



AGENDA

SPC ON UTILITIES AND CORPORATE SERVICES

March 24, 2021, 9:30 AM
IN THE COUNCIL CHAMBER

Members

Councillor W. Sutherland, Chair
Councillor P. Demong, Vice-Chair
Councillor G. Chahal
Councillor D. Colley-Urquhart
Councillor J. Davison
Councillor D. Farrell
Councillor S. Keating
Mayor N. Nenshi, Ex-Officio

SPECIAL NOTES:

*Public are encouraged to follow Council and Committee meetings using the live stream
<http://video.isilive.ca/calgary/live.html>*

Public wishing to make a written submission and/or request to speak may do so using the public submission form at the following link: [Public Submission Form](#)

Members may be participating remotely.

1. CALL TO ORDER
2. OPENING REMARKS
3. CONFIRMATION OF AGENDA
4. CONFIRMATION OF MINUTES
 - 4.1. Minutes of the Regular Meeting of the Standing Policy Committee on Utilities and Corporate Services, 2021 February 24
5. CONSENT AGENDA
 - 5.1. DEFERRALS AND PROCEDURAL REQUESTS

None

5.2. BRIEFINGS

5.2.1. Status of Outstanding Motions and Directions – Q1 2021, UCS2021-0454

6. POSTPONED REPORTS

(including related/supplemental reports)

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

None

8. ITEMS DIRECTLY TO COMMITTEE

8.1. REFERRED REPORTS

None

8.2. NOTICE(S) OF MOTION

None

9. URGENT BUSINESS

10. CONFIDENTIAL ITEMS

10.1. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

10.1.1. Proposed Lease (Livingstone) – Ward 03 (1248 Livingstone WY NE), UCS2021-0437

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: 2022 April 22

10.1.2. Building Commitment Update (Various), UCS2021-0438

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 2036 March 30, not recommended for release.

10.1.3. Proposed Restrictive Covenant (Inglewood) – Ward 09 (6 New ST SE), UCS2021-0439

Report and Attachments 1, 2, 3, and 4 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: 2021 April 12, except for Attachment 4 which shall remain confidential.

- 10.1.4. Summary of Green Line Real Property Transactions for the Fourth Quarter 2020, UCS2021-0441
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

- 10.1.5. Proposed Approval of Expropriation (Ogden and East Shepard Industrial) – Ward 9 and Ward 12, UCS2021-0453
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: 2031 March 31

10.2. URGENT BUSINESS

11. ADJOURNMENT



MINUTES

SPC ON UTILITIES AND CORPORATE SERVICES

**February 24, 2021, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT: Councillor W. Sutherland, Chair
Councillor P. Demong, Vice-Chair (Remote Participation)
Councillor G. Chahal (Remote Participation)
Councillor D. Colley-Urquhart (Remote Participation)
Councillor J. Davison (Remote Participation)
Councillor D. Farrell (Remote Participation)
Councillor S. Keating (Remote Participation)
Councillor G-C. Carra (Remote Participation)

ALSO PRESENT: A/General Manager C. Arthurs (Remote Participation)
Legislative Advisor G. Chaudhary
Legislative Advisor J. Palaschuk

1. CALL TO ORDER

Councillor Sutherland called the Meeting to order at 9:31 a.m.

ROLL CALL:

Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Farrell, Councillor Keating, Councillor Carra, and Councillor Sutherland.

Absent from Roll Call: Councillor Demong (joined at 9:33 a.m.)

2. OPENING REMARKS

Councillor Sutherland provided opening remarks and recognized today as Pink Shirt Day, which recognizes efforts to stand up against bullying.

3. CONFIRMATION OF AGENDA

Moved by Councillor Keating

That the Agenda for the 2021 February 24 Regular Meeting of the SPC on Utilities and Corporate Services be confirmed.

MOTION CARRIED

4. CONFIRMATION OF MINUTES

- 4.1 Minutes of the Regular Meeting of the Standing Policy Committee on Utilities and Corporate Services, 2021 January 27

Moved by Councillor Davison

That the Minutes of the 2021 January 27 Regular Meeting of the SPC on Utilities and Corporate Services be confirmed.

MOTION CARRIED

5. CONSENT AGENDA

- 5.1 DEFERRALS AND PROCEDURAL REQUESTS

None

- 5.2 BRIEFINGS

None

6. POSTPONED REPORTS

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

None

8. ITEMS DIRECTLY TO COMMITTEE

- 8.1 REFERRED REPORTS

None

- 8.2 NOTICE(S) OF MOTION

None

9. URGENT BUSINESS

None

10. CONFIDENTIAL ITEMS

Moved by Councillor Keating

That 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*, Committee now move into Closed Meeting at 9:35 a.m., in the Council Boardroom, to discuss confidential matters with respect to the following Items:

- Proposed Lease and Option to Purchase (Downtown Commercial Core) – (616 Macleod TR SE), UCS2021-0261
- Proposed Amendments and Extensions (Lincoln Park) – Ward 08 (50 Peacekeepers DR SW), UCS2021-0289

MOTION CARRIED

Committee reconvened in public meeting at 10:23 a.m. with Councillor Sutherland in the Chair.

ROLL CALL:

Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farrell, Councillor Keating, Councillor Carra, and Councillor Sutherland.

Moved by Councillor Demong

That Committee rise and report.

MOTION CARRIED

Councillor Sutherland introduced a group of grade 8 students from St. Matthew School in Ward 11 along with their teacher.

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

10.1.1 Proposed Lease and Option to Purchase (Downtown Commercial Core) – (616 Macleod TR SE), UCS2021-0261

Administration in attendance during the Closed Meeting discussions with respect to Report UCS2021-0261:

Clerks: G. Chaudhary, J. Palaschuk. Law: B. Graham. Advice: C. Arthurs, C. Berry, S. McClurg, T. Benson, A. DeCaria, and F. Snyders.

A Confidential Revised Attachment 2 was distributed with respect to Report UCS2021-0261.

Moved by Councillor Farrell

That with respect to **Revised** Report UCS2021-0261, the following be approved:

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

1. Authorize the Recommendations as outlined in **Revised** Attachment 2, and
2. Direct the Report, Recommendations, Attachments and Closed Meeting Discussions remain confidential under 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 sale has closed except for Attachments 2 and 4, which shall remain confidential.

For: (8): Councillor Sutherland, Councillor Demong, Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Farrell, Councillor Keating, and Councillor Carra

MOTION CARRIED

10.1.2 Proposed Amendments and Extensions (Lincoln Park) – Ward 08 (50 Peacekeepers DR SW), UCS2021-0289

Administration in attendance during the Closed Meeting discussions with respect to Report UCS2021-0289.

Clerks: G. Chaudhary, J. Palaschuk. Law: B. Graham. Advice: C. Arthurs, C. Berry, S. McClurg, A. DeCaria and F. Snyders.

A Confidential Presentation was distributed with respect to Report UCS2021-0289.

Moved by Councillor Davison

That with respect to Report UCS2021-0289, the following be approved:

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

1. Authorize the Recommendations as outlined in Attachment 2;
2. Request that Report UCS2021-0289 be forwarded as an Item of Urgent Business to the 2021 March 01 Combined Meeting of Council; and
3. Direct that the Recommendation, Report, Attachments, Presentation and Closed Meeting Discussions 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*, to be reviewed 2036 March 30.

For: (8): Councillor Sutherland, Councillor Demong, Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Farrell, Councillor Keating, and Councillor Carra

MOTION CARRIED

10.2 URGENT BUSINESS

None

11. ADJOURNMENT

Moved by Councillor Demong

That this meeting adjourn at 10:30 a.m.

MOTION CARRIED

The following Item has been forwarded to the 2021 March 01 Combined Meeting of Council:

CONFIDENTIAL ITEMS

URGENT BUSINESS

- Proposed Amendments and Extensions (Lincoln Park) – Ward 08 (50 Peacekeepers DR SW), UCS2021-0289

The following Item has been forwarded to the 2021 March 22 Combined Meeting of Council:

CONSENT

- Proposed Lease and Option to Purchase (Downtown Commercial Core) – (616 Macleod TR SE), UCS2021-0261

The next Regular Meeting of the Standing Policy Committee on Utilities and Corporate Services is scheduled to be held 2021 March 24 at 9:30 a.m.

CONFIRMED BY COMMITTEE ON

CHAIR

ACTING CITY CLERK

UNCONFIRMED

BRIEFING

Page 1 of 1

Item # 5.2.1

Utilities & Environmental Protection Briefing to

SPC on Utilities and Corporate Services
2021 March 24

ISC: UNRESTRICTED
UCS2021-0454

Status of Outstanding Motions and Directions – Q1 2021

PURPOSE OF BRIEFING

This briefing summarises the status of the Department of Utilities and Environmental Protection's outstanding motions and directions for Standing Policy Committee (SPC) on Utilities and Corporate Services (UCS) as of 2021 March 24.

SUPPORTING INFORMATION

On 2007 February 06, the Personnel and Accountability Committee approved PAC2007-05 Status of Outstanding Motions and Directions, directing Administration to bring forward as an item of business to each Standing Policy Committee, a list of tabled and referred motions and reports for each committee; such lists to be reviewed by each Standing Policy Committee on a quarterly basis.

There are no current or future capital or operating budget implications associated with this status report.

ATTACHMENT(S)

1. Status of Outstanding Motions and Directions – Q1 2021

Status of Outstanding Motions and Directions – Q1 2021



ITEM	DATE OF REQUEST	APPROVAL	SUBJECT	MEETING DATE
OHSW Service Line Impacts and Response to COVID-19	2020 Jul 22	UCS2020-0446	Report back in Q4 2020 with a summary of the OHSW service line impacts and response to the COVID-19 pandemic. <i>*Deferred to Q2 2021 (as per C2020-0698)</i>	2021
Annual Corporate Environmental Management Performance	2019 May 15	UCS2019-0460	Direct Administration to change environmental and safety performance reporting frequency from biannual to annual and provide separate corporate performance reports on the following service lines going forward as part of One Calgary: <ul style="list-style-type: none"> • Environmental management. • Organizational health, safety and wellness. <i>*Deferred to Q2 2021 (as per C2020-0698)</i>	2021 Q2
Bowness Barrier Recommendations	2020 Apr 15	UCS2020-0372	Administration to report back to SPC on UCS no later than Q4 2020 with recommendations regarding the Bowness barrier project. <i>*Deferred to Q2 2021 (as per C2020-0698)</i>	2021 Q2
Detailed Pilot Plan for Variable Set-Out for the Black Cart Program	2018 Dec 18	UCS2019-1142	Administration to report back to the SPC on UCS no later than Q2 2021 with results from the review of customer behaviour and a detailed pilot plan including proposed pilot communities, rates that will be piloted, a detailed cost estimate, and a plan for funding the pilot.	2021 Q2

Status of Outstanding Motions and Directions – Q1 2021 Continued



UCS2021-0454
Attachment 1

ITEM	DATE OF REQUEST	APPROVAL	SUBJECT	MEETING DATE
Annual Water Efficiency Plan update	2005 December 12	UE2005-55	Administration to report back to the SPC on Utilities and Corporate Services annually with updates on progress towards "30 in 30" goal.	2021 Q2
	2019 Dec 18	UCS2019-1539	Report on water security annually as part of the Water Utility update to the Standing Policy Committee on UCS	
Flood Resiliency and Mitigation annual report	2014 Dec 02	PFC2015-0777	Administration to report back to the SPC on Utilities and Corporate Services annually on progress related to the recommendations from the Expert Management Panel on River Flood Mitigation. (Expert panel recommendation 6f).	2021 Q2
Single Use Items Reduction Strategy and Implementation Plan	2019 May 15	UCS2019-0370	Administration to develop a single-use items reduction strategy and implementation plan to return to Committee with a strategy no later than Q3 2020. <i>*Deferred to 2021 (as per C2020-0698).</i>	2021
Annual Organizational Health, Safety and Wellness Performance	2019 May 15	UCS2019-0460	Direct Administration to change environmental and safety performance reporting frequency from biannual to annual and provide separate corporate performance reports on the following service lines going forward as part of One Calgary: <ul style="list-style-type: none"> • Environmental management. • Organizational health, safety and wellness. 	2021 Q3

Status of Outstanding Motions and Directions – Q1 2021 Continued



ITEM	DATE OF REQUEST	APPROVAL	SUBJECT	MEETING DATE
Fullfillment of Providing Services to Hamlet of Shepard and Surrounding Area	2020 Sept 14	PFC2020-0995	NOW THEREFORE BE IT RESOLVED, That Utilities and Corporate Services develop an estimate of the costs and a preliminary plan to provide services to this area. AND FURTHER BE IT RESOLVED, The city and/ or Utilities and Corporate Mangement investigate other areas of that could be combined for a holistic approach. <i>*timeline not specified</i>	
Extra Strength Surcharge Parameters for Wastewater	2018 Jul 30	UCS2018-0884	Administration to report back on rates and limits for wastewater extra strength surcharge parameters no later than 2020 November. <i>*PFC2020-1140 Directed Administration to report back on rates and limits for wastewater extra strength surcharge paramenters by Q2 2022</i>	2022 Q2
Variable Stormwater Rate Structure	2018 July 30	UCS2018-0884	Administration to develop an implementation plan for a variable stormwater rate structure and report back to Council by Q4 2020 for potential implementation for the 2023 to 2026 business cycle. <i>*Will be proposing a deferral to Q2 2022 at Dec. 16 2020 UCS meeting.</i>	2022
Water, Wastewater and stormwater rates for 2023-2026	2018 July 30	UCS2018-0884	Administration to develop water, wastewater and stormwater rates for 2023-2026 that recover 100% of the cost of service for each customer class.	2022



11.4.7 [Notice of Motion - Restrictive Covenant at 6 New ST SE - No More Blank Walls on Public Spaces, PFC2021-0117](#)

Moved by Councillor Carra

Seconded by Councillor Farrell

That with respect to Notice of Motion PFC2021-0117, the following be adopted:

NOW THEREFORE BE IT RESOLVED THAT Administration undertake any necessary advertisements regarding a proposed disposition of a restrictive covenant at below market value (nominal consideration) on a public park, pursuant to the *Municipal Government Act* (Alberta), and report back to Council through the Standing Policy Committee on Utilities and Corporate Services;

AND FURTHER BE IT RESOLVED THAT the service fee for Administration's services not be charged to the landowner, potentially being drawn from the tax uplift on the Application until it is paid off at which point the totality of 4 New Street SE's taxes shall be submitted to general revenue;

AND FURTHER BE IT RESOLVED THAT Administration ensure that the Guidebook for Great Communities has sufficient policy to ensure that it will be easier to have openings on public spaces and also to report back to Council through the SPC on Utilities and Corporate Services no later than 2022 March 30 with an improved process that would allow The City to enter into restrictive covenant agreements to extend the limiting distance to ensure no more blank walls on public spaces without having to seek Council approval for every case.

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

MOTION CARRIED



Report Number: PFC2021-0117

Meeting: Priorities & Finance Committee

Meeting Date: 2021 January 12

NOTICE OF MOTION

RE: Restrictive Covenant at 6 New ST SE - No More Blank Walls on Public Spaces

Sponsoring Councillor(s): COUNCILLOR GIAN CARLO CARRA

WHEREAS the owners of 4 New ST SE (A3; 17;1,2) submitted a Development Permit Application DP2020-3048 almost a year ago, which proposes a single family dwelling;

AND WHEREAS The City of Calgary is the owner of the adjacent property at 6 New ST SE (A3;17;1) which currently functions as non-reserve open space (an off-leash dog park and a portion of the Bow River Pathway System), and shares a property line with the Applicant's Property;

AND WHEREAS the Application proposes that the northerly building face of the single detached dwelling face the park with windows and decks and doors;

AND WHEREAS the National Building Code – Alberta Edition requires that unprotected openings be restricted in size and number within a limiting distance setback from the property line of a parcel with the aim of reducing the probability of fire spreading from one building to another adjacent building;

AND WHEREAS the Application proposes more unprotected openings in number and/or size, than is otherwise permitted under the Code given the distance between the proposed building and the property line;

AND WHEREAS while the Code technically applies in this case but practically does not apply as there are no circumstances in which the City would build or allow to be built a structure on the parkland that could catch on fire next to the Application;

AND WHEREAS Council has previously directed Administration to develop processes to promote passive through active interfaces between private parcels and public space through the 2016 NoM No More Blank Walls on Public Spaces;

AND WHEREAS this Application has been delayed due to Administration not having developed such processes and the Applicants are currently being asked to purchase a restrictive covenant, registered against the City Property in favour of the Applicant's Property, which would prohibit development in a specific area of the City Property as shown on the attached site plan;

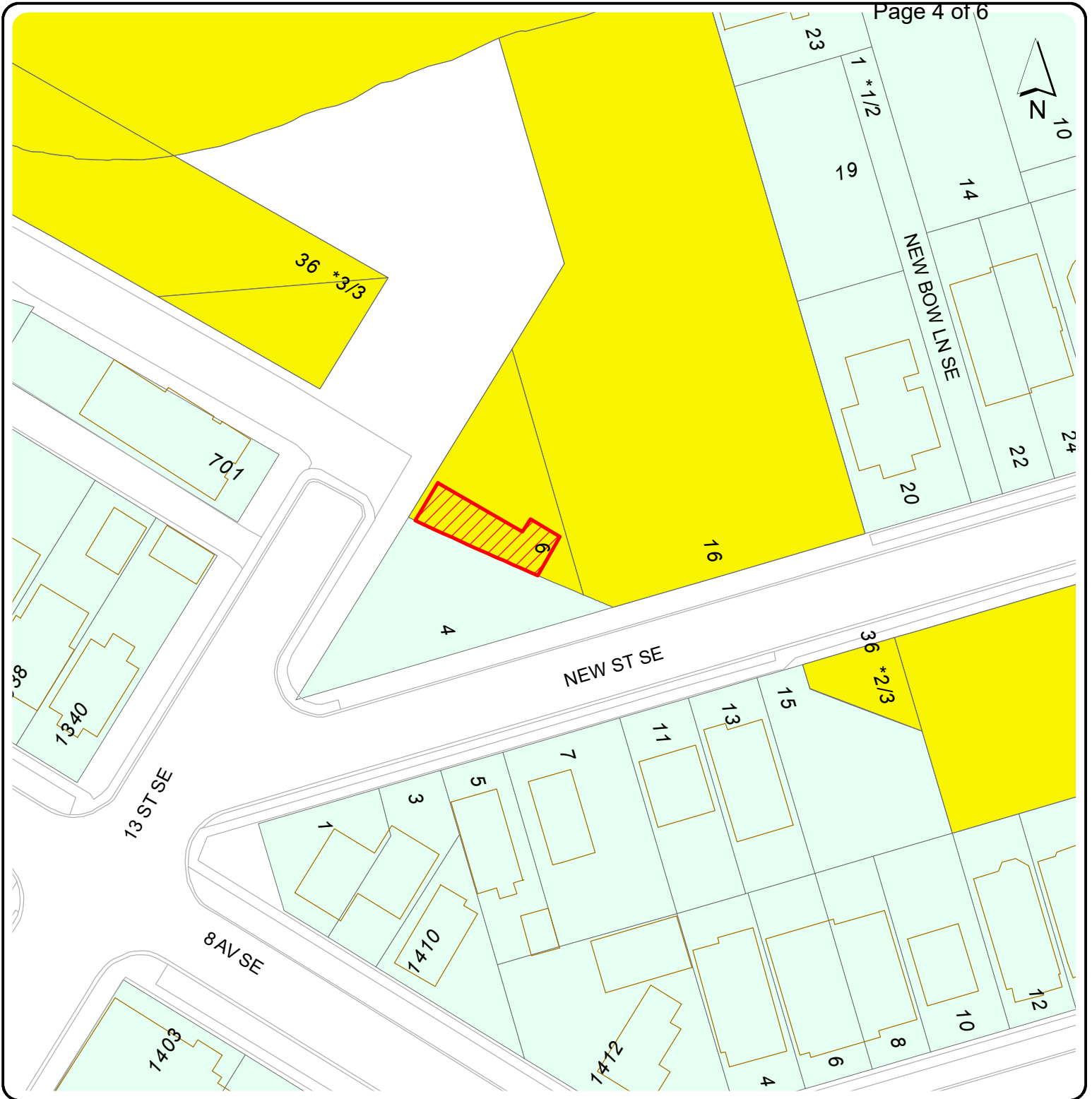
AND WHEREAS standard practice for Real Estate & Development Services is to administer dispositions of land (including restrictive covenants) at market value;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the Director, Real Estate & Development Services to approve the terms and conditions for a restrictive covenant agreement (including approving of any rectifications, corrections, changes, additions, amendments or deletions of any terms and conditions which are necessary in order to facilitate the negotiation, completion and administration of such restrictive covenant) in exchange for an Administrative fee to be determined by the Director of Real Estate and Development Services,


but at nominal consideration, which prohibits development on a portion of the City Property in favour of the Applicant's Property in support of the Application as shown on the attached site map (more or less), subject to confirmation that the restrictive covenant area is determined to be surplus to municipal requirements through standard circulation processes under the Corporate Land Management Framework, and any requirements to advertise the disposition of land below market value pursuant to the *Municipal Government Act* (Alberta);

AND FURTHER BE IT RESOLVED THAT the service fee for Administration's services be drawn from the tax uplift on the Application until it is paid off at which point the totality of 4 New Street SE's taxes shall be submitted to general revenue;

AND FURTHER BE IT RESOLVED THAT Administration ensure that the Guidebook for Great Communities has sufficient policy to ensure that there will be no more blank walls on public spaces is and also to report back to Council through the SPC on Utilities and Corporate Services no later than 2022 March 30 with an improved process that would allow The City to enter into restrictive covenant agreements to extend the limiting distance to ensure no more blank walls on public spaces without having to seek Council approval for every case.



6 NEW ST SE

 Restrictive Covenant
± 108.144 m² (± 1,164.05 ft²)

 City-Owned Land

NOTICE OF MOTION CHECKLIST

The checklist is a tool intended to support the sponsor(s) of a Notice of Motion. The items listed below are important considerations when crafting and submitting a Notice of Motion. It is also intended to support other Members of Council, as the same considerations are important when reaching a decision on a Notice of Motion.

The checklist is therefore an opportunity for the sponsor(s) to:

- consider what advice might be helpful to them in formulating their proposal; and
- share key points about the advice received with their Council colleagues, to inform their deliberations.

This document is recommended to be provided to City Clerks alongside every Notice of Motion and will become part of the Corporate record. It is at the discretion of the sponsor(s) to decide with whom to consult and what information to include.

Title of the Motion: **Restrictive Covenant at 6 New ST SE**
No More Blank Walls on Public Spaces V2.0

There are two classifications of a Notice of Motion (Check the one that applies):

- ☐ Regular
- ☒ Urgent (Include details in Urgency Rationale box below)

☐ Is this Notice of Motion Confidential? (Include details in Procedural box below)

Financial and Other Resource Capacity
This is cost-avoidance, property tax base-enhancing work that Council has previously directed but which has not been successfully undertaken yet. This motion seeks to solve a one-off issue that has been created by the failure to address this issue at a systemic level and directs administration to complete the work of developing a systemic solution.
Legal / Legislative
The Law Dept is aware of this work and how the Guidebook for Great Communities has the ability to systemically solve this issue.

Technical Content
Have been working with REDS through this process.
Procedural (Including reasons for confidentiality)
Other Considerations
Urgency Rationale
It should not take a year to provide approval for a single detached dwelling simply because it is seeking to face a City park with windows. Any further delays will result in this application taking more than a year to be approved.