
- Joint Use Site
- High School
- Shepard Regional Drainage System (per 2011 AECOM Report)
- Skeletal Road
- Arterial Street
- Urban Boulevard
- Neighbourhood Boulevard
- Parkway
- Collector Road

- Full Interchange
- Overpass
- Regional Pathway
- o-o-o-o-o Green Corridor
- ||||| BRT Route
- BRT Stop
- Park and Ride
- Schools**
- CBE - Elementary School
- CBE - High School
- CBE - Middle School
- CCSD - K-6
- CCSD - K-9

This map is conceptual only. No measurements of distances or areas should be taken from this map.

TwinHills Community – Stage Plan (Concept)



Stage 1: Outline Plan Approved (LOC2018-0024)

Stage 2: Future Outline Plan(s) (Growth Management Overlay exists)

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**ISC: UNRESTRICTED
PUD2020-0204**

Update on the Establishment of a Downtown District

EXECUTIVE SUMMARY

Since the original Notice of Motion to investigate the merits of establishing a Downtown Convention District a considerable amount of work has been undertaken that affects the subject area. This work includes the development and approval of a Downtown Strategy, the continued progress on the Arts Commons Transformation project, the ongoing work of the Future of Stephen Avenue project and the initiation of a new project, in collaboration with the University of Calgary School of Architecture, Planning and Landscape known as 9 Block which is focused on piloting small interventions in and around City Hall to improve the safety and vibrancy in the area. Work has also continued with and amongst area stakeholders to advance collaboration not only on a joint marketing and hosting framework, but also on ways to better use public space to enhance the visitor experience for patrons and delegates to area culture and convention facilities.

This report summarizes some of the work underway and makes a case for formally establishing a district in the area to coordinate action and investment toward common outcomes amongst area stakeholders. The district would focus on the plans of all area stakeholders and institutions. A proposed list of projects and initiatives that will be considered for implementation and action is included in the report. Formal naming and branding of the district would be a part of that work. The work will ultimately be led through a working group to be formally established under the "Place" focus area of the Downtown Strategy that has an intended outcome of a central setting and built form that's desirable to current and future businesses, residents and visitors. Regular reporting will be through the Downtown Strategy Leadership Team structure.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Planning and Urban Development recommend that Council adopt the proposed boundary for the downtown district as outlined in Attachment 2.

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON PLANNING AND URBAN DEVELOPMENT, 2020 MARCH 04:

That Council adopt the proposed boundary for the downtown district as outlined in Attachment 2

PREVIOUS COUNCIL DIRECTION / POLICY

This work was initially directed through Notice of Motion (NoM) C2018-0671, Establishment of a Downtown Convention District, at the 2018 May 28 Regular Meeting of Council. Since that time there have been updates to Council, a number of postponements as well as additional direction from the SPC on Planning and Urban Development for further consultation with the Calgary TELUS Convention Centre and key stakeholders. The intended report back to the 2019 December SPC on Planning and Urban Development was further deferred to 2020 March. A complete summary of the previous direction is included in Attachment 1, but the most recent applicable direction is as follows:

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At the 2019 June 5 SPC on Planning and Urban Development, the following direction was provided:

Refer Report PUD2019-0677 back to the Administration, to work in partnership with the Calgary Convention Centre Authority (Calgary TELUS Convention Centre), and return to the Standing Policy Committee on Planning and Urban Development with key stakeholders, having considered multiple civic strategies, including but not limited to, The Rivers District, the Economic Strategy, the Downtown Strategy, etc., to further discuss the merits of formally establishing a Downtown Convention District, reporting back no later than Q4 2019.

BACKGROUND

Since the last update report to Council regarding NoM C2018-0671, discussions through the establishment of the Downtown Strategy have continued regarding the best way forward to improve the area surrounding the Convention Centre, Olympic Plaza, Arts Commons, the Glenbow and City Hall/Municipal Building to provide a more vibrant and attractive area to stage and host events. Taking a district-wide approach helps to consolidate and coordinate various initiatives and projects that are occurring in the area. There continues to be broad support amongst area stakeholders for treating the area as a defined district where collective action and collaboration is the best way to drive results in increasing visitors to the area, addressing social disorder and improving perceptions of safety. With new leadership taking over Arts Commons and the Glenbow and the arrival of the University of Calgary to the area, now is an opportune time to formalize this support.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The original Notice of Motion (see Attachment 1) proposed the idea of establishing a formal Convention District as the main focus for re-thinking and investing in programming and initiatives to improve the experiences of Calgarians, convention delegates and visitors. Area stakeholders (including Civic Partners, businesses, the School of Architecture Planning and Landscape and relevant City business units) are now proposing to expand the approach to be more encompassing of all issues that impact the user experiences of visitors to the area. This includes among other things:

- perceptions of safety
- vibrancy and activity
- ease of wayfinding and navigation
- engaging with vulnerable populations
- lighting
- aesthetics
- comfort and convenience

The objective is to create an environment that makes people feel welcome and comfortable to visit the area and the services and attractions including City Hall, the Central Library, Arts Commons, the Calgary TELUS Convention Centre, the Glenbow Museum and all the private businesses and destinations in the area. The approach will strive to address the needs of the businesses and visitors to the area. By focusing on the principles of comfort (both physical and

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psychological) and creating a sense of welcome and vibrancy the plan will leverage investments in programming the area through conventions, performances, exhibits and festivals. The work will also be aligned with and informed by The Future of Stephen Avenue project being co-led by the Calgary Downtown Association Business Improvement Area and the Urban Initiatives team at The City. The proposed boundary for the District is as follows (see map in Attachment 2):

- North: 5 AV
- East: 3 ST SE
- South: CP Rail Corridor
- West: Centre Street

A specific, Council endorsed boundary is necessary in order to ensure clarity of purpose and to focus energy and investment in a defined area that has common objectives. Making the area too large will dilute the impact of the proposed work on the areas that need targeted attention. The proposed boundary has been purposefully defined to include those stakeholders that share common objectives and to avoid overlap with other initiatives. Specifically, the area east of the proposed district is well covered and part of the vision for East Village and the Rivers District Master Plan. The area to the west is the focus of separate initiatives that are being led more by private interests as they seek to re-invest and animate vacant retail and office space. To the north, Chinatown is the subject of a new Area Redevelopment Plan and Cultural Plan. The area to the south of the rail tracks is part of either the Rivers District Master Plan or the Beltline Area Redevelopment Plan Phase 2 review. By defining a clear district, it is easier to identify linkages between areas and tell a story of the plan for the overall downtown area. Failure to define a boundary results in perceived overlap of initiatives and conflicting priorities.

There are four complementary tracks of work currently underway that will advance the thinking on what would be the most strategic investments and initiatives to accelerate activity and vibrancy in the area.

Research, Experimentation and Implementation

Administration, in partnership with the Mayor's Office, has been working with the University of Calgary's School of Architecture, Planning and Landscape (SAPL) and several City Business Units to facilitate innovative collaboration in the nine block area radius in and around City Hall. The area is defined as 1 ST SE to the east, 6 AV SE to the north, 4 ST SE to the west and 9 AV SE to the south. The intent of the project is to leverage the work of the Downtown Strategy and test some of the ideas in a defined geographic area with the goal of making the area more vibrant and welcoming.

This is a one-year project which is in the early stages of development.

Enhancing Venue Programming

Local venues and partners in the area are all interested in accessing public spaces in the area, including Stephen Avenue and Olympic Plaza, to enhance Calgarian, patron and delegate experience and to increase exposure of programming to the public. This could include measures such as:

- investigating/piloting events and exhibits on Stephen Avenue and in Olympic Plaza including, installations that could span several days without the need for removal

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- finding ways to create revenue through hosting of outdoor paid events; and
- installing better signage on buildings or in the public realm to advertise events and exhibits which could include partnerships with third-party advertising companies.

In order to better enable such initiatives, there is a need to review City processes governing the use and management of both Olympic Plaza and Stephen Avenue. There is also a need to review Land Use Bylaw provisions related to the installation of either temporary or permanent signage, banners or pageantry that could advertise both local events as well as third party advertising that could raise revenues to fund area initiatives that would further enhance programming in the area and can improve wayfinding during events or conventions. Finding opportunities to generate revenue that can be collected in the area would be a new way to invest in both physical improvements and programming rather than relying on unpredictable one-time funding. These ideas and opportunities are also being explored through the Future of Stephen Avenue Project and recommendations on possible actions will be forthcoming in 2020.

Vision and Policy

As per the original Notice of Motion, Administration is currently drafting a new downtown plan that will replace the existing Centre City Plan. The new plan will include specific language regarding the vision and role of this area as a major visitor destination within the overall downtown as well as specific goals and objectives for this area to give weight to the initiatives currently underway. It will be aligned with the Downtown Strategy and was informed by many of the stakeholders involved in the district.

Joint Marketing and Hosting Initiative

The Calgary Telus Convention Centre continues to work with other area facilities, hotels and private businesses to formalize a framework to guide how they will work collectively to market and host conventions and events, making use of all facilities and attractions in the area. This has resulted in the signing a number of memorandum of understandings among the partners.

Next Steps

Under the Place focus area of the Downtown Strategy, work is underway to bring these efforts together into an ongoing, multi-year program of initiatives and investments that will include further consultation with key partners in the Downtown Strategy. It is proposed that an ongoing working group focused on this geographic area will be embedded in the Downtown Strategy. While it is being led by the Place focus area, there is direct linkages and collaboration with the Live and Connect focus areas as well. Work will include investigating various funding models for area initiatives and how the area could best be governed to reach its maximum potential. Attachment 3 includes a proposed work plan that will be used by both Administration and the Downtown Strategy Leadership Team to drive work and investment over the next few years. Funding is available in 2020 to undertake small scale pilots and initiatives to test potential solutions identified through the SAPL and Future of Stephen Avenue projects. Reporting to Council will be within the context of the Downtown Strategy or as needed to implement specific actions or funding opportunities that would require Council approval.

Reporting

As mentioned, the responsibility for leading this work will be through a specific working group of area stakeholders under the guide of the Downtown Strategy's Place focus area. Reporting on

Update on the Establishment of a Downtown District

the implementation of the district will be done through the Downtown Strategy Leadership Team which will have annual communication to Council and also regular communication with Calgary Economic Development, the steward of Calgary's economic strategy, *Calgary in the New Economy*.

Stakeholder Engagement, Research and Communication

Through the Downtown Strategy implementation, Administration has engaged with key stakeholders including the Calgary TELUS Convention Centre, Arts Commons, Glenbow Museum, Calgary Downtown Association BIA, Calgary Economic Development and the Calgary Municipal Land Corporation. As the initiatives outlined in Attachment 3 are actioned, additional stakeholders will be included in discussions and projects. Further, activities undertaken through this district will be part of the overall Downtown Strategy communications plan and where required, individual projects and initiatives will have their own communication plans. Letters of Support for the proposed district and the related projects and initiatives are included in Attachment 4.

Strategic Alignment

The establishment of a district aligns with the Centre City Plan, the Civic District Public Realm Strategy, the Cultural Plan for Calgary, *Calgary in the New Economy: An Updated Economic Strategy for Calgary*, Business and Local Economy Initiative, the Resilient Calgary strategy and One Calgary's citizen priorities: A Prosperous City and A Well-Run City. The strategy for establishing a district would also support the following ongoing work: the update of the Centre City Plan, implementation of the Stephen Avenue Master Plan, the Downtown Strategy work, the development of a Winter City Strategy and exploration of the Arts Commons Transformation project. Many of the stakeholders in the area, including The City's Civic Partners, also have their own strategies and Administration has been coordinating with them to ensure alignment and to identify opportunities to leverage related work currently underway.

Social, Environmental, Economic (External)

This district is currently experiencing the impacts of social disorder challenges, particularly related to addiction and mental health concerns. This is having an impact on the perceptions of safety in both the public realm and within buildings and facilities. Focused effort to address these impacts is required not only for health and safety of the individuals experiencing addiction but also for convention delegates and those who visit this area to access the educational, arts, cultural and civic facilities, and private offices and businesses.

Spending by visitors, delegates and tourists in this district has a significant impact on Calgary's economy. Having a vibrant and safe district in this part of our downtown will not only support local business, but it will help attract additional events, meetings and conferences that add vibrancy to the overall downtown, which is a key component of the implementation of our community economic development plan, *Calgary in the New Economy* and a focus of the Downtown Strategy.

Much of the public infrastructure in the area is also nearing the end of its lifecycle and there is an opportunity through this work to plan for the future environmental quality of the area - both from an aesthetic and environmental performance perspective.

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Financial Capacity

Current and Future Operating Budget:

None as a result of this report.

Current and Future Capital Budget:

None as a result of this report.

Risk Assessment

The risk of not treating this area as a formal district is that there will not be a mechanism to align actions and investments in a coordinated way that drives agreed upon goals and results. A lack of focus and attention to the area could lead to a deterioration in the desirability of the area and negatively impact the performance of the existing facilities and their contribution to the economy. Pooling resources and having an ongoing forum for collaboration will support the plans of The City, the Calgary Telus Convention Centre, Arts Commons and the Glenbow Museum. Further it will support the considerable investments that have already been in the area by Bow Valley College, the Calgary Public Library and the Calgary Municipal Land Corporation. It will also support the health and vibrancy of businesses in the area.

REASON(S) FOR RECOMMENDATION(S):

Establishing a downtown district will help area facilities and stakeholders improve the experience of Calgarians, delegates, patrons and visitors. It will leverage and enhance the arts, cultural, and business assets in the downtown core and align with broader efforts to improve experiences for visitors and Calgarians in the area. Establishing this area as a district aligns with *Calgary in the New Economy: An Updated Economic Strategy for Calgary*, and in particular the work undertaken under the Place pillar of Downtown Strategy, and Centre City Plan.

ATTACHMENT(S)

1. Attachment 1 – Original Notice of Motion and Summary of Previous Council Direction
2. Attachment 2 – Map of Proposed Downtown District Boundary
3. Attachment 3 – Proposed Projects and Initiatives as part of the Proposed Downtown District
4. Attachment 4 – Letters of Support for the Downtown District

Original Notice of Motion and Summary of Previous Council Direction



Report Number: C2018-0671

Meeting: Regular Meeting of Council

Meeting Date: 2018 May 28

NOTICE OF MOTION

RE: ESTABLISHMENT OF A DOWNTOWN CONVENTION DISTRICT

Sponsoring Councillor(s): COUNCILLOR COLLEY-URQUHART

WHEREAS it is timely for The City of Calgary to re-frame our traditional convention centre approach to embrace a broader area around the Calgary TELUS Convention Centre (CTCC) as something larger than just the buildings; with a Downtown Convention District being more inclusive, strengthen stakeholder engagement, re-invigorate the downtown and enhance collaboration amongst the various entities that service large group gatherings including Calgarians, Canadians and/or delegates from around the world;

AND WHEREAS the first step to defining a Downtown Convention District would be an inclusive approach to encase a set of parameters that would be used to draw various groups and organizations together to result in a Team Calgary message; encompassing the necessary branding to market our city and the downtown core as a place to convene, interact and connect with people while adding pageantry, naming and signage to visually embrace the area;

AND WHEREAS the Centre City Plan provides for the establishment of special districts and the creation of District Strategies and is currently in the process of being reviewed and updated which could include a more specific policy perspective for the establishment of a Downtown Convention District;

AND WHEREAS a Downtown Convention District (following preliminary discussions) with those listed below could include, but not be limited to:

- Calgary TELUS Convention Centre
- Calgary Marriott Downtown Hotel
- Hyatt Calgary Downtown
- Glenbow Museum
- Arts Common
- Olympic Plaza
- The Fairmont Palliser Hotel
- Palliser Square
- Le Germain Calgary Hotel

AND WHEREAS the key to success of a Downtown Convention District would result in enhanced cooperation with all the partners working together to attract, welcome and host guests in the downtown core, to ensure that they feel embraced by Calgary and connected to our history, arts, culture and business community;

AND WHEREAS for this approach to succeed the partners would need to ensure there is a unified approach for the:

- Coordination of rentable space into a single entry system for the convention sales team;
- Joint marketing messaging and materials;
- Coordination of contracts for renting out space;
- Coordination of food services;
- Coordination of AV services; and
- Coordination of Events Management teams.

AND WHEREAS a Downtown Convention District would enable Calgary to market a potential combined 240,652 square feet of mixed format meeting space, 1250 connected hotel rooms and 6 theatres ranging in capacity from 185 to 1797 people (up from the current offering of 122,000 square feet with no theatre spaces);

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

- a) Engage with the CTCC and key stakeholders to examine the merits of formally establishing a Downtown Convention District;
- b) Bring proposed analysis and amendments for a Downtown Convention District to Council through the Standing Policy Committee on Planning and Urban Development no later than December 2018; and
- c) Upon Council direction by December 2018, return with an updated Centre City Plan along with associated amendments for a Downtown Convention District no later than Q1 2019 for final Council approval.

Summary of Previous Council Direction

On 2019 November 6, SPC on Planning and Urban Development deferred reporting on the Establishment of a Downtown Convention District (PUD2019-1409) from December 2019 to March 2020.

At the 2019 June 5 SPC on Planning and Urban Development, the following direction was provided:

Refer Report PUD2019-0677 back to the Administration, to work in partnership with the Calgary Convention Centre Authority (Calgary TELUS Convention Centre), and return to the Standing Policy Committee on Planning and Urban Development with key stakeholders, having considered multiple civic strategies, including but not limited to, The Rivers District, the

Economic Strategy, the Downtown Strategy, etc., to further discuss the merits of formally establishing a Downtown Convention District, reporting back no later than Q4 2019.

At the 2019 January 14 combined meeting of Council, the following direction was provided to Administration:

That with respect to Postponed Report C2018-0671, the following be adopted, after amendment:

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

1. Engage with the Calgary TELUS Convention Centre (CTCC) and key stakeholders to examine the merits of formally establishing a Downtown Convention District, reporting back in Q2 2019;
2. Bring proposed analysis and amendments for a Downtown Convention District to Council through the Standing Policy Committee on Planning and Urban Development no later than December 2019; and
3. Upon Council direction by December 2018, return with an updated Centre City Plan along with associated amendments for a Downtown Convention District no later than Q4 2019 for final Council approval.

At the 2018 September 24 combined meeting of Council, the following direction was provided to Administration:

That with respect to Report C2018-0671, the following be adopted:

That Council:

1. Postpone Report C2018-0671 to no later than a 2019 January Meeting of Council; and
2. Direct that the closed meeting discussions with respect to Report C2018-0671 remain confidential pursuant to Section 24 and 25 of the Freedom of Information and Protection of Privacy Act.

At the 2018 May 28 regular meeting of Council a Notice of Motion was brought forward by Councillor Colley Urquhart providing the following direction:

That Councillor Colley-Urquhart's Motion, as follows, be postponed to the 2018 September 24 Regular Meeting of Council.

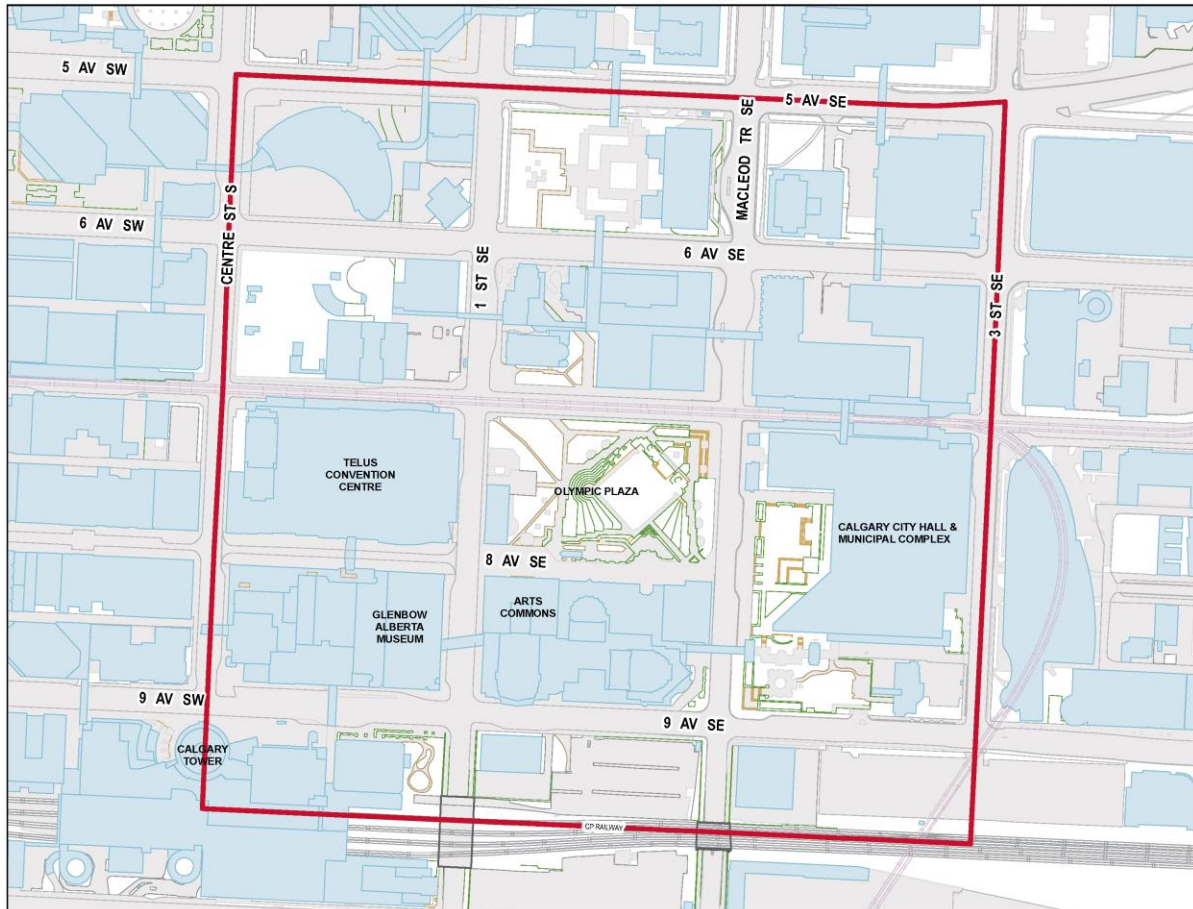
That with respect to Notice of Motion C2018-0671, the following be adopted:

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

1. Engage with the Calgary TELUS Convention Centre (CTCC) and key stakeholders to examine the merits of formally establishing a Downtown Convention District;
2. Bring proposed analysis and amendments for a Downtown Convention District to Council through the Standing Policy Committee on Planning and Urban Development no later than December 2018; and

3. Upon Council direction by December 2018, return with an updated Centre City Plan along with associated amendments for a Downtown Convention District no later than Q1 2019 for final Council approval.

Map of Proposed Downtown District Boundary



Proposed Projects and Initiatives as Part of the Downtown District

Proposed Performance Measures:

- Numbers of events and visitors per year
- Perceptions of safety
- Visitor experience satisfaction

Number	INITIATIVE
2020	
1	Investigate ways to enable of longer term road closures to support multi-day events.
2	Investigate ways to enable greater programming and revenue generating options in Olympic Plaza
3	Pilot a banner program to promote events at Arts Commons, Convention Centre, the Glenbow Museum and events hosted by the Calgary Downtown Association BIA
4	Complete 9 Block Project and identify opportunity to pilot projects and interventions
5	Investigate a 5G pilot to help activate a living lab playground that strengthens the innovation ecosystem while adding programming opportunities for area stakeholders
6	Implement coordinated marketing and hosting amongst area stakeholders
7	Include policies in the new Centre City Plan that define the boundaries of the district and set direction for future direction and desired outcomes.
2021-2023	
8	Review signage regulations in the area with a view to identifying any barriers that may exist to enhance promotion of local attractions and installation of wayfinding for the district.
9	Design and construct short term modifications to Olympic Plaza and Stephen Avenue that will enable the hosting of more events activities throughout the year
10	Explore governance models and criteria to enable revenue generation and revenue sharing amongst area stakeholders. Revenues would be used to invest in programming and improving the physical environment. Possible revenue sources include parking revenues, facility rental (for private events) and third-party advertising opportunities.
11	Develop area brand strategy
2024+	
12	Plan, design and construct long term reconstruction of Olympic Plaza
13	Design and construct improvements to Stephen Avenue within the district

Letters of Support for the Proposed Downtown District

Experience Art And Culture At Glenbow

Glenbow
130 9 Avenue SE
Calgary, Alberta
Canada T2G 0P3
T 403 268 4100
glenbow.org

Urban Initiatives-Downtown District
Calgary Growth Strategies
The City of Calgary
Floor 1, Municipal Building, 800 Macleod Trail SE
P.O. Box 2100, Station M, Calgary, AB Canada T2P

February 25, 2020

To Committee Members

At Glenbow, we believe in bringing art and culture to life, inviting new perspectives, inspiring creativity and moving our community forward. We reach beyond the walls of our building and make connections throughout our community and around the world.

At the center of our work today, is a focus on the Glenbow experience – approachable, inclusive, and authentic. Through our exhibitions and programming we provide an inspiring and accessible platform for navigating compelling and challenging stories, ideas and concepts. With carefully curated travelling exhibitions and by using our diverse and remarkable collections, we contribute to and shape the conversation about the important role that art and culture play in our communities, in a way that only Glenbow can.

Glenbow has made a concerted effort to deepen relationships with other arts organizations, civic partners, community organizations and all three levels of government. We recognize that Glenbow is part of a large and diverse ecosystem. We know we play an important role in contributing to the vibrancy of the arts sector, activating the city centre and enhancing our communities. We are establishing strong allies across many sectors who are working towards shared goals to build a strong and resilient city.

Glenbow is excited to support Urban Initiatives Downtown District as they work to engage stakeholders, build strong partnerships and work to establish a Downtown District.

Experience Art And Culture At Glenbow

Glenbow
130 9 Avenue SE
Calgary, Alberta
Canada T2G 0P3
T 403 268 4100
glenbow.org

As a cornerstone institution in the proposed Downtown District, Glenbow is very supportive of the initiatives being suggested by the Urban Strategies group to pilot projects and interventions and investigate programming opportunities to activate this area. Glenbow values our strong relationships with the City of Calgary, Calgary TELUS Convention Centre, the Calgary Downtown Association and Arts Commons. We look forward to working closely with these partners as we move to define the Downtown District.

Respectfully,



Nicholas R. Bell
President & CEO



120 9th Avenue SE | Calgary, Alberta | Canada T2G 0P3 | calgary-convention.com
main 403.261.8500 | fax 403.261.8520 | toll free 1.800.822.2697

February 26, 2020

City Clerk's Office
Mail Code #8007
P.O. Box 2100, Station M
Calgary AB Canada T2P 2M5

RE: Update on Convention District Report to SPC on PUD March 4, 2020

The Calgary TELUS Convention Centre is pleased to endorse the proposed projects and initiatives outlined in the updated Downtown District report.

Established in 1974 as Canada's first purpose-built convention centre, the Calgary TELUS Convention Centre continues to deliver professional, customized and personalized service to our clients, and more than 175,000 of our delegates each year. The offerings and contributions of the Centre's downtown partners and fence-line neighbours, identified in the report, not only helps to enrich the lives of Calgarians but also puts our city on the global cultural map. Collectively our organizations have for decades created a distinctive downtown Calgary experience that welcomes visitors to our city and draws them back in the future. Unfortunately, recent challenging economic and social conditions have threatened the health and vibrancy of Calgary's downtown core. It is critical that the revitalization plan, as outlined in the Planning & Development Report, can be actioned with the full support of Council.

We are supportive of the development and approval of a Downtown Strategy to formalize and strengthen these trusted neighbourhood relationships in order to sustain the positive metropolitan experience our clients and delegates, as well as leisure tourists in Alberta and locals, are seeking. The long-term health of Calgary's downtown core and business community would benefit greatly as a result of enhanced conversations and strategic solutions developed through a focused 9 Block lens. We believe that this guiding strategy will unlock even greater potential to shape historic Stephen Avenue into a marquee destination for both Calgarians and their visitors.

On behalf of the Calgary TELUS Convention Centre, I am confident that together we can set achievable goals and work together to revitalize the downtown so it remains desirable to current and future businesses, residents and visitors to Calgary. We are looking forward to this important collaboration with our partners and the City of Calgary.

Sincerely,

Kurby Court
Acting President & CEO
Calgary TELUS Convention Centre

CC: Members of Council
SPC on Planning and Urban Development
Thom Mahler, Urban Initiatives, Calgary Growth Strategies
Wellington Holbrook, Chair of the Board of Directors, Calgary Convention Centre Authority

Deputy City Manager's Office Report to
SPC on Utilities and Corporate Services
2020 February 19

ISC: UNRESTRICTED
UCS2020-0229
Page 1 of 2

Summary of Green Line Real Property Transactions for the Fourth Quarter 2019

EXECUTIVE SUMMARY

This report for information is a summary of closed real property transactions for the Green Line LRT project that occurred in the Fourth Quarter 2019.

ADMINISTRATION RECOMMENDATION:

The Standing Policy Committee on Utilities and Corporate Services recommends that Council:

1. Direct that the Report be held confidential pursuant to Sections 23 (Local public body confidences), 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* until the report is published in the Council agenda; and
2. Direct that Attachments be held confidential pursuant to Sections 23 (Local public body confidences), 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* unless The City is required to disclose pursuant to the *Expropriation Act (Alberta)*, to be reviewed 2029 February 12.

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON UTILITIES AND CORPORATE SERVICES, 2020 FEBRUARY 19:

That Council:

1. Receive this Report and Attachments for the Corporate Record; and
2. Direct that the Attachments remain confidential pursuant to Sections 23 (Local public body confidences), 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* unless The City is required to disclose pursuant to the *Expropriation Act (Alberta)*, to be reviewed 2029 February 12

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 March 21, Council approved the recommendations contained in C2018-0333 Proposed Delegated Authority, Stage 1 Green Line LRT Project, authorizing, amongst other matters, the Approval Process which granted authority for approval of all real property transactions pursuant to Attachments 1 and 2; replaces the approval process previously approved in LAS2015-53; and directed Administration to report quarterly to Council through the Standing Policy Committee on Utilities and Corporate Services regarding all proposed transactions completed and approved through the Approval Process.

On 2016 February 08, Council approved LAS2016-05 to LAS2016-40, authorizing, amongst other matters, the proposed purchase(s) of the Property(s).

On 2016 January 11, Council approved LAS2015-53 Proposed Acquisition Strategy for the southeast leg of the Green Line 4th Street/10th Avenue SE – Douglas Glen, authorizing, amongst other matters, the Approval Process which granted delegated authority for approval of Green Line proposed transactions pursuant to the criteria outlined in Attachment 1; and directed Administration to report quarterly to the Land and Asset Strategy Committee and Council regarding all proposed transactions approved through the Approval Process.

Deputy City Manager's Office Report to
SPC on Utilities and Corporate Services
2020 February 19

ISC: UNRESTRICTED
UCS2020-0229
Page 2 of 2

Summary of Green Line Real Property Transactions for the Fourth Quarter 2019

BACKGROUND

Pursuant to C2018-0333, Administration must report quarterly to Council through the SPC on Utilities and Corporate Services regarding all transactions completed and approved through the Approval Process.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Refer to the Attachments for a summary of closed transactions for the Green Line LRT project that occurred in the Fourth Quarter 2019.

Valuation

The total compensation associated with each real property transaction may include, but is not limited to market value, market value of any exchange lands, incentive payments, non-cash items (such as construction activities or services) and any other payments/costs required to facilitate the negotiation and finalization of a proposed real property transaction. The final terms and conditions of each transaction have been endorsed by Administration's Valuation Review Committee.

Stakeholder Engagement, Research and Communication - Not applicable.

Strategic Alignment - Not applicable.

Social, Environmental, Economic (External)

Social - Not applicable.

Environmental

The real estate processes are in accordance with The City of Calgary's Sales, Acquisitions and Leases Environmental (S.A.L.E.) Policy.

Economic (External) - Not applicable.

Financial Capacity

Current and Future Operating Budget - Not applicable.

Current and Future Capital Budget - Not applicable.

Risk Assessment - Not applicable.

REASON(S) FOR RECOMMENDATION(S):

Report for information.

ATTACHMENT(S)

1. Attachment 1 – Summary of Green Line Acquisitions for the Fourth Quarter 2019
2. **Corrected** Attachment 2 – Summary of Green Line Land Exchanges for the Fourth Quarter 2019
3. Attachment 3 – Summary of Green Line Occupations for the Fourth Quarter 2019

Dispatch Service Agreement Calgary 9-1-1 (Verbal), IGA2020-0253

RECOMMENDATION OF THE INTERGOVERNMENTAL AFFAIRS COMMITTEE, 2020 March 04:

That with respect to Verbal Report IGA2020-0253, the following be adopted:

That Council:

Receive the distribution for the Corporate Record and keep the distribution confidential pursuant to Section 21 (Disclosure harmful to intergovernmental relations) and Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, except as needed to advance this file, until dispatch service agreement has either expired or is re-negotiated.

Review By: 2021 March 31

Excerpt from the Minutes of the Regular Meeting of the Intergovernmental Affairs Committee, held 2020 March 04:

Moved by Councillor Farkas

That with respect to Verbal Report IGA2020-0253, the following be approved:

That the Intergovernmental Affairs Committee:

1. Direct that Closed Meeting discussions and the distribution remain confidential pursuant to Section 21 (Disclosure harmful to intergovernmental relations) and Section 24 (Advice from officials), of the *Freedom of Information and Protection of Privacy Act*; except as needed to advance this file;
2. Direct that the Confidential Status of the distribution be reviewed by 2021 March 31; and
3. Direct that the distribution be forwarded to the 2020 March 16 Combined Meeting of Council.

MOTION CARRIED

Attachment:

Distribution received at the meeting (CONFIDENTIAL)

**Community Services Report to
Priorities and Finance Committee
2020 March 10**

**ISC: UNRESTRICTED
PFC2020-0251**

Golf Sustainability Framework Q1 2020 Update

EXECUTIVE SUMMARY

This report is an update on three initiatives under the Golf Sustainability Framework, following a Briefing Note (PFC2019-1227) provided to Council on 2019 October 8.

The first initiative, Timeline for Request For Proposal (RFP) Development, responds to Notice of Motion C2019-1468 directing the development of an RFP to secure a long-term management contract for operation and service provision at all City of Calgary golf courses and reporting back with a scope of work to deliver the RFP (see Attachment 1).

The second initiative, Real Estate & Development Services' Feasibility Assessments, summarizes findings as shared with Council in 2019 October (PFC2019-1227), and outlines next steps for completing the analysis of real estate potential at Richmond Green and Shaganappi Point golf courses (see Attachment 2).

The third initiative, Status of Golf Sustainability Framework Initiatives, provides a current state of ongoing golf sustainability initiatives as committed to in 2019 October (PFC2019-1227), including an update of plans for the interim use of Richmond Green in 2020 (see Attachment 3).

ADMINISTRATION RECOMMENDATION:

That the Priorities and Finance Committee recommend that Council:

1. Forward this report to the 2020 March 16 Combined Meeting of Council as an item of urgent business; and
2. Direct Administration to proceed with Stage 2 assessments for Richmond Green and Shaganappi Point golf courses.

RECOMMENDATION OF THE PRIORITIES AND FINANCE COMMITTEE, 2020 MARCH 10:

That Council direct Administration to:

1. Investigate a shorter time frame option and expression of interest from the marketplace;
2. Prepare a financial report on the closure of Richmond Green and options for stage 2 assessment; and
3. Discontinue further investigation of Shaganappi Point golf course; and
4. That Recommendations 1 and 2 return to the 2020 April 21 Priorities and Finance Committee Meeting.

PREVIOUS COUNCIL DIRECTION / POLICY

Administration has responded to a series of golf-related directions from Council since The City's golf courses began receiving tax support in 2013. Recreation has consolidated multiple work streams under the Golf Sustainability Framework (see Attachment 4, Previous Council Direction). To allow for more streamlined reporting, a procedural change moved Administration's reporting requirement for Notice of Motion C2019-1468 from the SPC on Community and Protective Services to the Priorities and Finance Committee. Administration's annual update to the SPC on Community and Protective Services on progress of the Golf Sustainability Framework was also transferred to the Priorities and Finance Committee.

This report directly responds to the following Council directions:

**Community Services Report to
Priorities and Finance Committee
2020 March 10**

**ISC: UNRESTRICTED
PFC2020-0251**

Golf Sustainability Framework Q1 2020 Update

On 2019 November 18, Council adopted Notice of Motion C2019-1468 (Golf course Operations Request For Proposal):

1. Direct Administration to develop a Request For Proposal (RFP) and go to market to secure a long-term management contract for the operations and service provision of all City of Calgary golf courses.
2. Direct Administration to develop a scope of work to deliver an RFP to the market and report back to Council through the SPC on Community and Protective Services no later than early Q1 2020 with a timeline and funding recommendation required to create, administer and evaluate and RFP process.

On 2019 May 27, Council adopted Report CPS2019-0475 (Golf Course Real Estate and Development Feasibility Assessment), as amended:

1. Adopt the recommendation to proceed with Stage 1 of the proposed plan for a Real Estate and Development Assessment, leveraging The City's internal expertise to conduct an initial assessment of all golf course properties and return to the Priorities and Finance Committee no later than Q1 2020 with a recommendation on which properties should be included in Stage 2 of the analysis. The plan for Stage 2 will include Administration's recommendation on which golf course lands require further analysis as well as recommendations on timeline, scheduling and costs for Stage 2; and
2. Not include McCall Lake Golf Course in any development assessments given a Redevelopment Feasibility Study was completed on McCall Lake Golf Course in 2014, and the recent investment and improvements to the course in 2018-2019.

On 2019 June 17, Council approved the Richmond Green Golf Course Closure Notice Of Motion (C2019-0790). Closure of Richmond Green in 2019 September prompted Administration to explore interim publicly accessible uses at the site until completion of Stage 2 of Real Estate and Development Services' feasibility assessments are completed and long-term plans for the site are confirmed.

BACKGROUND

This report coordinates recent directions into a single report to provide Committee and Council with an overview of activities impacting golf course sustainability, streamlining reporting and improving administrative efficiency.

The City operates seven municipal golf courses with 90 holes and three driving ranges at five locations. These golf courses provide \$10 to \$11 million in direct economic activity each year, requiring an average annual tax support of \$700 thousand.

From 1995 to 2012, The City's golf courses were self-supporting, funding both their operational and capital requirements. Over this 17-year period, golf revenues contributed an additional \$3.6 million to Corporate general revenues and funded \$14 million in golf course capital projects; contributing to the quality and longevity of these assets.

In 2013, with consideration given to Golf's increasing expenses, constrained revenue growth in an increasingly congested market and capital funding challenges, Council removed Calgary Recreation's requirement to provide \$200 thousand annually in golf revenues to Corporate general revenues and allowed City golf courses to receive operating tax support. Between 2013

**Community Services Report to
Priorities and Finance Committee
2020 March 10**

**ISC: UNRESTRICTED
PFC2020-0251**

Golf Sustainability Framework Q1 2020 Update

and 2017, tax support for City golf courses has averaged seven per cent or \$700 thousand annually. Through the Golf Sustainability Framework, Administration and Council are identifying opportunities to improve golf course operations on City lands with the target of reaching net zero operating support by the end of 2022.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

This section describes investigations for each of Council's recent directions.

1. Response to NOM C2019-1468 – Executing the Requests For Proposals
2. Real Estate & Development Services – Feasibility Assessments
3. Interim Use at Richmond Green

1. Response to NOM C2019-1468 – Executing the Requests For Proposals

To develop an RFP to secure a long-term management contract for golf course operation and service provision, Administration will pursue the course of action outlined below.

In light of capacity constraints, Administration will engage a consultant to oversee the RFP design process in collaboration with The City's Supply Management. A two-step process is required to execute this approach. An initial RFP (RFP1) will identify an external consultant with the skills and knowledge to prepare and deliver of a management contract RFP (RFP2). The consultant will provide an independent industry perspective and expert evaluation of critical business areas. This includes ensuring that ongoing public benefit is realized through contracting to an external service provider.

RFP1 will be published to market through The City's procurement processes following this report. The consultant will work in collaboration with Administration to develop RFP2, which will be used to solicit responses from qualified golf course operators. The consulting scope will include developing RFP2's evaluation criteria and procurement document content.

Through this scope of work, by 2021 Q3, Administration will provide an RFP opportunity for third-party operators to bid on a long-term management contract for the operation and service provision at all City of Calgary golf courses. Administration will update Council at key milestones throughout the development of RFP2. For a preliminary schedule and additional explanation, see Attachment 1.

2. Real Estate & Development Services – Feasibility Assessments

A two-stage real estate and redevelopment feasibility assessment of City golf course lands is underway. Administration has concluded Stage 1 and a summary of results for all sites is provided in Attachment 2. Findings identified conditional potential for redevelopment at two sites: Richmond Green Golf Course if the land analysis scope is expanded to include City lands adjacent to the golf course, and portions of Shaganappi Point Golf Course with the highest potential for redevelopment.

Stage 2 will examine the land development potential of these specific sites and is divided into milestones (i.e. geotechnical, planning, engineering, environmental analyses and public engagement). Milestones will be stage-gated sequentially based on the outcomes of each. For example, if preliminary analysis reveals redevelopment of a site is not feasible, further expenses on investigation will not proceed. This approach ensures effective management of resources. Work on Stage 2 will begin upon Council approval of this report.

**Community Services Report to
Priorities and Finance Committee
2020 March 10**

**ISC: UNRESTRICTED
PFC2020-0251**

Golf Sustainability Framework Q1 2020 Update

3. Interim Use at Richmond Green

In 2019, Council directed Administration to close Richmond Green Golf Course and identify options for future use of the lands. Stage 2 of Real Estate & Development Services' feasibility assessment will provide a comprehensive analysis of the long-term potential for Richmond Green. While Stage 2 is underway, an opportunity exists to provide interim use at the site.

On an interim basis, beginning in Q2 2020, Calgary Recreation will activate the Richmond Green site as a public park. This will allow the site to continue providing recreational opportunities for the community and ensure the land remains activated, safe and accessible to the public. Use of the site will be assessed on an annual basis until Stage 2 of Real Estate & Development Services' feasibility assessment is completed and long-term plans for Richmond Green are confirmed.

Stakeholder Engagement, Research and Communication

In the development of this report, Administration engaged internal stakeholders from Supply Management, Labour Relations, Calgary Recreation Capital Development, Finance and Real Estate & Development Services. Administration also informed The City's citizen-based Golf Management Advisory Committee of ongoing work within the Golf Sustainability Framework.

Strategic Alignment

The Golf Sustainability Framework is a mechanism for responding to Council direction in a diligent, expedient and transparent way. Initiatives within the Golf Sustainability Framework's scope align with Council's priorities to build: a City of Inspiring Neighbourhoods; a Healthy and Green City; and a Well-Run City. The proposed approach aligns with the *Sport for Life Policy*, that describes The City's commitment to affordable, accessible and comprehensive recreation and open space opportunities and programs.

Social, Environmental, Economic (External)

The Golf Sustainability Framework ensures municipal golf courses continue to be effective active and passive year-round outdoor public environments. Activities at the sites include golf leagues and tournaments, school and community group introductory programs, learn-to-golf programs for children and youth, and opportunities for winter activities like cross-country skiing and the annual Lions Festival of Lights. These open green spaces provide opportunities for individuals to be active and social, promoting health and overall well-being.

Golf courses are large natural areas, providing green space in the built environment while accommodating City infrastructure (e.g. storm water and transportation corridors). They are an important part of Calgary's ecosystem, contributing to the urban forest, providing habitat and corridors for wildlife, and acting as flight pathways and urban wetlands.

The Golf Sustainability Framework ensures the economic benefit of golf course operations is maximized year over year. RFP2 and Real Estate & Development Services' Stage 2 analysis

**Community Services Report to
Priorities and Finance Committee
2020 March 10**

**ISC: UNRESTRICTED
PFC2020-0251**

Golf Sustainability Framework Q1 2020 Update

provide opportunities to understand the economic benefits of making systemic changes to the provision of golf services to Calgarians.

Financial Capacity

Current and Future Operating Budget:

- **Executing the RFPs**
Consulting for this scope of work will be funded from the Golf Reserve fund. This represents a one-time funding need and will not carry forward as an ongoing operational expense.
- **Real Estate & Development Services – Feasibility Assessments**
Costs for Stages 1 and 2 will be funded through the Real Estate Reserve. This represents a one-time funding need and will not carry forward as an ongoing operational expense.
- **Interim use at Richmond Green**
There are no operational budget impacts resulting from the interim use described in this report.

Current and Future Capital Budget:

- Costs for the interim use of Richmond Green are minimal (up to \$10 thousand). This represents a one-time capital cost to transition the site. Once Stage 2 assessments are complete, future capital costs will be identified.

Risk Assessment

- **Executing the RFPs**
There is a risk that RFP2 could have legal implications due to the labour relations component of the scope of work. While there might be a desire to expedite this work, due diligence must be undertaken to limit labour relations implications. In designing the contract management structure, Administration will be required to identify legal approaches to mitigate and decrease risks with RFP2. This includes using a stage-gate approach for key components such as compliance with Alberta Labour Code, impacted Collective Agreements, and contract management structure prior to going to market.
- **Real Estate & Development Services – Feasibility Assessments**
There is a financial exposure risk presented by Stage 2 of Real Estate & Development Services' analysis. If land development is found to be unfeasible only at final evaluation, the aggregate costs of the feasibility assessments would be borne by the Corporation. Cost obligations will be mitigated through effective budget management using a stage-gating approach that provides project 'off-ramps' to cease work if land development is found to be unfeasible after each investigation activity.
- **Interim use at Richmond Green**
There is a low reputational risk that the interim use of Richmond Green may create a long-term service expectation in the local and broader community. Proactive public communication will help manage public expectations around short- and long-term service opportunities at the site.

Community Services Report to
Priorities and Finance Committee
2020 March 10

ISC: UNRESTRICTED
PFC2020-0251

Golf Sustainability Framework Q1 2020 Update

REASON(S) FOR RECOMMENDATION(S):

Adding this item as urgent business to the 2020 March 16 Combined Meeting of Council agenda ensures Council has received information about the Request For Proposal process, allowing Administration to immediately proceed according to the proposed schedule.

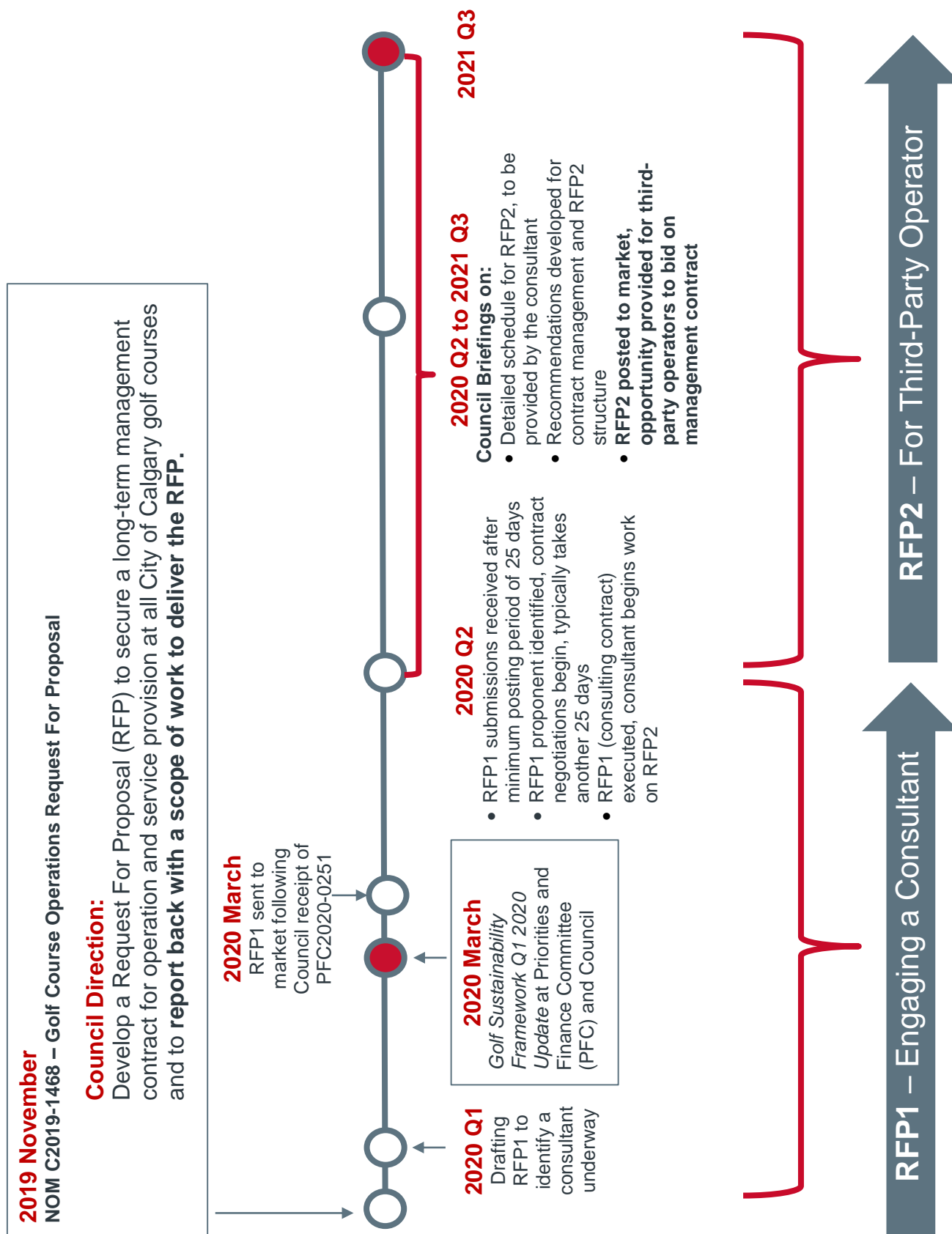
Proceeding with Stage 2 assessments for Richmond Green and Shaganappi Point golf courses allows Administration to identify the redevelopment potential of the sites.

ATTACHMENT(S)

1. Timeline for Request For Proposal Development
2. Real Estate and Development Services Feasibility Assessment
3. Status of Golf Sustainability Framework Initiatives
4. Previous Council Direction

Timeline for Request For Proposal Development

Timeline for Request For Proposal Development



Real Estate and Development Services Feasibility Assessment

In 2018 November at the *One Calgary* budget discussions, a Motion Arising directed Calgary Recreation to prepare a plan for a real estate and development assessment on all City-owned golf courses for the purposes of decommissioning, repurposing and/or divesting of land, for reinvestment back into sustaining the overall operations of Golf.

Recreation engaged Real Estate and Development Services (RE&DS) to assist with the formation of a real estate plan to complete this analysis. RE&DS responded by developing a two-stage plan to determine the development potential, limitations and risks at each municipal golf course. On 2019 May 27 Council approved the two-step work plan.

On 2019 October 08, a briefing note (PFC2019-1227) detailed the Stage 1 findings on four of the six sites identified for review: Richmond Green, Confederation Park, Lakeview and McCall Lake. Table 1: *Stage 1 Assessment findings presented 2019 October 08 in briefing note (PFC2019-1227)*, on the next page, provides a review of the previous report findings.

Stage 1 consisted of screening each course through a feasibility assessment matrix, to determine if and where land at each course could be considered for repurposing or disposition.

The feasibility matrix in Stage 1 was developed internally by RE&DS and consists of the following criteria:

- Historical and Background Information;
- Environmental and Development Encumbrances;
- Location;
- Regulatory and Policy Considerations;
- Planning Considerations;
- Servicing and Site Access Considerations;
- Mobility;
- Alignment with the Municipal Development Plan (MDP);
- Market Opportunity;
- Cost Risks; and
- Golf Course Operations.

This report provides the completion of Stage 1 findings for the remaining sites: Maple Ridge and Shaganappi Point, a summary of recommended next steps and an overview of the scope of work defined as Stage 2 Analysis.

Real Estate and Development Services Feasibility Assessment

Table 1 – Stage 1 Assessment findings presented 2019 October 08 in briefing note (PFC2019-1227)

Golf Course	Constraints	Proceed to Stage 2
Richmond Green	<ul style="list-style-type: none"> Golf course lands encumbered by City infrastructure and future expansion of Water Services infrastructure 	Yes - Stage 2 Analysis subject to broadened scope to include adjacent City lands stewarded by Water Resources & Calgary Parks.
Confederation Park	<ul style="list-style-type: none"> Significant storm water constraints within Confederation Creek drainage Reserve Designation 	No
Lakeview	<ul style="list-style-type: none"> Extensive Environmental Reserve and slope stability setback from reservoir edge. Extensive above and below ground utilities 	No
McCall Lake	<ul style="list-style-type: none"> Excluded as per Council direction 	No

Stage 2 consists of a more comprehensive planning, engineering and environmental analysis of those lands identified in Stage 1 that may provide for opportunities other than golf. It is expected that Stage 2 will require external consultants and additional work by the Corporation to undertake field investigations, planning and design and public engagement.

Real Estate and Development Services Feasibility Assessment

Maple Ridge - STAGE 1

The results of the Stage 1 feasibility assessment completed by Real Estate and Development Services (RE&DS) at Maple Ridge Golf Course concludes that there are multiple impacts on the site. The impacts identified would require additional investigation outside of scope for the Stage 1 assessment to be resolved.

RE&DS is unable to proceed with Stage 2 assessments due to the status of the transportation project for Deerfoot Trail. There are three concepts being explored to widen Deerfoot Trail and once a final concept plan has been identified a Stage 2 assessment of the site can be undertaken if the impacts to the site as a result of that project still indicate development potential.

Table 2 – Maple Ridge Golf Course Stage 1 Feasibility Impacts

Category	Score
Historical / Background	No Impact
Location	No Impact
Environmental and Development Encumbrances	Severe Impact (tied to Planning Considerations)
Alignment with Municipal Development Plan	Moderate Impact
Regulatory and Policy Considerations	Moderate Impact
Planning Considerations	Severe Impact
Servicing and Site Access Considerations	Moderate Impact
Mobility	Moderate to Severe Impact
Area Market Analysis	Moderate Impact
Cost Risks	Moderate to Severe Impact
Golf Operations	Moderate Impact

The site has severe impacts in multiple areas of the Stage 1 assessments specifically in Environmental and Development Encumbrances, Planning Considerations, Mobility and Cost Risks.

These areas of the Stage 1 assessment indicate moderate and severe impacts to the City and adjacent private land parcels.

- The Planning Considerations identified that the completion of the master plan for the Deerfoot Trail study being undertaken by Alberta Transportation and the City of Calgary's Transportation department should take precedence over any further real estate program that would make recommendations for repurposing or disposition of land. This transportation project has the most severe impacts to the site and causes uncertainty for other components making it difficult to provide final recommendations.
- The Environmental and Development Encumbrances were completed at the Stage 1 level. This assessment identified that further in-depth assessments would be required to gather more specific information for geotechnical, servicing and transportation considerations to provide current state information at this site.

Real Estate and Development Services Feasibility Assessment

Shaganappi Point Golf Course - STAGE 1

The results of the Stage 1 feasibility assessment completed by Real Estate and Development Services (RE&DS) at Shaganappi Point Golf Course indicate that the 65.58 ha (162.05ac) of land illustrated in **Map 7** should be evaluated in a Stage 2 work program. While RE&DS does not expect a disposition of the entire golf course lands, the parking lots, clubhouse, driving range and maintenance facilities offer areas for potential reconfiguration and/or opportunities for redevelopment.

Table 3 – Shaganappi Point Golf Course Stage 1 Feasibility Impacts

Category	Score
Historical / Background	Moderate Impact
Location	No Impact
Environmental and Development Encumbrances	Moderate Impact
Alignment with Municipal Development Plan	Moderate Impact
Regulatory and Policy Considerations	Moderate Impact
Planning Considerations	Moderate Impact
Servicing and Site Access Considerations	Moderate Impact
Mobility	No Impact
Area Market Analysis	Moderate Impact
Cost Risks	Moderate Impact
Golf Operations	Moderate Impact

Reasons for recommendation:

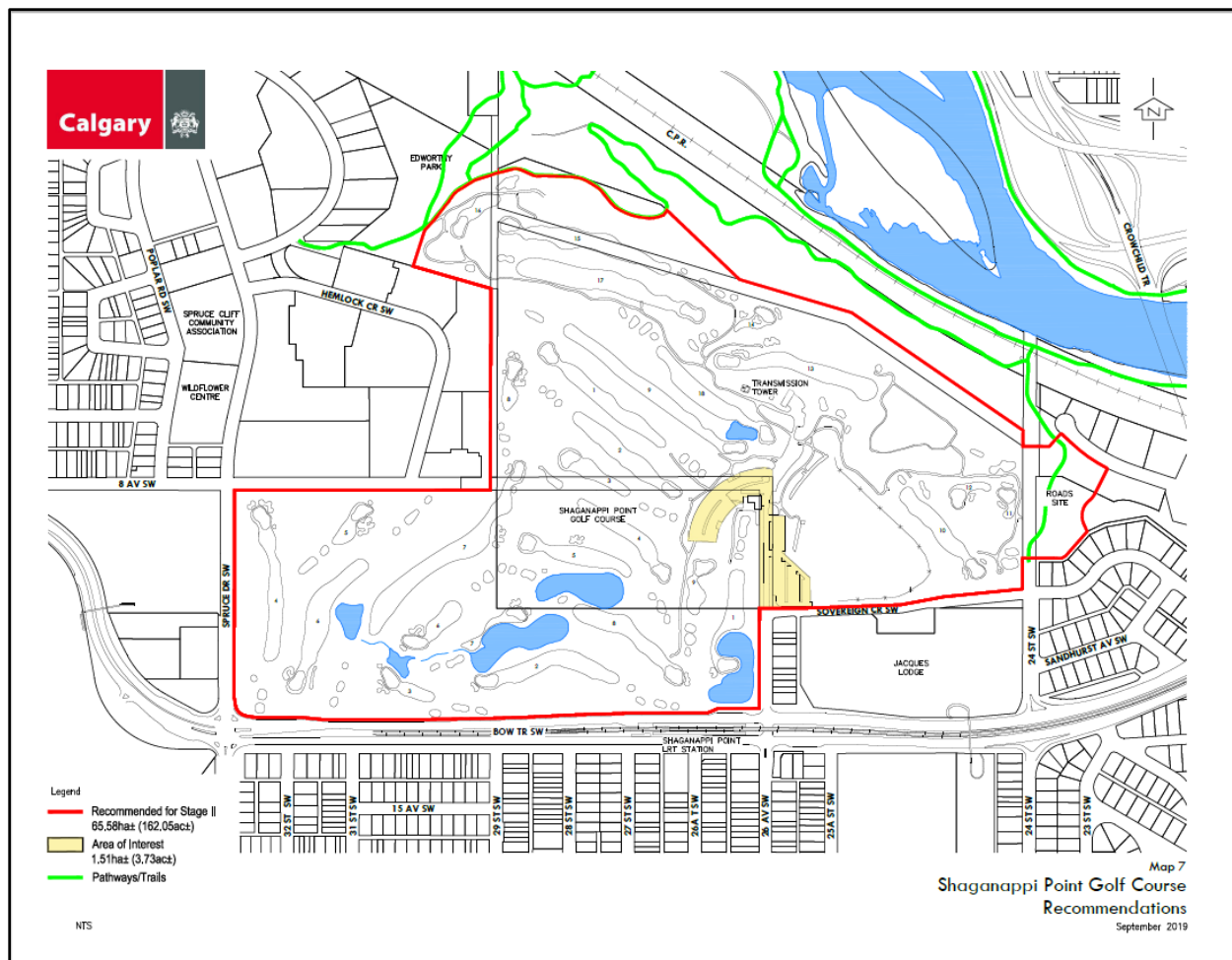
- Shaganappi Point Golf Course has real estate potential. It is an inner-city location, with close proximity to major employment and has views towards the Bow River, Rocky Mountains and downtown;
- Portions of Shaganappi Point Golf Course would be considered Transit Oriented Development (TOD) and development at the course could capitalize on the City's objectives to build more density around public transit infrastructure;
- The former Jacques Lodge site is adjacent to the lands and is slated for re-development. There may be an opportunity to partner on development objectives;
- A high-level look at the market surrounding the site shows potential for redevelopment given its location, amenities, housing stock and demographics. If the site were to be developed at present, there would be considerable competition from projects in planning stages, currently pre-selling, or selling. Since the downturn, multi-family projects, particularly high-rises, are struggling to achieve viable absorption rates. In response, some developers have shifted from condominium to rental to mitigate risk. An in-depth market analysis is required to determine market potential and expected returns once project timing is established;
- Calgary Recreation has undertaken preliminary work for a new clubhouse at Shaganappi Point Golf Course. A Stage 2 analysis presents an opportunity to further examine this endeavor in conjunction with land development; and

Real Estate and Development Services Feasibility Assessment

- Repurposing work in Stage 2 could be evaluated to determine if the entire property could be reconfigured to modify or add additional uses to generate additional income for Golf.

Work will begin on Stage 2 at Shaganappi Point Golf Course in Q2 2020; with the ultimate intent to investigate repurposing, decommissioning and/or disposition.

Map 7 – Shaganappi Point Golf Course Area of Interest



Real Estate and Development Services Feasibility Assessment

Completion of Stage 1 - Recommended Next Steps

RE&DS has identified development potential at two sites following Stage 1 assessments. RE&DS recommends more in-depth analysis for Richmond Green and Shaganappi Point Golf Course at this time.

Scope of work for Stage 2 Analysis –Richmond Green and Shaganappi Point

It is estimated that the Stage 2 work program could take 12 to 14 months for these two sites. The time would be used for securing external consultants, leveraging internal resources to assist with due diligence and completing the necessary field studies, design and planning required to determine what development is possible.

RE&DS will look to leverage internal resources to minimize the hiring of outside consultants, however RE&DS anticipates this work program will require a budget of up to \$750 thousand for Shaganappi Point and up to \$310 thousand for Richmond Green. RE&DS will utilize internal funds for this scope of work.

Stage 2 will consist of geotechnical analysis, environmental due diligence, planning, further market research and public engagement. RE&DS expects that Stage 2 can begin in Q2 2020. Upon completion, Administration will bring a report to Council for further consideration.

Stage 2 deliverables for both sites include, but may not be limited to:

- Confirming transportation capacity;
- Confirming servicing capacity (storm, sanitary and water);
- Determining Opinion of Probable Costs (OPC) for development options;
- Geotechnical and environmental reporting;
- Land valuations for development options;
- Public and stakeholder engagement events and feedback reports; and
- Administration's recommendations for repurposing and disposing of land.

Stage 2 deliverable specific to Richmond Green:

- Expand the area of analysis for Richmond Green to include the adjacent Calgary Parks and Water Resources lands inclusive of City lands founds between Sarcee Road, 33rd Avenue South West and Crowchild Trail.

Stage 2 deliverables specific to Shaganappi Point Golf Course:

- Development options including exploration of residential, commercial and banquet / clubhouse uses.
- Reconfiguring the driving range and selected golf holes to maximize space. This should include a cost benefit analysis on effects of enhancing or eliminating certain golf offerings.

Subject to Stage 2 outcomes, as stated in the original motion, any proceeds from a disposition of land at Shaganappi Point Golf Course and Richmond Green would be directed back to Calgary Recreation to support ongoing golf operations.

Status of Golf Sustainability Framework Initiatives

This attachment provides the current state on the Golf Sustainability Framework initiatives since the last update provided through PFC2019-1227 on 2019 October 08.

Table 1 provides a description and status of priority initiatives underway to yield \$1 million in revenue generating opportunities, cost savings and efficiencies.

Table 1: Break Even Options Underway				
	Work Plan Initiative	Anticipated Yield by end of 2022	Project Status	Progress Update – 2020 March
1	Richmond Green Closure	\$150,000	Completed	<ul style="list-style-type: none"> As of 2020 net \$150,000 annual cost savings from the closure will be realized. Richmond Green Golf Course permanently closed as of 2019 September 3.
2	Debt Fulfillment	\$142,000	Completed	<ul style="list-style-type: none"> Debt payment (P&I) for capital improvements at Maple Ridge – paid in full.
3	McCall Lake 18 Re-opening	\$280,000	Completed	<ul style="list-style-type: none"> 2020 will be first full season of operations where renovation performance can be fully assessed. Renovations to 18-hole course completed 2019 Q2. 9-hole preview as of mid May. Full 18 holes opened late June. Marketing and other initiatives are planned for 2020 with aim to support on-going golfer interest and revenue optimization. Anticipated yield based on full operations 2020 through 2022.
4	Annual Fee Adjustments	\$100,000+	Ongoing	<ul style="list-style-type: none"> Adjustments in 2019 resulted in an incremental annual revenue increase of \$89,000 and are anticipated to generate a further \$96,000 in 2020. Rates assessed and adjusted annually where feasible. Primary considerations: attendance and utilization trends in conjunction with market rates of reasonably comparable facilities. Future 2021 and 2022 rates will be evaluated annually based on primary considerations.
5	Golf Technology Solution	\$185,000	Underway	<ul style="list-style-type: none"> Implementation 2020 Q1. Anticipated yield will accrue throughout 2020 – 2022. Technology is key to increasing attendance and revenue. Dynamic pricing capabilities will be used to increase attendance and fill underutilized tee times. Enhanced marketing tools allow for targeted and measurable promotional campaigns. Improved business reporting tools enable real time daily business analysis. Streamlined business processes for frontline staff will enhance the customer's golf experience. Capabilities to add and leverage evolving technology.
6	Increased standardization and optimization of operational practices	\$194,000	Underway	<ul style="list-style-type: none"> Anticipated yield will accrue throughout 2020 – 2022. Variety of initiatives being undertaken to ensure quality products and services while realizing efficiencies. 2020 - Restructured staffing and supervisory model out of Richmond Green Golf Course closure. Improved staff management during inclement weather and Statutory holidays. Limiting/eliminating overtime through task prioritization and identification of daily efficiencies.

Status of Golf Sustainability Framework Initiatives

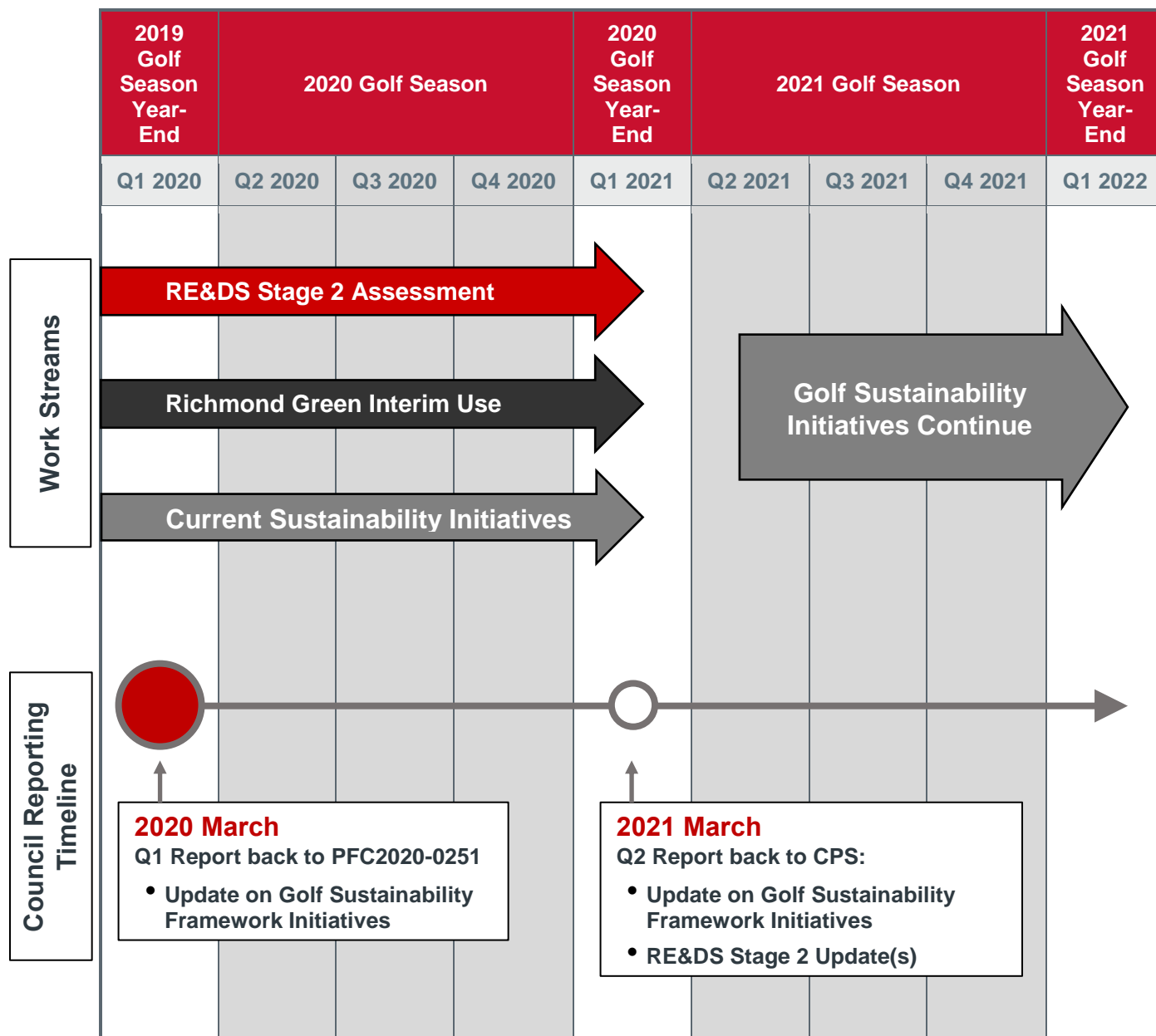
				<ul style="list-style-type: none"> Implementation of technology to collect data to determine task-based unit cost variations across sites will enable identification of inefficiencies and corrective action. Leveraging buying power through increased bulk materials purchases.
7	Contracting of Select Services	\$20,000	TBD	<ul style="list-style-type: none"> Pilot contract for rough mowing cancelled by vendor 2019 Q1. Contract did not realize anticipated profits in addition to resource and equipment challenges. Contracting of select services is on-going and continues to be explored where savings can be realized. Anticipated yield will accrue throughout 2020 – 2022. Notice of Motion C2019-1468 (Golf course Operations Request For Proposal). Scope of work presented to Committee 2020 March 10.
Potential Yield		\$1,072,000+		

Table 2 provides a description of additional opportunities being investigated to further increase Golf future sustainability.

Table 2: Options Being Pursued for Enhanced Sustainability				
	Work Plan Initiative	Anticipated Total Yield	State of Funding	Description
8	Capital Improvement Alternatives	TBD	<p>Three projects are currently unfunded or on the “Unfunded for Information” capital list:</p> <ul style="list-style-type: none"> Shaganappi Clubhouse and Renewal (\$8.8M) Shaganappi Maintenance Facility Replacement (\$2.1M) Confederation Park Golf Course Clubhouse Upgrade (\$1.9M) <p>One project is part of the Essential Services Delivery Bundle, but is currently unfunded:</p> <ul style="list-style-type: none"> Fairways and Greens Service Cycle in Essential Services Delivery Bundle (\$8.3M) <p>Funding realized from options out of the Real Estate and Development Services’ review could support re-investment in priority capital lifecycle and upgrade initiatives to sustain quality course conditions and support expanded services and revenue opportunities.</p>	<p>With capital investment, new business opportunities are possible. For example, improved Clubhouse facilities at Shaganappi Point would provide a source of year-round revenue through:</p> <ul style="list-style-type: none"> Expanded food & beverage service Conference, banquet and event rental possibilities.
9	Partnering with Industry	TBD	Funding would be subject to the opportunity being considered.	As the golf industry continues to evolve, opportunities exist to partner with industry leaders, to enhance golf assets and service offerings.

Status of Golf Sustainability Framework Initiatives

Golf Sustainability Framework – Council Reporting Timelines



Previous Council Direction

On 2019 November 18, Council approved the Golf Course Operations Request For Proposal Notice of Motion (C2019-1468) which provided the following instructions:

1. Direct Administration to develop a Request For Proposal (RFP) and go to market to secure a long-term management contract for the operations and service provision of all City of Calgary golf courses.
 2. Direct Administration to develop a scope of work to deliver an RFP to the market and report back to Council through the SPC on Community and Protective Services no later than early Q1 2020 with a timeline and funding recommendation required to create, administer and evaluate an RFP process.
-

On 2019 November 12, the results of Golf Programs and Activities' Sub-Service Review were delivered to Council in Attachment 10 of the 2020 Adjustments to the One Calgary Service Plans and Budgets (C2019-1052).

On 2019 October 08, a Golf Sustainability Framework briefing note (PFC2019-1227) was provided to the Priorities and Finance Committee (PFC). The briefing note contained:

- a. An interim update on the Golf Course Sustainability Strategy;
 - b. An interim update on the Golf Course Real Estate and Development Assessment; and,
 - c. Options for future use of the Richmond Green land.
-

On 2019 July 16, Council approved the recommendation below regarding a sub-service review, of which Golf Programs and Activities was one of six sub-services initially approved for review.

That with respect to Recommendation 1 of Report C2019-0883, the following be adopted:

That Council:

1. Approve the sub-service reviews contained in Table 1 of Attachment 3, released to the public during the presentation at the 2019 July 16 Strategic Meeting of Council, to be completed for the November 2019 adjustments to the One Calgary 2019 – 2022 Service Plans and Budgets.
-

On 2019 June 17, the Richmond Green Golf Course Closure notice of motion (C2019-0790) which was approved by Council. It stated that Council:

1. Direct Administration, as part of its Golf Course Sustainability Strategy, to proceed to close the Richmond Green Golf Course after the end of the 2019 golf season.
2. Direct Administration to return to Priorities and Finance Committee (PFC) in October 2019 with:

Previous Council Direction

- a. An interim update on the Golf Course Sustainability Strategy;
- b. An interim update on the Golf Course Real Estate and Development Assessment; and,
- c. Options for future use of the Richmond Green land, considering the utilities and road requirements, as well as the Currie Barracks Master Plan.

On 2019 May 27, with respect to report CPS2019-0475, the following was adopted:

That Council:

1. Adopt the recommendation to proceed with Stage 1 of the proposed plan for a Real Estate and Development Assessment, leveraging The City's internal expertise to conduct an initial assessment of all golf course properties and return to the Priorities and Finance Committee no later than Q1 2020 with a recommendation on which properties should be included in Stage 2 of the analysis. The plan for Stage 2 will include Administration's recommendation on which golf course lands require further analysis as well as recommendations on timeline, scheduling and costs for Stage 2; and
2. Not include McCall Lake Golf Course in any development assessments given a Redevelopment Feasibility Study was completed on McCall Lake Golf Course in 2014, and the recent investment and improvements to the course in 2018-2019.

On 2018 November 30, through a motion arising at the One Calgary budget discussions (C2018-1158), Council directed Administration to:

1. Bring forward a plan for a real estate and redevelopment assessment (including costs) which may include decommissioning, repurposing, and/or divesting of public golf course(s) for reinvestment in the remaining amenities to sustain the overall operations of public golf courses in Calgary. And further, report back directly through the SPC on Community and Protective Services no later than May 2019.

On 2018 November 19, per CPS2018-1256 Golf Course Operations Update, Council directed Administration to report back to Council through the SPC on CPS by Q2 2021 with an update on progress toward the options outlined in the report, which were the break even options of the Sustainability Work Plan.

On 2018 June 25, Council adopted CSP2018-0349 Golf Course Sustainability Work Plan Update:

1. Direct that Administration report back to Council on results, indicators and performance measures by Q2 of the final year of each planning cycle to inform a plan for the next cycle;

Previous Council Direction

2. Direct that Attachment 6 remain confidential pursuant to Sections 23(1)(b), 24(1), and 25(1) of the Freedom of Information and Protection of Privacy Act (and that Council consider content therein in camera if requested by Council).
 3. Direct that Administration report back to Council through the One Calgary budget process with options that reflect the overall Golf Course Operations to break even in terms of revenue and operating expenses.
-

On 2017 November 27, at the 2018 budget adjustment deliberations:

With respect to report CPS2017-0539 Review of Golf Courses Planning Considerations and Taxation Implications, and the Motion Arising for Report CPS2017-0539 contained in the 2017 July 24 Minutes of the Regular Meeting of Council,

Council directed Administration to come forward to the SPC on Community and Protective Services no later than 2018 June with an update on the Golf Course Operations Sustainability Workplan and a status report on the direction from the Motion Arising from CPS2017-0539.

On 2017 July 24, in response to NM2017-04 Administration delivered to Council report CPS2017-0539 Review of Golf Courses Planning Considerations and Taxation Implications.

With respect to report CPS2017-0539, Council requests Administration to consider the content of Councillor Colley-Urquhart's proposed Motion Arising document (contained in the 2017 July 24 Minutes of the Regular Meeting of Council) and return to Council at the 2018 budget adjustment process with options on how to move forward with City-owned golf course operations.

On 2017 February 27, Council referred Notice of Motion NM2017-04 Tax Burden of Calgary Golf Courses to the Administration and that in advance of executing the resolution contained in NM2017-04, Council directs Administration to review the state of golf and golf courses within The City of Calgary and propose a framework for addressing golf course retention and redevelopment and report back to Council through the SPC on Community and Protective Services and/or the SPC on Planning and Urban Development by Q3 2017.

On 2015 December 14, Council adopted CPS2015-0947 Golf Course Operations Sustainability Work Plan Update:

1. Direct Administration to continue providing municipal golf services with a City operated service model, inclusive of contracting out select services where efficiencies can be realized; and
 2. Direct that Attachment 2 remain confidential pursuant to Sections 23(1)(b), 24(1)(c), 24(1)(g) and 25(1)(c) of the *Freedom of Information and Protection of Privacy Act*, until Administration fully implements Council's decision(s) with regard to Attachment 2 content.
-

Previous Council Direction

On 2015 June 29, Council adopted CPS 2015-0492 Golf Course Capital Update:

That Council receive this update report for information.

On 2014 July 21, Council adopted recommendations contained in Report CPS2014-0398 McCall Lake Redevelopment Feasibility Study:

1. Direct Administration to discontinue McCall Lake redevelopment planning and Outline Plan preparation;
 2. Direct Administration to implement the Updated Golf Course Operations Sustainability Work Plan as outlined in Attachment 2, after amendment to the Targeted Completion Date for the Item "Service Model Analysis", contained on Page 1 of 2, by deleting the date "Q1 2016", and by substituting with the date "Q4 2015"; and
 3. Direct that Attachments 6 and 7 remain confidential pursuant to Sections 23(1)(b), 24(1)(c), 24(1)(g), 25(1)(a), 25(1)(b), and 25(1)(c) of the *Freedom of Information and Protection of Privacy Act*.
-

On 2013 May 27, Council adopted CPS2013-0410 Golf Course Operations Guiding Principles:

1. Approve the guiding principles as a framework for Golf Course Operations revised fee structure decision making; and
 2. Direct Administration to bring a revised fee structure to Council during the 2014 budget adjustment process (2013 November) for consideration.
-

On 2012 October 15, Council adopted CPS2012-0702 Golf Course Operations Operational Business Review & Update:

1. Approve, in principle, the elimination of the \$200,000 annual contribution to general revenues from the Business Unit Recreation – Golf, Operating Budget Program 426 and refer this recommendation to the 2013 budget adjustment process in 2012 November for consideration;
2. Approve, in principle, the change of Golf Course Operations mandate from "fully self-sufficient" to "tax supported" to align with the mandate of the rest of the Recreation Business Unit and refer this recommendation to the 2013 budget adjustment process in 2012 November for consideration;
3. Approve the recommendations outlined in Attachment 2, Appendix 4 to develop a revised golf course fee structure and report back through SPC on Community and Protective Services by 2013 May with recommendations on golf fee structure.
4. Approve Administration Recommendation 4 and that Recommendation 4 remain confidential under Sections 23(1)(b), 24(1)(a), 24(1)(g), 25(1)(b) and 25(1)(c)(ii) of the *Freedom of Information and Protection of Privacy Act*; and
5. Direct Administration Recommendation 4, as amended, and the Report and Attachments, remain confidential pursuant to Sections 23(1)(b), 24(1)(a), 24(1)(g), 25(1)(b) and 25(1)(c)(ii) of the *Freedom of Information and Protection of Privacy Act*

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0058

Land Use Amendment in North Glenmore Park (Ward 11) at 2011 – 51 Avenue SW, LOC2019-0174

EXECUTIVE SUMMARY

This land use redesignation application was submitted on 2019 November 15 by Gold Star Industries on behalf of the landowners, Grazyna Margaret Rajchel, Vince Wacław Rajchel, and Janina Rajchel. This application proposes to change the designation of 2011– 51 Avenue SW from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District in the community of North Glenmore Park to allow for:

- semi-detached and duplex homes in addition to the building types already allowed (e.g. single detached homes, and secondary suites);
- a maximum building height of 10 metres (no change proposed);
- a maximum of 2 dwelling units (an increase from the current maximum of 1 dwelling unit); and
- the uses listed in the R-C2 District.

The applicant intends to demolish the existing house and develop a new semi-detached dwelling, however a development permit application has not been submitted at this time.

The proposal aligns with the applicable policies of the *Municipal Development Plan* (MDP).

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 2011 – 51 Avenue SW (Plan 6370AH, Block 31, Lots 17 and 18) from Residential – Contextual One (R-C1) Dwelling District to Residential – Contextual One / Two Dwelling (R-C2) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 FEBRUARY 06:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 2011 – 51 Avenue SW (Plan 6370AH, Block 31, Lots 17 and 18) from Residential – Contextual One (R-C1) Dwelling District to Residential – Contextual One / Two Dwelling (R-C2) District; and
2. Give three readings to **Proposed Bylaw 40D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

Planning & Development Report to
Calgary Planning Commission
2020 February 6

ISC: UNRESTRICTED
CPC2020-0058

**Land Use Amendment in North Glenmore Park (Ward 11) at 2011 - 51 Avenue SW,
LOC2019-0174**

BACKGROUND

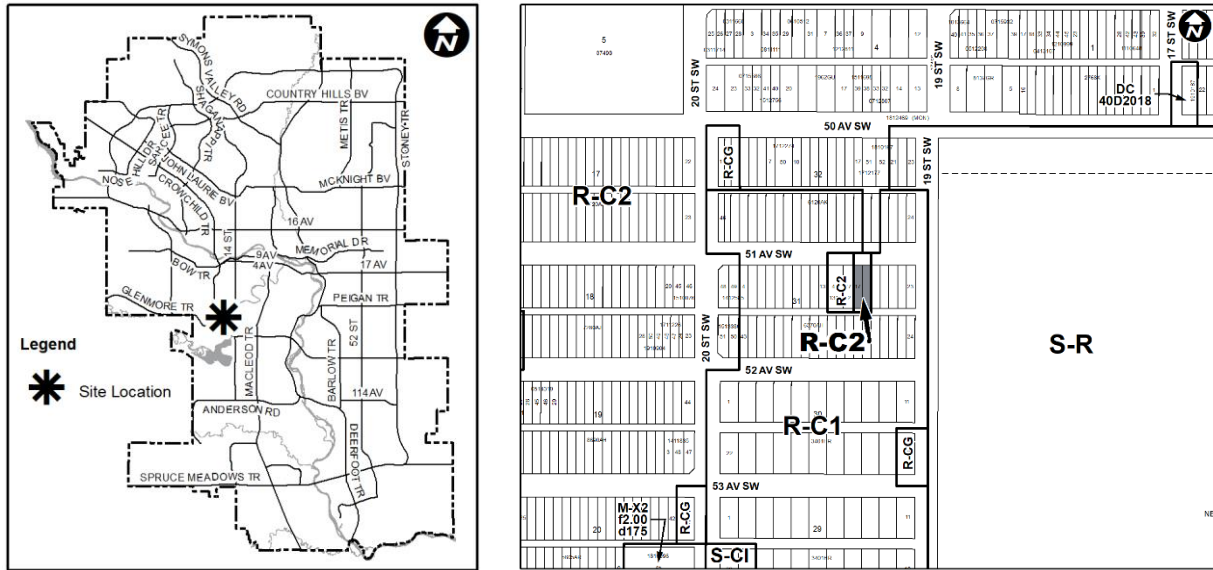
This application for 2011 – 51 Avenue SW was submitted on 2019 November 15 by Gold Star Industries on behalf of the landowners, Grazyna Margaret Rajchel, Vince Wacław Rajchel, and Janina Rajchel. The Applicant's Submission (Attachment 1) indicates their intent is to build a semi-detached dwelling. No development permit application has been submitted at this time.

Planning & Development Report to
Calgary Planning Commission
2020 February 6

ISC: UNRESTRICTED
CPC2020-0058

Land Use Amendment in North Glenmore Park (Ward 11) at 2011 - 51 Avenue SW,
LOC2019-0174

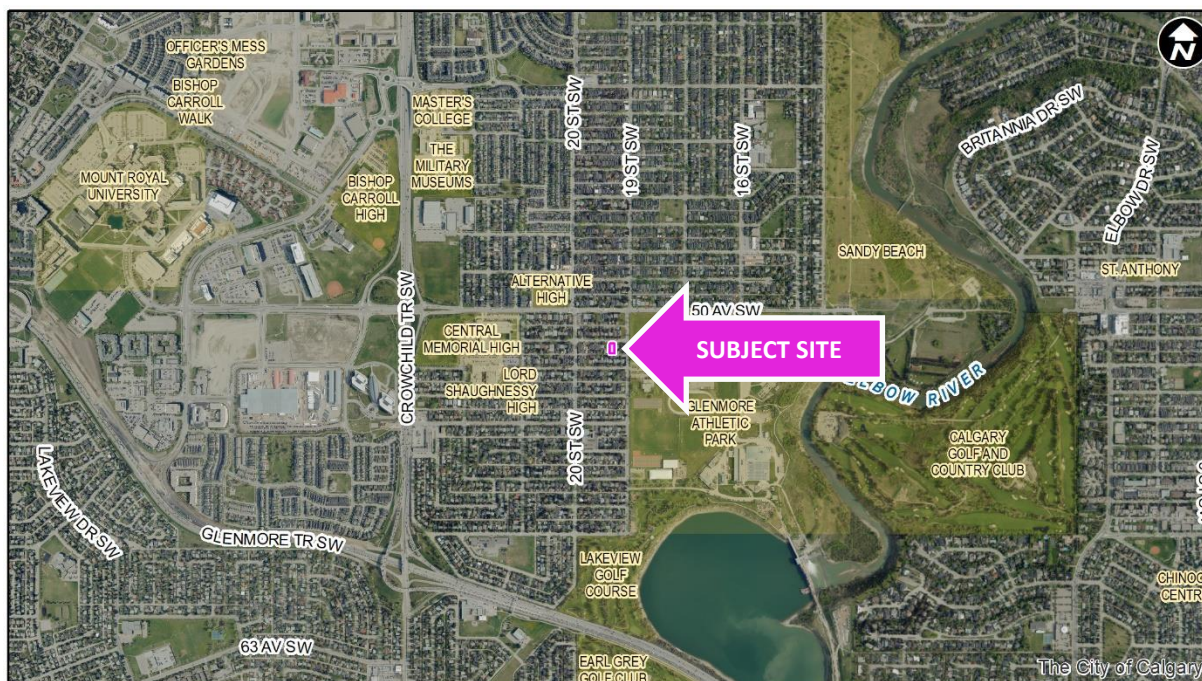
Location Maps



Planning & Development Report to
Calgary Planning Commission
2020 February 6

ISC: UNRESTRICTED
CPC2020-0058

Land Use Amendment in North Glenmore Park (Ward 11) at 2111 - 51 Avenue SW,
LOC2019-0174



Site Context

The subject site is located on 21 Avenue SE, west of 19 Street SW, in the community of North Glenmore Park. The surrounding development is characterized by single detached and semi-detached dwellings and is within close proximity to the Glenmore Athletic Park.

The subject site is approximately 0.05 hectares (0.15 acres) in area with dimensions of approximately 15 metres in width and 37 metres in depth. It is currently developed with a one-storey single detached dwelling with a front attached garage. The existing garage is accessed from the street, however, the parcel does have a rear lane.

As identified in Figure 1, the community of North Glenmore Park reached peak population in 1970.

Figure 1: Community Peak Population

North Glenmore Park	
Peak Population Year	1970
Peak Population	3,776
2019 Current Population	2,391
Difference in Population (Number)	1,385
Difference in Population (Percent)	-36.7%

Source: The City of Calgary 2019 Civic Census

Planning & Development Report to
Calgary Planning Commission
2020 February 6

ISC: UNRESTRICTED
CPC2020-0058

Land Use Amendment in North Glenmore Park (Ward 11) at 2011 - 51 Avenue SW, LOC2019-0174

Additional demographics and socio-economic information may be obtained online through the [North Glenmore Park](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

Land Use

The existing Residential – Contextual One Dwelling (R-C1) District is a residential designation in developed areas that is for single detached dwellings which may include a secondary or backyard suite. The R-C1 District allows for a maximum height of 10 metres and a maximum of one dwelling unit.

The proposed Residential – Contextual One / Two Dwelling (R-C2) District allows for single, semi-detached, and duplex dwellings, with a maximum height of 10 metres, and a maximum density of two dwelling units. One secondary suite or backyard suite may also be allowed for each dwelling unit.

The land use districts of the surrounding properties in close proximity to the subject site are typically R-C1. However, the land use district of the west adjacent parcel and the parcel to the northeast are both currently R-C2. Beyond the immediate vicinity of the subject site the dominate land use district to the north and west is R-C2, with some pockets of the Residential – Grade-Oriented Infill (R-CG) District.

Development and Site Design

The rules of the proposed R-C2 District will provide guidance for the future site development, including appropriate uses, building height and massing, landscaping, parcel coverage, and parking. Additional items to consider in future development permit applications include, but are not limited to:

- ensuring that the future building placement aligns with building setbacks of the proposed R-C2 District;
- mitigating privacy concerns with adjacent properties through design elements;
- ensuring parking requirements align with the proposed Residential – One / Two (R-C2) District; and
- retaining and protecting public trees where possible.

The applicant's submission (Attachment 1) indicates their intent is to relocate the parking from the front of the property to rear garages with access from the lane.

Planning & Development Report to
Calgary Planning Commission
2020 February 6

ISC: UNRESTRICTED
CPC2020-0058

Land Use Amendment in North Glenmore Park (Ward 11) at 2011 - 51 Avenue SW, LOC2019-0174

Environmental

There are no environmental concerns associated with the site or this proposal

Transportation

The site is located mid-block on 51 Avenue SW between 20 Street SW and 19 Street SW, and is within a two-minute walk (approximately 130 metres) to the closest transit stop. Route 13 offers service every 15 minutes during peak times to the Westhills/Signal Hill shopping centre, Mount Royal University, and the Downtown Core. Route 7 provides service to the Max Teal station along Crowchild Trail SW at 54 Avenue SW and also services the Downtown Core. The Max Teal route is part of the Primary Transit Network and can also be directly accessed within a 10 minute walk (approximately 740 metres) from the subject site.

There are no parking restrictions along 51 Avenue SW and no bylaw setback is required on the adjacent streets. The road classification for 51 Avenue SW is Residential Collector, with 19 Street SW classified as an Arterial Street and 50 Avenue SW classified as a Parkway.

Utilities and Servicing

Water and Sanitary sewer mains are available to service the site. Further details for servicing and waste collection facilities will be reviewed at the development permit stage.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

The North Glenmore Park Community Association was circulated as part of this application and did not provide any comments.

The applicant has personally spoken to three neighbours and in their opinion they all appeared supportive of the development. The applicant has sent a letter to the Ward Councillor, and has been encouraged by Administration to reach out to the North Glenmore Park Community Association as well.

Three comments were received from members of the community. The concerns that were raised were:

- an increase to vehicular traffic for both the street and the lane;
- increased parking on the street;
- changing the fabric of the community;

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Calgary Planning Commission
2020 February 6

ISC: UNRESTRICTED
CPC2020-0058

Land Use Amendment in North Glenmore Park (Ward 11) at 2011 - 51 Avenue SW, LOC2019-0174

- the height of a new development; and
- potentially introducing more renters into the neighbourhood.

Administration reviewed and considered the relevant planning issues raised in the comments received during the notice posting and circulation period and has determined the proposed R-C2 District to be appropriate at this location. The surrounding road network and access to public transit have addressed the transportation concerns. The proposed R-C2 District is compatible with the context and built form of the neighbourhood. The parking and building height concerns can be adequately reviewed and assessed at the development permit stage.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) (SSRP) which directs population growth in the region to Cities and Town and promotes the efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#) as the proposed land use amendment and policy amendments builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure and establishing strong and sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject parcel is located within the Residential – Developed – Established area as identified on [Map 1: Urban Structure](#) in the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage redevelopment and modest intensification in the developed communities to make more efficient use of existing infrastructure, public amenities and transit. Such redevelopment is intended to occur in a form and nature that respects the scale and character of the neighbourhood context. The proposal is in keeping with the relevant MDP policies as the rules of the proposed R-C2 District allow for a modest increase in density in a form that is sensitive to existing residential development in terms of height, built-form and density.

There is no applicable local policy plan for the subject site.

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ISC: UNRESTRICTED
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**Land Use Amendment in North Glenmore Park (Ward 11) at 2011 - 51 Avenue SW,
LOC2019-0174**

Social, Environmental, Economic (External)

The recommended land use allows for a wider range of housing types than the existing R-C1 District and as such the proposed change may better accommodate the housing needs of different age groups, lifestyles and demographics. Further, the ability to develop up to two dwelling units will facilitate a more efficient use of the existing infrastructure and services.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with applicable goals and policies of the *Municipal Development Plan* and serves to accommodate future development that enables a modest increase in density and utilizes existing infrastructure. The proposal allows for additional building types that are compatible with the established building form that exists in the neighbourhood and can better accommodate the housing needs of different age groups, lifestyles and demographics.

ATTACHMENT(S)

1. Applicant's Submission
2. **Proposed Bylaw 40D2020**

Applicant's Submission

Received 2019 November 15

Calgary Planning Commission & City Council

I am kindly asking for a land use redesignation from an R-C1 to an R-C2 at 2011 51st Ave SE in the community of North Glenmore Park.

The lot at 2011 51st Ave SW measures 15.25m x 37.22m (50' x 120') and currently has an old, rundown 1950's bungalow. The property directly to its left, as well as the lot across the street are zoned R-C2. There are currently three R-C2 lots on this block as well as two 25' x 120' lots that were split from a 50' lot many years ago. The adjoining block of 51st Ave has eight R-C2 lots.

I believe this redesignation would be beneficial to this street by adding value, beauty, and space for both residents and the City. By allowing the new construction to enhance the street, this appeals to potential buyers, thus increasing property values. The new builds, when done properly, give the street a more inviting feeling, by cleaning up overgrown landscaping and creating architecture that excites people, which is our goal. By relocating garages to the back alley, we also reduce the amount of cars parked on the street, giving a more natural feel that most enjoy.

The redesignation from R-C1 to R-C2 is the minimum density change and has already been approved by City Council and Planning Commission a dozen previous times on this street. The plan is to build a duplex on the lot for my brother and sister-in-law who currently live there. They live two houses down from my sister-in-law's grandma which is why they don't want to move. This will also give them more room for their child while subsidizing the cost of a new build by selling the other half.

I would really like to help build this property for my brother and sister-in-law, but without this redesignation, they won't be able to. Please help us out.

Thank you,

A handwritten signature in dark ink, appearing to be 'U. Smith' or similar, written in a cursive style.

PROPOSED

CPC2020-0058
ATTACHMENT 2

BYLAW NUMBER 40D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0174/ CPC2020-0058)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

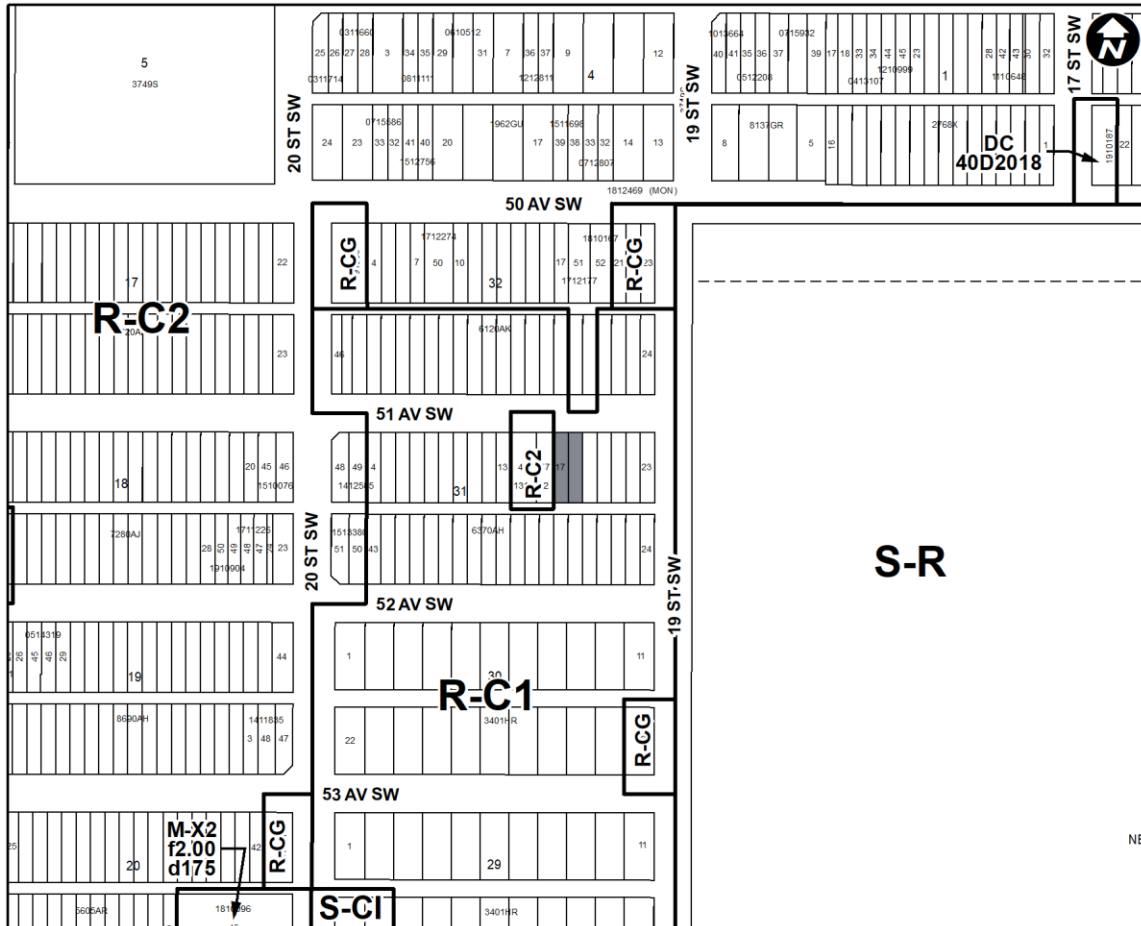
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2019-0174/ CPC2020-0058
BYLAW NUMBER 40D2020

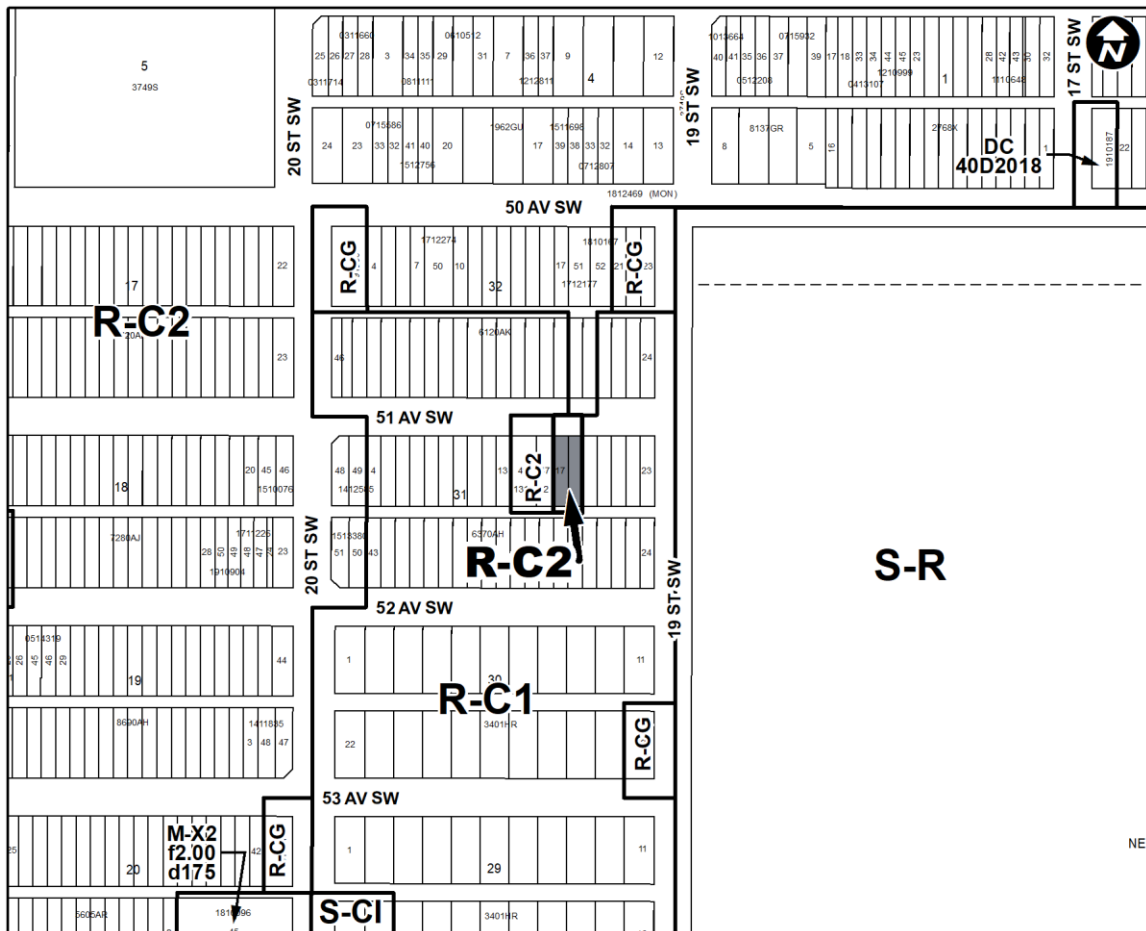
SCHEDULE A



PROPOSED

AMENDMENT LOC2019-0174/ CPC2020-0058
BYLAW NUMBER 40D2020

SCHEDULE B



Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0060

Land Use Amendment in Bridgeland – Riverside (Ward 9) at 1018 McDougall Road NE, LOC2019-0164

EXECUTIVE SUMMARY

This land use amendment application was submitted on 2019 October 29, by Casola Koppe, on behalf of the landowner, Bucci Riverside Projects Limited. The application proposes to redesignate the subject site from Mixed Use - General (MU-1f5.3h50) District to Mixed Use - General (MU-1f5.6h50) District to allow for:

- transit supportive mixed-use development;
- an increase in floor area ratio (FAR) from 5.3 to 5.6; and
- the maximum building height and the uses listed in the MU-1 District remain unchanged.

The proposal is in keeping with the applicable policies of the *Municipal Development Plan*, and the *Bridgeland-Riverside Area Redevelopment Plan*.

A development permit that proposes minor changes to the originally-approved mixed-use development permit, including the introduction of an additional Retail and Consumer Service unit along McDougall Road NE, has been submitted and is currently under review by Administration.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed redesignation of 0.42 hectares \pm (1.03 acres \pm) located at 1018 McDougall Road NE (Plan 0815793, Block 10, Lot 2) from Mixed Use - General (MU-1f5.3h50) **to** Mixed Use - General (MU-1f5.6h50) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 FEBRUARY 06:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 0.42 hectares \pm (1.03 acres \pm) located at 1018 McDougall Road NE (Plan 0815793, Block 10, Lot 2) from Mixed Use - General (MU-1f5.3h50) to Mixed Use - General (MU-1f5.6h50) District; and
2. Give three readings to **Proposed Bylaw 39D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This land use amendment application was submitted on 2019 October 29, by Casola Koppe, on behalf of the landowner, Bucci Riverside Projects Limited. The purpose of this application is to

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allow for additional FAR, from what was recently approved through the previous land use amendment application (LOC2018-0059) for the subject site, to enable more commercial uses at-grade along McDougall Road NE. The proposed land use amendment application would support adjustments to the mixed-use building currently under construction.

A previous land use amendment application (LOC2018-0059) to redesignate the subject site from DC Direct Control District (Bylaw 171D2015) to Mixed Use - General (MU-1f5.3h50) District was adopted by Council on 2018 December 10 through Bylaw 281D2018. A concurrent development permit (DP2018-3108) to allow for a transit supportive mixed-use development consisting of one building, with two residential towers, 14 storeys and 15 storeys high respectively, and a ground floor podium containing commercial and live work uses was approved by the Development Authority on 2018 December 14. The approved development permit following approval of the land use amendment by Council was in keeping with direction and recommendation of approval by Calgary Planning Commission at the 2018 October 18 Calgary Planning Commission meeting. Currently, a multi-phase mixed-use building for the subject site, known as the 'Dominion', is under construction.

After submission of the subject application (LOC2019-0164), proposing an FAR of 5.5, a development permit (DP2019-6156) was received on 2019 December 02. This development permit proposed the introduction of an additional Retail and Consumer Service unit at the southeast corner of the building along McDougall Road NE and the removal of several at-grade Live Work Units. The development permit also outlined a slight increase to the number of total Dwelling Units, to account for the decrease in total at-grade Live Work Units, through adding an additional floor to the east residential tower. This development permit is currently under review by Administration.

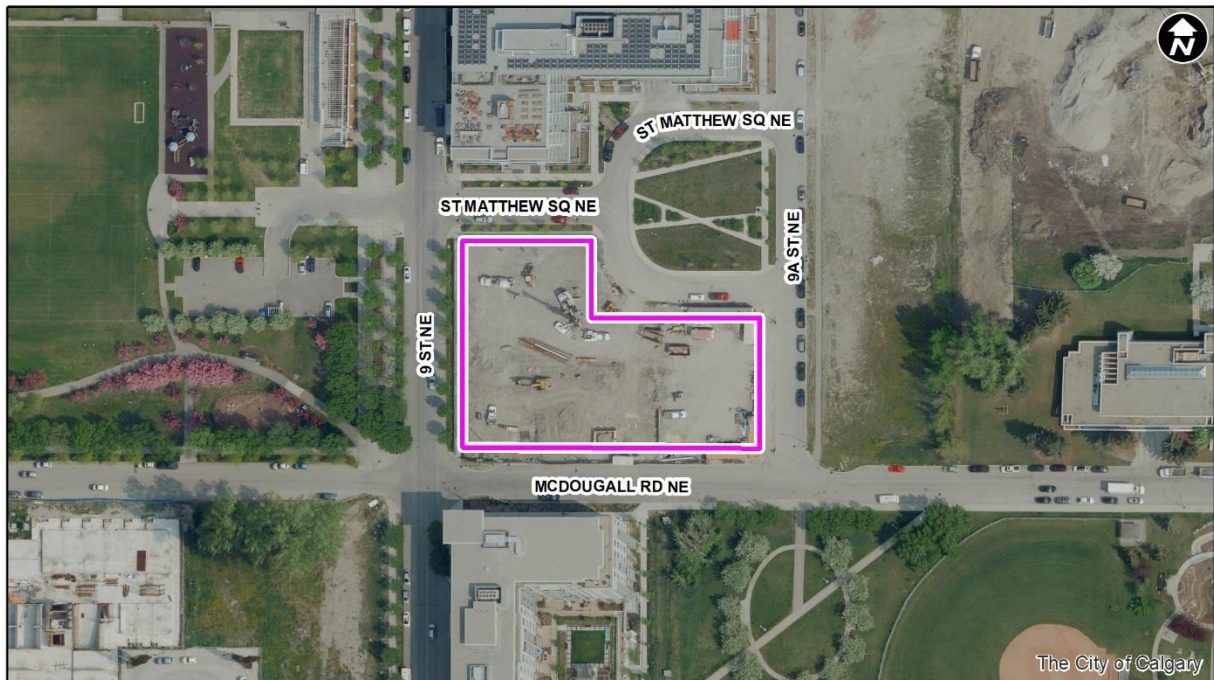
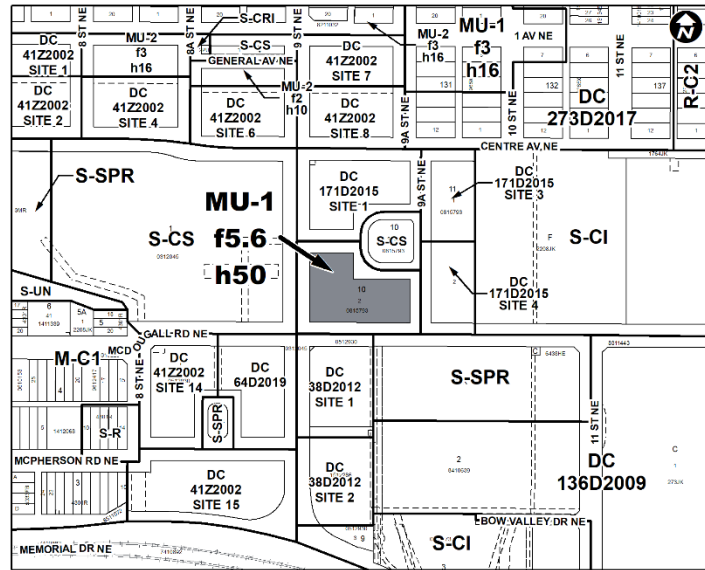
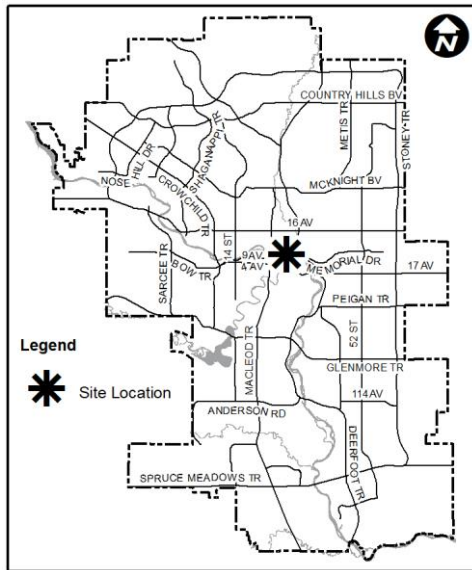
Shortly after the submission of the associated development permit (DP2019-6156), it was determined that an FAR of 5.6 was required to realize the proposed development outcome. On 2019 December 10, the applicant requested that their land use redesignation be updated and revised to account for this proposed increase in FAR. The application was then re-notice posted and re-circulated to affected stakeholders. The applicant's submission found in Attachment 1 of this report outlines this change.

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Land Use Amendment in Bridgeland - Riverside (Ward 9) at 1018 McDougall Road
NE, LOC2019-0164

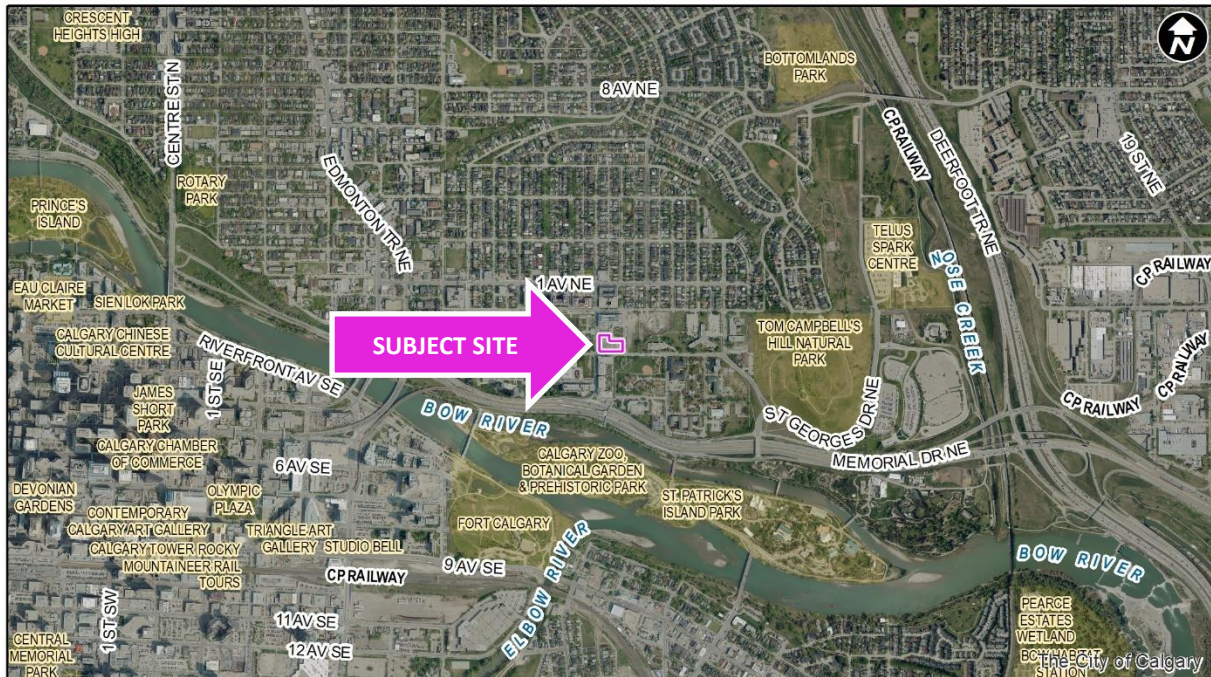
Location Maps



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Land Use Amendment in Bridgeland - Riverside (Ward 9) at 1018 McDougall Road NE, LOC2019-0164



Site Context

The subject site is located in the northeast community of Bridgeland-Riverside. Following the demolition of the Calgary General Hospital in 1998, the subject site and adjacent City-owned lands were part of a City-initiated policy plan known as The Bridges. The overall area of The Bridges is approximately 14.90 hectares (36.82 acres) and is comprised of 16 sites, envisioned to be developed over three phases. Since the approval of The Bridges in 2002, a significant amount of redevelopment has occurred, both in terms of private residential and commercial development, as well as development of public parks and community facilities. The Bridges is near completion with the exception of three undeveloped sites in Phase 3.

Presently under construction, the parcel comprises an area of approximately 0.42 hectares (1.03 acres). The subject site is located within 250 metres of the Bridgeland-Memorial LRT Station (an approximate four minute walk), walking distance to local commercial services, significant park spaces, and has easy access to the downtown core. The subject lands are moderately sloping and slope downward south towards the Bow River.

Lands to the north are comprised of a Multi-Residential Development, known as 'Radius'. To the northeast of the subject site is St. Matthew Square, a small public park. Two vacant parcels exist to the east. A mixed-use development, consisting of a seven-storey and an 11-storey building, exists directly south of the site. Located to the west is Murdoch Park, which houses the

Land Use Amendment in Bridgeland - Riverside (Ward 9) at 1018 McDougall Road NE, LOC2019-0164

Bridgeland-Riverside Community Association building, community gardens, a playground, playfields, multi-use pathways, and a surface parking lot.
As identified in *Figure 1*, Bridgeland-Riverside's peak population was in 2019, reaching 6,835 residents.

Figure 1: Community Peak Population

Bridgeland-Riverside	
Peak Population Year	2019
Peak Population	6,835
2019 Current Population	6,835
Difference in Population (Number)	0
Difference in Population (Percentage)	0

Source: *The City of Calgary 2019 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Bridgeland-Riverside](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed land use amendment is intended to allow for additional commercial uses at-grade, and to encourage transit supportive mixed-use development. This application is largely in keeping with the previous land use amendment (LOC2018-0059) for the subject site. The proposal meets the objectives of applicable policies as discussed in the Strategic Alignment section of this report.

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

Land Use

This application is to redesignate the site from the existing Mixed Use - General (MU-1f5.3h50) District to Mixed Use - General (MU-1f5.6h50) District. The purpose of the MU-1 District is intended to accommodate a mix of residential and commercial uses in the same building, support commercial uses at-grade, and respond to the local context by establishing maximum building heights for individual parcels.

On 2018 December 10, Council approved LOC2018-0059 for the subject site to redesignate the parcel from DC Direct Control District (Bylaw 171D2015) to Mixed Use - General (MU-1f5.3h50) District through Bylaw 281D2018. The proposal is largely in keeping with the direction of the previous land use amendment with the exception of the proposed increase in the total FAR on site.

Land Use Amendment in Bridgeland - Riverside (Ward 9) at 1018 McDougall Road NE, LOC2019-0164

The proposed MU-1f5.6h50 is intended to:

- allow for transit supportive mixed-use development;
- increase the maximum floor area ratio (FAR) from 5.3 to 5.6;
- sustain a broad range of uses, including commercial and retail opportunities;
- allow for additional commercial uses at-grade that will promote greater street activation and pedestrian activity along 9 Street NE and McDougall Road NE; and
- maintain a maximum building height of 50 metres.

Development and Site Design

The rules of the proposed MU-1f5.6h50 District will provide guidance for the redevelopment of the site, including appropriate uses, height and massing, landscaping and parking. The proposed increase in FAR enables additional space for active and at-grade commercial uses along McDougall Road NE. Given this proposed introduction of additional at-grade commercial uses, additional design considerations being explored as part of the development permit process include:

- ensuring an active edge that addresses the McDougall Road NE street frontage;
- providing an enhanced adjacent public realm that gives visual cues through design elements and landscaping treatment of the commercial character of this portion of the podium; and
- emphasizing the commercial at-grade entrance along MacDougall Road NE.

Environmental

There are no known outstanding environmentally related concerns associated with the proposal and/or site at this time. As such, no Environmental Site Assessment was deemed required.

Transportation

A Transportation Impact Assessment (TIA) and parking study were submitted with the previously approved land use amendment application (LOC2018-0059). The TIA identified the existing road network can accommodate the proposed density. As a result, no additional studies were requested as part of this application. The subject site is within 250 metre walking distance to the Bridgeland-Memorial LRT Station platform. The site is also within a 50 metre walking distance to the Route 90 bus stop on 9 Street NE. The subject parcel will have vehicular access via McDougall Road NE. The site has good pedestrian connections to the Bridgeland-Memorial LRT Station and adjacent bus stop.

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Utilities and Servicing

Water, storm, and sanitary deep utilities are available. Development servicing requirements will be determined at the future development permit and Development Site Servicing Plan (DSSP) stage(s).

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online.

The Bridgeland-Riverside Community Association (BRCA) provided a letter of support regarding this proposed land use amendment on 2020 January 10. The comments from the BRCA can be found in Attachment 2.

In response to the notice posting, and circulation of the land use amendment application, Administration received one (1) letter of objection regarding the proposed land use amendment application. Concerns received in the letter focused on the height of 15-storeys the land use enables, and how high-rise buildings should not be located in the plan area as they do not align with the previous vision of The Bridges area. It is important to note that no changes to height are being proposed with this land use amendment from what was previously approved by Council in 2018 December with the approval of LOC2018-0059 (Bylaw 281D2018).

In addition to Administration's standard practices, the applicant, Casola Koppe, and landowner, Bucci Riverside Projects Limited, also met with the BRCA in 2020 January to discuss and receive feedback about the proposed land use amendment and development applications. The applicant also held an information session in the community at the BRCA building into the proposed applications on 2020 January 14. Details regarding the applicant's supplementary engagement efforts can be found in Attachment 3 of this report.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (Statutory – 2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [*South Saskatchewan Regional Plan*](#) (SSRP) which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

Land Use Amendment in Bridgeland - Riverside (Ward 9) at 1018 McDougall Road NE, LOC2019-0164

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the Developed Residential Area – Inner City Area, according to the [Urban Structure Map \(Map 1\)](#) of the [Municipal Development Plan](#) (MDP). Applicable policies state that Inner City areas should maintain and expand, where warranted by increased population, local commercial development that provides retail and service uses in close proximity to residents, especially in the highest density locations. Buildings should maximize front door access to the street and principle areas to encourage pedestrian activity.

The MDP's City-wide policies, Section 2 and specifically Section 2.2 Shaping a More Compact Urban Form provides directions to encourage transit use, make optimal use of transit infrastructure, and improve the quality of the environment in communities. The intent of these policies is to direct future growth of the city in a way that fosters a more compact and efficient use of land, creates complete communities, allows for greater mobility choices and enhances vitality and character in local neighbourhoods.

The proposed land use amendment application is in keeping with relevant MDP policies as it allows for mixed-use development and additional at-grade commercial uses within a 250 metre radius of the Bridgeland-Memorial LRT Station as well as an enhanced pedestrian realm to be realized along McDougall Road NE.

Bridgeland-Riverside Area Redevelopment Plan (Statutory – 1980)

The [Bridgeland-Riverside Area Redevelopment Plan](#) (ARP) was adopted by Council in 1980. In 2002, a major amendment (25P2000) to the ARP was approved to include the Bow Valley Centre lands (former Calgary General Hospital). The amendments included policies and goals for The Bridges planning area. The policies were integrated in the *Bow Valley Centre Concept Plan*, which forms Section 9 of the *Bridgeland-Riverside ARP*. The subject site is identified as within the Transit Supportive Mixed Use area in Map 3: Generalized Land Use of the ARP and aligns with applicable policies.

Bow Valley Centre Concept Plan, Section 9 of the Bridgeland-Riverside Area Redevelopment Plan (Statutory – 2002)

The [Bow Valley Centre Concept Plan](#) (BVC) is Section 9 of the *Bridgeland-Riverside Area Redevelopment Plan ARP* written for The Bridges planning area. The subject site is located within a Transit Supportive Mixed Use area as identified on Figure 19 – Conceptual Land Use

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map of the BVC. The subject site is also located adjacent to an Active Frontage corridor. The proposed land use amendment aligns with the applicable policies of the BVC.

Social, Environmental, Economic (External)

The proposed land use amendment will allow for additional at-grade commercial uses within 250 metres of the Bridgeland-Memorial LRT Station and enable transit supportive mixed-use development to be realized. The proposal will also support policy goals of providing more compact, compete communities with a diversity of housing and a range of neighbourhood shops and services that meet daily needs.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budget at this time.

Current and Future Capital Budget

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposed land use amendment is consistent with applicable policies of the *Municipal Development Plan* and the *Bridgeland-Riverside Area Redevelopment Plan*. The proposal allows for additional FAR on-site to support at-grade commercial uses that meet daily needs and supports the vitality of a transit supportive mixed-use development within close proximity to the Bridgeland-Memorial LRT Station.

ATTACHMENT(S)

1. Applicant's Submission
2. Community Association Letter
3. Applicant Engagement Summary
4. **Proposed Bylaw 39D2020**

Applicant's Submission

December 10, 2019

We are pleased to submit a Land Use Amendment Application for the above mentioned parcel in order to allow for additional commercial retail space at grade in the Dominion Phase 2 project. The approval of this amendment will enable the retail shopping frontage to extend from St. Matthew's Square, 9th Street and McDougall in Phase 1 all the way down to McDougall Rd. NE and 9A Street NE in Phase 2. The residential lobby entrance will be adjusted with access off of 9A Street NE and the at grade live-work units will be replaced with modestly sized retail bays to activate and enhance the shopping experience along the McDougall and 9A Street frontages. The proposed retail facades will provide a strong definition and natural surveillance of street activities throughout the day. To achieve this, the podium building face will extend outward to within 1 m of the property line (The existing approved design has residential facades setback 4.5m from the property line). The new commercial frontage will also provide increased security and natural surveillance for McDougall Park across the street. We are confident that this enhancement will provide an overall improvement to the public realm around the perimeter of the development. Furthermore, it will also ensure that both the phase 1 and phase 2 tower podiums are consistent and cohesive in terms of function, appearance, and overall aesthetics. In order to accommodate this amendment and ensure the viability of this new retail space, additional gross floor area will need to be added to the existing land-use. This will allow for retail bays that meet the MU-1 bylaw, are appropriate sized for retail tenants to successfully operate and are designed to match the first phase of the Dominion retail. In order to successfully integrate the retail into phase 2 the approved 5.3 FAR in the existing MU-1 bylaw will need to be increased to 5.6.

We have appreciated the time taken by the BRCA and its residents in providing feedback for the successful execution of the Dominion project to date. We have also approached the BRCA regarding this land use amendment and received positive feedback with respect to integrating additional retail to Phase 2 and making this change will ultimately arrive at a better development that will provide lasting benefits to all stakeholders.



Planning Committee
917 Centre Avenue NE Calgary AB T2E0C6
brcacalgary.org

10 January 2020

Circulation Control
Planning, Development & Assessment #8201
The City of Calgary
PO Box 2100 Station M
Calgary AB T2P2M5

Attn: CPAG.Circ@calgary.ca
cc: Fraser McLeod, File Manager (fraser.mcleod@calgary.ca)
Ali McMillan, BRCA Planning Director (planning@brcacalgary.org)

To Whom It May Concern:

RE: LOC2019-0164 (1018 McDougall Rd NE)

Thank you for the opportunity to comment again with respect to the changes to application for a Land Use Amendment affecting land at 1018 McDougall Rd NE.

This Land Use Application was most recently discussed at a meeting of our Planning Committee convened Jan. 6, 2018. Notice of that meeting was given to neighbours adjacent to the subject parcel through the Condo Boards and previous concerned residents via email. The only people in attendance were Planning Committee members. The applicant attended the meeting to give an overview of the changes to commercial and FAR.

Therefore the comments below regarding the LOC application reflect the feedback BRCA Planning Committee members present at the meeting.

We are supportive of the addition of ACTIVE commercial uses along McDougall Rd NE. This will continue to provide more amenities to our residents in the area and encourage 9th St to be a more prominent draw from the C-Train up to 1st Ave Main Street. Active uses continue to be a priority for us on 9th St – with a strong pedestrian realm, patios spilling out onto the street and activity/ eyes on the street. Restaurant, café, etc are most desirable. We strongly oppose medical uses along this street although around the corner on McDougall Rd there is a bit more flexibility to have a less active use.

We appreciate that the applicant has met the bylaw requirements for commercial parking and are fine with a shared visitor/ commercial parking structure as long as there are sufficient stalls.

With the increase in commercial in the area we would like to see improvements provided to two intersections – McDougall Rd and 9th St NE and McDougall Rd. and 9a St NE. Both of these intersections interface with key parks – Murdoch Park and Riverside Park respectively. We would like to see the road narrowed at these locations and improved crosswalks/ signaling to enhance the pedestrian environment. The speed in front of Bucci Dominion on 9th St is 30km/ hr due to the Murdoch Park playground zone and location of the community hall although people tend to try to speed up the hill. Improvements to this area are critical as we add more people and vehicle traffic.

Sincerely,

BRIDGELAND-RIVERSIDE COMMUNITY ASSOCIATION

Per: BRCA Board of Directors
Planning Committee



Tony Casola Architect Ltd. Hans Koppe Architect Ltd.
#300 - 1410 1 Street SW, Calgary, Alberta, T2R 0V8
Ph: 403 287-9960 Fax: 403 287-9962 Web: ckarch.ca

January 23, 2020

Fraser McLeod
Planner, South Area
Community Planning
City of Calgary
Calgary, Alberta

LOC2019-0164 Applicant Summary of Engagement

Fraser,

This letter is to provide you with a summary of the applicant-led outreach to the community of Bridgeland Riverside.

On 6 January 2020, the Applicant and the Development Team met with the Bridgeland Riverside Community Association (BRCA) in order to present the proposed Land Use Amendment. There were approximately 9 participants at this meeting and discussions lasted for about 30 minutes.

Each member present received a copy of the submitted Development Permit drawings which were part of the concurrent application for this LOC. The following changes were presented to the Association:

- 1- Increase of FAR to 5.6 to allow for a new commercial unit along McDougall Road NE.
- 2- Moving the residential units up into the tower to maintain the number of dwelling units.
- 3- How adequate parking has been accommodated for these changes.

The BRCA response to these changes was positive, especially the introduction of the commercial unit, for the activation of McDougall Road NE. Proposed uses for this unit were discussed and it was decided that a 'quieter' use would also be acceptable in this location, as opposed to the more active uses such as a restaurant.

The other comment from the BRCA was to implement corner curb bulbs or projections at the intersections of 9th Street & McDougall Road NE as well as at McDougall Road & 9A Street NE to act as a traffic-calming measure for 9th Street and McDougall NE. This arose out of concern for the increase in traffic along these roads due to the various new developments in the area and to allow for safer and more convenient pedestrian crossing at these intersections.

After the meeting, the BRCA drafted a formal letter to the City of Calgary providing this feedback. The Applicant responded to this letter as well as to the feedback that was provided by the community at the Community Information Evening (See below).

On 14 January 2020, the Applicant and the Development Team met with the community of Bridgeland / Riverside through a Community Information Evening held at the BRCA Hall, where the proposed Land Use Amendment were showcased on presentation boards. The Applicant,

members of the Development Team as well as members from the City of Calgary Planning Department, were present to answer questions from the community and explain the proposed changes to the Land Use and the building itself, in detail.

Despite the cold weather, the event was well attended with approximately 20 small groups of people making an appearance. A comment box was located at the front of the Hall for individuals to express their thoughts formally.

Feedback that arose from various conversations with the community as well as through the comment box were as follows:

- 1- The building looks great and has an interesting design but there is concern over the height that the Zoning of the parcels in the area are allowing.
- 2- There is concern regarding traffic and the need for adequate parking for the commercial Uses.
- 3- Most people had their own ideas about what they would like to see in the new commercial unit, ranging from a Bar/Pub and restaurant to a medical office.
- 4- The new commercial unit was widely accepted.
- 5- More lighting suggested for the building to add colour and brightness to the façade.
- 6- Less density and lower building (7storey).
- 7- Looking forward to having the commercial uses in this area. Likes the current design and hopes that this is reflected in the DP.

The following comments are in response to the comments above from the Community Information Evening:

- 1- Although this application is not dealing with a change in height for the Land Use, this was discussed at great length at the beginning of the process when the initial Land Use Amendment was made. At this time it was agreed by the City of Calgary that this area would be suitable to maintain buildings of this height.
- 2- The proposed development has adequate underground parking for the commercial units as per the City of Calgary Bylaw.
- 3- Although we are unable to say exactly what tenant will occupy the new commercial unit at this time, we will strive to encourage a tenant that is suitable and appropriate for the building and for the community.
- 4- The material used for the screens of the building has reflective qualities which will allow for a dynamic façade throughout varying light through the day. Landscape Architects have designed lighting around the site which will help with illuminating the building on the exterior and adding further interest to the façade.
- 5- As this site is a stone's throw away from the LRT Station as well as being so close to downtown, it is zoned to have a higher density. This density is only achievable with a taller building.
- 6- The DP for this project is running concurrently with the Land Use Amendment so the images and plans that were presented at the evening, are the same that were submitted to the City of Calgary for approval.

The following decisions were made in light of these comments:

- 1- The Applicant has added corner curb bulbs to the Development Permit Application drawings to be approved by the City of Calgary. The Applicant believes that this will help with slowing down the traffic in the area as well as enhancing the pedestrian crossing safety along both sides of the site.

- 2- The Applicant has designed the proposed new commercial unit to facilitate a number of different uses, such as a restaurant or print shop. This space can also allow for a few smaller units, making it adaptable to many different uses.
- 3- The Applicant has ensured that there is adequate underground parking for the proposed commercial uses to minimize the need for street parking.

Overall, the feedback from the BRCA and the Bridgeland Riverside community has been positive regarding the proposed changes prescribed in the Land Use Amendment. Where possible, we have implemented solutions which we believe will resolve, or help to alleviate, important issues brought to light by the community, to enrich the vision for this area.

Sarah McNeill, Architectural Designer, MArch
Casola Koppe Architects Ltd.

PROPOSED

CPC2020-0060
ATTACHMENT 4

BYLAW NUMBER 39D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0164/CPC2020-0060)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

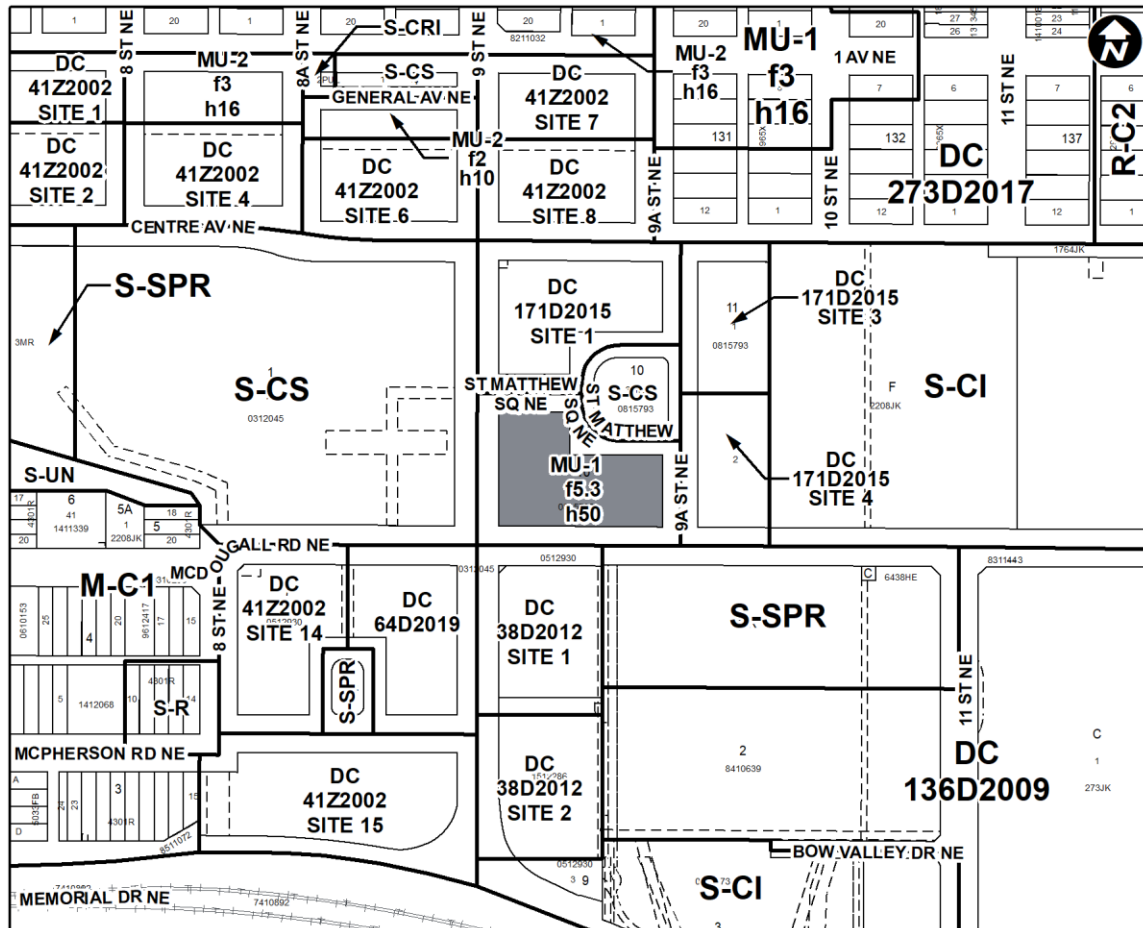
SIGNED ON _____

CITY CLERK

SIGNED ON _____

**AMENDMENT LOC2019-0164/CPC2020-0060
BYLAW NUMBER 39D2020**

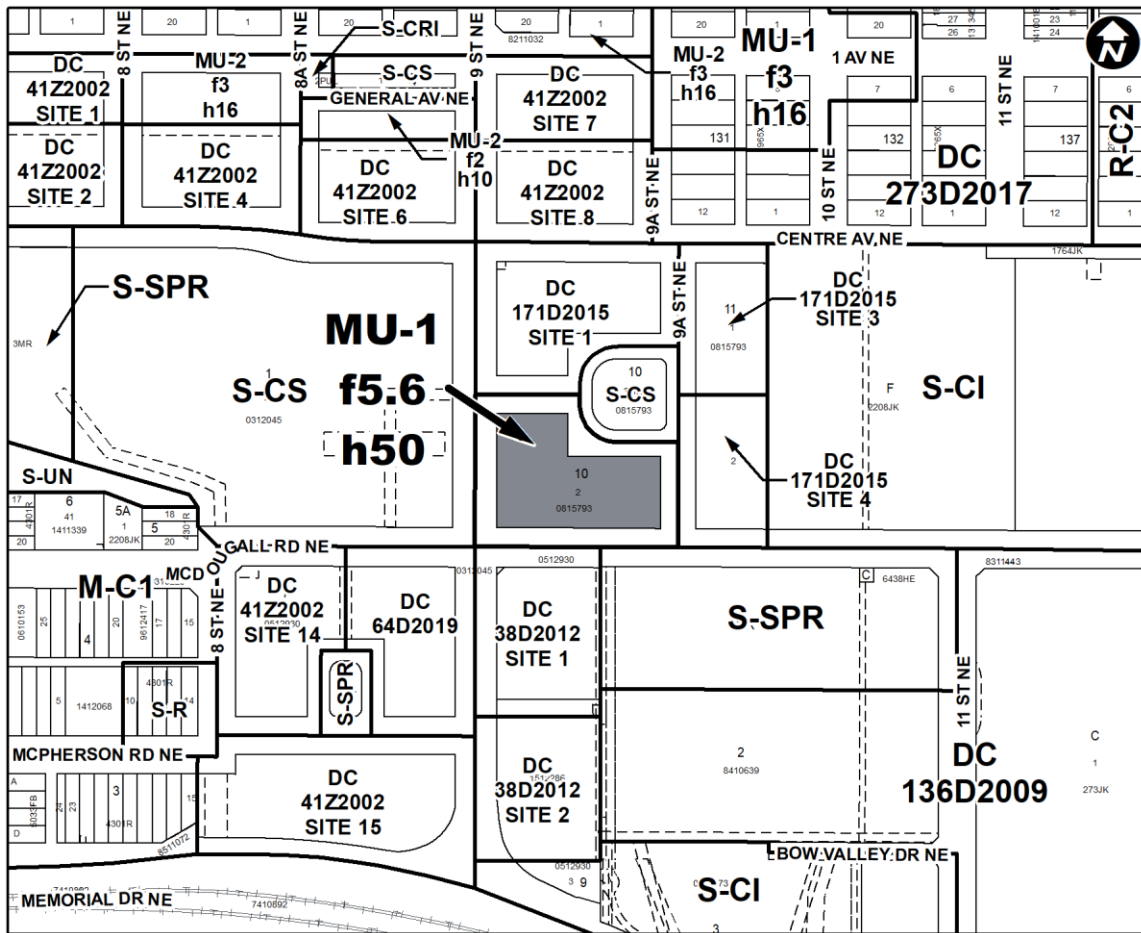
SCHEDULE A



PROPOSED

AMENDMENT LOC2019-0164/CPC2020-0060
BYLAW NUMBER 39D2020

SCHEDULE B



Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0134

Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178

EXECUTIVE SUMMARY

This application was submitted by the landowner, Ibrahim Elhage on 2019 November 25. The application proposes to redesignate the subject parcel from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District to allow for:

- semi-detached and duplex homes in addition to building types already allowed (e.g. single detached homes and secondary suites);
- a maximum building height of 10 metres (no change from the current maximum);
- a maximum of 2 dwelling (an increase from the current maximum of 1 dwelling unit); and
- the uses listed in the R-C2 District.

The proposed land use amendment is consistent with the applicable policies of the *Municipal Development*.

No development permit application has been submitted at this time.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing and:

1. **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2218 - 26 Street SE (Plan 2748GL, Block 14, Lot 7) from the Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 FEBRUARY 06:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2218 - 26 Street SE (Plan 2748GL, Block 14, Lot 7) from the Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District; and
2. Give three readings to **Proposed Bylaw 41D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0134

Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178

BACKGROUND

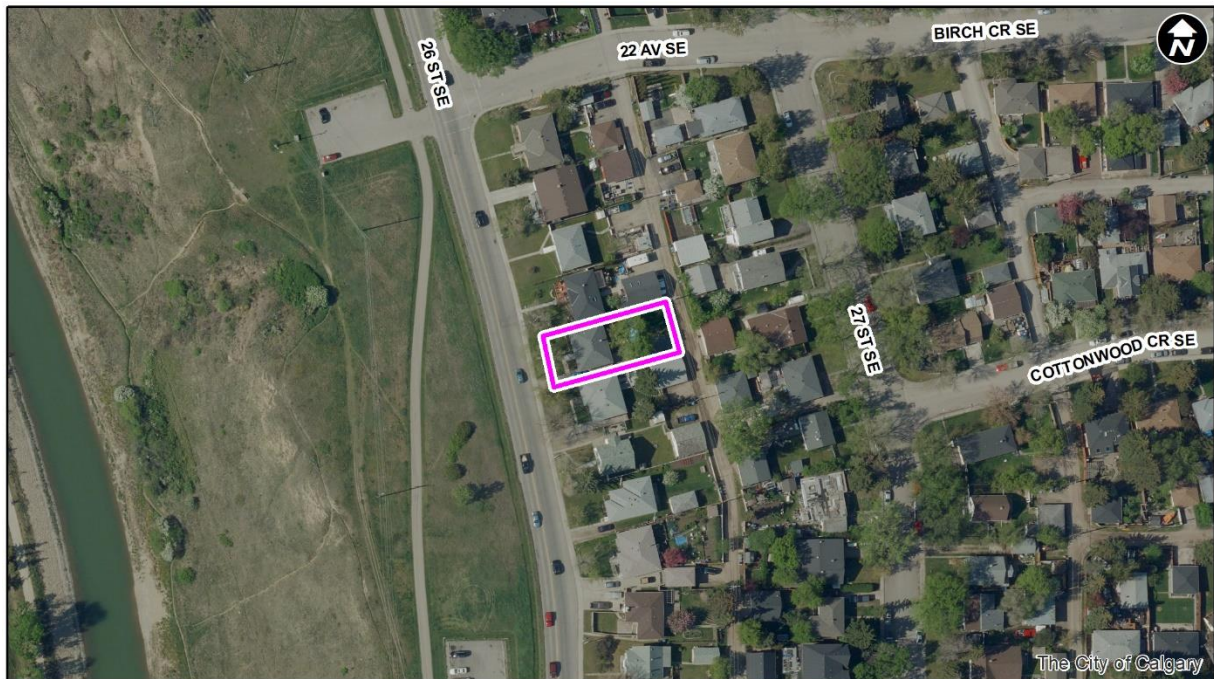
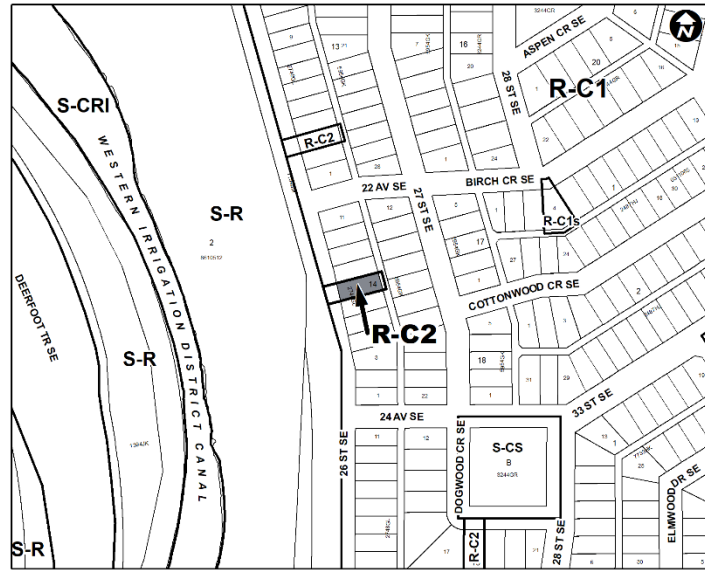
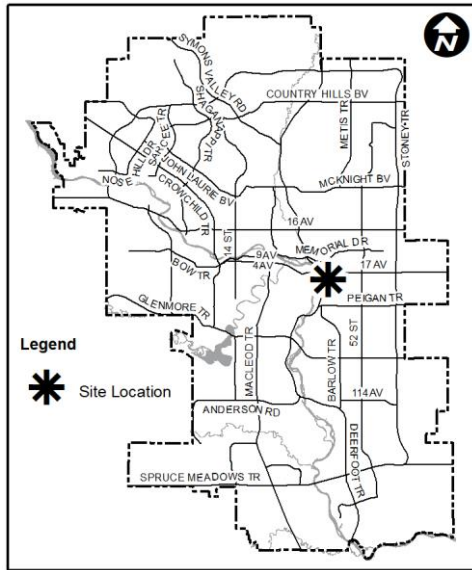
This application was submitted by the landowner, Ibrahim Elhage on 2019 November 25. While no development permit has been submitted at this time, the applicant has indicated their intent to develop a semi-detached dwelling (Attachment 1).

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0134

Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178

Location Maps



Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178



Site Context

The subject parcel is located on 26 Street SE between 22 and 24 Avenue SE in the community of Southview. The site is approximately 0.06 hectares (0.14 acres) with approximate dimensions of 15 metres by 37 metres. The parcel is surrounded by low density residential development in the form of single detached dwellings and a few scattered semi-detached dwellings. The parcel abuts a lane along the east side and is currently developed with a one-storey single detached dwelling, a detached garage in the back accessed from the front and a shed in the back of the property. The parcel is located two and half blocks south of 17 Avenue SE, one of Calgary's Urban Main Streets. It is also 500 metres west of the South View Community Association site and the Mountain View School.

As identified in *Figure 1*, the community of Southview has observed a decrease in population with its peak population in 1970.

Figure 1: Community Peak Population

Southview	
Peak Population Year	1970
Peak Population	3,464
2019 Current Population	1,805
Difference in Population (Number)	-1,659
Difference in Population (Percent)	-48%

Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178

Source: The City of Calgary 2019 Civic Census

Additional demographic and socio-economic information may be obtained online through the [Southview](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal represents an increase in density and allows for a building type that has the ability to be compatible with the established building form of the existing neighbourhood and complementary to the surrounding development.

Planning Considerations

The following sections highlight the scope of the technical planning analysis conducted by Administration.

Land Use

The existing R-C1 District allows for low density residential developments with a maximum of one dwelling unit and a maximum building height of 10 metres. Single detached dwellings and secondary suites are intended uses for this District.

The proposed R-C2 District allows for low density residential developments with a maximum of two dwelling units and a maximum building height of 10 metres. It allows for a wider range of low density residential housing types such as single detached, semi-detached, duplex dwellings and secondary suites.

Development and Site Design

The rules of the proposed R-C2 District will provide guidance for future site development, including appropriate building height, massing and setbacks, land uses and parking. Given the specific context of this site, additional items that will be considered through the development permit process include, but are not limited to the following:

- respecting the immediate context and privacy of adjacent residential developments; and
- providing adequate motor vehicle parking stalls to support future development.

Environmental

There are no known outstanding environmentally related concerns associated with the subject lands and/or proposal. As such, an Environmental Site Assessment was not required.

Transportation

Pedestrian and vehicular access to the site is available from 26 Street SE and the rear lane. The area is served by Calgary Transit MAX Purple Route 307 with a MAX Transit Station

Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178

approximately 600 meters walking distance from the site on 17 Avenue SE. On-street parking adjacent to the site is unregulated. The site is directly across the street from a regional pathway that provides walking and cycling connections to the Bow River pathway system and the downtown core.

Utilities and Servicing

Public water and sanitary deep utilities exist within the adjacent public right-of-way for future development servicing. Servicing requirements will be determined at the time of development, to the satisfaction of Water Resources.

Stakeholder Engagement, Research and Communication

In keeping with the Administration's standard practices, this application was circulated to all relevant stakeholders and notice posted on site. Notification letters were also sent to adjacent landowners and the application was advertised online.

The application was circulated to the Southview Community Association and they have raised concerns in having a land use amendment applied in advance of the adoption of the Guidebook for Great Communities. Concerns are detailed in their response letter (Attachment 2).

Administration received two letters of opposition to this application. Administration received a number of phone calls enquiring about the proposal through which similar concerns were expressed. Reasons stated for opposition are summarized as follows:

- the adequacy of onsite parking;
- the nuisance associated with construction sites;
- the potential for an increase in property taxes; and
- the shadowing and loss of privacy associated with narrow, tall homes.

Administration considered the relevant planning issues specific to the proposed redesignation and has determined the proposal to be appropriate. Compatibility of discretionary uses with respect to the surrounding neighbourhood, design and parking requirements will be reviewed at the development permit stage.

No public meetings were held by the applicant or Administration, however the applicant did engage in conversations with neighbouring residents.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) (SSRP) which directs population growth in the region to Cities and Town and promotes the efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed land use amendment and policy amendment build on the principles of the *Interim Growth Plan* by means of promoting efficient use of land and regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is situated in the Residential – Developed - Established area as shown on Map 1: Urban Structure of the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage redevelopment and modest intensification in established communities intended to occur in a form and nature that respects the scale and character of the neighbourhood context. The proposal is in keeping with relevant MDP policies and the Land Use Bylaw, as per the rules of the R-C2 District, which provides for a modest increase in density that is sensitive to the existing residential development in terms of height, built-form.

The site is also in close proximity (approximately 530 meters) to the 17 Avenue SE Urban Main Street to the north. Urban Main Streets intend to provide high levels of services, as well as residential and employment intensification.

Forest Lawn Design Brief (Non-Statutory – 1975)

The subject site is situated in the Low Density Residential area as shown on the Area Improvement Plan of the *Forest Lawn Design Brief* (the Brief). The Brief makes no specific reference to the subject and is silent on the matter of land use redesignations.

Transit Oriented Development Policy Guidelines (Non-Statutory – 2004)

The [Transit Oriented Development](#) (TOD) Policy Guidelines provide direction for the development of areas typically within a radius of 600 metres (10 minute walking distance) of a transit station. The guidelines call for higher density, walkable, mixed-use areas around transit stations to optimize the use of transit infrastructure and create mobility options for local residents. The site is within a 10 minute (600 metres) walking distance from the MAX Transit Station.

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0134

Land Use Amendment in Southview (Ward 09) at 2218 - 26 Street SE, LOC2019-0178

Calgary International Airport Vicinity Protection Area Regulation (2009)

The subject site is located within the Calgary International Airport Vicinity Protection Area (AVPA). The AVPA Regulation was created to ensure that only compatible land uses are developed in close proximity to airport flight paths. The AVPA Regulation establishes prohibitive uses in certain locations, identified within Noise Exposure Forecast (NEF) areas.

The site is not located within an NEF Area, and as such, residential intensification is not prohibited. Notwithstanding, all buildings constructed on land in the Protection Area must comply with the acoustical requirements set out in the Alberta Building Code that are in force at the time the development permit relating to the building is issued.

Social, Environmental, Economic (External)

This proposal will allow for additional residential intensity which will facilitate a more compact urban form that makes efficient use of land and existing infrastructure. The proposed land use also allows for housing diversity for the citizens of Calgary, close to a Main Street and good transit connections.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets.

Current and Future Capital Budget

The proposed amendments do not trigger capital infrastructure investment and there are no growth management concerns at this time.

Risk Assessment - There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with applicable policies and the urban structure of the subject site as identified in the *Municipal Development Plan*. The proposal allows for a low-density building form and modest increase of an inner-city parcel of land, and development that has the ability to be compatible with the character of the existing neighbourhood.

ATTACHMENT(S)

1. Applicant's Submission
2. Community Association Letter
3. **Proposed Bylaw 41D2020**
4. **Public Submissions**

Applicant's Submission

25 November 2019

Land Use Redesignation Applicant's Submission

As the current owner of the residence located at 2218 26 Street S. E., I am applying to rezone the current parcel of land from Residential Contextual (R-C1) to Residential Context (R-C2) to allow for the development of a semi-detached dwelling.

There have been pockets of redevelopment throughout the neighboring communities in recent years which speaks to the desirability of the area and serves as an indication of demand for this type of housing product. We believe our rezoning application should be approved by City Council for the following reasons:

Tax Base Uplift: Given the urgent budget situation faced by the City, at this time, new developments contribute greatly to an expanded tax base without public investment in new infrastructure.

Need to add appropriate density: As the City population grows there must be a mechanism to naturally add population and density to older grid areas. The support initiative of the RC2 zoning is the product that feeds this need.

Increasing inner city affordability: Calgary is facing an affordability challenge for new families looking to live in established communities. Semi detached housing will allow for more affordable inner-city living options within the community.

Attractiveness of Semi-detached form: The location of the lot can improve the pedestrian realm along 26th street by featuring new building facades with entries that blend with existing homes, without being over bearing.

Aesthetic: Arguments opposing this type of housing are generally reactionary and confuse 'older' homes with additive character and 'new' homes with diminished character. There are no character guidelines for the community of Southview that would prevent a housing project such as this one from being complimentary to the 26th street location. Rather the existing dwelling is in much need of an extreme face lift.

Building and Supporting local community: Infill construction and the density associated with it is an investment in the Southview Community. It grows investment and employment which in turns expands the local community. Further, having a broader socio-economic diversity of residents will also enhance and support the local community.

Supporting family housing options: This location falls within a desired school catchment, and it is likely that semi-detached dwellings will attract families with young children. Over the long term, the school needs to be populated by children within walking distance. By approving this land change, Council is placing the needs of children above those who object to density.

Inability to demonstrate harm: There are no statistics or other evidence that the Southview community will be harmed by a new infill development. Without evidence or proof of harm, applications to build new housing should be welcomed by Council.

Applicant's Submission

MDP: The applicable Municipal Development Plan (MDP) encourages redevelopment and modest intensification in inner city communities such as Southview. Southview in particular is a community that should welcome redevelopment and densification due to its proximity to a Primary transits Network (LRT/ Rapid bus route) and an Urban Main Street (17th Ave SE) as well as its proximity to a major skeletal road (DEERFOOT TRAIL).

As a young professional married couple who both work downtown, we appreciate the proximity to local public transportation and the newly established rapid bus transit line. We also take pride in starting our life together consuming less of an environmental foot print and living in a duplex will help us achieve this goal. We truly see the value in our community and believe redevelopment will have a great impact on the community's value and desirability.

Community Association Letter

21st January 2020

Land Use Redesignation –LOC2019-0178

The property at 2218 26 St. SE. is on an important street in Southview as it overlooks the escarpment and is, therefore, key to any new and transitional development that occurs in Southview. The City of Calgary designated this Street to remain as RC1 - single family housing when they did planning around the Bus Rapid Transit for 17 Ave SE and the Area Redevelopment Plan.

Previous plans proposed by the city (in 2015) for increased density in Southview allowed for increased density along 19th Ave and on 35 St from 17 Ave to 20th Ave. The interior streets of the community and the street along the escarpment (26 St SE) remained RC1 for single family homes.

We believe that any decision regarding increased density in Southview should be put on hold until:

1. The multi-area plan is completed; and
2. The Community Association and residents have had an opportunity to view the new Guidebook and it's implications for planning.

Our area is in transition and we strongly believe that it is important to take the time to make thoughtful well planned decisions that will create Great Neighborhoods and long term benefits for the residents of Southview and the City of Calgary.

The Southview Community Association believes it is important to wait until a plan is in place to avoid ad-hoc development.

Kind regards,

Wendy Whitehouse
President

Southview Community Association

PROPOSED

CPC2020-0134
ATTACHMENT 3

BYLAW NUMBER 41D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0178/ CPC2020-0134

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

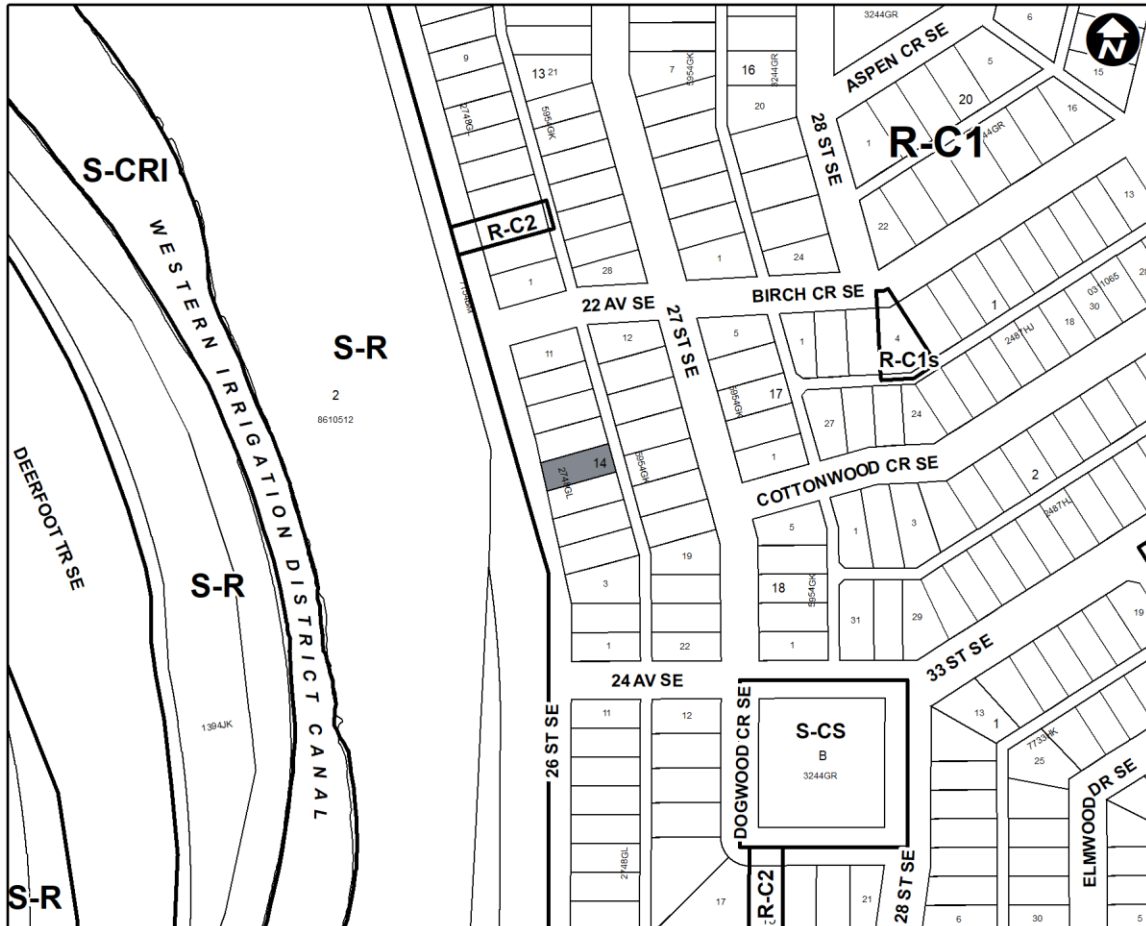
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2019-0178/ CPC2020-0134
BYLAW NUMBER 41D2020

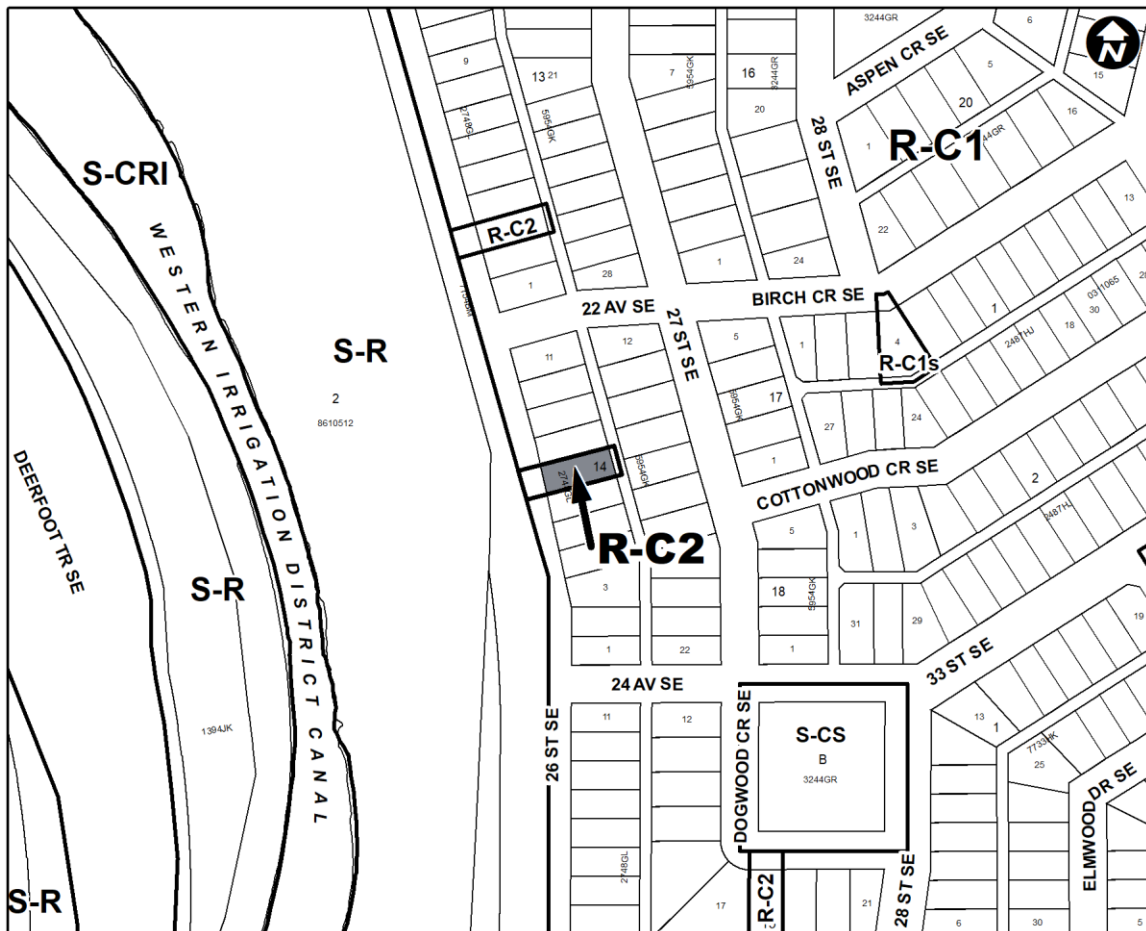
SCHEDULE A



PROPOSED

AMENDMENT LOC2019-0178/ CPC2020-0134
BYLAW NUMBER 41D2020

SCHEDULE B



From: [Andy Milner](#)
To: [Public Submissions](#)
Subject: [EXT] Fwd: Land Use Amendment LOC2019-0178. 2218-26 ST. S.E.
Date: Thursday, February 27, 2020 6:33:18 PM

Sent from my iPad

Begin forwarded message:

From: Andy Milner <andymilner@live.ca>
Date: December 11, 2019 at 8:02:02 PM MST
To: "insia.hassonjee@calgary.ca" <insia.hassonjee@calgary.ca>
Cc: Andy work <amilner@nu-wayfloors.com>
Subject: Land Use Amendment LOC2019-0178

Hi Insia.

I am sending this letter in regards to the application of the land rezoning of 2218 26th St SE. We have lived at 2214 26th St. in Southview for 28 years and truly love the neighborhood. I'm sure I represent a majority of the neighborhood in saying that we are not in favour of infills for several reasons.

Firstly, we have only one side of the street to park on and we are quite respectful of each others parking right now. I work in majority of infill communities and parking is the number one complaint. I have witnessed on many occasions arguments over whose spot is whose and several have become very heated. Obviously there is no law in which parking can be claimed without some sort of permit, but we do have mutual respect for each others space.

Secondly, once a community has R-C2 zoning it becomes a constant construction site and the only benefactor is the developer. There is no enhancement in any way. This is easily seen in the applicants point of view about building and selling.

My neighbour to my North will also have a ability to rezone if this is approved and I will soon have 5 families residing in a 150 foot space and 5 years of construction. I will have air and sound pollution for years as this will continue possible on both sides and or behind me.

Thirdly, the rising costs of property taxes will also be a factor if the sale of one infill home is close to the price of a single family dwelling.

Fourthly, I will lose privacy and sunlight with two skinny tall homes next door. Southview is one of the few neighbourhoods left close to downtown that is free from this type of development and is very quiet and beautiful.

I implore you and the city to not consider this application as it will start a wave of construction and tension that's unnecessary in this close nit community we call home.

Yours Truly,
Andrew and Carol Milner

Please contact me if you need to at 403 852 6616

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0141

Land Use Amendment in Southview (Ward 09) at 2414 - 27 Street SE, LOC2019-0179

EXECUTIVE SUMMARY

This application was submitted by the landowner, Zacharia Salem on 2019 November 25. The application proposes to redesignate the subject parcel from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District to allow for:

- semi-detached and duplex homes in addition to building types already allowed (e.g. single detached homes and secondary suites);
- a maximum building height of 10 metres (no change from the current maximum);
- a maximum of 2 dwelling (an increase from the current maximum of 1 dwelling unit); and
- the uses listed in the R-C2 District.

The proposed land use amendment is consistent with the applicable policies of the *Municipal Development Plan*.

No development permit application has been submitted at this time.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing and:

1. **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2414 - 27 Street SE (Plan 5954GK, Block 18, Lot 2) from the Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 FEBRUARY 06:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2414 - 27 Street SE (Plan 5954GK, Block 18, Lot 2) from the Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District; and
2. Give three readings to **Proposed Bylaw 42D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0141

Land Use Amendment in Southview (Ward 09) at 2414 - 27 Street SE, LOC2019-0179

BACKGROUND

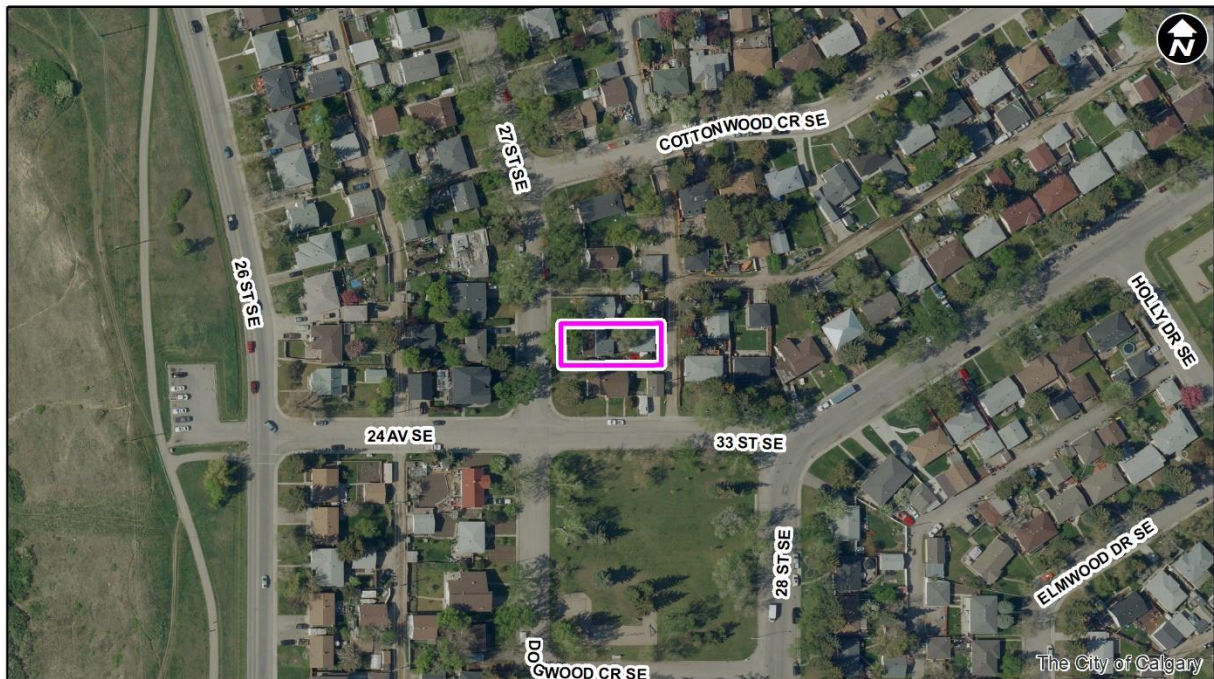
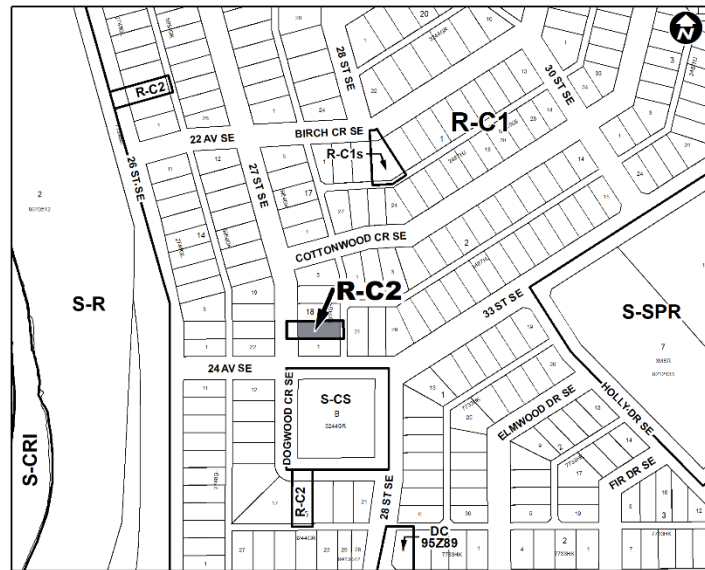
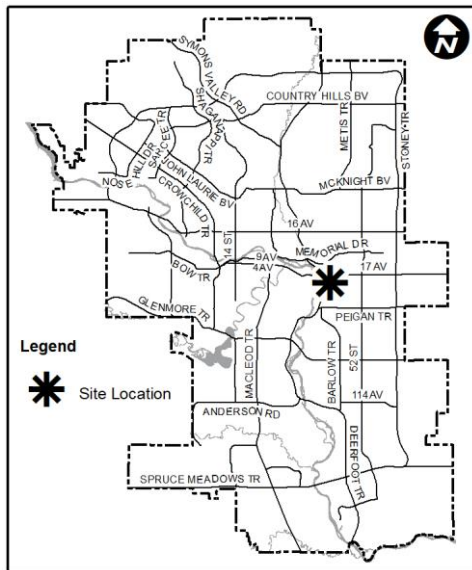
This application was submitted by the landowner, Zacharia Salem on 2019 November 25. While no development permit has been submitted at this time, the applicant has indicated their intent to develop a semi-detached dwelling (Attachment 1).

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0141

Land Use Amendment in Southview (Ward 09) at 2414 - 27 Street SE, LOC2019-0179

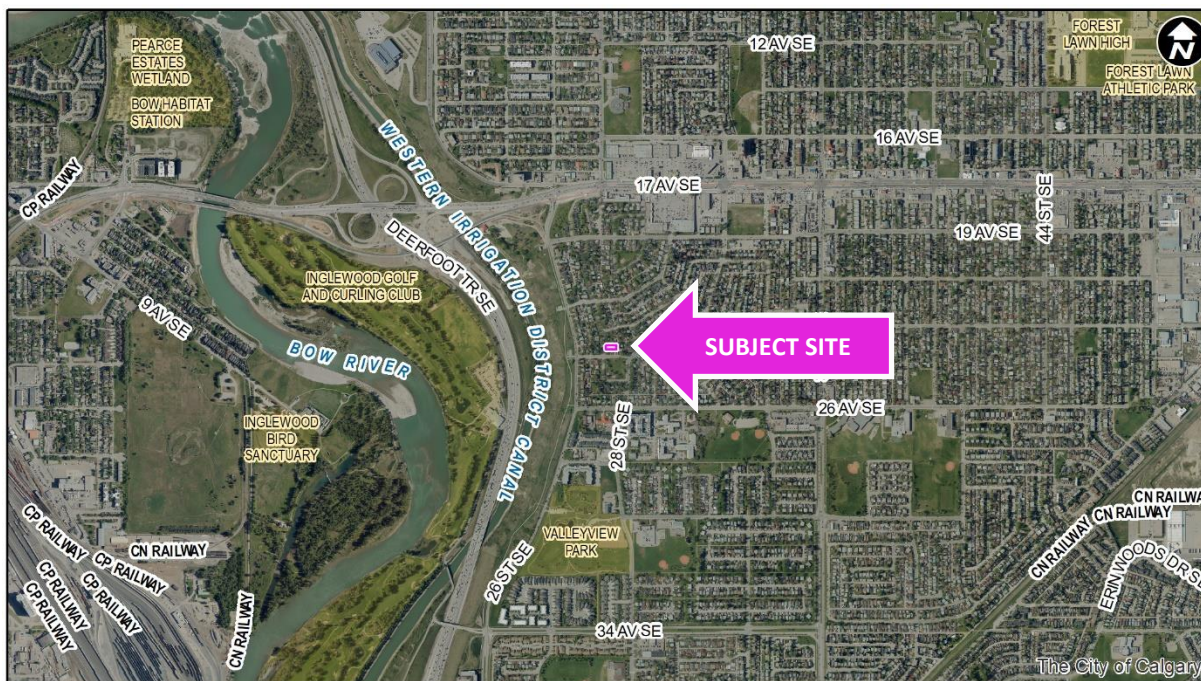
Location Maps



Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0141

Land Use Amendment in Southview (Ward 09) at 2414 - 27 Street SE, LOC2019-0179



Site Context

The subject parcel is located on 27 Street SE between 22 and 24 Avenue SE in the community of Southview. The site is approximately 0.06 hectares (0.14 acres) with approximate dimensions of 15 metres by 36 metres. The parcel is surrounded by low density residential development in the form of single detached dwellings and a few scattered semi-detached dwellings. The parcel abuts a lane along the east side and is currently developed with a one-storey single detached dwelling and a detached garage in the back of the property accessed from the lane. The parcel is located three blocks south of 17 Avenue SE, one of Calgary's Urban Main Streets. It is also 350 metres west of the South View Community Association site and the Mountain View School.

As identified in *Figure 1*, the community of Southview has observed a decrease in population from its peak population in 1970.

Figure 1: Community Peak Population

Southview	
Peak Population Year	1970
Peak Population	3,464
2019 Current Population	1,805
Difference in Population (Number)	-1,659
Difference in Population (Percent)	-48%

Source: The City of Calgary 2019 Civic Census

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Additional demographic and socio-economic information may be obtained online through the [Southview](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal represents an increase in density and allows for a building type that has the ability to be compatible with the established building form of the existing neighbourhood and complementary to the surrounding development.

Planning Considerations

The following sections highlight the scope of the technical planning analysis conducted by Administration.

Land Use

The existing R-C1 District allows for low density residential developments with a maximum of one dwelling unit and a maximum building height of 10 metres. Single detached dwellings and secondary suites are intended uses for this District.

The proposed R-C2 District allows for low density residential developments with a maximum of two dwelling units and a maximum building height of 10 metres. It allows for a wider range of low density residential housing types such as single detached, semi-detached, duplex dwellings and secondary suites.

Development and Site Design

The rules of the proposed R-C2 District will provide guidance for future site development, including appropriate building height, massing and setbacks, land uses and parking. Given the specific context of this site, additional items that will be considered through the development permit process include, but are not limited to the following:

- respecting the immediate context and privacy of adjacent residential developments; and
- providing adequate motor vehicle parking stalls to support future development.

Environmental

There are no known outstanding environmentally related concerns associated with the subject lands and/or proposal. As such, an Environmental Site Assessment was not required.

Transportation

Pedestrian and vehicular access to the site is available from 27 Street SE and the rear lane. The area is served by Calgary Transit MAX Purple Route 307 with a MAX Transit Station

Land Use Amendment in Southview (Ward 09) at 2414 - 27 Street SE, LOC2019-0179

approximately 650 metres walking distance from the site on 17 Avenue SE. On-street parking adjacent to the site is unregulated.

Utilities and Servicing

Public water and sanitary deep utilities exist within the adjacent public right-of-way for future development servicing. Servicing requirements will be determined at the time of development, to the satisfaction of Water Resources.

Stakeholder Engagement, Research and Communication

In keeping with the Administration's standard practices, this application was circulated to all relevant stakeholders and notice posted on site. Notification letters were also sent to adjacent landowners and the application was advertised online.

The Southview Community Association was circulated the application and have raised concerns in having a land use amendment applied in advance of the adoption of the Guidebook for Great Communities. Concerns are detailed in their response letter (Attachment 2).

Administration received one letter of opposition to this application. Administration received a number of phone calls enquiring about the proposal through which similar concerns were expressed. Reasons stated for opposition are summarized as follows:

- the adequacy of onsite parking;
- the nuisance associated with construction sites;
- the potential for an increase in property taxes; and
- the shadowing and loss of privacy associated with narrow, tall homes.

Administration considered the relevant planning issues specific to the proposed redesignation and has determined the proposal to be appropriate. Compatibility of discretionary uses with respect to the surrounding neighbourhood, design and parking requirements will be reviewed at the development permit stage.

No public meetings were held by the applicant or Administration, however the applicant did engage in conversations with neighbouring residents and contacted the Community Association about the proposal.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

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Land Use Amendment in Southview (Ward 09) at 2414 - 27 Street SE, LOC2019-0179

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) (SSRP) which directs population growth in the region to Cities and Town and promotes the efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed land use amendment and policy amendment build on the principles of the *Interim Growth Plan* by means of promoting efficient use of land and regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is situated in the Residential – Developed – Established area as shown on Map 1: Urban Structure of the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage redevelopment and modest intensification in established communities intended to occur in a form and nature that respects the scale and character of the neighbourhood context. The proposal is in keeping with relevant MDP policies and the Land Use Bylaw, as per the rules of the R-C2 District, which provides for a modest increase in density that is sensitive to the existing residential development in terms of height, built-form.

The site is also in close proximity (approximately 530 metres) to the 17 Avenue SE Urban Main Street to the north. Urban Main Streets intend to provide high levels of residential and employment intensification.

Forest Lawn Design Brief (Non-Statutory – 1975)

The subject site is situated in the Low Density Residential area as shown on the Area Improvement Plan of the *Forest Lawn Design Brief* (the Brief). The Brief makes no specific reference to the subject site and is silent on the matter of land use redesignations.

Transit Oriented Development Policy Guidelines (Non-Statutory – 2004)

The [Transit Oriented Development](#) (TOD) Policy Guidelines provide direction for the development of areas typically within a radius of 600 metres (10 minute walking distance) of a transit station. The guidelines call for higher density, walkable, mixed-use areas around transit stations to optimize the use of transit infrastructure and create mobility options for local residents. The site is within a 10 minute (600 metres) walking distance from the MAX Transit Station.

Calgary International Airport Vicinity Protection Area Regulation (2009)

The subject site is located within the Calgary International Airport Vicinity Protection Area (AVPA). The AVPA Regulation was created to ensure that only compatible land uses are

Land Use Amendment in Southview (Ward 09) at 2414 - 27 Street SE, LOC2019-0179

developed in close proximity to airport flight paths. The AVPA Regulation establishes prohibitive uses in certain locations, identified within Noise Exposure Forecast (NEF) areas.

The site is not located within an NEF Area, and as such, residential intensification is not prohibited. Notwithstanding, all buildings constructed on land in the Protection Area must comply with the acoustical requirements set out in the Alberta Building Code that are in force at the time the development permit relating to the building is issued.

Social, Environmental, Economic (External)

This proposal will allow for additional residential intensity which will facilitate a more compact urban form that makes efficient use of land and existing infrastructure. The proposed land use also allows for housing diversity for the citizens of Calgary, close to a Main Street and good transit connections.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets.

Current and Future Capital Budget

The proposed amendments do not trigger capital infrastructure investment and there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with applicable policies, and the urban structure of the subject site as identified in the *Municipal Development Plan*. The proposal allows for a low-density building form and modest increase of an inner-city parcel of land, and development that has the ability to be compatible with the character of the existing neighbourhood.

ATTACHMENT(S)

1. Applicant's Submission
2. Community Association Letter
3. **Proposed Bylaw 42D2020**

Applicant's Submission

25 November 2019

Land Use Redesignation Applicant's Submission

I am applying for the rezone from RC1 to RC2. My plan is to eventually build a side by side infill that I will live in and sell off the other side. I have lived in the area for most of my life and would like to have a newer home in this community. I feel that the neighborhood cannot support a single home on one lot yet as there has been very little development in this neighborhood. But building two homes on the one lot will allow me to sell off one side and live in the other. Many of the homes on my street are rentals and I feel that my building on my lot will encourage others to do the same once they see me take the first step.

Community Association Letter

20th January 2020

**Re –LOC2019-0179 at 2414 - 27 Street SE
Land Use Amendment from R-C1 to R-C2**

Hi Insia,

Thank you for resending the package. Here are the comments from SVCA Board.

Previous plans for increased density proposed by the city (in 2015) allowed for increased density along 19th Ave and on 35 St from 17 Ave to 20th Ave. The interior streets of the community and the street along the escarpment (26 St SE) remained RC1 for single family homes.

We believe that any decision regarding increased density in Southview should be put on hold until:

1. The multi-area plan is completed and
2. The Community Association and residents have had an opportunity to view the new Guidebook and it's implications for planning.

Our area is in transition and we strongly believe that it is important to take the time to make thoughtful well planned decisions that will create Great Neighborhoods and long term benefits for the residents of Southview and the City of Calgary.

The Southview Community Association believes it is important to wait until a plan is in place to avoid ad-hoc development.

Thank you,

Wendy Whitehouse
President

Southview Community Association

PROPOSED

CPC2020-0141
ATTACHMENT 3

BYLAW NUMBER 42D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0179/ CPC2020-0141)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

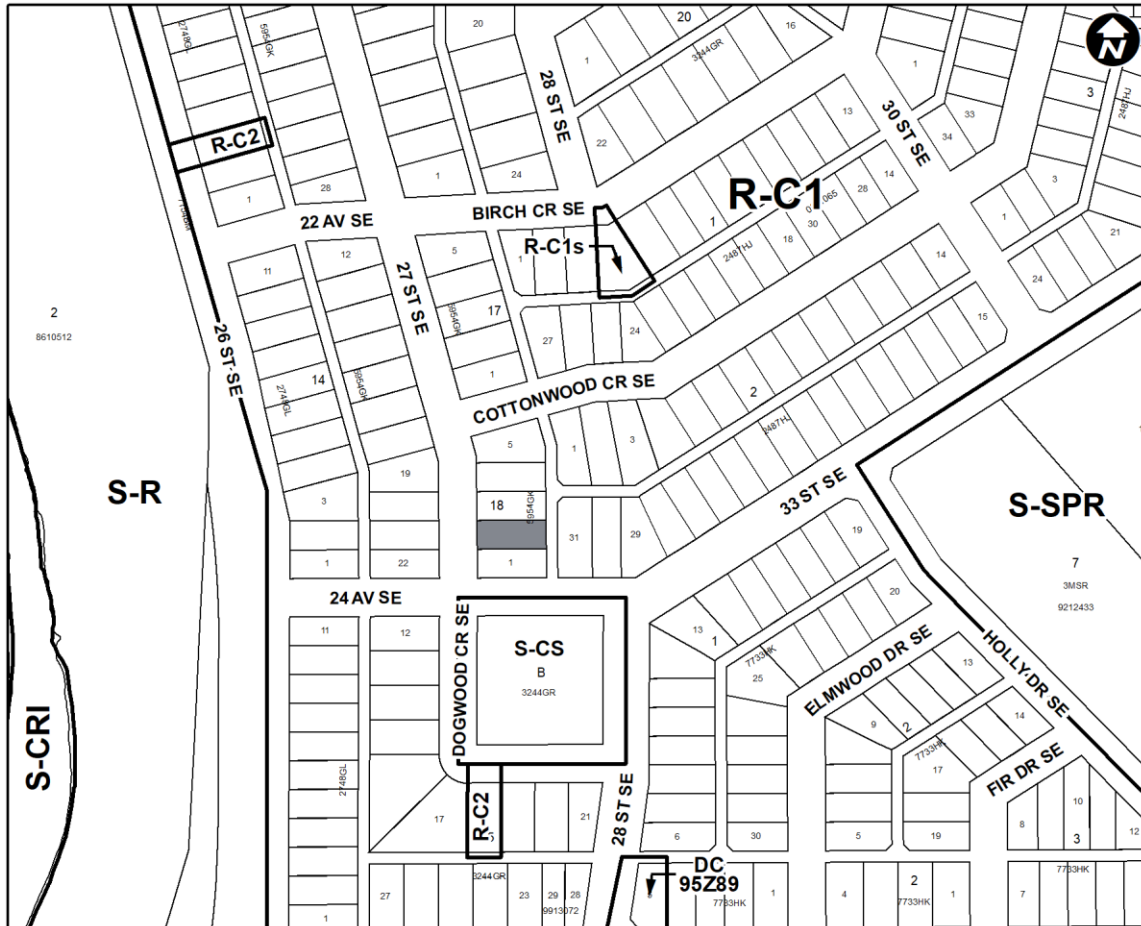
CITY CLERK

SIGNED ON _____

PROPOSED

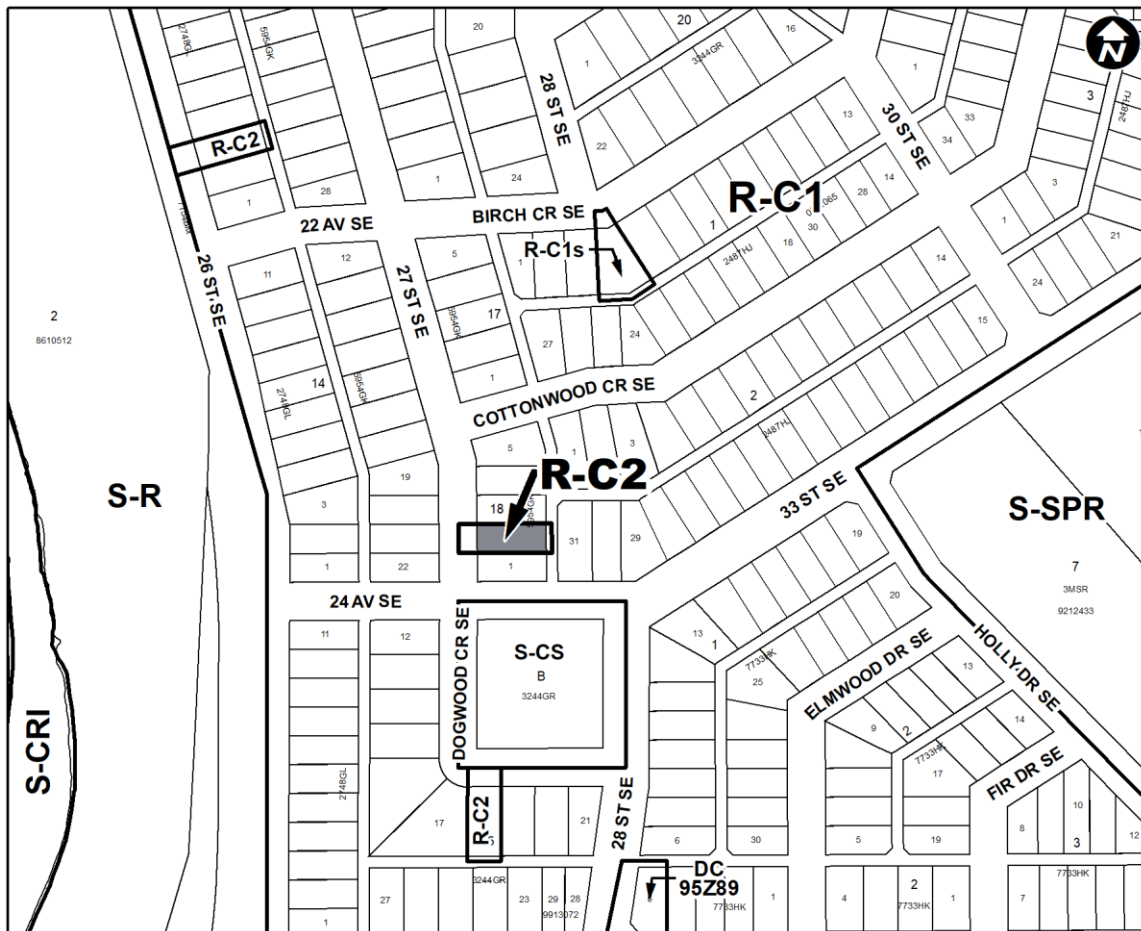
AMENDMENT LOC2019-0179/ CPC2020-0141
BYLAW NUMBER 42D2020

SCHEDULE A



**AMENDMENT LOC2019-0179/ CPC2020-0141
BYLAW NUMBER 42D2020**

SCHEDULE B



Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0080

Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to 4725 – 8 Avenue SE, LOC2019-0175

EXECUTIVE SUMMARY

This application was submitted by Tronnes Geomatics on 2019 November 19, on behalf of the landowner, The City of Calgary. The application proposes to close a portion of existing 47 Street SE road right-of-way, adjacent to 4725 – 8 Avenue SE, and redesignate the area to Commercial – Corridor 2 (C-COR2 f2.5h16) District to allow for:

- an extended public realm for residential care development at 4725 – 8 Avenue SE; and
- a maximum building height of 16 metres;
- a maximum floor area ratio (FAR) of 2.5; and
- the uses listed in the C-COR2 District.

The proposal is in keeping with the applicable policies of the *Municipal Development Plan* and the *Forest Lawn-Forest Heights / Hubalta Area Redevelopment Plan*.

A development permit application has been submitted for 4725 – 8 Avenue SE and is under review.

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0080

**Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to
4725 - 8 Avenue SE, LOC2019-0175**

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed closure of 0.05 hectares \pm (0.12 acres \pm) of road (Plan 2010212, Area 'A') adjacent to 4725 – 8 Avenue SE with conditions (Attachment 3); and
2. Give three readings to the proposed closure bylaw.
3. **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) of closed road (Plan 2010212, Area 'A') adjacent to 4725 – 8 Avenue SE, from Undesignated Road Right-of-Way to Commercial – Corridor 2 (C-COR2 f2.5h16) District; and
4. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 FEBRUARY 06:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed closure of 0.05 hectares \pm (0.12 acres \pm) of road (Plan 2010212, Area 'A') adjacent to 4725 – 8 Avenue SE with conditions (Attachment 3); and
2. Give three readings to **Proposed Bylaw 3C2020**.
3. Adopt, by bylaw, the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) of closed road (Plan 2010212, Area 'A') adjacent to 4725 – 8 Avenue SE, from Undesignated Road Right-of-Way to Commercial – Corridor 2 (C-COR2 f2.5h16) District; and
4. Give three readings to **Proposed Bylaw 43D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

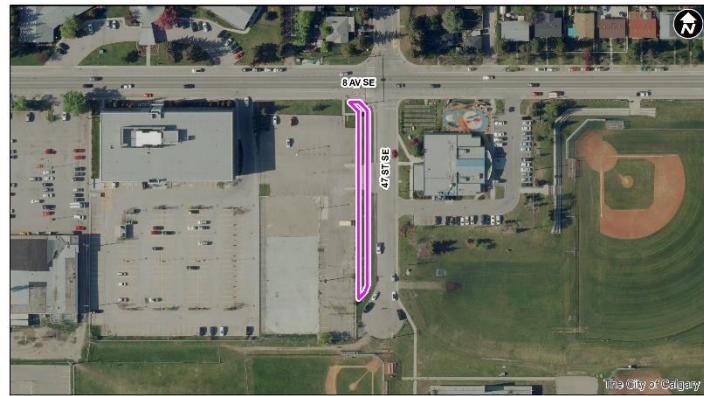
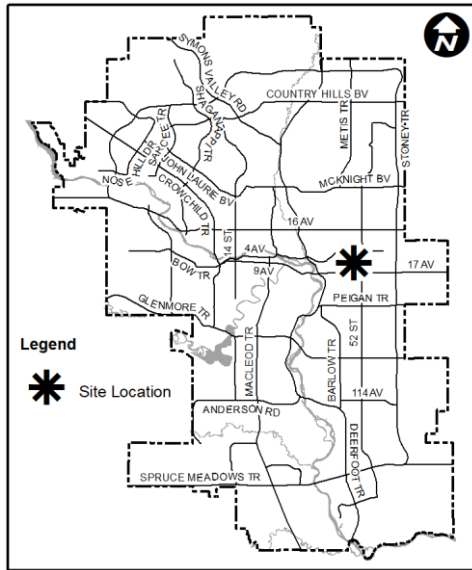
This application was submitted by Tronnes Geomatics on 2019 November 19 on behalf of the landowner, The City of Calgary. A summary of the proposal can be found in Attachment 1. The road closure and land use amendment would allow for an extended public realm for future development at 4725 – 8 Avenue SE. The adjacent property was redesignated in 2019 from C-COR2 f2.0h12 to C-COR2 f2.5h16 to accommodate a 4 storeys residential care development. A development permit application, DP2019-3312, has been submitted for the site and is under review (Attachment 4).

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2020 February 06

ISC: UNRESTRICTED
CPC2020-0080

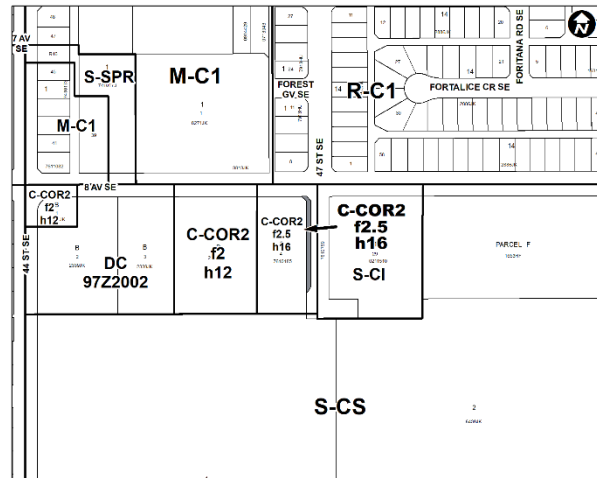
Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to
4725 - 8 Avenue SE, LOC2019-0175

Location Map



Road Closure Map

Proposed Land Use Map



**Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to
4725 - 8 Avenue SE, LOC2019-0175**



Site Context

The subject site is located in the southeast community of Forest Lawn at the southwest corner of 8 Avenue SE and 47 Street SE. The proposed road closure is approximately 0.05 hectares (0.12 acres) in size and measured approximately 95 metres length by 5 metres in width.

The surrounding area consists of a mix of low density residential, multi-residential, and commercial developments as well as schools and open spaces. The undesignated road right-of-way is across the street from the Forest Lawn Library and in close proximity to the Alberta Health Services East Calgary Health Centre. It is adjacent to the future Clifton House facility at 4725 – 8 Avenue SE, a development permit for which is currently under review (DP2019-3312).

As identified in *Figure 1*, the community of Forest Lawn's peak population was 9,088 residents in 1982.

Figure 1: Community Peak Population

Forest Lawn	
Peak Population Year	1982
Peak Population	9,088
2019 Current Population	7,814
Difference in Population (Number)	- 1,274
Difference in Population (Percent)	- 14%

Source: The City of Calgary 2018 Civic Census

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0080

Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to 4725 - 8 Avenue SE, LOC2019-0175

Additional demographic and socio-economic information may be obtained online through the [Forest Lawn](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed C-COR2 District is compatible with the uses and developments in the surrounding area. The road closure will enhance the neighbourhood as it will provide opportunities for pedestrian connection and an extended public realm from adjacent development. Further information on how this proposal aligns with applicable policies can be found in the Strategic Alignment section of this report.

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

Road Closure

The application proposes to close a portion (0.05 hectares) of the existing 47 Street SE road right-of-way adjacent to 4725 – 8 Avenue SE and redesignate the area to Commercial – Corridor 2 (C-COR2 f2.5h16) District. The attached Conditions of Approval for the road closure can be found in Attachment 3.

Land Use

The proposed redesignation to Commercial – Corridor 2 (C-COR2 f2.5h16) District will allow for an extended public realm to be incorporated into the future residential care development for 4725 – 8 Avenue SE. The proposed C-COR2 District is a commercial district intended to accommodate commercial or mixed-use development that may include residential units within the building. The district is the same district as the adjacent property.

Development and Site Design

The rules of the proposed C-COR2 District provide basic guidance for the future site development. The proposed closure area will be consolidated with the adjacent land to be incorporated with the existing public realm.

Environmental

An Environmental Site Assessment was not required as part of this application.

Planning & Development Report to
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2020 February 06

ISC: UNRESTRICTED
CPC2020-0080

Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to 4725 - 8 Avenue SE, LOC2019-0175

Transportation

The subject land is located approximately 50 metres from the Calgary Transit Route 42 (Marlborough) bus stop with service every 12 minutes in the AM and PM peak. On street parking is currently unregulated along this section of 47 Street SE.

The westerly 5 metres of road right-of-way along 47 Street SE, south of 8 Avenue SE and terminating at the cul-de-sac bulb, was deemed to be surplus by Administration and approved for sale and consolidation with the adjacent parcel.

Utilities and Servicing

Servicing requirements will be determined with the related development permit and associated Development Site Servicing Plan circulation.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and noticed posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

Administration did not receive a response to the circulation from the Forest Lawn Community Association and no citizen comments were received by the CPC report submission date. No public meetings were held by the applicant or Administration for this application.

Following Calgary Planning Commission, notification for a Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) (SSRP) which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

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Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to 4725 - 8 Avenue SE, LOC2019-0175

Municipal Development Plan (Statutory – 2009)

The parcel is located within the Residential – Development Inner City area as identified on [Map 1: Urban Structure](#) in the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage to maintain and expand local commercial development that provides retail and service uses in close proximity residents.

The proposal is in keeping with relevant MDP policies as the rules of the C-COR2 District provide for a development form that may be sensitive to existing adjacent developments.

Forest Lawn – Forest Heights / Hubalta Redevelopment Plan (Statutory – 1995)

The site is identified in the [Forest Lawn-Forest Heights / Hubalta Redevelopment Plan](#) (ARP) as Commercial on Map 2: Land Use Policy Areas map. The Commercial category is intended to maintain a local commercial district where appropriate and establish a residential / commercial boundary to discourage commercial intrusions.

The proposal aligns with the applicable Commercial policies in the ARP.

Social, Environmental, Economic (External)

The proposed road closure and land use redesignation provide opportunities to accommodate an extended public realm design with adjacent development that would meet the needs of difference demographic.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0080

**Road Closure and Land Use Amendment in Forest Lawn (Ward 9) adjacent to
4725 - 8 Avenue SE, LOC2019-0175**

REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with applicable policies of the *Municipal Development Plan*. The proposed C-COR2 f2.5h16 District is designed to provide opportunities for residential and commercial uses to be in the same building. The road closure and redesignation are intended to accommodate an extended public realm for future residential care development at 4725 – 8 Avenue SE.

ATTACHMENT(S)

1. Applicant's Submission
2. Registered Road Closure Plan
3. Proposed Road Closure Conditions
4. Development Permit (DP2019-3312) Summary
5. **Proposed Bylaw 3C2020**
6. **Proposed Bylaw 43D2020**

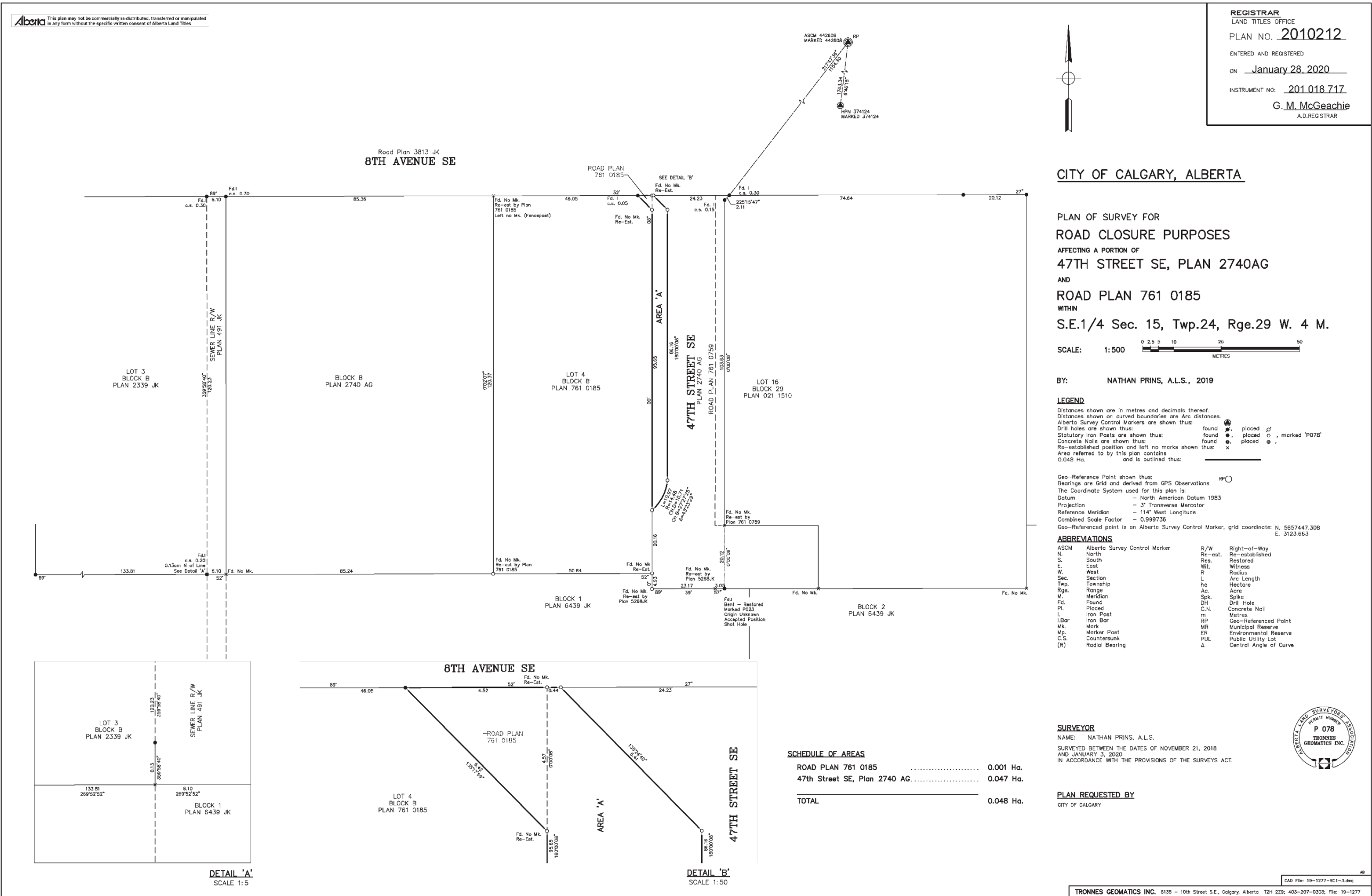
Applicant's Submission

November 19, 2019

This Road Closure and Land Use Redesignation area was presented to the Land Owner's (Lot 4, Block B, Plan 761 0185) Architect during a Pre-Application review by the City of Calgary's Transportation Team, the area was available for acquisition. In review with the Land Owner, they felt acquiring this land would allow their existing project to provide the urban real enhancements to provide a much better community and facility user experience. This is currently a major pedestrian connector to the existing school lands. It will also serve as public amenity for the adjacent Forest Lawn Library visitors. Upon circulation of this request for disposition through the various City Departments it was noted that there were no objections to offering the land for acquisition.

The Land Owner's Architect has also met with the Ward 9 Councilor about this land acquisition and its intent to which they received support as it is seen as offering the Land Owner ability to provide a positive community contribution to the urban realm along an active mobility street (vehicle, bus and bicycle/mobility land).

Registered Road Closure Plan



Proposed Road Closure Conditions

1. All existing utilities within the road closure area shall be protected by easement or relocated at the developer's expense.
2. The applicant is responsible for all costs associated with the closure including all necessary physical construction, removal, rehabilitation, utility relocation, etc.
3. The closed road right-of-way is to be consolidated with the adjacent land.

Development Permit (DP2019-3312) Summary

A development permit application (DP2019-3312) has been submitted by MTA Urban Design Architecture Interior Design on 2019 June 27. The development permit application is a four storeys residential care development. The following excerpts (Figure 1 & 2) from the development permit submission provide an overview of the proposal and are included for information purposes only.

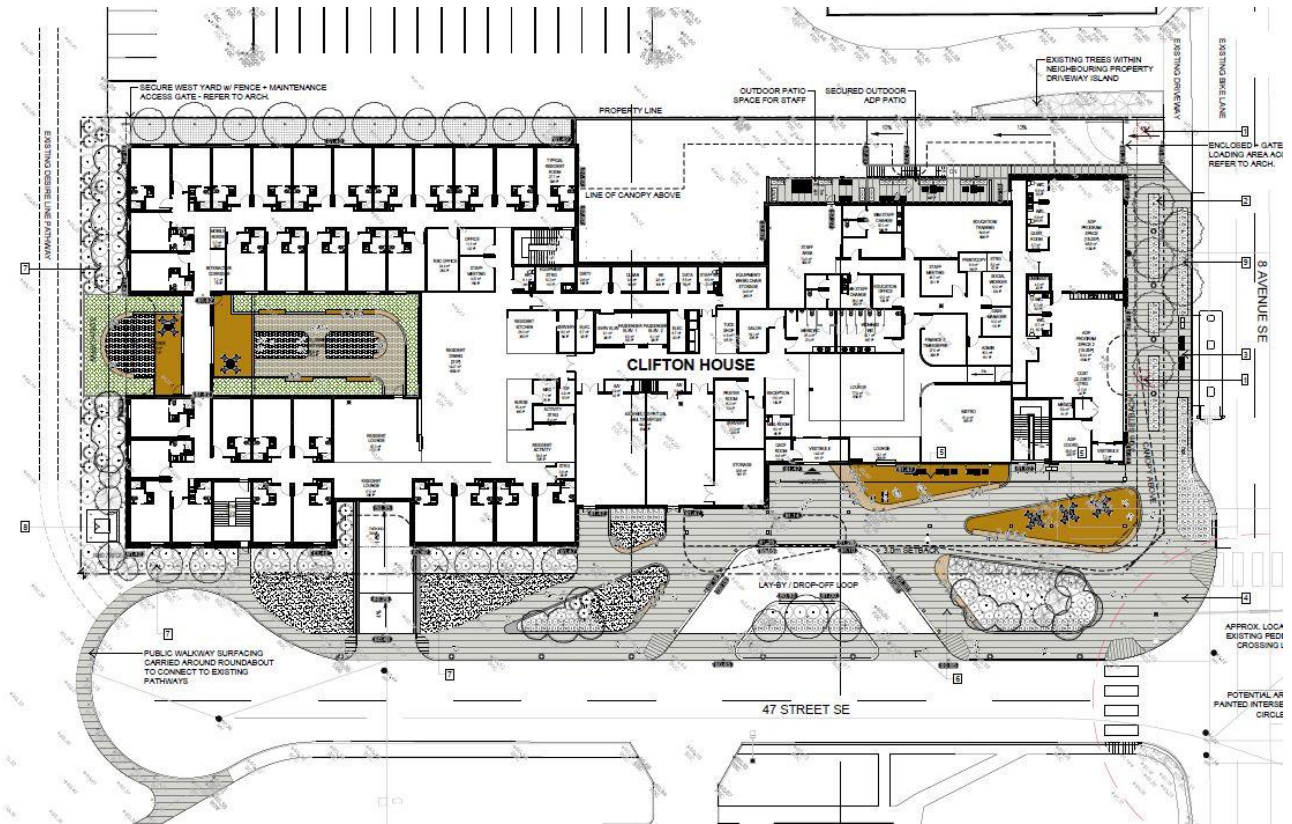
Administration's review of the development permit will determine the ultimate building design, and site layout details such as parking, landscaping and site access. No decision will be made on the development permit application until council has made a decision on this land use redesignation.

Figure 1: Rendering of Proposed Development (Corner of 8 AV SE & 47 ST SE)



Development Permit (DP2019-3312) Summary

Figure 2: Site Plan



PROPOSED

CPC2020-0080
ATTACHMENT 5

BYLAW NUMBER 3C2020

**BEING A BYLAW OF THE CITY OF CALGARY
FOR A CLOSURE OF A ROAD
(PLAN 2010212, AREA 'A')
(CLOSURE LOC2019-0175/ CPC2020-0080)**

WHEREAS The City of Calgary has decided to close from public use as a public street and to sell or to hold those portions of street described below;

AND WHEREAS the provisions of Sections 22 and 606 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended, with respect to notice of intention of Council to pass such a Bylaw have been complied with;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Immediately upon passage of this Bylaw, the following described street shall be closed from use as a public highway:

PLAN 2010212
AREA 'A'
EXCEPTING THEREOUT ALL MINES AND MINERALS

2. The proper officers of The City of Calgary are hereby authorized to execute such instruments as may be necessary to effect the purpose of the Bylaw.

PROPOSED

BYLAW NUMBER 3C2020

3. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

CPC2020-0080
ATTACHMENT 6

BYLAW NUMBER 43D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0175/ CPC2020-0080)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

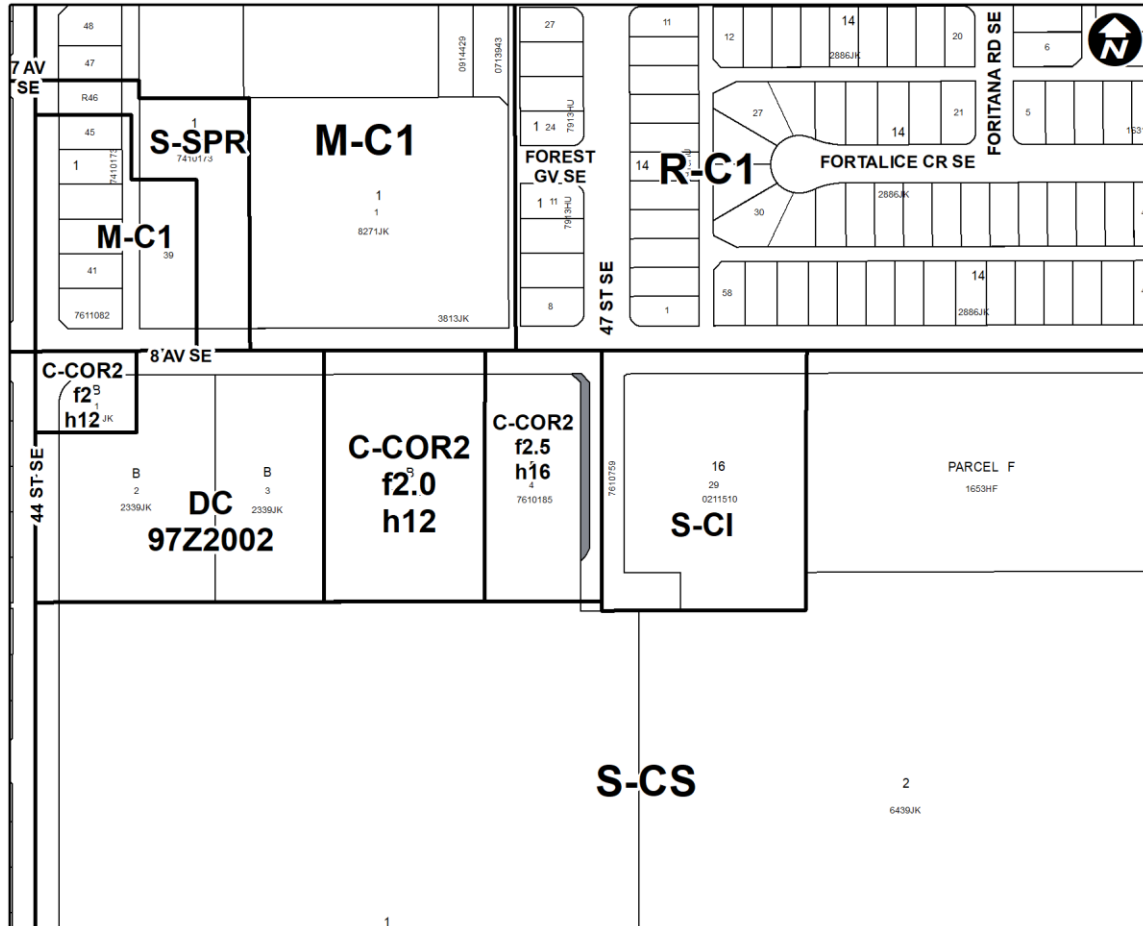
CITY CLERK

SIGNED ON _____

PROPOSED

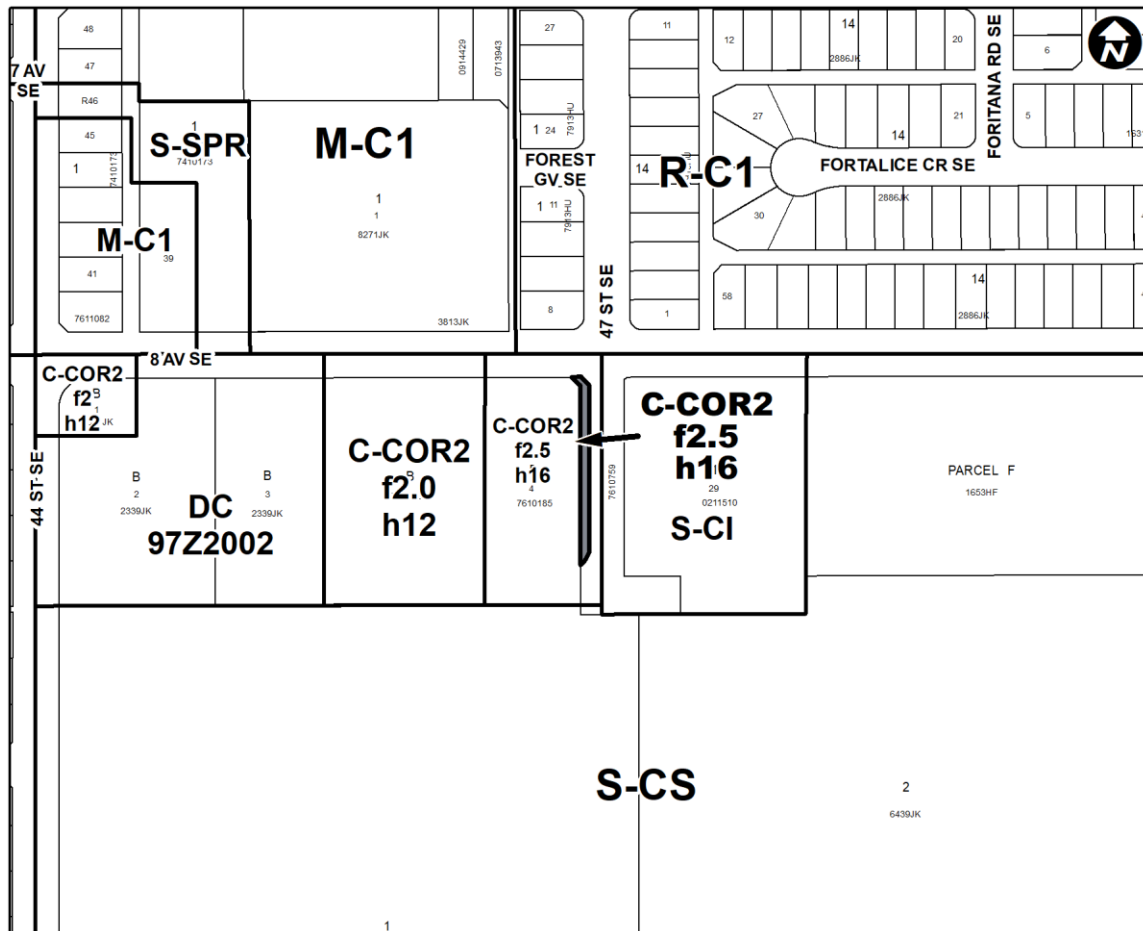
AMENDMENT LOC2019-0175/ CPC2020-0080
BYLAW NUMBER 43D2020

SCHEDULE A



**AMENDMENT LOC2019-0175/ CPC2020-0080
BYLAW NUMBER 43D2020**

SCHEDULE B



Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0142

**Land Use Amendment in Skyview Ranch (Ward 5) at 151 and 171 Skyview Bay NE,
LOC2019-0163**

EXECUTIVE SUMMARY

This application was submitted by Tarjan Group Architects & Interior Designers on 2019 October 25, on behalf of landowner Skyview Prana Living Inc. This application proposes to redesignate the subject parcels from Multi-Residential – High Density Low Rise (M-H1) District to a DC Direct Control District based on the M-H1 District to allow for:

- multi-residential development (e.g. apartment buildings) with support commercial multi-residential uses;
- the uses listed in the M-H1 designation with the additional discretionary uses of Supermarket, Medical Clinic, Fitness Centre and Pet Care Service; and
- the maximum building height and floor area ratio remain unchanged.

The proposal is in conformance with applicable policies of the *Northeast Community 'A' Area Structure Plan* and the *Municipal Development Plan*.

No development permit application has been submitted at this time.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed redesignation of 1.70 hectares \pm (4.20 acres \pm) located at 151 and 171 Skyview Bay NE (Plan 1712392, Block 38, Lots 4 and 5) from Multi-Residential – High Density Low Rise (M-H1) District **to** DC Direct Control District to accommodate the additional uses of Supermarket, Medical Clinic, Fitness Centre and Pet Care Service, with guidelines (Attachment 2); and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 FEBRUARY 06:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 1.70 hectares \pm (4.20 acres \pm) located at 151 and 171 Skyview Bay NE (Plan 1712392, Block 38, Lots 4 and 5) from Multi-Residential – High Density Low Rise (M-H1) District to DC Direct Control District to accommodate the additional uses of Supermarket, Medical Clinic, Fitness Centre and Pet Care Service, with guidelines (Attachment 2); and
2. Give three readings to **Proposed Bylaw 44D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

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LOC2019-0163**

BACKGROUND

This application was submitted by Tarjan Group Architects & Interior Designers on 2019 October 25, on behalf of landowner Skyview Prana Living Inc. No development permit application has been submitted at this time.

In October 2016, a multi-residential building was approved at 151 and 171 Skyview Bay NE each under a development permit (DP2016-1196). At that time, no support commercial multi-residential uses were proposed in either of the buildings. These buildings have not been constructed. In August 2019, the proposed multi-residential building at 171 Skyview Bay NE was redesigned to include support commercial multi-residential uses on the ground floor under another development permit (DP2019-2518).

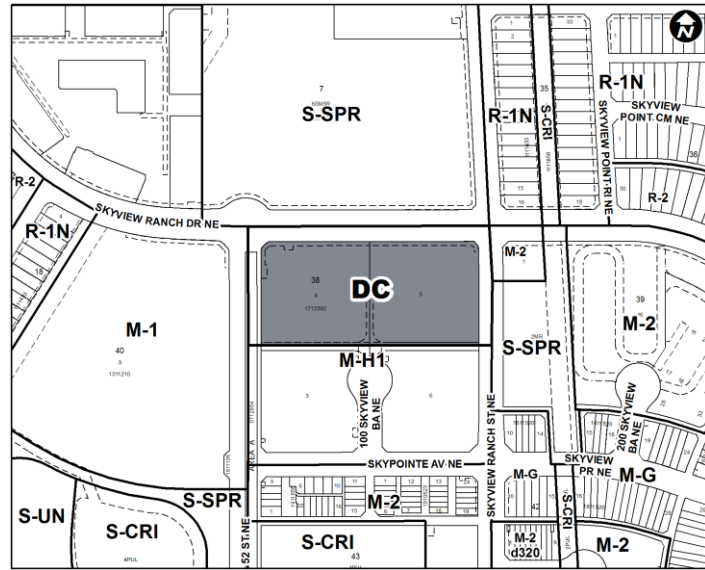
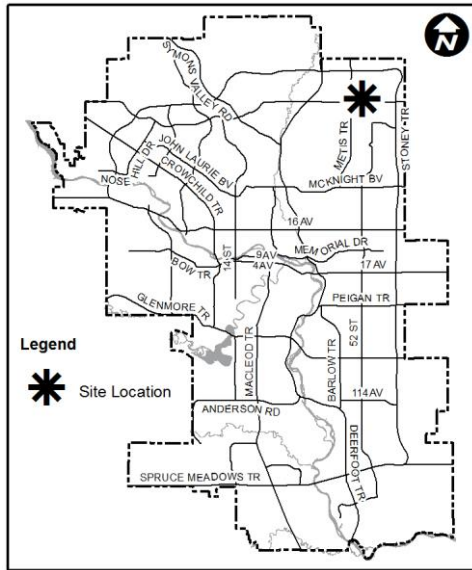
The Applicant Submission (Attachment 1) requests certain flexibility with the support commercial multi-residential uses currently allowed under M-H1 District. The applicant intends to accommodate a supermarket use with approximately 700 square metres at 171 Skyview Bay NE and a medical clinic use at 151 Skyview Bay NE in the near future. To build in further flexibility, the applicant has also requested fitness centre and pet care service uses. A new development permit will be required to accommodate any of these four additional uses pending Council's approval of this land use redesignation application.

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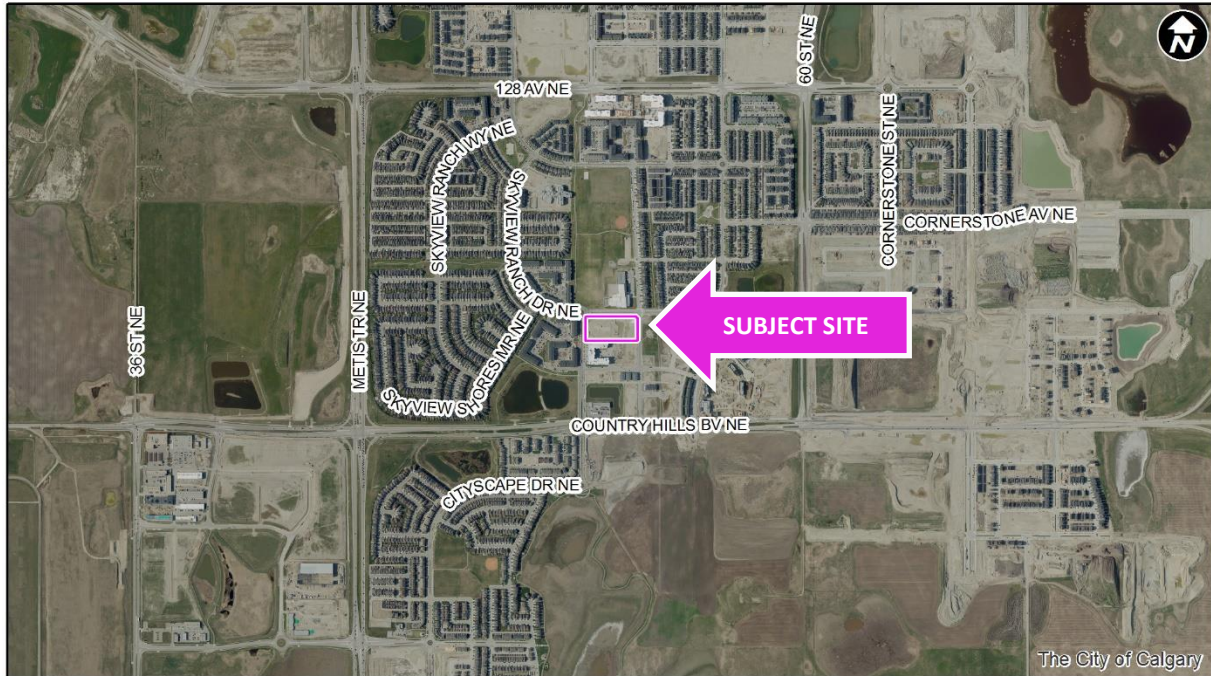
Location Maps



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Site Context

The subject parcels are located in the northeast community of Skyview Ranch on the southeast side of the intersection of Skyview Ranch Drive NE and 52 Street NE. The subject parcels have Skyview Link NE to the east. The subject parcels are individually 93 metres by 90 metres in size and have a total area of approximately 1.7 hectares (4.2 acres). The parcel located at 151 Skyview Bay NE is currently developed with a show suites building and the parcel located at 171 Skyview Bay NE is currently vacant.

The subject parcels have driveway accesses from Skyview Bay NE, 52 Street NE and Skyview Ranch Street NE. The subject parcels have pedestrian-only access from Skyview Ranch Drive NE. These parcels are easily accessible by foot, bicycle, transit or vehicle. The nearest transit stop is located along the north property line of the parcel located at 171 Skyview Bay NE. The subject parcels are located approximately 800 metres (10-minute walk) from the proposed Country Hills LRT Station.

Surrounding development consists of four to six-storey multi-residential buildings to the west and south, a K-9 school to the north, and a neighbourhood park and low-density residential to the east.

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As identified in *Figure 1*, the community of Skyview Ranch reached its peak population in 2019.

Figure 1: Community Peak Population

Skyview Ranch	
Peak Population Year	2019
Peak Population	11,707
2019 Current Population	11,707
Difference in Population (Number)	0
Difference in Population (Percent)	0%

Source: *The City of Calgary 2019 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Skyview Ranch](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The existing M-H1 District allows for multi-residential development and support commercial multi-residential uses. The proposed DC Direct Control District (Attachment 2) will provide flexibility with support commercial multi-residential uses with the addition of supermarket, medical clinic, fitness centre and pet care service. The proposed redesignation was reviewed against the policies of the *Northeast Community 'A' Area Structure Plan* and the *Municipal Development Plan*. The proposal complies with the applicable policies as discussed in the Strategic Alignment section of this report. Consideration was given to the appropriateness of support commercial multi-family uses within this site and that the development permit for the building located at 171 Skyview Bay NE is already approved with support commercial multi-residential uses.

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

Land Use

The current M-H1 District is a multi-residential designation to provide for multi-residential buildings with support commercial multi-residential uses. This District is intended to be typically located at community nodes and transit and transportation corridors and nodes. At this location, the M-H1 District allows for up to 68,000 square metres of building floor area (based on a maximum FAR of 4.0) to be developed with a 26-metre height limit. The support commercial multi-residential uses allowed under M-H1 District include uses such as child care service, convenience food store, retail and consumer service, restaurant, and office. The maximum use area for each commercial multi-residential use under M-H1 District is 300 square metres.

Land Use Amendment in Skyview Ranch (Ward 5) at 151 and 171 Skyview Bay NE, LOC2019-0163

The proposed DC Direct Control District (Attachment 2) is based on the current M-H1 District. The proposed DC District provides flexibility with the support commercial multi-residential uses by adding supermarket, medical clinic, fitness centre and pet care service uses as discretionary uses. The maximum building height and building floor area allowed under the current M-H1 District remained unchanged with this proposed DC District. Other rules regulating support commercial multi-residential uses remain unchanged with this proposed DC District.

A development permit (DP2019-2518) was approved in August 2019 at 171 Skyview Bay NE for a multi-residential building with support commercial uses. One of the commercial rental units (CRUs) located at the southwest corner of the building is approved for a convenience food store which may have a maximum floor area of 465 square metres. During the review process, the applicant requested additional floor area for this use which would be recategorized the convenience store as a supermarket use according to the Land Use Bylaw 1P2007 – thus triggering this land use amendment application. The application was made for two parcels because the applicant intends to have a medical clinic use at 151 Skyview Bay NE.

To build further flexibility with commercial uses and to address the needs of a developing community, additional uses similar to support commercial multi-residential uses were discussed with the applicant. Consequently, fitness centre and pet care service uses were also added in the proposed DC District in addition to the applicant's near-term need for supermarket and medical clinic uses. The proposed DC District is to provide this flexibility with the support commercial multi-residential uses already allowed under the current M-H1 District.

Development and Site Design

There are a number of existing development approvals already issued for these sites. The applicant may desire to change approved support commercial multi-residential uses or accommodate additional uses such as supermarket and medical clinic on the subject parcels through new development approvals processes post decision on this land use redesignation application. The applicable land use policies and the rules of the proposed DC Direct Control District will provide guidance for the future appropriate uses, landscaping and parking.

Environmental

An Environmental Site Assessment was not required. There are no environmental concerns associated with the site or this proposal.

Transportation

Vehicular access to the subject parcels is available from 52 Street NE, Skyview Link NE and Skyview Bay NE. Pedestrian-only access is available from Skyview Ranch Drive NE. Details of the access design will be finalized at the development permit stage. There is a transit stop located along the north property line of the subject parcels abutting Skyview Ranch Drive NE. Route 145 (Skyview Ranch/Redstone) is included at this transit stop, providing access from the area to the Saddletowne LRT Station. The subject parcels are located approximately 800 metres (10-minute walk) from the future expansion of the Blueline- Country Hills LRT Station.

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At the development permit stage, the developer may be required to provide further parking analysis to support proposed uses. A Transportation Impact Assessment was not required for this application.

Utilities and Servicing

Water, sanitary and storm sewer mains are available to service the subject site and will not be affected by the proposed land use redesignation. Specific details of site servicing and stormwater management will be reviewed in detail as part of future development permit applications.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders, including Skyview Ranch Community Association, and was notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

Administration did not receive any responses related to this application from the community association and the adjacent landowners. No public meetings were conducted by the applicant in direct relation to this land use application.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered and is aligned with the policy directions of the [South Saskatchewan Regional Plan](#) which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

Interim Growth Plan (2019)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

[Map 1: Urban Structure](#) of [Municipal Development Plan](#) (MDP) includes the subject parcel within the Planned Greenfield with Area Structure Plan (ASP) typology. Policy 3.6.1(a) of the MDP directs that Area Structure Plans in existence prior to the adoption of the MDP are recognized

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as appropriate policies to provide specific direction for development of the local community. Thus, the policies of the *Northeast Community 'A' Area Structure Plan* provide direction.

Northeast Community 'A' Area Structure Plan (Statutory – 2007)

The subject parcels are located within the area covered by the [*Northeast Community 'A' Area Structure Plan*](#) (ASP). Map 3: Land Use Concept of the ASP shows the subject parcels within the Predominantly Residential Area typology and as part of a Neighbourhood Node.

Section 6.2 of the ASP details the purpose and policies of the Neighbourhood Node. The purpose of the Neighbourhood Node is to provide a transit focus and meeting place for the surrounding residential area. These nodes will contain transit stops, a concentration of higher density housing as well as other suitable transit supportive uses such as local commercial uses or child care facilities. The policies related to the composition of the Neighbourhood Node emphasize on mixed-use development and a diversity of uses to facilitate adaptive change in the community over time. In order to facilitate adaptive change in the community over time, the land use designations within the Neighbourhood Node should also contain discretionary land uses such as community-oriented institutional, recreational, local commercial, or other uses determined to be transit supportive (e.g. live-work uses, corner stores, dry cleaners, day-care centres, restaurants, senior centres, local small offices, personal service businesses).

Section 4.7 of the ASP addresses Community Adaptability and acknowledges the challenge associated with ASP implementation with the changing needs of the community. The ASP suggests that the Major Activity Centre (MAC) and Neighbourhood Nodes provide logical opportunities for a flexible approach to land use zoning.

The proposed DC Direct Control District is based on the current M-H1 District. The M-H1 District already allows for the development of support commercial multi-residential uses such as child care service, convenience food store, office, retail and consumer service, restaurant, live work unit, and assisted living. The proposed DC District complies with the applicable ASP policies as it provides flexibility with the support commercial multi-residential uses to meet the changing needs of the community by adding supermarket, medical clinic, fitness centre and pet care service uses as discretionary uses.

Social, Environmental, Economic (External)

The proposal provides flexibility with the currently allowed support commercial multi-residential uses. This will allow the owner to attract a wider variety of commercial tenants in the future and provide more local services for the benefit of residents in the area having spin off benefits for social and environmental aspects.

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Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is in keeping with applicable policies of the *Northeast Community 'A' Area Structure Plan* and the *Municipal Development Plan*. The proposed DC Direct Control District provides flexibility with the currently allowed support commercial multi-residential uses by adding the additional uses of Supermarket, Medical Clinic, Fitness Centre and Pet Care Service. This additional flexibility provided by these local commercial and service related uses help address the changing needs of the community, provides more local services in a walkable location to a growing residential population, and helps ensure a more active and vibrant streetscape.

ATTACHMENT(S)

1. Applicant Submission
2. **Proposed Bylaw 44D2020**

Applicant Submission

January 9, 2020

We are requesting this Land Use Redesignation application to DC based on MH-1 to allow uses on this site that are more compatible with the evolving character of the area and to also provide more flexibility to bring a more diversity of commercial tenants.

We have met with the Planners as well as with the Ward 5 Councillor George Chahal. They both are in favour of this type of application for mixed-use development.

We have included a concept artist rendering of what the future buildings on these parcel might look like. They would all be 6-storey buildings, with one complete level of commercial on main floor and 5 levels of residential use above. The final design of the building will be done at DP/BP stages.

Our client is intending on bringing a Medical Clinic Use to Lot 5 (future building 4) and a Supermarket Use to Lot 4 (future building 3 - current DP2019-2518) . The building exteriors will have a high level of transparency and openness as other retail uses and this will be addressed at DP stage.

Lastly, the intention of our client with respect to parking for this site is to follow the same "Shared Parking" approach that was submitted in the traffic study for DP2019-2518 and which was reviewed and accepted by Transportation to allow a 38% relaxation from Bylaw. Further documentation can be provided as required by CPAG at the future DPs for these 3 parcels. Essentially, our client who owns many such buildings, has found that a shared parking is necessary for mixed-use commercial and residential developments where stalls are not specifically reserved for a single tenant. Shared parking is the concept of pooled parking spaces being used to serve two or more uses whose peak parking demand do not occur at the same time of day. For this project, it is proposed that both the residential and the commercial uses will be able to use the surface parking with the underground parking allocated solely to residents. The residential parking is unbundled from the unit and residents have to pay for parking. The parking is proposed to be controlled by on-site management personnel. Some of the commercial staff will have access to the u/g parking via a control such as a FOB.

We thank you for your time in reviewing this application.

PROPOSED

CPC2020-0142
ATTACHMENT 2

BYLAW NUMBER 44D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0163/CPC2020-0142)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

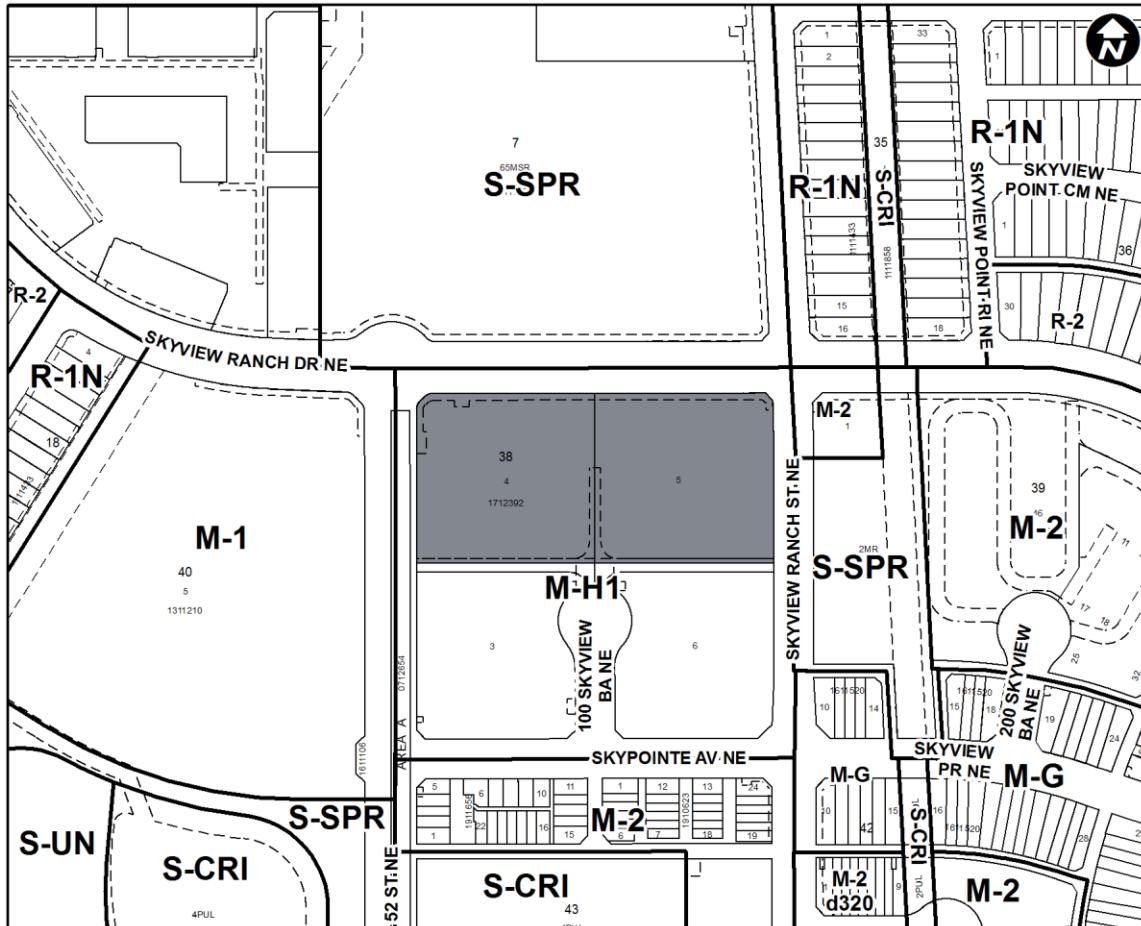
SIGNED ON _____

CITY CLERK

SIGNED ON _____

**AMENDMENT LOC2019-0163/CPC2020-0142
BYLAW NUMBER 44D2020**

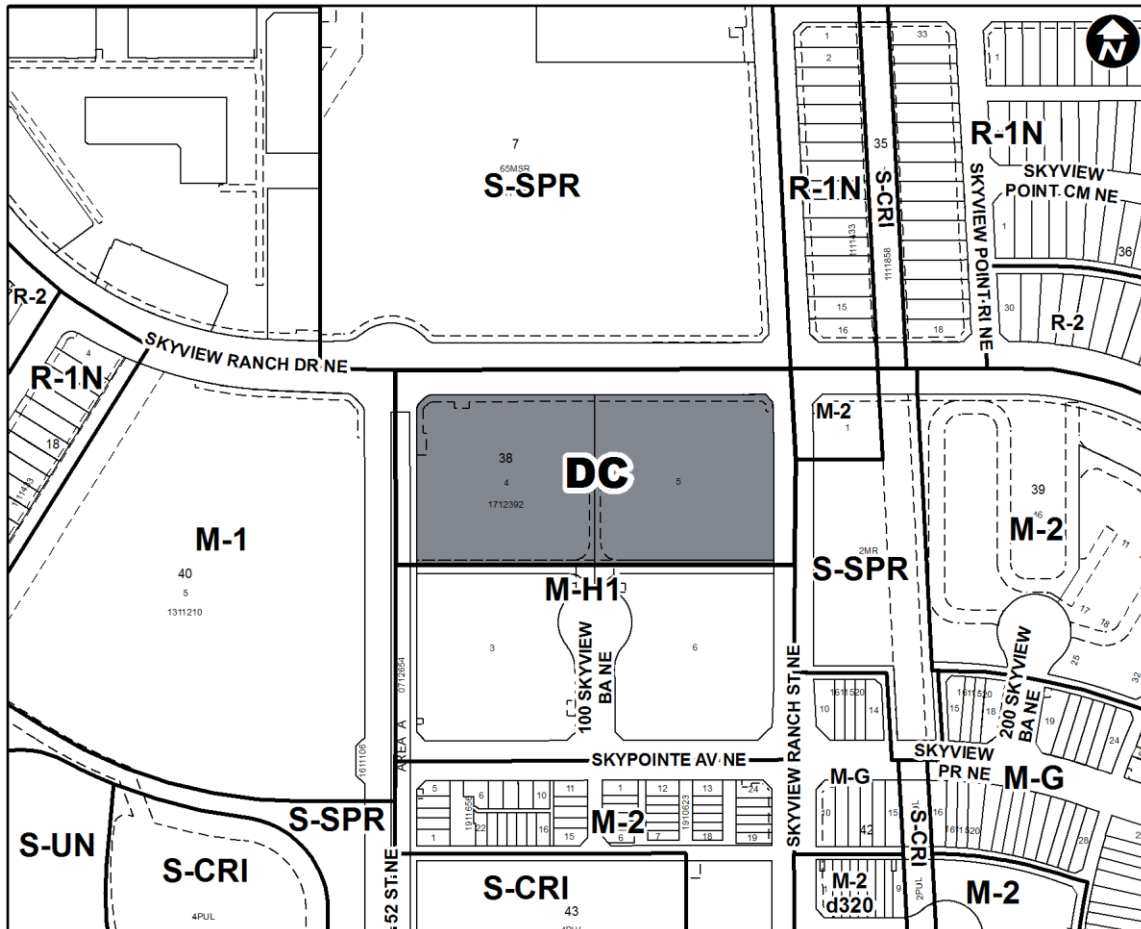
SCHEDULE A



PROPOSED

AMENDMENT LOC2019-0163/CPC2020-0142
BYLAW NUMBER 44D2020

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District Bylaw is intended to allow for additional uses of supermarket, medical clinic, fitness centre and pet care service.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District Bylaw.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Permitted Uses

- 4 The **permitted uses** of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

PROPOSED

AMENDMENT LOC2019-0163/CPC2020-0142
BYLAW NUMBER 44D2020

Discretionary Uses

5 The ***discretionary uses*** of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the ***discretionary uses*** in this Direct Control District with the addition of:

- (a) **Fitness Centre;**
- (b) **Medical Clinic;**
- (c) **Pet Care Service; and**
- (d) **Supermarket.**

Bylaw 1P2007 District Rules

6 The rules of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 apply in this Direct Control District.

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Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and 538 - 10 Avenue SW, POL2019-0004

EXECUTIVE SUMMARY

This application was submitted by Gibbs Gage Architects on 2019 December 30 on behalf of the developer and landowner Place 10 Residential Corporation. This is a minor amendment to the *Beltline Area Redevelopment Plan* (ARP) that seeks to revise the allowable floor plate size restriction (from 930 square metres to 1000 square metres) specifically for 524 and 538 - 10 Avenue SW to facilitate the construction of two high-rise residential towers.

Administration supports this applicant-initiated minor ARP amendment for the following reasons:

- it will facilitate the development of two high-rise residential towers in the Beltline community, contributing to vitality and vibrancy on a site that has been stalled since 2014 (the east tower, originally approved as office development, has a parkade constructed below grade and a podium is partially constructed above grade);
- it results in a small increase (70 square metres) to the overall floor plate size for a specific site;
- through Administration's evaluation and the applicant's submission two towers with a floor plate of 1000 square metres demonstrates no adverse shadow impact and will not unduly impact livability or residential amenity; and
- The development permit submissions (currently under review, to be brought forward to Calgary Planning Commission in the near future) demonstrate that the two residential towers will contribute to placemaking in the Beltline and will contribute positively to the Calgary skyline.

Two development permits for Multi-Residential Development have been submitted and are under review.

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CPC2020-0081

**Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and
538 - 10 Avenue SW, POL2019-0004**

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing, and

1. **ADOPT**, by bylaw, the proposed amendment to the Beltline Area Redevelopment Plan (Attachment 2); and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 FEBRUARY 06:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed amendment to the Beltline Area Redevelopment Plan (Attachment 2); and
2. Give three readings to **Proposed Bylaw 14P2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

On 2019 December 30, the applicant submitted a minor amendment for the *Beltline ARP*. The amendment is specific to two subject sites, 524 and 538 - 10 Avenue SW, and has been initiated by the applicant. This minor ARP amendment is required to facilitate two development permits (DP2019-5667 and DP2019-5668) on the site as the floor plate planning policy is a mandatory provision (a shall statement in the ARP) that cannot be relaxed by the Development Authority.

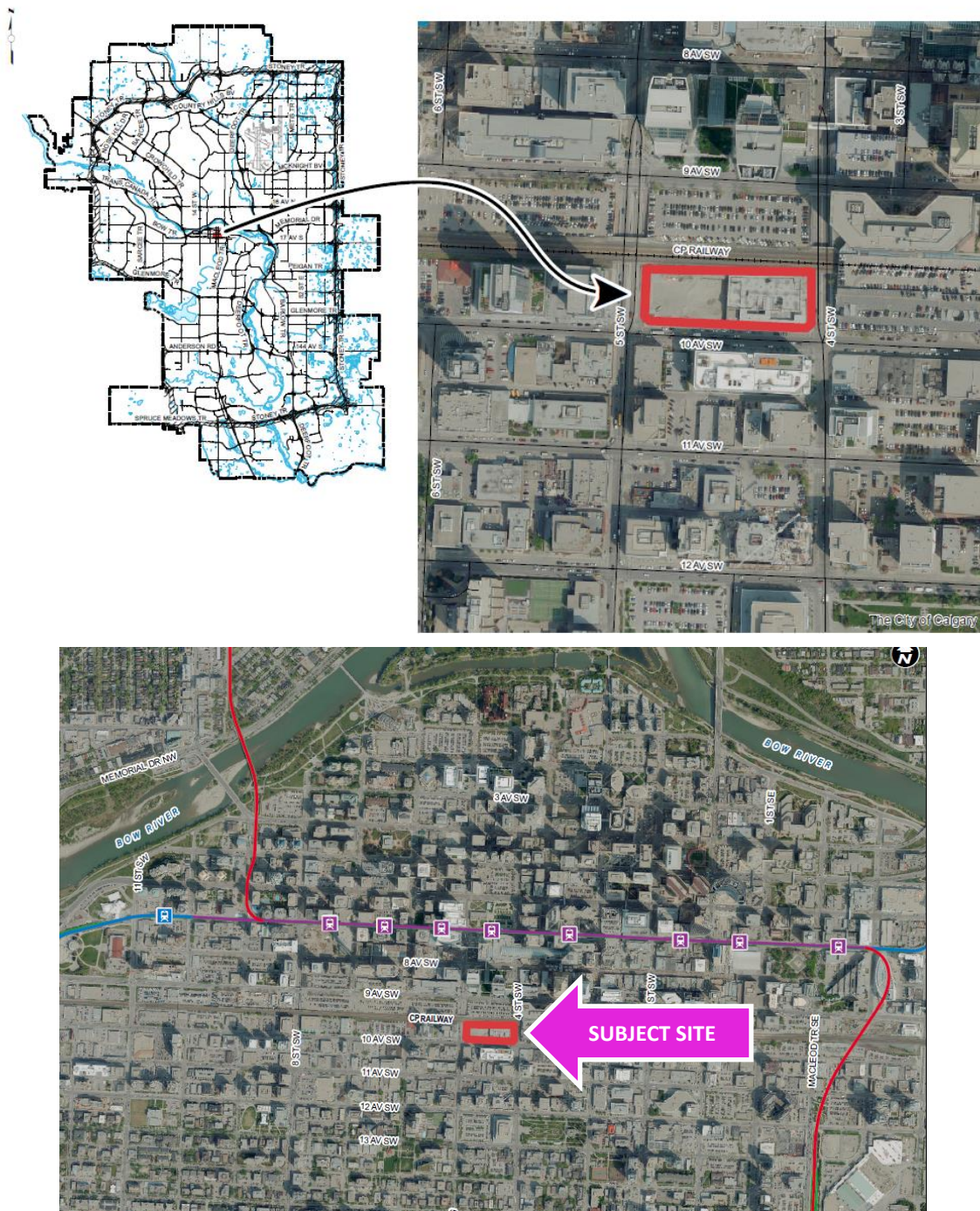
Both development permits will be brought forward to Calgary Planning Commission for decision in the near future.

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Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and
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Location Maps



Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and 538 - 10 Avenue SW, POL2019-0004

Site Context

The subject sites, 524 and 538 - 10 Avenue SW, are located in the Beltline community, immediately south of the Canadian Pacific Railway (CPR) tracks and between 4 and 5 Streets SW. The sites are in the highest density land use district in the Beltline, with high density development to the south (office towers) and west (hotel and residential towers), and a parking structure to the east. North of the CPR tracks is the downtown core with a surface parking lot immediately north of the CPR tracks and Eighth Avenue Place office towers across the street on 9 Avenue SW

It was originally envisioned to construct 524 and 538 - 10 Avenue SW as office buildings (through DP2013-0881 and DP2013-1092). The eastern site (524 - 10 Avenue SW) has a partially constructed concrete podium (approximately two storeys) that is visible on site and 538 - 10 Avenue SW has been stripped and graded.

As identified in *Figure 1*, the community of Beltline **has seen population growth over the last several years reaching its population peak in 2019.**

Figure 1: Community Peak Population

Beltline	
Peak Population Year	2019
Peak Population	25,129
2019 Current Population	25,129
Difference in Population (Number)	0
Difference in Population (Percent)	0%

Source: The City of Calgary 2019 Civic Census

Additional demographic and socio-economic information may be obtained **online through the [Beltline Community Profile](#) online page.**

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Land Use

The subject sites are designated a DC Direct Control District ([Bylaw 100D2015](#)). This DC District is based on the Centre City Mixed Use (CC-X) District in the Land Use Bylaw 1P2007 and allows for larger restaurants in the podium of a tower.

Floor plate restrictions are outlined in Section 1172(1)(a) of the Land Use Bylaw in the CC-X District, allows for floor plates up to 930 square metres. This Land Use Bylaw rule can be relaxed by the Development Authority; however, this ARP amendment is required to allow for a relaxation to this rule on a site-specific basis.

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Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and 538 - 10 Avenue SW, POL2019-0004

Development and Site Design

The development and design of two residential towers will be considered as part of the development permits for these sites (DP2019-5667 and DP2019-5668) that are currently under review. However, the site history (in particular, previous approvals) and current site conditions are relevant in considering this site-specific minor ARP amendment.

Two 14-storey office towers were approved for 524 and 538 - 10 Avenue SW. At 524 -10 Avenue SW, construction of the four-storey parkade has been completed and the two-storey podium for the east tower is partially visible on-site. This partially built podium, with a partially built office core, is a driver of the minor ARP amendment. The location for the core for the future residential tower has been dictated (as it has been partially constructed) which influences the design of the future residential tower. The applicant has requested that the floor plate policy of the *Beltline ARP* be amended for both legal parcels to allow for both residential towers to have a similar appearance and maximize construction efficiencies for both residential towers.

Environmental

There are no known outstanding environmental or contamination concerns associated with the subject site or this proposal. An Environmental Site Assessment was not required as part of this application.

Transportation

This site-specific minor ARP amendment will not create any adverse transportation impacts. Transportation considerations for the two residential towers on this site will be evaluated through the review of DP2019-5667 and DP2019-5668.

Utilities and Servicing

This site-specific minor ARP amendment will not create any adverse utility or servicing impacts. Utilities and servicing considerations for the two residential towers on this site will be evaluated through the review of DP2019-5667 and DP2019-5668.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

To ensure affected parties were informed of this application, the applicant notified adjacent land owners, the Calgary Downtown Association, the Beltline Neighbourhood Association and the Ward Councillor's office of this file and hosted an open house on 2020 January 22.

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One letter of objection was received from Canadian Pacific Railway (responding as an adjacent land owner). The comments received can be summarized as follows:

- Canadian Pacific Railway is opposed to residential uses adjacent to the railway right of way;
- Residential land use is not compatible with railway operations; and
- Railway activities could detrimentally impact residential amenity.

With respect to the comments received, Administration provides the following response:

- This application is for a site-specific policy amendment;
- The existing land use already allows for residential development; and
- Development in close proximity to rail is a relevant consideration to the two development permits on this site.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

Administration considered this site-specific minor ARP amendment against the relevant planning policies listed below and found the proposal to be acceptable.

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) (SSRP) which directs population growth in the region to Cities and Towns and promotes efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed development builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is situated in the Centre City area as shown on [Map 1: Urban Structure](#) of the [Municipal Development Plan](#).

Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and 538 - 10 Avenue SW, POL2019-0004

Beltline Area Redevelopment Plan (Statutory – 2006)

This area of the Beltline allows for larger floor plates up to 930 square metres (Map 5A) due to the proximity of parcels to the downtown core, which typically have office towers with larger floor plates. The 930 square metre (10,000 square feet) floor plate requirement was drafted by Administration based on consultation with the development industry in 2006, as this was considered the minimum viable floor plate size for an office tower in this area. Due to the proximity of these parcels to the railway, while residential towers were encouraged in this area of the Beltline, Administration considered office towers more likely given the proximity of parcels to downtown and livability considerations associated with the railway adjacent to these lands.

Floor plate planning policies exist in the [Beltline Area Redevelopment Plan](#) (ARP) to provide design direction (to individual sites and the broader Beltline community) to maximize livability for existing and future occupants in the Beltline with respect to adequate separation space for:

1. Privacy between dwelling units;
2. Sunlight access between, and to buildings, and at grade;
3. Mitigate shadowing of the public realm (especially of protected areas in the Centre City such as City parks); and
4. Mitigate the effect of the cumulative massing of tall buildings in an area.

The Beltline floor plate planning policies work in tandem with other design planning policies such as tower separation planning policies and podium/tower design policies.

In 2011 January 10, Administration brought forward an amendment to the 2006 Beltline ARP to Council to modify the floor plate planning policy in the Beltline ARP to allow for larger floor plates (up to 930 square metres) on five stalled sites in the Beltline where construction had commenced but not completed.

This applicant-initiated site-specific minor ARP amendment is similar to previous work brought forward by Administration in 2011 (albeit this application allows for a slightly larger floor plate, with a narrower site scope).

Administration considers the subject application to be a site-specific minor ARP amendment (in attachment 2) which aligns with the intent of the existing Beltline ARP planning policies, as the applicant has demonstrated that:

- the proposed floor plate increase is minor in scale (from 930 square metres to 1000 square metres);
- existing tall building tower separation policies (of 24 metres between residential towers above 36 metres in height) can be met;
- the massing of tall buildings on this site with a floor plate of 1000 square metres will have no adverse shadowing impacts on any City parks (see Attachment 1), and will have a minimal shadow impact on lands to the north;

Planning & Development Report to
Calgary Planning Commission
2020 February 06

ISC: UNRESTRICTED
CPC2020-0081

Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and 538 - 10 Avenue SW, POL2019-0004

- The massing of two tall buildings on this site with a 1000 square metre floor plate preserves views through this site, when compared with three tall buildings, with a floor plate of 930 square metres and 24 metres between towers (as identified in Attachment 1); and
- the design of tall buildings on this site with a floor plate of 1000 square metres will have a positive influence on the Beltline community and the Calgary skyline (through the forthcoming development permit plans for DP2019-5667 and DP2019-5668).

Centre City Plan (Non-Statutory – 2007)

The subject site is located in Connaught Centre in the [Centre City Plan](#), where Four and Five Streets SW are identified as high pedestrian movement streets (Concept 13: Connaught Centre).

The Centre City Plan built form policies (Section 7.7.3) seek to encourage smaller floor plates in residential areas to ensure sunlight access to the street and other residential units.

The applicant demonstrated that this site-specific minor ARP amendment will not shadow city parks, will not have adverse shadowing impacts on nearby streets and avenues, and will maintain sufficient tower separation so as not to detract from livability/residential amenity.

Social, Environmental, Economic (External)

The proposed development contributes to housing diversity and will allow for more efficient use of existing infrastructure.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current or future operating budget at this time.

Current and Future Capital Budget

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

Planning & Development Report to
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2020 February 06

ISC: UNRESTRICTED
CPC2020-0081

**Policy Amendment to the Beltline Area Redevelopment Plan (Ward 8) at 524 and
538 - 10 Avenue SW, POL2019-0004**

REASONS FOR RECOMMENDATION:

This site-specific amendment to the *Beltline Area Redevelopment Plan* aligns with the overall intent of the area redevelopment plan and is not in contravention with existing planning policy in the Centre City Plan.

Further, this site-specific amendment will facilitate the development of two towers, providing a residential population which will contribute to the local neighbourhood.

Lastly, Administration is satisfied that future development will not create any adverse shadow impacts which would be harmful to livability/residential amenity.

ATTACHMENT(S)

1. Applicant's Submission
2. **Proposed Bylaw 14P2020**

BELTLINE ARP SITE-SPECIFIC AMENDMENT APPLICATION

PLACE 10

RESIDENTIAL DEVELOPMENT



APPLICANT'S SUBMISSION

DECEMBER, 2019 | PROJECT #: 19044

EXECUTIVE SUMMARY

PROJECT BACKGROUND

This project, more than most others, has a complex planning history and an extensive design and construction background. Starting in 2012, design began on 2 office towers, with development permit being submitted in 2013. In addition to this, a +15 bridge was also designed and submitted for DP in 2014. All DP applications were approved and with the release of the East tower DP, construction began in 2014.

The project was under construction until economic conditions forced the project to pause. In fall 2019, efforts were re-started with a view to re-purposing the building to a residential-focused use.

The current program totals 864 residential units, distributed across 2 towers. The East tower has significant design limitations due to the previously constructed portion. The design intent is to, where possible, minimize any demolition, while effectively utilizing as much of the pre-existing structure as possible.

Thus far in the design process, the City of Calgary have been supportive of efforts to quickly re-start construction and have indicated a desire to provide assistance with expedited permitting processes. The project team are having ongoing discussions with City officials in order to understand the ability for City Administration to support the proposed expedited construction and permitting schedule. There has been agreement that, due to existing construction and design on the site, that all permits can achieve some increased efficiency.

DEVELOPMENT OVERVIEW

This development is a high rise residential project of approximately 864 units proposed within two towers between 4th and 5th Streets along the South edge of 10th Avenue SW. The towers are integrated with a continuous urban podium across the site with a high quality mix of spaces and uses for the residents and community.

The East tower has a program of 403 units, and has a FAR of 8.77. The West tower has 461 units and has a FAR of 10.24. Both towers share a singular vehicular entry point and adjoining below grade parkades provide parking for the project.

ARP AMENDMENT REQUIREMENT

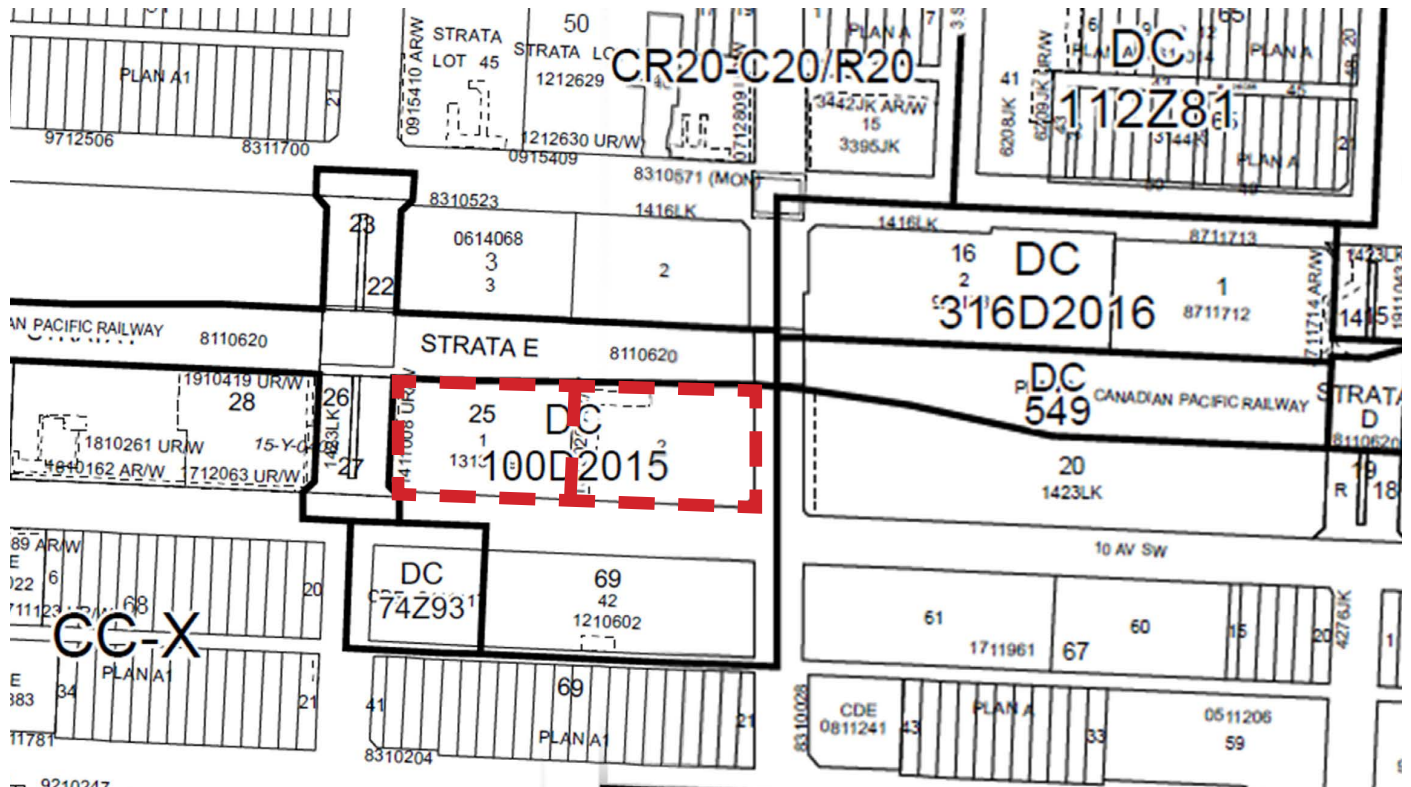
It has been determined by the design team, due to the challenges of working with existing construction on site, that an increase to the maximum floorplate size would be required, beyond what is permitted by the current Beltline ARP. The ARP dictates that there is currently a GFA limit of 930m² on floorplates, in a tower scenario, above 36m in height.

The building has been developed, as efficiently as possible, around the existing office core and understanding various drivers for unit sizes and market conditions, along with an understanding for efficient construction methods. Given the current economic conditions and the existing nature of the site, a slight adjustment is required to the 930m² limit. A 985m² limit would allow the sites to be developed into a comprehensive residential mixed use development.

Both parcels of land that comprise the Site are impacted by the previous construction efforts. Construction efficiencies, necessary for the viability of the project, dictate that the towers should be near-identical in nature and, thus, the floorplate size relaxation is being requested on both parcels. The applicant is requesting that a site-specific ARP amendment be approved that would allow this minor revision in order to facilitate the full development of the block.

There are further details contained within this document that reference the Beltline ARP and how the proposed design meets all of the ARP's statements of intent relating to planning, massing, design and pedestrian realm standards. The applicant is confident that the illustrations of the proposed development will satisfy the approving authority that this requested amendment is in the best interests of the community.

BYLAW AND ZONING



ADDRESS:

MUNICIPAL

524, 538 10 Ave. SW

Calgary, AB

LEGAL:

Lot 1,2 Block 25, Plan 1313019

ZONING

DC 100D2015

Based on CC-X, modified to allow 'restaurant - medium' use.

DENSITY

Site Area: Total: 7,521m² (east 3,870m², west 3,651m²)

Base 5.0 FAR (+3.0 Residential)

Density above 8.0 FAR to be bonused by provisions contained within CC-X guidelines in 1P2007.

PROJECT SPECIFIC ARP COMMENTARY

In evaluating the merits of this application, the developer has considered the development as it relates to the overall intent of the Area Redevelopment Plan: Part 1, while requesting a slight relaxation to a given floorplate size. Some commentary has been provided on compliance with various sections of the ARP, with further detail being expanded upon in relation to section 6.3.6 - Buildings.

It can be seen from the below that the proposed project meets and exceeds the intent of the ARP across all areas, with the sole exception of a minor adjustment to the maximum floorplate area allowable. While these items often relate to the proposed project, which has its own, separate, Development Permit process, the applicant believes that as this is a Site-Specific amendment application, the project design provides relevant background for the approving authority.

2. VISIONS AND PRINCIPLES

This portion of the ARP details the desire for quality developments while providing appropriate levels of density throughout the Beltline area. The proposed development wholly meets these guidelines and the applicant strongly believes that the project will not only meet and exceed the vision and principles, but could become a catalyst for further development in the area.

In particular, section 2.2.9 notes:

Where existing City standards or processes are determined to be barriers to the implementation of the Vision and Principles of this Plan, efforts shall be made to seek creative solutions. This may include making amendments to this Plan.

The applicant is of the opinion that this particular project falls into the category of the above statement and, rather than seeking to amend the overall ARP guidelines, is asking for a Site-Specific amendment that deals with allowing the proposed project to proceed in order to meet the Vision and Principles of the ARP.

3. PLANNING FOR NEIGHBOURHOODS

Within this section, the ARP speaks to a desire to increase population, support and create employment, while providing required amenities and services and understanding the changing nature of physical infrastructure within the district.

The project is part of the Connaught Centre neighbourhood, and significantly sits on the 10th Av corridor, adjacent to both the 4th and 5th St. underpasses. This prominent location serves a gateway to downtown and a significantly dense development here would create and support a transition between the Beltline and Downtown.

The mixed use nature of the proposed development (2 floors of retail and 2 residential towers) would support and improve the local economy and it is expected that the residential use would drive some increase in small-medium commercial uses, not only directly on the site, but among the surrounding blocks also.

4. LAND USE CONCEPT

The proposed development complies wholly with this portion of the ARP. All requirements specific to residential uses have been met; amenity space, access, bicycle provisions, and waste and recycling operations have all been met and will be approved as part of the accompanying Development Permit application.

The most applicable section is 4.3.2 which details requirements for Urban Mixed Use areas. The proposed development, which this ARP amendment will support, fully meets and exceeds all of these requirements and objectives and will be a welcome and successful addition to the Mixed Use tapestry in the Beltline.

5. DENSITY

As defined in the ARP, the development site sits within Density Area C, which is the highest density area of the district, directly adjacent to Downtown. The project proposes to comply with all Bylaw zoning requirements relating to

density, and provide density bonusing where required in line with Bylaw incentive items that are reiterated in the ARP document.

Again, the proposed development that this ARP amendment will support provides appropriate Density and will meet the intent of the overarching ARP intent to provide adequate density with appropriate uses.

6. BELTLINE PUBLIC REALM

While the applicant is intending to provide 860+ residential units, they are also aware that a project of this scale has a significant impact on the public realm and the experience along the 10 Av corridor. There are broad and varied elements within this section of the ARP, but the applicant believes that they continue to meet the vision and intent of the ARP.

This portion of the ARP is quite comprehensive and deals with a number of policies and guidelines. While the applicant does not feel it is required to detail each and every area, it is to be noted that the proposed project will comply with all areas of intent and the Development Permit process associated with the project will ensure that these policies are met. It is also of note that the developer intends to not only meet, but exceed minimum standards for many public realm interfaces.

There is further, more detailed explanation of how the proposed buildings meet the intent of this section (particularly section 6.3.6 - Buildings) in the following pages.

7. TRANSPORTATION

The proposed development ties in with the anticipated transportation improvements in the vicinity. By providing an increased number of tenant bicycle stalls and accommodating all mixed modes (such as scooters, bicycle rental etc.) it is hoped that the proximity to the existing bicycle lane on 5th St. and the potential future bicycle lane along 10th Av. will result in increased success for the bicycle network in Calgary.

Proximity to current and future LRT is also appreciated and understood by the applicant, and the density proposed will result in usage of public transit.

It is anticipated that the combination of these elements will lead to reduced vehicular traffic (than typical), particularly at peak hours as mixed mode transport and pedestrian commuting takes over from the single-vehicle option.

8. CHARACTER AREAS

The subject parcel lies directly in between the Design District and the Warehouse District, as defined in the ARP. Whilst not within either character area, the development proposes to take cues from each in order to provide a transition between the districts. The nature of the site allows the functional objectives from the Design District to be met, while some material choices (brick, wood, etc.) will reference the Warehouse District and its particular character, providing an ideal interface between two distinct character areas.

9. HISTORIC RESOURCES

There are no Historic Resources on the subject Site.

10. COMMUNITY AND SOCIAL DEVELOPMENT

As per the guidelines in this section, a strong emphasis has been placed on universal accessibility and public safety. The development has been developed with the input of an accessibility consultant and a CPTED review has been undertaken, highlighting no concerns with the project design.

11. IMPLEMENTATION

The significance of the project site is such that there are a number of City-led initiatives in the vicinity. The applicant would welcome involvement in these as a key stakeholder.

To date, meetings have taken place with the 5th St. underpass team from Urban Strategies in order to discuss opportunities for integration between the public and private developments, in terms of both the finished design and also timely integration of construction activities to minimize disruption and provide a high quality design solution. This is the kind of cooperation and understanding that the applicant believes will lead to the success of the Beltline as a whole, and wishes to create a precedent for a cooperative process between public and private projects.

ARP SECTION 6.3.6 - BUILDINGS

The Beltline ARP contains guidelines for evaluating relaxation requests related to various floorplate maximums. The planning rationale centres on 4 particular statements (see extract below).

It is the applicant's position that the proposed development meets and exceeds all of these requirements and, thus, are requesting approval of the proposed ARP amendment.

While this document focuses on the criteria laid out for permitting relaxations to the floorplate size restrictions, the applicant strongly believes that the proposed development meets and exceeds all other relevant design policies outlined in section 6.3 of the Beltline Area Redevelopment Plan.

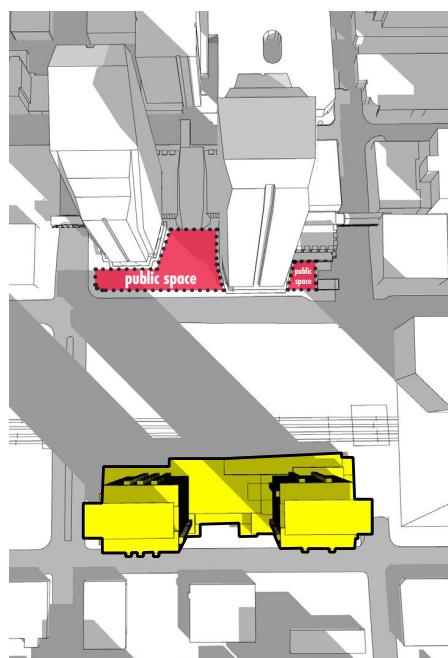
Should further explanations be required, the applicant would be happy to provide additional commentary in this regard.

BELTLINE ARP FLOORPLATE SIZE RELAXATION EVALUATION CONSIDERATIONS:

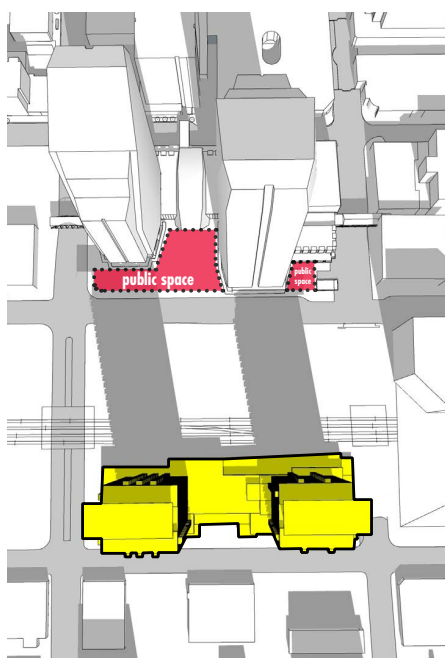
- **Shadow casting impacts** on the public realm and the need to provide adequate light penetration to adjacent buildings;
- The ability to achieve a 24 m **tower separation** from existing or future development on adjacent sites;
- The ability to use building **orientation, shape and massing** to mitigate any negative impacts; and
- The cumulative **building mass impact** given the potential “build-out” of the block.

*guidelines extracted from Beltline Area Redevelopment Plan:
Part 1 (section 6.3.6, pp58-59)*

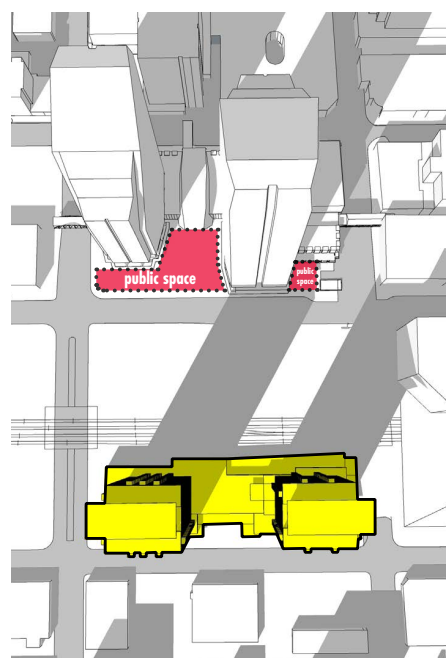
SHADOW CASTING



September 21 11:00am



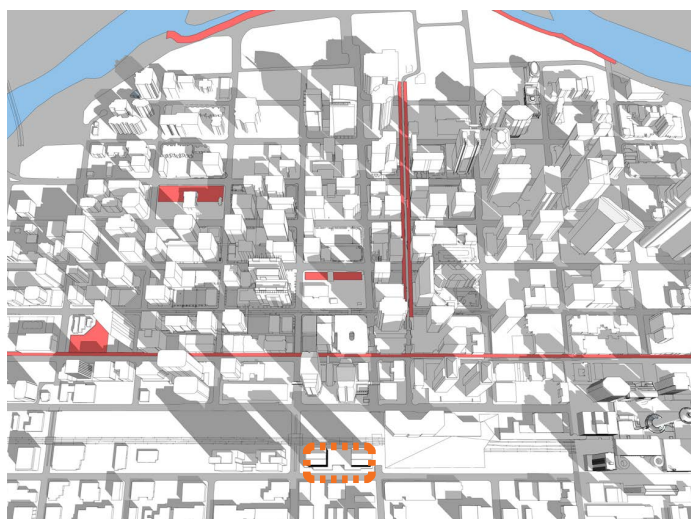
September 21 1:00pm



September 21 3:00pm

The applicant confirms that **this redevelopment will not impact or cast shadow on any of the City-mandated Shadow Protection Areas**, including but not limited to: Stephen Ave, Courthouse Park, Barclay Mall, Mewata Armory or other publicly protected spaces in the vicinity. See diagram below for highlighted Bylaw shadow protection zones.

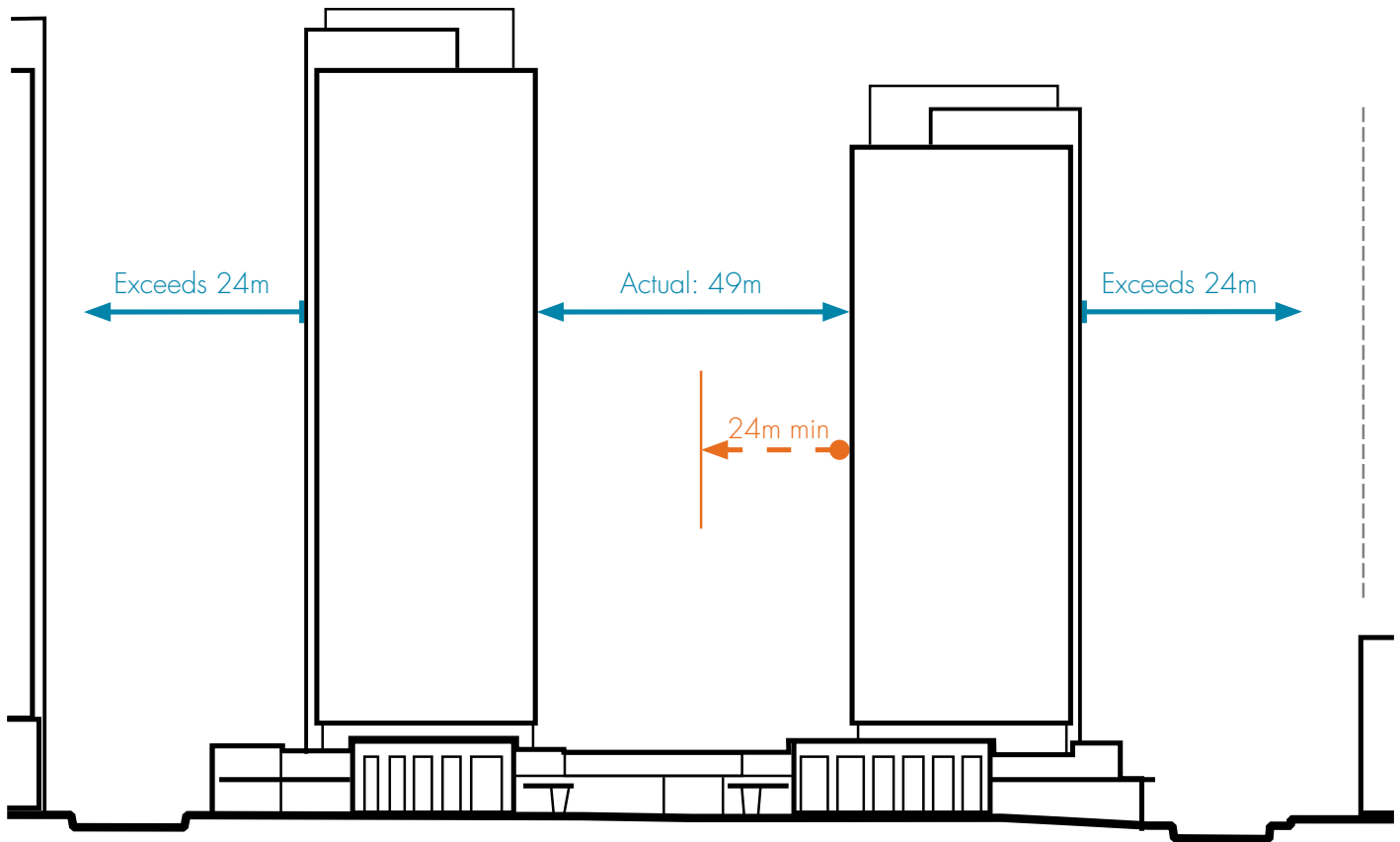
Additionally, the shadow diagrams shown above intend to illustrate the shadow casting impact of the towers on any neighbouring public spaces nearby. The applicant understands the importance of the plaza and open spaces at Eighth Avenue Place, to the North of the subject site and while not protected under Bylaw, there is still minimal impact from a shadowing perspective.



shadow diagram - Sept. 21, 11:00am

It can be seen that there is minimal impact on the south-facing open spaces. Also of note is the fact that the shadows cast from the towers are very slender in nature. This ensures that throughout the course of the day, the cumulative impact of any shadows are minimized, i.e. any area in shadow will be in sunlight shortly after as the shadows move throughout the day.

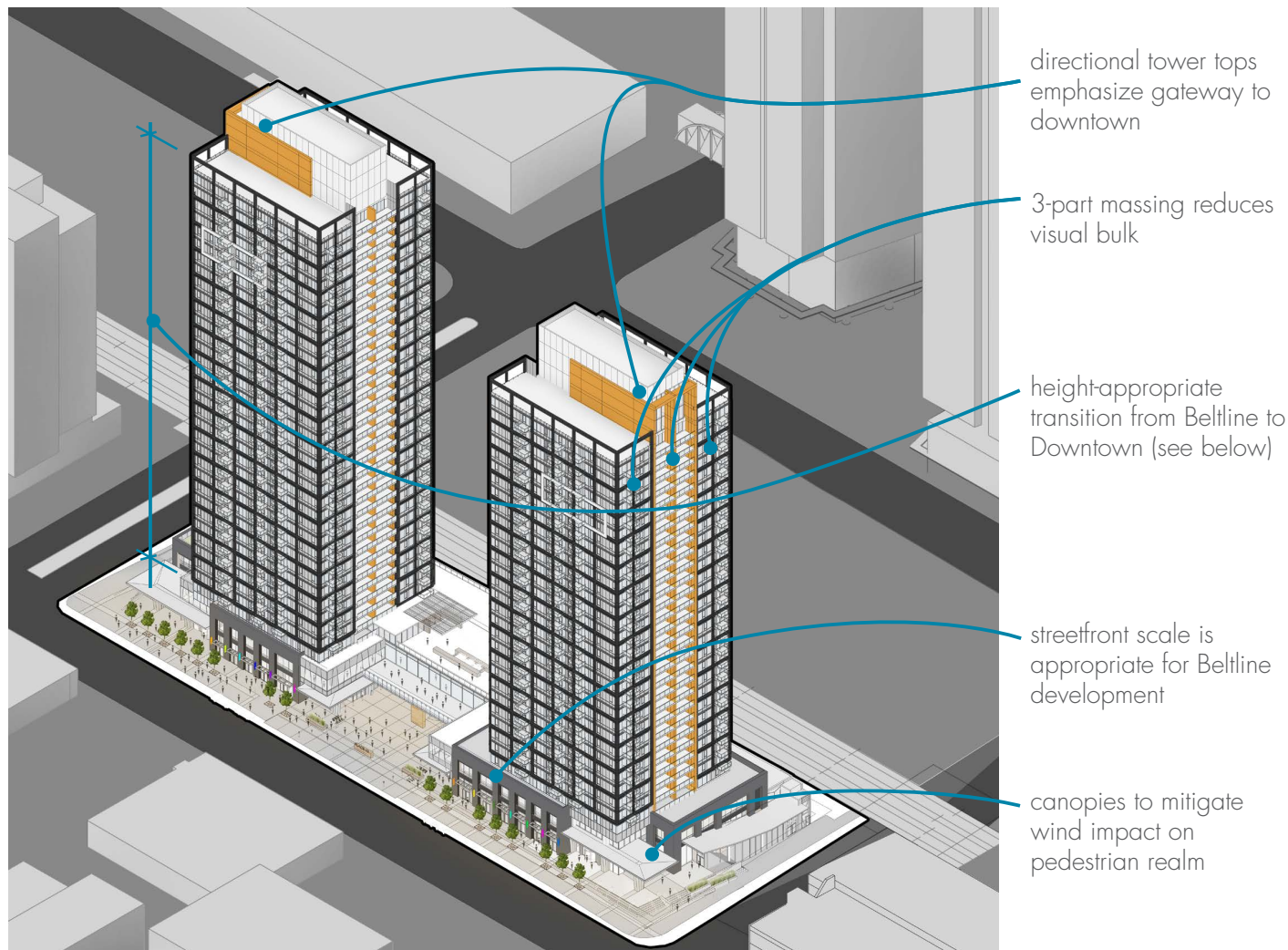
TOWER SEPARATION



The above diagram of the proposed tower elevations shows how **the proposed development greatly exceeds the ARP, Policy and Bylaw minimum of 24m.**

In the case of this development, a separation of 49m has been achieved, allowing a substantial amount of increased sunlight penetration to the North and views between the towers from the street and neighbouring buildings, both to and from downtown. This effect will benefit both the site to the North (for any future developments) and also the 9th Avenue public realm. Additionally, the 49m separation will create comfortable and well spaced multi-residential development while still providing an appropriate level of density across the site.

ORIENTATION, SHAPE AND MASSING

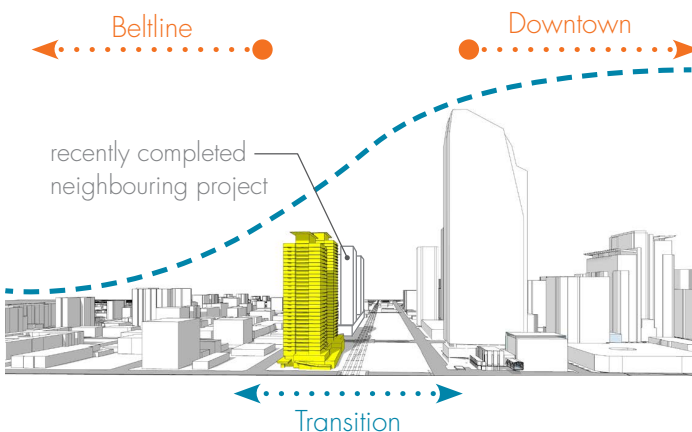


The tower massing diagram shown here depicts how the 980m² floorplate has been manipulated in order to mitigate any negative impacts in terms of aesthetics and public realm experiences.

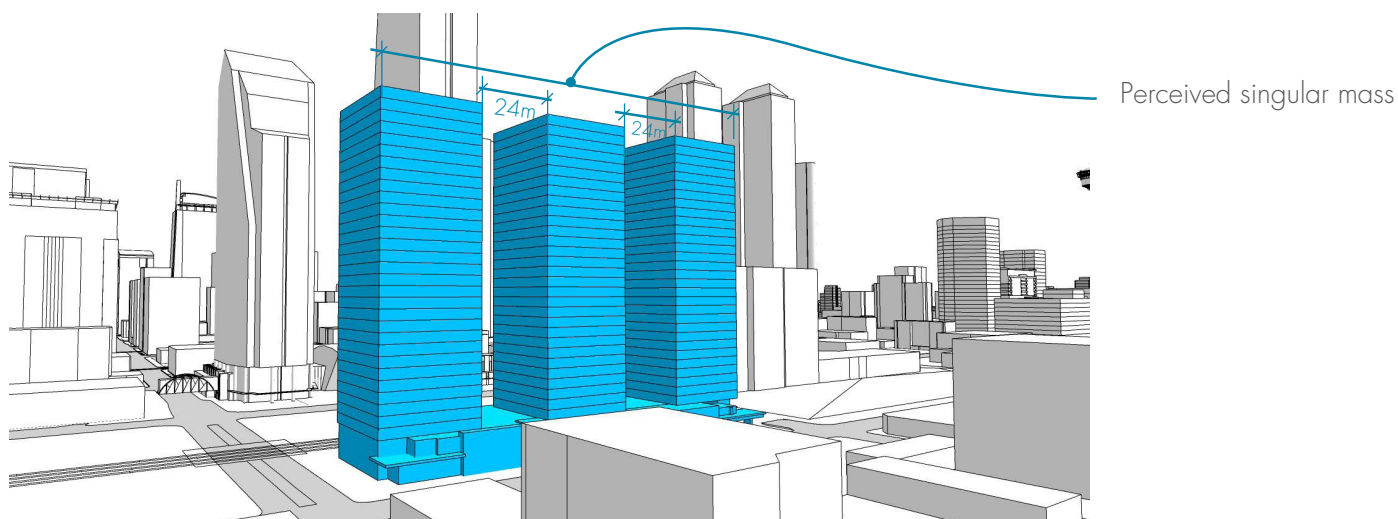
Also illustrated, below, is that the the 30+ storey residential towers are a height-appropriate transition from the Beltline area to the more densely developed Downtown.

In terms of massing design, the towers have been visually divided into 3 distinct vertical elements, which reduces any perceived visual bulk. Contrasting central spines orient East and West in order to emphasize the 'gateway' condition that is evident on this site. These elements extend higher, past the tower body and articulate as a skyline feature. Lighting will be used to articulate these elements, in line with City policies.

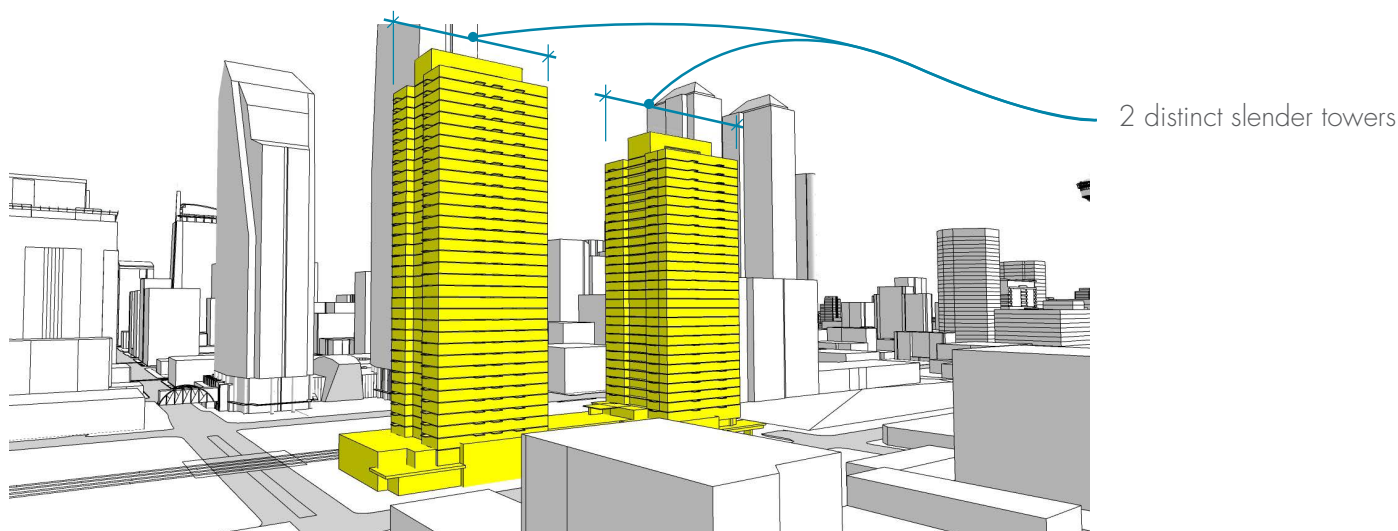
In terms of pedestrian scale, the 2-storey streetfront scale with varied expression is appropriate for the Beltline area. the building heights are appropriate both at the City scale (i.e. tower height) and at the pedestrian level.



BUILDING MASS IMPACT



Potential build out - 3 towers, 930m² floorplates, 24m tower separation - *Meets Bylaw and ARP*



Proposed massing - 2 towers, 980m² floorplates, 49m tower separation - *Slight relaxation to floorplate size*

The above diagram illustrates the **reduced building mass impact** with the proposed 2 tower development, when compared to a potential 3-tower option that meets all ARP and bylaw requirements. It can be seen that the proposed massing (yellow diagram) is far more favourable than a 3-tower development (blue diagram). The reduced visual impact of the 2 slender towers is beneficial for sightlines and sunlight penetration, while also ensuring the residential suite comfort and privacy exceeds a minimum standard and provides high quality, livable suites. Sightlines and sunlight penetration is improved not only between the buildings, but also from the residential units themselves, which the developer sees as an extremely important aspect for a project of this scope.

PROPOSED

CPC2020-0081
ATTACHMENT 2

BYLAW NUMBER 14P2020

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE BELTLINE AREA REDEVELOPMENT PLAN BYLAW 2P2006 (POL2019-0004/ CPC2020-0081) *****

WHEREAS it is desirable to amend the Beltline Area Redevelopment Plan Bylaw 2P2006, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Beltline Area Redevelopment Plan attached to and forming part of Bylaw 2P2006, as amended, is hereby further amended as follows:
 - (a) In Subsection 6.3.6 entitled “Building Massing”, Policy 2, delete the fifth bullet and replace with the following:
 - “■ In order to reduce the massing impacts of high density buildings, the floor plate size restrictions, shown in Table 6.3, shall apply, except that the Development Authority may consider increasing the floor plate size restriction where any one or more of the following applies:
 - a. for a residential building above 25 m in a Primarily Residential Area and above 36 m in an Urban Mixed-Use area from 650 m² to a maximum of 750 m²;
 - b. where an approved Development Permit has commenced, but construction has been suspended past the maximum days allowed as per the approved Building Permit requirements, prior to 2011 January 01. When evaluating such requests, the Development Authority shall comprehensively consider:
 - Shadow casting impacts on the public realm and the need to provide adequate light penetration to adjacent buildings;
 - The ability to achieve a 24 m tower separation from existing or future development on adjacent sites;
 - The ability to use building orientation, shape and massing to mitigate any negative impacts; and
 - The cumulative building mass impact given the potential “build-out” of the block; and

PROPOSED

BYLAW NUMBER 14P2020

- c. for the development at 524 10 Avenue SW, where one office core and podium has been partially constructed, and 538 10 Avenue SW, a larger floor plate of approximately 1000.00 m² may be supported by the Development Authority where an applicant can demonstrate that:
- this floor plate results in a tower(s) that provides a complementary contribution to the Calgary skyline through a combination of material variety, illumination of the top of the tower and/or variation to the floor plate or size of the building top;
 - the resulting shadowing does not negatively impact the public realm or adjacent parcels; and
 - a 24 m tower separation to adjacent existing and proposed residential towers above 36 m of height can be provided.”

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

Planning & Development Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0369

Amendment to the Bylaw Map associated with LOC2017-0368

EXECUTIVE SUMMARY

The purpose of this report and its recommendations is to correct a technical oversight that occurred with the approval of Bylaw 31D2020. On 2020 February 24, LOC2017-0368 was approved by Council with a land use area Residential – Low Density Mixed Housing (R-G) District that was not labeled on Schedule B-1 of Bylaw 31D2020 (land use district map). This application is solely to add the intended land use district to the land use district map to provide clarity on the intended land use.

This proposal is in compliance with the intent of Bylaw 31D2020

The scope of this item does not require advertising of the proposed bylaw nor a new public hearing, as the subject R-G land use area was correctly advertised with the original Bylaw 31D2020 and approved by Council on 2020 February 24.

ADMINISTRATION RECOMMENDATION:

1. Recommends that Council:
 - a. **RESCIND** Bylaw 31D2020;
 - b. **ADOPT**, by bylaw, the proposed redesignation of 368.93 hectares \pm (911.61 acres \pm) located at 14800 and 15505 Symons Valley Road NW and 3810, 3900 4040, 4500, 4800, 5200, 5290, 5400 and 6500 - 144 Avenue NW and the closed road (Portion of W1/2 Section 6-26-1-5; NE1/4 Section 2-26-2-5; Plan 7510325, Blocks 1 and 2; SE1/4 Section 1-26-2-5; Plan 9010196, Lot 1; SW1/4 Section 1-26-2-5; SW1/4 Section 1-26-2-5, Lot 4; SW1/4 Section 1-26-2-5; SE1/4 Section 2-26-2-5; S1/2 Section 2-26-2-5; Plan 1912426, Areas 'A', 'B', and 'C') from Special Purpose – Future Urban Development (S-FUD) District and the Undesignated Road Right-of-Way to Residential – Low Density Mixed Housing (R-G and R-Gm) Districts, Multi-Residential – At Grade Housing (M-G) District, Multi-Residential – Low Profile (M-1) District, Multi-Residential – Medium Profile (M-2) District, Multi-Residential – Low Profile Support Commercial (M-X1) District, Mixed Use - General (MU-1f3.0h20) District, Commercial – Community 2 f2.0h24 (C-C2f2.0h24) District, Commercial – Neighbourhood 2 (C-N2) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – School, Park and Community Reserve (S-SPR) District, Special Purpose – Urban Nature (S-UN) District; and
 - c. Give three readings to **Proposed Bylaw 52D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

Council approved Bylaw 31D2020 on 2020 February 24.

Planning & Development Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0369

Amendment to the Bylaw Map associated with LOC2017-0368

BACKGROUND

A land use amendment from S-FUD to R-G, R-Gm, M-G, M-1, M-2, M-X1, MU-1f3.0h20, C-C2f2.0h24, C-N2, S-CRI, S-SPR, and S-UN Districts (LOC2017-0368) was approved on 2019 February 25, however a portion of the plan intended as R-G was not labelled on the land use map. As a result, Administration is requesting an amendment to the proposed land use district map to reflect the intended R-G, and for Council to approve the proposed bylaw (land use map) to reflect the intended R-G area.

Planning & Development Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0369

Amendment to the Bylaw Map associated with LOC2017-0368

Location Maps



Planning & Development Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0369

Amendment to the Bylaw Map associated with LOC2017-0368

Site Context

The subject site is located in the developing community of Residual Sub-Area 2K, with the anticipated community name of Glacier Ridge. The lands include a gross area of 384.43 hectares and are located generally north of 144 Avenue NW, east of 69 Street NW, south of the municipal boundary with Rocky View County and west of West Nose Creek and Symons Valley Road.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

This housekeeping amendment will align the land use bylaw map with the intent of the land use application LOC2017-0368. No other changes to the existing land use are proposed.

Stakeholder Engagement, Research and Communication

This housekeeping amendment seeks only to clarify the proposed designation that was circulated to relevant stakeholders and notice posted on-site as part of LOC2017-0368, as identified in the original report by Administration (Attachment 1). As such, no additional engagement was considered necessary.

Strategic Alignment

This housekeeping amendment seeks solely to clarify the proposed designation of R-G, and continues to comply with all applicable legislation.

Social, Environmental, Economic (External)

Not applicable.

Financial Capacity

Current and Future Operating Budget

Not applicable.

Current and Future Capital Budget

Not applicable.

Risk Assessment

Should this technical amendment not be approved, there will be misalignment between the land use bylaw map and the intent of the original application.

Planning & Development Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0369

Amendment to the Bylaw Map associated with LOC2017-0368

REASON(S) FOR RECOMMENDATION(S):

This amendment will align the land use bylaw map with the intent of the original application LOC2017-0368 by clarifying the proposed land use district in the subject area as Residential – Low Density Mixed Housing (R-G) District.

ATTACHMENT(S)

1. Original LOC2017-0368 Report by Administration.

**Planning & Development Report to
Calgary Planning Commission
2020 January 23**

**ISC: UNRESTRICTED
CPC2020-0091**

Road Closure and Land Use Amendment in Residual Sub-Area 02K (Ward 2) at multiple properties, LOC2017-0368

EXECUTIVE SUMMARY

This application has been submitted by Stantec Architecture on behalf of the developer Ronmor Holdings Inc, who is representing various landowners of the subject lands (listed in Attachment 7), on 2017 December 06. The land use amendment proposes to redesignate approximately 368.93 hectares (911.61 acres) of land in the northwest community of Residual Ward 2 Sub Area 02K.

The lands are currently designated Special Purpose – Future Urban Development (S-FUD) District. This proposal provides for:

- a number of land uses to accommodate a comprehensively designed residential community, consisting of 5 neighbourhoods;
- a total of 8,160 anticipated units in a variety of residential districts;
- approximately 187.67 hectares (463.73 acres) of low-density residential consisting of single detached, semi-detached and rowhouse development (R-G);
- approximately 26.74 hectares (66.07 acres) of low-density residential consisting of semi-detached and rowhouse development (R-Gm);
- approximately 10.19 hectares (25.17 acres) of medium-density residential to accommodate rowhouses, townhouses and stacked townhouses in comprehensively developed sites (M-G);
- approximately 19.19 hectares (47.42 acres) medium-density residential to accommodate apartment buildings (M-1, M-2, and M-X1);
- approximately 3.42 hectares (8.45 acres) of mixed use development that can accommodate a mix of residential and commercial uses (M-U1);
- approximately 17.37 hectares (42.90 acres) of commercial districts to accommodate a variety of commercial uses to serve the needs of the local neighbourhoods (C-C2 and C-N2);
- approximately 47.18 hectares (116.58 acres) of open space, consisting of areas for schools and various neighbourhood parks (S-SPR);
- approximately 12.89 hectares (31.87 acres) of public utility designation, used primarily for a storm pond, but also consisting of utility rights-of-way for various underground utilities (S-CRI);
- 42.28 hectares (109.42 acres) of Environmental Reserve dedication to protect a series of ravines and drainage courses within the plan area (S-UN); and
- the closure and redesignation of a two portions of undesignated road right-of-way to facilitate the comprehensive development of the area.

This application has been applied for with the support of the corresponding outline plan application (CPC2020-0090) to provide the future subdivision layout for the site's development. Conditions have been incorporated into the outline plan to effectively address the site's development. The proposed land use amendment has been developed in accordance with the policies of the *Glacier Ridge Area Structure Plan*.

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ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommends that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed closure of 1.81 hectares (4.47 acres) of road (Plan 1912426, Areas 'A', 'B', and 'C') consisting of portions of the road allowance of 37 Street NW and 53 Street NW, with conditions (Attachment 4); and
2. Give three readings of the proposed bylaw.
3. **ADOPT**, by bylaw, the proposed redesignation 368.93 hectares \pm (911.61 acres \pm) located at 14800 and 15505 Symons Valley Road NW and 3810, 3900 4040, 4500, 4800, 5200, 5290, 5400 and 6500 - 144 Avenue NW and the closed road (Portion of W1/2 Section 6-26-1-5; NE1/4 Section 2-26-2-5; Plan 7510325, Blocks 1 and 2; SE1/4 Section 1-26-2-5; Plan 9010196, Lot 1; SW1/4 Section 1-26-2-5; SW1/4 Section 1-26-2-5, Lot 4; SW1/4 Section 1-26-2-5; SE1/4 Section 2-26-2-5; S1/2 Section 2-26-2-5; Plan 1912426, Areas 'A', 'B', and 'C') from Special Purpose – Future Urban Development (S-FUD) District and the Undesignated Road Right-of-Way **to** Residential – Low Density Mixed Housing (R-G and R-Gm) Districts, Multi-Residential – At Grade Housing (M-G) District, Multi-Residential – Low Profile (M-1) District, Multi-Residential – Medium Profile (M-2) District, Multi-Residential – Low Profile Support Commercial (M-X1) District, Mixed Use - General (MU-1f3.0h20) District, Commercial – Community 2 f2.0h24 (C-C2f2.0h24) District, Commercial – Neighbourhood 2 (C-N2) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – School, Park and Community Reserve (S-SPR) District, Special Purpose – Urban Nature (S-UN) District; and
4. Give three readings to the proposed bylaw.

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RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 JANUARY 23:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed closure of 1.81 hectares (4.47 acres) of road (Plan 1912426, Areas 'A', 'B', and 'C') consisting of portions of the road allowance of 37 Street NW and 53 Street NW, with conditions (Attachment 4); and
2. Give three readings of **Proposed Bylaw 1C2020**.
3. Adopt, by bylaw, the proposed redesignation 368.93 hectares \pm (911.61 acres \pm) located at 14800 and 15505 Symons Valley Road NW and 3810, 3900 4040, 4500, 4800, 5200, 5290, 5400 and 6500 - 144 Avenue NW and the closed road (Portion of W1/2 Section 6-26-1-5; NE1/4 Section 2-26-2-5; Plan 7510325, Blocks 1 and 2; SE1/4 Section 1-26-2-5; Plan 9010196, Lot 1; SW1/4 Section 1-26-2-5; SW1/4 Section 1-26-2-5, Lot 4; SW1/4 Section 1-26-2-5; SE1/4 Section 2-26-2-5; S1/2 Section 2-26-2-5; Plan 1912426, Areas 'A', 'B', and 'C') from Special Purpose – Future Urban Development (S-FUD) District and the Undesignated Road Right-of-Way to Residential – Low Density Mixed Housing (R-G and R-Gm) Districts, Multi-Residential – At Grade Housing (M-G) District, Multi-Residential – Low Profile (M-1) District, Multi-Residential – Medium Profile (M-2) District, Multi-Residential – Low Profile Support Commercial (M-X1) District, Mixed Use - General (MU-1f3.0h20) District, Commercial – Community 2 f2.0h24 (C-C2f2.0h24) District, Commercial – Neighbourhood 2 (C-N2) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – School, Park and Community Reserve (S-SPR) District, Special Purpose – Urban Nature (S-UN) District; and
4. Give three readings to **Proposed Bylaw 31D2020**.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This application was submitted by Stantec Architecture on 2017 December 06 on behalf of the developer Ronmor Holdings Inc. This road closure and land use redesignation is accompanied by an outline plan (CPC2019-0090) that will allow for a range of new housing types, commercial development and park space to meet the needs of various household sizes, lifestyles and income levels in the Glacier Ridge area.

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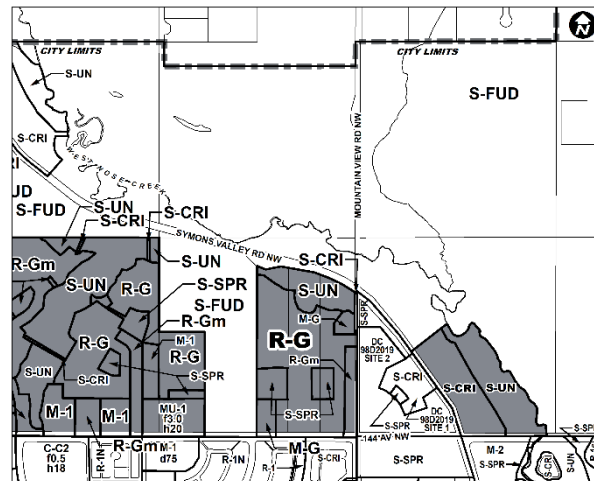
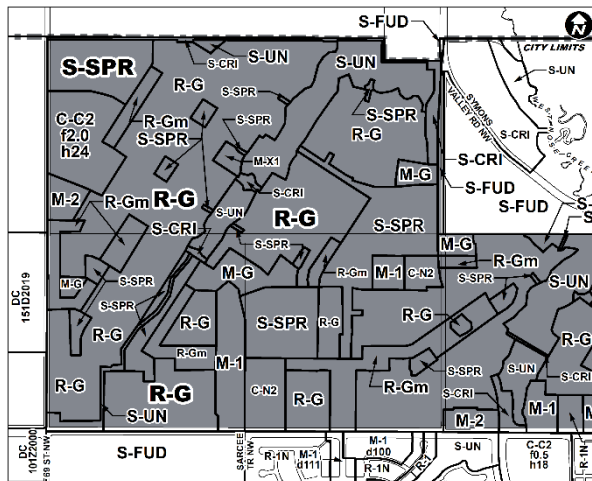
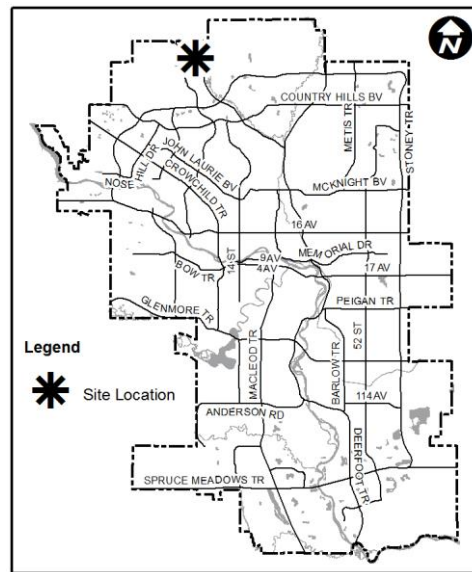
The *Glacier Ridge Area Structure Plan* (ASP) was approved on 2015 December 08. In order to facilitate the co-ordination of growth and servicing within the plan area to ensure that development proceeds in an efficient and economical manner, the *Glacier Ridge ASP* included a Growth Management Overlay (GMO). On 2018 September 18, Council amended the *Glacier Ridge Hills ASP* (Bylaw 71P2018) and lifted the GMO for the subject lands.

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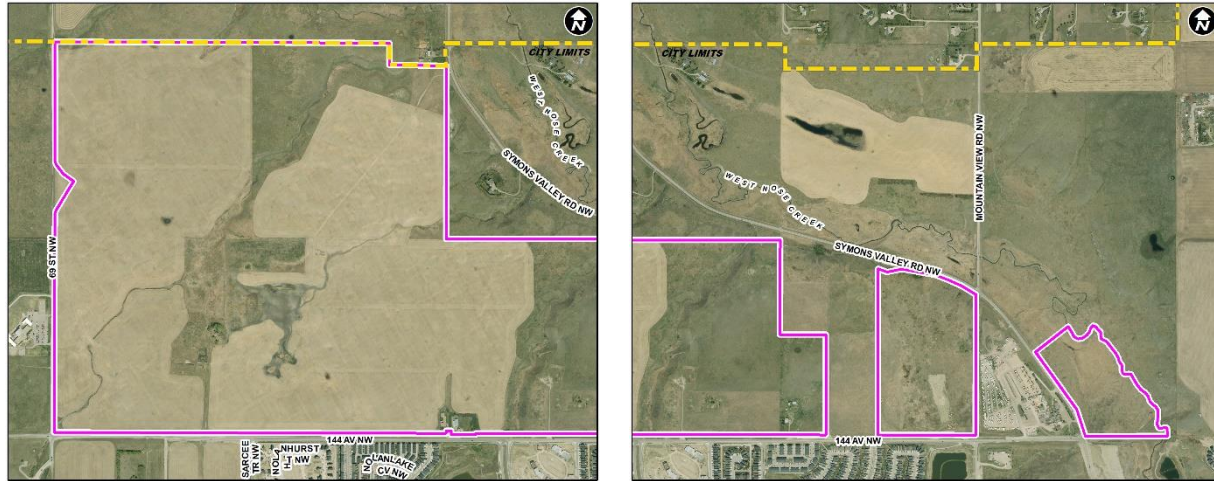
Location Maps



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Site Context

The subject site is located in the developing community of Residual Sub-Area 2K, with the anticipated community name of Glacier Ridge. There are five neighbourhoods proposed within the plan area: Tekarra, Aquila, Marmot, Cavell, and Ashlar. The lands include an area of 368.93 hectares (911.61 acres) and are located generally north of 144 Avenue NW, east of 69 Street NW, south of the municipal boundary with Rocky View County and west of West Nose Creek and Symons Valley Road.

Surrounding development to the south consists primarily of new greenfield development in the communities of Nolan Hill and Sage Hill. A large commercial site (Sage Hill Common) is located at the southeast corner of the intersection of 144 Avenue NW and Shaganappi Trail NW. To the east is Symon's Valley Ranch (a future Community Activity Centre) and West Nose Creek, to the north is Rocky View County and to the west is primarily agricultural land, with Bears paw Christian School located adjacent to the plan area on 69 Street NW. Symons Valley Road will be closed once the road is realigned to the north.

The main geographic feature in the plan area is a series of coulees that act as drainage courses connecting to West Nose Creek. Due to the significant slopes, these areas will be protected under the Environmental Reserve dedication. Two larger coulees traverse the plan area, the westerly coulee running in a northeast direction from the intersection of Shaganappi Trail NW and 144 Avenue NW, and separating the neighbourhoods of Ashlar and Cavell. The easterly coulee runs in a southwest to northeast direction bisecting the site.

The plan area lies adjacent to West Nose Creek in the easterly north and south portions of the plan area. The lands in between these points and adjacent to West Nose Creek are under separate ownership and consist of a series of wetlands of differing classifications, as well as the creek itself and the associated meander belt. These areas are proposed as a green corridor and will incorporate a series of pathways and natural areas as identified in the *Glacier Ridge*

Approval(s): T. Goldstein concurs with this report. Author: P. Schryvers

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Area Structure Plan. Detailed planning will occur during future application stages for those lands.

The remainder of the plan area is generally sloped down from the southwest to northeast toward West Nose Creek, with grades between 3 percent and 7 percent throughout the plan area, with several areas greater than 8 percent. These significant grades have considerable impact on community design and utility servicing.

The lands within the plan area are generally contiguous, with the exception of three parcels located in the eastern portion of the plan area (in the neighbourhood of Ashlar). These remnant parcels range in size from 7.11 hectares to 8.15 hectares. The lands bisect the proposed neighbourhood of Ashlar.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

This land use application, and corresponding outline plan, will facilitate the development of a range of multi-residential, commercial, low-density residential development along with four school sites along with associated parks, storm water facilities and roads.

Planning Considerations

Given the nature of this application several key factors were considered and are outlined in the following technical analysis.

Subdivision Design

The associated outline plan contemplates a subdivision pattern based on a modified grid street network. The general layout and design of the community is strongly impacted by several significant site constraints, and organizing elements, as detailed in the outline plan report (CPC2020-0090). These organizing elements are significant environmental open space areas in the form of coulees, interfaces with arterial roads, neighbourhood entryways and main corridors, school sites, neighbourhood open space, neighbourhood activity centres, pedestrian connectivity and several remnant parcels that are located within the plan area.

Four Neighbourhood Activity Centres (NACs) are located in the plan area. The activity centres are located in order to optimize the number of residents who can access the services within walking distance. These activity centre all achieve an intensity greater than 100 people and jobs per hectare.

Road Closure

Portions of the 37 Street NW and 53 Street NW rights-of-way are proposed to be closed with this application. The lands are proposed to be designated a mix of Residential – Low Density Mixed Housing (R-G and R-Gm) District, Multi-Residential – At Grade Housing (M-G) District, Multi-Residential – Medium Profile (M-2) District and Special Purpose – City and Regional

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Infrastructure (S-CRI) District. These land uses complement adjacent land uses and help complete developable parcels.

Land Use

Multi-residential uses (M-1, M-2, M-G and MU-1) are primarily located adjacent to frequent transit networks, such as on 144 Avenue NW, Shaganappi Trail NW and Sarcee Trail NW, as well as close to commercial uses. Low-density rowhouse development forms are primarily located along main corridors and entryways within the plan area, or facing open space, creating a welcoming entrance to the community and better interfaces with open spaces.

Commercial land uses are clustered around the four NACs within the plan, or the Community Activity Centre, located in the northwest portion of the plan. These uses provide for the daily needs of local residents.

A Special Purpose – Urban Nature (S-UN) District lands (to be dedicated as Environmental Reserve) are proposed to protect the existing network of coulees around the plan area, as well as natural wetlands located adjacent to West Nose Creek. A storm water retention facility is provided in the south eastern corner of the plan area, adjacent to Nose Creek, in order to provide storm water service for the community. Another storm pond, located to the northwest, adjacent to West Nose Creek was designated in a previous application (LOC2018-0140, Bylaw 116D2019). The location of these ponds were chosen due to topography and the fact that the location of the ponds would allow a reduction of the required number of storm ponds for the plan area from five to two. Additionally, the proposed location of the ponds avoided additional fragmentation of development within the plan area (if ponds were proposed above the escarpment they would fragment community contiguity). These ponds also will form part of a green pathway network centred along the existing Symons Valley Road. The existing road will be realigned to the north, allowing for the creation of a network of pathways and greenspaces along West Nose Creek.

A Special Purpose – School, Park and Community Reserve (S-SPR) District lands (to be dedicated as Municipal Reserve) will be provided as school sites (one high school, two joint-joint use sites and one elementary school site) along with a series of neighbourhood parks and green corridors. Neighbourhood parks are distributed throughout the plan area in order to provide green space within walking distance of all residents. Green corridors are provided to connect neighbourhood parks and schools to the coulee system that surrounds the proposed community.

Density

Density varies between the various neighbourhoods within the plan area due to the location, geographic constraints and function of each neighbourhood. For example, the neighbourhood of Marmot, which is located at the end of the bluff between the two coulees, includes a joint-joint school site and is not located as close to main transit routes, has a lower density. The neighbourhood of Aquila, on the other hand, is located close to main transit routes and

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commercial centres and therefore has a greater amount of multi-residential development. It also does not have a school site, so its density is greater. The density and area of each neighbourhood is illustrated in Table 1 below.

Table 1: Neighbourhood Statistics

Neighbourhood	Area (hectares)	Units	Density (units per hectare)
Aquila	66.5	2,155	32.41
Tekarra	66.4	1,359	20.47
Marmot	68.7	899	13.09
Cavell	78.0	1,561	20.01
Ashlar	96.7	2,191	22.66

The overall proposed outline plan achieves an anticipated density of 24.88 units per hectare (10 units per acre).

Environmental

The plan area falls within the transitional zone of three natural subregions, Foothills Fescue; Central Parkland; and Foothills Parkland. The terrain is comprised of rolling to hilly landscapes which are dissected by small drainages and streams. The study area contains three significant slopes of greater than 15 percent and is bound by West Nose Creek to the north of the plan area. Site surveys have identified seven wetlands, four of which are class III or above. Two permanent streams, five intermittent streams and two ephemeral drainages were also identified which all flow towards West Nose Creek.

Transportation**Street and Mobility Network**

The subject site is bounded by a network of arterial and collector streets, including 144 Avenue NW to the south, 69 Street NW to the west, the City limits to the north, and Symons Valley Road NW to the east. Two arterial streets, Sarcee Trail NW and Shaganappi Trail NW, traverse the community in generally north south alignment, running between 144 Avenue NW and the City limits (and future 160 Avenue NW). These arterials, along with the coulee systems described previously, define the boundaries of the five separate neighbourhoods identified above. The arterial streets are strategic links connecting to the regional transportation network, including Stoney Trail NW.

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All arterials streets in the plan area include continuous regional pathways with limited conflict points on both sides of the street, providing local and regional connection to the active modes network throughout the plan area.

Within each neighbourhood is an internal road system that has been laid out in a modified grid network, providing convenient and direct access for pedestrians, cyclists and vehicles throughout the neighbourhood. Commercial and institutional uses are generally located adjacent the collector streets where there are improved pedestrian facilities and transit service. The regional pathway network aligns with the ASP and provides a system of local parallel routes within the arterial network to support cycling and other forms of active transportation. The arterial roadways also include pathways within the boulevards to support active commuting of greater distances between the neighbourhoods and beyond.

The plan area is well-connected to the regional transportation network, as Sarcee Trail NW, Shaganappi Trail NW, and Symons Valley Road NW all connect with Stoney Trail to the south. In support of the New Community Growth Strategy, The City of Calgary is advancing the ultimate stage of the Shaganappi Trail/Stoney Trail interchange as well as the construction of a new 144 Avenue NW crossing of West Nose Creek in support of the Glacier Ridge Area Structure Plan lands captured within One Calgary. These pieces of infrastructure are anticipated to be constructed and opened by end-2022. In conjunction with the advancement of these projects, construction of 144 Avenue NW and Shaganappi Trail NW in alignment with the proposed development phasing by the area developers will be undertaken to service the community, thereby realizing the value of infrastructure investment made by the City in support of the Glacier Ridge Area Structure Plan.

Transit

This area is currently not served by any transit routes. Public transit is anticipated to be introduced in phases over time and is expected to include several bus routes running through the Glacier Ridge Area Structure Plan. Transit in the area will provide local and regional service through and around the plan area. Transit service introduction to new communities is balanced with service increases in existing communities as ridership grows, including potential introduction of evening and weekend service.

Construction of 144 Avenue NW along the south boundary of and to the east/west of the plan area, including the crossing of West Nose Creek, by the Developer, the City and by the neighbouring developers will enable the introduction and eventual enhancement of transit service as the community builds out. 144 Avenue NW and Shaganappi Trail NW are planned as Primary Transit corridors.

The City and Developer have collaborated to establish an initial phasing plan (first three phases) that includes provision of a fully connected collector road - Cavell Drive NW between Sarcee Trail NW and Shaganappi Trail NW – that provides the opportunity for local transit service to be introduced in the early stages of Glacier Ridge residency.

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Utilities and Servicing

Storm servicing for the plan area will be provided via the construction of two new storm ponds.

Sanitary servicing for the initial phases of the plan area will be provided via gravity fed connections to existing sanitary infrastructure located within the community of Sage Hill. Later phases may require the construction of a sanitary lift station, currently shown on the plan off of Shaganappi Trail.

Water servicing for the plan area will be provided via connections to existing water infrastructure located south of the plan area.

Further utilities and servicing details will be resolved via the tentative plan, construction drawing, and development permit phases.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

There is no community association for the subject area. Two letters of objection were received from adjacent landowners. Concerns raised by adjacent landowners included:

- Inadequate infrastructure provided for new development;
- Expectations for estate lots to be located in the plan area, specifically along 144 Avenue NW, rather than multi-residential development; and
- Loss of views of the valley.

Additionally, the owners of the three remnant parcels located within the community of Ashlar contacted Administration with regards to future development of their lands. Several meetings were held with those owners, their representatives and administration, along with one meeting that included the applicant for the subject application. Along with discussing general development processes, the main topics of discussion were the allocation and provision of Municipal Reserve, specifically with regards to the school site within the neighbourhood. The owners were informed that each would have to dedicate Municipal Reserve to contribute to the school site.

No public meetings were conducted by the applicant or Administration in direct relation to this outline plan application.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

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Strategic Alignment

South Saskatchewan Regional Plan (2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) (SSRP), which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

Interim Growth Plan (2018)

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed land use amendment and outline plan builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure and establishing strong, sustainable communities. The plan was circulated to Rocky View County with each subsequent revision, and the applicant has responded directly to Rocky View County regarding any comments on the plan.

Municipal Development Plan (Statutory – 2009)

The plan is located in a Future Greenfield area as identified by [Map 1: Urban Structure](#) of the [Municipal Development Plan](#). The New Community Planning Guidebook of the *Municipal Development Plan* is the most relevant policy document for assessing outline plans in new communities and contains the following relevant policies for the plan area:

- 2.1.2a - Each community shall achieve a minimum intensity of 60 people and jobs per gross developable hectare upon initial build out.

The proposed community achieves an anticipated intensity of 63 people and jobs per hectare.

- 2.2.2(a) - A neighbourhood should range between 40 and 75 hectares in size B) A Neighbourhood should achieve a minimum density of 20 units per gross developable residential hectare.
 - (i) An Area Structure Plan (ASP) may identify a Neighbourhood with a lower density, to a minimum of 15 units per gross developable residential hectare (6 units per gross developable residential acre), if it identifies another Neighbourhood in the same Community with a higher density. The density of the two Neighbourhoods must average 20 units per gross developable residential hectare (8 units per gross developable residential acre) considering their respective gross developable areas.

As noted in Table 1 above, the five proposed neighbourhoods in the plan area range in size from 66.4 hectares for Tekarra to 96.7 hectares for Ashlar. While Ashlar is larger than is stipulated in the New Community Planning Guidebook, it is bounded by coulees on three sides, and so cannot be logically divided or combined with other neighbourhoods.

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As noted in the density section of this report, the neighbourhood of Marmot does not meet the minimum density of 15 units per gross developable hectare. This is due to the location of the community, closer to the coulees and further from transit and commercial areas, and the fact that the community contains a large school site as well as environmental areas. However, this is made up for by the other neighbourhoods in the plan area, so that the total anticipated density of the plan area is 24.88 units per gross developable hectare.

The New Community Planning Guidebook also outlines that neighbourhoods should be designed around an Activity Centre or Main Street, and should provide a diversity of housing options, neighbourhood scale commercial and/or services, public spaces, parks and recreation facilities, public transit and green infrastructure. Each neighbourhood in the plan achieves these criteria, with each containing the necessary elements as defined above.

The New Community Planning Guidebook also outlines that Multi-Residential Developments should be located within a neighbourhood:

“near a transit stop, amenities, open space and fit into the public grid street network.”

Multi-residential development within the plan area meets this design criteria as it is located along transit routes, close to commercial spaces and open space.

Glacier Ridge Area Structure Plan (Statutory – 2015)

The plan area is located within the [Glacier Ridge Area Structure Plan](#) (GRASP), and comprises the entirety of Community B and Neighbourhood 5 of Community A as identified in the plan. The GRASP provides policies for neighbourhood design for communities within the plan area. The following policies are relevant to the proposed outline plan.

Communities and Neighbourhoods

The GRASP indicates that “notwithstanding the New Community Planning Guidebook policy on neighbourhood size, some neighbourhoods may exceed the maximum size of 75 ha (185 ac) due to the significant area of natural features included within those neighbourhoods.”

As noted above, the neighbourhood of Ashlar exceeds the 75 hectares standard. However, Ashlar is surrounded by steep coulees on three edges, and includes a significant storm pond and adjacent environmental space. As such, it was deemed appropriate to exceed the neighbourhood size standard.

The GRASP highlights that “distinct community and neighbourhood identities should be established, where feasible, by designing the NACs to relate to unique features of the Plan Area such as coulees, glacial erratics, valley escarpments, sites of Aboriginal significance and other natural and cultural elements.”

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As shown on in Attachment 6, the proposed neighbourhoods are largely defined by their relationship to the coulees and coulees in the plan area. The coulees act as the boundary between the neighbourhoods, the other major boundary being Sarcee Trail NW.

Community Activity Centres

One Community Activity Centre (the West CAC) is identified in northwest corner of the outline plan area. The policies for the CAC are primarily in regards to site design, and will be referred to at development permit stage.

Neighbourhood Activity Centres (NACs)

The GRASP identifies the following policies with regards to Neighbourhood Activity Centres (NACs):

1. NACs should be located as shown on Map 3: Land Use Concept.
2. Notwithstanding the New Community Planning Guidebook (NCPG), the 700 metre walking distance from the surrounding Neighbourhood Area may be exceeded in cases where the neighbourhood is larger or an irregular shape due to natural features.
3. Neighbourhoods B4 and D4: These NACs should be designed comprehensively to create unique and attractive gathering spaces by:
 - a) integrating the Community Association Site with the amenity space; and
 - b) connecting with the adjacent Regional Pathway. Green Corridor and Environmental Reserve.

Six NACs within the plan area were identified in the GRASP. The proposed plan identifies four NACs in the plan area. The rationale for removing the two NACs was that the two Community Activity Centres within or adjacent to the plan area would provide a significant proportion employment needs and amenities for the community. A regional retail centre located just to the south of the plan area at 144 Avenue NW and Shaganappi Trail NW provides additional commercial opportunities for future residents. The proposed location of NACs within the plan area provide coverage for nearly all areas of the plan, the exception being areas close to Symons Valley Ranch (a CAC) or close to the CAC in the plan, or a future NAC located just to the west of 69 Street NW.

The NACs proposed within the Marmot neighbourhood (neighbourhood B4 as identified in the GRASP) contains a community association site adjacent to an open space area, a multi-residential site and a commercial site. The NAC is connected via regional pathways or green corridors to the environmental reserve areas.

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Joint Use (School) Sites

The GRASP identifies the following policies with regards to Joint Use (School) Sites:

1. JUS should be located as shown on Map 3: Land Use Concept.
2. JJUS, which accommodate two schools, should be located as shown on Map 3: Land Use Concept.
3. School building envelopes should be located along a street abutting the site. Buildings should offer direct pedestrian access to primary entrances from the sidewalk without crossing a parking lot or drive aisle.
4. It may be necessary to reduce the size of a site where there is not enough Municipal Reserve land for other uses, and/or where topographical constraints limit the ability to provide an adequate site. This will be assessed at the Outline Plan/Land Use Amendment stage.

Two joint-joint use sites and one joint use site are located within the plan area. The sites are located generally as identified in the GRASP, and have been reviewed by Site Planning Team and the Joint Use Coordinating Committee. One joint use site (a CBE elementary school) was eliminated from the plan area after significant discussion with the Site Planning Team and the Joint Use Coordinating Committee. Additionally, all school sites layouts have been reviewed by the Site Planning Team and approved.

High School Sites

The GRASP identifies the following policies with regards to High School Sites:

1. High School Sites should be located as shown on Map 3: Land Use Concept.
2. Each High School Site should require from 8 to 9.3 ha (20 to 23 ac) of land.
3. Each High School Site should have direct access to a Regional Pathway and a transit stop to minimize mid-block crossings and traffic conflicts.
4. Enhanced pedestrian facilities (for example, wider sidewalks) and enhanced transit waiting amenities (minimum standard to large shelter(s)) should be provided on adjacent streets identified as having transit service.
5. The west high school should front or flank the adjacent collector streets and locate parking and sports fields in behind to contribute to an activated intersection with the adjacent Activity Centres.
6. It may be necessary to reduce the size of a site where there is not enough Municipal Reserve land for other uses, and/or where topographical constraints limit the ability to provide an adequate site. This will be assessed at the Outline Plan/Land Use Amendment stage.

One High School (the West High School), is identified in the plan area, and is located as shown on the land use concept in the GRASP. The site is 8.09 hectares, has regional pathways on three sides, has a bus stop located immediately adjacent, and fronts onto collector streets, creating an activated intersection with the CAC to the south.

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Community Association Site

The GRASP identifies the following policies with regards to Community Association (CA) Sites:

2. Co-locating CA sites with uses on adjacent sites is encouraged. Such sites include but are not limited to the Emergency Response Station, Joint Use Sites, Recreation Facility/Library, NACs or CACs. In such instances, a CA Site may be relocated without an amendment to this ASP.
3. CA Sites should be within 400 metres of a transit stop.
4. CA Sites should have direct access to a Regional Pathway or Green Corridor.

The proposed community association site is located within a NAC, adjacent to one joint-joint use site and within short walking distance of another joint-joint use site, has transit stops nearby and is connected to the Regional Pathway, thus meeting all the policies above.

Emergency Response Station

The GRASP identifies the following policies with regards to Emergency Response Stations:

1. The Emergency Response Station may be collocated with or integrated within a multi-use facility or development.
2. Within any multi-use development, the Emergency Response Station requires a dedicated 0.8 hectares (2 acres) site.
3. Developers are encouraged to engage The City regarding the location and size of the Emergency Response Station parcel at the initiation of the Outline Plan/Land Use Amendment stage.

An emergency response station is identified as being located adjacent to the CAC in the north west portion of the plan area. The station is integrated within a mixed-use development and meets the 0.8 hectare (2 acre) size requirement. Facilities Management was circulated on the application and supported the location of the site. The integration of the station with adjacent development will be determined at the development permit stage.

Interface with Natural Areas

Significant amounts of natural areas are proposed within the plan area. These natural areas primarily consist of several coulees that bisect the plan area, as described in the site context section above. The GRASP identifies the following policies with regards to interfaces with Natural Areas:

1. Design of residential developments adjacent to Symons Valley, West Nose Creek and other preserved natural areas should consider the following;
 - b. connecting internal pathways of multi residential developments to nearby Regional Pathways and Green Corridors;

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- c. strategic design of public access into and around coulees, streams, escarpments and other retained features, to allow for the buffering of habitat wildlife within and along these retained features;
- e. providing access and views from Neighbourhood Areas by establishing a permeable block design that allows for green pockets to open onto adjacent natural areas.

Residential interfaces with natural areas provides for numerous public access points via engineered walkways or municipal reserve areas to the coulees. Regional pathways connect through these access points, and a trail system is proposed along the coulees. The pathways are designed to reduce disturbance of natural areas and habitats. These connections also serve as viewpoints to connect the community to these natural areas.

Interface with Rocky View County

The northern boundary of the plan area is shared with the municipal boundary with Rocky View County. The GRASP identifies the following policies with regards to interfaces with Rocky View County:

1. The IDP identifies land north of the Plan Area as a future City of Calgary growth area. Therefore, development along the Plan Area boundary should provide opportunities for attractive and functional integration with urban-style development that may occur in the future north of the Plan Area. Elements to achieve such integration include but are not limited to:
 - a. streets, pathways and open spaces that could be extended in the future to north of the Plan Area;
5. Design of Neighbourhood Areas and sections of 160 Avenue NW adjacent to existing acreages along the north boundary will be required to minimize nuisances for existing acreage owners. Edge conditions should be defined by a variety of different methods including local streets or green spaces that will act as buffers.

The interface with Rocky View County in the plan area consists of two types of interfaces: a community interface and an environmental interface. For the residential interface, where residential units and the High School site are located adjacent to the boundary with Rocky View County, a shadow plan has been provided to demonstrate how streets and pathways can be extended to the north. The area of this extension is fairly limited due to the edge of the escarpment which is located just to the north of the plan area.

For the other interface areas, the interface condition is comprised of environmental areas or a storm pond. These interfaces do not create nuisance for existing acreage owners to the north of the plan area.

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Symons Valley and West Nose Creek

The GRASP identifies the following policies with regards to Symons Valley and West Nose Creek:

1. In accordance with Section 5.3 Streets, Symons Valley Road west of Mountain View Road should be closed and a new Regional Pathway in the vicinity created to restore and enlarge a featured natural open space destination of the Plan Area.
2. Regional Pathways will provide convenient connections north-south and east-west for bicycle and pedestrian commuters.
3. Green Corridors will provide access to key features and viewpoints of Symons Valley.

The plan will facilitate the closure of Symons Valley Road by providing for the realignment of the road to north, as well as the extension of Shaganappi Trail NW to the north. A regional pathway is proposed along the south portion of the north storm pond to contribute to the regional pathway network in this area. Regional pathways have been provided throughout the plan area, specifically along Cavell Drive, Marmot Drive, 144 Avenue NW, Sarcee Trail NW, Shaganappi Trail NW and along the coulees to provide a connected network of pathways throughout the plan area.

Environmental Open Space Area

The GRASP identifies the following policies with regards to Environmental Open Space Areas:

1. Sites that are identified as EOS but do not qualify as Environmental Reserve should be protected where feasible by incorporating them into the neighbourhood through site and building designs, and the strategic location of Municipal Reserve land.
2. Where a street is proposed to cross Green Corridors or natural areas including Coulees and West Nose Creek, studies may be required at the Outline Plan/Land Use Amendment stage to:
 - a. ensure that any potential changes to existing natural conditions are minimized;
 - b. consider the most appropriate technique to maintain the ecological quality of the area; and
 - c. mitigate negative impacts, both during construction and in the final design.

Environmental areas have largely been provided as environmental reserve throughout the plan area. Coulees have been maintained, and environmental reserve utilized to provide a drainage course that is supplemented with municipal reserve, which will assist in the preservation of the environmental quality of the feature. Street crossings of Green Corridors have been reviewed to minimize environmental disturbance.

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Regional Pathways and Green Corridors

1. Where portions of the Environmental Open Space Study Area are not retained, the presence of the Green Corridor may be removed without amendment to this ASP provided that:
 - i. a Regional Pathway is provided within approximately 200 metres of where the Green Corridor is shown on Map 5: Regional Pathways and Green Corridors;

Where possible, environmental spaces have been retained. Regional pathways have been provided generally where shown on Map 5 of the GRASP.

Social, Environmental, Economic (External)

The recommended land use framework plan and associated outline plan will provide for a diversity of housing choices to meet the needs of various household sizes, lifestyles and income levels in an existing established area. The plan provides for densities that are transit-supportive and that make efficient use of land and infrastructure. Commercial areas provide services for local residents.

Financial Capacity

Current and Future Operating Budget

There is currently no impact to the current operating budget. As development proceeds, the provision of City services such as roads, transit, and parks maintenance would have an operating budget impact at such time as they are provided. The projected operating costs for this development during 2019-2022 have been included in the One Calgary 2019-2022 Service Plans and Budgets.

Current and Future Capital Budget

There is no impact to the current capital budget as a result of this report. The City transportation and utility capital infrastructure required to service this development is included in the One Calgary 2019-2022 Service Plans and Budgets. This additional infrastructure will be funded by The City and through off-site levies paid by developers. The capital investment required to construct and upgrade the required local infrastructure will be funded by the developer.

Risk Assessment

There are no significant risks associated with this proposal.

This application is considerably larger than typical land use redesignations, and is in excess of the typical standard of 100 hectares for an outline plan. However, given the issues of storm water servicing (reducing the number of storm ponds from five to two), municipal reserve

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allocation (i.e. the need to remove a school site and balance municipal reserve over a large area), utility servicing (i.e. constraints on the grades of sanitary lines that affected road layouts and locations), it was determined that the application could proceed in its current size. Administration understands the risk that this may necessitate future outline plan and land use revisions for future phases of the outline plan as market conditions change.

REASON(S) FOR RECOMMENDATION(S):

The proposed land use amendment and road closure will facilitate development in keeping with the direction provided by the *Municipal Development Plan* and the *Glacier Ridge Area Structure Plan*. Additionally, the plan provides the following beneficial features:

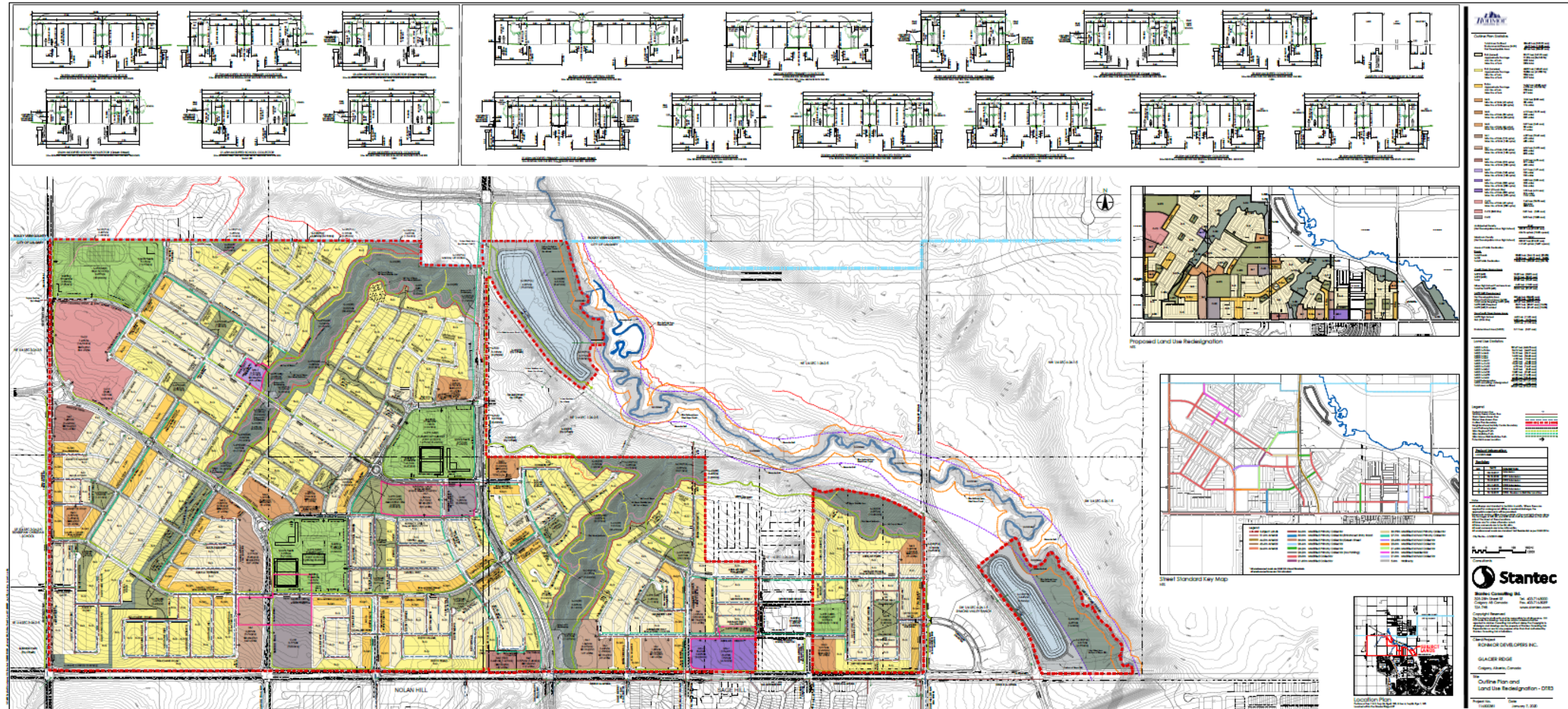
- a modified grid street network that provide safe and convenient pedestrian and cycling routes throughout the community;
- a park system that provides a diversity of recreational opportunities for local residents within walking distance;
- a strong connection between the community and the network of protected environmental areas;
- a design that is responsive to the topographical features of the land;
- schools that serve that serve the local population; and
- a mix of commercial and residential uses, along with a diversity of housing forms that meet the needs of a variety of households and demographics.

ATTACHMENT(S)

1. Proposed Outline Plan
2. Applicant Submission
3. Registered Road Closure Plan
4. Proposed Road Closure Conditions
5. Proposed Neighbourhoods
6. List of Landowners
7. Proposed Land Use District Map
8. **Proposed Bylaw 1C2020**
9. **Proposed Bylaw 31D2020**

CPC2020-0091
Attachment 1

Proposed Outline Plan



CPC2020-0091
Attachment 2

Applicant Submission



Stantec Consulting Ltd.
200-325 25 Street SE, Calgary, Alberta T2A 7H8

January 8, 2020
File: 116500381.210

On behalf of Ronmor Holdings Inc. ('Ronmor'), Stantec Consulting Ltd. is pleased to submit the enclosed Outline Plan ('OP'), Land Use Redesignation ('LUR'), and Road Closure for the lands legally described as:

- Portions of 5;2;26;2;
- Portions of 5;2;26;1;
- Portion of 5;2;26;1;;4
- Blocks 1-2, Plan 7510325; and
- Portion of 5;1;26;6;SW;

Municipal addresses for the site are 3810, 3900, 4040, 4500, 4800, 5200, 5290, 5400, and 6500 144th Avenue NW and 14800, 15454, and 15505 Symons Valley Road NW and all the lands are located within the Glacier Ridge Area Structure Plan ('ASP').

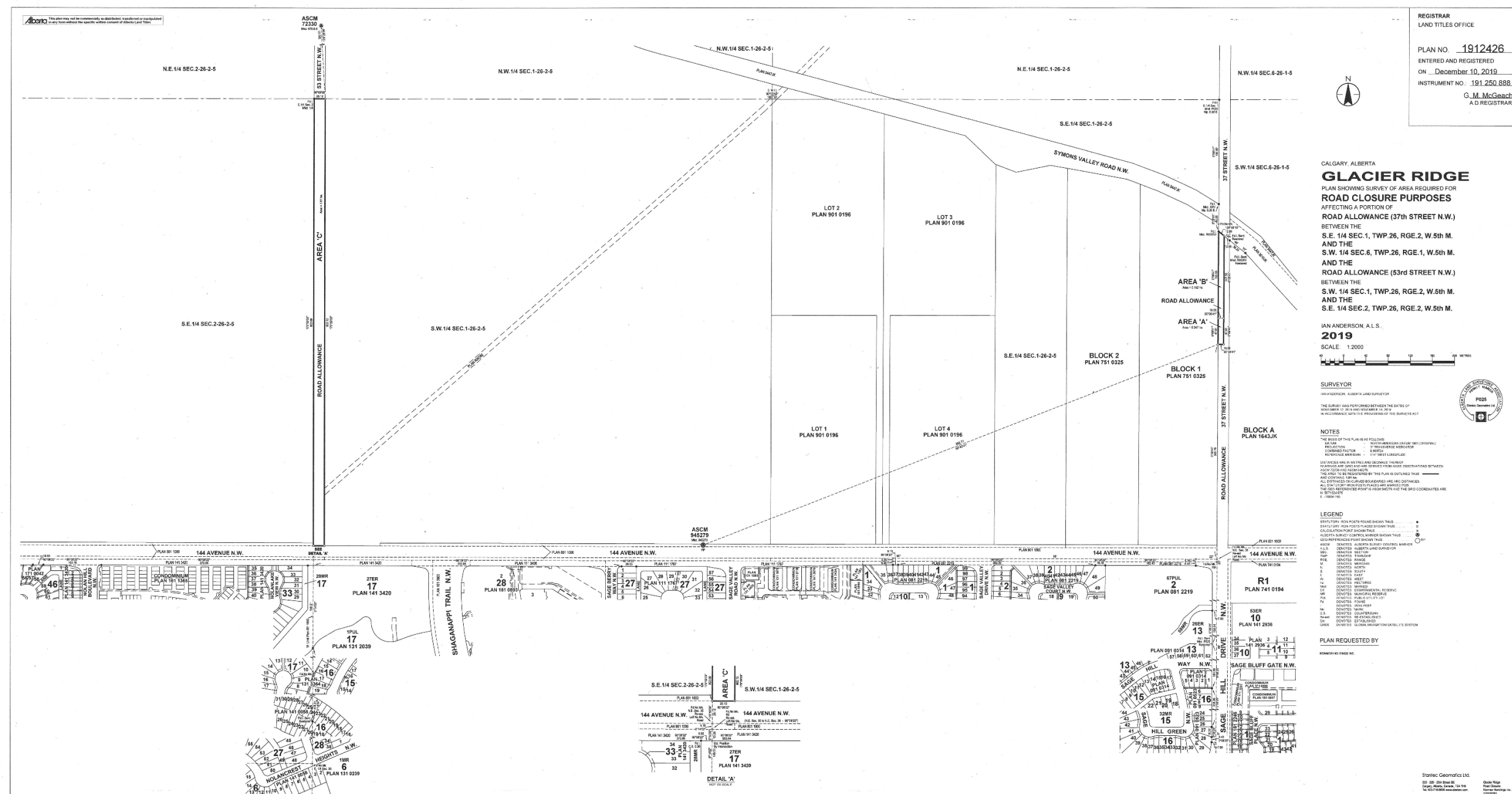
Located immediately west of West Nose Creek, and with excellent views of Symons Valley, Glacier Ridge is envisioned as a master planned and complete community in Calgary's northwest. The proposed OP aligns with direction of the ASP, building upon the vision of Symons Valley Corridor being a natural attraction and amenity for residents. Glacier Ridge has been planned to include the following:

- Multi-modal transportation options, and convenient connections for pedestrians, cyclists, transit riders, and motorists;
- A range of housing options and levels of affordability;
- A connected and contiguous Open Space network providing a variety of active and passive recreational amenities for residents while balancing the need to provide for school sites; and
- A CAC and four Neighbourhood Activity Centres (NAC) offering higher density residential, employment opportunities, community gathering places, as well as commercial and retail amenities for residents.

The Glacier Ridge Outline Plan is over 380ha, and proposes to redesignate the lands from S-FUD to R-G, R-Gm, M-G, M-1, M-2, M-X1, MU-1, C-C2, C-N2, S-CRI, S-SPR, and S-UN. The application represents approximately 8,150 residential units that will include both low density and multi-residential product.

Design with community in mind

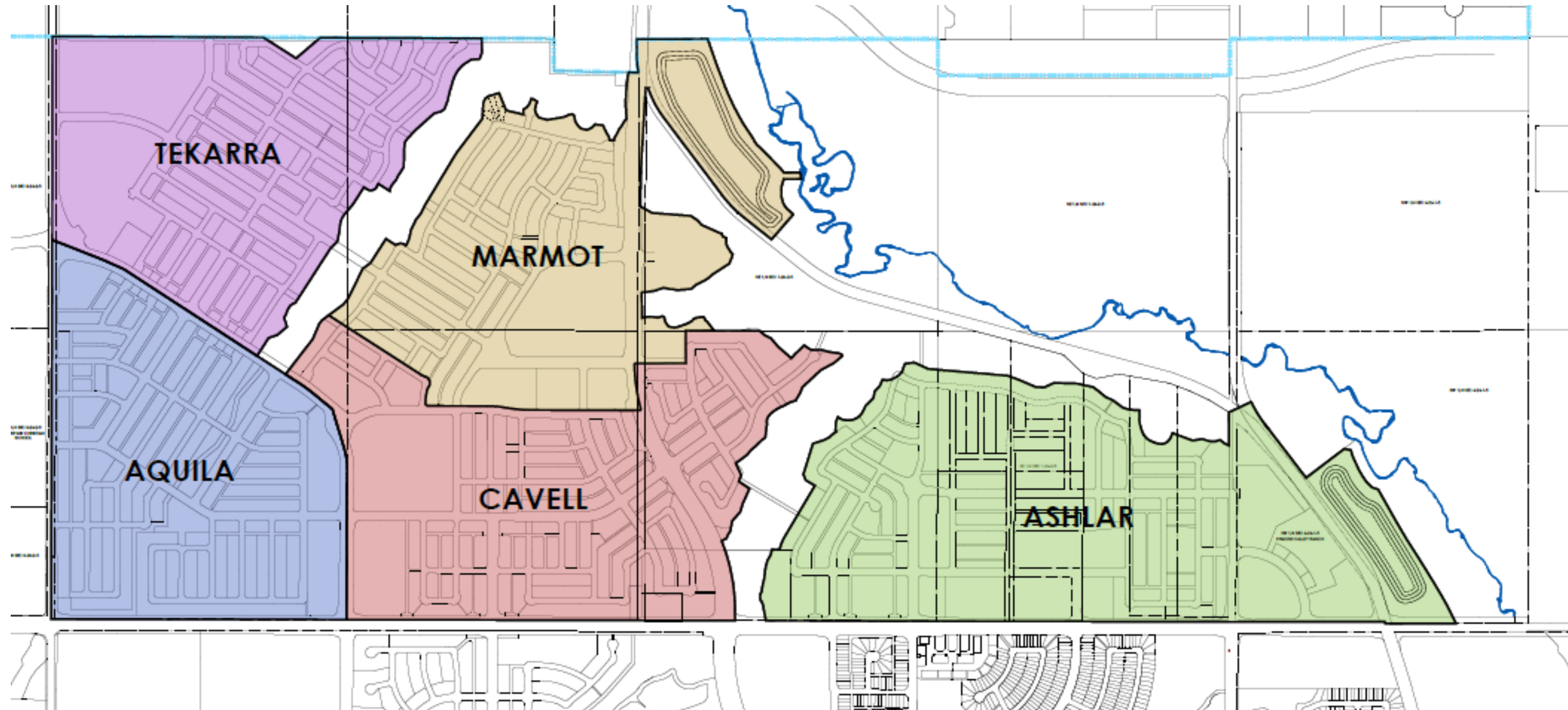
Registered Road Closure Plan



Proposed Road Closure Conditions

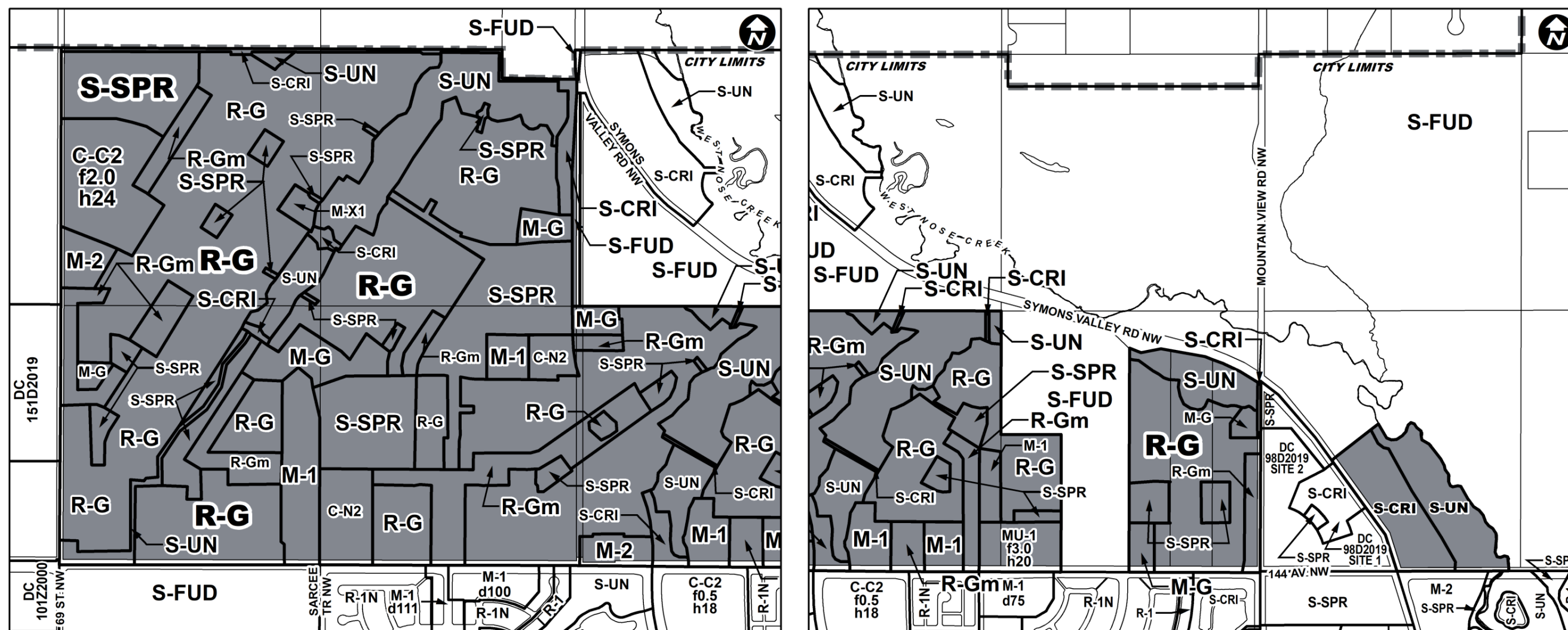
1. All existing utilities within the road closure area shall be protected by easement or relocated at the developer's expense.
2. The applicant is responsible for all costs associated with the closure including all necessary physical construction, removal, rehabilitation, utility relocation, etc.
3. All costs associated with the road closure shall be borne by the applicant.
4. That protection and/or relocation of any utilities required for the road closure will be at the applicant's expense and to the appropriate standards.

Proposed Neighbourhoods



CPC2020-0091
Attachment 6**List of Landowners**

1286409 Alberta Ltd
Raymond William Barnes
Tracey Michelle Sheftel Holland
Libin Symons Ltd.
Paperny Symons Ltd.
Maurice Paperny
Cheryl Elaine Rowlandson
Cheryl Rowlandson
Wayne Rowlandson
Annette Shafron
Melissa Marilyn Shafron
Melissa Shafron
Michael Sharfron
Carrie Sheftel
Danielle Sheftel
Marilyn Sheftel
Tracey Sheftel
Nancy Faye Whatmore
Zivot Systems Ltd
Debra Zivot
Mark L Zivot
Rose Zivot



PROPOSED

C2020-0368
ATTACHMENT 2

BYLAW NUMBER 52D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2017-0368/C2020-0368)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedules "A-1" and "A-2" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B-1" and "B-2" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. Bylaw 31D2020 is hereby repealed.
3. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

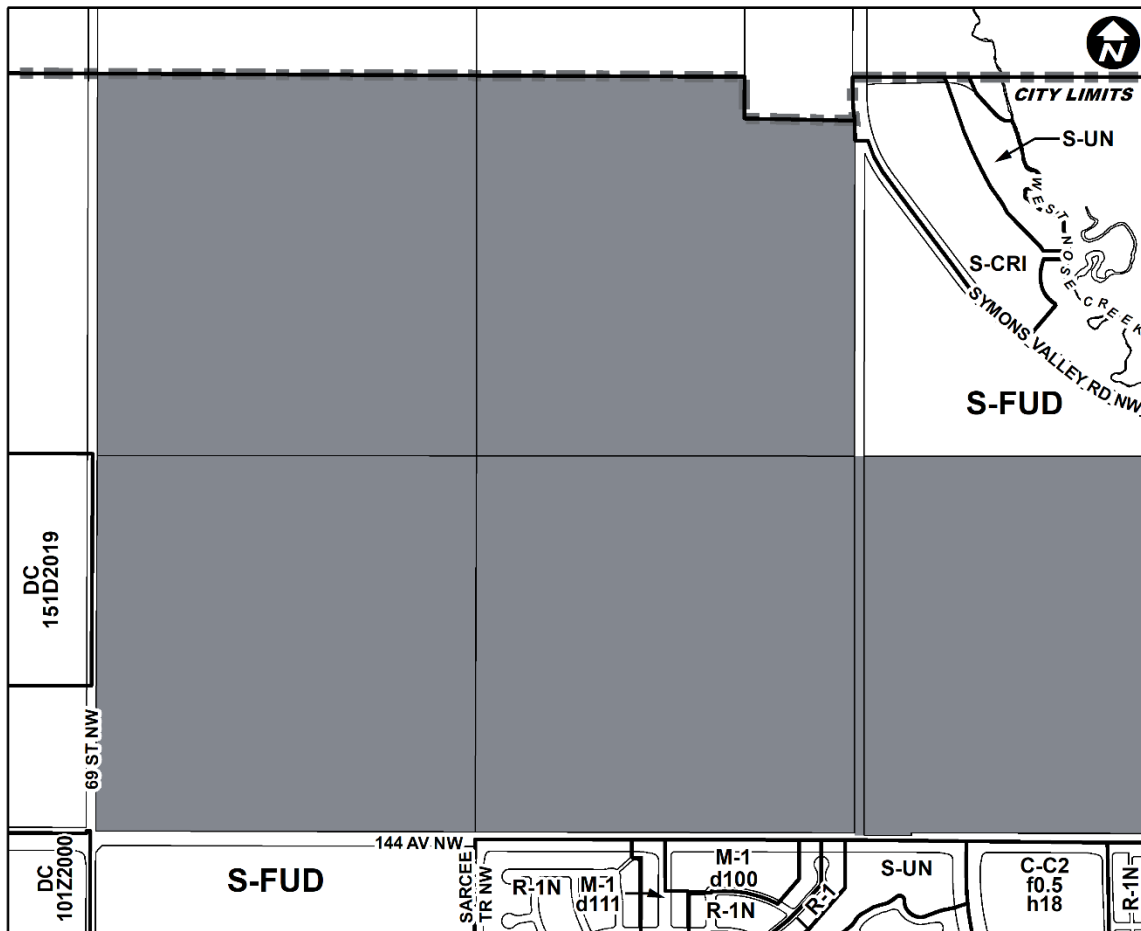
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2017-0368/C2020-0368
BYLAW NUMBER 52D2020

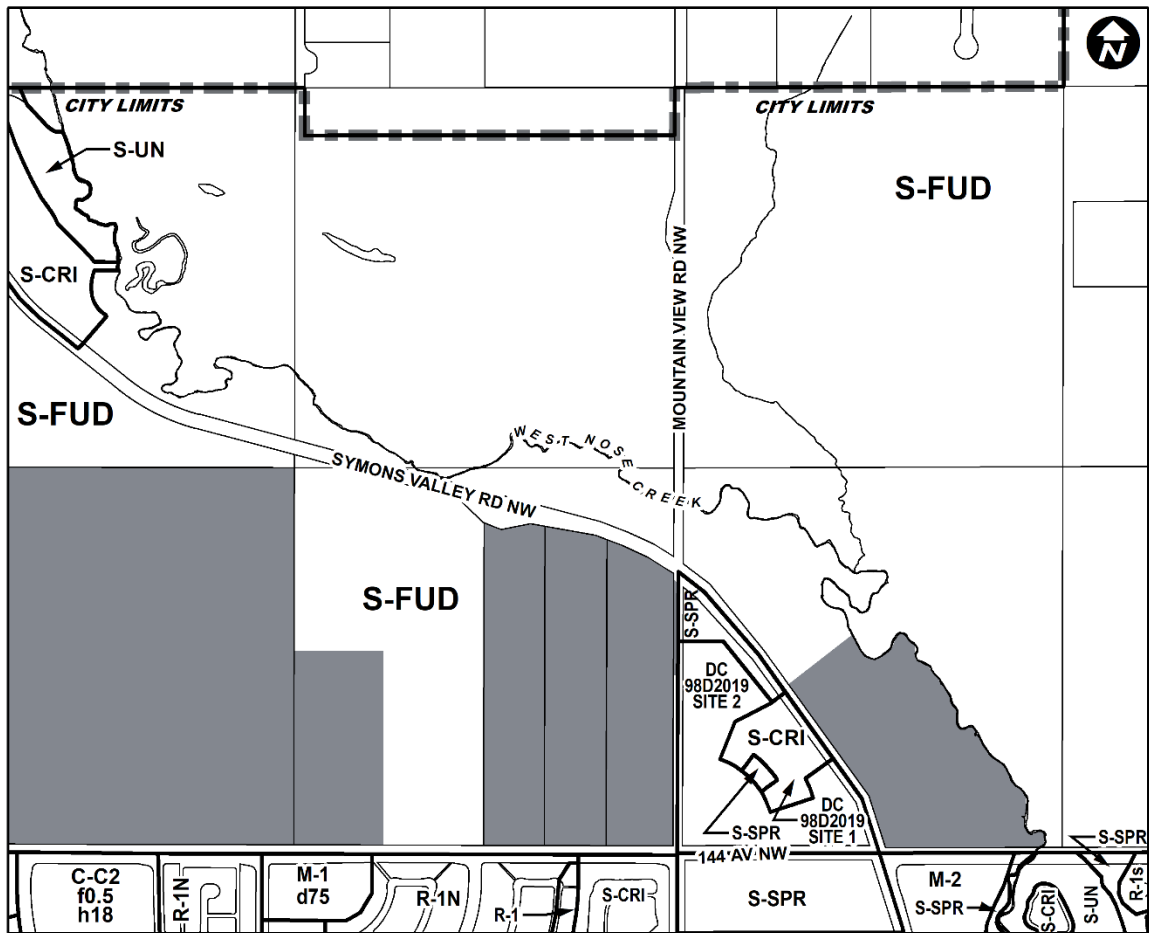
SCHEDULE A-1



PROPOSED

AMENDMENT LOC2017-0368/C2020-0368
BYLAW NUMBER 52D2020

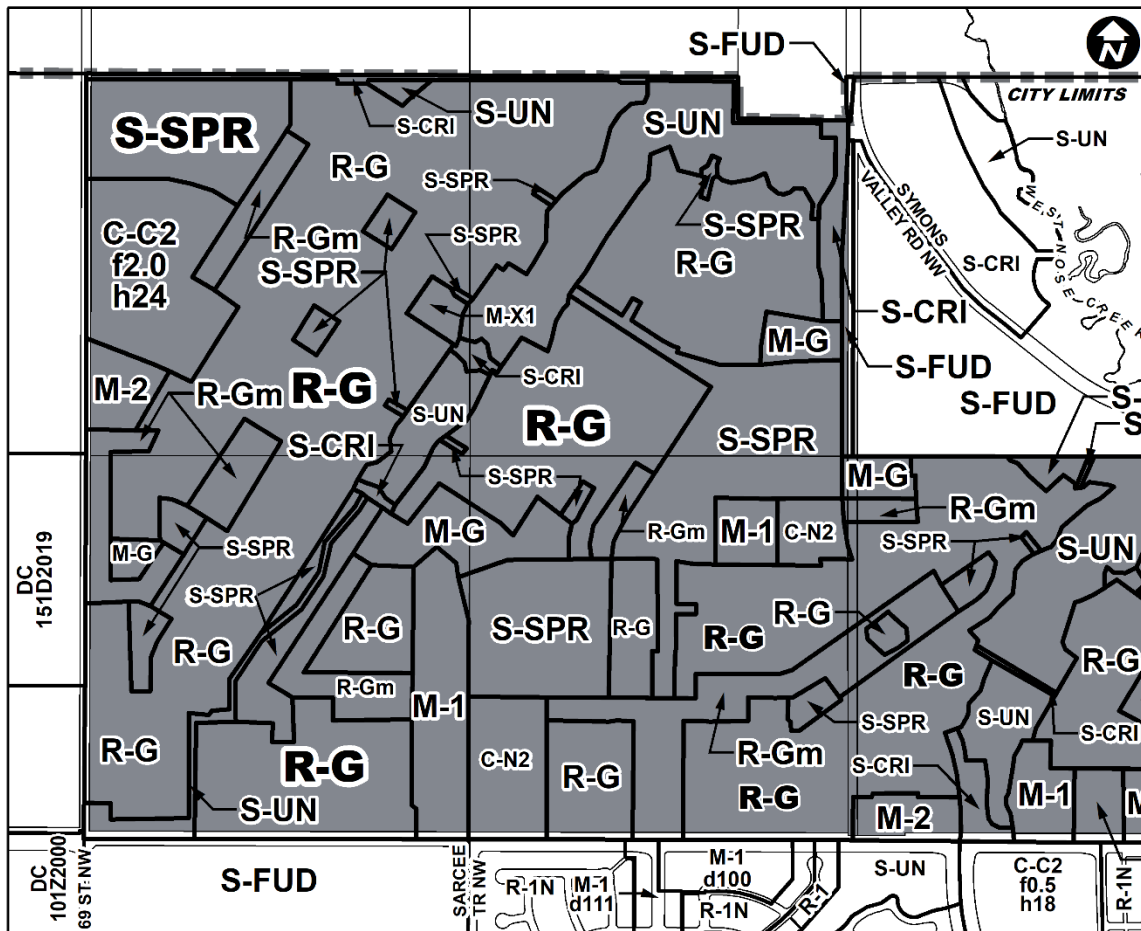
SCHEDULE A-2



PROPOSED

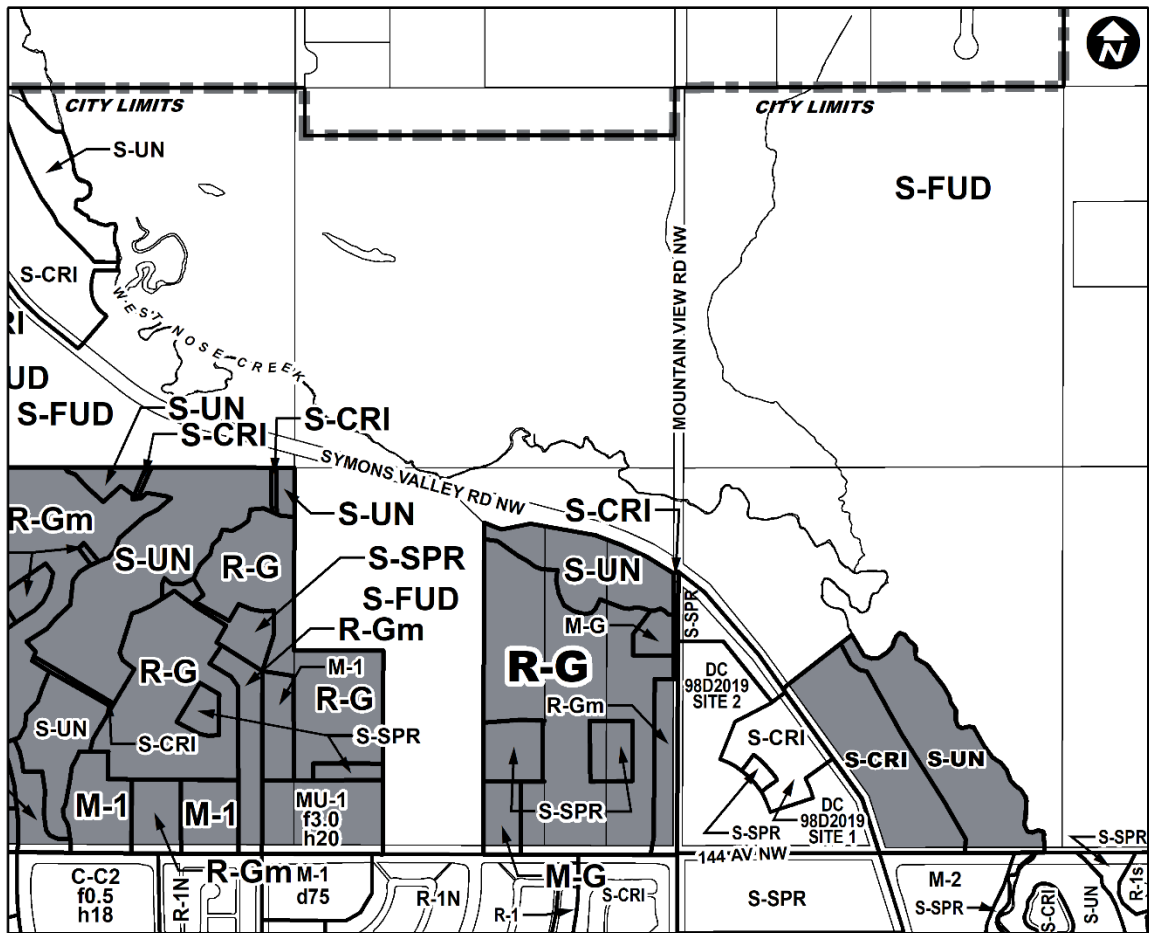
AMENDMENT LOC2017-0368/C2020-0368
BYLAW NUMBER 52D2020

SCHEDULE B-1



**AMENDMENT LOC2017-0368/C2020-0368
BYLAW NUMBER 52D2020**

SCHEDULE B-2



Planning & Development Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0190

Land Use Amendment in Ramsay (Ward 9) at multiple addresses, LOC2016-0088, Bylaw 6D2020

EXECUTIVE SUMMARY

At the 2020 January 13 Public Hearing of Council, Bylaw 6D2020 was given first reading, while second and third readings were withheld for Administration to consider amendments to the applicant's proposed Direct Control (DC) District (Attachment 1) to introduce the following:

- (i) the heritage bonusing mechanism of Administration's supportable DC District;
- (ii) policy so that the heritage bonusing system within the DC District is only achievable once a new area redevelopment plan applying to the community of Ramsay is adopted; and
- (iii) policy within the DC District directing that any discrepancies between the proposed heritage bonusing mechanism and the community-wide (*i.e. citywide*) heritage bonusing mechanism be rectified.

Through Administration's investigation of the above, it has been determined that not all three elements of Council's direction can be achieved collectively at this time. Direction (i) could be achieved on its own through Option 3 of this report. Directions (ii) and (iii) cannot be achieved due to the risks associated with referencing density bonus mechanisms that are not enforced at time of bylaw approval, and risks associated with referencing non-existent mechanisms to be determined at an unknown future date.

Given these risks, Administration recommends that Council postpone second and third readings of the applicant's proposed DC District, Bylaw 6D2020 (Option 1 of this report), until a new area redevelopment plan for Ramsay and citywide heritage bonusing mechanisms are in place. This approach will allow for all three elements of Council's direction to be achieved. While this approach results in a delay to land use approval, it represents the best approach for alignment with heritage policies of the Municipal Development Plan and the existing Ramsay Area Redevelopment Plan. Furthermore, it provides the lowest risk in terms of potential loss of existing Historic Interest Sites (within the subject site) and the potential negative impacts of precedent-setting land use districts that impose bylaw provisions based on uncertainty in the future.

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C2020-0190**

**Land Use Amendment in Ramsay (Ward 9) at multiple addresses, LOC2016-0088,
Bylaw 6D2020**

ADMINISTRATION RECOMMENDATION:

That Council:

1. Postpone second and third readings of Bylaw 6D2020 (Attachment 1) until the new area redevelopment plan applying to the community of Ramsay is approved and the citywide heritage bonusing mechanisms are in place; and
2. Direct Administration to bring forward potential amendments to Bylaw 6D2020 that achieve Council's directions from the 13 January 2020 Combined Meeting of Council, no later than Q1 2021.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2020 February 24 Combined Meeting of Council, CPC2019-0695 was deferred to the 2020 March 16 Combined Meeting of Council.

At the 2020 January 13 Combined Meeting of Council, with respect to CPC2019-0695, the following be approved:

That Council hold a Public Hearing; and

1. Adopt the proposed amendments to the Ramsay Area Redevelopment Plan and Proposed Bylaw 1P2020 (Attachment 1); and
2. Give three readings to Proposed Bylaw 1P2020.
3. Adopt, by bylaw, the proposed redesignation of 0.95 hectares \pm (2.35 acres \pm) located at 1105, 1107, 1109, 1111, 1113, 1115, 1117, 1121, 1123, 1125, 1129, 1131, 1133, 1135, 1137, 1139, 1141, 1143, 1145 and 1147 – 8 Street SE, 803 and 805 - 11 Avenue SE and 1110 and 1120 Maggie Street SE (Plan A2, Block 17, Lots 4 to 13, 15 to 22, and 25 to 27; Plan 8310686, Block 17, Lots 28 to 30) from Residential Contextual One / Two Dwelling (R-C2) District to DC Direct Control District to accommodate a broad range of residential development including multi-residential buildings, with guidelines (Attachment 2); and
4. Give first reading to Proposed Bylaw 6D2020.
5. Withhold second and third readings on the LOC until the next meeting of Council in order to prepare:
 - amendments to the LOC for introduction at 2nd reading to introduce restrictions to the district from the proponent-proposed DC to the amended DC with administration's heritage bonusing mechanism;
 - policy so that the heritage bonusing is only enacted in conjunction with the adoption of an ARP applying to the community of Ramsay; and,
 - policy so that any discrepancies between this LOC's heritage bonusing mechanism and the community-wide heritage bonusing mechanism are rectified;
6. And return to Council no later than 2020 February 24 Combined Meeting of Council.

**Planning & Development Report to
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2020 March 16**

**ISC: UNRESTRICTED
C2020-0190**

**Land Use Amendment in Ramsay (Ward 9) at multiple addresses, LOC2016-0088,
Bylaw 6D2020**

BACKGROUND

The original land use application was submitted in 2016 and proposes to change the existing land use from Residential – Contextual One / Two Dwelling (R-C2) District to a DC District based on the Multi-Residential – Contextual Low Profile (M-C1) District.

At the 2019 November 21 meeting of Calgary Planning Commission (CPC), Administration brought forward a recommendation of refusal on the applicant's proposed DC District (Bylaw 6D2020) and associated amendments to the existing *Ramsay Area Redevelopment Plan* (ARP). CPC upheld Administration's recommendation for refusal of this application.

At the 2020 January 13 Combined Meeting of Council, Council overturned CPC's recommendation of refusal and approved the proposed policy amendments to the Ramsay ARP (Bylaw 1P2020) and gave first reading to the applicant's proposed DC District (Bylaw 6D2020). Council withheld second and third readings of the applicant's proposed DC District, expressing concerns regarding the impact that increased intensity in this location could have on the preservation of the heritage character of Ramsay. Council, however, also expressed concerns about including bonus mechanism provisions within the DC District in advance of policy direction, either through a new ARP or citywide density bonusing mechanisms, citing that this approach would put the landowners at a disadvantage when compared to other development sites in Ramsay. Council, therefore, directed Administration to consider amendments to the applicant's proposed DC District that may address both of these concerns.

Site Context

The subject site includes 24 parcels along 8 Street SE between 17 Avenue SE and 11 Avenue SE in the community of Ramsay, which are developed with low density residential development consisting of single-detached and semi-detached dwellings. Three of the properties within the subject site are identified on Map 3 Historic Interest Sites of the existing Ramsay ARP. These include: 1105, 1107, and 1129 - 8 Street SE. Additionally, in a survey conducted by The City's Heritage Planning team, the following properties within the subject site were identified as contributing to the heritage character of Ramsay: 1105, 1107, 1113, 1115, 1129, 1135, 1137, 1141, 1145, and 1147 - 8 Street SE (see Figure 1). These properties collectively represent 42 percent (10 out of 24 parcels) of the existing properties within the subject site, reflecting a high concentration of properties contributing to the community's heritage character within a single block.

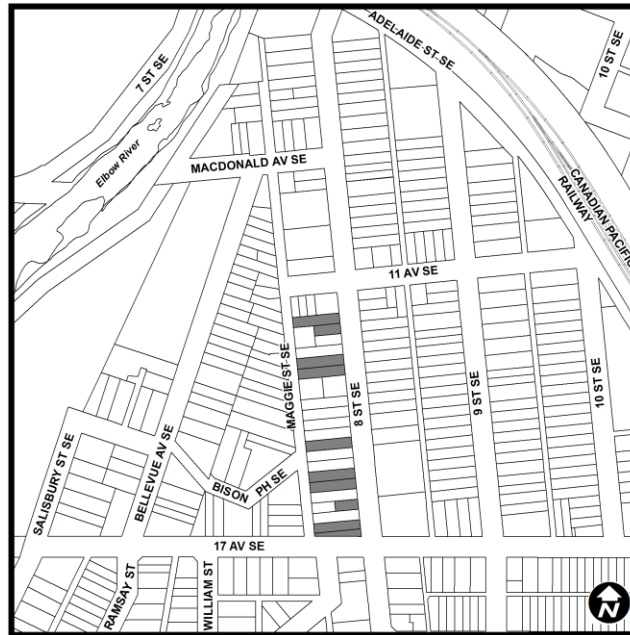
There are many properties throughout Calgary with heritage value that are not currently listed on The City's Inventory of Evaluated Historic Resources (the Inventory). While none of the properties within the subject site are currently listed on the Inventory, they have been identified to have heritage value and may merit inclusion but have yet to be listed.

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ISC: UNRESTRICTED
C2020-0190

Land Use Amendment in Ramsay (Ward 9) at multiple addresses, LOC2016-0088,
Bylaw 6D2020

Figure 1: Properties Contributing to Ramsay's Heritage Character



INVESTIGATION: ALTERNATIVES AND ANALYSIS

Council has directed Administration to amend the applicant's proposed DC District to include:

- (i) the heritage bonusing mechanism of Administration's supportable DC District;
- (ii) policy so that the heritage bonusing system within the DC District is only achievable once a new area redevelopment plan applying to the community of Ramsay is adopted; and
- (iii) policy within the DC District directing that any discrepancies between the proposed heritage bonusing mechanism and the community-wide (*i.e. citywide*) heritage bonusing mechanism be rectified.

Through Administration's investigation of the above, it has been determined that not all three elements of Council's direction can be achieved collectively at this time. There are risks associated with referencing density bonus mechanisms that are not enforceable at time of bylaw approval, as well as with referencing non-existent heritage preservation mechanisms to be determined at an unknown future date.

While these mechanisms have yet to be determined, Administration is currently in the process of drafting both a new ARP for the community of Ramsay, and a citywide framework for heritage bonusing mechanisms. The Ramsay ARP is anticipated to be presented to Council in Q3 2020. The initial work for evaluating potential new policy tools and financial incentives to increase preservation of local heritage resources through a citywide approach will be presented to Council in Q2 2020.

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**Land Use Amendment in Ramsay (Ward 9) at multiple addresses, LOC2016-0088,
Bylaw 6D2020**

Given that the above work is currently underway, and that all three elements of Council's direction cannot be achieved collectively at this time, Administration explored three options in the attempt of responding to Council's direction. These options and the associated advantages and disadvantages are outlined below.

Option 1: Postpone second and third reading of Bylaw 6D2020 until the new ARP for Ramsay and citywide heritage bonusing mechanisms are in place (recommended option).

This option would involve postponing second and third readings until a broader heritage bonusing mechanism is in place, through the new ARP applying to Ramsay and approved citywide heritage bonusing mechanisms. This option would allow for all three of Council's directions to be achieved at a later date, and therefore represents Administration's recommended option.

Advantages

- Potential to achieve all three of Council's directions, although not immediately.
- Council's intent of delivering a DC District that is aligned with broader City initiatives would be met.
- Allows for land use that is aligned with the heritage preservation policies and tools, both specifically within the community of Ramsay, as well as within a citywide framework.
- Represents the greatest potential for heritage preservation on the subject site at this time.
- Aligns with the existing heritage policies of the MDP and the existing Ramsay ARP.

Disadvantages & Potential Risks

- Continues to delay decision on this application for the time-being.
- Does not provide certainty to the applicant or surrounding land owners of the exact timing or outcome for land use on this site.
- Redevelopment within the subject site may be delayed.

Option 2: Give second and third readings to the applicant's proposed DC District with no heritage bonusing provisions.

The existing land use on the subject site is R-C2, allowing for a maximum of two units per parcel which results in a maximum of 48 units over the entire site. The applicant's proposed DC District is based on the M-C1 District, allowing a maximum residential density of 155 units per hectare which could result in a maximum of 147 units across the entire site.

Council has given first reading to the applicant's proposed DC District and could consider giving second and third readings at this time. Council could then consider directing Administration bring forward City-led amendments to the approved DC District that incorporate any bonus density provisions at such time that these mechanisms are approved through new policy direction (either through new Ramsay ARP and/or a citywide framework).

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Bylaw 6D2020**

Advantages

- Provides certainty of land use at this time for the subject lands.
- The applicant's DC District was supported by the Ramsay Community Association.

Disadvantages & Potential Risks

- Does not achieve any of Council's direction [items (i), (ii) and (iii)] of 2020 January 13.
- If development applications are submitted under this DC District, there will be no incentive in place to support heritage preservation which may result in the loss of existing properties that contribute to the heritage character of Ramsay.
- Does not align with heritage policies of the MDP and the existing Ramsay ARP.
- May set a precedent for land use proposals to ignore heritage preservation in historically-significant areas.

Option 3: Abandon Bylaw 6D2020 and give three readings to the Administration-supportable DC District, as presented at the 13 January 2020 meeting of Council.

This option represents Administration's and Calgary Planning Commission's original recommendation to Council. Given that Council's direction is unachievable at this time, this option may provide a reasonable approach to balance the intent of heritage preservation with the desire for land use decision and certainty on this site.

The Administration-supportable DC District is based on the Multi-residential – Contextual Grade-orientated (M-CG) District and would allow a base density of 111 units per hectare, or up to 105 units across the entire site, and a maximum height of up to 12 metres. The DC District would provide a density bonus option to achieve a maximum of 155 units per hectare and a height of up to 14 metres (consistent with the applicant's proposed maximum density and height). In the Administration-supportable DC District, bonusing would be achieved via either Character Home Retention Development, or development that utilizes one or more of the two density bonus options, which are additional density transfer from heritage sites and a contribution to the City of Calgary's Heritage Incentive Reserve Fund. These mechanisms reflect site-specific bonus provisions and it is yet to be determined whether these mechanisms would be included in the new Ramsay ARP and/or the citywide heritage bonusing mechanisms. The Administration-supportable DC District is contained in Attachment 3.

Advantages

- This option responds to point (i) of Council direction by incorporating Administration's heritage bonusing mechanism in the proposed DC District: a maximum density of 111 units per hectare with the opportunity for further density up to a maximum of 155 units per hectare.

Planning & Development Report to
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ISC: UNRESTRICTED
C2020-0190

**Land Use Amendment in Ramsay (Ward 9) at multiple addresses, LOC2016-0088,
Bylaw 6D2020**

- This option would give certainty on land use decision and allow for the site to be developed immediately to the maximum density and height, through the option of density bonusing.
- This option balances Council's intent for heritage preservation as well as the desire to support development in the area.

Disadvantages & Potential Risks

- Point (ii) and (iii) of Council's direction would not be fulfilled with this option.
- The precise mechanism for heritage preservation may not align with those established in the new ARP for Ramsay, and/or citywide heritage bonusing mechanisms.
- While this option would still allow for a maximum of 155 units per hectare to be achieved on the site, it would impose a lower base density to what Council gave first reading. The direction of 13 January 2020 did not direct Administration to lower the density achievable today, with or without the inclusion of bonus provisions.

Recommended Option

Based on the analysis provided in this report, Administration recommends **Option 1**. Although there are a number of potential disadvantages and risks identified with this option, it represents the only approach that will allow all three of Council's directions to be achieved, albeit not immediately. This option also represents minimal risk, both in potential loss of heritage assets as well as risks associated with approval of land use districts that are either misaligned with policy direction or are simply unachievable at time of approval. Option 1 allows for a land use district that will support the goals of both intensification and heritage preservation in this area.

Stakeholder Engagement, Research and Communication

No additional engagement with the public or Ramsay Community Association was conducted by the applicant or Administration as part of this response. Refer to Administration's original report (Attachment 2) for details on engagement that was conducted as part of the original land use application.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

Administration's recommendation is aligned with the policy direction of the *South Saskatchewan Regional Plan*, which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

When Administration brings back the DC District in Q1 2021, it will also align with the policy direction of the *South Saskatchewan Regional Plan*.

**Planning & Development Report to
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2020 March 16**

**ISC: UNRESTRICTED
C2020-0190**

**Land Use Amendment in Ramsay (Ward 9) at multiple addresses, LOC2016-0088,
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Interim Growth Plan (2018)

Administration's recommendation is aligned with the policy direction of the *Interim Growth Plan*. The recommended approach builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

When Administration brings back the DC District in Q1 2021, it will also align with the policy direction of the *Interim Growth Plan*.

Municipal Development Plan (Statutory - 2009)

In accordance with the Urban Structure Map (Map 1) of the *Municipal Development Plan* (MDP), the subject site is identified as being located within the Developed Residential Area – Inner City policy area. The land use policies in Section 3.5.2 encourage intensification of inner-city communities through redevelopment that is consistent and compatible with the existing character of the neighbourhood.

Heritage is identified in the MDP as being an integral part of good city building. Heritage policies in Section 2.3.3 provide direction for the identification of properties of special historic quality and character, and encourage landowners to conserve and/or enhance heritage resources.

The proposed approach ensures that, once the ARP and citywide density bonusing mechanisms are in place, the MDP goals of intensification and protection of heritage resources can be achieved.

Ramsay Area Redevelopment Plan (Statutory - 1994)

The existing *Ramsay Area Redevelopment Plan* (ARP) was adopted by Council in 1994. Following the policy amendments adopted at the 2020 January 13 meeting of Council (CPC2019-0695), the subject site is now located within the Medium Density Residential area as identified on Map 1 of the ARP.

The existing ARP is currently under review by Administration as part of the Historic East Calgary Local Growth Planning initiative. The multi-community planning process does not prohibit applications from being submitted. A full update to the local area plan is anticipated to be brought to Council Q3 2020.

Additionally, three properties within the subject site are identified on Map 3 – Historic Interests Sites of the ARP (#22 1129 - 8 Street SE and #42 1105 and 1107 - 8 Street SE). Section 2.0 of the existing ARP encourages the conservation of heritage resources in Ramsay, and for additions and renovations to identify potential heritage or historically significant structures to respect the existing character of the site. The recommended approach aligns with the heritage preservation policies in the existing ARP.

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Social, Environmental, Economic (External)

Administration's recommendation can achieve a number of objectives by allowing for a land use district on the subject site that balances both the goals of heritage preservation as well as intensified development close to the future Inglewood/Ramsay Green Line LRT station.

Financial Capacity

Current and Future Operating Budget - There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget - Administration's recommendation does not trigger capital infrastructure investment and therefore, there are no growth management concerns at this time.

Risk Assessment

Administration recommends postponing of second and third readings until such time that a new ARP applying to the community of Ramsay and citywide heritage bonusing mechanisms are in place. There are potential risks associated with this approach, including a delay in approval for a land use redesignation on the subject site, uncertainty for exact timing of approval, and potential delay to redevelopment.

Conversely, there may be significant risks of either approving the land use redesignation without heritage preservation provisions in the bylaw, or approving a land use district that prematurely references heritage bonusing mechanisms that cannot yet be achieved. Both of these outcomes would increase the risk for loss of heritage assets that contribute to the character of Ramsay, as well as risks associated with approving a land use based on uncertainty and/or provisions that are not enforceable at time of bylaw approval

Option 1 minimizes the risk of loss of heritage properties, misalignment with policy direction and/or approving a DC District that is not implementable.

REASON(S) FOR RECOMMENDATION(S):

Administration's recommendation for Option 1 of this report represents the only approach that will achieve Council's direction of 13 January 2020 for amendments to Bylaw 6D2020.

By postponing second and third readings of this bylaw until such time that a new area redevelopment plan that includes the community of Ramsay is adopted, and/or the citywide heritage bonusing mechanism(s) are in place, Administration is able to bring forward amendments to the Direct Control District that are aligned with policy direction and include bylaw provisions that are implementable at the time of land use approval.

ATTACHMENT(S)

1. Applicant's Proposed Direct Control District (Bylaw 6D2020)
2. Original Administration Report CPC2019-0695
3. Administration Supportable Proposed Direct Control District

PROPOSED

CPC2020-0190
ATTACHMENT 1

BYLAW NUMBER 6D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2016-0088/CPC2019-0695)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON JANUARY 13, 2020

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

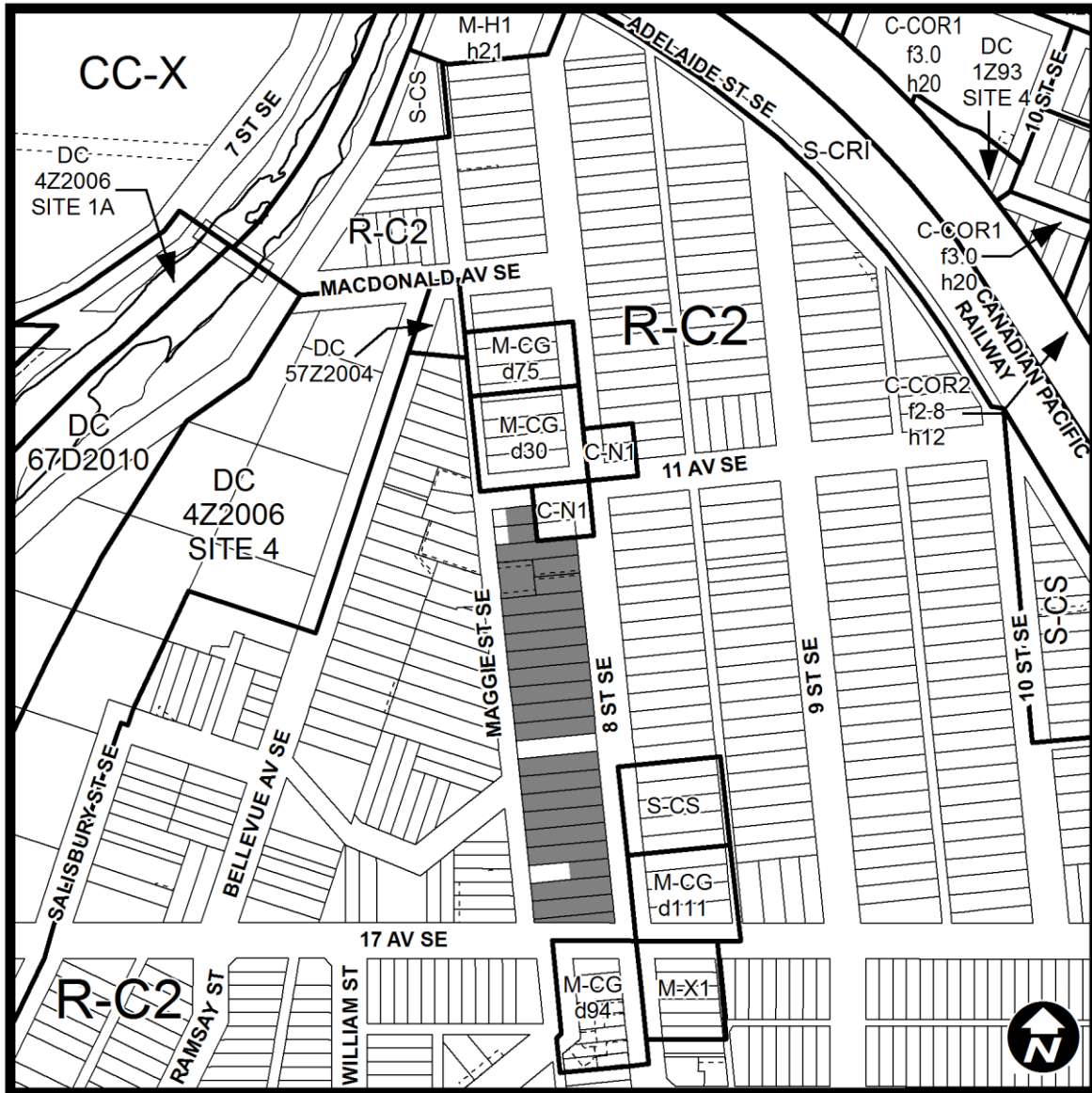
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

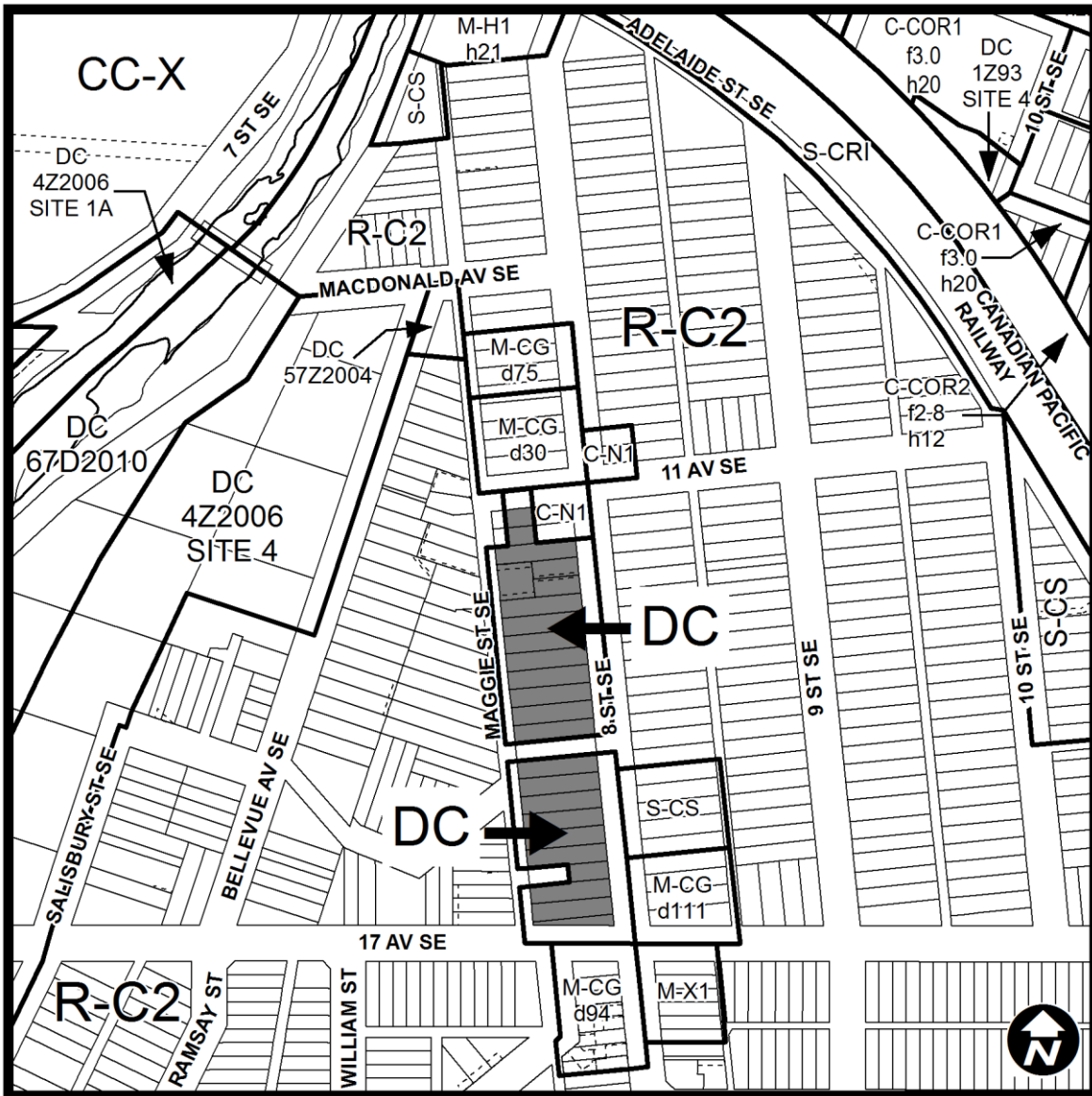
SCHEDULE A



PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) allow for transit oriented development in proximity to an LRT station;
- (b) allow for a broad range of residential development including low-rise grade-oriented multi-residential development that responds to the interface with 8 Street SE and Maggie Street SE and the unique character of the block and neighbourhood; and

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695 BYLAW NUMBER 6D2020

- (c) include custom site and building design rules to allow for both the retention and restoration of character homes combined with new grade-oriented multi-residential development, and the redevelopment of multi-residential development.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District Bylaw.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definitions

- 4 In this Direct Control District Bylaw:

- (a) “**character home**” means a **Duplex Dwelling, Semi-detached Dwelling, or Single Detached Dwelling** existing on the date of passage of this Direct Control District Bylaw that:
 - (i) is listed on the **City’s** Inventory of Evaluated Historic Resources;
 - (ii) is designated as a Municipal Historic Resource pursuant to the *Historical Resources Act* by a bylaw approved by **Council**; or
 - (iii) is included in the portion of the map shown as shaded on Schedule C; and
 - (iv) meets the criteria for a “**character home**” as set out in Schedule D;
- (b) “**retained**” means maintaining, conserving, or restoring the “**character home**” with an emphasis on the **street** facing façade elements of a “**character home**”, and may include any one or more of the following:
 - (i) conversion into multiple **Dwelling Units**;
 - (ii) raising of the floor closest to **grade** to allow for more usable **basement** space;
 - (iii) additions and extensions to the “**character home**”;
 - (iv) replacement of original materials with in-kind substitutes; and
 - (v) relocation of the “**character home**” on the **parcel** included in the **development**.

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
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Defined Uses

5 In this Direct Control District Bylaw;

- (a) “**Character Home Retention Development**” means a **use**:
 - (i) that consists of one or more **buildings**, each containing one or more **units**; and
 - (ii) where all “**character home**” on the **parcel** included in the **development** are “**retained**” within the **development**.

Permitted Uses

6 The **permitted uses** of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District, with the addition of:

- (a) **Contextual Single Detached Dwelling.**

Discretionary Uses

7 The **discretionary uses** of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District, with the addition of:

- (a) **Character Home Retention Development.**

Bylaw 1P2007 District Rules

- 8 (1) Unless otherwise specified, the rules of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 apply in this Direct Control District.
- (2) For **Contextual Single Detached Dwellings** the rules of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 apply in this Direct Control District.

Density

9 The maximum **density** is 155 **units** per hectare.

At Grade Orientation of Units

10 All **units** located on the floor closest to **grade** in a **Multi-Residential Development** or **Character Home Retention Development** must have:

- (a) an individual, separate, direct access to **grade**;
- (b) an entrance that is visible from the **street** that the **unit** faces; and
- (c) on **parcels** that share a **property line** with Maggie Street SE;
 - (i) a minimum of one **unit** with an entrance visible from Maggie Street SE; and
 - (ii) a minimum of one **amenity space** facing Maggie Street SE.

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Building Height and Cross Section

- 11 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 14.0 metres.
- (2) The maximum area of a horizontal cross section through a **building** at 12.0 metres above **average grade** must not be greater than 65.0 per cent of the maximum area of a horizontal cross section through the **building** between **average grade** and 10.0 metres.

Landscaping

- 12 (1) Unless otherwise referenced in subsection (2), all of the required **landscaped area** must be provided at **grade**.
- (2) The **Development Authority** may consider **landscaped area** to be provided above **grade** where:
- (a) the **landscaped area** provides a visual buffer to **adjacent development**;
 - (b) the minimum number of trees and shrubs are provided in accordance with section 552 of Bylaw 1P2007; and
 - (c) where the **landscaped area** is not located in a **setback area adjacent** to 8 Street SE.

Setback Areas

- 13 The depth of all **setback areas** must be equal to the minimum **building setbacks** required in Section 14 of this Direct Control District.

Building Setbacks

- 14 (1) The minimum **building setback** from a **property line** shared with a **street** for a **Multi-Residential Development** is 1.5 metres.
- (2) Unless otherwise referenced in subsection (3), for a **Multi-Residential Development** the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (3) For a **Multi-Residential Development** the minimum **building setback** from a **property line** shared with another **parcel** may be reduced to zero metres where the **adjacent parcel** is subject to this Direct Control District or is designated as a **commercial district**.
- (4) In all other cases the **building setbacks** of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 are the **building setbacks** in this Direct Control District.

Required Motor Vehicle Parking Stalls

- 15 (1) **Units** less than 45.0 square metres do not require **motor vehicle parking stalls**.

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
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- (2) For **Multi-Residential Development** or **Character Home Retention Development** the number of *motor vehicle parking stalls* is as required in Part 6 of Bylaw 1P2007.
- (3) In all other cases the number of *motor vehicle parking stalls* is as required in Bylaw 1P2007.

Relaxations

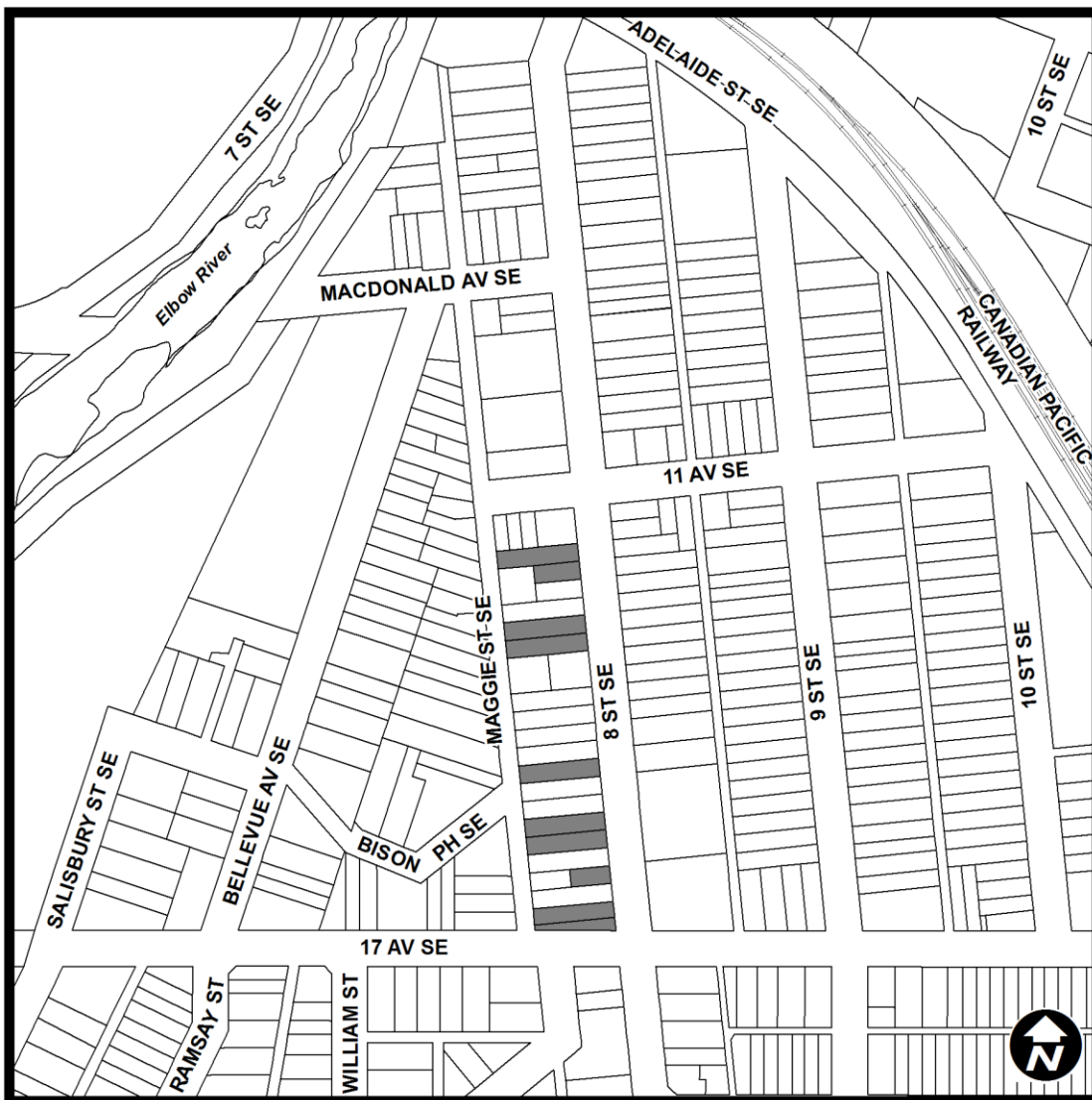
- 16 The **Development Authority** may relax the rules of this Direct Control District Bylaw in accordance with sections 31 and 36 of Bylaw 1P2007 in order for a “**character home**” to be “**retained**” and restored.

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

SCHEDULE C

1105 – 8 Street SE
1107 – 8 Street SE
1113 – 8 Street SE
1115 – 8 Street SE
1129 – 8 Street SE
1135 – 8 Street SE
1137 – 8 Street SE
1141 – 8 Street SE
1145 – 8 Street SE
1147 – 8 Street SE



PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

SCHEDULE D

The following criteria are required for a “**character home**”:

- (a) A “**character home**” will:
 - (i) have been constructed prior to 1945;
 - (ii) maintain both:
 - (A) the original form, scale, massing and roof profile of the **building** and may include additions and extensions if they are compatible with the original form, scale, massing and roof profile of the **building**; and
 - (B) at least 50.0 per cent of the original window pattern and openings on the portions of the front and side façades visible from a **street** excluding **porch** glazing; and
 - (iii) have one of the following on the portions of the front façade visible from a **street**:
 - (A) original cladding; or
 - (B) a majority of original exterior finishes, comprising two or more of the following items:
 - (i) at least 50.0 per cent of window sashes;
 - (ii) soffits; exposed rafters, or beams;
 - (iii) front door or doorway assembly; and/or
 - (iv) if present, a front **porch** with majority of original finishes including piers, columns, balustrades, entablature mouldings, and may include enclosure of the **porch** with glazing where the majority of other original finishes remains in place.

Original Administration Report CPC2019-0695

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Item # 8.1.12

Planning & Development
Calgary Planning Commission
2019 November 21

ISC: UNRESTRICTED
CPC2019-0695

Policy Amendment and Land Use Amendment in Ramsay (Ward 9) at multiple addresses, LOC2016-0088

EXECUTIVE SUMMARY

This land use amendment application was submitted on 2016 April 18 by Mediated Solutions, representing 26 landowners and 24 parcels in the community of Ramsay. The application proposes to redesignate the subject site, including a number of parcels containing historic properties, from Residential Contextual One / Two Dwelling (R-C2) District to Direct Control (DC) District based on the Multi-Residential – Contextual Low Profile (M-C1) District to allow for:

- a broad range of residential development including multi-residential buildings (e.g. townhouses);
- a maximum building height of 14 metres, approximately three to four storeys (an increase from the current maximum of 10 metres, approximately two to three storeys);
- a maximum of 155 units per hectare, which results in approximately 147 units for the entire site of 0.95 hectares \pm (an increase from the current maximum of two units per parcel or about 48 units for the entire site);
- the uses listed in the M-C1 District with the addition of *Character Home Retention Development* and Contextual Single Detached Dwelling;
- regulations to allow for a larger building height cross section than the standard M-C1 district for multi-residential development; and
- requirement for at-grade entrances for all ground floor units and the entrance for at least one unit to front onto Maggie Street SE for multi-residential development of three units or more.

Administration recommends refusal of the proposed land use redesignation and the associated amendment to the existing *Ramsay Area Redevelopment Plan* (ARP). The proposal does not conform to the existing ARP and is not in keeping with heritage policies of the *Municipal Development Plan* (MDP) which directs The City to identify and help protect Calgary's historic resources. It is Administration's position that the proposal may incentivize the destruction of a high concentration of properties that contribute to the heritage character of Ramsay without any mechanism to offset the loss.

No development permit application has been submitted at this time.

Approval(s): K. Froese concurs with this report. Author: K. van Fraassen
City Clerks: J. Palaschuk

Planning & Development Report to
Calgary Planning Commission
2019 November 21

ISC: UNRESTRICTED
CPC2019-0695

Policy Amendment and Land Use Amendment in Ramsay (Ward 9) at multiple addresses,
LOC2016-0088, CPC2019-0695

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **REFUSE** the proposed amendments to the Ramsay Area Redevelopment Plan (Attachment 1); and
2. **REFUSE** the proposed redesignation of 0.95 hectares \pm (2.35 acres \pm) located at 1105, 1107, 1109, 1111, 1113, 1115, 1117, 1121, 1123, 1125, 1129, 1131, 1133, 1135, 1137, 1139, 1141, 1143, 1145 and 1147 – 8 Street SE, 803 and 805 - 11 Avenue SE and 1110 and 1120 Maggie Street SE (Plan A2, Block 17, Lots 4 to 13, 15 to 22, and 25 to 27; Plan 8310686, Block 17, Lots 28 to 30) from Residential Contextual One / Two Dwelling (R-C2) District to DC Direct Control District to accommodate a broad range of residential development including multi-residential buildings, with guidelines (Attachment 2) and abandon the proposed Bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2019 NOVEMBER 21:

That Council hold a Public Hearing; and

1. Refuse the proposed amendments to the Ramsay Area Redevelopment Plan and **abandon Proposed Bylaw 1P2020** (Attachment 1); and
2. Refuse the proposed redesignation of 0.95 hectares \pm (2.35 acres \pm) located at 1105, 1107, 1109, 1111, 1113, 1115, 1117, 1121, 1123, 1125, 1129, 1131, 1133, 1135, 1137, 1139, 1141, 1143, 1145 and 1147 – 8 Street SE, 803 and 805 - 11 Avenue SE and 1110 and 1120 Maggie Street SE (Plan A2, Block 17, Lots 4 to 13, 15 to 22, and 25 to 27; Plan 8310686, Block 17, Lots 28 to 30) from Residential Contextual One / Two Dwelling (R-C2) District to DC Direct Control District to accommodate a broad range of residential development including multi-residential buildings, with guidelines (Attachment 2) and **abandon Proposed Bylaw 6D2020**.

OPPOSITION TO RECOMMENDATION: Councillor Chahal, Commissioner Gedye, and Commissioner Scott.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

The application was submitted on 2016 April 18 by Mediated Solutions on behalf of 26 landowners and 24 parcels in the community of Ramsay. The subject site comprises nearly an entire city block. The remaining parcels on the block, not included in the proposal, include the commercial development at 1101 - 8 Street SE, and the residential parcels 801 - 11 Avenue SE, 1127 - 8 Street SE and 1140 Maggie Street SE. The owners of these parcels elected to not partake in the proposal. As indicated in the Applicant Submission (Attachment 3), the applicant

Approval(s): K. Froese concurs with this report. Author: K. van Fraassen
City Clerks: J. Palaschuk

Planning & Development Report to
Calgary Planning Commission
2019 November 21

ISC: UNRESTRICTED
CPC2019-0695

**Policy Amendment and Land Use Amendment in Ramsay (Ward 9) at multiple addresses,
LOC2016-0088, CPC2019-0695**

is seeking approval of the proposed DC District which does not include a mechanism to offset the potential loss of heritage properties on the subject site. Despite not supporting the proposal, Administration has put in significant effort to work with the applicant to ensure the proposed DC District will enable development that responds to the unique characteristics of 8 Street SE and Maggie Street SE.

Due to this, the length of time to bring the application forward to Calgary Planning Commission is longer than Administration's typical performance commitments. An overview of key milestones and dates of the process are provided in Attachment 4. Contributing factors to the complexity of the application and resulting extended review timeline include:

- a high number of landowners with various interests and readiness for redevelopment;
- a concurrent and ongoing ARP process and community-wide discussions around appropriate intensity of development throughout the communities of Inglewood and Ramsay, and approaches and tools for heritage conservation; and
- change of ownership and addition/removal of parcels from the application throughout the process.

Three properties within the site are identified on Map 3 Historic Interest Sites of the existing ARP. These include: Site 22, 1129 - 8 Street SE, and Site 42, 1105 and 1107 - 8 Street SE. Additionally, in a survey conducted by The City's Heritage Planning team the following properties within the subject site were identified as contributing to the heritage character of Ramsay: 1105, 1107, 1113, 1115, 1129, 1135, 1137, 1141, 1145, and 1147 - 8 Street SE. These properties in combination with those identified in the ARP represent 42 percent (10 out of 24 parcels) of the existing properties within the site, which is a high concentration of properties contributing to a community's heritage character within a single block.

There are many properties throughout Calgary with heritage value that are not currently listed on The City's Inventory of Evaluated Historic Resources (the Inventory). While none of the properties within the subject site are currently listed on the Inventory, they have been identified to have heritage value and may merit inclusion but have yet to be listed.

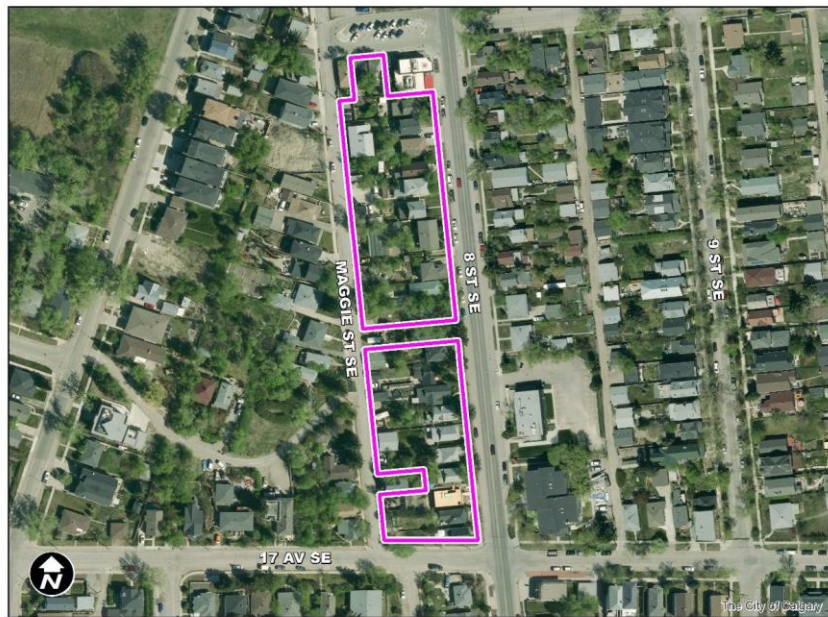
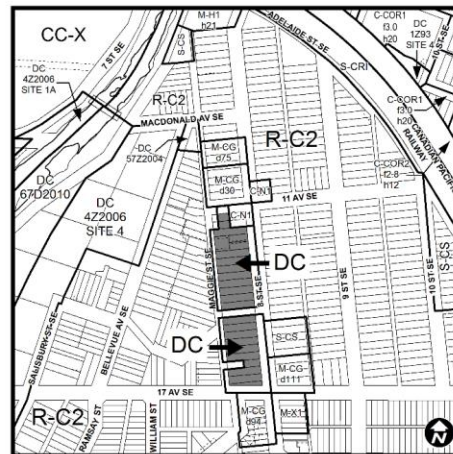
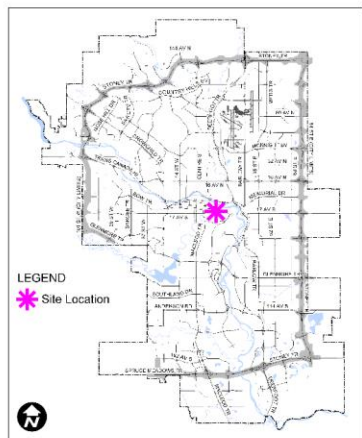
Approval(s): K. Froese concurs with this report. Author: K. van Fraassen
City Clerks: J. Palaschuk

Planning & Development Report to
Calgary Planning Commission
2019 November 21

ISC: UNRESTRICTED
CPC2019-0695

Policy Amendment and Land Use Amendment in Ramsay (Ward 9) at multiple addresses,
LOC2016-0088, CPC2019-0695

Location Maps



Approval(s): K. Froese concurs with this report. Author: K. van Fraassen
City Clerks: J. Palaschuk

Planning & Development Report to
Calgary Planning Commission
2019 November 21

ISC: UNRESTRICTED
CPC2019-0695

**Policy Amendment and Land Use Amendment in Ramsay (Ward 9) at multiple addresses,
LOC2016-0088, CPC2019-0695**

Site Context

The subject site includes 24 parcels along 8 Street SE between 17 Avenue SE and 11 Avenue SE in the community of Ramsay. The Ramsay Community Association building and a multi-residential parcel are located across 8 Street SE from the southeast corner of the site. Other surrounding development is designated low density residential on the east side of 8 Street SE and on the west side of Maggie Street SE. Multi-residential development is located south of the site on 17 Avenue SE.

The subject site is developed with low density residential development consisting of single detached and semi-detached dwellings. The northern portion of the site is approximately 130 metres in length and 45 metres wide, and the southern portion of the site is approximately 94 metres in length and 45 metres wide, the entire site encompasses an area of 0.95 hectares \pm (2.35 acres \pm). The subject site is located within 400 metres of the future Green Line LRT station with easy access to the downtown core. Two parcels within the site have been subdivided to create two individual parcels with one fronting onto Maggie Street SE and the other onto 8 Street SE. Four parcels have existing vehicle access from 8 Street SE, and the remaining twenty have access from Maggie Street SE.

As identified in *Figure 1*, Ramsay's peak population was in 1969, reaching 3,005 residents.

Figure 1: Community Peak Population

Ramsay	
Peak Population Year	1969
Peak Population	3,005
2018 Current Population	2,187
Difference in Population (Number)	-818
Difference in Population (Percent)	-27%

Source: The City of Calgary 2018 Civic Census

Additional demographic and socio-economic information may be obtained online through the [Ramsay](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal does not align with the existing ARP or MDP policies related to heritage and is not supported by Administration for the reasons outlined in the following sections. Alternative land use options that were considered through the application review process are identified as part of this report's analysis.

Approval(s): K. Froese concurs with this report. Author: K. van Fraassen
City Clerks: J. Palaschuk

Planning & Development Report to
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2019 November 21

ISC: UNRESTRICTED
CPC2019-0695

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Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration and alternative land use options that were considered.

Land Use

Existing Land Use

The existing Residential – Contextual One / Two Dwelling (R-C2) District is a residential designation in developed areas that is primarily for single-detached, semi-detached and duplex homes. Single-detached homes may include a secondary or backyard suite. The R-C2 District allows for a maximum building height of 10 metres and a maximum of two dwelling units per parcel, or a maximum of 48 units for the entire application site.

Proposed Land Use

The proposed DC District is based on the Multi-Residential – Contextual Low Profile (M-C1) District and allows for:

- a broad range of residential development including multi-residential buildings (e.g. townhouses);
- multi-residential development with entrances at-grade for all ground floor units;
- a maximum building height of 14 metres;
- a maximum of 155 units per hectare; and
- the uses listed in the M-C1 District with the addition of Character Home Retention Development and Contextual Single Detached Dwelling.

Throughout the application review, and in response to comments received from community members and the Ramsay Community Association, the applicant and Administration explored ways to address the unique characteristics of Maggie Street SE. One of the major themes in community comments was the desire for Maggie Street SE to retain its feel and function as a street and not become a de-facto lane. In response to this comment, the proposed DC District requires at least one entrance and amenity space to face onto Maggie Street SE for multi-residential development of three units or more.

Challenges facing redevelopment of the subject site were raised throughout the application process. These challenges include significant variation in grades, lack of flexibility within the standard M-C1 District regulations regarding building massing and site design, and different timelines and readiness for redevelopment between the various landowners along with a desire for a broad range of built forms. The applicant and Administration collaborated to explore options to address these challenges and agreed upon the specific regulations included in the proposed DC District regarding:

- at-grade entrances – required for units located on the floor closest to grade;

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City Clerks: J. Palaschuk

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- building setbacks – 1.5 metre front yard setback, and potential for 0 metre side yard setback for property lines shared with commercial parcels or parcels that are part of the DC District;
- landscaping – potential for landscaping to be provided above grade;
- building height – larger horizontal cross section as regulated by Land Use Bylaw P12007;
- a broad range of built-forms – Contextual Single Detached Dwelling included as a permitted use; and
- parking – no parking stalls required for units less than 45 square metres.

Character Home Retention Development has been included as a discretionary use in the proposed DC District. The use is not required but is included as an option to enable and accommodate future development that retains existing heritage properties while achieving increased intensity through additional units or buildings. This use was first introduced in Calgary in the community of Bridgeland-Riverside in 2017 July and is increasingly common in established communities in cities such as Vancouver. Rules outlining what retention entails is included in the proposed DC District and an overview of the components of character homes is provided in Attachment 5.

While Administration worked with the applicant to address both community comments and the expressed challenges to redevelopment of the site, Administration does not support the proposed DC District as the proposal incentivizes the demolition of heritage properties without a mechanism to offset the loss. An overview of alternative land use options that were explored is provided in the following section.

Alternative Land Use Options

Given the concentration and number of Historic Interest Sites and properties contributing to the heritage character of Ramsay within the site, and the direction in the MDP and existing ARP to encourage the conservation of heritage resources, Administration and the applicant explored mechanisms to do so. Throughout the review of the application, Administration provided the option to amend the application and discussed alternative approaches to a refusal recommendation, including:

1. hold the application until the forthcoming *Historic East Calgary Local Growth Plan* (draft title), a new ARP for the communities of Inglewood and Ramsay, has been adopted by Council, and align the proposal to community-wide strategies for heritage included in the ARP;
2. a major amendment to the existing ARP that incorporates a community-wide strategy for heritage;
3. amending the application to a smaller site with a concurrent development permit for parcels that are ready for redevelopment;
4. moving forward with the Administration supportable DC District (Attachment 6); or

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5. an alternative DC District that provides a mechanism for offsetting the impacts from increased intensity on the heritage character of Ramsay other than the density bonus provisions included in the Administration supportable DC District noted above.

Alternative Option 1 – hold until new ARP

The applicant was not interested in holding the application until the forthcoming *Historic East Calgary Local Growth Plan* (draft title) has been adopted due to uncertainty around timing.

Alternative Option 2 – major amendment to the existing ARP

A major amendment to incorporate a community-wide strategy for heritage conservation within the existing ARP was considered but given ongoing efforts to update the ARP as part of the *Historic East Calgary Local Growth Plan* (draft title) process, this approach was determined to be ill-timed and inappropriate given the proposal is applicant-initiated.

Alternative Option 3 – amending application site

Despite the landowners having various levels of readiness and interest in redevelopment, an amendment to the application site to a smaller site along with a concurrent development permit application was not pursued. It was identified by the applicant that there is benefit in pursuing redesignation for the block comprehensively, aside from those individual landowners who elected to not participate in the application.

Alternative Option 4 - Administration supportable DC District

A compromised solution that allows for increased intensity balanced with offsetting the impacts from that intensity was provided to the applicant and landowners by Administration. The solution put forward is a DC District based on the Multi-residential – Contextual Grade-Oriented (M-CG) District that allows increased intensity on the site of 111 units per hectare along with opportunity for further density up to a maximum of 155 units per hectare through density bonus options which offset the increased intensity with community contributions in the form of heritage preservation. The specific regulations regarding at-grade entrances, entrances facing Maggie Street SE, building setbacks, landscaping, building height and motor vehicle parking stalls included in the proposed DC District have also been incorporated into the Administration supportable DC District.

The Administration supportable DC District is intended to allow for:

- a maximum building height of 12 metres;
- a maximum of 111 units per hectare with opportunity for additional density up to 155 units per a hectare for Character Home Retention Developments and development that utilizes the two density bonus options; and
- the uses listed in the M-CG District with the addition of Character Home Retention Development and Contextual Single Detached Dwelling.

The applicant was not interested in moving forward with this option for the reasons provided in Attachment 3.

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Alternative Option 5 – alternative DC with a different mechanism to offset impacts.

Administration did discuss alternative mechanisms or options for offsetting the impacts from increased intensity on the heritage character of Ramsay with the applicant. However, no alternative mechanisms to those included in the Administration supportable DC District were brought forward by the applicant.

The applicant has elected to proceed with the proposed DC District and a recommendation of refusal, which allows for increased intensity on the site up to 155 units per hectare without a mechanism to offset the impact on the heritage character of Ramsay.

Development and Site Design

A development permit application has not been submitted for the site, and varied interest and timelines for redevelopment are anticipated across the 24 parcels; thus, the interface between new and existing development will be important as redevelopment occurs. IN the review of future development permit applications on the site, attention should be paid to materials and buffers at the interface between new development and existing properties, particularly in cases where rowhouse style development is desired to be built overtime across adjacent parcels. Setbacks and buffers through design elements such as landscaping should also be utilized between new development and the three residential parcels that are not part of the proposed land use amendment.

The importance of the interface with Maggie Street SE requires design considerations to ensure the street does not become a de-facto lane, including solutions such as entrances and amenities that front onto Maggie Street SE, as well as landscaping. If the entire subject site is redeveloped through a single development consideration for the interface with Maggie Street SE will be particularly important. Limiting vehicular access off of 8 Street SE is important for ensuring pedestrian safety along the street. As indicated in the accompanying amendments to the existing ARP, vehicular access should be from Maggie Street SE. Where access from Maggie Street SE is a challenge, access from 8 Street SE may be considered where land assembly and comprehensive redevelopment is proposed and impacts to pedestrian, cyclist, and vehicular circulation are mitigated.

Lastly, where Character Home Retention Developments are proposed, flexibility in building and site design should be exercised to enable the conservation of heritage properties through the support of relaxations. However, any additions or extensions to existing character homes should be subordinate when viewed from 8 Street SE so as to not detract from the heritage aspects of the property.

Environmental

No environmental issues have been identified at this time.

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Transportation

A Transportation Impact Assessment and parking study were not required for this land use amendment, however these may be required as part of any future development permit applications.

There are two bus routes that run along 8 Street SE, Route 17 and Route 24. The bus stops are located northbound at the Community Association building and southbound at 11 Avenue SE. The future Inglewood Ramsay LRT Station will be located within approximately a 400 metre walk from the subject site.

Eighth Street SE is protected for pedestrians and cyclists, therefore vehicular access should be taken from Maggie Street SE to prevent conflict between vehicles and pedestrians and cyclist through the creation of new driveways. When land assembly and comprehensive redevelopment is proposed, limited access from 8 Street SE may be considered. The 1.5 metre front yard setback combined with the existing 1.0 metre right-of-way on the west side of Maggie Street SE may be used to develop a 1.2 metre sidewalk as redevelopment occurs.

Utilities and Servicing

Water, sanitary, and storm sewer mains are available and can accommodate the potential redevelopment of the subject site without the need for off-site improvements at this time. At the development permit stage, overland stormwater drainage is not permitted to cross property lines as per the Drainage Bylaw, unless an overland drainage agreement and private easement between property owners is executed. A comprehensive design to consolidate some or all of the lots (and possibly creation of a condominium) may provide a practical solution to manage the drainage requirements and minimize the number of service connections that will be required for future redevelopment.

Stakeholder Engagement, Research and Communication

In keeping with Administration's practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online through the Development Map.

In 2017 April, the application site was expanded to include two additional sites, 803 and 805 11 Avenue SE which prompted an additional circulation to stakeholders and notice posting. One public meeting was held by the applicant in 2016 August, which Administration attended.

Administration received two letters from the Ramsay Community Association. Comments from the Ramsay Community Association were received on 2016 July 21 and a second letter was received on 2018 August 23 in response to the proposed land use and updates made to the application through the review process (Attachment 7).

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The Ramsay Community Association has indicated support of the application but have also shared concerns regarding the interface with Maggie Street SE, impacts on parking and pedestrian safety if access is from 8 Street SE, the availability of infrastructure to support redevelopment, and addressing heritage in an individual application versus community-wide ARP policy. Administration has reached out numerous times to meet and discuss the proposal and the relationship between the application and ongoing ARP work with the Ramsay Community Association. It was clarified through a phone conversation with the Ramsay Community Association in 2019 May that they felt a meeting was not required.

In response to the notice postings and circulation of the land use amendment, 10 letters were received. Eight of the letters indicated support of redevelopment in Ramsay as long as the history and unique character of the community are respected. Two letters indicated objection to the application. Reasons stated for opposition include:

- desire for conservation of heritage properties;
- concern about Maggie Street SE being turned into a lane through redevelopment on 8 Street SE;
- lack of appropriateness of three to four storey development given scale of existing properties;
- negative impacts on views and solar access; and
- concerns regarding access and pedestrian safety along 8 Street SE.

Administration is in the process of drafting a new ARP for Ramsay and Inglewood, the *Historic East Calgary Local Growth Plan* (draft title). Draft policies and land uses are currently being developed and reviewed. Consideration for the stakeholder feedback collected and draft direction of the forthcoming ARP were incorporated into Administration's review of this proposal. A major discussion through engagement for the forthcoming ARP has been regarding ways to balance increased intensity with community benefits from redevelopment, and potential approaches to heritage conservation in two of Calgary's oldest neighbourhoods.

Following Calgary Planning Commission (CPC), notifications for a Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, CPC's recommendations and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The proposed land use in this report is aligned with the policy direction of the *South Saskatchewan Regional Plan* (SSRP), which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

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Interim Growth Plan (2018)

The proposed land use aligns with the policy direction of the *Interim Growth Plan*. The proposed land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

In accordance with the Urban Structure Maps (Map 1) of the *Municipal Development Plan* (MDP), the subject site is identified as being located within the Developed Residential Area – Inner City Area. The land use policies in Section 3.5.2 encourage intensification of inner-city communities through redevelopment that is consistent and compatible with the existing character of the neighbourhood.

Heritage is identified in the MDP as being an integral part of good city building. Heritage policies in Section 2.3.3 provide direction for the identification of properties of special historic quality and character and that land owners are encouraged to conserve and/or enhance heritage resources.

While the proposal would enable intensification of an inner-city community, the scale of the site, almost an entire block, and the proposed maximum density of 155 units per hectare, approximately 147 units across the entire site may result in a significant change from the existing character of 8 Street SE and Maggie Street SE. Furthermore, the proposed land use amendment would incentivize the loss of a high concentration of buildings that contribute to the heritage character of Ramsay with no mechanism included in the proposed DC District to compensate for or offset their loss.

Ramsay Area Redevelopment Plan (Statutory – 1994)

Administration is currently drafting the *Historic East Calgary Local Growth Plan* (draft title) for the communities of Ramsay and Inglewood as part of the Green Line land use planning work, which would replace the current ARPs for both communities.

The existing *Ramsay Area Redevelopment Plan (ARP)* was adopted by Council in 1994 and updated in 2015. The subject site is located within the Low Density Residential area as identified on Map 1 of the ARP. The applicable policies for this area are intended to maintain stability and encourage new development to reflect the character of the existing streetscape. Low density conservation policies in Section 3.1 of the ARP directs for the conservation of existing structures in good repair and the rehabilitation or redevelopment of properties in structurally poor condition.

Additionally, three properties within the site are identified on Map 3 – Historic Interests Sites of the ARP (Site 22, 1129 - 8 Street SE and Site 42, 1105 and 1107 - 8 Street SE). Section 2.0 of the ARP encourages the conservation of heritage resources in Ramsay, and for additions and renovations to identified potential heritage or historically significant structures to respect the existing character of the site. The addition of Character Home Retention Developments as a

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discretionary use in the proposed DC District aligns with this approach to conservation. However, the proposed increase in density will incentivize the loss of heritage resources.

An amendment to the ARP is required to accommodate the increase in density proposed with this application. The proposed density and building forms do not align with policies in the existing ARP for the site, which limit development to the existing R-C2 designation or similar (Attachment 1). The amendment identifies the subject site as a Medium Density Residential area on Map 1 – Action Plan - Executive Summary. Proposed new policy in Section 3.1 allows for a broader range of building forms than existing ARP policy, including low-rise multi-residential developments with direct access to grade for ground floor units, character home retention developments, rowhouses, and town houses. Additional policy in Section 3.1 provides direction that access to the site should be from Maggie Street SE. Access from 8 Street SE may be considered where land assembly and comprehensive redevelopment is proposed and impacts to pedestrian, cyclist, and vehicular circulation are mitigated. The proposed amendment also requires an update to Map 4 – Residential Sub-Area Sites Under Policy Review in order to create a new sub-area with associated development guidelines for the subject site.

Social, Environmental, Economic (External)

The proposed land use amendment may result in the loss of existing properties that contribute to the heritage character of Ramsay.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget

The proposed land use amendment does not trigger capital infrastructure investment and therefore, there are no growth management concerns at this time.

Risk Assessment

The proposed land use amendment may result in the loss of existing properties that contribute to the heritage character of Ramsay by incentivizing their demolition through allowing for an increase in maximum density from two units per a parcel to a maximum of 155 units per a hectare. Administration provided a mechanism to mitigate this risk through the density bonus provisions incorporated into the Administration supportable DC District, however, the applicant has elected to proceed with the proposed DC District which does not include the density bonus provisions or an alternative mechanism.

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REASON(S) FOR RECOMMENDATION(S):

Administration does not support the proposal and recommends refusal as the proposed land use amendment does not align with the heritage policies of the *Municipal Development Plan* and will incentivize the loss of a high concentration of buildings that contribute to the heritage character of Ramsay without any mechanism to offset the loss. Furthermore, the proposal does not align with the existing *Ramsay Area Redevelopment Plan* which identifies the site as low density residential, and could result in significant change to the existing context along 8 Street SE and Maggie Street SE.

ATTACHMENT(S)

1. **Proposed Bylaw 1P2020**
2. **Proposed Bylaw 6D2020**
3. Applicant Submission and List of Landowners
4. Application Timeline
5. Character Home Components
6. Administration Supportable Proposed DC Direct Control District
7. Community Association Letters
8. **Public Submissions**
9. **CPC Commissioner Comments**

Approval(s): K. Froese concurs with this report. Author: K. van Fraassen
City Clerks: J. Palaschuk

Administration Supportable Proposed Direct Control District

Purpose

- 1** This Direct Control District Bylaw is intended to:
- (a) allow for transit oriented development in proximity to an LRT station;
 - (b) allow for a broad range of residential development including low-rise grade-oriented multi-residential development that responds to the interface with 8 Street SE and Maggie Street SE and the unique character of the block and neighbourhood;
 - (c) provide incentive for the retention of “**character homes**” through increased options for multi-residential and grade-oriented residential development where “**character homes**” are being “**retained**”; and
 - (d) implement a density bonus provision to balance the increased intensity with contribution to heritage preservation and enhancement in the community of Ramsay.

Compliance with Bylaw 1P2007

- 2** Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District Bylaw.

Reference to Bylaw 1P2007

- 3** Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definitions

- 4** In this Direct Control District Bylaw:
- (a) “**character home**” means a **Duplex Dwelling, Semi-detached Dwelling, or Single Detached Dwelling** existing on the date of passage of this Direct Control District Bylaw that:
 - (i) is listed on the **City’s** Inventory of Evaluated Historic Resources;
 - (ii) is designated as a Municipal Historic Resource pursuant to the *Historical Resources Act* by a bylaw approved by **Council**; or
 - (iii) is included in the area shown in Schedule B; and
 - (iv) meets the criteria for a “**character home**” as set out in Schedule C;
 - (b) “**retained**” means maintaining, conserving, or restoring the “**character home**” with an emphasis on the **street** facing façade elements of a “**character home**”, and may include any one or more of the following:
 - (i) conversion into multiple **Dwelling Units**;

- (ii) raising of the floor closest to **grade** to allow for more usable **basement** space;
- (iii) additions and extensions to the “**character home**”;
- (iv) replacement of original materials with in-kind substitutes; and
- (v) relocation of the “**character home**” on the **parcel** included in the **development**.

Defined Uses

5 In this Direct Control District;

- (a) “**Character Home Retention Development**” means a **use**:
 - (i) that consists of one or more **buildings**, each containing one or more **units**; and
 - (ii) where all “**character homes**” on the **parcel** included in the **development** are “**retained**”.

Permitted Uses

6 The **permitted uses** of the Multi-Residential – Contextual Grade-Oriented (M-CG) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District, with the addition of:

- (a) **Contextual Single Detached Dwelling.**

Discretionary Uses

7 The **discretionary uses** of the Multi-Residential – Contextual Grade-Oriented (M-CG) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District, with the addition of:

- (a) **Character Home Retention Development.**

Bylaw 1P2007 District Rules

- 8**
 - (1) Unless otherwise specified, the rules of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 apply in this Direct Control District.
 - (2) For **Contextual Single Detached Dwellings** the rules of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 apply in this Direct Control District.

Density

- 9 (1) Unless otherwise referenced in subsection (2) or (3) the maximum **density** is 111 **units** per hectare.
- (2) The maximum **density** for a **Character Home Retention Development** is 155 **units** per hectare.
- (3) The maximum **density** referenced in subsection (1) may be increased to 155 **units** per hectare where one or more of the following is provided:
- (a) additional **density** is transferred from another site provided that:
 - (i) the historic resource on the donor site has been designated as a municipal historic resource under the *Historical Resources Act*;
 - (ii) the historic resource (donor site) is located within the community of Ramsay; and
 - (iii) prior to the release of the **development completion permit** for the receiving site, the historic resource (donor site) is designated to a Direct Control District to enable the transfer of **density** and clarify any applicable land use restrictions and any remaining allowable **density**; and
 - (b) A contribution to the City of Calgary's Heritage Incentive Reserve Fund at the time of the **Development Completion Permit** application, such that:

$$(\text{Average land value per square metre} \times 50.0 \text{ per cent}) \times \text{Proposed amount of increased floor area in square metres above the } \textbf{floor area ratio} \text{ of } 1.11 = \text{Cash Contribution Rate}$$

For the purposes of this subsection: "Cash Contribution Rate" will be based on average land value per additional **density**. "Average land value" means the average land value per a square metre in the community of Ramsay at the time of **Development Permit** application as approved by **Council** and reviewed annually. Expert analysis submitted by an applicant acceptable to the **Development Authority** may be used to determine average land value if **Council** has not approved a value.
- (4) For the purpose of this subsection to calculate **floor area ratio** for **density** measured in **units** per hectare, one **unit** is considered to be equal to 100 square metres.

At Grade Orientation of Units

- 10 All **units** located on the floor closest to **grade** in a **Multi-Residential Development** or **Character Home Retention Development** must have:
- (a) an individual, separate, direct access to **grade**;
 - (b) an entrance that is visible from the **street** that the **unit** faces; and

- (c) on **parcels** that share a **property line** with Maggie Street SE;
 - (i) a minimum of one **unit** with an entrance visible from Maggie Street SE; and
 - (ii) a minimum of one **amenity space** facing Maggie Street SE.

Building Height and Cross Section

- 11 (1) Unless otherwise referenced in subsection (3), the maximum **building height** is 12.0 metres.
- (2) Unless otherwise referenced in subsection (3), the maximum area of a horizontal cross section through a **building** at 11.0 metres above **average grade** must not be greater than 65.0 per cent of the maximum area of a horizontal cross section through the **building** between **average grade** and 9.0 metres.
- (3) For a **Character Home Retention Development** or a **development** that uses any of the **density** bonus provisions contained in Section 10 of this Direct Control District Bylaw:
- (a) the maximum **building height** is 14.0 metres; and
 - (b) the maximum area of a horizontal cross section through a **building** at 12.0 metres above **average grade** must not be greater than 65.0 per cent of the maximum area of a horizontal cross section through the **building** between **average grade** and 10.0 metres.

Landscaping

- 12 (1) Unless otherwise referenced in subsection (2) all of the required **landscaped area** must be provided at **grade**.
- (2) The **Development Authority** may consider **landscaped area** to be provided above **grade** where:
- (a) the **landscaped area** provides a screen to **adjacent development**;
 - (b) the minimum number of trees and shrubs are provided in accordance with section 552 of Bylaw 1P2007; and
 - (c) where the **landscaped area** is not located in a **setback area adjacent** to 8 Street SE.

Setback Areas

- 13 The depth of all **setback areas** must be equal to the minimum **building setbacks required** in section 14.

Building Setbacks

- 14 (1) The minimum **building setback** from a **property line** shared with a **street** for a **Multi-Residential Development** is 1.5 metres.

- (2) Unless otherwise referenced in subsection (3), for a **Multi-Residential Development** or a **Character Home Retention Development** the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (3) For a **Multi-Residential Development** or a **Character Home Retention Development** the minimum **building setback** from a **property line** shared with another **parcel** may be reduced to zero metres where the adjacent **parcel** is subject to this Direct Control District or is designated as a **commercial district**.
- (4) In all other cases the **building setbacks** of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 are the **building setbacks** in this Direct Control District.

Required Motor Vehicle Parking Stalls

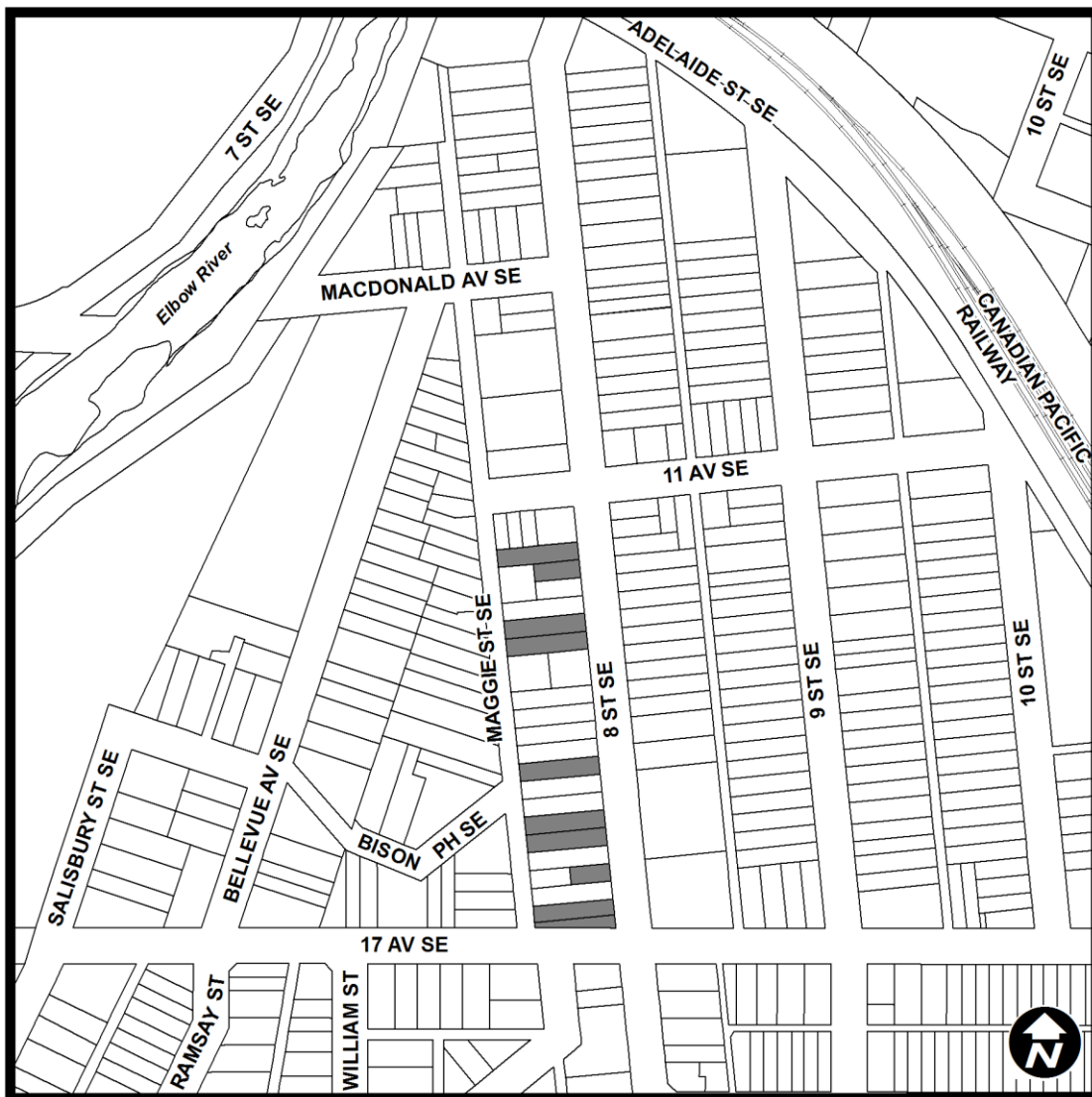
- 15 (1) **Units** less than 45.0 square metres do not require **motor vehicle parking stalls**.
- (2) For **Multi-Residential Development** or **Character Home Retention Development** the number of **motor vehicle parking stalls** is as required in Part 6 of Bylaw 1P2007.
- (3) In all other cases the number of **motor vehicle parking stalls** is as required in Bylaw 1P2007.

Relaxations

- 16 The **Development Authority** may relax the rules of this Direct Control District Bylaw in accordance with sections 31 and 36 of Bylaw 1P2007 in order for a “**character home**” to be “**retained**” and restored.

SCHEDULE B

1105 – 8 Street SE
1107 – 8 Street SE
1113 – 8 Street SE
1115 – 8 Street SE
1129 – 8 Street SE
1135 – 8 Street SE
1137 – 8 Street SE
1141 – 8 Street SE
1145 – 8 Street SE
1147 – 8 Street SE



SCHEDULE C

The following criteria are required for a “**character home**”:

- (a) A “**character home**” will:
 - (i) have been constructed prior to 1945;
 - (ii) maintain both:
 - (A) the original form, scale, massing and roof profile of the **building** and may include additions and extensions if they are compatible with the original form, scale, massing and roof profile of the **building**; and
 - (B) at least 50.0 per cent of the original window pattern and openings on the portions of the front and side façades visible from a **street** excluding **porch** glazing; and
 - (iii) have one of the following on the portions of the front façade visible from a **street**:
 - (A) original cladding; or
 - (B) a majority of original exterior finishes, comprising two or more of the following items:
 - (i) at least 50 per cent of window sashes;
 - (ii) soffits; exposed rafters, or beams;
 - (iii) front door or doorway assembly; and/or
 - (iv) if present, a front **porch** with majority of original finishes including piers, columns, balustrades, entablature mouldings, and may include enclosure of the **porch** with glazing where the majority of other original finishes remains in place.

THE CITY OF CALGARY
TABULATION OF BYLAW
TO BE PRESENTED TO COUNCIL ON
MONDAY, 2020 MARCH 16

PROPOSED BYLAW 233D2019
Being a Bylaw of The City of Calgary to adopt the proposed land use redesignation at 9232 Horton Road SW (Plan 6584JK, Block 9, Lot 12).

Second Reading
Third Reading

NOTE: Second and third reading were withheld on 2019 December 16 to allow the area Councillor to discuss this issue with stakeholders, and to return to Council by the end of Q1 2020. Administration has been notified by the area Councillor that this direction has been fulfilled and that the Bylaw may return to Council for second and third readings (Attachment 1).

Background: The Public Hearing and first reading of Proposed Bylaw 233D2019 were held on 2019 December 16.

Ineligible to Vote: None (All Councillors are eligible).

Excerpt from the Minutes of the Regular Combined Meeting of Council, held 2019 December 16:

Moved by Councillor Farkas
Seconded by Councillor Chu

That with respect to Report CPC2019-1217, the following be adopted:

1. That Council give first reading only to Proposed Bylaw 233D2019, the proposed redesignation of 0.28 hectares \pm (0.69 acres \pm) located at 9232 Horton Road SW (Plan 6584JK, Block 9, Lot 12) from Commercial – Corridor 3 f1.0h16 (C-COR3 f1.0h16) District to Commercial – Corridor 3 f3.0h27 (C-COR3 f3.0h27) District.

MOTION CARRIED

Moved by Councillor Farkas
Seconded by Councillor Chu

That with respect to Report CPC2019-1217, the following be adopted:

That Council:

2. Withhold second and third reading to allow the area Councillor to discuss this issue with stakeholders, to return to Council by the end of Q1 2020.

ROLL CALL VOTE:

For: (8) Mayor Nenshi, Councillor Carra, Councillor Chu, Councillor Davison, Councillor Farkas, Councillor Farrell, Councillor Magliocca, and Councillor Woolley

Against: (7) Councillor Chahal, Councillor Colley-Urquhart, Councillor Demong, Councillor Gondek, Councillor Jones, Councillor Keating, and Councillor Sutherland

MOTION CARRIED

That Bylaw 233D2019 be introduced and read a first time.

MOTION CARRIED

ATTACHMENTS:

1. Letter from area Councillor
2. Proposed Bylaw 233D2019

Letter from area Councillor



Office of the Councillors
COUNCILLOR JEROMY FARKAS

March 5, 2020

Re: Bylaw Tabulation for LOC2019-0106

With respect to the land use amendment in Haysboro at 9232 Horton Road SW, LOC2019-0106, a motion was carried to withhold second and third readings of Bylaw 233D2019 to allow the area Councillor, Jeromy Farkas, to discuss the issue with stakeholders. Councillor Farkas is satisfied that further mediation between the stakeholders is not required, and requests that the item be brought back to Council as a bylaw tabulation for the second and third readings.

Jeromy Farkas
Councillor, Ward 11

PROPOSED

CPC2019-1217
BYLAW TABULATION

BYLAW NUMBER 233D2019

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0106/CPC2019-1217)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by amending that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "A".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON DECEMBER 17, 2019

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

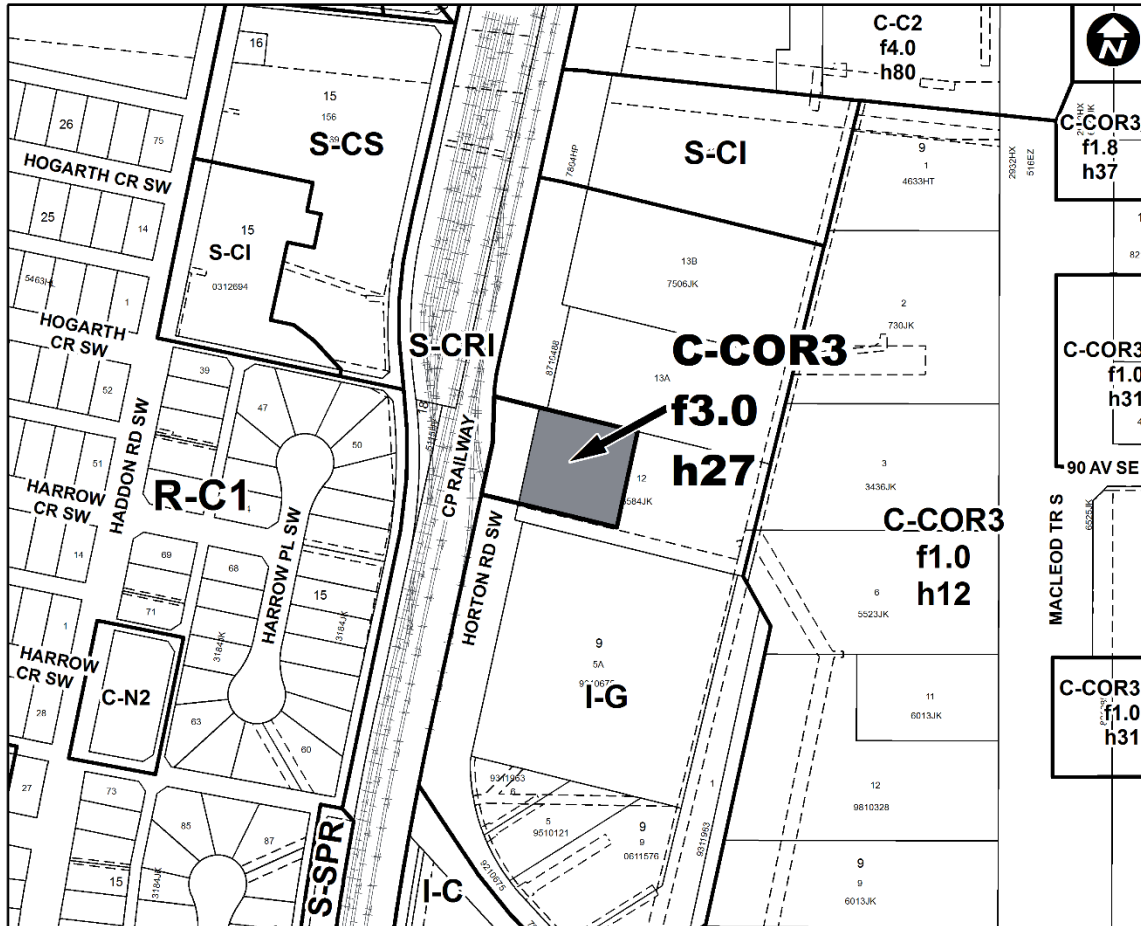
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2019-0106/CPC2019-1217
BYLAW NUMBER 233D2019

SCHEDULE A



Transportation Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0238

2020 Group One Local Improvements Projects

EXECUTIVE SUMMARY

The purpose of Bylaw 1R2020 is to carry out owner-initiated local improvement projects in 2020. These projects include laneway paving projects in residential areas and residential driveway crossings. Adoption of this Bylaw is required to facilitate completion of these projects.

All of the projects associated with this Bylaw were initiated or requested by adjacent property owners. This update affects locations in Ward 1, 2, 4, 5, 7, 8, 9, 11, 12, 13 and 14.

ADMINISTRATION RECOMMENDATION:

That Council:

1. Approve an increase of \$2,777,590 in 2020 budget appropriation to Roads Capital Program 147-148; and
2. Give three readings to Proposed Bylaw 1R2020.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2019 July 29 Council approved Local Improvement Bylaw 2R2019 for 2019 Group Two Local Improvement Projects.

BACKGROUND

Local Improvements (LI's) are construction projects on City property that Council considers to be a greater benefit to a particular area of the municipality than to the whole municipality. Examples include street or lane paving and driveway crossings.

Municipalities have a long history of using LI's to help cover the cost of infrastructure. LI charges are assessed to adjacent benefiting properties and then added to property taxes until the costs are repaid. The Municipal Government Act (MGA) provides provincial statutory guidelines for LI administration.

There is no cost sharing between The City and property owners with respect to laneway paving and driveway crossings. All costs for these improvements are charged to the property owners.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

LI Bylaws are processed according to the MGA (Section 392-396) and various policies and guidelines, as follows:

- A petition package to initiate the local improvement is obtained by calling The City of Calgary at 311.
- To be valid, a petition must be signed by at least two-thirds (2/3) of the affected property owners representing at least half (1/2) the assessed value of land.
- The completed petition form is returned to The City for validation.
- When a valid petition is received, the proposed project is included in the next available group of local improvements.
- A Notice of Intention is mailed to each affected property owner outlining the type of

**Transportation Report to
Combined Meeting of Council
2020 March 16**

**ISC: UNRESTRICTED
C2020-0238**

2020 Group One Local Improvements Projects

proposed construction, the estimated cost and the property owner's estimated share of the cost.

- Property owners have the right to submit petitions to The City against the proposed local improvements. To be valid, a "petition against" must be signed by at least two-thirds (2/3) of the affected property owners representing at least half (1/2) the assessed value of land.
- A "petition against" must be received within the 30 days of the mailing date of the Notice of Intention.
- If a valid "petition against" is received, The City is prohibited from proceeding with the work (MGA Section 396 (3)). In this case, The City deletes the local improvement from the LI bylaw.
- In all cases, The City advises affected property owners in writing whether or not the petition is valid.

Bylaw 1R2020 is required for lane paving in residential areas with standard widths and new residential driveway crossings (Attachment 1).

The scope of improvements, program costs and specific tax rates used for the Group One LI's are set forth in the Bylaw. A general listing of tax rates used by The City is included with this report (Attachment 2).

Stakeholder Engagement, Research and Communication

Notices of The City's intention to undertake 40 LI projects were sent to affected property owners on 2019 November 27.

"Petitions Against" were requested and sent out for 10 projects. Two petitions against were returned for validation (Attachment 3). Council will be informed by Administration at the 2020 March 16 meeting of any petitions received subsequent to preparation of this report. If this occurs, it will be recommended that Council identify and approve the withdrawal of any project prior to second reading of the Bylaw, direct Administration to recalculate dollar values and amend the Bylaw content accordingly. Second and third readings may be given to the Bylaw, as amended, with Council's understanding that all changes will be made by Administration and delivered to the City Clerk's office to serve as the legal corporate record.

Affected property owners will be notified in writing of Council's decision.

Strategic Alignment

Through the owner-initiated LI process, The City and property owners facilitate and support efforts to improve neighborhood assets. LI projects maintain or improve accessibility and enhance appearance without burdening all taxpayers with the full financial responsibility of improving these public spaces.

Transportation Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0238

2020 Group One Local Improvements Projects

Social, Environmental, Economic (External)

Owner-initiated LI projects can improve a specific area's livability. They can contribute to increased attractiveness and accessibility. The LI process provides a mechanism for adjacent residents to improve public infrastructure such as paving a lane, while sharing the cost over numerous properties.

Lane paving is an effective means of dust reduction and it offers better drainage and prevents erosion of the lane surface. Proper driveway crossings often replace ramps or built-up material in the gutter, resulting in improved drainage and ensures accessibility for mobility devices is maintained.

Low effective interest rates, as set by the Alberta Capital Finance Authority, and a 15 year amortization help lower annual costs for affected property owners.

Financial Capacity

Current and Future Operating Budget:

There are no operating budget impacts as a result of this report.

Current and Future Capital Budget:

The full costs for first time paving of lanes and driveway crossings are borne by the property owners. An increase to the 2020 budget of \$2,777,590 is required for Roads Capital Program 147-148 (Attachment 4). The requested budget will be funded by LI debt to pay for contract work outlined in the Bylaw 1R2020. The borrowed funds are ultimately repaid by the property owners and are not mill rate supported.

Risk Assessment

The City's ability to complete needed LI projects and service customers (property owners) in a timely manner could be negatively impacted if the LI bylaws are not approved.

REASON(S) FOR RECOMMENDATION(S):

Through the LI process, property owners have the opportunity to upgrade infrastructure to improve quality of life in their community.

ATTACHMENT(S)

1. Attachment 1 – Proposed Local Improvement Bylaw No. 1R2020 of The City of Calgary
2. Attachment 2 – 2020 Local Improvement Uniform Tax Rates
3. Attachment 3 – Petition Against Summary Report
4. Attachment 4 – Summary of Financial Impact

PROPOSED

C2020-0238
ATTACHMENT 1

BYLAW NUMBER 1R2020

BEING A BYLAW OF THE CITY OF CALGARY
TO AUTHORIZE:
THE CONSTRUCTION OF THE LOCAL
IMPROVEMENTS AS DESCRIBED WITHIN
THE ATTACHED SCHEDULE "A"; AND
THE IMPOSING OF A SPECIAL ASSESSMENT
AGAINST THE PROPERTIES
AFFECTED BY THE CONSTRUCTION
OF THE LOCAL IMPROVEMENTS;
AND THE ISSUING OF A DEBENTURE
OR DEBENTURES NOT EXCEEDING
A CUMULATIVE VALUE OF \$2,777,590

WHEREAS the Council of The City of Calgary ("Council") has decided to issue a bylaw pursuant to Sections 251, 263, and 397 of *The Municipal Government Act* R.S.A. 2000 c.M-26 ("the Act") to authorize the financing, undertaking and completing of the local improvements described in the attached Schedule "A";

AND WHEREAS the total cost of constructing the local improvements is estimated to be \$2,777,590 to be paid by the affected property owners.

AND WHEREAS in order to construct and complete the said local improvements, it will be necessary for The City to borrow the sum of \$2,777,590 from Alberta Capital Finance Authority ("ACFA") or other lenders to finance the property owners' share of the construction of the local improvements on the terms and conditions referred to in this Bylaw;

AND WHEREAS the estimated lifetime of the local improvements described within the attached Schedule "A" is equal to or in excess of 15 years;

AND WHEREAS the amount of the long term debt of The City as at 2019 December 31 (unaudited) is \$2,741 million with \$372 million being tax supported debt, \$204 million being self-sufficient tax supported debt and \$2,165 million being self-supported debt and no part of the principal or interest is in arrears;

AND WHEREAS all required approvals for the local improvements have been obtained and the local improvements are in compliance with all acts and regulations of the Province of Alberta;

AND WHEREAS Council has, pursuant to Section 396(1) of the Act, given proper notice of intention to undertake and complete the construction of the local improvements at the locations described in the attached Schedule "A". The cost or a portion thereof to be assessed against abutting (or benefiting) owners shall be in accordance with the attached Schedule "A"

PROPOSED

BYLAW NUMBER 1R2020

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The proper officers of The City are hereby authorized to oversee the construction of the local improvement work as set forth in the attached Schedule "A", and to impose a special frontage assessment against the parcels of land abutting or benefiting the constructed improvements.
2. The proper officers of The City are hereby authorized to issue a debenture or debentures on behalf of The City in an amount not exceeding a cumulative value of \$2,777,590 to finance the property owners' share of the construction of the local improvements.
3. The City shall repay the indebtedness over 15 years in semi-annual equal principal and interest installments calculated at a rate not exceeding the rate fixed by the lender on the date of the borrowing, up to a maximum rate of 8%.
4. The City shall levy and raise in each year an amount by way of municipal taxes sufficient to pay the annual principal and interest on the indebtedness.
5. In addition to all rates and taxes, The City shall annually levy the special assessment on all lands affected by the local improvements to cover the property owners' portion of costs set forth in the attached schedule.
6. The indebtedness shall be contracted on the credit and security of The City.
7. The net amount borrowed under this Bylaw shall be applied only to the local improvements specified by this Bylaw.
8. Schedule "A" attached hereto is hereby declared to form part of this Bylaw.

PROPOSED

BYLAW NUMBER 1R2020

9. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

SCHEDULE "A"

BYLAW NUMBER 1R2020

THE CITY OF CALGARY

LOCAL IMPROVEMENT BYLAW 1R2020

INDEX OF INITIATION/WITHDRAWAL CODES (I/W)

1. PROJECT INITIATED AT REQUEST OF PROPERTY OWNER(S)

INDEX OF SPECIAL ASSESSMENT CODES (S.A.)

1. UNIFORM TAX RATE PROJECT
2. COST PROJECT

NOTES APPLICABLE TO 2020 LOCAL IMPROVEMENT PROJECTS

- INTEREST RATE FACTOR 15 YEARS AT 3.2% = (APPLICABLE TO UNIFORM TAX RATE PROJECTS ONLY)
- FORMULA FOR DETERMINING ASSESSABLE FRONTAGE OF IRREGULAR SHAPED LOTS:
 $\text{SHORTEST WIDTH} + (35\% \times (\text{LONGEST WIDTH} - \text{SHORTEST WIDTH}))$ EXCEPT FOR 'COST' TYPE
 PROJECTS WHICH WILL USE ACTUAL FRONTAGE MEASUREMENTS

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				LOCATION DESCRIPTION	TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST. PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST.PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %					
I/W Code	S.A. Code	WARD NO.	FRONTAGE			FLANKAGE	PER METRE				PER YEAR					
Ward Number 01																
Driveway Crossing - Residential																
2019-700-008 1 2		01	317 SCENIC ACRES DR NW	6,279.84	11.80	0.00	532.19	6,279.84	0.00	45.23	533.71					
2019-700-017 1 2		01	49 ROCKYSPRING PT NW	1,497.92	4.50	0.00	332.87	1,497.92	0.00	28.29	127.31					
TOTAL				7,777.76	16.30	0.00		7,777.76	0.00	661.02						

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				LOCATION DESCRIPTION	TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST. PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	FRONTAGE			FLANKAGE	PER METRE				PER YEAR	
Ward Number 02												
Asphalt Paving 8m laneway												
2019-656-014 1	1	02	LANEWAY BEHIND 6-82 NOLANFIELD LN NW; 7-83 NOLANFIELD TC NW; 138-166 NOLAN HILL DR NW.	169,235.69	427.46	0.00	395.91	169,235.69	0.00	33.65	14,384.03	
Driveway Crossing - Residential												
2019-700-009 1	2	02	782 RANCHVIEW CI NW	1,965.56	4.80	0.00	409.49	1,965.56	0.00	34.80	167.04	
TOTAL				171,201.25	432.26	0.00		171,201.25	0.00		14,551.07	

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				LOCATION DESCRIPTION	TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST. PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	FRONTAGE			FLANKAGE	PER METRE				PER YEAR	
Ward Number 04												
Driveway Crossing - Residential												
2019-700-014 1	2	04	5947 DALRIDGE HL NW		2,139.23	4.60	0.00	465.05	2,139.23	0.00	39.53	181.84
TOTAL					2,139.23	4.60	0.00		2,139.23	0.00		181.84

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST. PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	LOCATION DESCRIPTION		FRONTAGE	FLANKAGE				PER METRE	PER YEAR
										PER METRE	PER YEAR
Ward Number 05											
Asphalt Paving 8m laneway											
2019-656-005 1	1	05	LANEWAY BEHIND 67-101 TARACOVE CR NE; 101-125 TARACOVE CR NE; 140-196 TARACOVE ESTATE DR NE; 105-145 TARACOVE PL NE; 42-106 TARACOVE ESTATE DR NE; 7-23 TARACOVE CR NE.	253,920.84	641.36	0.00	395.91	253,920.84	0.00	33.65	21,581.76
Asphalt Paving 9.14m laneway											
2019-660-002 1	1	05	LANEWAY BEHIND 12-76 CASTLEGREEN CL NE; 6431-6495 54 ST NE.	124,153.42	313.59	0.00	395.91	124,153.42	0.00	33.65	10,552.30
TOTAL				378,074.26	954.95	0.00		378,074.26	0.00		32,134.06

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST.PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST.PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	LOCATION DESCRIPTION		FRONTAGE	FLANKAGE				PER METRE	PER YEAR
Ward Number 07											
Asphalt Paving 6.1m laneway											
2019-655-018 1	1	07	LANEWAY BEHIND 1717 43 ST NW; 1760 44 ST NW; 4420-4452 16 AV NW; 4405-4439 17 AV NW.	102,416.16	304.81	0.00	336.00	102,416.16	0.00	28.56	8,705.37
2019-655-019 1	1	07	LANEWAY BEHIND 206 & 228 22 ST NW; 2204-2240 1 AV NW; 2201-2241 2 AV NW.	99,869.28	297.23	0.00	336.00	99,869.28	0.00	28.56	8,488.89
Driveway Crossing - Residential											
2019-700-007 1	2	07	437 MARSH RD NE	4,405.68	6.30	0.00	699.31	4,405.68	0.00	59.43	374.41
TOTAL				206,691.12	608.34	0.00		206,691.12	0.00		17,568.67

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST. PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	LOCATION DESCRIPTION		FRONTAGE	FLANKAGE				PER METRE	PER YEAR
Ward Number 08											
Asphalt Paving 6.1m laneway											
2019-655-016 1	1	08	LANEWAY BEHIND 1417 JOLIET AV SW; 1422 COUNCIL WY SW; 3204-3234 14 ST SW; 3203-3243 ALFEGE ST SW.	116,739.84	347.44	0.00	336.00	116,739.84	0.00	28.56	9,922.89
2019-655-017 1	1	08	LANEWAY BEHIND 2930 21 ST SW; 2103-2139 28 AV SW; 2104-2140 29 AV SW.	102,412.80	304.80	0.00	336.00	102,412.80	0.00	28.56	8,705.09
2019-655-021 1	1	08	LANEWAY BEHIND 3204 18 ST SW; 1803-1839 31 AV SW; 1802-1840 32 AV SW.	102,412.80	304.80	0.00	336.00	102,412.80	0.00	28.56	8,705.09
2019-655-022 1	1	08	LANEWAY BEHIND 4304 16 ST SW; 4330 16 ST SW; 1603-1635 42 AV SW; 4315- 4327 15 ST SW.	130,183.20	387.45	0.00	336.00	130,183.20	0.00	28.56	11,065.57
TOTAL				451,748.64	1,344.49	0.00		451,748.64	0.00		38,398.64

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST.PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	LOCATION DESCRIPTION		FRONTAGE	FLANKAGE				PER METRE	PER YEAR
Ward Number 09											
Asphalt Paving 6.1m laneway											
2019-655-015 1	1	09	LANEWAY BEHIND 208 57 AV SW; 5721-5731 1A ST SW; 5702-5740 2 ST SW.	102,423.05	304.83	0.00	336.00	102,423.05	0.00	28.56	8,705.96
2019-655-020 1	1	09	LANEWAY BEHIND 1117-1119 5 ST NE; 1102-1108 4 ST NE; 508-540 10 AV NE; 501-535 11 AV NE.	102,416.16	304.81	0.00	336.00	102,416.16	0.00	28.56	8,705.37
Driveway Crossing - Residential											
2019-700-013 1	2	09	159 DOVERGLEN CR SE	1,727.15	3.20	0.00	539.73	1,727.15	0.00	45.87	146.78
TOTAL				206,566.36	612.84	0.00		206,566.36	0.00		17,558.11

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST.PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	LOCATION DESCRIPTION		FRONTAGE	FLANKAGE				PER METRE	PER YEAR
Ward Number 11											
Asphalt Paving 4.88m laneway											
2019-650-001 1		11	LANEWAY BEHIND 3405-3411 9 ST SW; 3406-3412 10 ST SW.	58,964.64	175.49	0.00	336.00	58,964.64	0.00	28.56	5,011.99
Asphalt Paving 6.1m laneway											
2019-655-014 1		11	THE LANEWAY BEHIND 550-570 LANSDOWNE AV SW; 523-541 RIVERDALE AV SW; 4211-4225 5A ST SW.	75,317.76	218.47	0.00	336.00	75,317.76	0.00	28.56	6,239.50
Driveway Crossing - Residential											
2019-700-003 1	2	11	9728 ELBOW DR SW	2,095.30	3.30	0.00	634.94	2,095.30	0.00	53.96	178.07
2019-700-004 1	2	11	236 CEDARPARK DR SW	2,827.39	6.30	0.00	448.79	2,827.39	0.00	38.14	240.28
2019-700-006 1	2	11	10732 WILLOWFERN DR SE	3,636.99	8.30	0.00	438.19	3,636.99	0.00	37.24	309.09
2019-700-010 1	2	11	9652 OAKHILL DR SW	3,601.05	7.80	0.00	461.67	3,601.05	0.00	39.24	306.07
2019-700-011 1	2	11	9427 ELBOW DR SW	4,506.85	15.30	0.00	294.57	4,506.85	0.00	25.04	383.11
2019-700-012 1	2	11	198 EAGLE RIDGE DR SW	5,823.98	12.10	0.00	481.32	5,823.98	0.00	40.91	495.01
2019-700-015 1	2	11	423 WILLACY DR SE	3,515.55	8.00	0.00	439.44	3,515.55	0.00	37.35	298.80
2019-700-018 1	2	11	334 OAKWOOD PL SW	2,247.10	3.70	0.00	607.32	2,247.10	0.00	51.62	190.99
TOTAL				162,536.61	458.76	0.00		162,536.61	0.00		13,652.91

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				LOCATION DESCRIPTION	TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST. PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	FRONTAGE			FLANKAGE	PER METRE				PER YEAR	
Ward Number 12												
Asphalt Paving 8m laneway												
2019-656-007 1	1	12	LANEWAY BEHIND 10-98 AUBURN CREST GR SE; 174-266 AUBURN CREST GR SE; 64-108 AUBURN CREST PA SE.	200,940.16	507.54	0.00	395.91	200,940.16	0.00	33.65	17,078.72	
2019-656-010 1	1	12	LANEWAY BEHIND 67-99 AUBURN BAY CR SE; 11- 59 AUBURN BAY CR SE; 127-171 AUBURN BAY CR SE; 377-397 AUBURN BAY BV SE.	140,532.21	354.96	0.00	395.91	140,532.21	0.00	33.65	11,944.40	
2019-656-011 1	1	12	LANEWAY BEHIND 53-85 AUTUMN TC SE; 701-721 AUBURN BAY BV SE; 50-74 AUTUMN VW SE.	82,856.04	209.28	0.00	395.91	82,856.04	0.00	33.65	7,042.27	
2019-656-012 1	1	12	LANEWAY BEHIND 29 COPPERPOND LN SE; 109- 249 COPPERPOND PR SE; 121-153 COPPERPOND GR SE.	143,905.37	363.48	0.00	395.91	143,905.37	0.00	33.65	12,231.10	
2019-656-013 1	1	12	LANEWAY BEHIND 63-123 MAHOGANY RO SE; 2208-2284 MAHOGANY BV SE.	118,444.39	299.17	0.00	395.91	118,444.39	0.00	33.65	10,067.07	
2019-656-016 1	1	12	LANEWAY BEHIND 106-170 AUBURN BAY HT SE.	114,798.06	289.96	0.00	395.91	114,798.06	0.00	33.65	9,757.15	
TOTAL				801,476.23	2,024.39	0.00		801,476.23	0.00		68,120.71	

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST. PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	LOCATION DESCRIPTION		FRONTAGE	FLANKAGE				PER METRE	PER YEAR
										PER METRE	PER YEAR
Ward Number 13											
Asphalt Paving 8m laneway											
2019-656-015 1	1	13	LANEWAY BEHIND 2-62 BRIDLECREST MR SW; 3-63 BRIDLECREST BV SW.	119,236.21	301.17	0.00	395.91	119,236.21	0.00	33.65	10,134.37
Driveway Crossing - Residential											
2019-700-019 1	2	13	215 CANTRELL PL SW	2,061.38	6.35	0.00	324.63	2,061.38	0.00	27.59	175.20
2019-700-020 1	2	13	219 CANTRELL PL SW	2,061.38	6.35	0.00	324.63	2,061.38	0.00	27.59	175.20
TOTAL				123,358.97	313.87	0.00		123,358.97	0.00		10,484.77

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1R2020

PROJECT NUMBER				LOCATION DESCRIPTION	TOTAL EST. CONSTRUCTION COST	ASSESSABLE METRE		EST. PROPERTY PAYOUT RATE (PER METRE)	EST. PROPERTY SHARE (EXCL. INT.)	CITY SHARE (EXCL. INT.)	EST. PROPERTY OWNERS ANNUAL RATE INCL INTEREST FOR 15 YEARS AT 3.2 %	
I/W Code	S.A. Code	WARD NO.	FRONTAGE			FLANKAGE	PER METRE				PER YEAR	
Ward Number 14												
Asphalt Paving 8m laneway												
2019-656-008 1 1		14	LANEWAY BEHIND 10-94 WALDEN DR SE; 317-353 WALDEN SQ SE.	89,356.89	225.70	0.00	395.91	89,356.89	0.00	33.65	7,594.80	
2019-656-009 1 1		14	LANEWAY BEHIND 10-98 LEGACY LN SE; 95-163 LEGACY CI SE.	169,544.50	428.24	0.00	395.91	169,544.50	0.00	33.65	14,410.28	
Driveway Crossing - Residential												
2019-700-005 1 2		14	12238 LAKE ERIE RD SE	3,313.15	7.50	0.00	441.75	3,313.15	0.00	37.55	281.63	
2019-700-016 1 2		14	179 MT COPPER PA SE	3,804.60	7.80	0.00	487.77	3,804.60	0.00	41.46	323.39	
TOTAL				266,019.14	669.24	0.00		266,019.14	0.00		22,610.10	
GRAND TOTAL				2,777,589.57	7,440.04	0.00		2,777,589.57	0.00		235,921.90	

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY
LOCAL IMPROVEMENT BYLAW 1R2020
FINANCING SUMMARY

TOTAL **ESTIMATED** LOCAL IMPROVEMENT FINANCING REQUIRED FOR

PROPERTY OWNERS SHARE	2,777,590.00*
CITY SHARE	0.00*
TOTAL CONSTRUCTION COST	2,777,590.00*
TOTAL LEVY AUTHORIZED BYLAW NO. 1R2020	2,777,590.00*

* Amount rounded to nearest dollar

PROPOSED

BYLAW NUMBER 1R2020

**THE CITY OF CALGARY
LOCAL IMPROVEMENTS SYSTEM
AUDIT TRAIL
PETITION SUMMARY
BYLAW 1R2020**

NUMBER OF PROJECTS PETITIONED	10
NUMBER OF PETITIONS AGAINST RETURNED	2
NUMBER OF PETITIONS AGAINST NOT RETURNED	8

PROPOSED

BYLAW NUMBER 1R2020

THE CITY OF CALGARY
LOCAL IMPROVEMENTS SYSTEM
2020 PETITION AGAINST SUMMARY
BYLAW 1R2020

PROJECT NUMBER	PETITION AGAINST	DATE RECEIVED	WARD NO.	TYPE OF IMPROVEMENT LOCATION REFERENCE	VALID SIGN. %	VALID LAND %	STATUS
2019-655-017	2019-12-001	2019/12/11	08	Asphalt Paving 6.1m laneway LANEWAY BEHIND 2930 21 ST SW; 2103-2139 28 AV SW; 2104-2140 29 AV SW.	3.45	3.28	INVALID
2019-656-008	2019-12-006	2020/01/02	14	Asphalt Paving 8m laneway LANEWAY BEHIND 10-94 WALDEN DR SE; 317-353 WALDEN SQ SE.	44.00	50.17	INVALID

PROPOSED

BYLAW NUMBER 1R2020

**THE CITY OF CALGARY
LOCAL IMPROVEMENTS SYSTEM
2020 OUTSTANDING PETITION AGAINST SUMMARY
BYLAW 1R2020**

WARD NUMBER	PROJECT NUMBER	PETITION NUMBER	DEADLINE DATE	DESCRIPTION
05	2019-656-005	2019-12-012	27/12/2019	PETITION AGAINST HAS NOT BEEN RETURNED FOR VALIDATION
08	2019-655-016	2019-12-002	27/12/2019	PETITION AGAINST HAS NOT BEEN RETURNED FOR VALIDATION
08	2019-655-022	2019-12-003	27/12/2019	PETITION AGAINST HAS NOT BEEN RETURNED FOR VALIDATION
11	2019-655-014	2019-12-007	27/12/2019	PETITION AGAINST HAS NOT BEEN RETURNED FOR VALIDATION
07	2019-656-007	2019-12-004	27/12/2019	PETITION AGAINST HAS NOT BEEN RETURNED FOR VALIDATION
12	2019-656-010	2019-12-014	27/12/2019	PETITION AGAINST HAS NOT BEEN RETURNED FOR VALIDATION
12	2019-656-011	2019-12-005	27/12/2019	PETITION AGAINST HAS NOT BEEN RETURNED FOR VALIDATION
14	2019-656-009	2019-12-015	27/12/2019	PETITION AGAINST HAS NOT BEEN RETURNED FOR VALIDATION

CITY OF CALGARY
2020 LOCAL IMPROVEMENT UNIFORM TAX RATES
FOR PROJECTS UP TO AND INCLUDING 2020 May 31

RESIDENTIAL CONSTRUCTION

LOCAL IMPROVEMENT TYPE CODE	DESCRIPTION OF IMPROVEMENT	PERIOD OF ASSESSMENT		UNIFORM TAX RATE		PROPERTY OWNERS' SHARE		ANNUAL LEVY		PROPERTY OWNERS' LEVY	
		YEARS		PER ASSESSABLE		PER ASSESSABLE		PER ASSESSABLE		PER ASSESSABLE	
		METRE		METRE		METRE		METRE		METRE	
650/655	Asphalt Work – New Construction Less than or equal to 7 Metres wide	15		\$/m	336.00	\$/m	336.00	\$/m	28.56	\$/m	28.56
656/660	Greater than 7 Metres wide	15			395.91		395.91		33.65		33.65

“PETITION AGAINST” SUMMARY REPORT

Overview of 2020 Group One Local Improvement Projects/ “Petitions Against” by Ward

Ward #	Local Improvement Projects	Projects for which “Petitions Against” were requested*	Projects for which “Petitions Against” were returned*	“Petitions Against”	
				Valid	Invalid
1	2	0	0	0	0
2	2	0	0	0	0
3	0	0	0	0	0
4	1	0	0	0	0
5	2	1	0	0	0
6	0	0	0	0	0
7	3	1	0	0	0
8	4	3	1	0	1
9	3	0	0	0	0
10	0	0	0	0	0
11	10	1	0	0	0
12	6	2	0	0	0
13	3	0	0	0	0
14	4	2	1	0	1
City Total	40	10	2	0	2

* Multiple petitions requested/returned for a given project are combined and presented as one

SUMMARY OF FINANCIAL IMPACT

Program 147-148 / Activity 432395 – LI Paving & Driveway Crossings Funded by Property Owners

Group One Bylaws Requiring Debenture Borrowing

Bylaw No.	Budget Program / Activity No.	Estimated Total Cost
1R2020	147 -148 / 432395	\$2,777,590
Total Bylaw Requirement		\$2,777,590
Total Funding Requirement		\$2,777,590
Increase In Budget Required		\$2,777,590

Transportation Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0239

2020 Local Improvement Bylaws for Stephen Avenue Mall and Barclay Mall

EXECUTIVE SUMMARY

Stephen Avenue Mall and Barclay Mall are important pedestrian corridors in Calgary's city centre. Enhanced maintenance has historically been delivered through Local Improvement Bylaws. The improvements attract business, residents and tourism to the downtown and contribute to the Calgary economy overall. Council approves the associated Bylaws annually to undertake this work.

ADMINISTRATION RECOMMENDATION:

That Council:

1. Give three readings to Bylaw 1L2020; and
2. Give three readings to Bylaw 2L2020

PREVIOUS COUNCIL DIRECTION / POLICY

On 2019 March 18, Council approved Local Improvement Bylaws 1L2019 and 2L2019 for 2019 Stephen Avenue Mall and Barclay Mall Enhanced Maintenance, Report Number C2019-0171.

BACKGROUND

The Enhanced Mall Maintenance Program has been in effect since the 1980s. Funding is shared equally between The City of Calgary and the adjacent property owners. This program enables The City to improve the condition of street furniture and waste receptacles and to provide a higher than normal level of maintenance activities including surface repairs, snow and ice control, street cleaning and street lighting. Local Improvement Bylaws 1L2020 and 2L2020 are required to collect the funds to deliver the enhanced maintenance program for Stephen Avenue Mall, located along 8 Avenue between 1 Street SE and 4 Street SW, and Barclay Mall, located along 3 Street SW between Barclay Parade SW and 9 Avenue SW. Table 1 lists the projected costs for maintenance on Stephen Avenue Mall and Barclay Mall for 2020.

Table 1: Maintenance Costs – Stephen Avenue Mall and Barclay Mall

Maintenance Costs	2020 Stephen Avenue Budget	2020 Barclay Mall Budget
Total	\$ 393,436	\$ 267,666
Less: Normal Maintenance	\$ (39,344)	\$ (48,180)
Sharable Costs	\$ 354,092	\$ 219,486
Property Owners Share (50%)	\$ 177,046	\$ 109,743

Transportation Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0239

2020 Local Improvement Bylaws for Stephen Avenue Mall and Barclay Mall

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Local Improvement Bylaws are processed according to the Municipal Government Act (MGA), and various City policies and guidelines. Pursuant to requirements of section 396 of the MGA, a Notice of Intention is mailed to each affected property owner outlining the type of proposed construction, the estimated cost and the property owner's estimated share of the cost. Property owners have the right to submit petitions to The City against the proposed local improvements. To be considered, a petition must be signed by at least two-thirds (2/3) of the affected property owners representing at least half (1/2) the assessed property value, and must be received within 30 days of the mailing date of the Notice of Intention. If a valid petition against a project is received, The City is prohibited from proceeding with the work (MGA 396 (3)).

Stakeholder Engagement, Research and Communication

Notices of The City's intention to undertake the mall enhanced maintenance were sent to affected property owners on 2019 December 31. No petitions against these projects were requested by any affected property owner.

Strategic Alignment

The Enhanced Mall Maintenance funds provide an enhanced level of service for the high pedestrian use corridors of Stephen Avenue Mall and Barclay Mall. This program aligns with the Calgary Transportation plan by helping to facilitate and provide mobility choices in the City Centre and promoting safety for all transportation system users. The cost of the Enhanced Mall Maintenance Program is shared equally (50/50) between The City and the adjacent property owners. These local improvement projects prevent deterioration of existing infrastructure, maintain or improve accessibility and enhance appearance without burdening all taxpayers with the full financial responsibility of improving these public spaces.

Social, Environmental, Economic (External)

Social

The Enhanced Mall Maintenance Program assists in encouraging social interaction along Stephen Avenue Mall and Barclay Mall by improving safety, area cleanliness and accessibility. This contributes to the heritage preservation and vitality of the City Centre.

Environmental

The Enhanced Mall Maintenance Program encourages pedestrian travel and consequently helps reduce automobile dependency and vehicle emissions.

Economic (External)

Cost sharing of the Enhanced Mall Maintenance Program contributes to the vitality of the City Centre by creating an attractive area for public and business activity.

Transportation Report to
Combined Meeting of Council
2020 March 16

ISC: UNRESTRICTED
C2020-0239

2020 Local Improvement Bylaws for Stephen Avenue Mall and Barclay Mall

Financial Capacity

Current and Future Operating Budget:

For 2020, the estimated cost of the Enhanced Mall Maintenance Program is \$393,436 for Stephen Avenue Mall and \$267,666 for Barclay Mall (see Table 1). Total estimated cost for the two malls is \$661,102. The normal maintenance costs of the two malls (estimated at \$87,524 in 2020), will be deducted from the estimated total of \$661,102 and the residual costs will be shared equally (50/50) between The City and the property owners deemed by Council to benefit from the upgrades. The normal maintenance cost and The City's portion of the enhanced maintenance program will continue to be funded through Roads Operating Program 132. Maintenance related to the cycle track on Stephen Avenue is not charged to this Enhanced Mall Maintenance Program.

The scope of improvements and program costs for the Enhanced Mall Maintenance Program are set forth in Schedule "1" of Bylaws 1L2020 (Attachment 1) and 2L2020 (Attachment 2). The one year levy will be assessed in 2021.

Current and Future Capital Budget:

There are no capital budget implications.

Risk Assessment

There are no significant risks associated with the Local Improvement Bylaws 1L2020 and 2L2020.

REASON(S) FOR RECOMMENDATION(S):

Enhanced Mall Maintenance along Stephen Avenue Mall and Barclay Mall contributes to the vitality of the downtown core by fostering accessible and inviting public spaces that support local businesses and encourage sustainable modes of transportation such as walking.

ATTACHMENT(S)

1. Attachment 1 – Proposed Local Improvement Bylaw No. 1L2020 of The City of Calgary
2. Attachment 2 – Proposed Local Improvement Bylaw No. 2L2020 of The City of Calgary

PROPOSED

C2020-0239
ATTACHMENT 1

BYLAW NUMBER 1L2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AUTHORIZE:
THE ENHANCED MAINTENANCE OF
STEPHEN AVENUE MALL TO BE UNDERTAKEN
AS A LOCAL IMPROVEMENT DURING THE
CALENDAR YEAR 2020;
AND THE LEVYING OF A SPECIAL
ASSESSMENT IN 2021 AGAINST THE
BENEFITTING PROPERTIES**

WHEREAS the council of a municipality may on its own initiative propose a local improvement pursuant to Section 393 of the Municipal Government Act R.S.A. 2000 c. M-26 ("the Act");

AND WHEREAS the Council of The City of Calgary ("Council") wishes to undertake the enhanced maintenance of Stephen Avenue Mall as a local improvement, including but not limited to the supply of light and electricity, snow removal, street and fixture cleaning and related maintenance operations; and has agreed to bear part of the cost thereof;

AND WHEREAS Council must pass a local improvement tax bylaw in respect of each local improvement pursuant to Section 397 of the Act;

AND WHEREAS Council is authorized to impose a local improvement tax on all of the land in a particular area of a municipality to raise revenue for the local improvement that benefits that area of the municipality;

AND WHEREAS Council requires that The City of Calgary ("The City") bear part of the cost of the said local improvement pursuant to Section 405 of the Act;

AND WHEREAS a proper Notice has been mailed which described the particulars of the proposed local improvement tax to be levied therefore, pursuant to Section 396 of the Act;

AND WHEREAS The City will carry out the enhanced operation and maintenance of the said Stephen Avenue Mall, as described in the attached Schedule "1" to this Bylaw, during the calendar year 2020;

AND WHEREAS it has been estimated that the total 2020 cost of the enhanced operation and maintenance of the Stephen Avenue Mall as a local improvement, as described in the attached Schedule "1," is \$354,092 a portion of which cost shall be recovered on each unit of frontage pursuant to Section 395 of the Act;

AND WHEREAS the life of the improvement and the tax is equal to one (1) year;

PROPOSED

BYLAW NUMBER 1L2020

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The proper officers of The City are hereby authorized to oversee the enhanced maintenance and operation of the Stephen Avenue Mall as a local improvement in 2020 as set forth in the attached Schedule "1", and to levy a local improvement tax in 2021 based on the actual enhanced mall maintenance cost for 2020, against the properties appearing in the attached Schedule "1".
2. There shall be levied against each parcel benefitting from the said local improvement, a local improvement tax, being the cost of that improvement over a period of one (1) year, computed by dividing the cost of the work by the total linear metres in the property fronting the affected area, with The City bearing fifty percent (50%) of the cost. The persons liable to pay the local improvement tax to be imposed are the owners of the parcels of land in respect of which the local improvement tax is imposed.
3. The attached Schedule "1" is hereby declared to form part of this Bylaw.
4. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

SCHEDULE "1 "

BYLAW NUMBER 1L2020

THE CITY OF CALGARY

LOCAL IMPROVEMENT BYLAW 1L2020

INDEX OF INITIATION/WITHDRAWAL CODES (I/W)

1. PROJECT INITIATED AT REQUEST OF ADMINISTRATION

INDEX OF SPECIAL ASSESSMENT CODES (S.A.)

1. COST PROJECT
2. COST SHARED COMMERCIAL PROJECT: 50% PROPERTY OWNER - 50% CITY SHARE

NOTES APPLICABLE TO 2020 LOCAL IMPROVEMENT PROJECTS

- INTEREST RATE FACTOR 15 YEARS AT 0% = (APPLICABLE TO UNIFORM TAX RATE PROJECTS ONLY)
- FORMULA FOR DETERMINING ASSESSABLE FRONTAGE OF IRREGULAR SHAPED LOTS:
SHORTEST WIDTH + (35% X (LONGEST WIDTH - SHORTEST WIDTH) EXCEPT FOR 'COST' TYPE
PROJECTS WHICH WILL USE ACTUAL FRONTAGE MEASUREMENTS

PROPOSED

BYLAW NUMBER 1L2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 1L2020

PROJECT NUMBER

I/W S.A. WARD
Code Code NO.

LOCATION DESCRIPTION

TOTAL EST.
CONSTRUCTION
COST

ASSESSABLE
METRE
FRONTAGE FLANKAGE

EST. PROPERTY
PAYOUT RATE
(PER METRE)

EST. PROPERTY
SHARE
(EXCL. INT.)

EST. CITY
SHARE
(EXCL. INT.)

SCHEDULE 1

Mall Maintenance

(PROGRAM 132)

2019-800-001 1	07 1/2	BOTH SIDES OF STEPHEN (8TH) AVENUE MALL FROM 1 STREET SE TO 4 STREET SW - 2020 MAINTENANCE	354,092.00	1,361.39	0.00	130.05	177,046.00	177,046.00
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TOTAL

354,092.00	1,361.39	0.00	177,046.00	177,046.00
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GRAND TOTAL

354,092.00	1,361.39	0.00	177,046.00	177,046.00
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PROPOSED

BYLAW NUMBER 1L2020

THE CITY OF CALGARY
LOCAL IMPROVEMENT BYLAW 1L2020
FINANCING SUMMARY

TOTAL LOCAL IMPROVEMENT FINANCING REQUIRED FOR

ESTIMATED PROPERTY OWNERS SHARE	177,046.00
ESTIMATED CITY SHARE	177,046.00
ESTIMATED TOTAL CONSTRUCTION COST	354,092.00
ESTIMATED TOTAL LEVY AUTHORIZED BYLAW NO. 1L2020	177,046.00

PROPOSED

C2020-0239
ATTACHMENT 2

BYLAW NUMBER 2L2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AUTHORIZE:
THE ENHANCED MAINTENANCE OF
BARCLAY MALL TO BE UNDERTAKEN AS A
LOCAL IMPROVEMENT DURING THE
CALENDAR YEAR 2020; AND THE LEVYING OF
A SPECIAL ASSESSMENT IN 2021
AGAINST THE BENEFITTING PROPERTIES.**

WHEREAS the council of a municipality may on its own initiative propose a local improvement pursuant to Section 393 of the Municipal Government Act R.S.A. 2000 c. M-26 ("the Act");

AND WHEREAS the Council of The City of Calgary ("Council") wishes to undertake the enhanced maintenance of Barclay Mall as a local improvement, including but not limited to the supply of light and electricity, snow removal, street and fixture cleaning and related maintenance operations; and has agreed to bear part of the cost thereof;

AND WHEREAS Council must pass a local improvement tax bylaw in respect of each local improvement pursuant to Section 397 of the Act;

AND WHEREAS Council is authorized to impose a local improvement tax on all of the land in a particular area of a municipality to raise revenue for the local improvement that benefits that area of the municipality;

AND WHEREAS Council requires that The City of Calgary ("The City") bear part of the cost of the said local improvement pursuant to Section 405 of the Act;

AND WHEREAS a proper Notice has been mailed which described the particulars of the proposed local improvement tax to be levied therefore, pursuant to Section 396 of the Act;

AND WHEREAS The City will carry out the enhanced operation and maintenance of the said Barclay Mall, as described in the attached Schedule "1" to this Bylaw, during the calendar year 2020;

AND WHEREAS it has been estimated that the total 2020 cost of the enhanced operation and maintenance of the Barclay Mall as a local improvement, as described in the attached Schedule "1," is \$219,486 a portion of which cost shall be recovered on each unit of frontage pursuant to Section 395 of the Act;

AND WHEREAS the life of the improvement and the tax is equal to one (1) year;

PROPOSED

BYLAW NUMBER 2L2020

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. The proper officers of The City are hereby authorized to oversee the enhanced maintenance and operation of the Barclay Mall as a local improvement in 2020 as set forth in the attached Schedule "1", and to levy a local improvement tax in 2021 based on the actual enhanced mall maintenance cost for 2020, against the properties appearing in the attached Schedule "1".
2. There shall be levied against each parcel benefitting from the said local improvement, a local improvement tax, being the cost of that improvement over a period of one (1) year, computed by dividing the cost of the work by the total linear metres in the property fronting the affected area, with The City bearing fifty percent (50%) of the cost. The persons liable to pay the local improvement tax to be imposed are the owners of the parcels of land in respect of which the local improvement tax is imposed.
3. The attached Schedule "1" is hereby declared to form part of this Bylaw.
4. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PROPOSED

BYLAW NUMBER 2L2020

SCHEDULE "1"

THE CITY OF CALGARY

LOCAL IMPROVEMENT BYLAW 2L2020

INDEX OF INITIATION/WITHDRAWAL CODES (I/W)

1. PROJECT INITIATED AT REQUEST OF ADMINISTRATION

INDEX OF SPECIAL ASSESSMENT CODES (S.A.)

1. COST PROJECT
2. COST SHARED COMMERCIAL PROJECT: 50% PROPERTY OWNER - 50% CITY SHARE

NOTES APPLICABLE TO 2020 LOCAL IMPROVEMENT PROJECTS

- INTEREST RATE FACTOR 15 YEARS AT 0% = (APPLICABLE TO UNIFORM TAX RATE PROJECTS ONLY)
- FORMULA FOR DETERMINING ASSESSABLE FRONTAGE OF IRREGULAR SHAPED LOTS:
SHORTEST WIDTH + (35% X (LONGEST WIDTH - SHORTEST WIDTH) EXCEPT FOR 'COST' TYPE
PROJECTS WHICH WILL USE ACTUAL FRONTAGE MEASUREMENTS

PROPOSED

BYLAW NUMBER 2L2020

THE CITY OF CALGARY LOCAL IMPROVEMENT BYLAW 2L2020

PROJECT NUMBER

I/W
Code

S.A.
Code

WARD
NO.

LOCATION DESCRIPTION

TOTAL EST.
CONSTRUCTION
COST

ASSESSABLE
METRE

FRONTAGE

FLANKAGE

EST. PROPERTY
PAYOUT RATE
(PER METRE)

EST.PROPERTY
SHARE
(EXCL. INT.)

EST.CITY
SHARE
(EXCL. INT.)

SCHEDULE 1

Mall Maintenance

(PROGRAM 132)

2019-800-002 1	07 1/2	BOTH SIDES OF BARCLAY MALL (3 STREET SW) FROM NORTH PROPERTY LINE OF 255 BARCLAY PARADE SW TO 9 AVENUE SW - 2020 MAINTENANCE	219,486.00	1,313.04	0.00	83.58	109,743.00	109,743.00
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TOTAL

219,486.00

1,313.04

0.00

109,743.00

109,743.00

GRAND TOTAL

219,486.00

1,313.04

0.00

109,743.00

109,743.00

PROPOSED

BYLAW NUMBER 2L2020

**THE CITY OF CALGARY
LOCAL IMPROVEMENT BYLAW 2L2020
FINANCING SUMMARY**

TOTAL LOCAL IMPROVEMENT FINANCING REQUIRED FOR

ESTIMATED PROPERTY OWNERS SHARE	109,743.00
ESTIMATED CITY SHARE	109,743.00
ESTIMATED TOTAL CONSTRUCTION COST	219,486.00
ESTIMATED TOTAL LEVY AUTHORIZED BYLAW NO. 2L2020	109,743.00

**City Clerk's Office Report to
Combined Meeting of Council
2020 March 16**

**ISC: UNRESTRICTED
C2020-0299
Page 1 of 4**

Calgary Police Commission – Resignation and Appointment

EXECUTIVE SUMMARY

Two vacancies exist on the Calgary Police Commission (CPC) as a result of recent resignations. This report fulfills the requirement to make appointments which align with the composition and quorum guidelines defined in Bylaw 25M97, the Police Commission Bylaw.

During preparation of this resignation and appointment report, it was determined that the existing Council Policy CC045, *Code of Conduct for Citizen Members Appointed to Council Established Boards, Commissions and Committees* (the Code of Conduct policy), may not expressly apply to citizen members of the Calgary Police Commission. The report recommends a course of action to address this potential governance gap.

ADMINISTRATION RECOMMENDATIONS:

Review By: 2045 March 15, Attachments 2 and 3

That Council:

1. Thank Kathy Bolton and Jennifer Forrest for their service on the Calgary Police Commission;
2. Appoint the individuals recommended in Attachment 2 as public members to the Calgary Police Commission, subject to the successful mandatory Calgary Police Service enhanced security clearance, each for the completion of a two-year term expiring on 2021 October 31;
3. Direct that Administration return to Council as soon as possible to announce the appointments, pending the results of the Calgary Police Service enhanced security clearances. Further, if the results of the security clearances are not received by the 2020 April 06 meeting of Council, authorize the Police Commission to announce Council's appointments;
4. Expressly include current and future citizen members of the Police Commission in the requirement to sign a declaration and abide by CC045, the Code of Conduct for Citizen Members;
5. Direct that Administration bring forward amendments as soon as possible to Council Policy CC045 (Code of Conduct for Citizen Members Appointed to Council-established Boards, Commissions and Committees) to expressly include the Police Commission in the policy's applicability; and
6. Direct that Attachments 2 and 3 remain confidential pursuant to Sections 17 (Disclosure harmful to personal privacy) and 19 (Confidential evaluations) of the *Freedom of Information and Protection of Privacy Act*, to be reviewed by 2045 March 15.

Calgary Police Commission - Resignation and Appointment

PREVIOUS COUNCIL DIRECTION / POLICY

The *Police Act*, R.S.A. 2000, c. P-17, provides that a Council which has a municipal police service shall establish a police commission. Sections 28(2)(a) and (b) of the *Police Act* state that a Council that has established a commission shall, subject to the regulations, prescribe the rules governing the operations of the commission and appoint the members of the commission.

BACKGROUND

Section 4 of Bylaw 25M97, the Police Commission Bylaw, states:

- “(1) Where a vacancy occurs in the membership of the Commission by any reason other than the expiration of the term for which the Member was appointed, Council shall appoint a successor to fill the vacancy for the remainder of the vacating Member's term.
(2) Where, for any reason, a vacancy occurs Council shall fill the vacancy within 60 days from the date Council is notified that the vacancy has occurred.”

On January 13, 2020, Council was notified of the following resignations from the Calgary Police Commission:

- Kathy Bolton, effective date January 13, 2020; and
- Jennifer Forrest, effective date February 10, 2020.

Both terms were set to expire on October 31, 2021.

No Reserve List exists for the Calgary Police Commission. CPC, in consultation with the City Clerk's Office, determined what gaps in Member qualifications would exist as a result of the resignations. There were insufficient applicants remaining from the 2019 summer recruitment, with the specific skills and experience identified, and it was determined that a short recruitment and advertising campaign would be conducted to fill the vacancies. The recruitment campaign was launched from 2020 February 4 -18 and was successful in generating a qualified candidate pool. Applications received in the recruitment were forwarded to the CPC, along with remaining qualified applicants from the Summer 2019 recruitment campaign. The Commission conducted interviews and Attachment 2 of this report contains the recommendations of the Police Commission to fill both vacancies.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Resignation and Appointment

The February recruitment strategy was designed to reach a targeted audience of residents of Calgary with proven professional experience in the following areas: executive level expertise in finance/accounting/financial stewardship; expertise in criminal justice or criminal law; board governance through a designation or other training experience. The campaign included various free online recruitment channels (Calgary.ca, CFA Institute, CPA Alberta, Women Get on Board, Volunteer Connector, Institute of Corporate Directors and Women on Boards), paid social media ads (LinkedIn) and organic methods (targeted emails, word-of-mouth). Video, print, and out-of-home ads were not utilized given the timeframe for this recruitment.

The February recruitment campaign met its objectives, and leveraged opportunities to reduce costs. The campaign generated a total of 1,634 pageviews and 39 applications for two

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Calgary Police Commission - Resignation and Appointment

vacancies. The cost of the targeted LinkedIn ads was \$500 and it delivered 17,719 impressions and 928 clicks, resulting in over 90% of all ad impressions for the campaign.

Code of Conduct for Citizen Members

The Code of Conduct policy for citizen members came into effect in December 2014. Since creation of the policy, the City Clerk's Office has requested that new citizen members (including Police Commission members) receive the code of conduct and sign a form which acknowledges they have read, understood and agree to adhere to the standards in the code of conduct (A "declaration" form). However, the definition for BCCs in the Code of Conduct policy is "a Council Board, Commission, Committee or other body established by The City of Calgary Council under the *Municipal Government Act* RSA 2000, c M-26 (MGA)". The Calgary Police Commission may not meet this definition, as the authority to form a police commission is granted under the *Police Act*, not the MGA.

To address this gap, Administration is recommending that the Calgary Police Commission be expressly included in the Code of Conduct policy.

Stakeholder Engagement, Research and Communication

The City Clerk's Office worked closely with Customer Service and Communications and the Calgary Police Commission in the preparation of a campaign intended to fill existing skill gaps in membership.

Strategic Alignment

This report aligns with One Calgary's citizen priority: A Well-Run City (*One Calgary* 2019-2022).

Social, Environmental, Economic (External)

This recruitment campaign considered gender equity and inclusion strategies while complying with legislated timeframe for filling vacancies.

No environmental or external economic impacts were identified.

Financial Capacity

Current and Future Operating Budget:

The cost of running the described recruitment campaign advertising was \$500.

Current and Future Capital Budget:

There are no current and future capital budget impacts.

Risk Assessment

Bylaw 25M97, the Calgary Police Commission Bylaw, provides that "Where, for any reason, a vacancy occurs Council shall fill the vacancy within 60 days from the date Council is notified that the vacancy has occurred." 60 days for the first vacancy would occur on 2020 March 13, and on 2020 April 9 for the second vacancy. Vacancies remaining longer than 60 days oblige the Commission to operate with nine members, which may impact performance over time.

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Calgary Police Commission - Resignation and Appointment

A code of conduct establishes minimum standards of conduct expected of all citizen members, and provides guidance with respect to conflicts of the interest, confidentiality, conduct during meetings, political activity and elections, acceptance/disclosure of gifts, and reporting of breaches. Without an code of conduct, citizen members and the Police Commission may experience lack of clarity in expectations and authority.

REASON FOR RECOMMENDATION:

Membership on the Calgary Police Commission of up to 11 citizens is required to align with the composition and quorum requirements defined in Bylaw 25M97, the Calgary Police Commission Bylaw.

Amending the Code of Conduct policy will provide clarity with regard to policy applicability, authority and processes related to conduct.

ATTACHMENTS

1. Calgary Police Commission Composition
2. Candidate Recommendations of the Calgary Police Commission (confidential)
3. Public Members Applications (confidential)

Calgary



Boards, Commissions & Committees

Calgary Police Commission



Bylaw

- Mandate:**
- General oversight of the Calgary Police Service
 - Establish policies for efficient and effective policing
 - Appoint the Chief of Police, subject to ratification by Council of employment contract
 - Prepare estimates of monies required for the fiscal year and yearly plan to be submitted to Council for approval
 - Monitor the police complaints process

Composition: 2 Members who may be members of Council or municipal employees
9 Residents of the City

Current and former employees of the Calgary Police Service, including sworn and civilian, shall not be appointed to the Commission.
A Councillor may be a Member of the Police Commission only so long as they remain a Councillor.

Term: 2 year terms. Staggering of terms took place in 2001. Appointments are effective November 1 to October 31.

A Member of a the Police Commission is eligible for reappointment if the reappointment does not result in more than 10 consecutive years of service by that member. (Police Act RSA 2010, Ch. 21)

Any vacancies shall be filled for the balance of that term within 60 days from the date Council is notified that the vacancy has occurred to ensure continuity.

Term Expiry
Month: October

Meetings: **Meetings Monthly (except April, August, and December)**

Day:

Time:

Location: Primary Rocky Mountain Plaza

Quorum: 5

Resource Staff: Spicer, Heather (403-428-8914)

Administrative Heather Spicer (Executive Director)

Contact: Calgary Police Commission
650-615 MacLeod Trail SE
Calgary AB T2G 4T8
Bus: 403-428-8914
E-mail: HSpicer@calgarypolicecommission.ca

Reports To: City Council (The Police Commission liaises directly with Council)

Website: [Calgary Police Commission](#)

Notes: Calgary Police Service security checks are carried out on potential members prior to appointment.

Chair	Vice Chair	Member	Role	Current Appointment	Expiry Year
		Shawn Cornett	Resident of the City	2019	2021
x		Bonita Croft	Resident of the City	2018	2020
		Marco De Iaco	Resident of the City	2019	2020
		Marilyn North Peigan	Resident of the City	2017	2021
		Amtul Siddiqui	Resident of the City	2019	2021
	x	Richard Sigurdson	Resident of the City	2016	2020
		Tongjie Zhang	Resident of the City	2018	2020
		Councillor Jeromy Farkas	Member of Council	2019	2020
		Councillor Jyoti Gondek	Member of Council	2017	2021
		{Vacant}	Resident of the City	0	N/A
		{Vacant}	Resident of the City	0	N/A

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Proposed Encroachment Bylaw to Replace Encroachment Policy CS008

EXECUTIVE SUMMARY

On 2019 July 29, through UCS2019-0914, Administration provided an update to Council on its review of the Council approved corporate Encroachment Policy CS008 (the "Encroachment Policy"). The update included Administration's recommendation to replace the Encroachment Policy with a proposed Encroachment Bylaw. Replacing the Encroachment Policy with a proposed Encroachment Bylaw will enable The City of Calgary ("The City") to: authorize more minor encroachments on certain City-owned land, streets and easements; better ensure utility provider and City infrastructure access, safety and service delivery; better ensure public access to and enjoyment of lands intended for public use, such as City parks; better position Administration to enforce its encroachment rules and regulations; and align Calgary with the practices of other comparable municipalities in Canada. For clarity, generally speaking a minor encroachment can be defined as an encroachment that does not adversely affect The City's or a utility provider's ability to access, maintain and provide safe and effective services to the citizens of Calgary; and an encroachment that does not restrict public access to and enjoyment of lands intended for public use, such as City parks. Administration's recommendations in UCS2019-0914 were approved by Council.

On 2020 February 10, through report ALT2020-0162, Administrative Leadership Team approved Administration's recommendations by endorsing the rescindment of the Encroachment Policy and directing that the proposed Encroachment Bylaw go to Council for three readings through the SPC on Utilities and Corporate Services.

Through this report, Administration is seeking Council approval to rescind Encroachment Policy CS008 and replace it with the proposed Encroachment Bylaw shown in Attachment 1.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Utilities and Corporate Services recommends that Council:

1. Give three readings to the proposed Encroachment Bylaw (Attachment 1); and
2. Rescind Encroachment Policy CS008 (Attachment 2).

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON UTILITIES AND CORPORATE SERVICES:

That Council adopt the Administration Recommendations contained in Report UCS2020-0228.

1. Give three readings to the Proposed Encroachment Bylaw **9M2020** (Attachment 1); and
2. Rescind Encroachment Policy CS008 (Attachment 2).

PREVIOUS COUNCIL DIRECTION / POLICY

On 2019 July 29, Council approved UCS2019-0914 – Encroachment Policy CS008 Review – Update and directed Administration to firstly, prepare and bring forward a proposed Encroachment Bylaw to Council for three readings through the SPC on Utilities and Corporate Services and the Administrative Leadership Team to replace Encroachment Policy CS008 by Q4 2019; and secondly, to amend other City Bylaws, as required, that contain rules around

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encroachments on City-owned land, rights-of-way and easements to align with the proposed Encroachment Bylaw by Q4 2019, which were both deferred at the request of Administration to Q1 2020.

At the 2017 July 31 Combined Meeting of Council, Council carried an Administrative Inquiry regarding an Encroachment Policy Amendment Request.

The current Encroachment Policy CS008 was approved by Council effective 1996 July 01 and amended 1998 February 23.

BACKGROUND

In 2019, Administration initiated a review of the Encroachment Policy to align with Council Policy Program CC046. The review had three primary objectives: to ensure the Encroachment Policy aligned with current business practices and standards, to ensure policy alignment with municipal best practices and to look for opportunities to improve the policy. As a result of the policy review findings, Administration brought forward an update report to Council on 2019 July 29 with a recommendation to replace the current Encroachment Policy with a proposed Encroachment Bylaw. Administration identified two major opportunities resulting from the replacement of the Encroachment Policy with a proposed Encroachment Bylaw. These opportunities include an opportunity for The City to authorize more minor encroachments on certain City-owned land, streets and easements, and the opportunity to better position The City to enforce its encroachment rules and regulations. In addition, the proposed Encroachment Bylaw will better ensure utility provider and City infrastructure access, safety and service delivery, and public access to and enjoyment of lands intended for public use, such as City parks.

Through this report, Administration is seeking Council approval to rescind Encroachment Policy CS008 and replace it with the proposed Encroachment Bylaw shown in Attachment 1.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

To ensure consistency in enforcement of encroachments across The City, Administration has prepared the proposed Encroachment Bylaw, shown in Attachment 1, which covers encroachments onto all City-owned land, streets and easements (including utility rights-of-way and overland drainage easements). The proposed Encroachment Bylaw will be supported by a set of proposed Encroachment Guidelines (the "Guidelines"), shown in Attachment 3, and the proposed Application and Encroachment Fee Schedule (the "Fee Schedule"), shown in Attachment 4. The proposed Guidelines and Fee Schedule were prepared by Real Estate & Development Services in order to guide its decision making with respect to encroachments onto City-owned land, streets and easements. If the proposed Encroachment Bylaw is approved, the proposed Guidelines and Fee Schedule will come into effect immediately.

A number of improvements were made to The City's encroachment rules within the proposed Encroachment Bylaw, Guidelines, and Fee Schedule. The key features of each have been summarized below.

Proposed Encroachment Bylaw:

The proposed Bylaw:

- Will enable The City to approve more minor encroachments onto certain City-owned land, streets and easements. The current Encroachment Policy does not permit new

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encroachments onto City-owned land, streets or easements that were constructed after the policy went into effect on 1996 July 01; the proposed Encroachment Bylaw will eliminate this restriction;

- Will increase The City's ability to enforce its encroachment rules and regulations. For example, the proposed Encroachment Bylaw will require every citizen who is encroaching onto City-owned land, streets or easements to formalize the encroachment with The City or remove the encroachment. While this is currently a requirement of the Encroachment Policy, the difference in the proposed Encroachment Bylaw is that if a person refuses to comply with any requirement under the Bylaw, their refusal would be considered an offence and subject to Bylaw enforcement action, including fines and remedial orders;
- Aligns with the practices of other comparable cities in Canada who have their encroachment rules contained within city bylaws including, but not limited to, the cities of Edmonton, Ottawa, Toronto and Vancouver;
- Includes consequential amendments to Parks and Pathways Bylaw 11M2019, Streets Bylaw 20M88 and Real Property Bylaw 52M2009 to ensure alignment with these City bylaws; and
- Will enable the Manager, Land & Asset Management to establish the Guidelines and the Fee Schedule, and to update these documents as necessary from time to time. This proposed authority aligns with the current delegation authorities granted to the Manager, Land & Asset Management with respect to encroachments within Real Property Bylaw 52M2009. This is a major benefit to The City as it enables Administration to more readily respond to the changing needs of not only City business units and utility providers, but also the citizens of Calgary.

Encroachment Guidelines:

The proposed Guidelines are a public facing document that will be used by the Encroachment's team in Real Estate & Development Services to guide its decisions with respect to encroachments onto City-owned land, streets and easements. The Guidelines have been written in consultation with all affected City business units and internal and external utility providers. The Guidelines have been written in plain language, to make it easier for both Administration and citizens to understand The City's encroachment rules and regulations. The Guidelines largely mirror the guidelines set out in the current Encroachment Policy and are consistent with current business practices and standards. The major difference between the proposed Guidelines and the current Encroachment Policy is that The City will now consider certain new minor encroachments onto City-owned land, streets and easements for approval.

Under the proposed Encroachment Bylaw, the Manager, Land & Asset Management will have the authority to approve and update both the proposed Guidelines and Fee Schedule from time to time as required. As previously mentioned, this proposed authority aligns with the current delegation authorities granted to the Manager, Land & Asset Management with respect to encroachments within Real Property Bylaw 52M2009.

Key features of the proposed Guidelines include:

- Ensuring that encroachments do not adversely affect The City's or a utility provider's ability to access, maintain and provide safe and effective services to the citizens of Calgary;

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- Ensuring that encroachments do not restrict public access to and enjoyment of lands intended for public use, such as City parks;
- Identifying how Administration will handle encroachments into different types of City properties and interests such as encroachments into parks, non-park land, streets, utility rights-of-way, overland drainage easements, and other easements;
- Identifying which encroachments require engagement with (circulation to) City business units and utility providers for approval, and which minor encroachments can be authorized by Real Estate & Development Services without circulation;
- Outlining the Fee Schedule, how total fees are calculated and where citizens can find an up to date Fee Schedule; and
- Identifying how the encroachment rules will be enforced and how Administration will handle complaints.

Application and Encroachment Fees:

The City's encroachment fees were last set in 1996 and have not changed in over twenty years. The current fees for City encroachment agreements fall into one of three categories:

1. Schedule "A" encroachments which cost \$35 plus GST:
 - Schedule "A" encroachments represent the most minor types of encroachments into a City street or utility right of way; for example a fence enclosure encroaching into a street by less than 0.34m. Administration's review and approval of Schedule "A" encroachment applications typically does not require consultation with (circulation to) other City business units and/or utility providers.
2. Schedule "B" encroachments which cost \$200 plus GST:
 - Schedule "B" encroachments represent a few specific types of encroachments into a City street or utility right of way, such as minor eave and building footing encroachments. Schedule "B" encroachments represent a small percentage of the encroachment applications Administration reviews and approves.
3. Schedule "C" with approved circulation encroachments which cost \$500 plus GST:
 - Schedule "C" encroachments represent all other types of encroachments that do not fall into the category of Schedule "A" or "B" encroachments. Administration's review and approval of Schedule "C" encroachments requires consultation with (circulation to) other City business units and/or utility providers.

Schedule "A" and Schedule "C" encroachments represent the most frequent types of encroachments The City approves. There are a couple important facts to note with respect to The City's current practice pertaining to both Schedule "A" and Schedule "C" encroachments.

With respect to Schedule "A" encroachments, The City historically has not charged a fee for Schedule "A" encroachments. As the Encroachment's team is a full cost recovery section within our business unit, Administration relies upon fees to cover staff salary and wages and all other administrative costs for the section. Administration is proposing to introduce a fee for Schedule "A" encroachments in order to ensure we are recovering our cost to review and approve these types of encroachments.

With respect to Schedule "C" encroachments, The City has charged a flat fee of \$500 plus GST, regardless of the type or extent of the encroachment, since the Encroachment Policy went into effect in 1996. This means that someone who has a fence encroaching by several metres into

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City-owned land or a street has been paying the same encroachment fee as someone who is encroaching by just over a foot into the same. This is an inequity that Administration is proposing to change by increasing our encroachment fees where encroachments are greater than one (1) metre into City-owned land (non-park land) or streets. This practice is consistent with the practices of other municipalities including, but not limited to, the cities of Edmonton, Ottawa, Toronto and Vancouver whose fees are based on the type and extent of the encroachment.

In addition to the proposed changes mentioned above, Administration is proposing a few more changes to our encroachment fee structure including:

- Dividing encroachment fees into application fees and encroachment fees. The application fee represents the staff time and cost to review and approve encroachment applications; and the encroachment fee represents the cost to citizens to use and occupy City-owned land, streets and easements for private encroachments. Total fees are calculated as the application fee plus the encroachment fee plus GST and any applicable municipal property taxes. This proposed re-structuring of fees aligns with the practices of other comparable municipalities including, but not limited to, the cities of Edmonton, Ottawa, Toronto and Vancouver;
- Eliminating the encroachment fee for encroachments constructed before the Encroachment Policy went into effect on 1996 July 01. To align with Council direction in its 2017 July 31 Administrative Inquiry with respect to an Encroachment Policy Amendment request, Administration is proposing to only charge an application fee with respect to applications for encroachments that existed prior to the Encroachment Policy being established on 1996 July 01. This will ensure that citizens who have pre-1996 July 01 encroachments are only paying for the cost of staff reviewing and approving an encroachment, not for the encroachment itself;
- Increasing the cost of encroachments for multi-family, commercial, retail and industrial property encroachments. We are proposing to increase the fees for these types of encroachments to account for the increased staff time and effort to review these types of encroachment applications, and to account for the often larger types of encroachments seen; and
- Adding of a fee for reviewing and approving withdrawal and discharge of City utility rights-of-way requests. Many of these requests originate out of our Encroachments section when owners want to seek approval from The City to discharge a City utility right-of-way off of their title to avoid having to enter into an encroachment agreement with The City. Currently staff are reviewing, circulating, approving and discharging these utility right-of-way agreements at no charge, however there is a cost that the business unit is absorbing. The cost includes the staff time to review and circulate the request to internal and external utility providers for approval, and the cost to prepare and register the discharge at the Alberta Land Titles Office. Administration is proposing to recover the costs of processing these types of requests.

The fees proposed in the Fee Schedule represent a very modest change from the current encroachment fees under the Encroachment Policy. Most of the fee increases are the result of a fee restructuring that will see owners with larger encroachments onto City-owned land, streets and easements paying more than an owner with a smaller encroachment.

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Stakeholder Engagement, Research and Communication

Administration researched the encroachment practices of several other comparable municipalities in Canada including, but not limited to, the cities of Edmonton, Ottawa, Toronto and Vancouver. Through the municipal best practice review, it was determined that all major cities reviewed had their encroachment rules and regulations contained within a city bylaw and had the ability to fine individuals for non-compliance of encroachment rules and regulations.

To date, Administration has also engaged multiple City business units including: Legal Services, Calgary Parks, Water Resources – Development Approvals, Calgary Roads, Water Services – Drainage, Calgary Building Services – Customer Advisory Services, Bylaw Services and City Clerks; and two external stakeholders: Enmax Power Corporation and ATCO Gas Ltd. on proposed changes to the Encroachment Policy. No internal City business unit stakeholders identified issues with Administration's recommendation to replace the Encroachment Policy with a proposed Encroachment Bylaw. External stakeholders were consulted on proposed changes to Encroachment Policy, not on Administration's recommendation to replace the Encroachment Policy with a proposed Encroachment Bylaw. All internal and external stakeholders had an opportunity to provide feedback on the proposed Guidelines. Where feedback was received, Administration worked with stakeholders to update the Guidelines accordingly.

If Administration's recommendations are approved, upon replacement of the Encroachment Policy with proposed Encroachment Bylaw, Administration will work with Communications staff to establish a plan to engage citizens and inform them of changes to The City's Encroachment Policy. This would include updates to The City's external website content and may also include further engagement with citizens through other means. Any encroachment applications received before the passing of the proposed Encroachment Bylaw will be honoured at the fees set out in the Encroachment Policy, unless lower in the proposed Fee Schedule. In addition, citizens who are notified that they are required to submit an encroachment application prior to the passing of the proposed Encroachment Bylaw will have one year to submit an application and be eligible for the fees set out in the Encroachment Policy, unless lower in the proposed Fee Schedule.

Strategic Alignment

The proposed recommendations align with Council's priority to have a "well-run city" with an efficient municipal government. The recommendations will also enable Administration to "cut red tape" through a proposed Encroachment Bylaw that is clear, concise and supported by streamlined internal processes.

The proposed Encroachment Bylaw includes consequential amendments to Parks and Pathways Bylaw 11M2019, Streets Bylaw 20M88 and Real Property Bylaw 52M2009 to ensure alignment with these City bylaws.

The proposed Encroachment Bylaw aligns with the recently approved Guiding Principles and direction of the Corporate Land Strategy project. The proposed Encroachment Bylaw provides an implementation approach and the tools to manage specific land challenges:

- Citizen Value: Ensures City-owned land, streets and easements are managed well and continue to provide public benefits and long-term value for all Calgarians;

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- Transparent and Accountable Decision-making: Addresses the risks and liabilities to City land and operations in a transparent, fair and accountable manner; and
- Reliable and Flexible: Provides a consistent approach to protecting City property and interests, with flexibility to address varying types and impacts of encroachments.

Social, Environmental, Economic (External)

Social

Through improved enforcement measures, Administration will mitigate some of the risks associated with its desire to allow more minor encroachments on certain City-owned land, streets and easements. Improvement to The City's enforcement measures should also act as a deterrent to individuals who do not comply with encroachment rules and regulations and requests for removal of encroachments off of City land, streets and easements. In addition, the proposed Encroachment Bylaw will better ensure utility provider and City infrastructure access, safety and service delivery, and public access to and enjoyment of lands intended for public use, such as City parks.

Administration is dedicated to providing a citizen centric and business friendly single source of information for all City encroachment rules and regulations.

Environmental

No implications were identified.

Economic

Greater enforceability of encroachment rules and regulations will enable The City to better manage encroachments onto City-owned land, streets and easements.

An update to the structure of our encroachment fees will enable greater equity in the charging of fees to owners who are encroaching onto a City property or interest. An update to the encroachment fees will also ensure that Administration is covering the cost of reviewing, circulating and approving all applications for encroachments onto City-owned land, streets and easements.

Financial Capacity

Current and Future Operating Budget:

The Encroachments section in Real Estate & Development Services operates under a self-funded model whereby fees collected for encroachment agreement applications are used in support of staff and operating expenses. It is expected that the proposed Fee Schedule identified in Attachment 4 will result in yearly encroachment fee revenue remaining at least at the average levels seen in 2018 and 2019, assuming the number of applications received in future years is consistent with the numbers received in 2018 and 2019. Administration will review revenues each year to ensure we are recovering our costs and make adjustments to fees where necessary.

Current and Future Capital Budget:

Not applicable.

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Risk Assessment

If Administration's recommendations are approved, the risks associated with Administration's desire to allow more minor encroachments on certain City-owned land, streets and easements will be mitigated in part by a corresponding increase in The City's authority to enforce removal of encroachments through the proposed Encroachment Bylaw. The proposed Encroachment Bylaw should reduce the likelihood that encroachments cause issues with The City's or utility provider's ability to maintain and operate safe and effective services for the citizens of Calgary.

There is a risk that there will be opposition from the general public to increased authority around encroachment rules and regulations. To mitigate this risk, Administration will continue to work with Communications staff to ensure that citizens are provided with clear and consistent messaging and information with respect to encroachment rules, regulations and processes.

Additionally, there is a risk that increased application and encroachment fees for some owners will be unwelcome. Administration's collection of fees for encroachment agreement applications is required in order to support the self-funded model. In addition, changes to the fee structure will ensure that owners who have larger encroachments onto City-owned land and interests are paying a higher fee for the use of City-owned land and interests than owners with smaller encroachments into same.

If Administration's recommendations are not approved, Administration will proceed with the work required to update the Encroachment Policy. Without a City bylaw in place to enforce removal of encroachments off of all types of City-owned land and interests, there is a greater risk to The City of having to go through lengthy and costly legal proceedings to enforce encroachment removals, having reduced utility provider and City infrastructure access and safety, and having to undertake removal costs at The City's expense. There is also a risk of inconsistency in decision making and confusion amongst both citizens and City staff as encroachment rules and regulations will continue to be documented in multiple bylaws and a corporate Encroachment Policy.

REASON(S) FOR RECOMMENDATION(S):

Administration recommends rescinding Encroachment Policy CS008 and replacing it with the proposed Encroachment Bylaw shown in Attachment 1 to enable The City to authorize more minor encroachments on certain City-owned land, streets and easements, and better position Administration to enforce its encroachment rules and regulations. It will also align Calgary with the practices of other comparable municipalities.

ATTACHMENT(S)

1. **Attachment 1 – Proposed Bylaw 9M2020**
2. Attachment 2 – Encroachment Policy CS008
3. Attachment 3 – Proposed Encroachment Guidelines
4. Attachment 4 – Proposed Application and Encroachment Fees

PROPOSED

UCS2020-0228
ATTACHMENT 1

BYLAW NUMBER 9M2020

BEING A BYLAW OF THE CITY OF CALGARY REGARDING ENCROACHMENTS ONTO CITY-OWNED LAND, STREETS, AND EASEMENTS *****

WHEREAS Council considers it necessary to pass a bylaw establishing a framework for how encroachments onto City-owned land, streets, and easements will be addressed;

AND WHEREAS the Municipal Government Act, RSA 2000, c M-26, as amended, (the "Act") empowers municipalities to pass bylaws dealing with the use and management of its property, and prohibiting or regulating any development;

AND WHEREAS the *Act* empowers municipalities to pass bylaws providing for a system of permits or approvals for any development, and terms and conditions that may be imposed, establishing fees for such permits and approvals, and enforcement provisions;

AND WHEREAS section 651.2 of the *Act* empowers municipalities to permit encroachments onto a road by agreement;

AND WHEREAS section 72 of the Land Titles Act, RSA 2000, c L-4, permits the registration of encroachment agreements on the affected parcels of land;

AND WHEREAS The City recognizes its responsibility to the citizens of Calgary to maintain and operate effective and safe services and to enable public access to lands intended for public use and enjoyment;

AND WHEREAS The City recognizes the importance of upholding these responsibilities by effectively managing encroachments onto City-owned land, streets, and easements;

AND WHEREAS City-owned land, streets, and easements includes, among other things, boulevards, sidewalks, roads, bridges, alleyways, parkways, trails, lanes, utility-rights-of-way, overland drainage easements and titled parcels of land owned by The City of Calgary including, but not limited to, parks and reserve land;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

PART I GENERAL PROVISIONS

Short Title

1. This Bylaw may be cited as the "Encroachment Bylaw".

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Definitions

2. In this Bylaw, unless context otherwise requires, the term:

- (a) “*Act*” means the Municipal Government Act, RSA 2000, c M-26, as amended;
- (b) “*certificate of title*” means the record of the title to land that is maintained by the Registrar as defined in the Land Titles Act, RSA 2000, c L-4;
- (c) “*City*” means the municipal corporation of The City of Calgary or the area contained within the boundaries of Calgary, Alberta where the context so requires;
- (d) “*City-owned land*” means any land owned by the *City* for which a *certificate of title* has been obtained or any interest in land that vests in the *City* by virtue of the *Act* or other legislation and includes *park* or *reserve land*;
- (e) “*City property or interest*” means any of *City-owned land*, *street*, or *easement* and anything included in the definition of one of those terms;
- (f) “*developer fence*” means a *fence* installed under a subdivision development agreement which is usually of a consistent style and is continuous along two or more lots and includes a *fence* that provides a buffer from a major or higher standard road or is used to separate a parcel or parcels of land from a *park* or public open space;
- (g) “*Director, Calgary Parks*” has the same meaning as in the Parks and Pathways Bylaw 11M2019;
- (h) “*easement*” means any easement granted to the *City* for any purpose and includes *utility rights-of-way* and *overland drainage easements* and which are registered on a *certificate of title*, by a registered plan under the Land Titles Act, RSA 2000, c L-4 by description or by caveat and documented by an *easement* agreement;
- (i) “*encroachment*” means anything *placed* with a fixed location on the ground or attached to something having a fixed location on the ground that extends on, over, or under a *City property or interest*, including the immediate airspace, and includes, but is not limited to, the following:
 - i. improvements as defined in the Alberta Land Surveyors’ Association Manual of Standard Practice, 2019, as amended from time to time;
 - ii. buildings and all projections including eaves, cantilevers or similar and siding;
 - iii. sheds, including those attached to a dwelling or *fence*;
 - iv. *fences*;
 - v. asphalt, concrete or brick sidewalks, curbs, parking pads, driveway aprons or driveways;
 - vi. structures such as decks, stairs, patios, pergolas, gazebos or similar;

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- vii. extension of adjacent lands by fill;
 - viii. *walls*;
 - ix. swimming pools and hot tubs;
 - x. shrubs, hedges, trees or other organic landscape materials; and
 - xi. hard landscaping including, but not limited to, structures, fire pits, planters or similar;
- but does not include sound attenuation structures required by the *City*;
- (j) “*encroachment agreement*” means an encroachment agreement or license of occupation entered into pursuant to the Real Property Bylaw 52M2009 to approve an *encroachment* being *placed*;
 - (k) “*encroachment consent letter*” means a letter issued by the *City* to an *owner* consenting to an *encroachment* subject to the terms and conditions set out in the letter;
 - (l) “*fence*” means any barrier, railing, or upright structure typically made of wood, metal, or glass, that encloses an area or marks a boundary and includes a *developer fence* but does not include a *wall*;
 - (m) “*Manager, Land & Asset Management*” means the *City* employee appointed to the position of Manager, Land & Asset Management or that person’s designate;
 - (n) “*officer*” means a bylaw enforcement officer appointed pursuant to Bylaw 60M86, a peace officer appointed pursuant to the *Peace Officer Act*, SA 2006, c P-3.5, or a police officer under the *Police Act*, RSA 2000, c P-17;
 - (o) “*overland drainage easement*” means a *City easement* for the construction, operation, inspection, maintenance, repair and replacement of any facility or facilities for the drainage or control of storm water including, but not limited to:
 - i. a grass swale;
 - ii. a concrete or asphalt walkway, gutter, or swale;
 - iii. a drainage control *fence* or structure; and
 - iv. the sloping and contouring of land to facilitate the drainage or control of storm water;
 - (p) “*owner*” means a *person* shown as an owner of a property on a *certificate of title*, and, in relation to a specific *encroachment*, is the *person* whose property:
 - i. is encumbered by a *City property or interest* upon which the *encroachment* is *placed* in whole or in part;
 - ii. benefits from the *encroachment placed* upon an adjacent *City property or interest*; or

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- iii. the *encroachment* originates from;
- (q) “*park*” means a public space controlled by the *City* and set aside as a *park* to be used for rest, recreation, exercise, pleasure, amusement, cultural heritage, education, appreciation of nature, and enjoyment and includes:
 - i. playgrounds;
 - ii. cemeteries;
 - iii. natural areas;
 - iv. sports fields;
 - v. pathways;
 - vi. trails; and
 - vii. park roadways;but does not include golf courses;
- (r) “*person*” means an individual or a business entity including a firm, partnership, association, corporation or society;
- (s) “*place*” or “*placed*” means any type of action taken to construct, create, erect, or build, or cause to be constructed, created, erected, or built, a portion or all of an *encroachment* and includes any act of planting or gardening;
- (t) “*reserve land*” means any parcel designated as Municipal Reserve, Environmental Reserve, Municipal and School Reserve, School Reserve, Conservation Reserve or Community Services Reserve, as defined in the *Act*, or designated as “reserve” as defined by any former Planning Acts, including, but not limited to the former *The Planning Act* RSA 1970 c 276 and *The Planning Act* SA 1977 c 89 or noted as Community Reserve on a *certificate of title*;
- (u) “*restrictive covenant*” means an agreement that restricts the use or occupancy of a property;
- (v) “*sign*” means an inscribed board, bill, placard, poster, banner, flag or device which is intended to promote anything or inform anyone;
- (w) “*street*” means any thoroughfare, highway, road, roadway, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes sidewalks, ditches, and boulevards;
- (x) “*utility provider*” means the *City* or a third party utility provider that operates one or more of the following: water, sewer, electrical distribution and/or transmission lines, thermal or other energy services, telecommunication lines, shallow utilities,

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oil and natural gas lines, or transit infrastructure and who has authority to access and use a *utility right-of-way* to construct, install, maintain, repair, replace and operate its utility infrastructure pursuant to the Municipal Rights-of-Way Bylaw 17M2016 and/or pursuant to a *utility right-of-way agreement*;

- (y) “*utility right-of-way*” means a utility right-of-way that contains any *utility provider* lines, systems, infrastructure or other facilities relating to any one or more of the following, which is registered on the *certificate of title*, by a registered plan pursuant to the *Land Titles Act*, RSA 2000, c L-4 or by description and documented by a *utility right-of-way agreement* granted to the *City* for:
 - i. systems for the production or distribution of gas, whether artificial or natural;
 - ii. the distribution or transmission of electricity, telephone, cable, television or telecommunications;
 - iii. transit infrastructure;
 - iv. facilities for storage, transmission, treatment, distribution or supply of water;
 - v. facilities for the collection, treatment, movement or disposal of sanitary sewage, including but not limited to pipes, force mains, and pumping stations; and
 - vi. the drainage, collection, treatment, movement or disposal of storm water, including but not limited to collections devices, drainage swales, pipes, pumping stations, storm water ponds and wetlands, except those facilities within an *overland drainage easement*, that are regulated under Drainage Bylaw 37M2005;
- (z) “*utility right-of-way agreement*” means an agreement documenting a *utility right-of-way* granted to the *City* for the construction, installation, maintenance, repair, replacement and operation of a *utility provider’s* utility infrastructure;
- (aa) “*wall*” means both structural and non-structural walls including:
 - i. structural support walls, retaining walls or any other walls constructed for a purpose other than aesthetics; and
 - ii. decorative walls constructed of stone or other material erected for the sole purpose of providing a decorative and/or landscape feature;
- (bb) “*written authorization*” means an authorization provided in writing to approve an *encroachment* made by either:
 - i. the *Manager, Land & Asset Management* for *encroachments* onto *City-owned land, streets, or easements*; or

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ii. the *Director, Calgary Parks* for *encroachments* onto a *park*;

and includes, but is not limited to, an *encroachment agreement*, *encroachment consent letter*, or a stamped Real Property Report.

Interpretation

3. (1) Specific references to laws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
- (2) Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- (3) In this Bylaw, words in the singular include the plural and words in the plural include the singular.
- (4) Any word used in the definition of *street* in section 2 above and that is not defined in this Bylaw should be read as incorporating the definition of that word set out in the Street Bylaw 20M88.
- (5) In the event of conflict between a provision of this Bylaw and another *City* bylaw, the provision that is the most restrictive in relation to *encroachments* prevails.

Exclusions and Limitations

4. (1) This Bylaw applies to all *encroachments* which currently exist at the time this Bylaw is passed, regardless of when they were first *placed*, as well as all *encroachments placed* after this Bylaw is passed, except for the following which are excluded:
 - (a) *signs* onto a *City property or interest*;
 - (b) *encroachments* onto *restrictive covenants*.
- (2) Nothing in this Bylaw relieves a *person* from complying with any federal or provincial law, other *City* bylaw or any requirement of any lawful permit, order, restriction on a *certificate of title* or license.

PART II **PROHIBITIONS AGAINST ENCROACHMENTS**

5. (1) A *person* must not *place* or allow to be *placed* an *encroachment* onto a *City property or interest* without the *written authorization* of the *Manager, Land & Asset Management* in respect of that *encroachment*.

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- (2) Notwithstanding any other provision in this Bylaw, a *person* must not *place* or allow to be *placed* an *encroachment* onto *reserve land*.
- (3) Notwithstanding any other provision in this Bylaw, a *person* must not *place* or allow to be *placed* an *encroachment* onto a *park* without the *written authorization* of the *Director, Calgary Parks*.
- (4) An *owner* must not allow an *encroachment* to remain onto a *City property or interest, reserve land or park*, after receiving a removal notice pursuant to Part V.

PART III

MANAGER, LAND & ASSET MANAGEMENT AND DIRECTOR, CALGARY PARKS

Authority of Manager, Land & Asset Management

- 6. The *Manager, Land & Asset Management* may:
 - (a) provide *written authorization* for *encroachments* on such terms, conditions, and duration as the *Manager, Land & Asset Management* considers appropriate for the circumstances;
 - (b) decide what form of *written authorization* is appropriate for a particular *encroachment*; and
 - (c) issue rejection letters and removal notices pursuant to Part V of this Bylaw.
- 7. (1) The *Manager, Land & Asset Management* may approve *encroachment* guidelines that contain procedures and considerations for receiving and reviewing applications for *encroachments*, including:
 - (a) setting out the process and fees for receiving applications for *encroachments* and requirements for the form and content of the applications to be considered complete;
 - (b) specifying factors that may be considered in deciding whether to approve an application for an *encroachment*;
 - (c) setting the amount of one-time, daily, monthly, and/or annual fees or charges for *encroachments*;
 - (d) setting the standard form, terms, and conditions of an *encroachment* application and *written authorization*; and
 - (e) specifying the form and content of rejection letters and removal notices in response to applications for an *encroachment*.
- (2) The *Manager, Land & Asset Management* may amend or revoke all or any part of the *encroachment* guidelines at any time.

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8. The *Manager, Land & Asset Management* may consider the following when deciding whether to approve an application and issue *written authorization*:
 - (a) The interests of the *City* and the citizens of Calgary;
 - (b) Whether there is a reason to refuse as set out in section 13; and
 - (c) Any considerations listed in approved *encroachment* guidelines.
9. Nothing in this Part or any approved *encroachment* guidelines precludes the *Manager, Land & Asset Management* from including other terms and conditions, varying any standard terms and conditions, or modifying the form and content of a *written authorization*, in any particular case that in the Manager's opinion is necessary for the specific *encroachment* under consideration.
10. The *Manager, Land & Asset Management* may delegate any or all of the powers granted to the *Manager, Land & Asset Management* pursuant to this Bylaw at any time.

Authority of Director, Calgary Parks

11. (1) The *Director, Calgary Parks* may provide or terminate *written authorization* for an *encroachment* into *parks* on such terms, conditions and duration as the Director considers appropriate.
- (2) The *Director, Calgary Parks* may issue rejection letters and removal notices for an *encroachment* into *parks* pursuant to Part V of this Bylaw.
- (3) The *Director, Calgary Parks* may delegate any or all of the powers granted to the *Director, Calgary Parks* pursuant to this Bylaw at any time.

PART IV **RESPONSIBILITIES OF** **PERSONS PLACING ENCROACHMENTS**

12. (1) Any *person* who wishes to *place* an *encroachment* onto a *City property or interest* must file a completed application for an *encroachment* with the *Manager, Land & Asset Management*.
- (2) An *owner* must file a completed *encroachment* application with the *Manager, Land & Asset Management*.
- (3) An *owner* must comply with the terms and conditions of any *written authorization*.
- (4) An *owner* who receives a rejection letter must not *place* the *encroachment*, and if applicable, must remove any *encroachment* already *placed*, within thirty (30) days of receiving the letter.

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- (5) An *owner* who receives a notice of removal must remove the *encroachment* and restore the impacted area in accordance with the requirements and timeframe set out in the notice.
- (6) An *owner* who receives a rejection letter or removal notice must undertake any removal and restoration work at their sole cost and expense.

PART V

DENIAL OF APPLICATIONS, REMOVAL NOTICES, AND TERMINATION OF AGREEMENTS

Encroachment Application Refused

- 13. Notwithstanding anything in this Bylaw, the *Manager, Land & Asset Management* must refuse to approve an *encroachment* application and must issue a rejection letter if, in the Manager's opinion, the proposed or existing *encroachment*:
 - (a) interferes with the safety of the public, the *City* or a *utility provider*;
 - (b) interferes with the *City's* ability to access, maintain and operate services on the *City property or interest*;
 - (c) interferes with a *utility provider's* ability to access, maintain and operate its utility infrastructure on a *City property or interest*;
 - (d) interferes with the public's ability to access *City-owned land* intended for public use, for its use and enjoyment; or
 - (e) is not in the best interests of the *City* or the citizens of Calgary.
- 14.
 - (1) Where the *Manager, Land & Asset Management* denies an application for an *encroachment* after receiving a completed *encroachment* application the *Manager, Land & Asset Management* must issue the applicant a rejection letter.
 - (2) A rejection letter must include the *Manager, Land & Asset Management's* reasons for refusing the application.

Termination of Written Authorization

- 15. Where the *Manager, Land & Asset Management* or the *Director, Calgary Parks* has given notice that it is terminating a *written authorization* entered into under this Bylaw or an *encroachment agreement* or grandfathered *written authorization* entered into prior to this Bylaw being passed, the notice will be sent to the current *owner* and that *owner* must remove the *encroachment* within thirty (30) days.

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Notice of Removal

16. Where the *Manager, Land & Asset Management* or the *Director, Calgary Parks* believes that an *encroachment* exists that should be removed, either may issue a notice to the *owner* requiring one or more of the following:
- (a) that the *owner* remove the *encroachment* within a certain timeframe;
 - (b) that specific work standards and specifications be met in any demolition, construction, or landscaping done to remove the *encroachment*;
 - (c) that the restoration of the impacted area on the *owner's* property and the *City property or interest* be done to specific standards and specifications to ensure health and safety; and
 - (d) that the *person* doing the removal and restoration have insurance naming the *City* as an additional named insured and has agreed to indemnify the *City* for any losses arising from their work.

PART VI **OFFENCES, PENALTIES, AND REMEDIAL ORDERS**

Offences

17. (1) Any *person* who contravenes any provision of this Bylaw by doing any act or thing which the *person* is prohibited from doing, or by failing to do any act or thing the *person* is required to do, is guilty of an offence pursuant to this Bylaw.
- (2) Any *person* who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000 and in default of payment of any fine imposed, to a period of imprisonment not exceeding six (6) months.
- (3) All violations of this Bylaw which are of a continuing nature will constitute a separate offence for each day the offence continues.
- (4) An *owner* is guilty of an offence referred to in this Bylaw whether they caused or allowed the *encroachment* to be initially *placed*.

Enforcement

18. (1) Where an *officer* believes that a *person* has contravened any provision of this Bylaw, the *officer* may commence proceedings against the *person* by issuing a violation ticket in accordance with the Provincial Offences Procedure Act, RSA 2000, c P-34.
- (2) This section does not prevent any *officer* from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, RSA 2000 c P-24, or from laying an information in lieu of issuing a violation ticket.

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Penalty

19. (1) Where there is a specified penalty listed for an offence in Schedule A to this Bylaw, that amount is the specified penalty for the offence.
- (2) Where there is a minimum penalty listed for an offence in Schedule A to this Bylaw, that amount is the minimum penalty for the offence.
- (3) On conviction of an offence that is of a continuing nature, the penalty is the amount set out in Schedule A of this Bylaw in respect of the offence of each day, or part of a day, that the offence continues.
- (4) The levying and payment of any fine or the imprisonment of any period provided in this Bylaw shall not relieve a *person* from the necessity of paying any fees, charges, or costs from which that *person* is liable under the provisions of this Bylaw or any other bylaw.

Remedial Orders

20. (1) Where a *person* has contravened any provision of this Bylaw, a remedial order may be issued by an *officer* requiring the *person* to remedy the contravention pursuant to section 545 of the *Act*.
- (2) A remedial order issued pursuant to section 545 of the *Act* must include the following:
 - (a) indicate the *person* to whom it is directed;
 - (b) identify the property to which the remedial order relates by municipal address or legal description;
 - (c) identify the date that it is issued;
 - (d) identify how the *encroachment* fails to comply with this or another bylaw;
 - (e) identify the specific provisions of the Bylaw that is being contravened;
 - (f) identify the nature of the remedial action required to be taken to bring the property into compliance;
 - (g) identify the time within which the remedial action must be completed;
 - (h) indicate that if the required remedial action is not completed within the time specified, the *City* may take whatever action or measures are necessary to remedy the contravention;
 - (i) indicate that the expenses and costs of any action or measures taken by the *City* under this section are an amount owing to the *City* by the *person* to whom the order is directed pursuant to section 549(3) of the *Act*;

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- (j) indicate that the expenses and costs referred to in this section may be attached to the tax roll of the *owner's* property if such costs are not paid by a specified time;
 - (k) indicate that an appeal lies from the remedial order to the License and Community Standards Appeal Board, if a notice of appeal is filed in writing with the City Clerk within fourteen days of the receipt of the remedial order.
- (3) A remedial order issued pursuant to this Bylaw may be served:
- (a) in the case of an individual:
 - i. by delivering it personally to the individual;
 - ii. by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age;
 - iii. by delivering it by registered mail to the individual at their apparent place of residence; or
 - iv. by delivering it by registered mail to the last address of the individual who is to be served as shown on the records of the Registrar of Motor Vehicle Services in Alberta;
 - (b) in the case of a corporation:
 - i. by delivering it personally to a director or officer of the corporation;
 - ii. by delivering it personally to any *person* apparently in charge of an office of the corporation at the address held out by the corporation to be its address; or
 - iii. by delivering it by registered mail addressed to the registered office of the corporation.
- (4) If, in the opinion of a *person* serving a remedial order, service of the remedial order cannot be reasonably effected, or if the *person* serving the remedial order believes that the *owner* of the property is evading service, the *person* serving the remedial order may post the remedial order:
- (a) at a conspicuous place on the property to which the remedial order relates;
 - (b) at the private dwelling place of the *owner* of the property to which the remedial order relates, as shown on a *certificate of title* pursuant to the Land Titles Act RSA 2000, c L-4 or on the municipal tax roll; or

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- (c) at any other property owned by the *owner* of the property to which the remedial order relates, as shown on a *certificate of title* pursuant to the *Land Titles Act* RSA 2000, c L-4 or shown on the municipal tax roll;

and the remedial order shall be deemed to be served upon the expiry of 3 days after the remedial order is posted.

- (5) A *person* who fails to comply with a remedial order within the time set out in the remedial order commits an offence.
- (6) Where the *City* effects a remedial order, *City* employees and agents may enter an *owner's* property upon reasonable notice to undertake the removal and restoration work.
- (7) The *owner* of a parcel is liable to the *City* for any costs and expenses related to the removal of an *encroachment* or other measures taken by the *City* to remedy a contravention of this Bylaw and such costs and expenses become a debt owing to the *City* and may be added to the tax roll of the *owner's* parcel where the contravention occurred on a part of the *owner's* parcel.

PART VII

TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS

Grandfathering

21. (1) *Written authorization* provided prior to the passing of this Bylaw remains valid provided that the current *owner* continues to comply with the terms and conditions of the *written authorization*.
- (2) Should a grandfathered *written authorization* be terminated an *officer* may issue remedial orders pursuant to this Bylaw requiring that the *encroachment* be removed or take any other enforcement steps necessary.

Consequential Amendments

22. (1) Street Bylaw 20M88, as amended, is hereby further amended by deleting section 56.1(2) that states, "The Director, Roads may, with the approval of City Council, from time to time, specify the fees to be charged for authorization of *encroachments*, including application or license fees."
- (2) The Real Property Bylaw 52M2009, as amended, is hereby further amended by deleting the words "corporate policy on *encroachments*" in section 7(1)(e) and replacing it with the phrase "Encroachment Bylaw".
- (3) The Parks and Pathways Bylaw 11M2019, as amended, is hereby further amended by deleting section 27 that states, "A *person* must not encroach onto a *park* without express permission from the *Director, Calgary Parks*."

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- (4) The Parks and Pathways Bylaw 11M2019, as amended, is hereby further amended by deleting, under the headings indicated, the following from Schedule "A":

Section	Offence	<u>Minimum Penalty</u>	<u>Specified Penalty</u>
"27"	Encroach on a park	\$750	\$1500.00"

Coming Into Force

23. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

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SCHEDULE "A"

MINIMUM AND SPECIFIED PENALTIES

<u>Section</u>	<u>Offence</u>	<u>Minimum Penalty</u>	<u>Specified Penalty</u>
5(1) 5(2) 5(3)	Unauthorized <i>encroachments</i>	\$750	\$1500
12(3)	Failure to comply with terms and conditions	\$200	\$500
5(4) 12(4) 12(5)	Failure to remove <i>encroachment</i>	\$750	\$1500



THE CITY OF
CALGARY
Proudly serving a great city

COUNCIL POLICY

Policy Title: **Encroachment Policy**
Policy Number: **CS008**
Report Number: **OE96-36, OE97-38, OE98-31**
Approved by: **City Council**
Effective Date: **1996 July 1 and amended 1998 February 23**
Business Unit: **Corporate Properties & Buildings**

BACKGROUND

The City of Calgary recognized that encroachments exist, will continue to be discovered and has established this policy for processing encroachment applications.

Encroachments occur into City owned lands and into easements. On behalf of the citizens of Calgary, The City must ensure that encroachments do not adversely affect these lands and easements or The City's ability to maintain effective services or restrict public access and enjoyment of lands for public use.

At the regular meeting of Council on 1996 June 24, Council approved OE97-38 Corporate Policy on Encroachments and amendments were approved by Council on 1998 February 23.

PURPOSE

The policy will assist the public and enable The City to effectively manage encroachments. It is intended to provide a more consistent approach in processing applications, enforcing the policy and protecting and indemnifying The City wherever encroachments have been identified.

POLICY

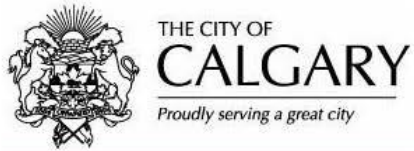
[Please see attached policy document](#)

PROCEDURE

[Please see attached document for the Encroachment Agreement for Application Procedures and section 2.0 Encroachment Guidelines](#)

AMENDMENTS

1998 February 23 OE98-31 report on Title Insurance/Encroachment Appeals



COUNCIL POLICY

2010 revision-policy number change from AMCW008 to CS008 due to
department reorganization

Corporate Properties Group

The City of Calgary

APPLICATION PROCEDURE ENCROACHMENT AGREEMENT

1. **A Copy of Title**
Copies may be obtained from private registry companies. You need to provide the legal description of the property for which you are seeking a title.
 2. **A Real Property Report**
Real Property Reports (survey) may be obtained from any Alberta Land Surveyor. They provide a detailed map of a specific property. We require an original or very clear copy (not reduced).
 3. **A Letter of Intent**
This is a cover letter that will explain the circumstances which have led you to apply for an agreement. Please highlight anything you would like brought to our attention and be sure to reference the property's address and legal description.
 4. **Photographs**
Photographs of the encroaching feature(s). This should give an idea of what the area in question looks like and clearly show the encroachment.
 5. **Fee**
Fees for Encroachment Applications are subject to which Schedule they fall under in the City of Calgary Encroachment Policy*. If a feature is identified under Schedule "B", the fee is \$200.00 and the application is automatically approved. If a feature is identified under Schedule "C", the fee is \$500. and the application is subject to approval.
- * Copies of the City of Calgary Encroachment Policy are available through the City of Calgary Public Library and are for sale at the City Clerks office.
- ** Applications will not be processed if any part of these requirements is missing.

Once your application is complete, you may drop it off at:
**City Hall, 800 Macleod Trail, 12th Floor
Corporate Properties Group**

or mail it to:
**The City of Calgary
Corporate Properties Group #8052
Attn. Land Titles Officer
PO Box 2100, Station M
Calgary, Alberta T2P 2M5**

Upon receipt of a complete Encroachment Application, the City will circulate your file to determine if an Encroachment Agreement will be approved.

If an encroachment is approved, a document will be prepared for your signature and registered at the Southern Alberta Land Titles Office. The Encroachment Agreement will allow the encroachment to remain for the life of the structure. That is, the feature may not be rebuilt on City land.

If an encroachment is rejected, and you have paid a \$500.00 application fee, you will be refunded \$300.00 and required to remove your encroachment.

If you have any questions regarding the Encroachment Application Procedure or any of the elements required for an Encroachment Application, please contact a Land Titles Officer at Corporate Properties Group at:
Tele: 403-268 2251 Fax: 403-268 1948

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THE CITY OF CALGARY
CORPORATE POLICY
FOR
PROCESSING ENCROACHMENT APPLICATIONS
FEBRUARY 23, 1998

Prepared by: Encroachment Taskforce
Approved by: Council June 29, 1996 (O&E 96-36)
Amendments approved by: Council February 23, 1998

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CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

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CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

This policy comes into effect July 01, 1996.

INTRODUCTION

The City realizes encroachments exist, will continue to be discovered, and has established this corporate policy for processing encroachment applications.

The City owns a variety of parcels of land including streets and reserves and also has interests in privately owned land by way of easements. Easements are granted to the City to allow utility line(s) to be installed and maintained on, over or under titled lands. Easements specify the rights and privileges of both the City and the property owners.

Encroachments occur into City owned lands and into easements. On behalf of the citizens of Calgary, the City must ensure that encroachments do not adversely affect these lands and easements or the City's ability to maintain effective services or restrict public access and enjoyment of lands for public use.

Formal approval is required to protect the City and other utility's where existing or proposed encroachments are identified: such approval takes the form of a License of Occupation for streets and an Encroachment Agreement for encroachments into easements. Identified owners of the encroachment are required to enter into an agreement or license or, alternatively, remove the encroachment.

The following Encroachment Policy will assist the public and enable the City to effectively manage encroachments. It is intended to provide a more consistent approach in processing applications, enforcing the policy and protecting and indemnifying the City wherever encroachments have been identified.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

1.0 ENCROACHMENT POLICY:

- 1.1 No encroachments shall be allowed or authorized effective July 01 1996 except where:
 - (a) An encroachment is identified as being authorized into a street or easement in attached Schedules "A" or "B",
 - (b) An encroachment has been previously authorized by the City by written agreement; or
 - (c) An application for an Encroachment Agreement has been made for an encroachment and is still being considered for authorization by Corporate Properties Group.
- 1.2 The City will accept Encroachment Agreement applications in accordance with this policy for authorization of encroachments that existed prior to 1996 July 01.
- 1.3 Unless an encroachment is authorized by the City, the encroachment shall be removed from the affected Municipal Lands.
- 1.4 Encroachments into Municipal Lands that are designated as or are part of an emergency access shall be removed from the affected Municipal Lands.
- 1.5 Encroachments identified on the attached Schedule "A" into a street or easement are authorized by the City and do NOT require an Encroachment Agreement.
- 1.6 Encroachments identified on the attached Schedule "B" into a street or easement require an Encroachment Agreement which shall be granted (a non-circulation process) if within the Schedule "B" tolerances.
- 1.7 Where an Encroachment Agreement includes a provision for removal following a minimum of 30 days notice by the City, such notice will be made for a valid municipal purpose only.
- 1.8 Where an encroachment has been authorized by the City an applicant shall execute the Encroachment Agreement prepared and delivered by the City, or the encroachment shall be removed from the Municipal Lands.
- 1.9 An Encroachment Agreement authorized by the City and executed by the applicant shall be registered by caveat on the title of the applicants land.

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CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

- 1.10 Utilities located within an easement, public utility lot, City owned parcel or street authorized by the City will not be considered as an encroachment
- 1.11 Notwithstanding any other provision of this policy, a commercial or industrial encroachment application shall be reviewed on its own merits at the discretion of the City.
- 1.12 An authorized Encroachment Agreement does not release an applicant from the responsibility to comply with other Provincial or Federal requirements or municipal bylaws.
- 1.13 All expenses, costs, liabilities, or other risk associated with an authorized Encroachment shall be borne by the owner.

2.0 ENCROACHMENT GUIDELINES

2.1 GENERAL GUIDELINES

- 2.1.1 Where an encroachment occurring prior to 1996 July 01 is identified, an applicant may make an application to the City, as outlined in Schedule "C", for consideration of such encroachment. If within:
 - (a) an easement, it will be reviewed by all affected departments and any affected utility. If deemed acceptable, an Encroachment Agreement will be issued.
 - (b) a street, it will be reviewed by the Streets Division and any affected utility. If deemed acceptable, consideration for closure and sale of a portion of the street may be recommended or a License of Occupation will be granted.
 - (c) a reserve, it will require removal unless other alternatives are pursued as referenced in this policy document.
 - (d) a City owned parcel, it will be reviewed by the Corporate Properties Group, all affected departments and any affected utility. If deemed acceptable, sale of the City owned parcel or an interest (lease or licence of occupation) in any portion of that parcel may be recommended.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

- 2.1.2 An encroachment once authorized by the City may continue to be used but the encroachment shall not be added to, rebuilt or structurally altered except;
 - (a) as may be necessary to remove the encroachment, or
 - (b) as may be necessary for the routine maintenance of the encroachment.
- 2.1.3 If an encroachment or the structure benefitting from the encroachment is damaged or destroyed to the extent of more than 75% of the replacement value of the encroachment or such structure, the encroachment shall not be repaired or reconstructed and shall be removed from the Municipal Lands unless the repair or reconstruction has been authorized by the City.
- 2.1.4 The City will respond to all encroachment complaints and will apply this policy when encroachments are identified through normal management of Municipal Lands.
- 2.1.5 Existing encroachments authorized by Licenses of Occupation, Encroachment Agreements, Maintenance and Indemnity Agreements, or any other existing agreement with the City authorizing an encroachment shall be deemed to be an authorized encroachment subject to the terms of the existing agreement.

2.2 GUIDELINES FOR ENCROACHMENT INTO RESERVES AND CITY OWNED PARCELS

- 2.2.1 **Reserve (including ER) or a City owned parcel**

Where an encroachment extends into a reserve (including ER) or a City owned parcel, the applicant shall remove the encroachment as directed by the Corporate Properties Group.
- 2.2.2 If an applicant objects to the removal, the applicant may apply to Council for disposition of the reserve affected by the encroachment (Section 70 and 674 of Municipal Government Act) or in the case of ER, for boundary rectification (section 676 of the Municipal Government Act).
- 2.2.3 The disposition of any interest in School Reserve (SR) and Municipal and School Reserve (MSR) parcels is subject to a review by the City and School Boards' Joint Use Coordinating Committee (JUCC) and a subsequent hearing at a public hearing of Council.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

- 2.2.4 The disposition of any interest in MR and ER parcels is subject to a hearing at a public hearing of Council.
- 2.2.5 Following the application by an applicant, a public complaint or discovery by City personnel, the process for resolving an encroachment into a reserve or any City owned parcel is as outlined in attached Schedule "C".

2.3 GUIDELINES FOR ENCROACHMENT INTO STREETS

- 2.3.1 An encroachment into a street is not permitted (Streets By-Law 20M88, Section 49, 56, and 85) and shall be removed from the street except as indicated in section 1.1 and 1.2 of this policy.
- 2.3.2 An application for a License of Occupation is to be made to the Corporate Properties Group under the following conditions:
 - (a) Encroachments up to 0.3 metres will receive a License of Occupation without circulation (Schedule "B"), unless identified in (Schedule "A").
 - (b) Encroachments over 0.3 metres will be reviewed by the Corporate Properties Group and circulated to the Streets Division, all affected departments and any affected utility. If deemed acceptable, a License of Occupation will be granted.
- 2.3.3 The License of Occupation will allow the City to require removal following 30 days notice to the applicant.
- 2.3.4 Where an encroachment is created by an owner granting land adjacent to a street to the City (i.e. A Dedication Agreement where an existing encroachment is to remain), the City shall without charge permit an Encroachment Agreement to be entered into with the owner. The removal period is subject to negotiation with the City and would be related to the life of the encroachment or until a road widening is required by the City.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

2.4 GUIDELINES FOR ENCROACHMENT INTO EASEMENTS

- 2.4.1 An encroachment less than or equal to 0.3 metres into an easement will be reviewed by the Corporate Properties Group and if in accordance with the attached Schedule "B" an Encroachment Agreement (without a 30 day removal clause) will be issued, except where adjacent to or located on a City owned parcel with an overhead electrical line. In cases involving overhead electrical lines, no encroachment will be permitted.
- 2.4.2 An application for an encroachment into an easement greater than 0.3 metres or any other form of encroachment not within Schedule "A" or "B" shall be submitted to the Corporate Properties Group and circulated to all affected departments, any affected utility or school board. If deemed acceptable, an Encroachment Agreement (with a 30 day removal clause) will be issued.
- 2.4.3 An encroachment which forms a barrier (which includes, but is not limited to development features such as entrance features, walls and decorative fences) preventing direct access by the City may be located on a parcel of land separating an easement from the nearest street or City owned parcel. However, in such a case the encroachment must have one or more easily removable and replaceable sections the length of which is greater than 2.4 metres on each affected lot.
- 2.4.4 An encroachment shall not interfere with the City's or other utility's need to access the easement.

3.0 ENFORCEMENT

- 3.1 An encroachment into a street is enforced by the Bylaw Enforcement officers within the Engineering and Environmental Services Department under the jurisdiction of the Street By-law 20M88 (Section 16, 44, 56, 85, 87 and 89).

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

- 3.2 An encroachment into a City owned parcel, including a reserve, will be directed to the Corporate Properties Group and will be reviewed by all affected departments and any affected utility. The Corporate Properties Group will recommend either removal of the encroachment or the sale of an interest in or any portion of the affected City owned parcel.
- 3.3 The City will notify a property owner that an encroachment has been identified on adjacent Municipal Lands and that they are to make an encroachment application should the owner wish the encroachment to remain.
- 3.4 If it can be established that the encroachment was caused by the property owner, the owner may be liable for the costs of removal. If the owner refuses to remove the encroachment or fails to apply for authorization, the City will remove the encroachment and seek reimbursement from the property owner for all removal costs.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

4.0 ENCROACHMENT AGREEMENT FEES

Fee Schedule:

4.1 Easement

Schedule "A" application	\$ 35.00
Schedule "B" application	\$200.00
Application for encroachment NOT within Schedule "A" or "B", (circulation required)	\$500.00
Refund if no approval/ removal	(\$300.00)
If easement discharged	(full refund)

4.2 Street

4.2.1 Residential

Schedule "A" application	\$ 35.00
Schedule "B" application	\$200.00
Application for retaining walls:	
a) where the party who built the encroachment is unknown, or	
b) that may expose the City to liability if removed, or	
c) built prior to 1970 March 15	\$ 50.00
Application for encroachment NOT within Schedule "A" or "B"	\$500.00
Refund if no approval/ removal	(\$300.00)

4.2.2 Non-residential

All non-residential encroachments into City property will be required to remove the feature or enter into a Licence of Occupation with Corporate Properties Group, Sales and Leasing Department.

- 4.3 This fee schedule may be revised from time to time by the Board of Commissioners.
- 4.4 The "annual taxes" shall be calculated based on the assessed value per square meter of the applicants parcel and the area of land affected by the encroachment.
- 4.5 Fees, including municipal taxes, arising from the use of Municipal Land in

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

accordance with an Encroachment Agreement by an applicant shall be the responsibility of the applicant.

- 4.6 Any additional costs required to facilitate an encroachment, including but not limited to a road closure or subdivision application, shall be borne by the applicant.
- 4.7 Any costs of utility relocation or reconstruction required to facilitate an encroachment shall be the responsibility of the applicant.

5.0 DEFINITIONS:

- 5.1 **Applicant** is the owner of land adjacent to Municipal Lands or the owner of land encumbered by an easement, who has required or may require an encroachment on the said municipal lands or easement
- 5.2 **City** means the corporation of The City of Calgary.
- 5.3 **City Owned Parcel** is any titled lands the City owns excluding a reserve, street or easement.
- 5.4 **Council** means the Municipal Council for The City.
- 5.5 **Developer Fence** means a fence installed under a subdivision development agreement which is usually of a consistent style and is continuous along 2 or more lots.
- 5.6 **Easement** means any right-of-way for the passage and maintenance of public utilities, identified by a registered plan or by description and documented by a Registered Easement Agreement granted to the City.
- 5.7 **Encroachment** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground (excluding sound attenuation structures or fences as required by the City), that extends on, over or under municipal lands and shall include, but is not limited to the following:

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

- (a) Buildings and all projections (including eaves, cantilevers, etc.) and siding.
 - (b) Sheds, (including those attached to a dwelling and/or fence).
 - (c) Fences
 - (d) (Asphalt, concrete or brick) sidewalks, curbs, parking pads, aprons or driveways.
 - (e) Structures (including decks, stairs patios, etc.)
 - (f) Extension of adjacent lands by fill.
 - (g) Retaining walls.
 - (h) Swimming pools and hot tubs.
 - (i) Shrubs, trees or other organic landscape materials planted in reserves or City owned parcels.
 - (j) Hard landscaping (including, but not limited to, retaining walls, structures, fire pits, planters).
 - (k) Light standards
 - (l) Signs
- 5.8 **Encroachment Agreement** means an agreement (including a License of Occupation or an agreement amending an existing utility right of way) between the applicant and the City authorizing an encroachment and shall, among other things, include:
- (a) location and identification of the encroachment;
 - (b) fees;
 - (c) term;
 - (d) termination notice;
 - (e) cost and liability for removal; or
 - (f) indemnification of the City, its agents or licensees.
- 5.9 **Fence** means a standard chain link, wooden fence or equivalent with posts no larger than 0.15 m by 0.15 m, centered approximately 2.4 m apart with a maximum height of 2.0 m.
- 5.10 **License of Occupation** means an agreement authorizing the right of an applicant to maintain an encroachment within a street. A License of Occupation shall have a provision requiring removal following a minimum of 30 days notice by the City.

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CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

- 5.11 **Municipal Lands** means collectively or individually a street, easement, reserve or City owned parcel.
- 5.12 **Reserve** includes all municipal reserves (MR, R or CR or any of the original designates), environmental reserves (ER), municipal and school reserves (MSR) or school reserves (SR) as defined in sections 98, 99 and 110.1 of the Planning Act (Sept. 1, 95 The Municipal Government Act sections 664, 666 and 665) or a public park, recreation ground or exhibition ground as defined in section 70(1)(b) of the Municipal Government Act.
- 5.13 **Street** means any thoroughfare, highway, road, trail, avenue, viaduct, lane, alley, square, bridge, causeway, trestle, walkway or other place, which are lands owned by the City, any part of which the public is entitled or permitted to use.
- 5.14 **Tolerance** of measurements, when referred to in this policy shall take into consideration errors introduced by survey measurements. For the purposes of determining compliance with this policy with respect to the location of encroachments, measurements shall be rounded off to the same number of significant figures as set out in the Land Use Bylaw 2P80 (i.e. 600 mm would change to 0.6 m, 3 m would change to 3.0 m, a survey measurement between 0.25 m and 0.34 m would be rounded to 0.3 m and between 0.35 m and 0.39 m would be rounded to 0.4 m).
- 5.15 **Utility** means any one or more of the following:
- (a) Systems for the distribution of gas, whether artificial or natural, electricity, telephone, cable television and oil products;
 - (b) Facilities for storage, transmission, treatment, distribution or supply of water
 - (c) Facilities for the collection, treatment, movement or disposal of sanitary sewage, including pumping stations;
 - (d) Storm sewer drainage facilities, including collection, pumping stations, storm water ponds and wetlands;
 - (e) Any other items that may be prescribed by the Lieutenant Governor in Council by regulation.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

Schedule "A"

1.0 Authorized Encroachments into a Street (Corporate Properties Group Letter Process):

- 1.1 Structures which provide direct access to a dwelling, including:
 - front driveways (of any material)
 - sidewalks to a maximum width of 2.0 metres
 - special needs access (ramps, elevators, fire escapes, etc.)
 - steps to a maximum width of 2.0 metres which provide access to a residential dwelling excluding retaining walls or landscape features that are in the opinion of the City Engineer considered to be features not directly benefiting the access.
- 1.2 Driveways which access lanes:
 - which are constructed of asphalt, gravel, or shale
 - which are constructed of concrete or other like material and which encroach not more than 0.3 metres into a gravel lane
 - which are hard surfaced and which encroach into a hard surfaced (asphalt or concrete) lane
- 1.3 Fences:
 - encroaching not more than 0.3 metres where the fence creates an enclosure
 - encroaching to the back of the sidewalk or to 1.0 metres from the curb (if there is no sidewalk) where the fence is a linear projection of a fence on the Applicant's property EXCEPT where adjacent to a Street
 - developer fences required under development agreements
 - fences running parallel to pathways (which run over a property line) may exceed 0.3 metres subject to minimum access requirements
- 1.4 Portable sheds:
 - under 10 square metres (107 square feet) and
 - encroaching not more than 0.3 metres
- 1.5 Retaining walls:
 - not more than 0.2 metres in height and where not located adjacent to Enmax or other utility above ground surface facilities
- 1.6 Non-permanent surface improvements including:
 - movable planters including any movable border material (eg. plastic, concrete, timber sections under 0.2 metres in height)
 - natural landscaping including trees and shrubbery
 - surface level rocks not more than 0.2 metres in height
 - interlocking brick
- 1.7 Garbage enclosures:
 - not more than 2.0 metres in width encroaching not more than 0.3 metres
- 1.8 Signs or canopies:
 - complying with the Land Use Bylaw 2P80 and Streets Bylaw 20M88
- 1.9 Any encroachment constructed for valid municipal purposes by the City or its agents (ie. bollards, sound barriers, developer fences, subdivision entrance signs, guard rails, etc.)

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

Schedule "A"

2.0 Authorized Encroachments into an Easement (Corporate Properties Group Letter Process):

- 2.1 Structures which provide direct access to a dwelling, including:
- driveways (of any material) which cross over any easement and do not run parallel to it
 - sidewalks to a maximum width of 2.0 metres
 - special needs access (ramps, elevators, fire escapes, etc.)
 - steps to a maximum of width of 2.0 metres excluding retaining walls or landscape structures that are in the opinion of the City Engineer considered to be features not directly benefitting the access
 - self supporting steps over a utility right-of-way which provide access to a building
- 2.2 Fences:
- encroaching not more than 0.3 metres where the fence creates an enclosure
 - encroaching to the back of the sidewalk or to 1.0 metres from the curb (if there is no sidewalk) where the fence is a linear projection of a fence on the Applicant's property EXCEPT where adjacent to a Street
 - developer fences required under development agreements
 - fences running parallel to pathways (which run over a property line) may exceed 0.3 metres subject to minimum access requirements
 - fences running through a utility right-of-way bisected by a property line
- 2.3 Portable sheds:
- under 10 square metres (107 square feet)
- 2.4 Retaining walls:
- not more than 0.2 metres in height and where not located adjacent to Enmax or other utility above ground surface facilities
- 2.5 Non permanent surface improvements including:
- movable planters including any movable border material (e.g. plastic, concrete, timber sections not more than 0.2 metres in height)
 - natural landscaping including trees and shrubbery
 - surface levels rocks not more than 0.2 metres in height
 - interlocking bricks
- 2.6 Eaves:
- built prior to April 1994 and receiving a Planning and Building Department Certificate of Compliance
 - encroaching less than 0.1 metre into an easement
- 2.7 Signs or canopies:
- complying with the Land Use Bylaw 2P80 and Streets Bylaw 20M88
- 2.8 Any encroachment constructed for valid municipal purposes by the City or its agents (ie. bollards, sound barriers, developer fences, subdivision entrance signs, guard rails, etc.)

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

Schedule "B"

- 1.0 Authorized Encroachments into a Street or Easement (Non-circulation Process), Encroachment Agreement Required.**
- 1.1 Residential footings for buildings or structures encroaching not more than 0.3 metres into an easement at a depth of more than 2.0 metres below grade, wherein the building or structure is not encroaching, will be accepted.
 - 1.2 Where the building or structure does not encroach, residential building eaves encroaching not more than 0.6 metres into an easement above a height of 2.4 metres above grade will be authorized, except where adjacent to or located on lands with an overhead electrical line requiring minimum clearance.
 - 1.3 Hard landscaping, steps, fill or retaining walls not more than 0.6 metres in height or encroaching less than or equal to 0.3 metres into a street will be approved, except where adjacent to or located on lands with an overhead electrical line.
 - 1.4 Where an encroachment is created by an owner granting land to the City (i.e. a Dedication Agreement where an existing encroachment is allowed to remain), the City shall without charge permit an Encroachment Agreement to be entered into with the applicant, the removal period to be negotiated as part of the purchase or dedication
 - 1.5 An encroachment not more than 0.3 metres into an easement unless identified in Schedule "A", will be approved.
 - 1.6 An encroachment that forms a barrier (which includes, but is not limited to development features such as entrance features, walls and decorative fences) preventing direct access by the City and is located on a parcel of land separating an easement from the nearest street or City owned parcel and has an easily removable and replaceable sections the length of which is more than 2.4 metres on each affected lot with support pillars encroaching not more than 0.6 meters into and easement.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

Schedule "C"

Corporate Properties Group Process

1.0 Applications

Applications for Encroachment Agreements will be made to the Corporate Properties Group. If within:

- (a) the guidelines set out in Schedule "A", the applicant will be advised that no Encroachment Agreement is necessary.
- (b) the guidelines set out in Schedule "B", the applicant will be asked to provide:
 - (1) a copy (preferably an original) of a Real Property Report detailing the property and the extent of the encroachment;
 - (2) a copy of the title to the parcel;
 - (3) the application fee, as set out in section 4.0 of this policy; and
 - (4) photographs of the encroachment.
 - (5) a cover letter or letter of intent

Upon receipt of items 1 through 5 an agreement will be immediately issued for execution by the applicant.

If NOT within:

- (c) the guidelines set out in Schedule "B", and the encroachment occurred prior to July 1, 1996, a circulation will be done to determine the acceptability of the encroachment (the applicant will be required to provide items 1 through 5 as above). If acceptable the appropriate agreement will be issued. If unacceptable the applicant will be required to remove the encroachment.
- (d) the guidelines set out in Schedule "B", and the encroachment occurred after July 1, 1996, the applicant will be required to remove the encroachment.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

2.0 Complaints

Encroachments identified by public complaints or by City personnel will be referred to the Corporate Properties Group.

2.1 Owner

For the purposes of reserves and City owned parcels, "owner" shall mean the owner of land adjacent to a reserve or City owned parcel who has an encroachment into the reserve or City owned parcel.

2.2 Investigation

- (a) A background investigation will be undertaken to determine if the encroachment resulted from an error, no easement registered, road plan after the fact, permit issued, etc..
- (b) Significance of the encroachment will be determined to see if it presents a safety hazard and if the encroachment should be authorized or removed.
- (c) Enmax's Easement Encroachment Reporting System (EERS) will recognize the safety factor ONLY, and will inform the applicant of any additional encroachment that is subject to the corporate policy. Enmax will identify this in their initial letter to the applicant and will copy the Corporate Property Group for their investigation.

2.3 Initial Contact

Depending on the investigation, the applicant will be notified by mail advising the applicant of the possible encroachment and requiring the applicant to apply for an Encroachment Agreement or remove the encroachment.

2.4 Final Contact

If after 30 days, the applicant has not made application for an Encroachment Agreement or removed the encroachment, written notice will be sent to the applicant. The letter written will indicate that, if the problem is not rectified within another 30 days, the situation will be referred to the Law Department and /or the bylaw enforcement officer for immediate action.

CORPORATE POLICY FOR PROCESSING ENCROACHMENT APPLICATIONS

3.1 Verification

Encroachment will be verified. At the discretion of The Corporate Properties Group, Manager of Real Estate Services, a survey or a Real Property Report, may be undertaken to confirm the extent of the encroachment. If the survey verifies that the encroachment exists, the costs of the survey will be recovered from the owner (Applicants who are requesting encroachment approval into reserves are required to submit a Real Property Report). The Corporate Properties Group, Land Titles Officer will make initial contact with the owner and shall notify the appropriate school board when an encroachment onto a SR or MSR site has been identified.

3.2 Initial Contact

Initial contact will be made with the owner advising that the encroachment must be removed within 30 days. Initial contact can be in person, via telephone, or in writing and will cite the policy of Council indicating that encroachments will not be allowed onto reserves.

3.3 Second Contact and Written Notice

If, after 30 days, the owner has not removed the encroachment or commenced application to Council for disposition of such portion of the reserve necessary to accommodate the encroachment, The Corporate Properties Group, Land Titles Officer will send written notice to the owner. The letter will indicate that, if the problem is not rectified within another 30 days, the situation will be referred to the Law Department for immediate action.

3.4 Third and Final Contact (From the Law Department)

If after 60 days the owner has not removed the encroachment or has not made application to Council as noted in section 3.3, the Law Department will issue a further letter to the owner requiring removal by a specified date, failing which the owner will be sued for trespass.



THE CITY OF CALGARY
Real Estate & Development Services
Land & Asset Management

ENCROACHMENT GUIDELINES

Prepared by: Coordinator, Land Administration, Land & Asset Management
Approved by: Manager, Land & Asset Management on March 16, 2020
Amendments approved by: N/A

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1.0 Title

- 1.1 These guidelines may be referred to as the “*Encroachment Guidelines*” or the “*Guidelines*”.

2.0 Scope

- 2.1 These Guidelines apply to all *encroachments* onto *City-owned land*, *streets*, and *easements*.
- 2.2 *City-owned land*, *streets*, and *easements* includes, among other things, boulevards, sidewalks, roads, bridges, alleyways, parkways, lanes, *utility rights-of-way*, *overland drainage easements* and titled parcels of land owned by the *City* including, but not limited to, *parks* and *reserve land*.

3.0 Purpose

- 3.1 The *City* recognizes the importance of assisting the public by effectively managing *encroachments* into *City-owned land*, *streets*, and *easements*.
- 3.2 The *City* understands the importance of providing a consistent and timely approach in processing applications for *encroachment agreements*.
- 3.3 The *City* must ensure that *encroachments* do not adversely affect the *City's* or *utility provider's* ability to access, maintain and provide safe and effective services to the citizens of Calgary.
- 3.4 The *City* must ensure that *encroachments* do not restrict public access to and enjoyment of lands intended for public use, such as *City parks*.
- 3.5 These Guidelines and the Encroachment Bylaw will assist the public and enable the *City* to effectively manage *encroachments*. They are intended to provide a consistent approach in processing applications, enforcing the Encroachment Bylaw and protecting and indemnifying the *City* wherever *encroachments* have been identified.

4.0 Responsibilities

4.1 Council:

- (a) Receive, review, and consider for amendment, the Encroachment Bylaw and any recommended amendments thereto.

4.2 Real Estate & Development Services:

- (a) Review and make recommendations to *Council* from time to time, regarding any revisions required to the Encroachment Bylaw.
- (b) Process *encroachment agreement* applications through consultation with affected *City business units* and *utility providers* in accordance with these Guidelines and the Encroachment Bylaw;
- (c) Process *encroachment agreement* applications in a timely manner; and
- (d) Establish, maintain, periodically review and approve these Guidelines in consultation with *City business units* and *utility providers*.

4.3 City business units:

- (a) Address all *encroachment* matters that are referred to the department, including reviewing and making recommendations to *Real Estate & Development Services* on *encroachment agreement* application circulations.

4.4 Utility providers:

- (a) Review and make recommendations on *encroachment agreement* circulations that are brought forward by *Real Estate & Development Services*.

4.5 Officers:

- (a) Enforce related Bylaw offences.

5.0 Encroachment Guidelines

5.1 General:

- (a) An *encroachment* shall not adversely affect the *City's* or *utility provider's* ability to access, maintain and provide safe and effective services to the citizens of Calgary.
- (b) An *encroachment* shall not restrict public access to and enjoyment of lands intended for public use, such as *City parks*.

- (c) An *encroachment* shall not interfere with the *City's* or *utility provider's* ability to access a *City property or interest* or *utility provider* utility infrastructure contained within a *City property or interest*.
- (d) All *encroachments* require *written authorization*.
- (e) All unauthorized *encroachments* shall be removed by the *owner* from the affected *City property or interest* at their sole cost and expense.
- (f) All unauthorized *encroachments* shall be removed by the *owner* within thirty (30) days of receiving a rejection letter and/or removal notice from the *City*.
- (g) Where an *encroachment* has been authorized by the *City* and an *encroachment agreement* is required, an *owner* shall execute the *encroachment agreement* prepared and delivered by the *City*, or the *encroachment* shall be removed by the *owner* from the *City property or interest*.
- (h) An *encroachment agreement* authorized by the *City* and executed by the *owner* shall be registered by caveat on the *certificate of title* to the *owner's* land.
- (i) *Utility provider* utility infrastructure located within a *City property or interest* that is authorized by the *City* will not be considered as an *encroachment*.
- (j) Notwithstanding any other provision of these Guidelines, a multi-family residential, commercial, industrial or retail property *encroachment* application shall be reviewed on its own merits at the discretion of the *City*.
- (k) An authorized *encroachment* does not release an *owner* from the responsibility to comply with other provincial or federal requirements or municipal bylaws.
- (l) All *owners* with authorized *encroachments* into *City-owned land* and *streets* may be subject to the assessment of additional municipal property taxes levied against the *owner's* land by virtue of the *encroachment*.



- (m) All expenses, costs, liabilities, or other risk associated with both authorized and unauthorized *encroachments* shall be borne by the *owner*.
- (n) Where an *encroachment* is identified, an *owner* may make an application to the *City* by following the online *Encroachment* Application Procedure identified on the attached Schedule “C” and as outlined on the *City*’s website at www.calgary.ca/encroachments.
- (o) An *encroachment* once authorized by the *City* may continue subject to the *City*’s right to request removal of the *encroachment* upon thirty (30) days’ notice and the *encroachment* shall not be added to, rebuilt or structurally altered except:
 - (i) As may be necessary to remove the *encroachment*, or
 - (ii) As may be necessary for the routine maintenance of the *encroachment*.
- (p) If an *encroachment* or the structure benefitting from the *encroachment* is damaged or destroyed to the extent of more than 75% of the replacement value of the *encroachment* or such structure, the *encroachment* shall not be repaired or reconstructed and shall be removed from the *City property or interest* unless the repair or reconstruction has been authorized by the *City*.
- (q) All *encroachment* removals require the *owner* to submit an updated Real Property Report to the *City* evidencing removal of *encroachment(s)*.
- (r) The *City* will respond to all *encroachment* complaints and will apply the Encroachment Bylaw and Guidelines when *encroachments* are identified through normal management of *City* property and interests.
- (s) Existing *encroachments* authorized by Licenses of Occupation, *Encroachment agreements*, Maintenance and Indemnity Agreements, or any other existing agreement with the *City* authorizing an *encroachment* shall be deemed to be an authorized *encroachment* subject to the terms and conditions of the existing agreement.
- (t) These Guidelines may be revised from time to time by the *Manager, Land & Asset Management* pursuant to Encroachment Bylaw.

- (u) Words have their meanings defined in Section 9 of these Guidelines.

5.2 Encroachments into City-owned land – Parks

- (a) A person must not *place* or allow to be *placed* an *encroachment* onto a *park* without the *written authorization* of the *Director, Calgary Parks*.
- (b) **Reserve land:**
- (i) A person must not *place* or allow to be *placed* an *encroachment* onto *reserve land*.
- (ii) Where an *encroachment* extends onto *reserve land*, the *owner* shall remove the *encroachment* as directed by *Real Estate & Development Services* and/or *Calgary Parks*.
- (c) **Non-Reserve Park land:**
- (i) Where an *encroachment* extends onto non-reserve *park land*, the *owner* shall remove the *encroachment* as directed by *Real Estate & Development Services* and/or *Calgary Parks*.
- (ii) If an *owner* objects to the removal, the *owner* may apply to *Calgary Parks* through *Real Estate & Development Services* to license the land affected by the *encroachment*. If the *City* objects to a proposed license of the land affected by the *encroachment*, the *owner* shall remove the *encroachment* as directed by *Real Estate & Development Services* and/or *Calgary Parks*. If the *City* has no objections to a proposed license of the land affected by the *encroachment*, the request will be handed off to the *City's Leasing* department for negotiation and approval of the proposed license.

5.3 Encroachments into City-owned land – Non-park land

- (a) *Encroachments* into *City-owned land* – non-park land that are encroaching by less than or equal to 0.34 metres will be reviewed by *Real Estate & Development Services*. If deemed acceptable, an *encroachment consent letter* will be issued.
- (b) *Encroachments* into *City-owned land* – non-park land that are encroaching by more than 0.34 metres will be reviewed by all affected *City business units* and *utility providers*. If deemed acceptable, an *encroachment agreement* will be issued.



5.4 Encroachments into City streets

- (a) *Encroachments* identified on the attached Schedule "A" into a *street* will be reviewed by *Real Estate & Development Services*. If deemed acceptable, an *encroachment consent letter* will be issued.
- (b) Notwithstanding Section 5.4(a), *encroachments* identified in Sections 1.1 and 1.8 of Schedule "A", if deemed acceptable by *Real Estate & Development Services*, do not require an *encroachment consent letter* and are not subject to application or *encroachment* fees.
- (c) *Encroachments* identified on the attached Schedule "B" into a *street* will be reviewed by *Real Estate & Development Services*. If deemed acceptable, an *encroachment agreement* will be issued.
- (d) *Encroachments* into a *street* that are not identified on the attached Schedules "A" or "B" require an *encroachment* application to be submitted by the *owner* to the *City* for circulation and review by all affected *City business units* and *utility providers*. If deemed acceptable, an *encroachment agreement* will be issued.

5.5 Encroachments into City utility rights-of-way

- (a) *Encroachments* identified on the attached Schedule "A" into a *utility right-of-way* will be reviewed by *Real Estate & Development Services*. If deemed acceptable, an *encroachment consent letter* will be issued.
- (b) Notwithstanding Section 5.5(a), *encroachments* identified in Sections 2.1 and 2.7 of Schedule "A", if deemed acceptable by *Real Estate & Development Services*, do not require an *encroachment consent letter* and are not subject to application and *encroachment* fees.
- (c) *Encroachments* identified on the attached Schedule "B" into a *utility right-of-way* will be reviewed by *Real Estate & Development Services*. If deemed acceptable, an *encroachment agreement* will be issued.
- (d) *Encroachments* not identified on the attached Schedules "A" or "B" require an *encroachment* application to be submitted by the *owner* to the *City* for circulation and review by all affected *City business units* and *utility providers*. If deemed acceptable, an *encroachment agreement* will be issued.

- (e) Requests for a withdrawal and discharge of a *utility right-of-way* will be circulated to all affected *City business units* and *utility providers* for review. If deemed acceptable, an executed withdrawal and discharge of *utility right-of-way* will be submitted by the *City* to the Alberta Land Titles Office.

5.6 Encroachments into City overland drainage easements

- (a) If *encroachments* are within an *overland drainage easement*, the *encroachment* will be reviewed by all affected *City business units* and *utility providers*. If deemed acceptable, an *encroachment consent letter* will be issued.

5.7 Encroachments into City easements (excluding City utility rights-of-way and City overland drainage easements)

- (a) *Encroachments* into a *City easement* (excluding *utility rights-of-way* and *overland drainage easements*) that are encroaching by less than or equal to 0.34 metres will be reviewed by *Real Estate & Development Services*. If deemed acceptable, an *encroachment consent letter* will be issued.
- (b) *Encroachments* into a *City easement* (excluding *utility rights-of-way* and *overland drainage easements*) that are encroaching by more than 0.34 metres will be reviewed by all affected *City business units* and *utility providers*. If deemed acceptable, an *encroachment agreement* will be issued.

5.8 Other encroachments

- (a) **Emergency Accesses:**
 - (i) *Encroachments* extending onto a *City property or interest* that are designated as or are part of an emergency access shall be removed by the *owner* from the affected *City property or interest*.
- (b) **Public Utility Lots (PULs):**
 - (i) PULs that are also considered a *City park* will be dealt with the same as *City-owned land parks* (non-reserve land).
 - (ii) PULs that are NOT considered a *City park* will be dealt with the same as *City-owned land – non-park land*.

(c) **Restrictive covenants:**

- (i) *Real Estate & Development Services* will direct matters relating to *encroachments* into *restrictive covenants* to the *City business unit* who imposed the *restrictive covenant*.

(d) **Signs:**

- (i) *Signs* onto a *City property or interest* are not considered *encroachments* and may require a lease or license of occupation agreement from the *City's* Leasing Department and/or a planning permit from the *City's* Planning and Building Department.

6.0 Application and Encroachment agreement Fees

- 6.1 Effective as of the date of approval of these *Encroachment* Guidelines, the Application and *Encroachment* Fee Schedule (the "Fee Schedule") is as set out in Schedule "D".
- 6.2 At all times, an up to date Fee Schedule will be posted on the *City's* external website at www.calgary.ca/encroachments.
- 6.3 Total fees are calculated as the application fee plus the *encroachment* fee plus GST and any applicable municipal property taxes or the license fee plus GST plus any applicable municipal property taxes.
- 6.4 *Encroachment agreement* applications for single-family property *encroachments* that existed prior to July 1, 1996 are only subject to payment of the application fee plus GST plus any applicable municipal property taxes.
- 6.5 *Encroachments* identified in Sections 1.1, 1.8, 2.1 and 2.7 of Schedule "A" of the Guidelines are not subject to application and *encroachment* fees.
- 6.6 Where an *encroachment* is created by an *owner* granting land to the *City* (i.e. Dedication Agreement where an existing *encroachment* is allowed to remain), the *City* shall without charge, permit an *encroachment agreement* to be entered into with the *owner*.
- 6.7 *Encroachments* over 3.0 metres into *City-owned land* and/or *streets* require consultation with (circulation to) *City business units* and/or *utility providers* for approval, and will be handed off to *Real Estate & Development Services'* Leasing Department for negotiation and approval of a license of occupation agreement. Fees for *encroachments* into *City-owned land* and/or *streets* by

over 3.0 metres will be at the then rate for Landscaping Licenses or a per square foot fair market value as established by *Real Estate & Development Services*.

- 6.8 In the event an *encroachment* application is denied, all *encroachments* must be removed from the *City property or interest* as evidenced by an updated Real Property Report, and the *owner* will be refunded the *encroachment* fee. The application fee is non-refundable.
- 6.9 Payment of fees, including municipal property taxes, arising from the use of a *City-owned* property or interest in accordance with an *encroachment agreement* or an *encroachment consent letter* shall be the responsibility of the *owner*.
- 6.10 Any additional costs required to facilitate an *encroachment*, including but not limited to a road closure or subdivision application, shall be borne by the *owner*.
- 6.11 Any costs of *utility provider* utility infrastructure relocation or reconstruction required to facilitate an *encroachment* shall be the responsibility of the *owner*.
- 6.12 The Fee Schedule may be revised from time to time by the *Manager, Land & Asset Management* pursuant to the Encroachment Bylaw.

7.0 Enforcement

- 7.1 All *encroachments* are enforced by the Encroachment Bylaw.
- 7.2 In addition to the Encroachment Bylaw, additional enforcement is identified within:
 - (a) The *Street* Bylaw 20M88, for *encroachments* into *streets*; and
 - (b) The *Drainage* Bylaw 37M2005, for *encroachments* into *overland drainage easements*.
- 7.3 If an *encroachment* has been identified on a *City property or interest* the *City* will notify an *owner* and the *owner* must make an *encroachment* application should the *owner* wish the *encroachment* to remain.
- 7.4 If the *owner* applies for an *encroachment agreement* and the application is approved, the *owner* must enter into an *encroachment agreement* with the

City and pay to the *City* all applicable fees, failing which the *owner* must remove the *encroachment*.

- 7.5 If the *owner* applies for an *encroachment agreement* and the application is denied, the *owner* must remove the *encroachment* and is responsible for all costs relating to same.
- 7.6 If the *owner* does not apply for an *encroachment agreement* a, the *owner* must remove the *encroachment* and is responsible for all costs relating to same.
- 7.7 **Encroachment Removal Notice Process:**
 - (a) **Written Notice**
 - (i) The *owner* will be notified in writing advising of the *encroachment(s)* to be removed from a *City property or interest*, the timeframe within which the *encroachment(s)* must be removed and any conditions of removal such as the requirement to provide an updated Real Property Report evidencing removal of the *encroachment(s)*.
 - (b) **Referral to Bylaw Enforcement**
 - (i) If the removal timeframe in the written notice has passed and the *owner* has not removed the *encroachment(s)*, the situation will be referred to the Law Department and/or a bylaw enforcement *officer* for immediate action.

8.0 Complaints

Encroachments identified by public complaints or by *City personnel* will be referred to *Real Estate & Development Services*.

8.1 Investigation

- (a) A background investigation will be undertaken by *Real Estate & Development Services* to determine if the *encroachment* has been previously authorized.
- (b) If the *encroachment* has not been previously authorized, an investigation will be undertaken by *Real Estate & Development Services* to determine if the *encroachment* resulted from an error, no

utility right-of-way or *easement* registered, road plan after the fact, permit issued, or similar situations.

- (c) *Real Estate & Development Services* will undertake a review of the *encroachment* which may include a site inspection and consultation with *City business units* and *utility providers* to determine if the *encroachment* should be authorized or removed.

8.2 Verification

- (a) At the discretion of *Real Estate & Development Services, Manager, Land & Asset Management*, a survey or a Real Property Report, may be undertaken to confirm the extent of the *encroachment*. If the survey verifies that the *encroachment* exists, the *City* may seek to recover the costs of the survey from the *owner*.

8.3 Written Notice

- (a) Depending on the investigation, the *owner* will be notified by mail advising the *owner* of the possible *encroachment(s)* and requiring the *owner* to either apply for an *encroachment agreement* or remove the *encroachment(s)* within a certain timeframe. *Owners* who are requesting *encroachment* approval into a *City property or interest* are required to submit a Real Property Report.

8.4 Referral to Bylaw Enforcement

- (a) If the timeframe identified in the written notice to either remove the *encroachment(s)* or to apply for an *encroachment agreement* has passed and the *owner* has not made application for an *encroachment agreement* or removed the *encroachment(s)*, the situation will be referred to the Law Department and/or a bylaw enforcement *officer* for immediate action.

9.0 Definitions

- 9.1 “*Calgary Parks*” means the *City’s* Calgary Parks business unit;
- 9.2 “*certificate of title*” means the record of the title to land that is maintained by the Registrar as defined in the *Land Titles Act*, RSA 2000, c L-4;



- 9.3 “City” means the municipal corporation of The City of Calgary or the area contained within the boundaries of Calgary, Alberta where the context so requires;
- 9.4 “City business unit” means a City department;
- 9.5 “City-owned land” means any land owned by the City for which a *certificate of title* has been obtained or any interest in land that vests in the City by virtue of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, or other legislation and includes *park or reserve land*;
- 9.6 “City property or interest” means any of *City-owned land*, *street*, or *easement* and anything included in the definition of one of those terms;
- 9.7 “Council” means the municipal Council of the City;
- 9.8 “developer fence” means a fence installed under a subdivision development agreement which is usually of a consistent style and is continuous along two or more lots and includes a fence that provides a buffer from a major or higher standard road or is used to separate a parcel or parcels of land from a park or public open space;
- 9.9 “Director, Calgary Parks” has the same meaning as in the Parks and Pathways Bylaw 11M2019;
- 9.10 “driveway” means a short private access road leading from a City street to a private attached or detached garage;
- 9.11 “driveway apron” means the section of the driveway that connects to the street;
- 9.12 “easement” means any easement granted to the City for any purpose and includes *utility rights-of-way* and *overland drainage easements* and which are registered on a *certificate of title*, by a registered plan under the *Land Titles Act*, RSA 2000, c L-4 by description or by caveat and documented by an easement agreement;
- 9.13 “encroachment” means anything placed with a fixed location on the ground or attached to something having a fixed location on the ground that extends on, over, or under a City property or interest, including the immediate airspace, and includes, but is not limited to, the following:

- (a) improvements as defined in the Alberta Land Surveyors' Association Manual of Standard Practice, 2019, as amended from time to time;
- (b) buildings and all projections including eaves, cantilevers, or similar and siding;
- (c) sheds, including those attached to a dwelling or *fence*;
- (d) *fences*;
- (e) asphalt, concrete or brick sidewalks, curbs, parking pads, *driveway aprons* or *driveways*;
- (f) structures such as decks, stairs, patios, pergolas, gazebos or similar;
- (g) extension of adjacent lands by fill;
- (h) *walls*;
- (i) swimming pools and hot tubs;
- (j) shrubs, hedges, trees or other organic landscape materials; and
- (k) hard landscaping including, but not limited to structures, fire pits, planters, or similar;

but does not include sound attenuation structures as required by the *City*;

- 9.14 "*encroachment agreement*" means an encroachment agreement or license of occupation entered into pursuant to the Real Property Bylaw 52M2009 to approve an *encroachment* being *placed*;
- 9.15 "*encroachment consent letter*" means a letter issued by the *City* to an *owner* consenting to an *encroachment* subject to the terms and conditions set out in the letter;
- 9.16 "*fence*" means any barrier, railing, or upright structure typically made of wood, metal, or glass, that encloses an area or marks a boundary and includes a *developer fence* but does not include a *wall*;
- 9.17 "*Manager, Land & Asset Management*" means the *City* employee appointed to the position of Manager, Land & Asset Management or that *person's* designate;



- 9.18 “*officer*” means a bylaw enforcement officer appointed pursuant to Bylaw 60M86, a peace officer appointed pursuant to the *Peace Officer Act*, SA 2006, c. P-3.5, or a police officer under the *Police Act*, RSA 2000, c P-17;
- 9.19 “*overland drainage easement*” means a *City easement* for the construction, operation, inspection, maintenance, repair and replacement of any facility or facilities for the drainage or control of storm water including, but not limited to:
- (a) a grass swale;
 - (b) a concrete or asphalt walkway, gutter or swale;
 - (c) a drainage control *fence* or structure; and
 - (d) the sloping and contouring of land to facilitate the drainage or control of storm water;
- 9.20 “*owner*” means a *person* shown as an owner of a property on a *certificate of title*, and, in relation to a specific *encroachment*, is the *person* whose property:
- (a) is encumbered by a *City property or interest* upon which the *encroachment* is *placed* in whole or in part;
 - (b) benefits from the *encroachment placed* upon an adjacent *City property or interest*; or
 - (c) the *encroachment* originates from;
- 9.21 “*park*” means a public space controlled by the *City* and set aside as a park to be used for rest, recreation, exercise, pleasure, amusement, cultural heritage, education, appreciation of nature, and enjoyment and includes:
- (a) playgrounds;
 - (b) cemeteries;
 - (c) natural areas;
 - (d) sports fields;
 - (e) pathways;
 - (f) trails; and



- (g) park roadways;
but does not include golf courses;
- 9.22 “*person*” means an individual or a business entity including a firm, partnership, association, corporation or society;
- 9.23 “*place*” or “*placed*” means any type of action taken to construct, create, erect, or build, or cause to be constructed, created, erected, or built, a portion or all of an *encroachment* and includes any act of planting or gardening;
- 9.24 “*reserve land*” means any parcel designated as Municipal Reserve, Environmental Reserve, Municipal and School Reserve, School Reserve, Conservation Reserve or Community Services Reserve, as defined in the *Municipal Government Act*, RSA 2000, c. M-26, as amended, or designated as “reserve” as defined by any former Planning Acts, including, but not limited to the former *The Planning Act* RSA 1970 c 276 and *The Planning Act* SA 1977 c 89 or noted as Community Reserve on a *certificate of title*;
- 9.25 “*restrictive covenant*” means an agreement that restricts the use or occupancy of a property;
- 9.26 “*Real Estate & Development Services*” means the *City’s* Real Estate & Development Services business unit;
- 9.27 “*sign*” means an inscribed board, bill, placard, poster, banner, flag or device which is intended to promote anything or inform anyone;
- 9.28 “*street*” means any thoroughfare, highway, road, roadway, trail, avenue, parkway, *driveway*, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes sidewalks, ditches, and boulevards;
- 9.29 “*utility provider*” means the *City* or a third party utility provider that operates one or more of the following: water, sewer, electrical distribution and/or transmission lines, thermal or other energy services, telecommunication lines, shallow utilities, oil and natural gas lines or transit infrastructure and who has authority to access and use a *utility right-of-way* to construct, install, maintain, repair, replace and operate its utility infrastructure pursuant to the Municipal Rights-of-Way Bylaw 17M2016 or pursuant to a *utility right-of-way agreement*;

- 9.30 “*utility right-of-way*” means a *utility right-of-way* that contains any *utility provider* lines, systems, infrastructure or other facilities relating to any one or more of the following, which is registered on the *certificate of title*, by a registered plan pursuant to the *Land Titles Act*, RSA 2000, c L-4 or by description and documented by a *utility right-of-way agreement* granted to the *City* for:
- (a) systems for the production or distribution of gas, whether artificial or natural;
 - (b) the distribution or transmission of electricity, telephone, cable, television or telecommunications;
 - (c) transit infrastructure;
 - (d) facilities for storage, transmission, treatment, distribution or supply of water;
 - (e) facilities for the collection, treatment, movement or disposal of sanitary sewage, including but not limited to pipes, force mains, and pumping stations; and
 - (f) the drainage, collection, treatment, movement, or disposal of storm water, including but not limited to collection devices, drainage swales, pipes, pumping stations, storm water ponds and wetlands, except those facilities within an *overland drainage easement*, that are regulated under Drainage Bylaw 37M2005;
- 9.31 “*utility right-of-way agreement*” means an agreement documenting a *utility right-of-way* granted to the *City* for the construction, installation, maintenance, repair, replacement and operation of a *utility provider’s* utility infrastructure;
- 9.32 “*wall*” means both structural and non-structural walls including:
- (a) structural support walls, retaining walls or any other walls constructed for a purpose other than aesthetics; and
 - (b) decorative walls constructed of stone or other material erected for the sole purpose of providing a decorative and/or landscape feature;

9.33 “*written authorization*” means an authorization provided in writing to approve an *encroachment* made by either:

- (a) the *Manager, Land & Asset Management* for *encroachments* onto *City-owned land, streets or easements*; or
- (b) the *Director, Calgary Parks* for *encroachments* onto a *park*;

and includes, but is not limited to, an *encroachment agreement*, *encroachment consent letter*, or a stamped Real Property Report.

Schedule "A"

1.0 Encroachments into a street (Real Estate & Development Services encroachment consent letter process):

- 1.1 Structures which provide direct access to a dwelling, including:
 - (a) Front *driveways* of any material leading to a garage;
 - (b) Sidewalks to a maximum width of 2.0 metres;
 - (c) Special needs access ramps, elevators, fire escapes, or similar; and
 - (d) Steps to a maximum width of 2.0 metres which provide access to a residential dwelling excluding secondary suites and excluding *walls* or landscape features that are in the opinion of the *City* considered to be features not directly benefiting the access.
- 1.2 *Driveways*, including *driveway aprons*, which access lanes:
 - (a) Which are constructed of asphalt, gravel, or shale;
 - (b) Which are constructed of concrete or other like material and which encroach not more than 0.34 metres into a gravel lane; and
 - (c) Which are hard surfaced and which encroach into a hard surfaced (asphalt or concrete) lane.
- 1.3 *Fences*:
 - (a) Encroaching not more than 0.34 metres where the *fence* creates an enclosure;
 - (b) Encroaching to the back of the sidewalk or to 1.0 metres from the back of the curb or 1.5m from the lip-of-gutter (if there is no sidewalk) where the *fence* is a linear projection of a *fence* on the *owner's* property EXCEPT where adjacent to a *street*; and
 - (c) Developer fences required under development agreements.
- 1.4 Portable sheds:
 - (a) Under 10.0 square metres (107.6 square feet); and
 - (b) Encroaching not more than 0.34 metres including any eaves.
- 1.5 *Walls*:
 - (a) Not more than 0.24 metres in height and where not located adjacent to above ground *utility provider* surface facilities.

- 1.6 Non-permanent surface improvements including:
 - (a) Moveable planters including any movable border material (i.e. plastic, concrete, timber sections under 0.24 metres in height);
 - (b) Surface level rocks not more than 0.24 metres in height; and
 - (c) Interlocking brick or asphalt.
- 1.7 Eaves, window wells and cantilevers:
 - (a) Encroaching by less than or equal to 0.14m into a *street*.
- 1.8 Any *encroachment* constructed for valid municipal purposes by the *City* or its agents (i.e. bollards, sound barriers, *developer fences*, subdivision entrance *signs*, guard rails, or similar structures).
- 1.9 Unless otherwise specified in Schedule “A”, non-permanent structures (no footings or foundations) that encroach by less than or equal to 0.34 metres into a *street*.

2.0 Encroachments into a utility right-of-way (Real Estate & Development Services encroachment consent letter process):

- 2.1 Structures which provide direct access to a dwelling, including:
 - (a) *Driveways* of any material, including *driveway aprons*, leading to a garage, which cross over any *utility right-of-way* and do not run parallel to it;
 - (b) Sidewalks to a maximum width of 2.0 metres;
 - (c) Special needs access ramps, elevators, fire escapes, or similar;
 - (d) Steps to a maximum of width of 2.0 metres which provide access to a residential dwelling excluding secondary suites and excluding *walls* or landscape structures that are in the opinion of the *City* considered to be features not directly benefitting the access; and
 - (e) Self-supporting steps over a *utility right-of-way* which provide access to a building.
- 2.2 *Fences*:
 - (a) Encroaching not more than 0.34 metres where the *fence* creates an enclosure;
 - (b) Encroaching to the back of the sidewalk or 1.0 metres from the back of the curb or 1.5m from the lip-of-gutter (if there is no sidewalk)

where the *fence* is a linear projection of a *fence* on the *owner's* property EXCEPT where adjacent to a *street*; and

- (c) Developer fences required under development agreements.

2.3 Portable sheds:

- (a) Under 10.0 square metres (107.6 square feet).

2.4 *Walls*:

- (a) Not more than 0.24 metres in height and where not located adjacent to above ground *utility provider* surface facilities.

2.5 Non-permanent surface improvements including:

- (a) Moveable planters including any moveable border material (i.e. plastic, concrete, timber sections not more than 0.24 metres in height);
- (b) Surface levels rocks not more than 0.24 metres in height; and
- (c) Interlocking bricks.

2.6 Eaves, window wells and cantilevers:

- (a) Encroaching by less than or equal to 0.14 metres into a *utility right-of-way*.

2.7 Any *encroachment* constructed for valid municipal purposes by the *City* or its agents (i.e. bollards, sound barriers, *developer fences*, subdivision entrance *signs*, guard rails, or similar structures).

2.8 Unless otherwise specified in Schedule “A”, non-permanent structures (no footings or foundations) that encroach by less than or equal to 0.15 metres into a *utility right-of-way* that is 2.4 metres or less in width.

2.9 Unless otherwise specified in Schedule “A”, non-permanent structures (no footings or foundations) that encroach by less than or equal to 0.34 metres into a *utility right-of-way* that is 3.5 metres or greater in width.

Schedule "B"

1.0 Encroachments into a street or utility right-of-way (non-circulation process), encroachment agreement required:

- 1.1 Residential footings for buildings or structures encroaching not more than 0.34 metres into a *utility right-of-way*, wherein the building or structure is not encroaching, will be accepted;
- 1.2 Where the building or structure does not encroach, residential building eaves encroaching not more than 0.64 metres into a *utility right-of-way* above a height of 2.4 metres above grade will be authorized, except where adjacent to or located on lands with an overhead electrical line requiring minimum clearance; and
- 1.3 Where an *encroachment* is created by an *owner* granting land to the *City* for *street* (i.e. a Dedication Agreement where an existing *encroachment* is allowed to remain), the *City* shall without charge permit an *encroachment agreement* to be entered into with the *owner*, the removal period to be negotiated as part of the purchase or dedication.

Schedule "C"

Real Estate & Development Services Process

1.0 Applications

Applications for *encroachment agreements* will be made to Real Estate & Development Service. If within:

- (a) the guidelines set out in Schedule "A", the *owner* will be issued an *encroachment consent letter* and pay the applicable Schedule "A" *encroachment* fee.
- (b) the guidelines set out in Schedule "B", the *owner* will be asked to provide:
 - (1) a completed [Application Form](#);
 - (2) an original copy of a Real Property Report with Certificate of Compliance or Development Permit Stamp detailing the property and the extent of the *encroachment*;
 - (3) a current copy of the *certificate of title* to the *owner's* property;
 - (4) photographs of the *encroachment* sent via email to Encroachments@calgary.ca; and
 - (5) payment of application and *encroachment* fees by cheque, money order, bank draft or [online payment](#).

Upon receipt of items 1 through 5 an agreement will be issued for execution by the *owner*.

If NOT within the guidelines set out in Schedules "A" or "B", and not identified within these Guidelines as not permitted, a circulation will be done to determine the acceptability of the *encroachment* (the *owner* will be required to provide items 1 through 5 as above). If acceptable the appropriate agreement will be issued. If unacceptable the *owner* will be required to remove the *encroachment*.

Schedule "D" – Application and Encroachment Fee Schedule



APPLICATION AND ENCROACHMENT FEE SCHEDULE

Effective: March 16, 2020

**Total fees are calculated as the application fee plus the encroachment fee plus GST and any municipal property taxes or the license fee plus GST plus any applicable municipal property taxes.*

MRER2020-20
ATTACHMENT 4

Encroachment Type	Agreement Type	Single-Family Residential Properties		Multi-Family Residential, Commercial, Industrial and Retail Properties	
		Application Fee*	Encroachment Fee*	Application Fee*	Encroachment Fee*
Into Streets (i.e. lanes and boulevards):					
Schedule A – no circulation required (Sections 1.1 and 1.8 are exempt from all fees and Encroachment Consent Letter)	Encroachment Consent Letter	\$50	None	\$100	None
Schedule B – no circulation required	Encroachment Agreement	\$50	\$150	\$100	\$300
Schedule C – approved circulation required Between 0.34m and 1.0m	Encroachment Agreement	\$200	\$300	\$300	\$700
Schedule C – approved circulation required Between 1.0m and 2.0m	Encroachment Agreement	\$200	\$500	\$300	\$1,200
Schedule C – approved circulation required Between 2.0m and 3.0m	Encroachment Agreement	\$200	\$700	\$300	\$1,700
Approved circulation and license required – Greater than 3.0m	License of Occupation	\$1,500 one-time license fee or fair market value as determined by Real Estate & Development Services.		Fair market value as determined by Real Estate & Development Services.	
Into Utility Rights-of-Way (URWs):					
Schedule A – no circulation required (Sections 2.1 and 2.7 are exempt from all fees and Encroachment Consent Letter)	Encroachment Consent Letter	\$50	None	\$100	None
Schedule B – no circulation required	Encroachment Agreement	\$50	\$150	\$100	\$300
Schedule C – approved circulation required	Encroachment Agreement	\$200	\$300	\$300	\$700
Withdrawal & Discharge of URW request – approved circulation required	Withdrawal & Discharge of URW	\$200	N/A	\$300	N/A
Into City-owned land – non-park land:					
No circulation required – Less than 0.34m	Encroachment Consent Letter	\$50	None	\$100	None
Approved circulation required – Between 0.34m and 1.0m	Encroachment Agreement	\$200	\$300	\$300	\$700
Approved circulation required – Between 1.0m and 2.0m	Encroachment Agreement	\$200	\$500	\$300	\$1,200
Approved circulation required – Between 2.0m and 3.0m	Encroachment Agreement	\$200	\$700	\$300	\$1,700
Approved circulation and license required – Greater than 3.0m	License of Occupation	\$1,500 one-time license fee or fair market value as determined by Real Estate & Development Services.		Fair market value as determined by Real Estate & Development Services.	
Into Overland Drainage Easements (ODRWs):					
Approved circulation required	Encroachment Consent Letter	\$50	None	\$100	None
Into Easements (excluding URWs and ODRWs):					
No circulation required – Less than 0.34m	Encroachment Consent Letter	\$50	None	\$100	None
Approved circulation required – Greater than 0.34m	Encroachment Agreement	\$200	\$300	\$300	\$700

UCS2020-XXXX Proposed Encroachment Bylaw – Att 4
ISC: Unrestricted

APPLICATION AND ENCROACHMENT FEE SCHEDULE

Effective: March 16, 2020

**Total fees are calculated as the application fee plus the encroachment fee plus GST and any municipal property taxes or the license fee plus GST plus any applicable municipal property taxes.*

UCS2020-0228
ATTACHMENT 4

Encroachment Type	Agreement Type	Single-Family Residential Properties		Multi-Family Residential, Commercial, Industrial and Retail Properties	
		Application Fee*	Encroachment Fee*	Application Fee*	Encroachment Fee*
Into Streets (i.e. lanes and boulevards):					
Schedule A – no circulation required (Sections 1.1 and 1.8 are exempt from all fees and Encroachment Consent Letter)	Encroachment Consent Letter	\$50	None	\$100	None
Schedule B – no circulation required	Encroachment Agreement	\$50	\$150	\$100	\$300
Schedule C – approved circulation required Between 0.34m and 1.0m	Encroachment Agreement	\$200	\$300	\$300	\$700
Schedule C – approved circulation required Between 1.0m and 2.0m	Encroachment Agreement	\$200	\$500	\$300	\$1,200
Schedule C – approved circulation required Between 2.0m and 3.0m	Encroachment Agreement	\$200	\$700	\$300	\$1,700
Approved circulation and license required – Greater than 3.0m	License of Occupation	\$1,500 one-time license fee or fair market value as determined by Real Estate & Development Services.		Fair market value as determined by Real Estate & Development Services.	
Into Utility Rights-of-Way (URWs):					
Schedule A – no circulation required (Sections 2.1 and 2.7 are exempt from all fees and Encroachment Consent Letter)	Encroachment Consent Letter	\$50	None	\$100	None
Schedule B – no circulation required	Encroachment Agreement	\$50	\$150	\$100	\$300
Schedule C – approved circulation required	Encroachment Agreement	\$200	\$300	\$300	\$700
Withdrawal & Discharge of URW request – approved circulation required	Withdrawal & Discharge of URW	\$200	N/A	\$300	N/A
Into City-owned land – non-park land:					
No circulation required – Less than 0.34m	Encroachment Consent Letter	\$50	None	\$100	None
Approved circulation required – Between 0.34m and 1.0m	Encroachment Agreement	\$200	\$300	\$300	\$700
Approved circulation required – Between 1.0m and 2.0m	Encroachment Agreement	\$200	\$500	\$300	\$1,200
Approved circulation required – Between 2.0m and 3.0m	Encroachment Agreement	\$200	\$700	\$300	\$1,700
Approved circulation and license required – Greater than 3.0m	License of Occupation	\$1,500 one-time license fee or fair market value as determined by Real Estate & Development Services.		Fair market value as determined by Real Estate & Development Services.	
Into Overland Drainage Easements (ODRWs):					
Approved circulation required	Encroachment Consent Letter	\$50	None	\$100	None
Into Easements (excluding URWs and ODRWs):					
No circulation required – Less than 0.34m	Encroachment Consent Letter	\$50	None	\$100	None
Approved circulation required – Greater than 0.34m	Encroachment Agreement	\$200	\$300	\$300	\$700

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2020 February 26

ISC: UNRESTRICTED
TT2020-0212

Bylaw Amendment for Carshare Parking Policy

EXECUTIVE SUMMARY

On 2020 February 3 2020, Council approved several revisions to the carshare parking policies (section 5.1.6 of the Calgary Parking Policies) that will enable new carshare organizations to begin providing carshare services in Calgary. To implement the policies, several amendments to Traffic Bylaw 26M96 are required. This includes:

- increased clarity on Administration's authority to create dedicated carshare parking spaces, charge fees and enforce parking infractions in those spaces; and
- enabling carshare vehicles to overstay posted time limits of one hour or greater, and to make fee payments for the new tiered pricing structure, as set out in the revised policies approved by Council on 2020 February 3.

The proposed bylaw amendments are consistent with the revised carshare parking policies approved by Council.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Transportation and Transit recommend that Council give three readings to the proposed bylaw to amend the Traffic Bylaw 26M96.

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON TRANSPORTATION AND TRANSIT, 2020 FEBRUARY 26:

That Council:

Give three readings to **Proposed Bylaw 11M2020** to amend the Traffic Bylaw 26M96.

PREVIOUS COUNCIL DIRECTION / POLICY

Council approved the original carshare parking policies, as part of the overall Calgary Parking Policies (TP017) on 30 March 2015. Subsequent revisions to the carshare parking policies were approved by Council on 2020 February 3 (report TT2020-0027).

BACKGROUND

The original and revised carshare parking policies include provisions to create dedicated on-street parking spaces for carshare vehicles, and the associated fees for such spaces. These spaces are important to the operation of carshare organizations that use the round-trip model where carshare vehicles must be returned to their home space at the end of each rental. It is anticipated that one or more carshare organizations may use this model in Calgary.

Several round-trip carshare spaces were previously provided to the Calgary Carshare Cooperative until they ceased operations in 2015. Administration also introduced 118 on-street spaces across the inner city to increase parking opportunities for small 'Smart Car' sized carshare vehicles.

Historically, sections 29(3), 29(4) and 29(5) of Traffic Bylaw 26M96 have been used by Administration to implement dedicated carshare spaces. These sections, shown in

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ISC: UNRESTRICTED
TT2020-0212

Bylaw Amendment for Carshare Parking Policy

Attachment 1, authorize the Traffic Engineer to issue permits that provide exceptions to normal stopping or parking provisions in the bylaw, and to charge fees accordingly.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

While developing the revised carshare parking policies, a legal review of Traffic Bylaw 26M96 recommended that bylaw amendments be made that more explicitly define Administration's authority to create dedicated carshare parking spaces, charge fees and enforce parking infractions. Sections 29(3), 29(4) and 29(5) will continue to be included in the bylaw to address unique parking and stopping requirements as they emerge.

Approval of report TT2020-0027 on 2020 February 3 introduced a three-tiered fixed pricing structure for carshare organizations, and the ability for carshare vehicles to park beyond posted time limits of one hour or greater. These two policy changes also require amendments to the Traffic Bylaw to exempt carshare vehicles from normal adherence to time restrictions and parking fee payment.

The proposed bylaw amendments are shown in Attachment 2. The recommended penalty payments for parking infractions in dedicated carshare spaces (page 4 of Attachment 2) are the same as the fines for other parking offences, such as for Taxi Zones.

Stakeholder Engagement, Research and Communication

Previous stakeholder engagement on the revisions to the carshare parking policies included multiple North American cities and carshare companies. As part of developing the proposed bylaw amendments, Administration also reviewed equivalent carshare regulations contained in the bylaws of Vancouver and Toronto.

Strategic Alignment

The recently approved revisions to the carshare parking policies, and the proposed amendments to bylaw 26M96 that implement those policies, will enable new carshare organizations to provide this important mobility option as part of Calgary's transportation network. This is consistent with policy direction on mobility choice and support for preferred parkers contained in the Calgary Transportation Plan.

Social, Environmental, Economic (External)

As identified in report TT2020-0027, multiple studies of Calgary and other North American cities have identified several benefits of carsharing for users and for cities in general. These include:

- reducing the number of vehicles operating and parking on the roads;
- increasing the amount of active transportation used by carshare members;
- reducing greenhouse gas and local air pollution emissions; and
- reducing automobile ownership and the associated costs.

These benefits are all consistent with the goals of the Calgary Transportation Plan.

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Bylaw Amendment for Carshare Parking Policy

Financial Capacity

Current and Future Operating Budget:

There are no operating budget implications associated with the recommendations in this report.

Current and Future Capital Budget:

There are no capital budget implications associated with the recommendations in this report.

Risk Assessment

There are no significant risks associated with these recommendations.

REASON(S) FOR RECOMMENDATION(S):

The bylaw amendments are required to properly implement the carshare parking policies contained in the Calgary Parking Policies (TP017).

ATTACHMENT(S)

1. Attachment 1 – Excerpt from Traffic Bylaw 26M96
2. **Attachment 2 – Proposed Bylaw 11M2020**

Sections 29(3), 29(4) and 29(5) of Traffic Bylaw 26M96, which were previously used to provide dedicated on-street carshare parking spaces, are shown below.

BYLAW NUMBER 26M96

EXEMPTION FROM PARKING PROVISIONS

29. (1) Notwithstanding anything elsewhere contained in this Bylaw the provisions relating to stopping or parking of vehicles do not apply to:
- (a) emergency vehicles;
 - (b) service vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cablevision systems;
 - (c) municipal and other Government Public Works vehicles; or
 - (d) towing service vehicles;
- while any such vehicle is being used in work requiring that it be stopped or parked at that location.
- (2) Where the owner or operator of a vehicle stops, stands or parks pursuant to Subsection (1) contrary to other provisions of this Bylaw he shall take due precaution to indicate the presence of such vehicle on any street while so parked or stopped.
- (3) Notwithstanding anything to the contrary contained in this Bylaw the Traffic Engineer may issue a permit exempting a vehicle for any period of time and from such provisions of this Bylaw pertaining to stopping or parking vehicles as may be specified therein, which permit shall not be valid unless attached to the inside of the vehicle in respect of which it issued so as to be clearly legible from the outside thereof.
- (41M98, 1998 September 28)
- (4) A permit issued pursuant to subsection (3) may specify that the exemption is limited to:
- (a) a specific location or locations;
 - (b) specific times of the day; and
 - (c) specific dates.
- (5) The Traffic Engineer may charge a fee for a permit issued pursuant to subsection (3).

(38M2013, 2013 September 16)

PROPOSED

TT2020-0212
ATTACHMENT 2

BYLAW NUMBER 11M2020

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 26M96, THE CALGARY TRAFFIC BYLAW

WHEREAS Council has considered TT2020-0212 and considers it necessary to amend Bylaw 26M96, the Calgary Traffic Bylaw, to address carshare vehicles using on-street parking;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 26M96, the Calgary Traffic Bylaw, as amended, is hereby further amended.
2. In section 2, after subsection 2(1)(f), the following is added as subsections 2(1)(f.01), (f.02), (f.03), and (f.04):
 - “(f.01) “*carshare organization*” means a person who provides preapproved persons access to motor vehicles for short periods of time and who has entered into an agreement with The City;
 - (f.02) “*carshare parking zone*” means a portion of a roadway designated by the Traffic Engineer as being reserved for the exclusive parking use of carshare vehicles;
 - (f.03) “*carshare permit*” means either a one-way parking permit or a home space parking permit;
 - (f.04) “*carshare vehicle*” means a motor vehicle owned by a carshare organization;”
3. The following is added after section 31 as sections 31.1, 31.2, 31.3 and 31.4:

“CARSHARE PARKING

- 31.1 (1) The Traffic Engineer is hereby authorized to designate on-street carshare parking zones that are reserved for the exclusive use of carshare vehicles.
- (2) The owner or operator of a vehicle must not stop or park or permit the stopping or parking of the vehicle, other than a carshare vehicle, in a parking space within an area that has been designated as a carshare parking zone pursuant to subsection (1).
- (3) A carshare parking zone may contain one or more carshare vehicle parking spaces.

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BYLAW NUMBER 11M2020

- (4) Carshare vehicles parked in a carshare parking zone must comply with any permanent or temporary parking prohibitions or restrictions that apply to the street where the carshare parking zone is located unless otherwise exempted by a carshare permit.
- 31.2 (1) The Traffic Engineer is authorized to issue one-way parking permits to carshare organizations which permit carshare vehicles to be parked:
 - (a) contrary to any provision of this Bylaw pertaining to the stopping or parking of vehicles as may be specified in the permit; and
 - (b) in a zone-controlled space without tendering payment in the manner set out in section 9.
- (2) In deciding whether to issue a one-way parking permit for a carshare vehicle the Traffic Engineer must consider:
 - (a) whether the carshare organization has paid for the use of parking in accordance with the Calgary Parking Policies; and
 - (b) whether the carshare organization applying for the permit has complied with the conditions of any previous permits issued.
- (3) One-way parking permits may be limited to:
 - (a) specific locations;
 - (b) specific times of the day; and
 - (c) specific dates.
- 31.3 (1) The Traffic Engineer is hereby authorized to designate on-street home parking spaces within a carshare parking zone for the exclusive use of a specific carshare vehicle.
- (2) The owner or operator of a vehicle must not stop or park or permit the stopping or parking of the vehicle in a designated on-street home parking space unless authorized by a home space parking permit for that specific parking space.
- (3) In considering whether to issue a home space parking permit for a specific carshare vehicle the Traffic Engineer must consider:
 - (a) whether the carshare organization has paid for the use of parking in accordance with the Calgary Parking Policies;

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BYLAW NUMBER 11M2020

- (b) whether the carshare organization applying for the permit has complied with the conditions of any previous permits issued; and
 - (c) whether the home space parking permit is consistent with an equitable allocation of on-street parking between carshare organizations in accordance with the Calgary Parking Policies.
- 31.4
 - (1) No person may alter, deface, or transfer a carshare permit without permission of the Traffic Engineer.
 - (2) The Traffic Engineer may charge a fee for a carshare permit.
 - (3) For any carshare permit that may be issued, or for any carshare parking zone or on-street home parking space designation that may be made, the Traffic Engineer is also authorized to:
 - (a) fix a term length for that permit or designation;
 - (b) renew the permit or designation;
 - (c) revoke the permit or designation, either on a temporary or permanent basis; and
 - (d) attach terms and conditions to a permit.
 - (4) In addition to any criteria listed in sections 31.2 and 31.3, in deciding whether to designate a new carshare parking zone, on-street home parking space, or to issue, renew or revoke a carshare permit the Traffic Engineer may consider:
 - (a) approved Council policies and other city bylaws;
 - (b) the safety and convenience of the public in using city streets; and
 - (c) feedback provided by businesses, community groups, and residents in an area.”
- 4. In Schedule “A”, under the headings indicated, after:

PROPOSED

BYLAW NUMBER 11M2020

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after the date of the offence)	FINE PAYMENT AMOUNT 2 (if paid after 10 days but within 30 days after the date of the offence)	SPECIFIED PENALTY
"31(7)	Failing to remain in Taxi in Taxi Zone adjacent to fire hydrant	\$40.00	\$50.00	\$75.00"

the following is added:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after the date of the offence)	FINE PAYMENT AMOUNT 2 (if paid after 10 days but within 30 days after the date of the offence)	SPECIFIED PENALTY
"31.1(2)	Stopping or Parking of Vehicle other than a Carshare Vehicle in Carshare Parking Zone	\$40.00	\$50.00	\$75.00
31.3(2)	Stopping or Parking of Vehicle, other than Carshare Vehicle holding a specific home space parking permit, in a designated carshare home parking space	\$40.00	\$50.00	\$75.00"

PROPOSED

BYLAW NUMBER 11M2020

5. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

Transportation Report to
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ISC: UNRESTRICTED
TT2020-0165

Truck Route Bylaw Amendment – Rail Crossing Closure

EXECUTIVE SUMMARY

A permanent closure of the at-grade railway crossing at 8 Street S.E., where the Canadian Pacific Railway train tracks cross the street, went into effect on 2020 January 15. This closure eliminated a previously designated truck route between the communities of Inglewood, Ramsay and Victoria Park. As a result, this route should be removed from the list of truck routes contained in the Truck Route Bylaw 60M90.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Transportation and Transit recommend that Council give three readings to the Proposed Bylaw (Attachment 1) to amend the Bylaw of The City of Calgary Respecting Truck Routes 60M90.

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON TRANSPORTATION AND TRANSIT, 2020 FEBRUARY 26:

That Council:

Give three readings to **Proposed Bylaw 10M2020** (Attachment 1) to amend the Bylaw of The City of Calgary Respecting Truck Routes, Bylaw 60M90.

PREVIOUS COUNCIL DIRECTION / POLICY

Administration has brought this 'housekeeping' matter forward for Council to consider.

BACKGROUND

Goods movement by the trucking industry is a key component to the economic prosperity of the of Calgary. It is important to maintain an efficient truck route network to keep pace with growth and demand for materials and commercial goods of all kinds. The City designates certain roads or areas for use by trucks as their primary route of travel.

Truck routes are approved by Council and identified in Bylaw 60M90, Being a Bylaw of The City of Calgary Respecting Truck Routes. Trucks are prohibited from all other roads except where necessary to make deliveries, supply a service, or to obtain fuel, repairs, food or accommodation at a commercial premise. The City ensures the list and map of all truck routes is kept up-to-date for the goods movement industry to use and follow.

Canadian Pacific rail crossing in Ramsay

The street level crossing of the Canadian Pacific Railway (CP) train tracks on 8 Street S.E. in the community of Ramsay had been accessible for vehicles and pedestrians for over a century. However, with the agreement between CP and The City to construct a new light-rail train line along this same corridor, and to accommodate CP's reconfiguration and operations, CP determined that the level crossing should be eliminated. The regulatory authority to close a rail crossing lies with the Federal Government and the railways under the Canada Transportation Act and the Railway Safety Act.

The crossing was physically closed to the public on 2020 January 15.

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ISC: UNRESTRICTED
TT2020-0165

Truck Route Bylaw Amendment - Rail Crossing Closure

INVESTIGATION: ANALYSIS

The closure of the rail crossing on 8 Street S.E. affects a designated truck route identified in Schedule 'A' of Bylaw 60M90. The truck route from MacDonald Avenue S.E. along 8 Street S.E. to 9 Avenue S.E. created an approved corridor for trucks to travel between Victoria Park and Inglewood. The closure of 8 Street S.E. at the rail crossing point, marked by an 'X' on Figure 1, eliminated this link.

As a result, the following road sections should be removed from the list of designated truck routes:

STREET NAME	FROM	TO
8th Street E.	9 Avenue S.	MacDonald Avenue S.
MacDonald Avenue S.	12 Avenue S.	8 Street E.

Trucks may continue to access 8 Street S.E. and MacDonald Avenue S.E. for commercial purposes, in accordance with Bylaw 60M90.



Figure 1
Truck Route from MacDonald AV S.E. to 9 AV S.E.

Stakeholder Engagement, Research and Communication

Beginning in 2016, the communities of Ramsay, Inglewood and Victoria Park were advised that the street level crossing would eventually close. Since then, the community has been informed through in-person meetings with nearby business owners, the community associations of Inglewood and Ramsay and the Inglewood Business Improvement Area.

The City's website was updated in 2019 March with information on the details and timelines of the closure. Road-side signage that advised travellers of the planned closure in 2020 January was installed in 2019 December, and public service announcements for local media and geo-targeted social media posts began on 2019 January 8.

The City's Truck Route Committee were advised in 2019 May of the impending road closure. Members of the Truck Route Committee expressed concern over the loss of connectivity between the truck routes on 9 Ave and 12 Ave. Through subsequent meetings of the Truck Route Committee, members acknowledged that the closure of 8 St SE will take place and an update to the Truck Route bylaw and map will be required.

The City's webpage for Truck Routes was updated with the street crossing closure information on 2020 January 15.

Transportation Report to
SPC on Transportation and Transit
2020 February 26

ISC: UNRESTRICTED
TT2020-0165

Truck Route Bylaw Amendment - Rail Crossing Closure

Strategic Alignment

The process to evaluate and manage the City's truck route network does align with Council's policy on Truck Route Network Development (TP005).

Social, Environmental, Economic (External)

Truck routes permit the efficient flow of truck traffic, which is an essential component of Calgary's economic prosperity. Efficient movement of trucks and commercial vehicles leads to reduced traffic and idle times. Established truck routes also help to enhance liveability in communities where truck volumes are high.

Financial Capacity

Current and Future Operating Budget:

The recommendation presented in this report has no impact on current or future operating budgets.

Current and Future Capital Budget:

The recommendation presented in this report has no impact on current or future capital budgets

Risk Assessment

The City is expected to keep up-to-date records and maps of designated truck routes available for public use and planning. The recommendation presented in this report ensures this expectation of accountability and good governance is met.

REASON(S) FOR RECOMMENDATION(S):

As the permanent closure of the at-grade rail crossing on 8 Street S.E. eliminated a previously designated truck route, the Bylaw of The City of Calgary Respecting Truck Routes (60M90) should be amended to reflect this change.

ATTACHMENT(S)

1. Attachment 1 – Proposed Bylaw 10M2020

PROPOSED

TT2020-0165
ATTACHMENT 1

BYLAW NUMBER 10M2020

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 60M90, BEING A BYLAW OF THE CITY RESPECTING TRUCK ROUTES *****

WHEREAS Council has considered TT2020-0165 and considers it necessary to amend Bylaw 60M90;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 60M90, as amended, is hereby further amended.

2. The following is added after section 1.1 as section 1.2:

“1.2 This Bylaw may be cited as the “Truck Route Bylaw”.”

3. In **SCHEDULE “A”**, under 1. **NUMBERED STREETS**, under the headings indicated, the following is deleted:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
“8th Street E.	9th Avenue S.	McDonald Avenue (12th Avenue S.)”

4. In **SCHEDULE “A”**, under 3. **NAMED STREETS, AVENUES AND OTHER HIGHWAYS**, under the headings indicated, the following is deleted:

<u>HIGHWAY</u>	<u>FROM</u>	<u>TO</u>
“McDonald Avenue S.	12th Avenue S.	8th Street E.”

PROPOSED

BYLAW NUMBER 10M2020

5. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____