



AGENDA

INFRASTRUCTURE AND PLANNING COMMITTEE

September 9, 2022, 9:30 AM
IN THE COUNCIL CHAMBER

Members

Councillor S. Sharp, Chair
Councillor J. Mian, Vice-Chair
Councillor G-C. Carra
Councillor A. Chabot
Councillor P. Demong
Councillor D. McLean
Councillor E. Spencer
Mayor J. Gondek, Ex-Officio

SPECIAL NOTES:

*Public are encouraged to follow Council and Committee meetings using the live stream
www.calgary.ca/watchlive*

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 Infrastructure and Planning Committee, 2022 June 27
 - 4.2. Minutes of the Regular Meeting of the Infrastructure and Planning Committee, 2022 July 7
5. CONSENT AGENDA
 - 5.1. DEFERRALS AND PROCEDURAL REQUESTS

5.1.1. Deferral Request for Report back on Minimizing Negative Impacts of Waste and Recycling Sites due September 2022 to no later than Q2 2023, IPC2022-0906

5.2. Quarterly Summary of Real Estate Transactions – Q1 2022, IP2022-0988
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 December 31

6. POSTPONED REPORTS

(including related/supplemental reports)

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

7.1. Modernization of the Joint Use and Planning Agreement, IP2022-0533

7.2. Land Use Bylaw Amendments to Address Missing Middle Housing, IP2022-0989

7.3. Update on Residential Parking Program Implementation, IP2022-0939

7.4. Transition to Online Advertising for Planning Matters, IP2022-0934

7.5. Citywide Growth Strategy – Analysis on Three New Community Business Cases, IP2022-0986

7.6. Proposed Real Property Bylaw, IP2022-1003

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 Acquisition (Walden) – Ward 14 (20950 Macleod TR SE), IP2022-0992
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: 2032 September 9

- 10.1.2. Proposed Method of Disposition (Shawnessy) – Ward 13 (35 Shawville BV SE), IP2022-1002
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: 2032 October 9, except for Attachment 5 which shall remain confidential.

10.2. URGENT BUSINESS

11. BRIEFINGS

- 11.1. Municipal Development Plan / Calgary Transportation Plan Monitoring Report 2022, IP2022-0983
- 11.2. Storm Pond Safety, IP2022-0973
- 11.3. Safer Collector Framework, IP2022-0949

12. ADJOURNMENT



MINUTES

INFRASTRUCTURE AND PLANNING COMMITTEE

**June 27, 2022, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT:

Councillor G-C. Carra, Chair
Councillor S. Sharp, Vice-Chair (Partial Remote Participation)
Councillor A. Chabot (Partial Remote Participation)
Councillor P. Demong (Remote Participation)
Councillor D. McLean (Partial Remote Participation)
Councillor J. Mian (Partial Remote Participation)
Councillor E. Spencer
Mayor J. Gondek (Remote Participation)
Councillor S. Chu
Councillor R. Dhaliwal (Partial Remote Participation)
Councillor K. Penner (Partial Remote Participation)
Councillor C. Walcott
Councillor T. Wong (Partial Remote Participation)
Councillor J. Wyness (Partial Remote Participation)

ALSO PRESENT:

City Manager D. Duckworth (Partial Remote Participation)
General Manager K. Black (Remote Participation)
General Manager S. Dalglish
Chief Financial Officer C. Male (Remote Participation)
General Manager D. Morgan (Remote Participation)
General Manager M. Thompson (Remote Participation)
Legislative Coordinator M. A. Cario
Legislative Advisor S. Lancashire
Legislative Advisor C. Nelson
Legislative Advisor J. Palaschuk

1. CALL TO ORDER

Councillor Carra called the Meeting to order at 9:32 a.m. on 2022 June 27.

ROLL CALL

Councillor Chu, Councillor Demong, Councillor Dhaliwal, Councillor McLean, Councillor Mian, Councillor Penner, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Wong, Councillor Wyness, and Councillor Carra.

Absent from Roll Call: Councillor Chabot joined at 9:34 a.m.

2. OPENING REMARKS

Councillor Carra provided opening remarks and a traditional land acknowledgement.

3. CONFIRMATION OF AGENDA

Moved by Councillor Sharp

That the Agenda for the 2022 June 27 Regular Meeting of the Infrastructure and Planning Committee be confirmed.

MOTION CARRIED

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Regular Meeting of the Infrastructure and Planning Committee, 2022 June 10

Moved by Councillor Sharp

That the Minutes of the 2022 June 10 Infrastructure and Planning Committee be confirmed.

MOTION CARRIED

5. CONSENT AGENDA

5.1 DEFERRALS AND PROCEDURAL REQUESTS

None

6. POSTPONED REPORTS

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

7.1 Citywide Growth Strategy in the 2023-2026 Service Plans and Budget Cycle, IP2022-0545

The following documents were distributed with respect to Report IP2022-0545:

- A presentation entitled "Citywide Growth Strategy in the 2023-2026 Service Plans and Budgets Cycle";
- A presentation entitled "Qualico Glacier Ridge North";
- A presentation entitled "Glacier Ridge South Business Case";
- A presentation entitled "Glacier Ridge Community C Business Case";
- A presentation entitled "Glacier Ridge - Cabana Business Case";
- A presentation entitled "Lewiston Business Case";
- A presentation entitled "Belvedere Growth & Change";
- A presentation entitled "Trico - Belvedere Business Cases";

- A presentation entitled "Jayman + Telsec Nostalgia";
- A presentation entitled "Logan Landing"
- A presentation entitled "Seton Ridge Business Case"
- A presentation entitled "Providence - Business Case"
- A presentation entitled "West View Crestmont West"
- A letter from BILD Calgary Region
- A presentation entitled "Between Anger and Despair"
- A presentation entitled "Citywide Growth Strategy - Calgary Climate Hub"
- A package of Public Submissions

Committee recessed at 12:01 p.m. and reconvened at 1:06 p.m. on 2022 June 27 with Councillor Carra in the Chair.

ROLL CALL

Councillor Chabot, Councillor Chu, Councillor Demong, Councillor Dhaliwal, Councillor McLean, Councillor Mian, Councillor Penner, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Wong, Councillor Wyness, and Councillor Carra.

The following speakers addressed Committee with respect to Report IP2022-0545:

1. Ben Mercer, Qualico
2. Kathy Oberg, B&A Planning Group
3. Chuck Stepper, Stepper Homes
4. Jay German, Ronmor
5. Trent Edwards, Brookfield
6. Arnie Stefaniuk, Genesis Land Development
7. Peter Trutina, Truman Homes
8. Michael Brown, Trico Homes
9. Phil Nottveit, Urban Systems
10. Brendan McCashin, Genesis Land Development
11. Jared Goldade, Westcreek
12. Jay Westman, Jayman Homes

Councillor Chabot (Remote Member) left the meeting at 2:53 p.m. and joined at 2:55 p.m. on 2022 June 27.

Committee recessed at 3:13 p.m. and reconvened at 3:47 p.m. on 2022 June 27 with Councillor Carra in the Chair.

ROLL CALL

Councillor Chabot, Councillor Chu, Councillor Demong, Councillor Dhaliwal, Councillor McLean, Councillor Mian, Councillor Penner, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Wyness, and Councillor Carra.

Councillor Wong (Remote Member) joined the meeting at 4:23 p.m. on 2022 June 27.

13. Marissa Koop, B&A Planning Group

14. Ryan Boyd, Brookfield Residential

15. Brett Friesen, Hopewell

16. Tara Steell, Dream

17. Chris Andrew, B&A Planning Group

18. Brian Hahn, BILD Calgary

19. Jason Curry, Calgary Fire Department

20. Dr. Noel Keough, Sustainable Calgary and the Calgary Climate Hub

Moved by Councillor Penner

That Committee modify the dinner recess to begin following the completion of the public hearing.

For: (12): Councillor Carra, Councillor Sharp, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Mian, Councillor Spencer, Councillor Dhaliwal, Councillor Penner, Councillor Walcott, Councillor Wong, and Councillor Wyness

Against: (1): Councillor Chu

MOTION CARRIED

21. Greg Miller

22. Robert Tremblay, Calgary Climate Hub

23. Bob Morrison, Sustainable Calgary and the Calgary Climate Hub

24. Kathryn Davies

25. Nathaniel Schmidt

26. Justin Simaluk

Committee recessed at 6:35 p.m. and reconvened at 7:38 p.m. on 2022 June 27 with Councillor Carra in the Chair.

ROLL CALL

Councillor Chabot, Councillor Chu, Councillor Demong, Councillor Dhaliwal, Councillor McLean, Councillor Mian, Councillor Penner, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Wyness, Councillor Wong and Councillor Carra.

Mayor Gondek (Remote Member) joined the meeting at 8:06 p.m. on 2022 June 27.

Moved by Mayor Gondek

That pursuant to Section 6(1) of Procedure Bylaw 35M2017, Committee suspend Section 79 of the Procedure Bylaw to forego the 9:30 p.m. recess and to recess at 10:30 p.m. on 2022 June 27.

ROLL CALL VOTE:

For: (9): Councillor Carra, Councillor Sharp, Councillor Demong, Councillor Mian, Councillor Spencer, Mayor Gondek, Councillor Penner, Councillor Walcott, and Councillor Wong

Against: (5): Councillor Chabot, Councillor McLean, Councillor Chu, Councillor Dhaliwal, and Councillor Wyness

MOTION CARRIED

Councillor Dhaliwal (Remote Member) left the meeting at 9:30 p.m. on 2022 June 27.

Moved by Councillor Wyness

That Committee recess at 10:30 p.m. on 2022 June 27 to reconvene at 1:00 p.m. on 2022 June 30.

ROLL CALL VOTE:

For: (10): Councillor Carra, Councillor Sharp, Councillor Chabot, Councillor McLean, Councillor Mian, Councillor Chu, Councillor Penner, Councillor Walcott, Councillor Wong, and Councillor Wyness

Against: (3): Councillor Demong, Councillor Spencer, and Mayor Gondek

MOTION CARRIED

Committee reconvened at 1:05 p.m. on 2022 June 30 with Councillor Carra in the Chair.

ROLL CALL

Councillor Sharp, Councillor Demong, Councillor Chabot, Councillor Mian, Councillor Chu, Councillor Dhaliwal, Councillor Walcott, Councillor McLean, Councillor Spencer, Councillor Wong, Councillor Wyness and Councillor Carra.

Councillor Sharp rose on a Point of Order.
The Chair ruled on the Point of Order.

Councillor Chabot rose on a Point of Order.
The Chair ruled on the Point of Order.

Councillor Demong rose on a Point of Order.
The Chair ruled on the Point of Order.

Councillor Demong rose on a Point of Order.
The Chair ruled on the Point of Order.

Councillor Chu rose on a Question of Privilege.
The Chair ruled on the Question of Privilege.

By General Consent, pursuant to Section 6(1) of Procedure Bylaw 35M2017, Committee suspended Section 109 of the Procedure Bylaw in order to allow Committee to debate without time limits.

By General Consent, pursuant to Section 100(3) of the Procedure Bylaw 35M2017, the following proposed motion was withdrawn:

"Moved by Councillor Walcott

That with respect to Report IP2022-0545, the following be approved, **after amendment:**

That the Infrastructure and Planning Committee recommend that Council:

1. **Direct Administration to use the Identified Industrial Area Capital Investments found in the Growth Portfolio identified in Attachment 2 as guidance for growth-related investments in the 2023-2026 Service Plans and Budgets Process;**
2. **Direct Administration to use the Identified Established Area Capital Investments found in the Growth Portfolio identified in Attachment 2 as guidance for growth-related investments in the 2023-2026 Service Plans and Budget Process;**
3. **Direct Administration to use the Identified Previously Approved New Communities Capital Investments found in the Growth Portfolio identified in Attachment 2 as guidance for growth-related investments in the 2023-2026 Service Plans and Budgets Process;**
4. **Direct Administration to use the Proposed New Community Business Cases for the City Wide Growth Investment Portfolio and Associated Costs for 2023-2026 found in Attachment 2 as guidance for growth-related investments in the 2023-2026 Service plans and Budgets Process; and**
5. Direct Administration to defer the 2022 Growth Monitoring Report from 2022 October to Q2 2023."

Committee recessed at 3:15 p.m. and reconvened at 3:48 p.m. on 2022 June 30 with Councillor Carra in the Chair.

ROLL CALL

Councillor Sharp, Councillor Chabot, Councillor Mian, Councillor Chu, Councillor Dhaliwal, Councillor Walcott, Councillor McLean, Councillor Spencer, Councillor Wong, Councillor Wyness and Councillor Carra.

Absent for Roll Call: Councillor Demong (Remote Member) joined the meeting at 3:50 pm on 2022 June 30.

Councillor Carra left the Chair at 3:49 p.m. on 2022 June 30 and Vice Chair Sharp assumed the Chair.

Councillor Carra resumed the Chair at 3:51 p.m. on 2022 June 30.

Moved by Councillor Chabot

That the Recommendations be amended by adding a new Recommendation #6, as follows:

6. Direct Administration to undertake further consideration and expeditiously work with proponents of the proposed new communities' business case areas of Belvedere East – Truman and Belvedere South – Trico, as identified in IP2022-0545 and that recommendations enabling a strategic growth opportunity in Calgary's East Sector through partnership among Truman, Trico, and The City of Calgary to build the priority ultimate 17 AV SE transit corridor (MAX Purple BRT) and satisfy regional stormwater management requirements and that an update be brought back to the 2022 October 14 Infrastructure and Planning Committee Meeting.

For: (10): Councillor Carra, Councillor Sharp, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Mian, Councillor Spencer, Councillor Chu, Councillor Wong, and Councillor Wyness

Against: (1): Councillor Walcott

MOTION CARRIED

Councillor Chabot rose on a Point of Order.
The Chair ruled on the Point of Order.

Councillor Dhaliwal (Remote Member) joined the meeting at 5:57 p.m.

Committee recessed at 6:00 p.m. and reconvened at 7:01 p.m. on 2022 June 30 with Councillor Carra in the Chair.

ROLL CALL

Councillor Sharp, Councillor Demong, Councillor Chabot, Councillor Mian, Councillor Chu, Councillor Walcott, Councillor McLean, Councillor Spencer, Councillor Wong, Councillor Wyness and Councillor Carra.

Councillor Dhaliwal (Remote Member) joined the meeting at 7:05 p.m.

Councillor Wyness rose on a Point of Order.
The Chair ruled on the Point of Order.

Moved by Councillor Sharp

That the Recommendations be amended by adding a new Recommendation #7 as follows, and by adding the two new Recommendations, and renumbering accordingly, as follows:

7. Direct Administration to work with the developer proponents in West View on the planning for future stages of infrastructure, including their optimal timing of funding and delivery, to ensure the ability for continuity of growth in the Area Structure Plan.

- Direct Administration to prepare a report to Council through the Infrastructure and Planning Committee no later than 2023 Q3 to:

- a. Complete the work previously directed by Council on 2021 June 21 in response to the PFC2021-0639 report on "rethinking" the GMO tool and how it is used to guide growth decision in the following cycles

- Direct Administration to prepare a report to Council through the Infrastructure and Planning Committee no later than 2023 Q4 to:

- a. Re-engage with Proposed New Community business case proponents to review Administration's analysis and offer feedback and suggestions, informed by the results of Administration's "GMO rethink" report

- b. Provide Council with more detailed reporting on the inputs and assumptions used in revenue and operation projections used by Administration to consider Proposed New Community business cases informed by the results of Administration's "GMO rethink" report, and to receive feedback from Council and other stakeholders to further refine the process.

For: (11): Councillor Carra, Councillor Sharp, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Mian, Councillor Spencer, Councillor Chu, Councillor Dhaliwal, Councillor Wong, and Councillor Wyness

Against: (1): Councillor Walcott

MOTION CARRIED

Moved by Councillor McLean

That the Recommendations be amended by adding a new Recommendation #8, as follows:

8. Direct Administration to work with the developer proponents in Providence on the planning for future stages of infrastructure, including their optimal timing of funding and delivery, to ensure the ability for continuity of growth in the Area Structure Plan.

For: (11): Councillor Carra, Councillor Sharp, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Mian, Councillor Spencer, Councillor Chu, Councillor Dhaliwal, Councillor Wong, and Councillor Wyness

Against: (1): Councillor Walcott

MOTION CARRIED

Moved by Councillor Wyness

That the Recommendations be amended by adding a new Recommendation #9, as follows:

9. Direct Administration to work with the developer proponents in Glacier Ridge Community C (Ronmor), Community C (Qualico), and Community D (Brookfield) on the planning for future stages of infrastructure, including their optimal timing of funding and delivery, to ensure the ability for continuity of growth in the Area Structure Plan with particular emphasis on addressing water servicing capacity constraints.

For: (11): Councillor Carra, Councillor Sharp, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Mian, Councillor Spencer, Councillor Chu, Councillor Dhaliwal, Councillor Wong, and Councillor Wyness

Against: (1): Councillor Walcott

MOTION CARRIED

Moved by Councillor Wong

That the Recommendations be amended by adding a new Recommendation #10, as follows:

10. Direct Administration to prepare information for discussion on an updated Established Area Growth Strategy Framework that:
 - a. Incorporates other Established Area growth facilitating work including, but not limited to, Calgary Plan, Multi-Community Local Area Plan, Land Use Bylaw Renewal, Main Streets, Transit Oriented Development, Urban Infrastructure; and
 - b. Includes an enhanced Established Areas investment / funding proposal.

And include the information at the September Accounting for Growth Learning Session, with a subsequent request to provide as a Briefing to be added to the Corporate Record to the 2022 September 29 Executive Committee Meeting.

For: (7): Councillor Carra, Councillor Sharp, Councillor Mian, Councillor Spencer, Councillor Walcott, Councillor Wong, and Councillor Wyness

Against: (4): Councillor Chabot, Councillor McLean, Councillor Chu, and Councillor Dhaliwal

MOTION CARRIED

Councillor Sharp (Remote Member) joined the meeting at 7:53 p.m. on 2022 June 30.

Moved by Councillor Mian

That the Recommendations be amended by adding a new Recommendation #11, as follows:

11. Direct Administration to investigate measures for incentivizing green and net zero building approaches as part of the pending review of the GMO process,

including but not limited to the possibility of prioritizing GMO removal and DP approvals for developments using building approaches which support the City of Calgary's Climate Strategy.

For: (7): Councillor Carra, Councillor Demong, Councillor Mian, Councillor Spencer, Councillor Dhaliwal, Councillor Walcott, and Councillor Wong

Against: (5): Councillor Sharp, Councillor Chabot, Councillor McLean, Councillor Chu, and Councillor Wyness

MOTION CARRIED

By General Consent, pursuant to Section 100(3) of the Procedure Bylaw 35M2017, the following proposed motion was withdrawn:

"Moved by Councillor Dhaliwal

That the Recommendations be amended by adding a new Recommendation #12 and #13, as follows:

12. Direct Administration to undertake further quantitative economic and environmental analysis of the 5+3 recommended developing area business cases and report back to Council preliminarily through the September Council Learning Session on Growth with particular emphasis on climate compliance, as committed by the City of Calgary through its climate emergency, and achievable targets to support the City of Calgary's commitment to achieve net zero by 2050, and include the ultimate analysis with the final recommendations in the 2023-2026 Business Plan and Budget report; and
13. Direct Administration to commission an independent audit of the data and assumptions being made in the recommendation to approve 5+3 business cases and present the findings of that audit in conjunction with their ultimate recommendations to Council in the 2023-2026 Business Plan and Budget report."

By General Consent, pursuant to Section 6(1) of Procedure Bylaw 35M2017, Committee suspended Section 79 of the Procedure Bylaw to forego the 9:30 p.m. recess.

Moved by Councillor Demong

That the Recommendations be amended by adding a new Recommendation #14, as follows:

14. Direct Administration to consider the work capacity challenges associated with these recommendations and prepare mitigating recommendations for Council.

For: (12): Councillor Carra, Councillor Sharp, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Mian, Councillor Spencer, Councillor Chu, Councillor Dhaliwal, Councillor Walcott, Councillor Wong, and Councillor Wyness

MOTION CARRIED

Committee recessed to the Call of the Chair at 9:40 p.m. on 2022 June 30.

Committee reconvened at 9:46 p.m. with Councillor Carra in the Chair.

ROLL CALL

Councillor Chabot, Councillor Chu, Councillor Demong, Councillor Dhaliwal, Councillor McLean, Councillor Mian, Councillor Sharp, Councillor Spencer, Councillor Walcott, Councillor Wong, Councillor Wyness, and Councillor Carra

Moved by Councillor Walcott

That with respect to Report IP2022-0545, the following be approved, **as amended**:

That the Infrastructure and Planning Committee recommend that Council:

- 1. Direct Administration to use the Identified Industrial Area Capital Investments found in the Growth Portfolio identified in Attachment 2 as guidance for growth-related investments in the 2023-2026 Service Plans and Budgets Process;**
- 2. Direct Administration to use the Identified Established Area Capital Investments found in the Growth Portfolio identified in Attachment 2 as guidance for growth-related investments in the 2023-2026 Service Plans and Budget Process;**
- 3. Direct Administration to use the Identified Previously Approved New Communities Capital Investments found in the Growth Portfolio identified in Attachment 2 as guidance for growth-related investments in the 2023-2026 Service Plans and Budgets Process;**
5. Direct Administration to defer the 2022 Growth Monitoring Report from 2022 October to Q2 2023.
- 6. Direct Administration to undertake further consideration and expeditiously work with proponents of the proposed new communities' business case areas of Belvedere East – Truman and Belvedere South – Trico, as identified in IP2022-0545 and that recommendations enabling a strategic growth opportunity in Calgary's East Sector through partnership among Truman, Trico, and The City of Calgary to build the priority ultimate 17 AV SE transit corridor (MAX Purple BRT) and satisfy regional stormwater management requirements and that an update be brought back to the 2022 October 14 Infrastructure and Planning Committee Meeting.**
- 7. Direct Administration to work with the developer proponents in West View on the planning for future stages of infrastructure, including their optimal timing of funding and delivery, to ensure the ability for continuity of growth in the Area Structure Plan.**
- 8. Direct Administration to work with the developer proponents in Providence on the planning for future stages of infrastructure, including**

their optimal timing of funding and delivery, to ensure the ability for continuity of growth in the Area Structure Plan.

9. Direct Administration to work with the developer proponents in Glacier Ridge Community C (Ronmor), Community C (Qualico), and Community D (Brookfield) on the planning for future stages of infrastructure, including their optimal timing of funding and delivery, to ensure the ability for continuity of growth in the Area Structure Plan with particular emphasis on addressing water servicing capacity constraints.

12. Direct Administration to prepare a report to Council through the Infrastructure and Planning Committee no later than 2023 Q3 to:

a. Complete the work previously directed by Council on 2021 June 21 in response to the PFC2021-0639 report on “rethinking” the GMO tool and how it is used to guide growth decision in the following cycles

13. Direct Administration to prepare a report to Council through the Infrastructure and Planning Committee no later than 2023 Q4 to:

a. Re-engage with Proposed New Community business case proponents to review Administration's analysis and offer feedback and suggestions, informed by the results of Administration's "GMO rethink" report

b. Provide Council with more detailed reporting on the inputs and assumptions used in revenue and operation projections used by Administration to consider Proposed New Community business cases informed by the results of Administration's "GMO rethink" report, and to receive feedback from Council and other stakeholders to further refine the process.

14. Direct Administration to consider the work capacity challenges associated with these recommendations and prepare mitigating recommendations for Council.

For: (12): Councillor Carra, Councillor Sharp, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Mian, Councillor Spencer, Councillor Chu, Councillor Dhaliwal, Councillor Walcott, Councillor Wong, and Councillor Wyness

MOTION CARRIED

Moved by Councillor Walcott

That with respect to Report IP2022-0545, the following be approved, as amended:

That the Infrastructure and Planning Committee recommend that Council:

11. Direct Administration to investigate measures for incentivizing green and net zero building approaches as part of the pending review of the GMO process, including but not limited to the possibility of prioritizing GMO removal and DP approvals for developments using building approaches which support the City of Calgary's Climate Strategy.

For: (8): Councillor Carra, Councillor Demong, Councillor McLean, Councillor Mian, Councillor Spencer, Councillor Dhaliwal, Councillor Walcott, and Councillor Wong

Against: (4): Councillor Sharp, Councillor Chabot, Councillor Chu, and Councillor Wyness

MOTION CARRIED

Moved by Councillor Walcott

That with respect to Report IP2022-0545, the following be approved, **as amended:**

That the Infrastructure and Planning Committee recommend that Council:

10. Direct Administration to prepare information for discussion on an updated Established Area Growth Strategy Framework that:

- a. Incorporates other Established Area growth facilitating work including, but not limited to, Calgary Plan, Multi-Community Local Area Plan, Land Use Bylaw Renewal, Main Streets, Transit Oriented Development, Urban Infrastructure; and**
- b. Includes an enhanced Established Areas investment / funding proposal.**

And include the information at the September Accounting for Growth Learning Session, with a subsequent request to provide as a Briefing to be added to the Corporate Record to the 2022 September 29 Executive Committee Meeting.

For: (7): Councillor Carra, Councillor Sharp, Councillor Mian, Councillor Spencer, Councillor Walcott, Councillor Wong, and Councillor Wyness

Against: (5): Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Chu, and Councillor Dhaliwal

MOTION CARRIED

Moved by Councillor Walcott

That with respect to Report IP2022-0545, the following be approved, **as amended:**

That the Infrastructure and Planning Committee recommend that Council:

4. Direct Administration to use the Proposed New Community Business Cases for the City Wide Growth Investment Portfolio and Associated Costs for 2023-2026 found in Attachment 2 as guidance for growth-related investments in the 2023-2026 Service plans and Budgets Process;

For: (3): Councillor Carra, Councillor Mian, and Councillor Wong

Against: (9): Councillor Sharp, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Spencer, Councillor Chu, Councillor Dhaliwal, Councillor Walcott, and Councillor Wyness

MOTION DEFEATED

Moved by Councillor Spencer

That with respect to Report IP2022-0545, the following be approved, **as amended:**

That the Infrastructure and Planning Committee recommend that Council:

4. Direct Administration to prepare Bylaws to remove Growth Management Overlays for Council's consideration on the five (5) recommended Proposed New Community business cases identified in Attachment 2; and, undertake an analysis of the three (3) business cases identified for consideration in advance of the November 2023-2026 Business Plan and Budget deliberations and report back with an updated, more comprehensive, recommendation to Council through the September 9, 2022 Infrastructure and Planning Committee.

For: (6): Councillor Sharp, Councillor Chabot, Councillor McLean, Councillor Spencer, Councillor Chu, and Councillor Wyness

Against: (5): Councillor Carra, Councillor Mian, Councillor Dhaliwal, Councillor Walcott, and Councillor Wong

MOTION CARRIED

Councillor Chabot rose on a Point of Order.

The Chair ruled on the Point of Order.

By General Consent, pursuant to Section 100(3) of the Procedure Bylaw 35M2017, the following proposed motion was withdrawn:

"Moved by Councillor Chabot

That with respect to Report IP2022-0545, the following be approved:

That Committee forward this Report to the 2022 July 5 Combined Meeting of Council as an Item of Urgent Business."

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS

None

8.2 NOTICE(S) OF MOTION

None

9. URGENT BUSINESS

None

10. CONFIDENTIAL ITEMS

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

None

10.2 URGENT BUSINESS

None

11. BRIEFINGS

None

12. ADJOURNMENT

Moved by Councillor Sharp

That this meeting adjourn at 11:09 p.m. on 2022 June 30.

The following items have been forwarded on to the 2022 July 26 Combined Meeting of Council:

CONSENT

- 7.1. Citywide Growth Strategy in the 2023-2026 Service Plans and Budget Cycle, IP2022-0545

The next Regular Meeting of the Infrastructure and Planning Committee is scheduled to be held on 2022 July 7 at 9:30 a.m.

CONFIRMED BY COMMITTEE ON

CHAIR

CITY CLERK



MINUTES

INFRASTRUCTURE AND PLANNING COMMITTEE

**July 7, 2022, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT:

Councillor S. Sharp, Chair
Councillor J. Mian, Vice-Chair
Councillor G-C. Carra (Remote Participation)
Councillor A. Chabot
Councillor P. Demong
Councillor D. McLean
Councillor E. Spencer
Councillor S. Chu (Remote Participation)
Councillor R. Dhaliwal
Councillor K. Penner
Councillor T. Wong

ALSO PRESENT:

General Manager S. Dalglish (Remote Participation)
General Manager D. Morgan (Remote Participation)
General Manager M. Thompson
Legislative Coordinator M. A. Cario
Legislative Advisor J. Clement

1. CALL TO ORDER

The Legislative Coordinator called the Meeting to order at 9:32 a.m.

ROLL CALL

Councillor Carra, Councillor Chabot, Councillor Demong, Councillor Dhaliwal, Councillor McLean, Councillor Mian, Councillor Penner, Councillor Sharp, Councillor Spencer, and Councillor Chu.

Following nomination procedures, Councillor Sharp was elected Chair of the Infrastructure and Planning Committee, by acclamation.

Following nomination procedures, Councillor Mian was elected Vice-Chair of the Infrastructure and Planning Committee.

2. OPENING REMARKS

Councillor Sharp provided opening remarks and a traditional land acknowledgement.

3. CONFIRMATION OF AGENDA

Moved by Councillor Demong

That the Agenda for the 2022 July 7 Regular Meeting of the Infrastructure and Planning Committee be confirmed.

MOTION CARRIED

4. CONFIRMATION OF MINUTES

None

5. CONSENT AGENDA

Moved by Councillor Chabot

That the Consent Agenda be approved as follows:

5.1 DEFERRALS AND PROCEDURAL REQUESTS

- 5.1.1 Deferral Request – North Hill Communities Heritage Guidelines due Q3 2022 to Q4 2022, IP2022-0806

MOTION CARRIED

6. POSTPONED REPORTS

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

7.1 Expanded Active and Safe Routes to School Program, IP2022-0556

Councillor Chu (Remote Member) joined the meeting at 10:03 a.m.

The following speakers addressed Committee with respect to Report IP2022-0556:

1. Tracey Coutts, Ever Active Schools
2. Laura Shutiak, Youth En Route
3. David Kowel, Sustainable Calgary

Councillor Chu (Remote Member) left the meeting at 10:25 a.m.

The following documents were distributed with respect to Report IP2022-0556:

- A presentation entitled "Youth en Route, Championing active transportation to school and beyond"
- A Public Submission

Moved by Councillor Penner

That Recommendation #2 contained in Report IP2022-0556 be amended by deleting Recommendation 2 in its entirety and replacing with the following new 2a:

2. Direct Administration to:

a. Include the Active and Safe Routes to School program in the 2023-2026 budget in an amount that replicates the funding from the existing program of \$1.5 million in capital over the four-year program and \$75k in annual operating in order to support sustainable, safe, comfortable, and accessible school travel; and

For: (10): Councillor Sharp, Councillor Mian, Councillor Carra, Councillor Chabot, Councillor Demong, Councillor McLean, Councillor Spencer, Councillor Dhaliwal, Councillor Penner, and Councillor Wong

MOTION CARRIED

By General Consent, pursuant to Section 121 of the Procedure Bylaw 35M2017, Committee granted Councillor McLean's request to change his vote from the negative to the affirmative.

Moved by Councillor Penner

That Recommendation #2 contained in Report IP2022-0556 be amended by deleting Recommendation 2 in its entirety and replacing with the following new 2b:

2. Direct Administration to:

b. Bring an option in the 2023-2026 budget for an expanded package that would accelerate the programs objectives for Council's consideration.

For: (8): Councillor Sharp, Councillor Mian, Councillor Carra, Councillor Demong, Councillor Spencer, Councillor Dhaliwal, Councillor Penner, and Councillor Wong

Against: (2): Councillor Chabot, and Councillor McLean

MOTION CARRIED

Moved by Councillor Mian

That with respect to Report IP2022-0556, the following be approved, **as amended:**

That the Infrastructure and Planning Committee recommend that Council:

1. Receive this Report for information; and

2. Direct Administration to:

a. **Include the Active and Safe Routes to School program in the 2023-2026 budget in an amount that replicates the funding from the existing program of \$1.5 million in capital over the four-year program and \$75k in annual operating in order to support sustainable, safe, comfortable, and accessible school travel; and**

b. **Bring an option in the 2023-2026 budget for an expanded package that would accelerate the programs objectives for Council's consideration.**

For: (7): Councillor Sharp, Councillor Mian, Councillor Carra, Councillor Demong, Councillor Spencer, Councillor Dhaliwal, and Councillor Wong

Against: (2): Councillor Chabot, and Councillor McLean

MOTION CARRIED

Councillor Demong rose on a Point of Order.

The Chair ruled on the Point of Order.

7.2 Calgary Transit Fare and Revenue Strategy, IP2022-0803

By General Consent, pursuant to Section 6(1) of Procedure Bylaw 35M2017, Committee suspended Section 78(2)(a) of the Procedure Bylaw to forego the lunch recess.

By General Consent, Committee recessed to the Call of the Chair and to reconvene in the Engineering Traditions Committee Room.

Committee recessed at 12:30 p.m. and reconvened at 12:37 p.m. in the Engineering Traditions Committee Room with Councillor Sharp in the Chair.

ROLL CALL:

Councillor Chabot, Councillor Demong, Councillor Dhaliwal, Councillor Mian, Councillor Penner, Councillor Spencer, Councillor Carra, and Councillor Sharp.

Absent from Roll: Councillor McLean

Moved by Councillor Penner

That Recommendation #1 contained in Report IP2022-0803 be amended by deleting the word "determine" following the words "Attachment 2 to" and replacing with the word "recommend".

For: (7): Councillor Sharp, Councillor Carra, Councillor Chabot, Councillor Demong, Councillor Spencer, Councillor Dhaliwal, and Councillor Penner

Against: (1): Councillor Mian

MOTION CARRIED

Moved by Councillor Penner

That Recommendation #2 contained in Report IP2022-0803 be amended by adding the words "non-fare" following the words "revenues from existing".

For: (4): Councillor Carra, Councillor Spencer, Councillor Dhaliwal, and Councillor Penner

Against: (4): Councillor Sharp, Councillor Mian, Councillor Chabot, and Councillor Demong

MOTION DEFEATED

Moved by Councillor Penner

That the Recommendations contained in Report IP2022-0803 be amended by adding a new Recommendation #3, as follows:

3. Return to Community Development Committee upon completion of the Route Ahead Update, with any adjustments to the fare strategy that are warranted under the updated strategy.

For: (4): Councillor Carra, Councillor Spencer, Councillor Dhaliwal, and Councillor Penner

Against: (4): Councillor Sharp, Councillor Mian, Councillor Chabot, and Councillor Demong

MOTION DEFEATED

Moved by Councillor Chabot

That with respect to Report IP2022-0803, the following be approved, **as amended:**

That the Infrastructure and Planning Committee recommend that Council direct Administration to:

1. Use the guiding principles outlined in Attachment 2 to **recommend** fares/user fees and estimate revenues for the 2023-2026 Service Plans; and
2. Increase revenues from existing sources and continue to explore new revenue sources.

For: (8): Councillor Sharp, Councillor Mian, Councillor Carra, Councillor Chabot, Councillor Demong, Councillor Spencer, Councillor Dhaliwal, and Councillor Penner

MOTION CARRIED

7.3 Selling Prices for Road Rights of Way in Greenfield Areas – 2022-2023 Sector Rates, IP2022-0810

Moved by Councillor Demong

That with respect to Report IP2022-0810, the following be approved:

That the Infrastructure and Planning Committee recommend that Council receive the Report and Attachments for the Corporate Record.

For: (6): Councillor Sharp, Councillor Mian, Councillor Carra, Councillor Chabot, Councillor Demong, and Councillor Spencer

MOTION CARRIED

7.4 2022 Tax Sale, IP2022-0811

Moved by Councillor Spencer

That with respect to Report IP2022-0811, the following be approved:

That the Infrastructure and Planning Committee recommend that Council:

1. Authorize the Recommendations as outlined in Attachment 1;
2. Authorize the Reserve Bids for properties in the 2022 Tax Sale as outlined in Attachment 2; and
3. Authorize the Coordinator, Real Estate Acquisitions of Real Estate & Development Services to bid on parcels at the 2022 Tax Sale.

For: (6): Councillor Sharp, Councillor Mian, Councillor Carra, Councillor Chabot, Councillor Demong, and Councillor Spencer

MOTION CARRIED

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS

None

8.2 NOTICE(S) OF MOTION

None

9. URGENT BUSINESS

None

10. CONFIDENTIAL ITEMS

Moved by Councillor Mian

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 1:12 p.m., in the Engineering Traditions Committee Room, to discuss confidential matters with respect to the following Items:

10.1.1 Proposed Method of Disposition - Various Properties (11211, 11235 52 ST SE; 8450 112 AV NW), IP2022-0809;

10.1.2 Proposed Transfer of Environmental Reserve - Ward 09 (1325 Deerfoot TR SE), IP2022-0808; and

10.1.3 Proposed Land Exchange (Inglewood) – Ward 09 (4, 6, 16 New ST SE), IP2022-0812.

MOTION CARRIED

Councillor Sharp left the Chair at 1:50 p.m. and Councillor Mian assumed the Chair.

Committee reconvened in public meeting at 2:23 p.m. with Councillor Mian in the Chair.

ROLL CALL

Councillor Carra, Councillor Chabot, Councillor Demong, Councillor Spencer, and Councillor Mian.

Absent for Roll Call: Councillor Sharp and Councillor McLean

Moved by Councillor Demong

That Committee rise and report.

MOTION CARRIED

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

10.1.1 Proposed Method of Disposition - Various Properties (11211, 11235 52 ST SE; 8450 112 AV NW), IP2022-0809

Administration in attendance during the Closed Meeting discussions with respect to Report IP2022-0809:

Clerks: M.A. Cario, J. Clement, and S. Lancashire. Law: B. Graham.
Advice: M. Thompson, L. Harris, C. Berry, S. McClurg, C. Gusa, D. Romney, and A. DeCaria.

Moved by Councillor Chabot

That with respect to Confidential Report IP2022-0809, the following be approved:

That the Infrastructure and Planning Committee recommend that Council:

1. Authorize the Recommendations as outlined in Attachment 3;
2. Direct that the Recommendations, Report and Attachments 1, 2, 3, and 4 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* until the sale has closed; and
3. Direct that Attachments 5 and 6 remain confidential pursuant 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 by 2031 June 30.

For: (5): Councillor Mian, Councillor Carra, Councillor Chabot, Councillor Demong, and Councillor Spencer

MOTION CARRIED

10.1.2 Proposed Transfer of Environmental Reserve - Ward 09 (1325 Deerfoot TR SE), IP2022-0808

Administration in attendance during the Closed Meeting discussions with respect to Report IP2022-0808:

Clerks: M. A. Cario, J. Clement, and S. Lancashire. Law: B. Graham.
Advice: M. Thompson, L. Harris, C. Berry, S. McClurg, C. Gusa, H. Leonhardt, and D. Romney.

Moved by Councillor Carra

That with respect to Confidential Report IP2022-0808, the following be approved:

That the Infrastructure and Planning Committee refer Report IP2022-0808 back to Administration to return to the 2022 September 9 Infrastructure and Planning Committee to consider this file from a design and environmental outcomes perspective as well as the real estate proposition presented to committee on 2022 July 7.

For: (2): Councillor Mian, and Councillor Carra

Against: (3): Councillor Chabot, Councillor Demong, and Councillor Spencer

MOTION DEFEATED

Pursuant to Section 134 (a) of Procedure Bylaw 35M2017, Councillor Carra requested that the lost motion be forwarded to Council for information.

Moved by Councillor Spencer

That with respect to Report Confidential IP2022-0808, the following be approved:

That the Infrastructure and Planning Committee recommend that Council:

1. Hold a Public Hearing on the proposed Bylaw outlined in Attachment 4;
2. Authorize the proposed transfer of Environmental Reserve in accordance with Administration's Recommendations as outlined in Attachment 3;
3. Give three readings to the proposed Bylaw outlined in Attachment 4;
4. Direct that the Recommendations, Report and Attachments 1, 2a, 2c, 3 and 5 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* until the transaction has been closed; and
5. Direct that Attachments 2b and 4 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* until published in the Council agenda.

For: (4): Councillor Mian, Councillor Chabot, Councillor Demong, and Councillor Spencer

Against: (1): Councillor Carra

MOTION CARRIED

10.1.3 Proposed Land Exchange (Inglewood) – Ward 09 (4, 6, 16 New ST SE),
IP2022-0812

Administration in attendance during the Closed Meeting discussions with respect to Report IP2022-0812:

Clerks: M.A. Cario, J. Clement, and S. Lancashire. Law: B. Graham.
Advice: M. Thompson, L. Harris, C. Berry, S. McClurg, C. Gusa, D. Romney, and A. Tran Vu.

Moved by Councillor Carra

That with respect to Confidential Report IP2022-0812, the following be approved:

The Infrastructure and Planning Committee recommend that Council:

1. Authorize the Recommendations as outlined in Attachment 3; and
2. Direct that the Recommendations, Report and 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* until the transaction has been closed, except for Attachments 5 and 6 which shall remain confidential.

For: (5): Councillor Mian, Councillor Carra, Councillor Chabot, Councillor Demong, and Councillor Spencer

MOTION CARRIED

10.2 URGENT BUSINESS

None

11. BRIEFINGS

None

12. ADJOURNMENT

Moved by Councillor Chabot

That this meeting adjourn at 2:33 p.m.

MOTION CARRIED

The following items have been forwarded on to the 2022 July 26 Combined Meeting of Council:

CONSENT

- Expanded Active and Safe Routes to School Program, IP2022-0556
- Calgary Transit Fare and Revenue Strategy, IP2022-0803

- Selling Prices for Road Rights of Way in Greenfield Areas – 2022-2023 Sector Rates, IP2022-0810
- 2022 Tax Sale, IP2022-0811
- Proposed Method of Disposition - Various Properties (11211, 11235 52 ST SE; 8450 112 AV NW), IP2022-0809
- Proposed Land Exchange (Inglewood) – Ward 09 (4, 6, 16 New ST SE), IP2022-0812

The following item has been forwarded on to the 2022 September 13 Combined Meeting of Council:

OTHER REPORTS AND POSTPONMENTS FOR PUBLIC HEARING

- Proposed Transfer of Environmental Reserve - Ward 09 (1325 Deerfoot TR SE), IP2022-0808

The next Regular Meeting of the Infrastructure and Planning Committee is scheduled to be held on 2022 September 9 at 9:30 a.m.

CONFIRMED BY COMMITTEE ON

CHAIR

CITY CLERK

DEFERRAL

Item # 5.1.1

**Planning & Development Services Deferral to
Infrastructure and Planning Committee
2022 September 09**

**ISC: UNRESTRICTED
IPC2022-0906**

Deferral Request for Report back on Minimizing Negative Impacts of Waste and Recycling Sites due September 2022 to no later than Q2 2023

RECOMMENDATION:

That the Infrastructure and Planning Committee defer the report back on Minimizing Negative Impacts of Waste and Recycling Sites due September 2022 to no later than Q2 2023.

Rationale

Administration requests a deferral on this report-back to align it with proposed amendments to the Business License Bylaw that will further advance progress on mitigating negative impacts of waste and recycling sites. These bylaw updates are expected by Q2 2023. This deferral does not impact the ongoing actions and efforts to minimize negative impacts of waste and recycling sites. While progress has been made, aligning the report back with the introduction of bylaw amendments will support the requested enforceable strategy for compliance as it relates to facilities that process and store waste and recycling materials; and, allow Council to consider progress of this work more comprehensively.

Background

On March 1, 2021, Administration received direction to minimize the negative impacts of waste and recycling sites through a series of actions (for reference, the direction is included below). On July 5, 2021, Administration reported back to Council via UCS2021-0903 to respond to directions 1 and 2. Work to address directions 3 – 7 is progressing well, with some items already being resolved. To make better use of Committee and Council time, we are proposing reporting on remaining progress at the same time as we will be bringing forward amendments to the Business License Bylaw.

In Alberta, waste is managed according to provincial legislation, regulations, and codes. Calgary bylaws direct how land is used and how those uses impact others living and working in the city. There are gaps that limit the controls The City of Calgary has over the impacts created by the operations on these sites. The forthcoming amendments will further address those gaps and strengthen compliance at waste and recycling processing and storage sites to minimize the potential risks they pose.

Previous Council Direction

Council directed Administration through PFC2021-0222 Minimizing Negative Impacts of Waste and Recycling Sites to;

1. Appoint an Officer, be they internal or external, to lead an interdepartmental work group.

**Planning & Development Services Deferral Report
to
Infrastructure and Planning Committee
2022 September 09**

**ISC: UNRESTRICTED
IPC2022-0906**

Deferral Request for Report back on Minimizing Negative Impacts of Waste and Recycling Sites due September 2022 to no later than Q2 2023

2. Present their internal Officer or present the job description and their recommendations for funding should they be external, to Utilities and Corporate Services Committee no later than Q2 2021;
3. Examine the financial and environmental liability The City would incur in the case of these companies abandoning their sites, (to say what potential liabilities and fees would be incurred by The City through 1,000 M/t increments), and the management of these sites;
4. Develop an enforceable strategy for bringing all sites, that store and process waste, recycling and other materials into better compliance (pile height, screening, fire code, environmental, LUB, etc.), minimizing the potential risks they pose;
5. Combine the research in a report back through the Utilities and Corporate Services Committee no later than Q4 2021, outlining an initial set of recommendations for how to create enforceable development and operating standards and an enforcement strategy for targeting problematic sites that store and processes waste, recycling and other materials;
6. Circulate applications currently under review (March 1, 2021) to the Waste Management Facility Application Coordination Team for specialized review until such time as the working group presents their report;
7. Prepare a comprehensive list of recommendations, to submit with their report, on the tools available to Administration, should the enforcement strategy not be an adequate solution to managing the risk associated with these sites., (environmental, LUB, etc.), minimizing the potential risks they pose.

Clerks Note to
Infrastructure and Planning Committee
2022 September 09

ISC: UNRESTRICTED
IP2022-0988

RE: Quarterly Summary of Real Estate Transactions – Q1 2022

RECOMMENDATION:

That the Infrastructure and Planning Committee recommends that Council direct that the Recommendations, Report and 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* until the report is published in the Council agenda.

Review by: 2022 December 31

Modernization of the Joint Use and Planning Agreement

RECOMMENDATION(S):

That the Infrastructure and Planning Committee recommends that Council:

1. Direct Administration to execute the Joint Use & Planning Agreement with the Calgary Board of Education, Calgary Roman Catholic Separate School District and Southern Francophone Education Region based upon the attached draft agreement (Attachment 1).

HIGHLIGHTS

- The City of Calgary (The City), Calgary Board of Education (CBE), Calgary Roman Catholic Separate School District (CRCSSD) and the Southern Francophone Education Region (FrancoSud) have collaborated for 16 months to draft a new Joint Use and Planning Agreement (Agreement) to utilize new authorities granted through the City Charter and align with new policies adopted since the original approval of the Agreement in 1985.
- **What does this mean to Calgarians?** This modernized Joint Use and Planning Agreement improves progress towards complete communities by providing a framework for the allocation, planning, development, use, and maintenance of municipal reserve, open space, and school sites to address the diverse and evolving needs of Calgarians. These spaces provide social and environmental benefits for all Calgarians in the communities in which they live, work and play.
- **Why does this matter?** It is important to have an Agreement that reflects the current legislative environment and uses the allowable authorities to support the development of joint use sites that are adaptable, integrated, multi-purpose and flexible components of complete communities. Complete communities are key elements to delivering social, economic and environmental equity by providing accessible services, recreation and natural infrastructure to local residents within their communities.
- This report is intended to outline the provisions contained within the Agreement and identify the unique opportunities included in this new Agreement.
- Preparation of the new Agreement has involved members of City Administration and all three school boards, as well as elected officials from all four parties involved.
- Strategic Alignment to Council's Citizen Priorities: A city of safe and inspiring neighbourhoods
- Background and Previous Council Direction is included as Attachment 2.

DISCUSSION

The new Joint Use Planning Agreement has been agreed to by all four partners. It is flexible and provides tools and guidance required to achieve complete communities and address the evolving needs of the partners and Calgarians. This modernized Agreement creates efficiencies in delivering land use, recreation, parks, and mobility options; and allows for multiple uses on Municipal and School Reserve lands to further the role of school sites as key activity nodes within communities.

This modernized Agreement addresses how The City and the school boards plan, develop, utilize, dispose of and service school sites. The general themes of significant changes to the Agreement include:

Modernization of the Joint Use and Planning Agreement

- promoting the role of school sites in creating complete communities that can respond to the evolving and diverse needs of Calgarians;
- reflecting current City policy including the Municipal Development Plan;
- establishing a framework to identify uses which are for public benefit and compatible to school board purposes – enabling multiple uses on joint use sites;
- identifying/sharing maintenance and operational costs of multi-use buildings;
- updating the use of the reserve fund; and
- modernizing the disposition of surplus school sites.

This Agreement does not address the design or delivery of any individual joint use site within Calgary. Rather, it delivers the policies to enable improved land use and planning on joint use sites across the city. The creation of one single Agreement with all three school boards is an important outcome for equity and consistency. Additional detail outlining more specific updates to this Agreement can be found in Attachment 3.

Collaboration

This project uses two layers of collaboration with the school boards; an elected officials coordinating committee and an administrative advisory team. The administrative advisory team collaborated on policy creation, provided updates and made recommendations to the elected officials advisory committee at key milestones. The elected officials coordinating committee set the strategic direction of the project, directed the administrative advisory team to produce policy, and provided the following final recommendation on 2022 July 28:

“That the Elected Officials Coordinating Committee recommend the Calgary Board of Education, the Calgary Roman Catholic Separate School Division, the Francophone Regional Authority of Southern Francophone Education Region, and the City of Calgary execute the Joint Use & Planning Agreement based upon the attached draft agreement.”

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☒ Public Engagement was undertaken
- ☐ Public Communication or Engagement was not required
- ☒ Public/Stakeholders were informed
- ☒ Stakeholder dialogue/relations were undertaken

Engagement for this project included English and French versions of a City Engage Portal page, targeted engagement with the development industry (BILD Calgary Region) and targeted surveys of the development industry and recreation groups. Public engagement through a survey for residents was open in the spring of 2021.

In general, respondents to our engagement highlighted the importance of green space within communities, as well as space for outdoor recreation opportunities, and wanted to ensure that any joint-use facilities (school sites with associated recreational play fields) maintained or maximized available green space. Of all the possible additional uses for joint-use facilities, both with or without schools, respondents were most in favor of including recreation centres, libraries, community association facilities and daycare facilities.

Modernization of the Joint Use and Planning Agreement

An engagement workshop with representatives from the BILD Calgary Region was held on 2021 May 19. BILD was continuously updated throughout the project and provided written feedback on two occasions, in 2021 October and 2022 May. The project team provided responses to both of BILD's feedback letters and facilitated further meetings to discuss the concerns highlighted.

The 2022 May letter from BILD was in response to the formal circulation of the draft Agreement at which time three concerns were highlighted. Administration in partnership with the School Boards dealt with the concerns that were in scope of the Agreement.

While the opportunity to address the concerns with BILD was appreciated throughout the project, on 2022 August 26 BILD provided a final letter of feedback which is included in this report as Attachment 4. The partners have previously addressed the raised concerns that are in scope of the Agreement such as the inclusion of interim and public benefit compatible uses. Many of the concerns contained within this letter are out of scope of this Agreement. These concerns will be considered however, in the next update to the School Site Design Standards which is done on an ongoing basis by the Site Planning Team as new trends emerge. Furthermore, the Province and the school boards collaborate on building design, which is also not within scope of this Agreement.

The partners have engaged with the Province of Alberta throughout the process to include the most viable policies and guidance into the Agreement.

IMPLICATIONS

Social

This modernized Agreement will assist in fostering complete communities, and promote development on surplus, unused, closed or underutilized joint use sites to support a diverse city. This Agreement addresses the potential for multiple uses on school sites providing inclusive spaces for community members to gather, build relationships and play to maintain long-term health and create positive community links.

Environmental

This modernized Agreement provides for the potential of multiple uses on school sites which could reduce both transportation and building emissions as well as play an important role in achieving efficient land use within the city.

Economic

This modernized Agreement allows for cost savings and innovation in terms of uses on school sites. Allowing for additional uses on joint use sites will provide for new public and private development opportunities that could not be realized without this new Agreement.

Service and Financial Implications

No anticipated financial impact

There are no operating or capital budget requests associated with this report.

**Planning & Development Report to
Infrastructure and Planning Committee
2022 September 9**

**ISC: UNRESTRICTED
IP2022-0533
Page 4 of 4**

Modernization of the Joint Use and Planning Agreement

RISK

This report recommends that Council direct Administration to execute the attached Agreement. The Agreement enables the utilization of public benefit compatible uses on school sites. The risk of not entering into this Agreement is that all parties would be unprepared if or when requests for public benefit compatible uses were proposed on these sites.

The modernized Agreement indicates the process to be undertaken where school sites are closed and/or deemed surplus by the affected school board. Defining this process in a current framework will ensure future situations are managed in a mutually agreed upon way.

There is a risk that allowing other uses on reserve lands will diminish the open space availability in the community. However, the Agreement provides checks and balances along with policies to ensure access to open space is maintained for all Calgarians.

ATTACHMENT(S)

1. Draft Joint Use and Planning Agreement
2. Background & Previous Council Direction
3. Detailed Updates to the Agreement
4. BILD Calgary Region Response

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Stuart Dalgleish	Planning & Development Services	Approve
Kyle Ripley	Operational Services	Inform
Hannah Oh	Law	Inform

Draft Joint Use and Planning Agreement

Joint Use and Planning Agreement





Calgary Board of Education



DRAFT

THIS AGREEMENT made as of the _____ day of _____ 202 ____ (“Effective Date”).

THE CITY of CALGARY (“The City”)

- and -

THE CALGARY BOARD OF EDUCATION (“CBE”)

- and -

THE BOARD OF TRUSTEES OF THE CALGARY ROMAN CATHOLIC SEPARATE SCHOOL DIVISION (“CRCSSD”)

- and -

THE FRANCOPHONE REGIONAL AUTHORITY OF SOUTHERN FRANCOPHONE EDUCATION REGION (“FrancoSud”)
(Each a “Party” and together “the Parties”)

This agreement represents a partnership between The City, CBE, CRCSSD, and FrancoSud. The partners work together to enrich communities with impactful educational, park, and recreational opportunities that foster vibrant inclusive communities. Each partner brings an individual perspective to the table to build a collective strength and a better Calgary, while realizing their unique yet aligned mandates. This agreement strives to provide the tools and guidance required to achieve complete communities. It also outlines the coordinated approach to the allocation, use, planning and development, maintenance, and ownership of Municipal Reserve, School Reserve, Municipal and School Reserve, open space and school sites to address the evolving needs of Calgarians.



PREAMBLE:

- A. The City, CBE, and CRCSSD entered into a Joint Use Agreement March 4, 1985, with amendments executed on June 18, 1993 and February 23, 2012.
- B. The City and the Regional Authorities of Greater Southern Public Francophone Education Region No. 4 and the Greater Southern Separate Catholic Francophone Education Region No. 4 entered into a separate Joint Use Agreement on February 23, 2012 and the Regional Authorities were dissolved and succeeded by the FrancoSud in 2013.
- C. On September 30, 2016, The City signed a memorandum of understanding with the CBE and CRCSSD outlining a commitment to work with one another to expand the uses allowed on municipal and school reserve lands and to modernize the Joint Use Agreement.
- D. The Parties intend to replace the Previous Agreements with this agreement to meet the requirements of section 670.1(3) of the *Municipal Government Act*, section 670.01(3) of the *Municipal Government Act* as modified by the City of Calgary Charter, 2018 Regulation, Alta Reg 40/2018 ("Calgary Charter"), and section 53.1 of the *Education Act* and to use the new authority provided in *Municipal Government Act* through the Calgary Charter, to provide for additional uses of municipal reserves that are or have been in use for school board purposes, school reserves and municipal and school reserves, that the parties agree provide a public benefit that is compatible with school board purposes.

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto covenant and agree as follows:

1. DEFINITIONS

In addition to those terms defined parenthetically, in this agreement the following terms have the following meanings:

- 1.1 "Cash-In-Lieu Monies" means those monies held jointly or severally, with or without restriction, by the parties to this agreement, or by any of them, being monies which are or have been required to be provided as "money in place" of Municipal Reserve, School Reserve, or Municipal and School Reserve by the subdivision authority under the provisions of the *Municipal Government Act* or Previous Planning Legislation;
- 1.2 "Community Services Reserve" means land designated as Community Services Reserve under the *Municipal Government Act*;
- 1.3 "Education Act" means the *Education Act*, SA 2012, c E-0.3;
- 1.4 "Disposal of Reserve Lands" means the sale, lease or other disposal of Reserve Lands in accordance with the *Municipal Government Act*;
- 1.5 "Disposition of Property Regulation" means the Disposition of Property Regulation, Alta Reg 86/2019;
- 1.6 "Dispute" means a disagreement between two or more of the Parties as to their respective rights or obligations under this agreement;
- 1.7 "Incremental Operating Costs" mean those additional operating costs incurred by one Party by virtue of the use of the facility by another Party;
- 1.8 "Joint Trust" means the trust created in the Joint Use Agreement between The City, CBE, and CRCSSD, executed March 4, 1985, as administered by The City, for the use and benefit of the Parties, as is in the best interests of the citizens of Calgary, and as further described in Article 4.4.
- 1.9 "Joint Use Coordinating Committee" means the committee referred to in Article 5.1 of this agreement;

- 1.10 “Joint Use Facilities” means those facilities designated by the Parties to be available for Joint Use Purposes and may be on Reserve Land or Non-Reserve Land;
- 1.11 “Joint Use Purposes” means those varied activities or programs conducted by The City or the School Boards in each other’s facilities for the benefit of the citizens of Calgary;
- 1.12 “Joint Use Reserve Fund” means those funds held in the Joint Trust prior to the Effective Date, and also include the following funds:
1. all Cash-In-Lieu Monies;
 2. all proceeds from the Disposal of Reserve Lands;
 3. all income earned by and accruing to the Joint Use Reserve Fund; and
 4. monies which the parties mutually agree in writing to be designated as Joint Use Reserve Funds;
- 1.13 “Joint Use Site” means those Reserve Lands that contain or are intended to contain a School Building Envelope operated by a School Board and the Playing Field that is contiguous to the School Building Envelope, and that may contain other compatible uses including Public Benefit Compatible Uses;
- 1.14 “*Municipal Government Act*” means the *Municipal Government Act* being R.S.A. 2000, chapter M-26, as amended by the City of Calgary Charter, 2018 Regulation, A.R. 40/2018;
- 1.15 “Municipal Reserve” means the land designated as Municipal Reserve under the *Municipal Government Act* or Previous Planning Legislation;
- 1.16 “Municipal and School Reserve” means the land designated as Municipal and School Reserve under the *Municipal Government Act* or Previous Planning Legislation;
- 1.17 “Non-Reserve Lands” means those lands that are owned by the Parties that are not Reserve Lands;
- 1.18 “Playing Field” means that portion of the Joint Use Site which is allocated for parks and recreational activities;
- 1.19 “Previous Agreements” means:
1. The Joint Use Agreement between The City, CBE, and CRCSSD, executed March 4, 1985, with amendments executed on June 18, 1993 and February 23, 2012; and
 2. The Joint Use Agreement between The City and the Regional Authorities of Greater Southern Public Francophone Education Region No. 4 and the Greater Southern Separate Catholic Francophone Education Region No. 4 which Regional Authorities were dissolved and succeeded by the FrancoSud, executed February 23, 2012;
- 1.20 “Previous Planning Legislation” means:
1. The Planning Act, RSA 1980 cP-9;
 2. The Planning Act, 1977, SA 1977 c89;
 3. The Planning Act, R.S.A. 1970, c. 276;
 4. The Planning Act, S.A. 1963, c. 43;
 5. The Surveys and Expropriation Act, S.A. 1955, c. 328;
 6. The Town and Rural Planning Act, R.S.A. 1955, c. 337; and
 7. The Subdivision Regulation, Alta. Reg. 88/57;

1.21 “Public Benefit Compatible Uses” means uses the Parties agree through this agreement provide a public benefit that are compatible with school board purposes;

1.22 “Reserve Lands” means:

- (1) lands that are designated as Municipal Reserve, School Reserve, Municipal and School Reserve, or Community Services Reserve;
- (2) lands that are designated as reserved for use as parks, recreation areas, or schools, pursuant to Previous Planning Legislation;
- (3) lands purchased with Joint Use Reserve Funds; and
- (4) lands specified to be Reserve Lands by agreement;

Excepting thereout from this definition of “Reserve Lands” all lands dedicated or designated as Reserve Lands which have been or which may be removed from Reserve Land status pursuant to the planning legislation then in force, and disposed of;

1.23 “School Boards” mean CBE, CRCSSD, and FrancoSud;

1.24 “School Building Envelope” mean those lands upon which school buildings, related ornamental lawn areas, sidewalks, parking lots and paved, gravel, or chipped play areas, and playgrounds are located;

1.25 “School Development” means the school facilities and buildings including related ornamental lawn areas, sidewalks, parking lots and paved, gravel or chipped play areas, and playgrounds; and

1.26 “School Reserve”, means the land designated as School Reserve under the *Municipal Government Act* or Previous Planning Legislation.

2. VISION

2.1 The Parties will support the creation of great communities by optimizing Joint Use Sites that are well planned, adaptable, sustainable and allow students to attain their full potential.

3. GOALS

3.1 This agreement supports:

1. the provision of safe, inclusive and engaging places to learn in Calgary;
2. the delivery of integrated mixed-use sites that provide public spaces, recreation, community services, cultural and public facilities for the public good;
3. the role of schools and Reserve Lands as anchors in creating community hubs and neighbourhood gathering places;
4. the delivery and use of a high-quality public park system and recreational amenities; and
5. an integrated planning and administrative approach for Reserve Lands between the School Boards and The City.



4. PRINCIPLES OF AGREEMENT

4.1 Optimal Use of Land

Joint Use Sites should be planned and delivered in a flexible manner to provide the optimal use of Reserve Lands throughout their lifecycle.

4.2 Collaboration and Transparency

The Parties will collaborate and coordinate to achieve the vision and implement the policies of this agreement by sharing information and coordinating planning efforts in a transparent and inclusive manner.

4.3 Decision-making

Decisions arising within the context of this agreement will be made in the best interests of the citizens of Calgary in an equitable, sustainable, and financially responsible manner.

4.4 The Joint Trust

1. The Previous Agreements established the Joint Trust for all Reserve Lands and the Joint Use Reserve Fund. The Parties hereby continue the Joint Trust and agree that their rights and obligations under the Joint Trust as well as the terms and conditions of the Joint Trust shall be as amended and restated in this agreement.
2. The Parties agree that FrancoSud shall be added as a trustee of the Joint Trust and the Parties further agree that each Party is a trustee of the Joint Trust as described in this agreement.

3. All Reserve Lands and the Joint Use Reserve Fund will be held or allocated in the Joint Trust, for the use and benefit of the Parties, as is in the best interest of the citizens of Calgary. The Parties shall hold the Joint Trust with none of the Parties in a senior position relative to the other Parties, as hereinafter set forth. The Parties will govern and manage the Joint Trust through the Joint Use Coordinating Committee as set forth in this agreement.
4. The main assets of the Joint Trust are the Reserve Lands and the Joint Use Reserve Fund. The principles governing the Joint Trust also encompass considerations relating to facilities, amenities, use, development and maintenance which are peripheral to the Reserve Lands and the Joint Use Reserve Fund as well as considerations relating to planning, programs, services and people, arising from the Reserve Lands and the Joint Use Reserve Fund.
5. This agreement sets forth flexible principles and considerations for the Joint Trust so that the Joint Trust assets can be optimally allocated based upon need at various points in time. This agreement provides a set of rules to guide the administration of the Joint Trust.

5. Governance

5.1 Joint Use Coordinating Committee

The Joint Use Coordinating Committee is established to ensure that the vision, goals, and principles of this agreement as described in Articles 2 to 4 are upheld and will consist of one representative from each School Board administration and two from The City administration all of whom will have decision-making authority to implement this agreement within their respective organizations.

5.2 Responsibilities of the Joint Use Coordinating Committee

The Joint Use Coordinating Committee is responsible for:

1. implementing this agreement,
2. creating awareness of this agreement within their respective organizations,
3. recommending amendments to this agreement,
4. evaluating the effectiveness of this agreement,
5. evaluating Public Benefit Compatible Uses,
6. evaluating proposals for accepting Cash-In-Lieu Monies,
7. oversight of the Joint Trust including making recommendations on the use of the Joint Use Reserve Fund,
8. reporting to the Parties on the Joint Use Reserve Fund and Joint Use Coordinating Committee annually,
9. holding an annual information session open to the public,
10. creating sub-committees with terms of references when needed,
11. providing advice to the subdivision authority on the allocation of Reserve Lands, and
12. planning, managing and optimizing the use of Joint Use Sites.

5.3 Decision-making

The Joint Use Coordinating Committee will make decisions as is in the best interest of the citizens of Calgary and by consensus, with each representative having a vote, in an equitable, sustainable, and financially responsible manner.

5.4 Information Sharing

Subject to applicable freedom of information and protection of privacy legislation, the Parties will share information as required to implement this agreement and support decision-making. The Parties will negotiate data sharing agreements on an as-needed basis.

5.5 Annual Reporting

The Joint Use Coordinating Committee shall provide an annual report to the Parties that includes:

1. the status of the Joint Use Reserve Fund;
2. Joint Use Reserve Fund contributions and expenditures over the last year; and
3. anticipated and estimated Joint Use Reserve Fund revenue and expenditures over the next five years.

5.6 Sub-committees

1. The Joint Use Coordinating Committee may establish sub-committees to address issues or perform delegated functions of the Joint Use Coordinating Committee.
2. The Joint Use Coordinating Committee shall approve, and may terminate or change, the terms of reference of any subcommittee it creates.

5.7 Costs

The Parties shall share the costs of administering this agreement equally.

5.8 Dispute Resolution

If there is a Dispute between two or more of the Parties as to their respective rights or obligations under this agreement and not relating to the purchase of Non-Reserve Land under Schedule “A”, not relating to a Party’s internal process, and not relating to the exercise of authority, power and duties vested in such Parties pursuant to the *Municipal Government Act* and the *Education Act*, such Dispute will be resolved in accordance with Schedule “C” of this agreement.

6. PREVIOUS AGREEMENTS, TERMINATION, AMENDMENT, AND REVIEW

- 6.1 Upon the Effective Date, the Previous Agreements will terminate and be of no further force and effect and will be superseded and replaced in their entirety by this agreement.
- 6.2 The Parties may terminate or amend this agreement upon written consent of all of the Parties.
- 6.3 The Parties shall review the terms of this agreement every ten (10) years from the Effective Date. Any Party may at any time request an earlier review of this agreement and the Parties may agree to a review at that time.

7. RESERVE LANDS

7.1 Protection of All Reserve Lands

All Reserve Lands will be dealt with according to this agreement.

7.2 Planning of Joint Use Sites

1. The Parties recognize that the School Boards will determine their present and future needs for School Developments to meet their obligations to deliver educational programs in accordance with the *Education Act* and associated regulations.



2. The Parties shall consider Public Benefit Compatible Uses at the time The City is drafting Area Structure Plans, Area Redevelopment Plans, or other relevant statutory plans authorized in the *Municipal Government Act*.
3. Determining the number, size, and composition of Joint Use Sites required for school-aged children in the 5 to 14 years of age cohort will be undertaken jointly by The City and the School Boards as part of the drafting of an Area Structure Plan using the document titled "Joint Use Site Calculation Methodology, Principles and criteria for determining the number of Joint Use Sites required for school-age children (5 to 14) in area structure plans" dated February 18, 2016, as amended and replaced from time to time by the Joint Use Coordination Committee.
4. Determining the number, size and composition of Joint Use Sites required for senior high schools will be undertaken jointly by The City and the School Boards as part of drafting an Area Structure Plan.
5. Possible Public Benefit Compatible Uses, site layout including location of School Building Envelopes and Playing Fields, Playing Fields design, and infrastructure details should be determined during the Outline Plan/ Land Use Amendment process and considered by the Joint Use Coordinating Committee or relevant sub-committee.
6. The City will solicit input from and involve the School Boards in the development of Area Redevelopment Plans to support schools and student transportation in the advancement of the goals and vision of this agreement.
7. Where The City acquires lands that will form part of a School Building Envelope through dedication or use of the Joint Use Reserve Fund, the lands shall be designated Municipal and School Reserve in the name of The City and the appropriate School Board.
8. The City shall be responsible for the assembly of Joint Use Sites as is practicable using the relevant provisions of the *Municipal Government Act* and this agreement for: dedication and deferral of Reserve Land; accepting of Cash-in-Lieu Monies; spending of the Joint Use Reserve Fund as recommended by the Joint Use and Coordinating Committee; and Disposal of Reserve Land as endorsed by the Joint Use and Coordinating Committee.

7.3 Priority for location and allocation of Reserve Land at subdivision

The following are the priorities for the location and allocation of Reserve Lands at the time of subdivision dedication;

1. Priority #1: Neighbourhood needs, which may include School Board operated elementary schools or elementary/junior high schools, and neighbourhood parks;
2. Priority #2: Community needs, which may include School Board operated junior high schools, community associations, open space linkages and priority environmentally significant lands;
3. Priority #3: Regional needs, which may include School Board operated high schools, regional parks and regional recreation areas such as athletic parks.

These priorities are not equivalent to school catchments.

7.4 Development Responsibility for Joint Use Sites

1. Through development agreements with developers, the City shall develop Joint Use Sites without a School Development in accordance with current City of Calgary technical and design specifications and will endeavour to have off-site infrastructure required for a Joint Use Site installed.



2. The School Boards are responsible for developing School Developments on Joint Use Sites.
3. Responsibility for the development of Public Benefit Compatible Uses on Joint Use Sites will be determined on a site-by-site basis and in accordance with Article 7.7 paragraph 2.
4. The relevant School Board shall rehabilitate Playing Fields that are damaged as a result of the construction of a School Development.
5. To the extent that any such Public Benefit Compatible Uses impact School Development on the intended site of the School Building Envelope. The City shall be responsible for returning the site to its original condition prior to the scheduled start date of the relevant School Development

7.5 Maintenance Responsibilities for Joint Use Sites

1. Maintenance responsibilities for Joint Use Sites and associated facilities, designated or acquired before the Effective Date, will remain as in existence at the Effective Date.
2. If a Joint Use Site is declared permanently surplus to school needs and legal title is transferred to The City, The City will assume responsibility for the maintenance of the Joint Use Site.
3. The City shall maintain Joint Use Sites designated or acquired after the Effective Date until a School Development has commenced. Once a School Development has commenced on a Joint Use Site, The City will maintain the Playing Field and the School Board operating the school will maintain the School Building Envelope unless otherwise agreed to by The City and the relevant School Board.



7.6 Licenses of Occupation

1. The Parties shall obtain consent from the Joint Use Coordinating Committee prior to granting Licenses of Occupation of Reserve Lands that they have title to on terms and conditions acceptable to the Joint Use Coordinating Committee, unless the Joint Use Coordinating Committee has already agreed to the proposed Public Benefit Compatible Use under Article 7.7 or the license of occupation is in a School Development.
2. Any revenue from a License of Occupation of Reserve Lands will be retained by the licensor in recognition of their liability for operating and maintenance costs.

7.7 Public Benefit Compatible Uses

1. The Parties agree that uses that meet the following criteria are Public Benefit Compatible Uses:
 - a. the use aligns with or supports the School Board's educational goals and objectives to deliver quality educational services to students in a safe and responsible manner, and does not impact or interfere in any manner with the ability of students to receive educational services from the School Board, and does not impact the School Board's personnel, including teachers and support staff, from delivering educational services to students;
 - b. the use creates, supports, or sustains inclusive, vibrant, safe and healthy communities that improves the quality of life for the community;
 - c. the design, development and ongoing operations of a use established prior to a school must not negatively affect the establishment of a school or its operations; and



- d. the use supports the function of a Joint Use Site as a key activity node in a community, supports the open space network, and complements surrounding uses.
- 2. Public Benefit Compatible Uses may be allowed on Reserve Land if they meet the following criteria:
 - a. the Joint Use Coordinating Committee agrees to the proposed Public Benefit Compatible Uses;
 - b. The City and the School Board that is on title to the subject land agree to all proposed uses and enter into an agreement regarding the uses if necessary. If no School Boards are on title to a site, The City will determine the Public Benefit Compatible Uses;
 - c. the uses are proposed on Municipal Reserves that are or have been in use for school board purposes, School Reserves, or Municipal and School Reserves, as required by the Calgary Charter; and
 - d. the proposed uses may be considered whether or not a school building is located on the subject land.

7.8 Joint Use Facility

Subject to Article 7.7, where a new Joint Use Facility that includes a Public Benefit Compatible Use is being considered by the Parties, the Parties should complete a joint feasibility study and execute all relevant agreements, including but not limited to construction, operation, maintenance, access, and potential future school closure, prior to construction commencing.

7.9 Consideration Upon Transfer of Reserve Lands

All transfers of legal title to Reserve Lands, as between Parties will be for consideration of \$1.00, subject to Article 9.1 (Improvements on School Sites Declared Surplus).

7.10 Disposal of Reserve Land

The City shall obtain Joint Use Coordinating Committee endorsement prior to taking any steps for the sale, lease or other disposal of any Reserve Lands, so as to ensure that the future needs of the School Boards are taken into consideration.

7.11 Reserve Land Declared Surplus to School Board Needs

1. When a School Board intends to close a school that is on Reserve Land, it will advise the Joint Use Coordinating Committee.
2. Subject to the *Municipal Government Act*, the *Education Act*, and the Disposition of Property Regulation, if a School Board intends to declare that Reserve Land is surplus to the School Board's needs, the School Board will advise the Parties and the Joint Use Coordinating Committee of their intention.
 - a. The Parties will have ninety (90) days after receiving notice to notify the School Board and the Joint Use Coordinating Committee in writing if they have an interest in the surplus school.
 - b. If none of the School Boards notifies the School Board and the Joint Use Coordinating Committee that they are interested in the surplus school, the School Board will facilitate a transfer of legal title to the Reserve Land to The City in accordance with the Disposition of Property Regulation and the *Municipal Government Act*.
 - c. If more than one School Board notifies the School Board and the Joint Use Coordinating Committee that it has an interest in the surplus school, the Parties will resolve the Dispute considering the following priority of uses:
 - i. Priority #1: School Board interest to accommodate a school operated by a School Board;
 - ii. Priority #2: City interest to accommodate parks or recreation uses; and
 - iii. Priority #3: any Party interest in accommodating Public Benefit Compatible Uses.

7.12 Community Services Reserve

The City shall obtain Joint Use Coordinating Committee endorsement prior to The City taking any steps for the designation of the whole or any portion of Reserve Land that was previously declared surplus by a School Board as Community Services Reserve.



8. JOINT USE RESERVE FUND

8.1 Source of Funds

1. All Cash-In-Lieu Monies and proceeds from the Disposal of Reserve Lands must be allocated and paid into the Joint Use Reserve Fund, which will be administered by The City, in trust and used as further specified in this agreement.
2. The Joint Use Reserve Fund shall be invested in accordance with the *Municipal Government Act* and the income earned shall be accrued to the Joint Use Reserve Fund. Correspondingly any investment losses will be borne by the Joint Use Reserve Fund.
3. The Parties may agree in writing to designate other monies as Joint Use Reserve Funds.

8.2 Use of the Joint Use Reserve Fund

1. The Joint Use Reserve Fund must be used in accordance with sections 671 and 675 of the *Municipal Government Act*.
2. Subject to Article 8.3, the Joint Use Reserve Fund may be used for:
 - a. the purchase of land so that Reserve Lands can be optimally located and used;
 - b. the purchase of land for School Board purposes or public parks and public recreational purposes where Reserve Land dedication is insufficient;
 - c. the purchase of School Board owned Non-Reserve Lands, which the School Board intends to sell, when such land is required as Reserve Land, in accordance with Article 10.2 (Disposal of School Board Owned Non-Reserve Lands);
 - d. the purchase of land for other Joint Use Purposes as determined and recommended by the Joint Use Coordinating Committee;
 - e. servicing land purchased with Joint Use Reserve Funds to current City of Calgary technical and design specifications;
 - f. demolition and site rehabilitation costs when a surplus school site on Reserve Land is transferred from a School Board to The City or when land is purchased with Joint Use Reserve Funds; or
 - g. costs associated with purchases, transfers, issuance of titles, and disposition of Reserve Lands, including the cost of surveys, appraisals, registrations, and land use redesignations.

8.3 The Joint Use Coordinating Committee will review and make recommendations for the use of, and expenditures from, the Joint Use Reserve Fund in accordance with the following priorities:

1. Priority #1: Regional needs, which includes School Board operated high schools, regional parks and regional recreation areas such as athletic parks.
2. Priority #2: Community needs, which include School Board operated junior high schools, community associations; open space linkages and priority environmentally significant lands;
3. Priority #3: Neighbourhood needs, which include School Board operated elementary schools, elementary/junior high schools, and neighbourhood parks;
4. Priority #4: servicing land purchased with Joint Use Reserve Funds to current City of Calgary technical and design specifications;
5. Priority #5: Demolition and site rehabilitation costs when a surplus school site on Reserve Land is transferred from a School Board to the City.
6. Priority #6: Demolition and site rehabilitation costs when land is purchased with Reserve Funds.

These priorities are not equivalent to school catchments.

84 Minimum balance

The Joint Use Reserve Fund will at all times maintain a minimum balance of fifteen million dollars (\$15,000,000) unless the Parties agree to an expenditure that is critical to meet the needs of Calgarians.

85 Authority for Expenditures

1. Any land purchases identified in Article 8.2 paragraphs 2(a), 2(b), 2(c), and 2(d) using the Joint Use Reserve Fund will be subject to approval by the Council of The City, upon the recommendation of the Joint Use Coordinating Committee, having regard to the needs of the Parties, the priorities identified in Article 8.3, and the appropriateness of the proposed future use, with respect to the terms of this agreement and the *Municipal Government Act*.
2. Expenditures from the Joint Use Reserve Fund identified in Article 8.2 paragraph 2(g) relating to costs associated with purchases, transfers, issuance of titles, and disposition of Reserve Lands, including the cost of surveys, appraisals, registrations, and land use redesignations, will be on the basis of an annual program and budget, established by the Joint Use Coordinating Committee and approved by the Council of The City.
3. Expenditures from the Joint Use Reserve Fund identified in Article 8.2 paragraph 2(f) relating to demolition and site rehabilitation costs when a surplus school site on Reserve Land is transferred from a School Board to The City or when land is purchased with Joint Use Reserve Funds, and expenditures from the Joint Use Reserve Fund identified in Article 8.2 paragraph 2(e) relating to servicing land purchased with Joint Use Reserve Funds to current City of Calgary technical and design specifications must be subject to written confirmation from the Joint Use Coordinating Committee and authorization by the Council of The City.

9. STRUCTURES ON RESERVE LAND

9.1 Improvements on School Sites Declared Surplus

1. If a school building or improvement on Reserve Land that has been declared by the appropriate School Board to be surplus to school needs, is to be demolished:
 - a. subject to Article 8.2 paragraph 2(e) and Article 8.5 paragraph 3, the demolition and site rehabilitation costs may be borne by the Joint Use Reserve Fund; and
 - b. the School Board must pay all the outstanding debt related to the building.
2. If a school building or improvement on Reserve Land that has been declared by the appropriate School Board to be surplus to school needs, can and is to be transferred to and used by The City, The City must pay all the outstanding debt related to the building or improvements.

10. NON-RESERVE LAND

10.1 Principle

Non-Reserve Lands acquired by the Parties in their own right are outside the Joint Trust but included within this agreement to facilitate Joint Use Purposes.



10.2 Disposal of School Board Owned Non-Reserve Land

1. Subject to the *Education Act*, and the Disposition of Property Regulation, each School Board will give The City and the other School Boards a right of first refusal as set out in Schedule “A” over Non-Reserve Land that a School Board intends to sell, unless otherwise agreed to by the Joint Use Coordinating Committee and documented as an exception and listed in Schedule “B” (excluded sites) without requiring an amendment to this agreement.
2. The School Boards have not conferred upon the Parties, a right of first refusal over those lands that are listed in Schedule “B”.
3. If the lands that the School Board intends to sell were originally obtained from The City for a nominal sum or under some special arrangement, the site will be returned to The City for similar consideration or The City will be otherwise compensated as agreed to by The City and the relevant School Board.
4. If a Party exercises the right of first refusal conferred upon it pursuant to this agreement, the transfer value of the Non-Reserve Land, together with buildings, improvements and facilities, will be determined on equitable principles, taking into account the fair market value of the property and the conditions and circumstances under which such land was acquired, if it was acquired from The City.
5. When entering into a lease or license for Non-Reserve Land for a school with a School Board, The City should grant the relevant School Board a right of first refusal to acquire the lands, such grant and the exercise of any right of first refusal to be subject to the lands being required by The City for a municipal purpose, as determined by The City.



11. PROGRAMMING COORDINATION & FACILITY USE – JOINT USE FACILITIES

11.1 Programming Coordination

The Parties will collaborate to develop and advance strategies, deliver effective programs and services, and construct and manage assets to support students and their families, connect communities, and offer a wide range of sport, recreation, and arts and cultural opportunities. Other partners or agencies may be included to support and participate in these efforts to improve outcomes.

11.2 Enhanced Amenities

If The City determines a community need for enhanced amenities associated with a school, including but not limited to libraries, gymnasiums, and fields, the Parties will collaborate to determine mutually beneficial design, operations and maintenance of the enhanced amenity. The City will be responsible for all increased construction, maintenance, operating or other costs arising in respect of the enhanced amenity.

11.3 Facility Sharing and Booking

The Parties shall contribute to a common pool of facilities that includes but is not limited to gymnasiums, fields, and other recreation amenities on the following basis:

1. each Party agrees to access Joint Use Facilities through a common booking agency administered by The City;
2. each Party shall exchange or charge for the use of its Joint Use Facilities on an Incremental Operating Cost basis;
3. Incremental Operating Costs are to be reviewed annually so as to enhance the equitable distribution of costs between The City and the School Boards.

12. LIABILITY AND INDEMNIFICATION

- 12.1 In addition to any other form of insurance as the Parties may reasonably require against risks, which a prudent owner under similar circumstances and risk would insure, the Parties shall at all times carry and continue to carry comprehensive general liability insurance in the amount of not less than FIVE MILLION (\$5,000,000) DOLLARS per occurrence in respect to bodily injury, personal injury or death. The comprehensive general liability insurance shall have an endorsement for occurrence property damage, contingent employer's liability and broad form property damage. The insurance to be maintained by each Party herein shall list each of the other Parties as an additional insured. The amount and type of insurance to be carried by the Parties may be varied from time to time by written agreement of the Parties. The insurance carried by the Parties shall contain, where appropriate, a severability of interests' clause and a cross liability clause. On Joint Use Sites that contain a school, the comprehensive general liability insurance of the School Board shall be primary and The City's insurance shall not contribute to any occurrence insured by the School Board's comprehensive general liability insurance.
- 12.2 Each Party (the "Indemnifying Party") agrees to indemnify and hold harmless the other Parties (the "Non-Indemnifying Parties"), their servants, volunteers, agents and employees from and against losses, claims, demands, payments, suits, judgments or expenses of every nature and description arising out of or in consequence of any breach or non-performance of any covenants or conditions in this agreement to be fulfilled, observed or performed by the Indemnifying Party, except for claims arising out of the sole negligence of one or more of the Non-Indemnifying Parties, its employees, agents, servants or volunteers.

13. GENERAL

- 13.1 The headings in this agreement have been inserted for convenience of reference only.
- 13.2 Each of the Parties are subject to legislation and bylaws that they must abide by and they will abide by such legislation and bylaws. To the extent that the provisions of legislation applicable to a Party contradict the terms of this agreement, the provisions of the legislation prevail.
- 13.3 The attached schedules form part of this agreement.
- 13.4 Any Party may excuse a violation of this agreement without losing any right to insist on and enforce compliance with this agreement in the future, however any term of this agreement or right created under it may not be waived or varied, except in writing signed by each Party.
- 13.5 This agreement is governed by and construed under the laws of Alberta and the applicable laws of Canada. The Parties attorn to the Alberta courts for any Disputes arising herein.
- 13.6 If any provision of this agreement is found to be invalid or unenforceable, it will be deemed to be severable herefrom and the remainder of this agreement will remain in effect.
- 13.7 This agreement may be executed in counterpart original copies that together constitute one and the same agreement.
- 13.8 Where this agreement refers to legislation, the reference is to the legislation as amended and replaced from time to time.

13.9 NOTICES AND COMMUNICATIONS

1. Notices and communications made in connection with this agreement must be in writing and provided by delivery, or facsimile transmission (or if authorized by the receiving party, by e-mail) at the addresses provided for by each party as follows:
 - a. CBE
The Calgary Board of Education
3610 - 9 Street SE
Calgary AB T2G 3C5
Attention: Superintendent, Facilities and Environmental Services
 - b. CRCSSD
The Board of Trustees of the Calgary Roman Catholic Separate School Division
1000 - 5 Avenue SW
Calgary, AB T2P 4T9
 - c. FrancoSud
The Francophone Regional Authority of Southern Francophone Education Region
Deerfoot Atria South
Suite 295, 6715 8 Street NE
Calgary, Alberta T2E 7H7
 - d. The City
The City of Calgary
5th Floor, Public Building
205 - 8th Avenue S.E.
Calgary, Alberta
T2P 2M5
2. Any Party may change its address for service of notices by delivering notice of such new address to the other parties in accordance with Article 13.9.

The Parties execute this agreement by the signatures of the properly authorized officers signing.

The Parties execute this agreement by the signatures of the properly authorized officers signing below.

APPROVED	
AS TO CONTENT	
AS TO FORM SOLICITORS	

THE CITY OF CALGARY

Per: _____

Per: _____

THE CALGARY BOARD OF EDUCATION

Per: _____

Per: _____

**THE BOARD OF TRUSTEES OF THE CALGARY ROMAN CATHOLIC
SEPARATE SCHOOL DIVISION**

Per: _____

Per: _____

**THE FRANCOPHONE REGIONAL AUTHORITY OF SOUTHERN
FRANCOPHONE EDUCATION REGION**

Per: _____

Per: _____

SCHEDULE "A"**PROCEDURES FOR PURCHASING SCHOOL BOARD OWNED NON-RESERVE LANDS**

1. The selling School Board shall give notice, in writing, to the Joint Use Coordinating Committee of Non-Reserve school sites and facilities (hereinafter referred to as "Property") that they intend to sell.
2. Each of The City and the other School Boards shall advise the selling School Board, in writing, whether or not they are interested in acquiring the Property. If the response is negative or if no response is received by the selling School Board within 90 days of the date the notice is sent, the selling School Board may dispose of such Property in any manner it deems appropriate subject to the provisions of the *Education Act* and Disposition of Property Regulation.
3. If one or more than one School Board and/or The City notifies the Joint Use Coordinating Committee that it has an interest in the Property, the priority to purchase the Property will be as follows:
 - #1 FRANCOUD;
 - #2 CBE or CRCSSD and Disputes will be resolved in accordance with Article 5.8 and Schedule "C";
 - #3 The City.
4. The procedures set out in Clauses 5 through 11 hereafter will apply to purchases of Non-Reserve Lands pursuant to the right of first refusal.
5. The relevant Parties shall forthwith explore the possibility of an exchange of properties, having regard to the land use designation (zoning) of such properties.
6. If agreement cannot be reached on the exchange, Clauses 7 through 11 will apply.
7. The Property or Properties will be appraised forthwith by two accredited appraisers, one selected by each of the relevant Parties.
8. The purchaser shall submit to the selling School Board within 90 days of receipt of appraisals, a proposal to purchase based on such appraisals.
9. If the selling School Board accepts such proposal, the Property will be transferred at the agreed price.
10. Appraisals and other costs related to these procedures will be shared equally.
11. If the selling School Board does not accept the proposal, the purchase price for the Property will be the market value for the Property, based on its highest and best use (or such lesser use as agreed to by the Parties in writing) as determined by a qualified, independent AACI (or then equivalent designation) real estate appraiser, who will be agreed to and appointed by the Parties, acting reasonably. If the Parties cannot agree on a real estate appraiser, then upon the application of either Party, the Court of Queen's Bench will appoint a panel of three arbitrators and the market value will be determined by binding arbitration in accordance with the Arbitration Act, RSA 2000, c A-43 and with reference to the principles identified in Article 10.2 of the Joint Use and Planning Agreement. In all cases, if the highest and best use of the Property is a use other than the current use of the Property at the time the proposal is made, then all development, servicing, and any other costs that could reasonably be expected to be incurred by a person to achieve such highest and best use will be deducted from the purchase price for the Property. Each Party shall be responsible for any costs incurred by it related to participating in the arbitration process, but both Parties shall equally share any costs incurred related to the panel of arbitrators.

SCHEDULE "B"
EXCLUDED SITES

Name	Address
Our Lady of Lourdes School	2 Street & 19 Avenue S.W.
St. Mary's High School	111 - 1R Avenue S.W.
St. Monica School	19 Avenue & 2 Street S.W.
École de la Rose Sauvage	2512 4 St NW
Dr. Carl Safran Centre	930 13 Ave SW
Bowness Maintenance Depot	3600 - 69 Street NW
Midnapore Maintenance Depot	14725 Bannister Road SE
NE Maintenance Depot	2120 - 22 Street NE
Highfield Building	3610 - 9 Street SE

SCHEDULE "C"

DISPUTE RESOLUTION PROCEDURE

1. The City and the School Boards shall use their best efforts to resolve any Disputes arising between them as efficiently and cost effectively as possible. The Parties shall:
 - a. make bona fide efforts to resolve all Disputes by conciliatory discussions; and
 - b. provide frank, candid and timely disclosure of all relevant facts, information and documents to facilitate those discussions.
2. Once a Dispute has been identified, conciliatory discussions must commence within thirty (30) calendar days of the identification of the issue(s) in dispute.
3. If the Dispute has not been resolved within three (3) months of the commencement of discussions, the Party that originally identified or complained of the matter(s) underlying the Dispute shall send written notice of the Dispute (the "Dispute Notice") to the Joint Use Coordinating Committee that includes the details, nature, and extent of the Dispute and the remedy or resolution sought by the Party issuing the Dispute Notice. The Party issuing the Dispute Notice shall provide sufficient information in the Dispute Notice such that the other Party understands the specifics of the dispute and shall include any documentation or other information so as the other Party will understand the issues in Dispute.
4. Upon receipt of the Dispute Notice, the Joint Use Coordinating Committee will meet and use their best efforts to resolve the Dispute. If the Dispute is resolved by the Joint Use Coordinating Committee, the resolution will be formalized in writing and signed by the Parties.
5. If the Dispute cannot be resolved by the Joint Use Coordinating Committee, the Parties will refer the Dispute to their respective Chief Administrative Officers or Chief Superintendents to consider and attempt to achieve consensus between themselves. If the Dispute is resolved by the Chief Administrative Officers or Chief Superintendents, the resolution will be formalized in writing and signed by the Parties.
6. If the Chief Administrative Officers and/or Chief Superintendents cannot come to a consensus within three (3) months of being consulted, the Parties will refer the Dispute to the Mayor of The City of Calgary and the Chairs of the Board of Trustees of the School Boards to consider and attempt to achieve consensus between themselves. If the Dispute is resolved by the Mayor and the Board Chairs, the resolution will be formalized in writing and signed by the Parties.
7. If the Mayor and the Board Chairs cannot come to a consensus within three (3) months of being consulted, the Parties will refer the Dispute to an arbitrator chosen by the Parties to the Dispute. If the Parties to the Dispute cannot agree on an arbitrator, any Party on notice to the other Party (Parties) may apply to the Court of Queen's Bench of Alberta to appoint an arbitrator.
 - a. The arbitrator will have the power to obtain the assistance, advice or opinion of such engineer, architect, surveyor, appraiser, valuer or other expert as they may think fit and will have the discretion to act upon any assistance, advice or opinion so obtained; and
 - b. The Party initiating the arbitration shall bear the costs incurred by each Party involved in the Dispute as a result of the arbitration if the initiating Party is unsuccessful at the arbitration; otherwise, each Party shall bear its own costs and equally share any costs incurred related to the arbitrator.
 - c. The decision of the arbitrator will be subject to the ratification and adoption by the respective Parties.
 - d. Each of the Parties shall do all acts and things and execute all deeds and instruments necessary to give effect to any resolution reached under this Part.
 - e. Except as modified herein, the provisions of the Arbitration Act, R.S.A. 2000, c.A-43 shall apply.

Dated: _____

BETWEEN:

THE CITY of CALGARY

- and -

THE CALGARY BOARD OF EDUCATION

- and -

**THE BOARD OF TRUSTEES OF THE CALGARY ROMAN CATHOLIC SEPARATE
SCHOOL DIVISION**

- and -

**THE FRANCOPHONE REGIONAL AUTHORITY OF SOUTHERN FRANCOPHONE
EDUCATION REGION**

JOINT USE AND PLANNING AGREEMENT

JILL FLOEN
CITY SOLICITOR
the City of Calgary
Law Department (8053)
12th Floor, Calgary Municipal Building
800 Macleod Trail S.E.
P. O. Box 2100, Station "M"
Calgary, Alberta
T2P 2M5

Solicitor: Hanna Oh
File No.: P9372

Background

Context

The City of Calgary Administration, Calgary Board of Education (CBE), Calgary Roman Catholic Separate School District (CRCSSD) and the Southern Francophone Education Region (FrancoSud) have a long history of working collaboratively to provide joint use sites to serve Calgarian's educational and recreational needs throughout the city. The most recent Joint Use and Planning Agreement was signed between the City of Calgary and the CBE and CRCSSD in 1985. Since this time, an agreement was signed between the City of Calgary and the FrancoSud in 2011. These two agreements have influenced joint use sites throughout the city since the time of their signing.

Finally, in 2016, a memorandum of understanding between The City, CBE, and CRCSSD was signed to agree to work together to fulfill any provisions within a City Charter regarding Municipal and School Reserves and the Joint Use Agreement. Calgary City Council directed Administration to begin work to draft a new and modern Joint Use and Planning Agreement in 2020 December.

Previous Council Direction

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
2020 December 14	PUD2020-1314	Council Direction Council directed Administration to partner with school boards to draft a modernized Joint Use and Planning Agreement

Detailed Updates to the Agreement

As noted in the body of the report, the following outlines more details of the changes to the Agreement. The new Agreement is a complete rewrite of the previous agreement from 1985. As such, direct comparisons are not always available. However, to better understand the changes presented this provides a general breakout of sections and descriptions of changes.

Vision, Goals and Principles

This new Agreement introduces aspirational guiding lights through the introduction of the vision and goals of the document. The new Agreement intends to realize joint use sites as inclusive, and efficient community hubs within communities. These community hubs will strengthen community connection and sense of place while maintaining accountability to Calgarians.

Establishment and Use of the Joint Trust

While the previous agreement established the Joint Trust for all Reserve Lands and the Joint Use Reserve Fund, this modernized Agreement continues this practice and re-establishes the Parties rights and obligations to this practice. Notably, this Agreement adds the FrancoSud as a trustee of the Joint Trust. The Agreement also provides a set of rules to guide the administration of the Joint Trust.

JUCC Roles and Responsibilities

This section identifies a clear and concise outline of the responsibilities of the Joint Use Coordinating Committee (JUCC), which was not previously included. It makes clear that decisions made by JUCC will be collaborative, equitable, sustainable, financially responsible and in the best interest of all Calgarians.

Annual Reporting and Information Sharing

The Parties of this Agreement have a history of collaboration. This formalizes the collaboration and sharing of data between the Parties. The Parties agree to the annual reporting of the status of the Joint Use Reserve Fund as well as the contributions and expenditures over the last year.

Framework for Planning Joint Use Sites

Many policies and procedures have changed since the creation of the previous agreement in 1985. This section references many of the best practices that the JUCS has used over the past several years and formalizes them in the Agreement. This portion of the new Agreement also references current policy such as using the *Joint Use Site Calculation Methodology* to determine locations and quantity of joint use sites within Calgary communities. The development and maintenance responsibility of different elements of joint use sites has been further delineated in the new Agreement. Licenses of occupation on joint use sites is a tool that has been used by the Parties without reference in the previous agreement. This is now included in this modern Agreement with references to procedures and allocation of revenue from these tools.

Public Benefit Compatible Uses

Entirely new to the Agreement, this section outlines the criteria for which these uses may qualify as a public benefit compatible use as well as the implementation of such uses on joint use sites. In short, these uses must create, support, and sustain inclusive, vibrant, safe and healthy communities that improves the quality of life for the community members. These uses must be approved by the JUCS and agreed to by both The City and the School Board that is on title of the subject parcel. These uses may only be implemented on sites which are or have been in use for school board purposes as required by the Calgary Charter.

Declaration of Surplus School Sites

This section of the Agreement covers the process for declaring a surplus school site in greater detail than the previous agreement. The intent of the Parties of this Agreement is to be proactive in future decision making. Outlined in the Agreement is the directive to grant a right of first refusal on Non-Reserve Lands leased by a School Board. The new Agreement also further clarifies the process for the disposal of School Board owned non-reserve land.

Programming Coordination and Facility Sharing

Finally, this section modernizes the language and reflects current procedures for sharing of facilities and program coordination. Where enhanced facilities such a library or playfields are required, the new Agreement lays out the process for enhancements to be completed on joint use sites and collectively shared by the Parties.

BILD Calgary Region Response



August 26, 2022

Delivered by Email

The City of Calgary
P. O. Box 2100, Station "M"
Calgary, Alberta T2P 2M5

Attention: Members of Infrastructure and Planning Committee

Dear Committee Members:

Subject: JOINT USE and PLANNING AGREEMENT – 2022 Review

BILD Calgary Region (BILD) provided a letter regarding the Joint Use and Planning Agreement (JUPA) to the Elected Officials Coordinating Committee at the end of July for their consideration. Although BILD recognizes that some of our issues span both the JUPA and the technical standards, without a clear direction within the JUPA it is unclear how the review will have the ability to be innovative and creative when reviewing the School Site Design Standards, or how our concerns will be addressed within the standards.

Although the JUPA supports "the delivery of integrated mixed-use sites that provide public spaces, recreation, community services, cultural and public facilities for the public good," it is our perception that the school boards effectively have absolute authority over "public benefit compatible uses." The current model will not enable many of these "public benefit compatible uses" to be approved. To be relevant, the JUPA needs to provide parameters of acceptable uses with an approval process. BILD believes that this is necessary to ensure that the resources of the City and school boards are efficiently used for the maximum benefit of the community.

As stated in our July letter, the proposed modernized JUPA has very modest changes or improvements. It is very disappointing that we have missed an opportunity for meaningful improvements. Our members have experienced many challenges related to School Site Design Standards and the delivery of school sites and schools in the City of Calgary.

Present practices requiring developers to give 10- and 12- acres of land for elementary and junior high school building envelopes and the associated playing fields are impeding innovative, sustainable community development. It can be difficult to meet the targeted sizes when road layouts, grading and the community vision are taken into consideration. With limited ability to modify the current technical standards for the school envelope and playfields, land in excess of the 10- and 12-acre requirement is often required. Industry believes that the JUPA update must include direction for the technical standards to support innovation and facilitate more complete community designs (i.e., utilize reserve land for additional parks, greenspaces, trails).

In addition, regional needs such as high schools and recreation facilities are considered a priority for the use of, and expenditures from, the Joint Use Reserve Fund. In cases where reserves are also allocated toward these

We encourage you to visit bildcr.com for industry updates

212 Meridian Road NE • Calgary, AB • T2A 2N6
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uses to reduce the expenditure from the Fund, consideration needs to be given to reducing future school reserve requirements to enable non-school reserve lands to be used for the needs of the complete community.

Industry believes in innovative solutions such as residents' association sites that provide a benefit to the community. It is quite reasonable to assume that there should be a way for residents' and community associations to use some common facilities, to meet both the needs of the public and community. Given the current needs for efficiency in cost and land utilization, the JUPA should provide framing to facilitate these types of innovation and corresponding increase in efficiencies.

Through several initiatives, the City is looking at better ways to address climate, land efficiency, community needs, etc. similarly the JUPA should identify the process and conditions for revisiting the JUPA e.g., provincial funding, requirements.

We expected the JUPA update would provide directions to guide improvements to School Site Design Standards. To ensure that the JUPA will support and enable the results of the School Site Design Standards review, BILD respectfully asks that the approval of the JUPA be **deferred until after the School Site Design Standard review is completed**.

Lastly, we would like to thank Administration for inviting us to participate in their review of the JUPA and we look forward to working with Administration in the coming months to engage in discussions relating to the School Site Design Standards to see where modifications can be made to address Industry concerns. As previously stated, we appreciate the time and effort that has gone into this work, but we believe there should be more direction within the JUPA. We respectfully request that our concerns be considered and that the JUPA update be placed on hold until the standards are reviewed and updated.

If you have any questions or concerns, please do not hesitate to contact me.

Respectfully,
BILD Calgary Region

Brian Hahn, Chief Executive Officer BILD CR

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p: 403.235.1911 • e: info@bildcr.com • w: bildcr.com



Modernizing the Joint Use and Planning Agreement

September 9, 2022

Recommendation:

The City enter into the Joint Use & Planning Agreement with the Calgary Board of Education, Calgary Roman Catholic Separate School District and Southern Francophone Education Region based upon the attached draft agreement.

What is a Joint Use and Planning Agreement

- **Framework** for collaborations
- **Processes** for planning, development and maintenance of joint use sites
- **Use** of school facilities, municipal facilities and playing fields
- **Reserve Fund** to purchase school sites and open space
- **Transfer and disposition** of reserve and non-reserve lands



How did we get here?



City Charter approved to allow compatible uses on Joint Use Sites



Council and Board of Trustee direction to develop a modernized Agreement



Joint Administrative Meetings



Communications and Engagement



Recommendation from Elected Officials Coordinating Committee

What has changed?

- **Role of school sites** in creating complete communities;
- Reflect current **policy and planning** practices;
- Potential for **multiple uses** on joint use sites;
- Maintenance and operational **responsibilities**;
- Update the use of the **reserve fund**; and
- Modernize disposal of **surplus school sites**.



Recommendation:

That the Infrastructure and Planning Committee recommends that Council:

1. Direct Administration to execute the Joint Use & Planning Agreement with the Calgary Board of Education, Calgary Roman Catholic Separate School District and Southern Francophone Education Region based upon the attached draft agreement (Attachment 1).

Land Use Bylaw Amendments to Address Missing Middle Housing

RECOMMENDATION:

That the Infrastructure and Planning Committee recommend that Council:

Give three readings to the Proposed Bylaw to amend Land Use Bylaw 1P2007 to add a new housing district (Housing – Grade-Oriented (H-GO) District), to amend the Residential – Grade-Oriented Infill (R-CG) district, as well as other minor consequential amendments to accommodate grade-oriented housing forms such as: semi-detached dwellings, rowhouses, townhouses, at-grade flats, and suites as outlined in Attachment 2.

Highlights

- A new land use district (Housing – Grade-Oriented (H-GO) District) is being proposed to provide more consistency for the development of grade-oriented housing forms such as: semi-detached dwellings, rowhouses, townhouses, and suites. Grade-oriented housing forms have all dwelling units with clear pedestrian access to the entrance of each unit from the street. Often referred to as “missing middle”, this form has seen limited development in many cities across North America including Calgary. These forms were not anticipated in Calgary’s current Land Use Bylaw resulting in inconsistent and unique direct control districts.
- **What does this mean to Calgarians?** Calgarians will have a better understanding of what could be built in their communities through more consistency in how homes are built. The new district will enable a wider variety of housing forms and increase Calgary’s housing stock, making it easier for existing and new Calgarians to find a home in a community that best suits their needs. Making housing more accessible will also help attract businesses and talent to Calgary as housing choice and affordability are two of the drivers for where businesses locate. Further, greater housing choice will lead to more complete and resilient communities by ensuring there is sufficient population needed to support services and amenities despite future challenges.
- **Why does this matter?** Peak population has declined in 86 per cent of Calgary’s established communities and they need new residents to support local businesses, schools, and city services. This directly impacts the social, environmental, and economic considerations identified as Council priorities by allowing more equitable access to housing in established communities. Environmental benefits will be realized through more efficient built forms, reductions in the amount of building materials required, due to increased number of dwelling units in a single building and the utilization of existing transit, utilities and amenities.
- The proposed amendments will provide greater efficiencies for the development industry, Administration and Council by reducing the number of direct control applications and associated costs, while ensuring a consistent set of rules meet the needs of surrounding neighbours.
- The Residential Grade-Oriented Infill (R-CG) district has successfully enabled rowhouses on many corner parcels, but it remains challenging on mid-block parcels. Administration is proposing amendments to the R-CG district to enable midblock and courtyard forms.
- The proposed amendments to multi-residential districts remove barriers to enabling a wide variety of housing forms on multi-residential parcels, further reducing the use of direct control districts.

Land Use Bylaw Amendments to Address Missing Middle Housing

- On 2022 April 12, Council directed Administration to reduce the number of direct control districts being brought to Council by creating a new land use district that addresses the challenges of implementing the grade-oriented forms of the R-CG district mid-block.
- Strategic Alignment to Council's Citizen Priorities: A city of safe and inspiring neighbourhoods
- Background and Previous Council Direction is included as Attachment 1.

DISCUSSION

This report proposes amendments to Land Use Bylaw 1P2007 to introduce a new land use district, Housing – Grade Oriented (H-GO) district, amendments to the Residential Grade - Oriented Infill (R-CG) district, the general rules for multi-residential districts and standardized parking rates (see Attachment 2 for amendments).

New Standard Land Use Bylaw District

The current Land Use Bylaw was adopted in 2008. Over the past 14 years, there have been many changes to housing forms and Calgarians' housing needs, resulting in a regulatory gap. This gap has led to a rise in the number of direct control applications for a wide variety of housing forms, which require more time and resources from Administration and Council to process and approve. Council approved a motion arising during the 2022 April 12 meeting of Council (CPC2022-0256) that directed Administration to create a standard district to address this gap and provide a consistent approach to these types of applications. To do this, Administration focused on researching different housing forms, conducting analysis into why these housing forms are important for Calgary and how it relates to other work being done at The City (details in Attachment 3), as well as what other cities are doing to accommodate these housing forms (details in Attachment 4).

To provide this form of housing through a standard district, a review of previous direct control applications was completed to identify problems and potential solutions. Administration carefully considered several regulations that impact built form, such as parking, landscaping, height, and massing. The new district proposes guidance on where the district is appropriate, such as close to light rail transit stations and Main Streets and where it is not, such as in the middle of low-density residential neighborhoods. More information on the rationale behind the creation of the district rules can be found in Attachment 5. Architectural testing on the draft district and proposed amendments was completed by industry (details in Attachment 6) to ensure the rules would result in the intended built form.

In addition to the new standard district, Administration has developed the Landscape Design Guide for Small Residential Sites to assist with development application review. This document will help support high-quality landscaping outcomes within the H-GO and R-CG districts (Attachment 7). This is an internal document (not needing Council approval) that will help inform builders and designers around landscape and site design expectations.

Amendments to the Residential – Contextual Grade-Oriented District (R-CG)

Previous motions arising directed Administration to bring forward amendments to the existing R-CG district to better enable mid-block and courtyard style housing forms (Attachment 1). In response to these motions, Administration is proposing amendments to R-CG that will enable a

Land Use Bylaw Amendments to Address Missing Middle Housing

mix of homes but will not result in an increase in maximum density already allowed in the district.

Amending the rules of R-CG will reduce the number of land use redesignations and direct control districts on existing R-CG parcels, allowing more applications to go straight to development permit. The need to apply for a direct control district increases costs for developers and leads to delays in implementing these much-needed housing forms. This effectively reduces availability and drives housing costs up, reducing access to housing in Calgary's established communities for many Calgarians. If amendments to R-CG are not adopted, Council would likely see an increase in redesignation applications to the new district, that would better accommodate the type of built form being sought through direct control districts.

Amendments to Multi-Residential Districts

Through testing of the new district and analysis of recent direct control districts, Administration identified that many of the applications for grade-oriented forms use a current multi-residential land use designation (i.e., M-CG, M-C1 and M-C2) as their base when they are proposing higher densities. Administration would like to accommodate these developments under existing land use districts without the need for a land use redesignation. As a result, administration is proposing amendments to the parking requirements for multi-residential districts along with some minor amendments to various definitions in the Land use Bylaw.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☐ Public Engagement was undertaken
- ☐ Public Communication or Engagement was not required
- ☒ Public/Stakeholders were informed
- ☒ Stakeholder dialogue/relations were undertaken

Administration engaged stakeholders, primarily builders, architects, and planners, to ensure that the new district would result in the desired built forms and remove barriers to redevelopment. Administration also reviewed all the comments and discussion during public hearings for these direct control districts, to ensure the district best responds to community concerns. A detailed description of the stakeholder engagement can be found in Attachment 8. Further, feedback from Calgary Planning Commission (Attachment 9) was used to inform and develop the final amendments. Letters of support are included in Attachment 10.

IMPLICATIONS

Social

These amendments reduce barriers for the development of more homes in a consistent manner in established communities. Increasing the diversity of housing types in these communities aligns with Council's foundation of a resilient Calgary by removing barriers to development, making more homes more attainable and welcoming more people with diverse backgrounds into these communities. This leads to the city being more equitable, allowing a diversity of socio-demographics throughout Calgary. This diversity keeps us socially resilient ensuring our communities and Calgarians can thrive.

Land Use Bylaw Amendments to Address Missing Middle Housing

Environmental

Calgary's net zero 2050 climate goal will not be met with current City building practices, and Calgary's Climate Strategy identifies that increasing the availability of housing types in a variety of communities will be necessary. Amendments will reduce barriers for redevelopment in established neighbourhoods, allowing for the efficient use of land and providing more homes close to existing transit, shopping, and workplaces, which can support the City's climate mitigation goals through reduced dependency on private vehicles.

Economic

Amendments will streamline the development process by reducing the need for direct control district applications and land use amendments, and their associated time and cost. Adding more units to our established communities will enhance the residential tax base and add customers in proximity to local businesses and existing City services.

Service and Financial Implications

No anticipated financial impact.

RISK

The proposed amendments may be perceived as a way for The City to change predominantly Single Detached communities. These amendments do not change the land use designation of any parcel in Calgary, nor do they increase the maximum density on any parcel. There is also the risk that there will be opposition to these changes from Calgarians that do not want to see their neighbourhoods change from being predominantly Single Detached Dwellings, as these amendments introduce a new district that does allow for more housing forms. These amendments do not make it harder for Single Detached Dwellings to be built, and Council will still render decisions on land use applications for the new district.

Amendments to R-CG and multi-residential districts will impact currently designated parcels while not changing the intent of these districts, allowing more applications to go straight to a development permit. Future applications for land use redesignations will be reviewed by Council prior to approval. If amendments to R-CG are not approved, it is anticipated that Council will see more direct control applications, or redesignations to the new district.

Not adding the H-GO district puts Calgary's established communities at risk of continued population decline and the associated inability to support business, civic services, and infrastructure. It will exclude some Calgarians from finding homes in complete communities due to a lack of diverse housing choice in developed areas. Not adopting these amendments could lead to an increase in Council time to review direct control applications for these forms of housing.

ATTACHMENT(S)

1. Attachment 1 - Previous Council Direction
2. Attachment 2 - Proposed Amendments to Land Use Bylaw 1P2007
3. Attachment 3 - Why Housing Choice is Important to the Housing Continuum
4. Attachment 4 - Research Summary of Other Cities
5. Attachment 5 - Problem Identification and Rationale

**Planning and Development Services Report to
Infrastructure and Planning Committee
2022 September 9**

**ISC: UNRESTRICTED
IP2022-0989
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Land Use Bylaw Amendments to Address Missing Middle Housing

6. Attachment 6 – District Testing and Visuals
7. Attachment 7 - Landscape Design Guide for Small Residential Sites
8. Attachment 8 - Engagement Summary and What We Heard
9. Attachment 9 - Calgary Planning Commission Comments
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11. Attachment 11 – Presentation - Land Use Bylaw Amendments to Address Missing Middle Housing

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Stuart Dalgleish	Planning and Development	Approve
Trudy Wobeser	Law	Consult
Debra Hamilton	Community Planning	Consult
Brenda Desjardins	Calgary Building Services	Consult

Previous Council Direction

Below is the context and previous council direction around this report.

Context

Over the past few years, new emerging trends in ground-oriented housing forms have become more prominent. These were not anticipated through Land Use Bylaw 1P2007, which was created 14 years ago. Existing regulatory gaps makes accommodating these forms through a standard district difficult, leading to a rise in the number of direct control applications for housing products that aim to mix semi-detached, rowhouses, townhouses, at-grade flats, and basement suites.

While the Residential - Grade-Oriented Infill (R-CG) district was intended to accommodate missing middle housing forms and has successfully enabled the addition of rowhouse options on many corner parcels, constraints in the rules have not allowed development of the mid-block, courtyard form. On 2022 April 12, Council directed Administration to minimize the number of DC districts proposed for planning applications where R-CG does not fully serve the needs of the applicant and the community by bringing an amendment to the Land Use Bylaw to create a new land use district that addresses the shortcomings of the R-CG district in creating “the missing middle”. To address those short comings, and to avoid the need for land use redesignations where existing districts work, a new land use district was developed, as well as amendments to R-CG and the general rules of multi-residential rules.

Previous Council Direction

The table below provides details of Council direction since 2019 that have guided Administration’s work on amendments to the Land Use Bylaw proposed in this report.

Timeline of Previous Council Direction

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
2022 April 12	CPC2022-0256	Motion Arising with respect to Report CPC2022-0256 On 2022 April 12, Council directed Administration to minimize the number of Direct Control (DC) districts proposed for planning applications where R-CG does not fully serve the needs of the applicant and the community by bringing an amendment to the Land Use Bylaw to create a new land use district that addresses the shortcomings of the R-CG district in creating “the missing middle”, reporting back to Council through the Infrastructure and Planning Committee no later than end of Q3 2022.

9/13/2021	CPC2021-1183	<p>Motion Arising with respect to Report CPC2021-1183</p> <p>On 2021 September 13 Council directed Administration to prioritize and undertake a sustainment review of Land Use Bylaw 1P2007 pertaining to the Residential – Grade-Oriented Infill (R-CG) District. The scope of review should consider possible recommendations of refined or new rules to allow for: grade-oriented, low density multi-unit residential development in a variety of forms and unit configurations on mid-block and corner parcels; development forms with an orientation of dwelling units around a central courtyard; and specific motor vehicle parking requirements for secondary suites and backyard suites. And further, Administration be directed to report back through the successor committee of the Standing Policy Committee on Planning and Urban Development with a timeline for this work in Q1 2022 as part of the 2022 Planning Department Workplan.</p>
7/29/2019	CPC2019-0759	<p>Motion Arising with respect to Report CPC2021-1183</p> <p>On 2019 July 29 Council directed Administration, as part of ongoing review of the low-density land use districts and existing work on the Developed Areas Guidebook, to bring forward land use amendments that facilitate mid-block rowhouse implementation, with particular consideration to: allowing courtyard-style development with rules that require building separation distances that allow for reasonable sunlight penetration, sufficient private amenity/gathering space, and that minimize side yard massing challenges. Any additional rules required to enable successful internal private amenity/gathering space, including minimum dimensions and green landscaping requirements; and height limits, chamfers, setbacks, and/or step backs that reduce side/rear massing impacts and support appropriate transitions to adjacent parcels of varying intensities or scales of development, returning to Council through the Standing Policy Committee on Planning and Urban Development no later than Q4 2020.</p>

Proposed Amendments to the Land Use Bylaw 1P2007

1. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:
 - (a) Add a new subsection 13(19.2) as follows:

"13(19.2) *BRT station*" means a station used for embarking and disembarking bus rapid transit passengers."
 - (b) Delete subsection 13(24) and replace with:

"13(24) *building height*" means the height of a ***building***, excluding ***ancillary structures***, determined by measuring from ***grade***, except where otherwise referenced in a land use district or general rules applicable to a land use district."
 - (c) Add a new subsection 13(90.3) as follows:

"13(90.3) *mobility storage locker*" means a secure ***building***, or portion of a ***building***, that:
 - (a) has a door with a minimum width of 0.9 metres that has direct access to ***grade***;
 - (b) has a minimum length of 2.8 metres;
 - (c) has a minimum width of 1.2 metres; and
 - (d) has a minimum height of 1.8 metres.
 - (d) Add a new subsection 13(108.2) as follows:

"13(108.2) *primary transit service*" means bus service provided on the primary transit network identified in the Calgary Transportation Plan."
 - (e) Add a new subsection 13(135.2) as follows:

"13(135.2) *suite*" means a **Backyard Suite** or **Secondary Suite**."
 - (f) Add a new subsection 14(3) as follows:

"14(3) For the purpose of measuring the following:
 - (a) the distance to a ***BRT station*** from a ***development*** is measured in a straight line from the closest edge of the station to the closest point of the ***parcel***, or all the ***parcels***, containing the subject ***development***;
 - (b) the distance to a ***LRT platform*** from a ***development*** is measured in a straight line from the closest edge of the platform to the closest point of the ***parcel***, or all the ***parcels***, containing the subject ***development***; and
 - (c) the distance to ***primary transit service*** from a ***development*** is measured in a straight line from the closest edge of public right-of-way containing the ***primary transit service*** to the closest point of the ***parcel***, or all the ***parcels***, containing the subject ***development***."
 - (g) Amend subsection 270.1(a) by adding "***BRT stations***," after "shelters,".
 - (h) Delete section 295 and replace with:

295 "Secondary Suite"
 - (a) means a ***use*** that:
 - (i) contains two or more rooms used or designed to be used as a residence by one or more persons;

- (ii) contains a **kitchen**, living, sleeping and sanitary facilities;
 - (iii) is self-contained and located within a **Dwelling Unit**;
 - (iv) must not be located in a **Dwelling Unit** where another **Dwelling Unit** is located wholly or partially above or below the **Dwelling Unit** containing the **Secondary Suite**; and
 - (v) is considered part of and secondary to a **Dwelling Unit**;
 - (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
 - (c) has a maximum floor area of 100.0 square metres, excluding any area covered by stairways and **landings**;
 - (d) requires a minimum of 1.0 *motor vehicle parking stalls*; and
 - (e) does not require **bicycle parking stalls – class 1 or class 2**.
 - (i) Amend subsection 347.3(3) by deleting “Unless otherwise referenced in subsection (4)” and replacing it with “Where not located on a **corner parcel**,”.
 - (j) Delete subsection 347.3(4).
2. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:
- (a) Delete subsection 13(120) and replace with:
“13 (120) “residential district” means any of the land use districts in the *low density residential districts* and the *multi-residential districts* and the H-GO District.”
 - (b) Amend subsection 65(1)(a) by deleting “***low density residential districts, multi-residential districts***” and replacing with “***residential districts***”.
 - (c) Amend subsection 97(5) by adding “, the H-GO District” after “***low density residential districts***”.
 - (d) Amend subsection 104(2) by deleting “***low density residential districts, multi-residential districts***” and replacing with “***residential districts***”.
 - (e) Amend subsection 226(a)(iii) by adding “, the H-GO District,” after “***multi-residential districts***”.
 - (f) Amend subsection 541(2) by deleting “or the M-CG District” and replacing with “, the M-CG or H-GO District”.
 - (g) Amend subsection 585(2) by deleting “or M-CG District” and replacing with “, M-CG or H-GO District”.
 - (h) Amend subsection 585(3) by deleting “or M-CG District” and replacing with “, M-CG or H-GO District”.
 - (i) Amend subsection 594(2) by deleting “or M-CG District” and replacing with “, M-CG or H-GO District”.
 - (j) Amend subsection 604(2) by deleting “or M-CG District” and replacing with “, M-CG or H-GO District”.
 - (k) Amend subsection 644(4) by adding “H-GO,” after “***low density residential district***, ”.
 - (l) Amend subsection 653(4)(b) by adding “H-GO,” before “M-CG”.
 - (m) Amend subsections 1057(1) and (2) by adding “H-GO,” after “***low density residential district***, ”.

- (n) Amend subsections 1371(2), (3), (4), and (4)(a) by adding “H-GO,” after “**low density residential district**,”.
- (o) Amend subsection 1374(1) by adding “H-GO,” after “**low density residential district**,”.
- (p) Amend subsections 1381(2), (3), (4) and (4)(a) by adding “H-GO,” after “**low density residential district**,”.
- (q) Amend subsection 1385(1) by adding “H-GO,” after “**low density residential district**,”.
- (r) Add a new Part 15 as follows:

“PART 15

Division 1: Housing – Grade Oriented (H-GO) District

Purpose

1386 The Housing – Grade Oriented (H-GO) District:

- (a) accommodates grade-oriented development in a range of housing forms where the **Dwelling Units** may be attached or stacked within a shared **building** or cluster of **buildings** in a form and at a scale that is consistent with **low density residential districts**;
- (b) provides flexible **parcel** dimensions and **building setbacks** that allow a diversity of grade-oriented housing;
- (c) accommodates site and **building** design that is adaptable to evolving housing needs;
- (d) should only be designated on **parcels** located within:
 - (i) an area that supports the development form in an approved Local Area Plan as part of the Neighbourhood Connector or Neighbourhood Flex Urban Form Categories; or
 - (ii) the Centre City or Inner City areas identified on the Urban Structure Map of the Calgary Municipal Development Plan and also within one or more of the following:
 - (A) 200 metres of a Main Street or Activity Centre identified on the Urban Structure Map of the Calgary Municipal Development Plan;
 - (B) 600 metres of an existing or capital-funded **LRT platform**;
 - (C) 400 metres of an existing or capital-funded **BRT station**; or
 - (D) 200 metres of **primary transit service**.

Permitted Uses

1387 The following **uses** are **permitted uses** in the Housing – Grade Oriented District:

- (a) **Accessory Residential Building**;
- (b) **Dwelling Unit**;
- (c) **Home Based Child Care – Class 1**;
- (d) **Home Occupation – Class 1**;

- (e) **Park;**
- (f) **Protective and Emergency Service;**
- (g) **Secondary Suite;**
- (h) **Sign – Class A; and**
- (i) **Utilities.**

Discretionary Uses

1388 The following **uses** are **discretionary uses** in the Residential – Grade-Oriented Infill District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Bed and Breakfast;**
- (d) **Community Entrance Feature;**
- (e) **Custodial Care;**
- (f) **Home Occupation – Class 2;**
- (g) **Live Work Unit;**
- (h) **Place of Worship – Small;**
- (i) **Power Generation Facility – Small;**
- (j) **Residential Care;**
- (k) **Sign – Class B;**
- (l) **Sign – Class C;**
- (m) **Sign – Class E;**
- (n) **Temporary Residential Sales Centre; and**
- (o) **Utility Building.**

Rules

1389 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the Rules Governing All Districts referenced in Part 3; and
- (b) the applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio

1390 The maximum **floor area ratio** is 1.5.

At Grade Orientation of Units

- 1391** (1) All **units** must provide individual, separate, direct access to **grade**.
- (2) **Units** with an exterior wall facing a **street** must provide:
- (a) an entrance that is visible from the **street**; and
 - (b) sidewalks that provide direct exterior access to the **unit**.

Parcel Coverage

1392 (1) Unless otherwise referenced in subsection (2), the maximum cumulative **building coverage** over all the **parcels** subject to a single **development permit** containing one or more **Dwelling Units** is:

- (a) 45.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** of less than 40 **units** per hectare;
 - (b) 50.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** 40 **units** per hectare or greater and less than 50 **units** per hectare;
 - (c) 55.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** of 50 **units** per hectare or greater and less than 60 **units** per hectare; or
 - (d) 60.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** of 60 **units** per hectare or greater.
- (2) The maximum **parcel coverage** referenced in subsection (1), must be reduced by 21.0 square metres for each **motor vehicle parking stall** provided on a **parcel** that is not located in a **private garage**.
- (3) In all other cases, the maximum **parcel coverage** is 45.0 per cent.

Building Depth and Separation

- 1393 (1) Unless otherwise referenced in subsections (2) and (3) the maximum **building depth** is 65.0 per cent of the **parcel depth** for a **building** containing a **unit**.
- (2) On a **laned parcel**, there is no maximum **building depth** for a **main residential building** wholly contained to the rear of 40.0 per cent **parcel depth** where:
- (a) there is more than one **main residential building** on the parcel;
 - (b) 50.0 per cent or more of the **units** on the **parcel** are contained in **main residential buildings** located within the first 60.0 per cent of the **parcel depth**; and
 - (c) where the minimum separation distance of the **main residential buildings** on the front portion of the **parcel** and the **main residential buildings** contained on the rear portion of the parcel is 6.5 metres.
- (3) For a **main residential building** that is located on a **corner parcel** there is no maximum **building depth** where the minimum **building setback** from the **side property line** shared with another **parcel** is 3.0 metres for any portion of the **building** located between the **rear property line** and:
- (a) 50.0 per cent **parcel depth**; or
 - (b) the **building depth** of the **main residential building** on the adjoining **parcel**;
- whichever is closer to the **rear property line**.

Building Setback Areas

- 1394 The minimum depth of all **setback areas** must be equal to the minimum **building setback** required in sections 1393, 1395, 1396 and 1397.

Building Setback from Front Property Line

1395 The minimum **building setback** from a **front property line** is 3.0 metres.

Building Setback from Side Property Line

- 1396 (1) Subject to subsections (2) through (8), the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) There is no requirement for a **building setback** from a **property line** upon which a party wall is located.
- (3) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 0.6 metres.
- (4) Unless otherwise referenced in subsection (5), on a **laned parcel** the minimum **building setback** from a **side property line** for a **private garage** attached to a **main residential building** is 0.6 metres.
- (5) On a **laned parcel**, the minimum **building setback** for a **private garage** attached to a **main residential building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres where the wall of the portion of the **building** that contains the **private garage** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**.

Building Setback from Rear Property Line

- 1397 (1) Unless otherwise referenced in subsection (2) the minimum **building setback** from a **rear property line** is 5.0 metres.
- (2) On a **corner parcel** or a **laned parcel**, the minimum **building setback** from a **rear property line** is 1.2 metres.

Projections Into Setback Areas

- 1398 (1) Unless otherwise referenced in subsections (2) through (9), a **building** or air conditioning units must not be located in any **setback area**.
- (2) Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this section.
- (3) Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.
- (4) **Patios** may project without any limits into a **setback area**.
- (5) Wheelchair ramps may project without any limits into a **setback area**.
- (6) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any **setback area**.
- (7) **Landings** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any **setback area**.
- (8) **Signs** may be located in any **setback area**, and where so located, must be in accordance with Part 3, Division 5.
- (9) Air conditioning equipment may project a maximum of 1.0 metre into any **setback area** that does not share a **property line** with a **street**.

Building Height

- 1399 (1) Unless otherwise referenced in subsections (2), the maximum **building height** is 12.0 metres measured from **grade**.

- (2) Where a **building setback** is required from a **property line** shared with another **parcel** designated with a **low density residential district**, H-GO or the M-CG District, the maximum **building height**:
- (a) is the greater of:
 - (i) the highest geodetic elevation of a **main residential building** on the adjoining **parcel**; or
 - (ii) 8.0 metres from **grade**;measured at the shared **property line**; and
 - (b) increases at a 45 degree angle to a maximum of 12.0 metres measured from **grade**.

Solar Collectors

- 1400 (1) A **solar collector** may only be located on the wall or roof of a **building**.
- (2) A **solar collector** mounted on a roof with a pitch of less than 4:12:
- (a) may project a maximum of 2.0 metres from the surface of the roof; and
 - (b) must be located at least 1.0 metres from the edge of the roof.
- (3) A **solar collector** mounted on a roof with a pitch of 4:12 or greater:
- (a) may project a maximum of 1.3 metres from the surface of the roof; and
 - (b) must not extend beyond the outermost edge of the roof.
- (4) A **solar collector** that is mounted on a wall:
- (a) must be located a minimum of 2.4 metres above **grade**; and
 - (b) may project a maximum of 0.6 metres from the surface of that wall.

Accessory Residential Buildings

- 1401 (1) An **Accessory Residential Building**:
- (a) may have an **amenity space** in the form of a **deck** or a **patio**;
 - (b) Unless specified in subsection (4) must not be located in a required **setback area**; and
 - (c) must not be located between any **building** and a public **street**.
- (2) Notwithstanding section 1399, the maximum height for an **Accessory Residential Building** is:
- (a) 4.6 metres, when measured from **grade** at any point **adjacent** to the **building**; and
 - (b) 3.0 metres to any **eaveline**, when measured from the finished floor of the **building**.
- (3) Notwithstanding section 1396, for an **Accessory Residential Building**, unless otherwise referenced in subsection (4), the minimum **building setback** from a **side property line** that is not shared with a **street** is 0.6 metres.
- (4) Notwithstanding section 1398, an **Accessory Residential Building** may be located in a **setback area** from another **parcel** where:

- (a) the **Accessory Residential Building** is less than 10.0 square metres **gross floor area**; or
- (b) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**.

Landscaping Requirements

- 1402 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) All areas of a **parcel**, except for those portions specifically required for motor vehicle access, **motor vehicle parking stalls, loading stalls**, garbage facilities, or any purpose allowed by the **Development Authority**, must be a **landscaped area**.
- (3) All **setback areas adjacent** to a **street**, except for those portions specifically required for motor vehicle access, must be a **landscaped area**.
- (4) **Amenity space** provided outdoors at **grade** must be included in the calculation of a **landscaped area**.
- (5) Any part of the **parcel** used for motor vehicle access, **motor vehicle parking stalls, loading stalls** and garbage or recycling facilities must not be included in the calculation of a **landscaped area**.
- (6) A minimum of 30.0 per cent of the **landscaped area** must be covered with **soft surfaced landscaping**.
- (7) All **soft surfaced landscaped area** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.
- (8) Mechanical systems or equipment that are located outside of a **building** must be **screened**.
- (9) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.

Landscape Plan Requirements

- 1403 A landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to **buildings** or the site plan, and must show at least the following:
- (a) the existing and proposed site grading;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls, screening, soft surfaced landscaped area** and **hard surfaced landscaped areas**;
 - (d) **private amenity space** or **common amenity space**;
 - (e) the types, species, sizes and numbers of plant material and the types of **hard surfaced landscaped areas**;
 - (f) details of the irrigation system; and
 - (g) for **landscaped areas** with a **building** or other structure below, the following additional information must be provided:

- (i) the location of underlying slabs and abutting walls;
- (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
- (iii) depths of the growing medium for each planting area;
- (iv) the mature height and spread of all trees and shrubs; and
- (v) the means of irrigating the planting areas.

Planting Requirements

- 1404 (1)** Trees required by this section:
- (a) may be provided through the planting of new trees or the preservation of existing trees; and
 - (d) where approved by the **Development Authority**, may be provided on a boulevard **adjacent** to the **parcel**.
- (2)** A minimum of 1.0 tree and 3.0 shrubs must be provided for each 110.0 square meters of **parcel area**.
- (3)** Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (4)** The requirement for the provision of 1.0 tree is met where:
- (a) a deciduous tree has a minimum **calliper** of 60 millimetres; or
 - (b) a coniferous tree has a minimum height of 2.0 metres.
- (5)** The requirement for the provision of 2.0 trees is met where:
- (a) a deciduous tree has a minimum **calliper** of 85 millimetres; or
 - (b) a coniferous tree has a minimum height of 4.0 metres.
- (6)** The requirement for the provision of 3.0 trees is met where an existing deciduous tree with a **calliper** greater than 100 millimeters is preserved.
- (7)** For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:
- (a) 1.2 metres for trees;
 - (b) 0.6 metres for shrubs; and
 - (c) 0.3 metres for all other planting areas.
- (8)** The soil depths referenced in (7) must cover an area equal to the mature spread of the planting material.
- (9)** All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

Amenity Space

- 1405 (1)** Each **unit** and **suite** must have **amenity space** that is located outdoors and is labelled on the required landscape plan.
- (2)** **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.

Retaining Walls

- 1406 (1) A **retaining wall** must be less than 1.2 metres in height when measured from the lowest **grade** at any point **adjacent** to the **retaining wall** to the highest **grade** retained by the **retaining wall**.
- (2) A minimum horizontal separation of 1.0 metre must be maintained between **retaining walls**.

Fences

- 1407 The height of a **fence** above **grade**, at any point along a **fence** line, must not exceed:
- (a) 1.2 metres for that portion of the **fence** extending beyond the foremost portion of all **buildings** on the **parcel**;
 - (b) 2.0 metres for that portion of the **fence** that does not extend beyond the foremost portion of all **buildings** on the **parcel**; and
 - (c) 2.5 metres to the highest point of a gateway, provided that the gateway does not exceed 2.5 metres in length.

Visibility Setback

- 1408 Within a **corner visibility triangle, buildings, fences**, finished **grade** of a **parcel** and vegetation must not be located between 0.75 metres and 4.60 metres above the lowest elevation of the **street**.

Decks and Patios

- 1409 (1) The height of a **deck** must not exceed 1.5 metres above **grade** at any point.
- (2) A **privacy wall** located on a **deck** or **patio**:
- (a) must not exceed 2.0 metres in height when measured from the surface of the **deck** or **patio**; and
 - (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.

Balconies

- 1410 (1) Unless otherwise referenced in subsection (2), an **open balcony** must not project more than 1.85 metres from the **building** façade to which it is attached.
- (2) Where a **balcony** is located on the roof of the first or second **storey** and does not overhang any façade of the **storey** below the maximum area is equal to 50.0 per cent of the horizontal cross section of the **storey** below.

Motor Vehicle Parking Stalls

- 1411 The minimum number of **motor vehicle parking stalls** is calculated based on the sum of all **units** and **suites** at a rate of 0.375 stalls per **unit** or **suite**.

Mobility Storage

- 1412 The minimum number of **mobility storage lockers** is calculated based on the sum of all **units** and **suites** at a rate of 0.5 lockers per **unit** or **suite** where a **unit** or **suite** is not provided a **motor vehicle parking stall** located in a **private garage**.

Bicycle Parking Stalls

- 1413** The minimum number of **bicycle parking stalls – class 1** is calculated based on the sum of all **units** and **suites** at a rate of 1.0 stall per **unit** or **suite** where a **unit** or **suite** is not provided a **motor vehicle parking stall** located in a **private garage** or **mobility storage locker**.

Driveway Length and Parking Areas

- 1414 (1)** A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
 - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.
- (2)** A driveway connecting to a **street** must:
- (a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and
 - (b) be a minimum of 3.0 metres in width.
- (3)** A driveway connecting to a **lane** must:
- (a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and
 - (b) be located between the **property line** shared with a **lane** and the vehicular entrance of the **private garage**.
- (4)** In the **Developed Area** a driveway accessing a **street** must not be constructed, altered or replaced except where:
- (a) it is located on a **laneless parcel**;
 - (b) it is located on a **laned parcel** and 50.0 per cent or more **parcels** on the same block face have an existing driveway accessing a **street**; or
 - (c) there is a legally existing driveway that it is not being relocated or widened.

Waste, Recycling and Organics

- 1415** Garbage, recycling, and organics containers must be stored in a **screened** location shown on a site plan approved by the **Development Authority**.

3. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:

- (a) Add a new subsection 13(143) as follows:

“**13(143) “zero setback”** means a **building setback** where:

- (a) the **building setback** is not greater than 0.1 metres from the **side property line** for any portion of a **building** that is recessed 0.6 metres or greater from the front façade or the rear façade of the **building** and is setback less than 1.2 metres from the **side property line**;
- (b) the wall at the shared **side property line** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; and

- (c) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.”
- (b) Amend subsection 27(5)(d.1) by deleting “and” after “;”.
- (c) Add a new subsection 27(5)(d.2) as follows:
“**27(5)(d.2) Townhouse** when listed as a **discretionary use** in a **residential district** in the **Developed Area**; and”
- (d) Delete subsection 153.1(vii) and replace with:
“**153.1(vii)** in the **R-CG District** or a **multi-residential district** must be located on the same **parcel** or **bare land unit** with a single **Dwelling Unit**; and”
- (e) Amend subsection 351(4) by deleting “A” and replacing with “Except in the R-CG District, a”.
- (f) Amend subsection 352(7) by deleting “A” and replacing with “Except in the R-CG District, a”.
- (g) Amend subsection 525(1)(b) by adding “**Townhouses**, “ before “**Rowhouse Buildings**”.
- (h) Amend subsection 527(2)(s) to delete “and”.
- (i) Add a new subsection 527(2)(s.1) as follows:
“**527(2)(s.1) Townhouse**; and”
- (j) Delete section 533 and replace with:
“**At Grade Orientation of Units**
533 (1) All **units** must provide individual, separate, direct access to **grade**.
(2) **Units** with an exterior wall facing a **street** must provide:
 - (a) an entrance that is visible from the **street**; and
 - (b) sidewalks that provide direct exterior access to the **unit**.”
- (k) Amend subsection 534(2) to delete “or” after “**Semi-Detached Dwelling**” and replace with “,” and add “or **Townhouse**” after “**Single Detached Dwelling**”.
- (l) Delete section 535 and replace with
“**Building Depth and Separation**
535 (1) Unless otherwise referenced in subsections (2) and (3) the maximum **building depth** is 65.0 per cent of the **parcel depth** for a **building** containing a **unit**.
(2) On a **laned parcel**, there is no maximum **building depth** for a **main residential building** wholly contained to the rear of 40.0 per cent **parcel depth** where:
 - (a) there is more than one **main residential building** on the **parcel**;
 - (b) 50.0 per cent or more of the **units** on the **parcel** are contained in **main residential buildings** located within the first 60.0 per cent of the **parcel depth**; and
 - (c) where the minimum separation distance of the **main residential buildings** on the front portion of the **parcel** and the **main residential buildings** contained on the rear portion of the **parcel** is 6.5 metres.

- (3) For a **main residential building** that is located on a **corner parcel** there is no maximum **building depth** where the minimum **building setback** from the **side property line** shared with another **parcel** is 3.0 metres for any portion of the **building** located between the **rear property line** and:
- (a) 50.0 per cent **parcel depth**; or
 - (b) the **building depth** of the **main residential building** on the adjoining **parcel**;
- whichever is closer to the **rear property line**.”
- (m) Amend section 536 to add “535,” after “sections”.
- (n) Delete section 537 and replace with:
- “537 The minimum **building setback** from a **front property line** is 3.0 metres.”
- (o) Delete sections 539 and 540 and replace with:
- “Building Setback from Side Property Line**
- 539 (1) Subject to subsections (3) through (9), the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) Subject to subsections (3) through (7), for a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
 - (b) 3.0 metres on one side of the **parcel** when no provision is made for a **private garage** on the front or side of a **building**.
- (3) There is no requirement for a **building setback** from a **property line** upon which a party wall is located.
- (4) The minimum **building setback** from a **side property line** may be reduced to a **zero setback** where:
- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a 1.2 metre private maintenance easement.
- (5) The minimum **building setback** from a **side property line** may be reduced to a **zero setback** where the **main residential building** on the adjoining **parcel** has a **zero setback**.
- (6) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 0.6 metres.
- (7) The **building setback** from a **side property line** of 3.0 metres required in subsection 2(b) may be reduced to zero metres where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** registers, against both titles, a private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
 - (b) that provides unrestricted vehicle access to the rear of the **parcel**.
- (8) Unless otherwise referenced in subsection (9), on a **laned parcel** the minimum **building setback** from a **side property line** for a **private garage** attached to a **main residential building** is 0.6 metres.

- (9) On a **laned parcel**, the minimum **building setback** for a **private garage** attached to a **main residential building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres where the wall of the portion of the **building** that contains the **private garage** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**.

Building Setback from Rear Property Line

- 540 (1)** Unless otherwise referenced in subsection (2) the minimum **building setback** from a **rear property line** is 7.5 metres.
- (2)** On a **laned parcel**, the minimum **building setback** from a **rear property line** is 1.2 metres."
- (p) Delete subsection 541(1) and replace with:
- "541(1)** Unless otherwise referenced in subsections (2), (3) and (4), the maximum **building height** is 11.0 metres measured from **grade**."
- (q) Amend subsection 541(3) to delete "The" at the beginning of the subsection and replace with "On a **corner parcel**, the".
- (r) Delete subsection 541(4) and replace with:
- "541(4)** Where not located on a **corner parcel**, the maximum **building height** is 8.6 metres for any portion of a **main residential building** located between the **rear property line** and 60.0 per cent **parcel depth** or the **contextual building depth average**, whichever is greater."
- (s) Delete subsection 541(5).
- (t) Delete section 542 and replace with:

"Landscaping Requirements

- 542 (1)** For **developments** of three **units** or more, **landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2)** For **developments** of two **units** or less the General Landscaping Rules of Section 346.1 apply.
- (3)** All areas of a **parcel**, except for those portions specifically required for motor vehicle access, **motor vehicle parking stalls**, **loading stalls**, garbage facilities, or any purpose allowed by the **Development Authority**, must be a **landscaped area**.
- (4)** All **setback areas adjacent** to a **street**, except for those portions specifically required for motor vehicle access, must be a **landscaped area**.
- (5)** **Amenity space** provided outdoors at **grade** must be included in the calculation of a **landscaped area**.
- (6)** Any part of the **parcel** used for motor vehicle access, **motor vehicle parking stalls**, **loading stalls** and garbage or recycling facilities must not be included in the calculation of a **landscaped area**.
- (7)** A minimum of 30.0 per cent of the **landscaped area** must be covered with **soft surfaced landscaping**.
- (8)** All **soft surfaced landscaped area** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.

- (9) Mechanical systems or equipment that are located outside of a **building** must be **screened**.
 - (10) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.”
- (u) Add new subsections 542.1 and 542.2 as follows:
- “Landscape Plan Requirements**
- 542.1** For **developments** of three **units** or more, a landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to **buildings** or the site plan, and must show at least the following:
- (a) the existing and proposed site grading;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, **soft surfaced landscaped area** and **hard surfaced landscaped areas**;
 - (d) **private amenity space** or **common amenity space**;
 - (e) the types, species, sizes and numbers of plant material and the types of **hard surfaced landscaped areas**;
 - (f) details of the irrigation system; and
 - (g) for **landscaped areas** with a **building** or other structure below, the following additional information must be provided:
 - (i) the location of underlying slabs and abutting walls;
 - (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
 - (iii) depths of the growing medium for each planting area;
 - (iv) the mature height and spread of all trees and shrubs; and
 - (v) the means of irrigating the planting areas.

Planting Requirements

- 542.2 (1)** Trees required by this section:
- (a) may be provided through the planting of new trees or the preservation of existing trees; and
 - (d) where approved by the **Development Authority**, may be provided on a boulevard **adjacent** to the **parcel**.
- (2)** A minimum of 1.0 tree and 3.0 shrubs must be provided for each 110.0 square meters of **parcel area**.
- (3)** Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (4)** The requirement for the provision of 1.0 tree is met where:
- (a) a deciduous tree has a minimum **calliper** of 60 millimetres; or

- (b) a coniferous tree has a minimum height of 2.0 metres.
 - (5) The requirement for the provision of 2.0 trees is met where:
 - (a) a deciduous tree has a minimum **calliper** of 85 millimetres; or
 - (b) a coniferous tree has a minimum height of 4.0 metres.
 - (6) The requirement for the provision of 3.0 trees is met where an existing deciduous tree with a **calliper** greater than 100 millimeters is preserved.
 - (7) For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:
 - (a) 1.2 metres for trees;
 - (b) 0.6 metres for shrubs; and
 - (c) 0.3 metres for all other planting areas.
 - (8) The soil depths referenced in (7) must cover an area equal to the mature spread of the planting material.
 - (9) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.”
- (v) Delete section 543 and replace with:
- “Amenity Space**
- 543** (1) For **developments** of three **units** or more, each **unit** and **suite** must have **amenity space** that is located outdoors and is labelled on the required landscape plan.
- (2) **Amenity space** may be provided as **common amenity space, private amenity space** or a combination of both.”
- (w) Delete subsection 544(1) and replace with:
- “544(1)** Where a **balcony** is located on the roof of the first or second **storey** of a **main residential building** and does not overhang any façade of the **storey** below, the **balcony** may have a maximum **floor area** that equals 50.0 per cent of the horizontal cross section of the **storey** below.”
- (x) Delete section 546 and replace with:
- “546** The minimum number of **motor vehicle parking stalls** is calculated based on the sum of all **units** and **suites** at a rate of 0.375 stalls per **unit** or **suite**.”
- (y) Add a new section 546.1 as follows:
- “Mobility Storage**
- 546.1** The minimum number of **mobility storage lockers** is calculated based on the sum of all **units** and **suites** at a rate of 0.5 lockers per **unit** or **suite** where a **unit** or **suite** is not provided a **motor vehicle parking stall** located in a **private garage**.”
- (z) Add a new section 546.2 as follows:
- “Bicycle Parking Stalls**
- 546.2** The minimum number of **bicycle parking stalls – class 1** is calculated based on the sum of all **units** and **suites** at a rate of 1.0 stall per **unit** or **suite** where a **unit** or **suite** is not provided a **motor vehicle parking stall** located in a **private garage** or **mobility storage locker**.”

- (aa) Add a new section 546.3 as follows:

“Waste, Recycling and Organics

546.3 For **developments** of three or more **units**, garbage, recycling, and organics must be stored in a **screened** location approved by the **Development Authority**.”

4. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:

- (a) Delete subsection 239(a)(iii).
(b) Amend subsection 239(a)(iv) by deleting “minimum of four **units**” and replacing with “minimum of three **units**”.
(c) Delete section 558 and replace with the following:

“Motor Vehicle Parking Stall Requirements

558 The minimum **motor vehicle parking stall** requirement is calculated:

- (a) based on the sum for all **Dwelling Units** and **suites** where the rate is 0.5 stalls per **Dwelling Unit** or **suite**; and
(b) for each **Live Work Unit** is:
(i) 0.5 stalls per **unit** for resident parking; and
(ii) 0.5 **visitor parking stalls**.”
(d) Delete section 559 and replace with the following:

“Bicycle Parking Stall Requirements in Multi-Residential Development

559 The minimum number of **bicycle parking stalls** is calculated based on the sum for all **units** and **suites** where the rate is:

- (a) 1.0 **bicycle parking stall – class 1** per **unit**;
(b) 1.0 **bicycle parking stall – class 1** per **suite**; and
(c) 0.1 **bicycle parking stalls – class 2** per **unit** for **developments** of 20 **units** or more, with a minimum of 2.0 stalls.”
(e) Delete section 560 and replace with:

“Reduction for Transit Supportive Multi-Residential Development

560 The required number of **motor vehicle parking stalls** in section 558 is reduced by 25.0 per cent for a **development** on a **parcel** located within:

- (a) 600.0 metres of an existing or approved capital funded **LRT platform**;
(b) 400.0 metres of an existing or approved capital funded **BRT station**; or
(c) 200.0 metres of **primary transit service**.”
(f) Add a new subsection 565(5) as follows:

“565(5) In the **Developed Area** a driveway accessing a **street** must not be constructed, altered or replaced except where:

- (a) it is located on a **laneless parcel**;
(b) it is located on a **laned parcel** and 50.0 per cent or more **parcels** on the same block face have an existing driveway accessing a **street**; or
(c) there is a legally existing driveway that it is not being relocated or widened.”

- (g) Amend section 573 by deleting the section title and replacing with:
“**Single Detached, Semi-Detached, Duplex Dwellings and Backyard Suites**”
- (h) Delete subsection 573(d).
- (i) Delete subsection 1352 and replace with:
“**1352** The required number of **motor vehicle parking stalls** in section 1350 is reduced by 25.0 per cent for a **development** on a **parcel** located within:
 - (a) 600.0 metres of an existing or approved capital funded **LRT platform**;
 - (b) 400.0 metres of an existing or approved capital funded **BRT station**; or
 - (c) 200.0 metres of **primary transit service**.”

Why Housing Choice is Important to the Housing Continuum

Context

To address Council's direction, Administration focused on conducting analysis into what housing forms are needed in Calgary, why they're important for Calgary as it grows over the next twenty years, and how it relates to other work being done at The City.

What is Missing Middle Housing?

Missing Middle Housing is a term coined by Daniel Parolek to capture different housing forms that are often lacking within many North American communities. These forms are seen as ways to respond to the housing crisis being felt in many North American cities. Due to changing household demographics, environmental and economic factors, and market interests, there is a large mismatch in many cities between the housing stock that is desired, and the housing stock being provided. Household and cultural demographics have changed substantially since the post-World War II development boom, where single-detached dwellings accommodated a large majority of the population.

Why Housing Choice is Needed in Calgary

Enabling housing choice in Calgary means there are more opportunities for all Calgarians to find a place that meets their needs that they can call home. The dominant housing form in Calgary is single-detached homes, and it is expected that this will continue well into the future. However, as Calgary evolves, grows, and diversifies, the housing stock must ensure that it meets the needs of a diverse population.

Calgary's changing demographics

Calgary has been in a constant state of change, and the following statistics demonstrate that more variety is needed in the housing stock to meet the needs of an increasingly diverse make-up of households.

- › 66 per cent of homes in Calgary are owner occupied single-detached homes, but 75 per cent of Calgary households have insufficient income to buy a single-detached house¹. This indicates that many Calgarians may be spending more than 30 per cent of their pre-tax income on shelter. A limited supply of alternative built forms may be forcing them to live in places that don't meet their needs.
- › 86 per cent of Calgary's established area communities have lost population since their peak². While various factors influence individual housing and community choices, the degree of this decline indicates that some Calgarians are not able to find housing options to suit their needs in their community and are being forced to leave.
- › The number of single and two-person households are the highest they have ever been in Canada, households composed of roommates are the fastest growing household category across the country, and the number of multi-generational homes or multiple family dwellings continues to

¹ The City of Calgary's report *Housing in Calgary: An Inventory of Housing Supply, 2015-2016*

² The City of Calgary, *Civic Census 2019*

grow³. This demonstrates that household make-up is changing and may indicate that housing type preferences are also changing/expanding.

The proposed Land Use Bylaw amendments will provide the regulatory tools necessary to enable increasing housing choice in Calgary's inner city and established communities.

The Role Housing Choice Plays in Housing Affordability

Housing affordability is impacted by many inter-related factors, many of them outside the jurisdiction or influence of municipal government such as global supply chains, availability of labour, economy, financing tools, and policy, as examples. There is no single solution for addressing housing affordability; it requires a range of actions on a variety of fronts. Below is a summary of the contributions that Administration's work on amendments to the Land Use Bylaw proposed in this report can make to this effort.

- › Reducing municipal regulatory barriers can decrease the length of time for development approvals and building costs by providing clear expectations for development outcomes that are informed by economic feasibility. In the case of amendments to existing districts in this report, the development of new homes on parcels already designated with these districts can proceed directly to the Development Permit step, saving significant time and money, and lowering the cost of development.
- › Increasing housing choice will not have a direct impact on the price of individual housing units given many factors that impact housing prices. However, diversifying Calgary's housing stock today ensures that there are a range of housing options at a range of prices for Calgarians for years to come. Today's market rental and ownership homes will be more affordable units in the future, just as more affordable market rental and ownership homes available today were built 30 or more years ago.
- › The recent Direct Control District applications and the development of rowhouses within the Residential – Grade-Oriented Infill (R-CG) District since it was introduced in 2015, demonstrate a demand for more variety in grade-oriented housing forms in Calgary. Through public engagement on other projects, Administration has heard that many Calgarians want a home in an established community that has a direct connection to the street (i.e., not an apartment building), but that there are minimal options available today. Making it easier to build these types of homes can increase the amount of supply in this segment of the housing market across Calgary's established areas. Increasing the supply for this form of housing will help meet the demand Calgary is experiencing.
- › New homes built within the rules of the proposed Housing – Ground-Oriented (H-GO) District would be cheaper compared to a new single detached home built on the same parcel and provide opportunity for numerous households to live within a single development with the added benefit of living in a location close to shops, amenities, and transit.
- › While the amendments to the Land Use Bylaw proposed in this report most directly impact market housing, the benefits of removing regulatory barriers mentioned above are also realized for affordable housing developments led by both the City of Calgary and not-for-profit housing providers.

³ Statistics Canada 2021 Census <https://www150.statcan.gc.ca/n1/daily-quotidien/220713/dq220713a-eng.htm>

The Role of This Work Supporting Other City Initiatives

The City is currently engaged in a lot of work surrounding the topic of housing. From aging-in-place to the creation of more affordable housing units, Administration knows that housing is not just a planning consideration, and as such, needs a comprehensive approach.

Accessible and Age-friendly Housing

A lot of work is being done across the corporation to look at how to make our housing stock more physically accessible. Whether it be for seniors or persons with disabilities, accessibility is something that many Calgarians need in a housing form they can afford, in a location where they feel at home. The proposed Housing – Ground-Oriented (H-GO) District enables, but does not incentivize nor require, including single-story ground-oriented units within developments. However, enabling these types of units is an important first step in ensuring that these forms of housing can also serve Calgarians seeking or needing more accessible housing options. Additionally, the location criteria of the proposed Housing – Ground-Oriented (H-GO) District emphasizes proximity to amenities and transit, something that is important for Calgarians with accessibility needs.

Affordable Housing Units and the Housing Continuum

The proposed amendments to the Land Use Bylaw in this report most directly impact the Market Rental Housing and Market Home Ownership components as shown on the housing continuum image below.



A healthy supply of housing across the housing continuum ensures that Calgarians can rely on housing that fits their budget and life circumstances.

Currently, there is no distinction between Affordable Housing (see definition below) and market housing from a land use perspective since land use addresses form and development standards rather than end users. This means that applications proposing Affordable Housing units go through the same process as applications for market housing. This can add significant cost to applications and can often limit or prevent much-needed units from being built due to stigma and misunderstandings around who will live, rent, or own these units.

Working with other business units to discover the needs across the housing continuum was an important factor in the creation of the new Housing – Grade-Oriented district. One of the main concerns we heard from other business units was the need to have a permitted approach to building dwelling units. A permitted approach means that the use is allowed as-of-right if it meets all the rules of the district. By ensuring the rules of the district are met, Administration is still able to ensure the application is meeting the appropriate form intended for a parcel, however, as a permitted use, there is less likelihood for an appeal of the application by those with unwarranted objections. This streamlines the application process ensuring what is intended to be built on a parcel can be done, while still ensuring the development meets the rules of the district.

Appeals to the Subdivision and Development Appeal Board are rising for applications that increase intensity as there is a worry that new housing forms will impact the value of neighbouring properties or

that it will change the “character” of a community. Communities are places that change over time, and that change, when intentional, can support Calgary’s ability to be more equitable and diverse. Change is key to ensure that communities can be resilient and meet the evolving needs of the people who live there.

Common Housing Terms

Housing affordability	Housing affordability is when housing supply balances and meets housing demand so that households have access to a range of housing options where they would be able to spend no more than 30% of their income on shelter expenses.
Missing middle housing	Missing middle housing encompasses a range of small to moderate scale developments that provide homes in buildings typically between 2 - 4 storeys with two or more units. These built forms integrate well within a neighbourhood and offer additional opportunities to single-detached homes, allowing more people of different demographics and needs, at different ranges of affordability and stages of life, to move into, or remain living in, a neighbourhood.
Affordable housing	The City of Calgary defines affordable housing as housing for people who, because of financial or other circumstances, need assistance to cover their housing costs. It may take several forms on the housing spectrum, from non-market rental units to attainable homeownership. To exclude discretionary overspending, The City targets affordable housing to households earning 65% or less of the Calgary area median income.
Affordable housing need	A household needs affordable housing when it earns less than 65% of the Calgary area median income and spends more than 30% of its pre-tax income on adequate shelter.
Non-market housing	Rental or for-sale housing provided for income groups not served by the private market. It is typically made affordable through public and/or non-profit ownership of housing units, or through rent supplements that allow low-income households to access housing in the private market.
Social housing	Social housing refers to a set of programs designed by the federal and provincial governments in which non-market units are provided for low-income households. In regulated social housing units, rent is geared to 30% of the tenant’s household income with a minimum required payment of \$120 per month. As currently structured, this model is supported by ongoing deep subsidies from the federal and provincial governments.
Supportive care housing	Housing that provides case management and supports to individuals and families with special needs to achieve housing stability and independence. While there is no maximum length of stay in supportive housing, these programs may aim to eventually transition clients out of the program to less intensive community-based services, or may constitute long-term permanent housing, depending on the program goals and population served.

Research Summary of Other Cities

Overview Summary of Enabled Diverse Housing Options

The following table compares proposed changes to regulation and policy in several cities across North America that address building form, secondary suites, and parking requirements to enable more diverse forms of housing development. More detailed information on subject city case studies can be seen following this table.

Table 1: City Comparisons, what is enabled through policy and regulation changes

Cities	Changes in Policy/Regulation	Regulations for Suites	Changes in Parking Requirements
Portland	Reduce regulatory restrictions by broadening the types of housing available in single-detached residential zones. This includes duplexes, triplexes, fourplexes, cottage clusters, and attached houses	A house with two accessory dwellings and a duplex with an accessory dwelling	No minimum parking requirements
Seattle	Zoning changes in the low-rise residential area allows for the construction of townhouses, three-story rowhouses, and three- and four-story apartment structures	Each dwelling unit can have one accessory dwelling	One parking stall per unit, however no minimum parking requirements in urban villages
Minneapolis	Amendments to the Minneapolis 2040 Plan and changes to zoning regulations to allow up to three units in all low-rise residential districts	An accessory dwelling unit may only be added to single-family or two-family dwellings	No minimum parking requirements
Edmonton	Zoning changes were applied to low-rise and medium-density residential zones enabling duplex housing with a secondary suite as well as multi-unit housing (which refers to three or more principal dwellings)	A single-detached with a secondary suite, semi-detached with a secondary suite, or row house with a secondary suite	No minimum parking requirements
Victoria	Proposing three new uses, houseplexes (from three to 6 units), corner townhouses, and heritage conserving infill that will be permitted in the city's Traditional Residential districts	A single-family home with a secondary suite	0.77 parking spaces per unit

Toronto	The areas designated “Neighbourhoods” in the Official Plan will allow a greater range of low-rise residential building types, such as semi-detached houses, duplexes, fourplexes, stacked townhouses, duplexes, fourplexes, accessory dwelling units (such as garden suites and laneway suites), and low-rise apartments	Secondary suites in townhouses city-wide, laneway suites across the city	No minimum parking requirements
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Portland Residential Infill Project, OR

Portland implemented the Residential Infill Project, a set of changes to the city's single-detached zoning bylaws that remove regulatory hurdles and encourage higher-density, middle-income housing types. The residential infill project changes reduce regulatory restrictions by broadening the types of housing available inside single-detached residential zones. It raises the allowed floor area ratio for multi-dwelling structures while decreasing it for new single-detached dwellings. Finally, with its unique land use regulations, it opens the door for higher density.

The following are the key findings of the Portland Residential Infill Project:

1. They complied with the state mandate (House Bill 2001) and the Senate bill for missing middle housing implementation by permitting duplexes on all parcels and other middle housing (triplexes, fourplexes, cottage clusters, attached houses) on the majority of parcels¹.
2. The zoning changes permit a house with two accessory dwelling units, a duplex with an accessory dwelling unit, a triplex, a fourplex, a cottage cluster, and affordable fourplexes and multi-dwelling structures¹.
3. Affordable fourplexes and multi-dwelling structures should have a maximum of six dwelling units on interior and corner lots (50 percent of those units on the site should be affordable to those earning no more than 60 percent of the area median family income)².
4. There is no minimum parking requirement for household living use in single dwelling zones, both near and far from public transit².

References

1. Housing Choices (House Bill 2001): Urban Planning: State of Oregon (2001). Available at: <https://www.oregon.gov/lcd/UP/Pages/Housing-Choices.aspx>
2. Portland Residential Infill Project (2022) Available at: <https://www.portland.gov/bps/planning/rip>

Seattle Mandatory Housing Affordability, WA

Seattle's growth and development has led to issues with housing stock and affordability. The purpose of Seattle's Mandatory Housing Affordability (MHA) legislation is to increase housing options and planning approvals. The legislation aims to reduce residential displacement by expanding the quantity of affordable dwellings that are accessible to low-income families with different housing options.

The following are the key findings of the Seattle's Mandatory Housing Affordability:

1. Zoning changes in the low-rise residential area allow for the construction of townhouses, three-story rowhouses, and three- and four-story apartment structures¹.

2. Accessory dwelling units are permitted in all neighbourhood residential zones and each principal dwelling unit can have one accessory dwelling unit². In most zones, one parking stall per unit is required. However, there is no minimum parking requirement in urban villages if it is within a quarter mile of a street with frequent transit service².

References

1. Chapter 23.44 - Residential, Single-Family | Municipal Code | Seattle, WA | Municode Library (2022)
2. Seattle ADUniverse (2022). Available at: <https://aduniverse-seattlecitygis.hub.arcgis.com/>

Minneapolis Comprehensive Plan 2040, MN

Minneapolis has addressed housing through two approaches – by revising the Minneapolis 2040 Plan and changing zoning regulations to allow one-to-three units in all low-rise residential districts that previously only allowed one unit. One of the Minneapolis 2040 Plan's goals is to alleviate racial inequities in economic, housing, safety, and health outcomes in Minneapolis. The Plan recognizes the role that Minneapolis' zoning laws, in conjunction with previous discriminatory housing policies (redlining), had in shaping inequitable access to homes¹.

The following are the key findings of the Minneapolis Comprehensive Plan 2040:

1. Zoning code amendments in the low-rise residential area allow residential uses with up to three units that retain the same building scale and size permitted for single-detached houses².
2. An accessory dwelling unit may only be added to a single or semi-detached dwelling.
3. For one to three dwelling units, there is no minimum parking requirement. For four dwelling units or more, there is a maximum of two parking stalls per unit³.

References

1. Minneapolis Missing Middle Housing (2022). Available at: <https://minneapolis2040.com/implementation/the-missing-middle#Goals>
2. Minneapolis, C. of (2022) Residential buildings with up to three units. Available at: <https://www2.minneapolismn.gov/business-services/planning-zoning/amendments/adopted-proposed/recently-adopted/residential-buildings-3-units-amendment/>
3. Parking, Loading, and Mobility Regulations (2021). Available at: <https://minneapolis2040.com/implementation/parking-loading-and-mobility-regulations/>

Infill Roadmap 2018, Edmonton, AB

The City of Edmonton developed the Infill Roadmap 2018 to enable new housing choices in their mature neighbourhoods. The Roadmap aimed at enhancing different forms of housing such as triplexes, rowhouses, and low-and mid-rise apartments up to six stories. To supplement the data obtained during the stakeholder and community consultation, three technical papers were also created: Edmonton's Urban Neighbourhood Evolution, Municipal Tools Review, and Market Housing and Affordability Study.

The following are some key findings from the Infill Roadmap 2018:

1. The zoning changes were applied to low-rise and medium-density residential zones. These changes enable duplex housing with a secondary suite as well as multi-unit housing (which refers to three or more principal dwellings)¹.
2. The changes have reduced the amenity area required for each residential unit from 15 squared metres to 7.5 squared metres, and it is also required for row-housing and multi-unit housing¹.

3. In 2020, Edmonton city council voted to eliminate parking minimums. Open option parking enables developers, property owners, and companies to choose how much on-site parking to provide on properties based on operations, activities, or lifestyle².

References

1. Missing Middle Zoning Review | City of Edmonton (2022). Available at: https://www.edmonton.ca/city_government/urban_planning_and_design/medium-scale-housing-review
2. Parking Rules for New Homes and Businesses | City of Edmonton (2020). Available at: https://www.edmonton.ca/city_government/urban_planning_and_design/comprehensive-parking-review

Missing Middle Housing Initiative, Victoria, BC

The Victoria Missing Middle Housing Initiative proposes that house-plexes (buildings with three to six units that are all accessed from grade) and corner townhomes, be permitted in the city's Traditional Residential districts where other low-density residential forms are allowed. It would also support in the preservation of heritage properties by permitting additional residences to be constructed on the same property as the heritage registered structure. At the same time, Victoria's Official Community Plan already envisions Missing Middle housing forms throughout the city¹.

The following are the key findings from the Initiative:

1. Missing middle housing is shaped through the Official Community Plan amendments and policy consolidation, zoning regulation bylaw amendment, affordable housing standards bylaw amendment and the land use procedures bylaw amendment².
2. Victoria is proposing three new uses and related regulations: house-plexes (from three to six units), corner townhouses, and heritage conserving infill³.
3. The proposed regulations require 0.77 parking spaces per unit. This is less than the current zoning requirement of 1.0-1.45 spaces per dwelling³.
4. Two bicycle parking stalls are required per unit, and one stall per secondary dwelling unit³.

References

1. Victoria Missing Middle Housing | Have Your Say (2022). Available at: <https://engage.victoria.ca/missing-middle-housing/>
2. Victoria Council Report (2022). City of Victoria. Available at: <https://pub-victoria.escribemeetings.com/filestream.ashx?DocumentId=82130>.
3. Missing Middle Housing Initiative Information Boards (2022). City of Victoria

Expanding Housing Options in Neighbourhoods, Toronto, ON

The City of Toronto has been undertaking the program of Expanding Housing Options in Neighbourhoods to include more diverse housing forms. The areas designated "Neighbourhoods" in the Official Plan are primarily residential buildings up to four-storeys. These areas permit a greater range of low-rise residential building types, such as semi-detached houses, duplexes, fourplexes, stacked townhouses, accessory dwelling units (such as garden suites and laneway suites), and low-rise apartments.

The following are the key findings from the Expanding Housing Options in Neighbourhoods project:

1. Permitting secondary suites in townhouses city-wide as well as removing the requirement for the original house to be at least five years old¹.

2. Allowing laneway suites across the city².
3. Creating townhouse and low-rise apartment guidelines to help implement policies in the Official Plan and monitoring the outcomes³.
4. The City is recommending inclusion of garden suites in neighbourhoods to expand housing options.
5. Doing pilot projects for different housing forms, ranging from duplexes to low-rise apartments.
6. There is no minimum parking requirement for each dwelling unit in the following forms: detached house, semi-detached house, townhouse, duplex, triplex or fourplex⁴.

References

1. Toronto, C. of (2018c) Secondary Suites, City of Toronto. Available at: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/secondary-suites/>
2. Toronto, C. of (2018b) Changing Lanes: Laneway Suites in the City of Toronto, City of Toronto. Available at: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/changing-lanes-the-city-of-torontos-review-of-laneway-suites/> Missing Middle Housing Initiative Information Boards (2022).
3. Toronto, C. of (2017) Townhouse & Low-Rise Apartment Guidelines, City of Toronto. Available at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>
4. City of Toronto Zoning By-law 82-2022, as amended (Office Consolidation). Available at: <https://www.toronto.ca/legdocs/bylaws/2022/law0089.pdf>

Problem Identification and Rationale

What is the problem?

In April 2020 Council adopted a Motion Arising from Councillors Chabot and Sharp directing Administration to create a new Land Use District for the purpose of regulating new housing forms within the Land Use Bylaw. While conducting the preliminary research to respond to the April 2022 Motion, Administration concluded that there were multiple barriers to achieving these forms of redevelopment. To ensure direct controls are limited in the future, and that this type of development has the best chance of success, Administration identified three problems that had to be solved:

1. Between 2019-2021 there were approximately 30 direct control applications for types of low-scale development, all with inconsistent approaches and outcomes.
2. Current R-CG does not allow for mid-block redevelopment without the aide of a direct control districts.
3. Existing multi-residential districts have antiquated rules which increase the need for direct control districts.

Review and Analysis of Direct Control Applications

To understand the regulatory barriers that prevent these grade-oriented housing forms, Administration reviewed approximately 30 direct control applications to identify why they were being used instead of standard districts. The following table provides a brief overview of the direct control applications, the base district used and the reason for requesting the direct control district.

Table 1: Review of Direct Control Applications

#	File Number	Residential Base District	Reason For the Application
1	LOC2019-0006	R-CG to DC/R-CG	<ul style="list-style-type: none"> • Built form – courtyard (4-unit townhouse front and rear w/ suites) • Allow additional buildings on site • Allow secondary suites in all • Parking reduction
2	LOC2019-0199	R-2 to DC/M-CG	<ul style="list-style-type: none"> • Built form (1 building, rowhouse, suite ready) • Increase building height • Increase density • Allow more buildings on site • Increase building height
3	LOC2020-0052	R-CG to DC/M-CG	<ul style="list-style-type: none"> • Increase density • Built form (2 buildings, rowhouse w/ secondary suites) • Allow additional buildings on site • Parking reduction
4	LOC2020-0054	R-C2 to DC/M-C1	<ul style="list-style-type: none"> • Increase density • Built form (1 building, townhouse and microunits) • Increase building height • Allow suites/microunits • Parking reduction
5	LOC2020-0142	M-CGd67 to DC/M-C1	<ul style="list-style-type: none"> • Increase density • Built form (2 buildings, rowhouse and microunits)

			<ul style="list-style-type: none"> • Increase building height • Allow additional buildings on site • Parking reduction
6	LOC2020-0169	R-C1 to DC/R-CG	<ul style="list-style-type: none"> • Increase in density • Increase building height • Built form – courtyard (rowhouses/ suites/ semi-detached and duplex homes) • Allow more suites • Allow additional buildings on site
7	LOC2021-0004	R-C2 to DC/R-CG	<ul style="list-style-type: none"> • Increase in density • Built form - courtyard (2 semis w/ suites) • Allow more suites • Allow additional buildings on site
8	LOC2021-0005	R-C2 to DC/R-CG	<ul style="list-style-type: none"> • Increase in density • Increase building height • Built form – courtyard (2 semis w/ suites) • Allow more suites • Allow additional buildings on site • Parking reduction
9	LOC2021-0019	R-CG to DC/R-CG	<ul style="list-style-type: none"> • Remove single-detached, semi-detached, and duplex dwelling uses • Allow rowhouse and suites
10	LOC2021-0061	R-CG to DC/R-CG	<ul style="list-style-type: none"> • Built form – courtyard (2 semis up, 2 semis back) • Courtyard development, mid-block
11	LOC2021-0065	R-C2 to DC/M-CG	<ul style="list-style-type: none"> • Built form – courtyard (2 buildings, townhouse, semi detached and suites) • Addition of rowhouse use/suites • Increase building height • More flexible built form • Parking reduction
12	LOC2021-0072	R-C2 to DC/M-CG	<ul style="list-style-type: none"> • Built form – courtyard (2 buildings, townhouse, semi detached and suites) • Addition of rowhouse use/suites • Increase building height • More flexible built form • Parking reduction
13	LOC2021-0075	R-C2 to DC/M-CG	<ul style="list-style-type: none"> • Increase in density • Built form – courtyard (2 buildings, townhouse, semi detached and suites) • Addition of rowhouse use/suites • Increase building height
14	LOC2021-0082	R-C1 to DC/R-CG	<ul style="list-style-type: none"> • Increase in density • Built form – courtyard (2 semis w/ suites) • Increase building height • Addition of rowhouse use to accommodate secondary suites • Allow additional buildings on site • Parking reduction
15	LOC2021-0093	M-C1 to DC/M-C1	<ul style="list-style-type: none"> • Built form (rowhouse w/ suites) • Increase building height • More flexible built form • Parking reduction

16	LOC2021-0096	M-C1 to DC/M-C1	<ul style="list-style-type: none"> • Addition of rowhouse use/suites • More flexible built form • Parking reduction
17	LOC2021-0119	R-CG to DC/R-CG	<ul style="list-style-type: none"> • Increase in density • Built form - courtyard (2 townhouses with suites) • Allow additional buildings on site • Parking reduction
18	LOC2021-0129	M-CGd72 to DC/M-C1	<ul style="list-style-type: none"> • Built form – courtyard (2 buildings, microunits, townhouses and flats) • Increase building height • Allow additional buildings on site • Orientation of dwelling units around a central courtyard • Parking reduction
19	LOC2021-0137	R-CG to DC/R-CG	<ul style="list-style-type: none"> • Increase in FAR (number of units allowed) • Built form, courtyard (rowhouse, semi and suites) • Allow additional buildings on site • Creation of microunits to decrease parking requirement
20	LOC2021-0154	R-C2 to DC/M-CG	<ul style="list-style-type: none"> • Built form – courtyard (3 buildings, microunits, townhouses and flats) • Increase building height • Allow additional buildings on site • Orientation of dwelling units around a central courtyard • Parking reduction
21	LOC2021-0163	M-C1 to DC/M-CG	<ul style="list-style-type: none"> • Increase in density • Increase building height • Reduce parking requirement • Town house permitted use
22	LOC2021-0173	R-C2 to DC/M-C1	<ul style="list-style-type: none"> • Built form – courtyard (3 buildings, microunits, townhouses and flats) • Increase building height • Allow additional buildings on site • Orientation of dwelling units around a central courtyard • Parking reduction
23	LOC2021-0176	R-CG to DC/R-CG	<ul style="list-style-type: none"> • Increase density • Built form – courtyard (rowhouses, semi-detached dwellings, suites, townhouses and fourplexes) • Allow suites that don't face street • Reduced parking - remove proximity of LRT for reduced parking
24	LOC2021-0199	R-C2 to DC/M-C1	<ul style="list-style-type: none"> • Increase density • Built form – (1 building, 4 at-grade accessible flats, 4 stacked townhomes w/suites) • Allow additional buildings on site • Parking reduction
25	LOC2022-0012	R-CG to DC/R-CG	<ul style="list-style-type: none"> • Addition of suites • Parking reduction
26	LOC2022-0051	M-C1 to DC/M-C1	<ul style="list-style-type: none"> • Addition rowhouse and rules from R-C2 • Addition of suites
27	LOC2022-0077	R-C2 to DC/M-CG	<ul style="list-style-type: none"> • Addition of multi-residential buildings, stacked townhouses, and semi-detached dwellings • Increase building height

28	LOC2022-0112	R-C2 to DC/M-CG	<ul style="list-style-type: none"> • Increase density • Built form – courtyard (two buildings, 10 units each • Allow units that don't face street • Parking reduction
29	LOC2022-0113	R-C2 to DC/M-CG	<ul style="list-style-type: none"> • Increase density • Built form – courtyard (two buildings, 10 units each • Allow units that don't face street • Parking reduction

A review of the above direct control applications identified that there are two major categories of new emerging housing forms:

- 1) Approximately 40 percent of applications for these housing forms are based on R-CG with a total of 10 units or less, accommodated in rowhouses and secondary suites. These typically required a direct control application to change some elements of the built form required in R-CG (i.e., the restriction preventing rear units) as well as parking relaxations.
- 2) Approximately 60 percent of applications for these housing forms are based in M-CG or M-C1, are greater than 10 units, and are accommodated in a variety of housing forms such as suites, at-grade units, rowhouses, and stacked townhouses. Most of these applications included changes to the parking requirements, as well as slight changes to the built form rules of the standard multi-residential base district.

Administration concluded that to accommodate the variety of application types, that multiple amendments were needed in addition to the new district. Amendments to R-CG are required to allow mid-block applications to accommodate the applications above that use R-CG as their base for a direct control. Amendments to the multi-residential districts, as well as the creation of a new district, will accommodate the applications above that use a multi-residential district as its base for a direct control district.

Review of Existing Barriers (Rules of Existing Districts)

Additional review of the standard district regulations focused on evaluating elements which contribute to the design quality and community acceptance of developments at this scale. Some of the regulatory considerations that were analyzed include:

- appropriate density metrics (floor area or units per hectare),
- building size
- parking requirements and criteria to reduce parking rates, and
- the quality of the amenity space and landscaping

Density (Units per Hectare)

Administration also reviewed direct control applications to determine how the distribution of densities was applied depending on the base district. It was identified that direct control applications based in M-CG and M-C1 had higher densities, while lower densities were maintained for direct control applications based in R-CG. The review identified that we are seeing a density range of 64 to 85 (typically under 75) units per hectare for direct control applications based in R-CG and 148 to 193 (typically around 170) units per hectare for direct control applications based in multi-residential districts. These numbers align with the

densities that already exist in our standard districts. Administration identified that the majority of direct control applications were not to propose increases to the unit counts in these districts but to improve parking and building form rules.

Parking Requirements

Administration discovered that in most of the applications, there was a request for lower parking rates. While applications varied in what was being requested, most of them used principles or rates that have been used in other districts. One larger issue with the Land Use Bylaw is the different approaches used in different districts to address parking. Administration also reviewed the appeals made to the Subdivision and Development Appeal Board (SDAB) and observed that there have been large differences in how the SDAB interprets parking rules and how the Planning Department applies them. In response, developers are requesting direct control districts with clearer parking rules.

Other Requirements

Below is a summary of the main reasons why direct control districts are being used to address current gaps. The main regulatory barriers within the Land Use Bylaw, as it pertains to grade-oriented housing include:

- Rigid Use definitions which prevent the desired unit configurations.
 - Use definitions cannot be relaxed under the Municipal Government Act.
- Regulatory disincentives towards including secondary suites larger than 485 square feet.
- Rigid amenity space requirements which don't allow for designers to consider different parcel sizes, site layouts or the surrounding context.
- Waste and Recycling bins not being kept on the property
- Desire for more permitted uses to ensure the development is successfully built.

Proposed Solutions

Administration is proposing a holistic approach to solving the identified issues, rather than just responding to Council's Motion Arising. This approach will ensure the need for fewer direct control districts, more consistency in what development looks like, as well as more opportunity for parcels to go straight to development permit, reducing the time Council spends on applications.

New Land Use District (Housing: Grade-Oriented (H-GO) District)

The new H-GO district will allow for more flexible unit configuration with simplified amenity space and parking requirements. It additionally allows for moderately increased densities and as such, the purpose statement of the new district is written to provide guidance on where H-GO is appropriate, such as close to LRT stations and Main Streets and where it is not, such as in the middle of low-density neighborhoods on low-traffic roads. Locational appropriateness will also be defined in the Local Area Plan process, which will provide additional guidance to Administration on which recommendation to provide to CPC and Council when processing applications.

In Summary, the Housing: Grade-Oriented (H-GO) district would:

- Introduce locational criteria in the purpose statement
- Only be appropriate near transit service and Main Streets
- Allow for medium-density developments that are of limited height (3 storeys)

- Allow for a wide variety of housing types such as suites, at-grade flats, townhouses, stacked townhouses, as well as single and semi-detached homes through listing Dwelling Unit as a permitted use
- Be used to regulate larger applications consisting of 5 units and 5 suites, or more
- Be placed in a new section of the Land Use Bylaw outside of the low density residential and multi-residential districts.

Some specific development standards of the district include:

- A maximum Floor Area Ratio of 1.5
- A maximum height of 12 metres (same as M-CG)
- A minimum courtyard width of 6.5 metres
- A maximum parcel coverage of 60% (same as R-CG)
- A minimum parking requirement of 0.375 stalls per unit and suite (same as mixed-use districts)
- Tree and shrub requirements, and the requirement to provide a Landscape Plan in accordance with the Landscape Design Guide for Small Residential Sites and a storage area for Waste & Recycling to the satisfaction of the Development Authority.

Amendments to the Residential – Grade-Oriented Infill (R-CG) District

R-CG regulations have proven successful on corner parcels but pose some limitations to grade-oriented, mid-block development. Administration proposes amendments to R-CG that will enable smaller, grade-oriented, mid-block housing forms. There are approximately 2800 R-CG parcels in the city, largely the result of city-led land use redesignations, that have seen limited redevelopment. These parcels are typically located mid-block and are concentrated in four priority growth areas of the city. They surround the Bowness Road, 17th Ave NE and 37th Street SW Main Streets, and Banff Trail – Capitol Hill areas. Allowing smaller scale, grade-oriented mid-block developments on these parcels may be a successful way to enable redevelopment in these areas, without requiring the consolidation of lots. Amending the rules of R-CG will also help reduce the number of H-GO applications, allowing more applications to go straight to development permit. If amendments to R-CG are not adopted, Council would likely see significant R-CG to H-GO land use redesignations, as the new district would be more attractive to redevelopment. This means that Council would still be spending significant time on these applications at every public hearing.

Due to current and previous Council direction and strong approvals process advantages, amendments to R-CG have been proposed to accommodate and regulate smaller, grade-oriented, mid-block housing forms. The R-CG district is typically appropriate in low density areas with the following criteria:

- close to a main street or activity centre,
- mid-block, only in transition areas around transit areas (defined in a local area plan),
- around large or community-focused parks, and
- on most corner sites.

Local area plans can also provide further considerations for where this district is applied.

The proposed amendments to R-CG include:

- Removal of the requirement that all units face the street

- Removal of the requirement that all units be located at the front of the parcel
- A maximum height of 8.6 meters for buildings that are not at the front of the parcel
 - (1.1 meters taller than the current Backyard Suite allowance)
- A minimum courtyard width of 6.5 meters
- A minimum front setback of 3 metres and rear setback of 1.2 metres are required to allow units to be located at the rear of the parcel
- A minimum parking requirement of 0.375 stalls per unit and suite (same as H-GO)
- Tree and shrub requirements, and the requirement to provide a Landscape Plan in accordance with the Landscape Design Guide for Small Residential Sites and a storage area for Waste & Recycling to the satisfaction of the Development Authority for developments with three or more units.

The following table compares some of the proposed changes to R-CG from what currently exist in the Land Use Bylaw. It is important to note that maximum height, maximum density, and maximum parcel coverage remain unchanged, maintaining the desired built form. The front setback has been amended to remove the current contextual setback minus 1.5 metres to allow for more flexible site design, enabling mid-block, courtyard development. Similarly, the 7.5 metre rear setback was amended to 1.2 metres. It has been identified that current parking standards limit the ability to provide diverse housing options. This in turn limits the advantage of enabling grade-oriented development in Calgary's developed areas and results in the loss of opportunity to utilize existing services and infrastructure. With due consideration, Administration proposes to amend the minimum parking requirement as indicated in the chart below.

Table 2: Comparison of development standards for low density residential districts, including the proposed changes to R-CG.

		R-C1	R-C2	Current R-CG	Proposed R-CG
Maximum Height		8.6 to 10.0 metres	8.6 to 10.0 metres	8.6 to 11.0 metres	8.6 to 11.0 metres
Setbacks	Front	Contextual minus 1.5 m	Contextual minus 1.5 m	Contextual minus 1.5 m	3 metres
	Side	1.2 metres	1.2 metres	Zero to 1.2 metres	Zero to 1.2 metres
	Rear	7.5 metres	7.5 metres	7.5 metres (1.5m corner)	1.2m corner and laned mid-block
Lot Coverage		45%	45%	45-60%	45-60%
Maximum Density		30 uph	50 uph	75 uph	75 uph
Floor Area Ratio		n/a	n/a	n/a	n/a
Parking		1 - 2 per unit	1 - 2 per unit	1 per unit, 0 per suite	0.375 per Unit and Suite
Suites		Permitted	Permitted	Permitted	Permitted

Amendments to the General Rules for Multi-Residential Districts

Multi-residential districts have not typically been used to enable the missing grade-oriented housing form due to limitations of the definition of multi-residential development, and high minimum parking

requirements. Administration proposes to amend the general rules to enable grade-oriented development in multi-residential districts as follows:

Restriction on Secondary Suites in Multi-Residential Developments:

The definition of multi-residential development does not currently allow for secondary suites even when in a rowhouse form as is currently allowed in the R-CG district. The basis for many of the direct control applications in M-CG is to allow for the rowhouse form with suites. Administration proposes to amend the definition to allow suites in multi-residential development uses which do not have stacked units. This would allow for the development of secondary suites in rowhouses that are approved as multi-residential developments while still restricting secondary suites in apartment forms. This will also help minimize the number of redesignations from one of the existing multi-residential districts to the new district, in effect down-zoning, enabling more development to go straight to development permit.

Minimum Parking Requirements:

There is currently a large imbalance that exists with the Land Use Bylaw's parking requirements. This results in land use redesignations from multi-residential (M-CG, M-C1, M-C2) to mixed-use districts (M-U1, M-U2) to access a more streamlined parking rate, and not one that is based on demand for commercial uses.

If the H-GO district and improvements to R-CG are adopted without making parking rates consistent across land use districts, this imbalance will increase. Council will see more direct control applications attempting to utilize R-CG and H-GO parking rates for mid-rise and high-rise apartment development.

Applying the parking requirements of the current mixed-use districts to multi-residential districts will prevent redesignations and direct control applications by aligning parking rates across the Multi-Residential Land Use districts. Overall, this amendment will ensure that multi-residential districts are equally as enabling as the R-CG and H-GO districts to grade-oriented forms and will continue to provide for this emerging housing product.

The amendments will simplify and clarify parking requirements allowing for more flexibility of site design to support more functional, higher quality development. They will effectively create more consistent parking requirements across the city and ensure that desired development is not held up by the Subdivision and Development Appeal Board. These parking rates also allow for a better parcel configuration, leaving space for required storage lockers, waste and recycling bins and other utilities.

Summary

The proposed amendments will improve the regulatory environment for grade-oriented housing in Calgary. Failure to adopt the proposed amendments and a business-as-usual approach would mean more direct control applications in front of Council and more uncertainty for local industry and communities. New single and semi-detached units in the inner city would continue to maintain a strong regulatory advantage, despite being generally unattainable to Calgarians at median household incomes. The proposed amendments strive to "level the playing field" by encouraging more diverse housing choice in Calgary's established communities.

District Testing and Visuals

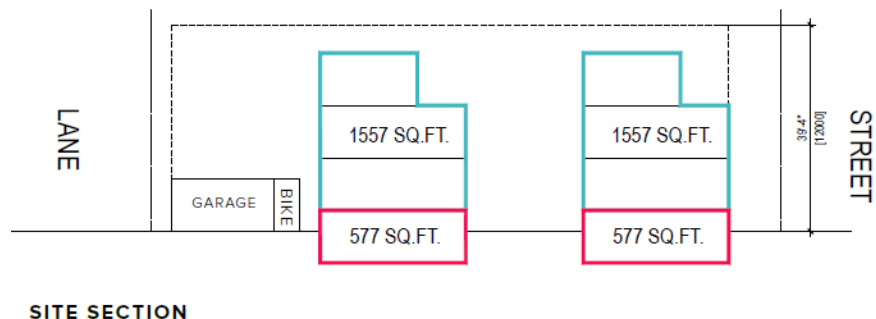
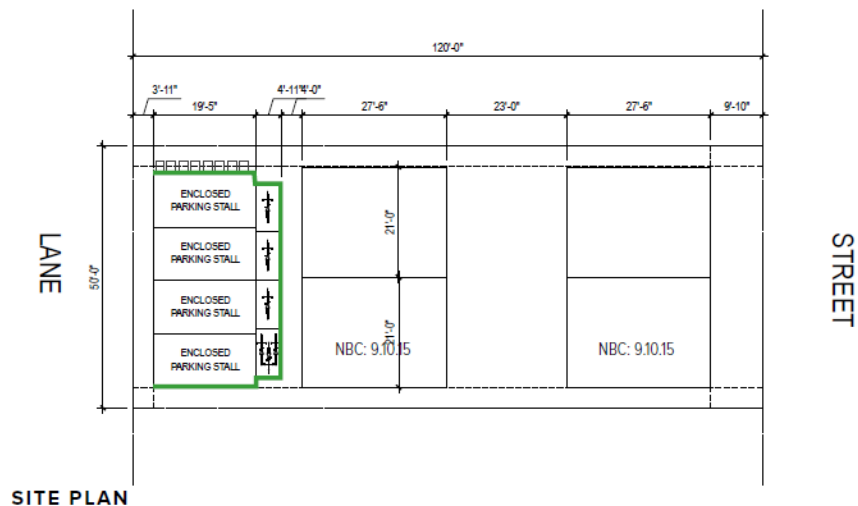
Why Testing?

The intended outcome of conducting architectural testing is to ensure that the regulations enable the intended built forms, and to identify any issues prior to the district being finalized. Several industry volunteers participated in the testing to provide feedback and inform refinements to the proposed rules.

Housing – Grade Oriented (H-GO) District Testing Results

Example 1: 50 x 120 Foot, Mid-Block Parcel

The following is an example of what could potentially be built on a mid-block, 50 x 120-foot parcel. The example illustrates 2 semi-detached buildings (4 units), each with a secondary suite (4 units), a rear detached garage (4 parking stalls) and bike/mobility storage (4 units). Applying the front and rear setback rules of the new district enables courtyard development. Additionally, removing the requirement for all units, including suites, to face the street allows the development of the rear building. This creates development opportunities at densities and scales similar to existing low density residential developments.

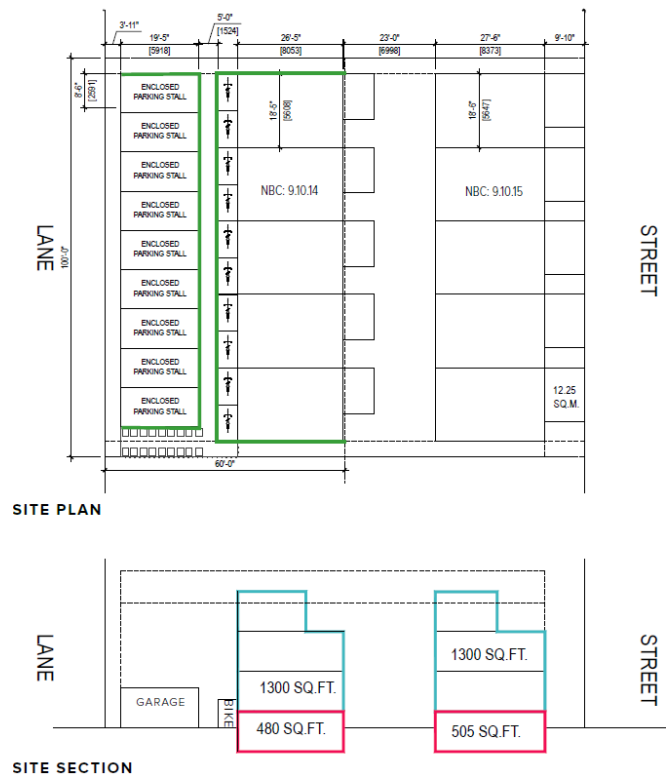
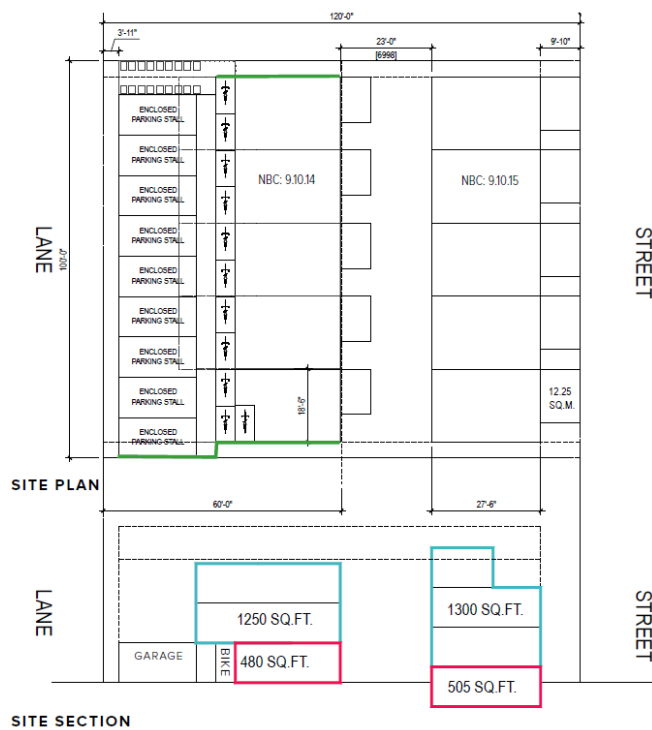


Example 2: 100 x 120 Foot, Mid-Block Parcel

The following are two examples of what could potentially be built on a 100 x 120-foot parcel and how different unit configurations can be used on a mid-block parcel.

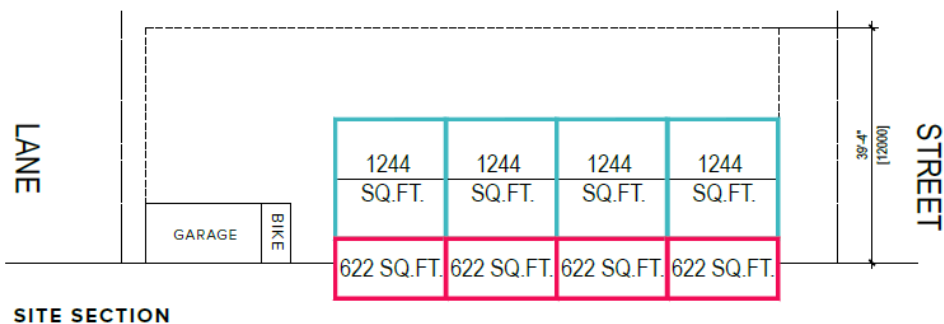
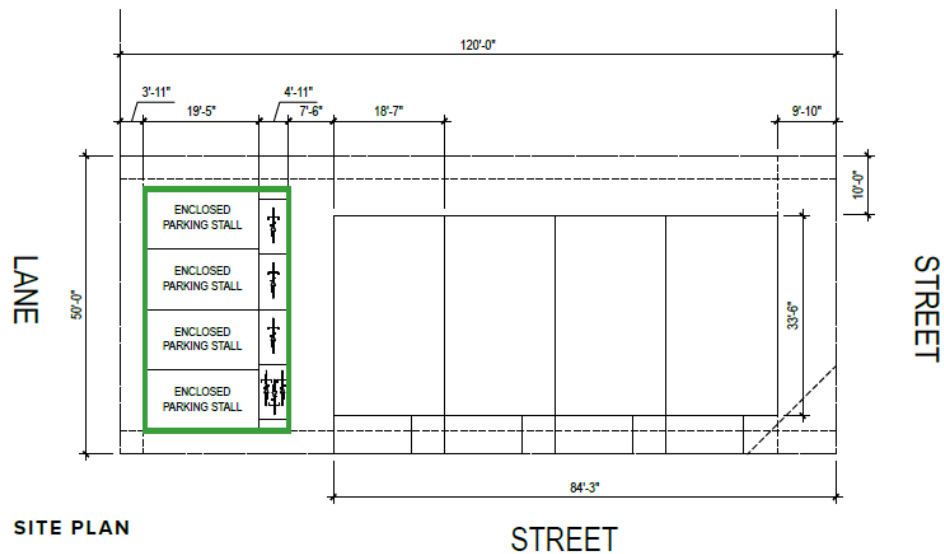
The first image (left) illustrates what the unit and site configuration could look like if the upper level of the rear building were cantilevered towards the detached garage. This effectively reduces the height of the rear building but increases the current allowable parcel coverage of 60% proposed in the district to 64%. Administration elected to retain the 60% parcel coverage to ensure that the current low density residential parcel coverage is maintained and to reduce the impact on site design for neighboring parcels. This configuration, while lowering the height of the rear building creates lower quality bicycle/mobility storage access and creates a narrow tunnel between the rear building and the rear garage.

The second image (right) illustrates what the unit and site configuration could look like if the rear building were the same height as the front. The site coverage of 60% is maintained and the separation between the rear building and garage is open, affording access to natural light. This design indicates a progressive increase in rear building height from proposed mid-block R-CG amendments as is illustrated below.



Example 3: 50 x 120 Foot, Corner Parcel

The following is an example of what could potentially be built on corner, 50 x 120-foot parcel. The example illustrates a townhouse development (4 units), each with a secondary suite (4 units), a rear detached garage (4 parking stalls) and bike/mobility storage (4 units). This is very similar to what is being built with the current R-CG district on corner parcels and illustrates that, with minor changes to the R-CG district rules, corner parcels would not have to require a land use redesignation to H-GO to continue to be developed at existing densities. However, if there is potential for an alternative site design or built form (stacking of units to accommodate accessibility), this new district could be utilized.



Residential – Grade Oriented (R-CG) District Testing Results

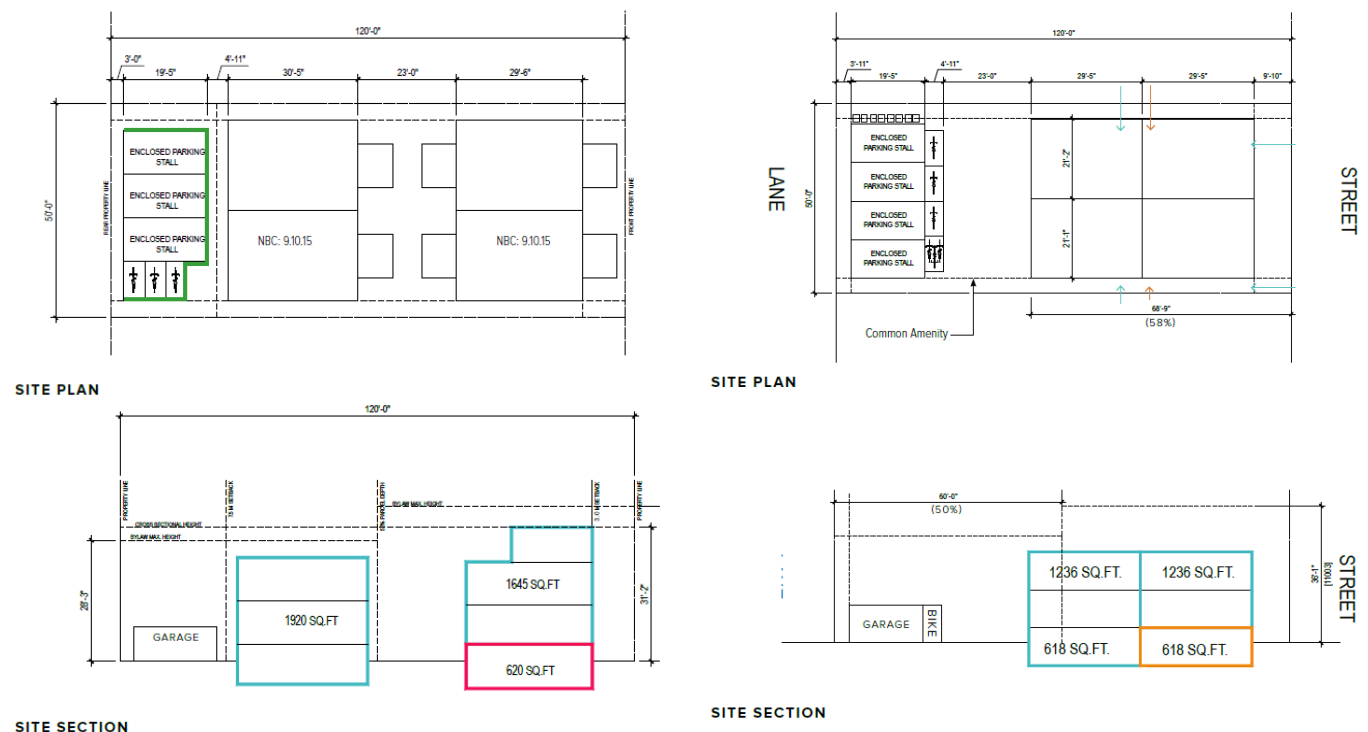
Example 1: 50 x 120 Foot, Mid-Block Parcel

The following are two examples of what could potentially be built on a mid-block, 50 x 120-foot parcel.

The first image (left) illustrates 2 semi-detached buildings with 2 secondary suites in the front building, a rear detached garage (3 parking stalls) and bike/mobility storage (3 units). The proposed rules limit the height of the rear building reducing the massing for multiple proposed buildings on mid-block R-CG parcels. Not allowing secondary suites in the rear building reduces the viability of a mid-block

development since the suite provides a mortgage-helper for the primary unit. As a result, Administration elected to amend the rules to allow for the inclusion of secondary suites in both the front and the rear buildings.

The second image (right) illustrates a different configuration. Proposed amendments to the R-CG district allow the re-introduction of the 4-pack, with secondary suites in the front units. This form enables a different site configuration opening the courtyard and reducing the number of buildings on the parcel. The example provided allows for 4 units up with suites in the front building and no suites in the rear limiting the number of units to 6. As mentioned above, not allowing secondary suites in the rear building reduces the viability of a mid-block development providing another example of why the rules should be amended to allow secondary suites in the rear dwellings.



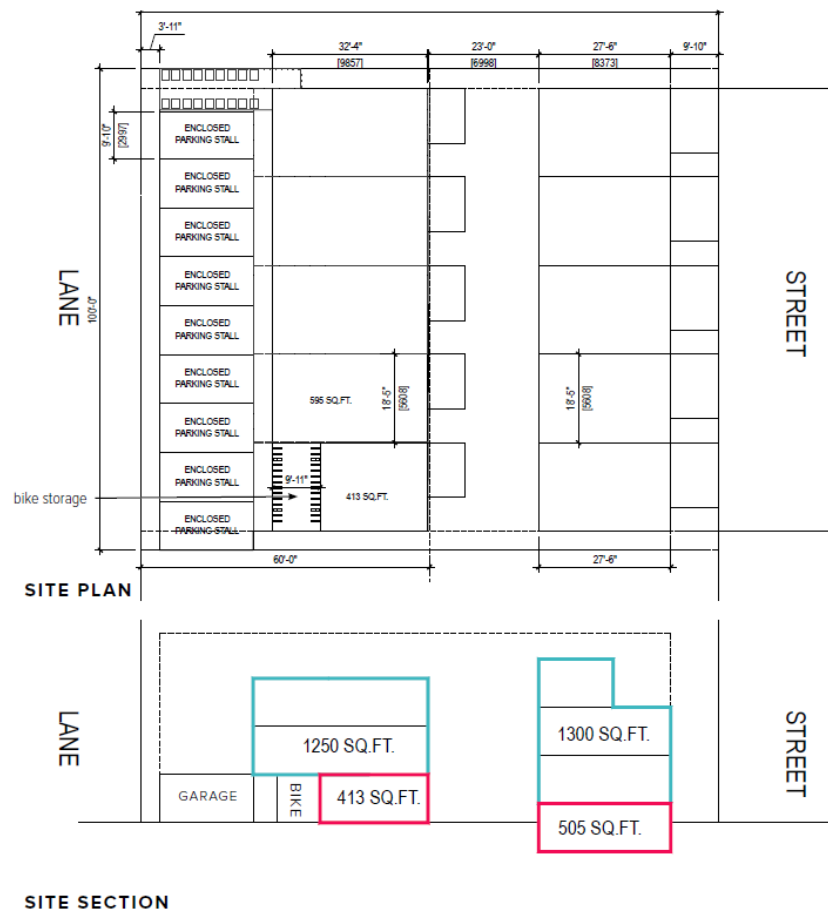
Multi-Residential – Contextual Grade-Oriented (M-CG) District Testing Results

Example 1: 50 x 120 Foot, Mid-Block Parcel

The following is an example of what could potentially be built on a 100 x 120-foot parcel in M-CG.

The image illustrates what the unit and site configuration could look like if the upper level of the rear building were cantilevered towards the detached garage, similar to the image shown above for R-CG mid-block. This configuration, while lowering the height of the rear building still creates a narrow tunnel between the rear building and the rear garage but the use of shared Class 1 bike storage enables better access than that illustrated above. The ability to remove a parking stall, to meet the new parking standards could allow a different site configuration that addresses waste and recycling and/or

bicycle/mobility storage. Additionally, changing the definition of multi-residential will allow courtyard, mid-block development on M-CG parcels.



Feasibility testing was also completed by staff from the City's Real Estate and Development Services Department, as these proposed amendments have the potential to impact City-owned land. The comments received as part of this internal review echoed the many of the same issues identified by industry partners. Finally, the proposed amendments were also reviewed by staff in the Land Use Bylaw Applications Review team to determine if the proposed amendments to the Land Use Bylaw are implementable.

Summary

The results of industry testing and internal review resulted in revisions to the first draft of the proposed H-GO and R-CG districts. These revisions included:

- The allowance for suites to be located in the rear building,
- Clarification of the calculating methods for parking requirements,
- Refinement of the bicycle parking requirements,
- Modification of the minimum building separation distance (courtyard width), and,
- Allowance for larger rooftop amenity space.

Landscape Design Guide for Small Residential Sites



Landscape Design Guide for Small Residential Sites

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This document is intended to:

- Set expectations for quality landscape design for developments with three or more dwelling units in the R-CG and H-GO districts
- Complement the landscaping regulations contained in Land Use Bylaw 1P2007
- Be referenced by development permit applicants to ensure a high quality, functional landscape design is achieved

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Design guide: **Landscaping small residential sites**



Why is landscape design important on small residential sites?

The purpose of this landscape design guide for small residential sites with three or more dwelling units is to provide flexible design direction that reflects the objectives and policies of Calgary's Municipal Development Plan. Development should complement the context of the surrounding community and use landscape design approaches to define public and private spaces. Landscape design is particularly important on small residential sites, as outdoor space is limited and high-quality design can ensure spaces are well used, cared for by residents and contribute to pleasant streetscapes for Calgarians to enjoy.

Site layout

①

Building location

Flexibility in building layout and massing offers the opportunity to design high-quality amenity spaces, setback areas and streetscapes. Locate buildings and upper storey massing to maximize sunlight access for amenity spaces and neighbouring parcels and provide space for layered landscaped areas and complementary setback and streetscape design. Consider the location of adjacent yard space and buildings. Where feasible, align buildings with neighbouring buildings, and amenity spaces and landscaped areas with neighbouring yards.



Setback design animates the streetscape and defines semi-private space.

2

Site design and circulation

Pathways provide opportunities for neighbours to meet, socialize and rest, promoting well-being and social connection. Where feasible, incorporate seating and small gathering spaces into site features like raised planters, retaining walls, stairs and stoops. Common pathways should be barrier-free and made of a hard surfaced material that meets standards of universal design.

Emphasize common entrances to the development using architectural and landscape design elements such as, but not limited to, trees and shrubs, accent lighting and pergolas. Publicly accessible pathways, such as those used by visitors, should be clearly visible from the sidewalk. Provide a wayfinding system, such as a map of the development or arrows alongside addresses, and prominently display unit numbers on sites where dwelling units and suites are not visible from the sidewalk.

Ensure sufficient pathway width is provided for comfortable use by people with mobility aids, bicycles, strollers, groceries, etc., especially where pathways are adjacent to encroachments such as downspouts, utility meters and window wells.



Generous pathways that connect to the public sidewalk, enhanced with planting areas and unique address signs, lead residents and visitors to units accessed from the outdoor amenity space.



3

Site services

Site and building services should be screened from the sidewalk and from amenity spaces. Consideration should be given to the location of waste and recycling areas; they should not be located next to amenity spaces or unit entrances. Transformers, HVAC units, utility meters and waste and recycling bins should be screened from the street and amenity spaces using architectural and/or landscape elements. Each unit is not required to have its own bins. More information can be found here: [Get, replace, or fix a blue, green or black cart](#) (calgary.ca)

Waste and recycling storage is conveniently located for easy access and screened with planting and/or architectural elements that match other site features.



Amenity space

①

Common and private amenity spaces

Outdoor common and private amenity spaces offer the opportunity to enjoy the outdoors and enhance local community identity in Calgary.

Amenity spaces provide important areas for recreation and socializing. These areas should be located and designed to provide residents with access to sun and shade and opportunities for four-season use.

Common and private amenity spaces should be sized to be usable by residents; oddly shaped, disconnected amenity spaces are discouraged.

Amenity space hard landscape materials should meet standards of universal design. The use of gravel and asphalt is discouraged. The use of lighter coloured building and paving materials and softer textures, such as wood, are encouraged where spaces are narrow and/or shady.

Opportunities to incorporate local materials and/or features, such as gates and privacy screens designed by local artists, are encouraged. Such features can contribute to the unique identity of small residential developments and make them more visually interesting for residents and visitors.

Private amenity spaces are sized and located to encourage frequent use. Strategic use of landscaping delineates private from common amenity space.



②

Common amenity spaces

Outdoor common amenity areas should be accessible to all residents and should meet or exceed standards of universal design. Hardscape areas should be complemented by layered landscaped areas and canopy trees to make the space inviting and functional.

Programming of common amenity spaces should be shown on the landscape plan. Programming may include, but is not limited to, seating or dining areas, barbeque or kitchen spaces, play areas and opportunities for residents to garden, or a combination of programming elements. Site furnishings and lighting should be shown on the landscape plan.

Entrances and windows facing amenity spaces encourage use and foster social connection.



3

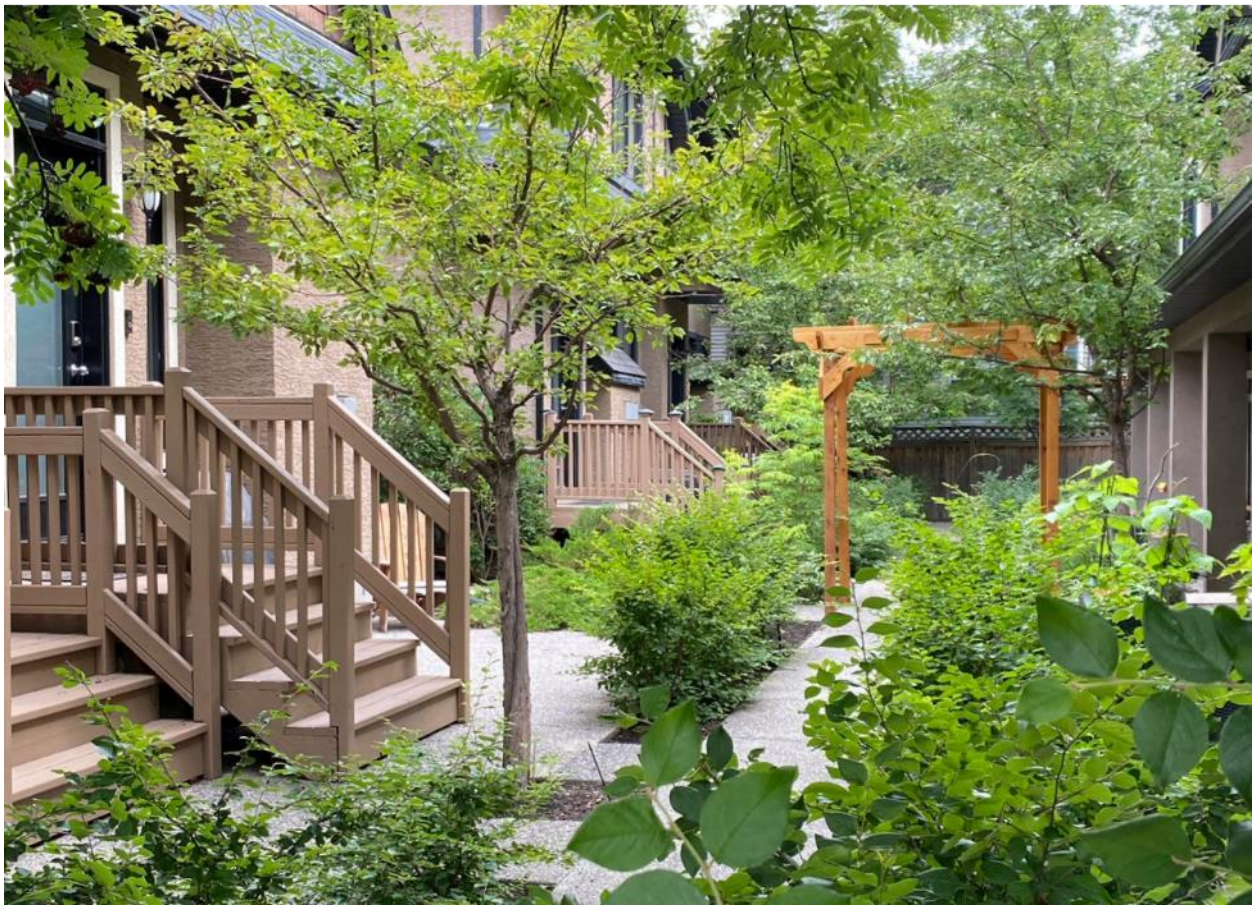
Private amenity spaces

Private amenity spaces, including those for below-grade units, extend the livable area of dwelling units and provide residents with opportunities to enjoy the outdoors. Private amenity spaces should be immediately adjacent to the unit they are provided for and should offer residents privacy through screening using a combination of architectural and landscape elements. Consideration should be given to providing access to sunlight, privacy and adequate space to ensure usability. Consider incorporating landscaped areas to enhance the quality of private amenity space.



Below-grade amenity spaces are set back from the public sidewalk and screened with planting to provide privacy while maintaining access to daylight and view above.





Trees and planting areas

①

Plant choices

Courtyard amenity areas provide access to outdoor space for residents, but many will be in full shade year-round. Plants should be chosen based on their ability to enhance these spaces and thrive in their specific site conditions. Shadow studies should be done to assess the growing conditions of these courtyard spaces. Landscaped areas and trees reduce the impacts of heat on urban areas and can buffer cold winds in the winter. The retention of existing healthy, mature trees and shrubs on site is encouraged.

Locate all plant material and trees in locations that allow for them to receive sufficient water and sunlight to ensure they can grow to their healthy, mature size. Planting directly under building overhangs or within 300mm of the building foundation is discouraged. Planting areas should be adequately sized and provide enough soil volume to support the mature spread of trees, shrubs and perennials which will enhance privacy for residents and neighbours. Plants should be grouped for visual impact, to emphasize pathways and entries, or to define amenity spaces while maintaining open space for passive or active use.

Many unique plants and plant communities thrive in Calgary. Provide a variety of plant material in the landscape, considering four-season interest, light conditions and habitat value for pollinators and birds. The use of native and drought tolerant, low-maintenance plants and trees is encouraged. Softscape alternatives to lawns are encouraged to reduce water and maintenance needs and expand site biodiversity. Landscaped areas should be mulched to suppress weeds and increase moisture retention. The use of gravel mulch is discouraged. More information on plant selection can be found here: [Plan your YardSmart yard and garden](https://calgary.ca/plan-your-yard-smart-yard-and-garden) (calgary.ca)

②

Stormwater management

Provide permeable areas to manage stormwater and snowmelt on site. Incorporating functional and visually pleasing stormwater management features such as rain gardens, vegetated bioswales and dry riverbeds within landscaped areas is encouraged. Plant material should be tolerant of both wet and dry conditions. More information on low impact development can be found here: [Low Impact Development](https://calgary.ca/low-impact-development) (calgary.ca)



Stormwater management strategies can be a feature in landscape design.

③

Setback areas

Setback areas that face the sidewalk should be designed to improve the public realm by including canopy trees, both public and private, and layered landscaped areas that provide seasonal interest and reduce the visual impact of the building on the public realm. Softscape alternatives to lawns are encouraged in setback areas. Learn more about Calgary's public trees here: [City owned trees](https://calgary.ca/city-owned-trees) (calgary.ca)



Garages and other accessory buildings should be complemented by landscaped areas that enhance the public realm.



A variety of plant colour, texture and scale provides four-season visual interest and softens the transition from public to private space.



4

Urban agriculture

Opportunities to grow and gather food and flowers can bring neighbours together and add an additional layer of ecological value to urban landscapes. Including native fruit-bearing trees and shrubs with edible fruit is encouraged. Provide opportunities for urban agriculture where there is sufficient access to sunlight throughout the growing season. Ensure high quality and sufficient growing medium and convenient water access is provided in gardening areas. Urban agriculture areas should meet or exceed standards of universal design.



Putting it all together

A comprehensive design process for small residential sites creates urban landscapes that promote well-being and contribute to healthy urban ecosystems. Residents can easily understand what amenity spaces are available to them, enjoy programming that is provided and are able to care for the outdoor spaces around their homes. Residents and visitors alike feel welcomed and safe, while outdoor spaces are animated and enhanced with architectural and landscape elements rich with dynamic plant and wildlife communities.



Landscape Design Guide for **Small Residential Sites**

Engagement Summary and What We Heard

Administration undertook a targeted engagement strategy over a four-month period in response to Council's Motion's Arising outlined in Attachment 1 of this report. The following outlines the engagement, what we heard, and how it has informed the proposed Land Use Bylaw district and amendments.

Who?

Over the course of the project, staff spent time listening to and reviewing previous Public Hearing recordings to understand citizen concerns, applicant comments, and Council's perspective on the different application types. This information has helped to inform the proposed district and amendments to the Land Use Bylaw.

Public engagement was not accommodated in the scope of this work for two reasons:

1. Citizens would not have the technical expertise to contribute to the writing of land use districts; and
2. Due to the urgency of Council's Motion Arising to return no later than Q3, 2022, public education could not be accommodated within the timeframe; however, given a delayed implementation date, Administration will be able to accommodate public messaging on The City website.

Citizens do, however, have the ability to participate in engagements and Public Hearings for any applications proposing the new district since it will not be applied to any parcels as a City-initiated land use redesignation through this report.

Due to the technical nature of the work, Administration engaged with a targeted group of stakeholders. Stakeholders included City staff (Planning, Urban Design, Safety Codes Officers, Development Engineering, Transportation Planning, Waste and Recycling, Housing Solutions, Real Estate and Development Services, and Law) and members of industry who plan and design these types developments in the established areas, all of whom have expertise in working with these districts.

Administration conducted architectural testing of the draft land use district and amendments to ensure the regulations enabled intended built forms, and to inform any further changes to the districts being finalised. Several industry volunteers participated in the testing to provide feedback. See Attachment 7 for more details.

When?

Engagement was held through four phases commencing in April 2022 and wrapping up in July 2022. The phases included:

1. Identification of key issues and trends with current Direct Control districts
2. Proposed approaches and big moves
3. Review of draft district and amendments
4. Architectural testing

What?

In responding to the direction from Council to provide a new district, the intent of these events was to ensure that Administration had a thorough understanding of the trends, drivers, issues, and barriers that

result in industry applying for these Direct Control districts. In all events, stakeholders were able to actively contribute to the conversation, and add their comments, questions, and suggestions. Feedback collected informed the proposed district and amendments.

Summary of what we heard – internal and external workshops

Below is a summary of what we heard through the five phases of events:

1. The new district and amendments to existing districts will significantly reduce the number of Direct Control districts for missing middle projects.
2. Administration took a balanced approach to community concerns and industry feedback on these forms.
3. There is a demand for grade-oriented, three-bedroom housing in inner city and established communities. Affordability and attainability of these homes is improved by the inclusion of secondary suites as a mortgage-helper for the purchaser.
4. The new district and amendments to existing districts is innovative and will enable more housing choice in inner city and established communities. Development using these districts will help to support Municipal Development Plan goals
5. The new district needs to have a strong locational purpose statement that provides clarity for applicants, community, and Council on where this district is most appropriate in communities.
6. Support the shift to Dwelling Unit as a use and being clear on built form and the building envelope.
7. Support the opportunity to “un-lock” mid-block R-CG parcels for approximately 2800 under-developed parcels in Calgary.
8. There will continue to be a market for parking, but not at the current parking rates. Rates are a barrier to achieving good development outcomes. Stakeholders support a reduced parking rate that are more aligned with the Mixed-Use districts.
9. Support removing the contextual front setback in the new district and setting a minimum of 3.0 metres.
10. 12 metre building height with the use of chamfers for the new district would enable varied roof forms within a three-storey building and allow for basement secondary suites to have more natural light.
11. Support qualitative landscape and amenity rules with a design document to guide review and decision-making.
12. Support for reduced parking requirement making more space available to provide more amenity, space for waste and recycling, or other development requirements.
13. Support for clear setback rules.
14. Support for landscaping and amenity space that moves toward quality over specific metrics.
15. Support for a clear spectrum of districts. There is a clear difference between R-CG, the new district, and multi-residential districts.
16. The new district is not radically different, but it allows for innovation.

Summary of what we heard – Public Hearings

Below is a summary of what we heard through Public Hearings since January 2022:

1. Concerns with spot-zoning and density increases that will result in buildings that will have rental units and will not encourage residents to live there long-term. Concerns with transient people who aren't invested in the community
2. Concerns with the number of parking spots being insufficient, and the impacts to traffic congestion. Public transit isn't an incentive to not own a car, and seasonal weather changes means people won't ride bikes in the winter.
3. Concerns with waste and recycling, and how bins will be addressed.
4. Concerns with lack of space for landscaping and room for trees to grow, as well as the loss of old trees to accommodate new development. These developments severely lack amenity space, access to sunlight, and mature trees.
5. Concerns with property values being impacted because of densification.
6. Concerns with developers circumventing the process by using Direct Control zoning.
7. Concerns about mid-block development, and that these parcels should remain R-C2 for duplexes.
8. Concerns about effective snow removal with increased desire to park on the street.
9. Support for continuing growth and infill development, with reduced parking requirements since more people do not own a car. Building a city for people of all abilities and incomes is important.
10. Concerns with the "micro dwelling unit" and whether these spaces are livable due to size and lack of access to sunlight. Size of units does not encourage families to live in them.
11. Concerns with a lack of privacy.
12. Concerns about the impacts to neighbourhood schools.
13. Concerns with units being used as short-term rentals, and not as places for people to live.
14. Concerns that these types of developments are not priced as affordable housing.
15. Concerns with the lack of accessibility for emergency services.
16. Support that these types of developments will bring more people to the community.

Calgary Planning Commission Comments

On 2022 May 19, Administration presented to Calgary Planning Commission for feedback through a closed, workshop-style session. The presentation outlined a proposed approach to a new land use district to address the shortcomings of R-CG in implementing different housing forms. The workshop generated a thorough conversation on the proposed approach, and Commission members provided feedback.

On 2022 August 4, Administration returned to Calgary Planning Commission to validate what was heard from the May 19 session, to outline the proposed new district and existing district amendments, and how their feedback was incorporated. This session generated a positive discussion from Commission members. Clarifying questions were asked, and additional comments provided.

Themes from 2022 May 19

Commission members commented on the proposal and cited the following themes to express their comments and/or concerns:

1. Concern with making a direct connection between enabling new housing forms and affordability. Enabling new housing forms should be about choice. Why does someone choose to live in a community. Without diversity in housing, some citizens are forced into a built form or community that is not ideal for their needs.
2. Unclear on which is the best approach: providing a new district or amending existing district. Ensure that it is clear what district to use.
3. Supportive of shifting to dwelling unit as the use in the new district, that is ground-oriented, stackable, and has built form outcomes that define the building envelope. However, talking about form-based design and a dwelling unit use may be difficult for some to understand.
4. Parking needs to consider that some Calgarians will require cars to access amenities and services due to age and various physical abilities. The distance to amenities and services is not the only thing that defines accessibility. Generally, Calgary Planning Commission supports reducing parking requirements, however there are varied opinions that include support for a general reduction to having no parking minimums and let the market decide what it needs.
5. Need to address accommodating the waste, recycling, and organics bins.
6. Buildings need to be contextually appropriate with less concentration on units or unit sizes. If the bylaw regulates the form and building envelope, it doesn't matter how many units there are. We need to be inclusive and flexible on unit size, this includes respecting various cultures.
7. Need more flexibility with amenity space with option to combine private and shared space. However, need to ensure that residents have a clear, personal defensible space where they feel ownership and accountability.
8. Encourage tree retention and increase in the tree canopy, including more public trees.
9. Concerns about Fire and emergency access for more dense developments.

10. Encourage reaching out to individual members of Council before returning to Calgary Planning Commission in August.

Themes from 2022 August 4

Commission members validated the feedback noted from the 2022 May 19 session. They noted the following themes to express their comments or concerns about the final proposed new district and amendments to existing districts:

1. Parking is likely to be the contentious issue.
2. Parking and site design will manage the unit count.
3. It is exciting to see that R-CG could become easier to use to allow mid-block development.
4. There is a lot of overlap with the proposed new district and the lower multi-residential districts, including M-CG, M-C1, and M-C2. Suggest review through the renewal of the Land Use Bylaw to delete redundant districts. M-C1 is not a great district and should be deleted.
5. Concern regarding the politics of jumping from R-C2 to the proposed new district, and citizens not wanting an increase in density.
6. The Housing – Ground Oriented district makes sense in the Neighbourhood Connector and Neighbourhood Flex categories within local area plans but ensure that it's only for the Limited scale.
7. Ensure consistent language between “ground” vs “grade” oriented since existing districts use “grade”.
8. General consensus that the work presented is good and addresses the issues identified.

Letters of Support



460 – 5119 Elbow Drive SW P 403 201 5305
Calgary, Alberta T2V 1H2 F 403 201 5344

2022.08.25

—

The City of Calgary
PO Box 2100, Station M,
Calgary, AB
T2P 2M5

ATTN: The City of Calgary Infrastructure and Planning Committee & City Council

RE: Support for *Missing Middle Housing* Development in Calgary
Administration's recommendations for a proposed new District and Land Use Bylaw 1P2007
sustainment per Report IP2022-0989

Dear Mayor and Members of Council,

On the behalf of CivicWorks, I write to express our strong support for Administration's considered recommendations found within Report IP2022-0989, which fundamentally propose a new Land Use District and essential sustainment to Land Use Bylaw 1P2007 (LUB) as a direct response to Council's Motions Arising regarding *Missing Middle Housing*.

As a team of consulting urban planners, CivicWorks collaborates with and supports Calgary's city building sector, with a core focus on growth and change in Calgary's Inner City and Established Areas. Our practice is committed to realizing redevelopment and change that creates more complete, compact, and connected communities to help Calgary attract talent, diversify its economy, and be more accessible, affordable, livable, prosperous and resilient.

Since 2017, CivicWorks has supported local developer-builders with over 50 Land Use Redesignation and Development Permit applications representative of some form of innovation in the development of *Missing Middle Housing*. When we say *Missing Middle Housing*, we mean:

- A range of house-scale buildings with multiple units that are compatible in height and form with single-detached or semi-detached homes;
- Grade-oriented housing options inclusive of rowhouses, clustered townhouses, stacked townhouses, and sometimes with small units or secondary suites without on-site parking stalls;
- Housing options that are most appropriate within and supportive of, amenity-rich, walkable, cycling-friendly, and transit-supported communities;
- "Missing" because these housing options have often been prohibited or limited by land use rules and zoning since the 1940s; and
- "Middle" because they sit in the middle of a housing spectrum – situated between detached single /semi-detached homes and apartment buildings, in terms of height, mass, number of units and often, affordability.

In recent years, the local emergence and interest in innovative *Missing Middle Housing* development forms have been primarily driven by:

- Significant market demand for more grade-oriented housing options in highly desirable and amenity-rich Inner City communities;
- A generally low supply of both vintage and new / modern *Missing Middle Housing* options within Inner City communities;

www.civicworks.ca



- A shift in market demand towards purpose-built-rental options over traditional home ownership, driven by both relative affordability and lifestyle flexibility;
- An increase in market demand for relatively-more-affordable small (i.e. less than 500 square feet) grade-oriented dwelling units without an on-site parking stall where convenient alternative mobility options are available (i.e. carshare, transit, biking, walking);
- Attractive new construction funding opportunities from CMHC aimed at tackling Canada's housing shortage and encouraging the development of *Missing Middle Housing* that include development form driving minimum requirements (i.e. minimum number of units); and
- Fundamental land development economics related to land prices, construction costs, minimum return-on-investment, and what the market can afford.

The innovative *Missing Middle Housing* development forms that have emerged in response to the above factors are incompatible with The City of Calgary's existing LUB. Now over 15 years old, parts of the LUB require targeted sustainment, as well as the introduction of contemporary District options, if innovative *Missing Middle Housing* development is to be achieved without excessive relaxations and/or the use of Direct Control (DC) Districts.

We recognize and agree with the frustration of community stakeholders and Council resulting from the chronic but currently necessary use of one-off DCs to achieve *Missing Middle Housing* outcomes. We agree that systemic change, in the form of LUB sustainment, is required to establish a clear and consistent set of District-based rules for both industry to follow and stakeholders to expect. CivicWorks cannot stress enough the need for these changes given current planning system challenges, risk, and high level of time, energy and effort required for developer-builders, community stakeholders, Administration, and Council to achieve *Missing Middle Housing*.

The city-building industry wishes to support Council in their fundamental Municipal Development Plan (MDP) goal of achieving more balanced growth between Developed and Developing Areas of Calgary. The existing LUB is inadequate, out-of-date, and disconnected from this and other higher-order goals and policies. It is important to note that while a portion of growth is occurring in the Established Area along corridors and nodes, a significant opportunity for much wider yet modest scale growth exists in the redevelopment of aging housing stock (i.e. single detached) with innovative, contextually compatible, low scale grade-oriented housing (i.e. rowhouses, clustered townhouses, stacked townhouses, and sometimes in combination with small units or secondary suites without on-site parking stalls).

We commend Council for their urgent direction to Administration through Motions Arising regarding *Missing Middle Housing*. We recognize the focused and comprehensive effort by Administration to prepare these considered recommendations to address the acute challenges of achieving innovative *Missing Middle Housing* development forms and targeted LUB sustainment. We strongly encourage Council to consider and support all related recommendations contained within Administration's Report IP2022-0989.

Sincerely,
CivicWorks

David White | Principal
BA, MScPl, RPP, MCIP



penventures.ca
P: 403.701.2711

The City of Calgary
PO Box 2100, Station M
Calgary, AB
T2P 2M5

24.08.2022

ATTN: The City of Calgary Infrastructure and Planning Committee and City Council
RE: Support for new land use districts that anchor affordable and diverse inner city homes as permanent options in our great inner city communities

Dear Mayor and Members of Council,

Our team is writing to express support for improvements to land use districts that support *Missing Middle* housing in Calgary, and in turn, modernize Land Use Bylaw IP2007.

Our development strategy is focused on:

- Targeting inner city areas within close proximity to *Main Street* corridors,
- Delivering purpose built rental,
- Integrating secondary suites into at-grade townhome development to diversify the mix of affordable inner city housing options, and
- Making use of CMHC programs and financing that focus on the same outcomes.

Current market demand for our product makes clear that our inner city locales are underserved in this category. Our company is focused on meeting this demand, but at the same time, face mounting barriers in order to do so. NIMBYism, stretched entitlement timelines, mounting costs, skilled labour shortages, and interest rate uncertainty are all factors that challenge us.

Our team believes in a Calgary that is inclusive, provides housing diversity for the 21st century, and addresses the lack of affordable housing for a new generation that will continue to make our city great. It is abundantly clear that that this cohort wants at-grade living without elevators, secondary suites that provide more affordable housing options outside the inner-city core, and all without a focus on car-dependency.

We applaud and support any attempt to re-assess the Land-Use Bylaw that serves these needs.

Sincerely,
pen.

A stylized, handwritten signature in black ink, appearing to be "RD" or similar initials.

Ryan Doherty | Principal

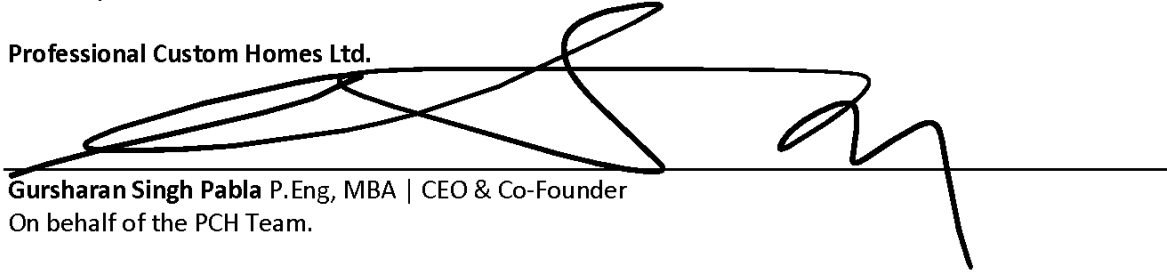
We share the vision for Calgary laid out in the MDP; to achieve more Inner-City growth and balance between Established Area and Greenfield areas, however the process has become extremely slow, exhaustive, challenging to navigate, and filled in undue risk. The new *Missing Middle Housing* districts are a significant step towards reducing some of the challenges. Despite this, we remain committed to creating a better, more sustainable future for our city.

We respect, and appreciate the concerns brought forth by our neighbours, community members and Council, and understand that shifting landscapes can be challenging to digest for long-time residents. This does not, however, dismiss the urgent demand for *Missing Middle Housing* development, and we believe allowing more Calgarians the opportunity to actualize this lifestyle will only lead to a more accessible, prosperous, and resilient Calgary. We commend Council's efforts to introduce more contemporary District options to make this type of housing more attainable for not only residents but also the building sector.

We echo our business partner, CivicWorks, and many other local home builders/developers, when we commend Council for their direction to Administration through Motions Arising regarding *Missing Middle Housing*. We recognize the immense time and effort put forth by Administration to prepare these recommendations and strongly encourage Council to consider and support all related recommendations contained within Administration's Report IP2022-0989.

Sincerely,

Professional Custom Homes Ltd.



Gursharan Singh Pabla P.Eng, MBA | CEO & Co-Founder
On behalf of the PCH Team.



The City of Calgary
PO Box 2100, Station M
Calgary, AB T2P 2M5

ATTN: The City of Calgary Infrastructure and Planning Committee & City Council

RE: Support for Missing Middle Housing Development in Calgary Administration's recommendations for a proposed new District and Land Use Bylaw 1P2007 sustainment per Report IP2022-0989

Dear Mayor and Members of Council,

On behalf of Riverview Custom Homes, I'm writing to express our full support for a new District and bylaw sustainment related to Missing Middle Housing in Calgary.

As an established local builder-developer, we are focused on meeting the full spectrum of housing needs in Calgary, from high-end custom homes to more attainable and affordable inner-city housing options close to schools, parks and emerging main streets. Our experience shows that Calgarians value a front door to the street in desirable, walkable and amenity-rich communities — we want to deliver that as a real option to as many folks as we can. We see Missing Middle Housing as the best opportunity available to meet this real market need.

In addition to the many barriers that characterize building and development in established areas, we continue to be challenged by the uncertainty of the approvals process and the stakeholder pushback to proposals for new low-scale townhomes, rowhomes and secondary suites. We believe these challenges stem from a Land Use Bylaw that is misaligned with market realities, driving the use of Direct Control Districts to realize Missing Middle Housing projects. Communities and industry need and deserve more certainty to enable constructive conversations that lead to better design, rather than debating the merits of a bylaw technicality. And while the needs of vehicles are important, we must start putting the needs of people first if we're to make any progress towards the ambitious goals of Council's Climate Strategy.

Like Council, we believe in a bright future for Calgary and want to continue to invest in the success of our communities to make our city better and more inclusive. We see Missing Middle Housing as an essential and much needed choice that's sorely needed in many of our most desirable neighbourhoods. Larger, family-oriented homes on top of smaller more affordable homes serve two household types at once — a perfect example of an innovative solution to Canada's much publicized housing crisis.

We applaud and fully support Administration's recommendations and hope to see them realized.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris York'.

Chris York | President



The City of Calgary
PO Box 2100, Station M
Calgary, AB T2P 2M5

ATTN: The City of Calgary Infrastructure and Planning Committee & City Council

RE: Support for Missing Middle Housing Development in Calgary Administration's recommendations for a proposed new District and Land Use Bylaw 1P2007 sustainment per Report IP2022-0989

Dear Mayor and Members of Council,

We are writing to express RND SQR's full support for bylaw sustainment and proposed new District with respect to the extraordinary need for Missing Middle Housing in Calgary.

In 2018, we created RND SQR with a single purpose — to provide affordable family-oriented housing options within our established neighborhoods. Since 2018, and with the inception of the RC-G District, we have delivered over 150 homes to those who value walkable communities with easy access to transit and everyday destinations. This represents over \$100M of capital investment aimed at meeting Council's MDP goals that, if not for the will of Council through land use redesignation decisions, would not have been achieved.

Missing Middle Housing (MMH) as a flexible and affordable housing form fills a critical void in the housing market for two of its largest demographics: downsizing Baby Boomers / retirees and Millennials who are starting to build families. We are facing an unprecedented demand for 3-bedroom family-oriented homes not only in our established neighborhoods but all throughout Alberta. This type of housing currently makes up less than 8% of the entire housing rental market. MMH, with family-sized upper units and smaller, more affordable lower units, is an attainable solution and a perfect example of multi-generational housing that is otherwise generally unavailable. With these much-needed bylaw reforms and prioritizing people over cars, we have an opportunity to be a leader among Canadian cities on enabling housing that supports diverse, accessible, and resilient established neighborhoods.

In realizing MMH, communities and industry stakeholders also need predictability and clear expectations. The uncertainty and time required to navigate these MMH-enabling applications is simply not working and is not sustainable. The necessary use of DC Districts to allow MMH have created confusion and frustration for all stakeholders, indicating a desperate need for bylaw reform to align with modern realities. The existing Land Use Bylaw and many local area plans are outdated, and this is a practical step in the right direction. As industry responds to market need, the sheer volume of applications must be understood as an unprecedented market demand for MMH.

Finally, it's important to note that the federal government, through CMHC, continue to support affordable and purpose-built rental housing by recognizing this growing need among Calgarians and Canadians at large. These programs provide favorable financing terms which support investment in our city but come with affordability and density requirements being delivered on by the private sector. We must continue to work with all levels of government to ensure Calgary is attracting this much needed capital investment in our communities.

Sincerely,
RND SQR

A stylized, handwritten signature in black ink, appearing to be 'A. Devani'. Below the signature, the name 'Alkarim Devani' is printed in a small, black, sans-serif font.

Alkarim Devani

info@rndsqr.ca | www.rndsqr.ca | 403.444.9000



ATTN: The City of Calgary Council

RE: Support for Missing Middle Housing Development and Land Use Bylaw Sustainment (Administration Report IP2022-0989)

Dear Mayor and Members of Council,

On behalf of Oldstreet Development Corporation (Oldstreet) we are writing to voice our support for Administration's considered recommendations found within Report IP2022-0989, which fundamentally propose a new Land Use District and essential sustainment to Land Use Bylaw 1P2007 (LUB) as a direct response to several Council Motions Arising regarding Missing Middle Housing.

Oldstreet was borne out of a desire to build better – better homes, better communities and a better City of Calgary. We work hard to build homes that hold their value while enhancing and reinforcing community character. We bring much needed high-quality housing stock to inner-city communities. Our goal is to build more dense, thriving urban communities – communities that we ourselves, and our kids, and their kids, will want to live in.

The Missing Middle Housing proposals are critical to the longevity of our business and the communities we build in. Since inception in 2018, we have built or have under development seven missing middle housing projects comprising 60 homes, all within inner-city communities. This is our passion and our livelihood. We intend to continue investing in the inner-city for the foreseeable future; however, we need Council's support for the Missing Middle Housing recommendations to help us respond to overwhelming market demand.

We listen to Calgarians. They want sustainable and amenity rich inner-city communities. They want to be walking distance to cafes, restaurants and transit. They want more affordable housing options so they can stay in these communities throughout their lives – starting out, growing a family or aging in place. As Calgary emerges from a long downturn, vacancy for this type of home in the inner-city is at or near zero, driving home prices and rental rates higher and eroding affordability. Demand is overwhelming and out of date regulations and delays are preventing the private sector from responding.

By supporting the Missing Middle Housing recommendations, Council is committing to:

- supporting market demand for inner-city housing;
- supporting meaningful local economic activity and construction jobs;
- supporting the progressive evolution of Calgary's inner-city communities;
- growing the City's tax base in a profitable way by adding homes to established communities; and
- bringing affordable and respectable housing options to current and future Calgarians.

We strongly encourage Council to consider and support all related recommendations contained within Administration's Report IP2022-0989.

Sincerely,

Oldstreet Development Corporation

Nathan Robb
Co-Founder, Principal

Connor Irving
Co-Founder, Principal



March 27, 2020

The City of Calgary Infrastructure and Planning Committee & City Council

The City of Calgary
PO Box 2100, Station M, Calgary, AB
T2P 2M5

RE: Support for Land Use Bylaw 1P2007 sustainment per Report IP2022-0989

Dear Mayor and Members of Council,

As an active industry member within the missing middle market in the city of Calgary, FAAS architecture would like to affirm our strong support for Administration's proposed bylaw sustainment recommendations found within Report IP2022-0989.

Our office has been privileged over the last 9 years to be at the forefront of the missing middle housing efforts in the city. Our clients have invested heavily to fulfill the need of established community housing in a variety of forms and scales that provide Calgarians the range of options in terms of scale and cost that are so critically needed.

During this period of development and construction, our office has led teams on over 75 projects with upwards of 300 units. These projects are spread over all 4 quadrants of Calgary's established communities and have provided a means for the Calgary development industry as well as City of Calgary Planning and Development to better establish practices that provide supportable, livable and necessary housing options.

This missing middle form is characterized by sensitive compact developments with a low built scale that are contextually sensitive to their surroundings. They are located within communities that provide high levels of amenity, multi-modal transportation access while meeting Calgary's MDP goals. These projects also provide a middle market for residents, sitting at the transition point from condo living and single detached home ownership, with rental and ownership costs that provide access to inner city living for a broader range of Calgarians.

During this period of innovation, a strong collaborative approach has emerged with the approving authority. This collaboration is in direct response to the policy challenges that missing middle housing has identified with the current Land Use Bylaw. Within this policy gap comes uncertainty for industry, stakeholders and the City of Calgary council. As such, the use of Direct Control zoning is increasingly required to close this policy gap. However, this approach comes with its own frustration on behalf of stakeholders and council.

In response to this frustration and directly as a result of recent council motions arising, the Missing Middle Housing bylaw sustainment efforts built upon this collaborative spirit with industry, stakeholders and administration, resulting in these critical bylaw sustainment recommendations before you. It is our feeling that these amendments will provide the policy clarity required to avoid stakeholder frustration, provides industry clear and concise direction for future development investment, and administration/council the tools to provide clear leadership to Calgarians on the matter of sensitive missing middle housing.

To this point, I would like to reiterate that FAAS architecture strongly supports these key bylaw sustainment revisions and strongly supports council in adopting the recommendations contained within Report IP2022-0989

Kind Regards,



MICHAEL FARRAR
AAA MRA/C LEED.AP
Michael@faasarch.com
403.629.7589

FAAS



The City of Calgary
PO Box 2100, Station M
Calgary, AB T2P 2M5

ATTN: The City of Calgary Council

RE: Missing Middle Housing Land Use Bylaw Sustainment (*Administration Report IP2022-0989*)

Dear Mayor and Members of Council,

On the behalf of Arlux Construction, I am writing to express our support for Administration's recommendations found within Report IP2022-0989 to create a new Land Use District and conduct bylaw sustainment related to Missing Middle housing in Calgary.

Arlux Construction is a local developer focused on building beautiful new homes and commercial / multi-family properties using a collaborative, hands-on approach. We work with a group of trusted architects, designers, and tradespeople to ensure an exceptional level of attention and detail is brought to each project. Our projects span many communities, from greenfield areas to established areas, and we strongly believe that new approaches are required to enable Missing Middle housing, especially within the inner city and surrounding established communities.

We recognize that redevelopment in Calgary's established communities requires a considered, thoughtful, and sensitive approach, inclusive of feedback from all stakeholders. We also recognize that to enable smart growth in key walkable locations, like along collector roads, Main Streets, nearby local amenities, and with great public transit access, changes to the Land Use Bylaw are necessary to ensure a consistent and responsible approach to redevelopment that all stakeholders can feel confident about. These changes are even more vital granted the modern context that we find ourselves in, where sustainability and affordability are key factors influencing redevelopment, and new market needs are emerging that weren't as immediately present during the creation of the Land Use Bylaw in and before 2007.



Missing Middle housing and the creation and sustainment of related Land Use Districts is needed in our opinion to address the market needs that we are hearing from Calgarians. We strongly support Administration's recommendations and hope that Council will support all recommendations within Report IP2022-0989 to help us build a better future.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Rana Brar", is positioned above the printed name.

Rana Brar
Arlux Construction



The City of Calgary
PO Box 2100, Station M
Calgary, Alberta
T2P 2M5

August 31, 2022

Attention: The City of Calgary Infrastructure and Planning Committee and City Council

RE: Support for *Missing Middle Housing Land Use Bylaw Sustainment (Administration Report IP2022-0989)*

Dear Mayor and Members of Council,

On Behalf of Eagle Crest and our group of companies, I wanted to express our continued support for the recommendations from Report IP2022-0989. This report proposes a new Land Use District and essential sustainment to Land Use Bylaw 1P2007 (LUB) in response to Council Motions regarding Missing Middle Housing. As a local Calgary business owner who is trying to build a better Calgary, we need Calgary's city council support on this issue. As a small developer and landlord in Calgary, we see first-hand the group of individuals whose wants and needs are under-represented in the City of Calgary's housing inventory. We humbly request clearer rules that something like this would bring.

To elaborate, we talk to dozens of our tenants and potential tenants every day and they frequently point out their desire for the type of housing at the center of this issue. The types of demographics we see in these buildings are young professionals, dual-income couples and professionals and families who have immigrated from another province or country. These folks desire more main street-type, inner-city neighbourhoods with housing that fits their life-style, their values and their budget. They want a yard. They are passionate about sustainability and economic living. They want a front door. They want transit accessibility. They want to walk or bike to the grocery store and the office. They want to be in the highly desirably inner-city neighbourhoods, but can't afford a single family house, and they don't some of the challenges of living in a high-rise apartment building. They want something that fits their personality and their life. Oftentimes, they don't drive car and don't want to pay for parking because it's not part of their lifestyle. We understand parking is a passionate topic for many of them and I've heard the question asked a few times, whether council is more concerned with building housing for people or housing for cars.

We have had several dozen Land Use Redesignation and Development Permit applications. Many of these would fit in this Missing Middle category. We typically define the Missing Middle as multifamily buildings (not stacked apartments) that are similar height (or maybe a bit taller) and massing to single family homes. This includes rowhouses, clustered townhouses, stacked townhouses, and sometimes they have smaller units or secondary suites without onsite parking stalls. These buildings are in areas with many amenities, accessible and transit-friendly. Again, we focus on building this type of housing because there is minimal supply (i.e. "Missing") because these housing options have been challenged due to land use rules that haven't been updated in at least 15 years. The "Middle" refers to the fact these buildings are viewed between single-family homes and apartment buildings (i.e. in height, number of units and cost).

By building in this missing middle we are following the City Council's own policies and goals to achieve more growth in the established, inner city areas. Our townhomes we build in areas like Killarney, Renfrew, Mount Pleasant and Capital Hill, to name a few, constantly have waiting lists soon after going on the market because of the demand for this type of housing. When we build other types of housing, the relative pace of absorption is much slower. We lease up our townhomes about twice as fast as our apartment buildings on a per unit basis.

Eagle Crest Construction
PO Box 75065 Westhills
Calgary T3H 3M1
403 991 7418

eaglecrestconstruction.ca



The last topic I'll touch on is the business side of this equation. Based on the fundamentals of land development economics, prices, construction costs, return on investment thresholds and what tenants can afford, we are comfortable taking the risk of building in this missing middle. There are too many rules and extra red-tape currently and it feels like getting approval on each building is like running a marathon while other much larger builders seem to get an easier path to construction. Our decision to do this is not only quantitative, but we get validation every time we see the reaction and delighted facial expressions (or hugs!) of our happy tenants the first time they see their eventual unit and the first day they move in. Last, but not least, communities that have more robust Missing Middle housing will be able to attract a more skilled and diverse workforce and build a more resilient Calgary, which is a goal I know we are all pursuing.

Sincerely

Eagle Crest

A handwritten signature in black ink, appearing to read "J. Gulas", written over a faint, large, stylized "X" watermark.

Jason Gulas
Chief Operating Officer

Eagle Crest Construction
PO Box 75065 Westhills
Calgary T3H 3M1
403 991 7418

eaglecrestconstruction.ca



Aug 24, 2022

ATTN: The City of Calgary Infrastructure and Planning Committee & City Council

RE: Support for Missing Middle Housing Development in Calgary
Administration's recommendations for a proposed new District and Land Use Bylaw sustainment
per Report IP2022-0989

Dear Mayor and Members of Council,

We write this letter on the behalf of Stone West Homes Inc. to express our strong support for Administration's recommendations found within Report IP2022-0989, which propose a new Land Use District and sustainment to existing Land Use Bylaw rules related to Missing Middle Housing.

I'm a proud, born-and-raised Calgarian and local homebuilder, building modern and affordable housing in Calgary's inner-city communities since 2008. The entire Stone West team is committed to realizing sensitive redevelopment and supporting the change that creates more complete, compact, and connected communities.

We were one of the very first builders who built inner-city townhouses with legal secondary suites. The quality of our tenants and the relationships we've built have been nothing but exemplary. We mention this because we know there is often an underlying stigma associated with secondary suites and those who choose this more affordable housing option. We can assure you we have yet to receive or hear of any complaints from our neighbors. Our tenants are primarily students or single occupant tenants and most have not required parking. Many use public transit, bikes, shared microbility programs (e-Bike and e-Scooters) and will often make use of Ubers or taxis as needed.

We strongly believe supporting these necessary changes will result in a net benefit to Calgary's real estate market, given the existing demand for more affordable and flexible housing options. And as many other builders, we believe this will attract new construction funding opportunities from CMHC.

As an industry who deals with many uncertainties, we and the communities where we build, need these changes to give everyone more peace of mind and predictability. We urge the Council to consider and support the recommendations of Administration's Report IP2022-0989.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Paul Kundan".

Paul Kundan,
Director

(403) 805-9000

206,7 Westwinds Cres NE, Calgary, T3J 5H2
info@stonewesthomes.ca

stonewesthomes.ca



www.cnjdevelopments.com

Hi Robyn and The City Of Calgary Team,

Attention: The City of Calgary Council, and/or Mayor and Members of Council

Regarding: Missing Middle Housing Land Use Bylaw Sustainment and with reference to Administration

Report IP2022-0989

I am writing on behalf of my family who lives inner city (Altadore area), and my company who builds and develops new homes. I am in support of the amendments to help support the industry and to help increase what is missing in terms of housing in the local market place. This is critical to Calgary's growth, innovation and the demand for what homeowners are looking for.

I look forward to speaking with you further and appreciate your support to provide further clarity to the development process.

Regards,

A handwritten signature in black ink, appearing to read 'Chris', is located below the 'Regards,' text.

Chris



Land Use Bylaw Amendments to address Missing Middle Housing

September 9, 2022

Recommendation

That the Infrastructure and Planning Committee recommend that Council:

Give three readings to the Proposed Bylaw to amend Land Use Bylaw 1P2007 to add a new housing district (Housing – Grade-Oriented (H-GO) District), to amend the Residential – Grade-Oriented Infill (R-CG) district, as well as other minor consequential amendments to accommodate grade-oriented housing forms such as: semi-detached dwellings, rowhouses, townhouses, at-grade flats, and suites as outlined in Attachment 2.

Big Picture Issues

- Housing Affordability
- Demographic/population Change
- Housing Supply

Regulatory Issues

- Rigid Land Use Rules
 - Results in Direct Control districts
 - Prohibits mid-block R-CG development
- Approval Process
 - Land Use Redesignations vs. Development Permits



- More Direct Control applications for new forms of housing
 - **60% of Direct Controls** are for 5 units and 5 suites or more
 - **40% of Direct Controls** are to enable mid-block R-CG
- Concerns at Public Hearings and through Application Review
 - Small Units
 - Parking
 - Waste & Recycling
 - Open Space



What are the Solutions?

Create a New District:

Housing – Grade-Oriented (H-GO)

What:

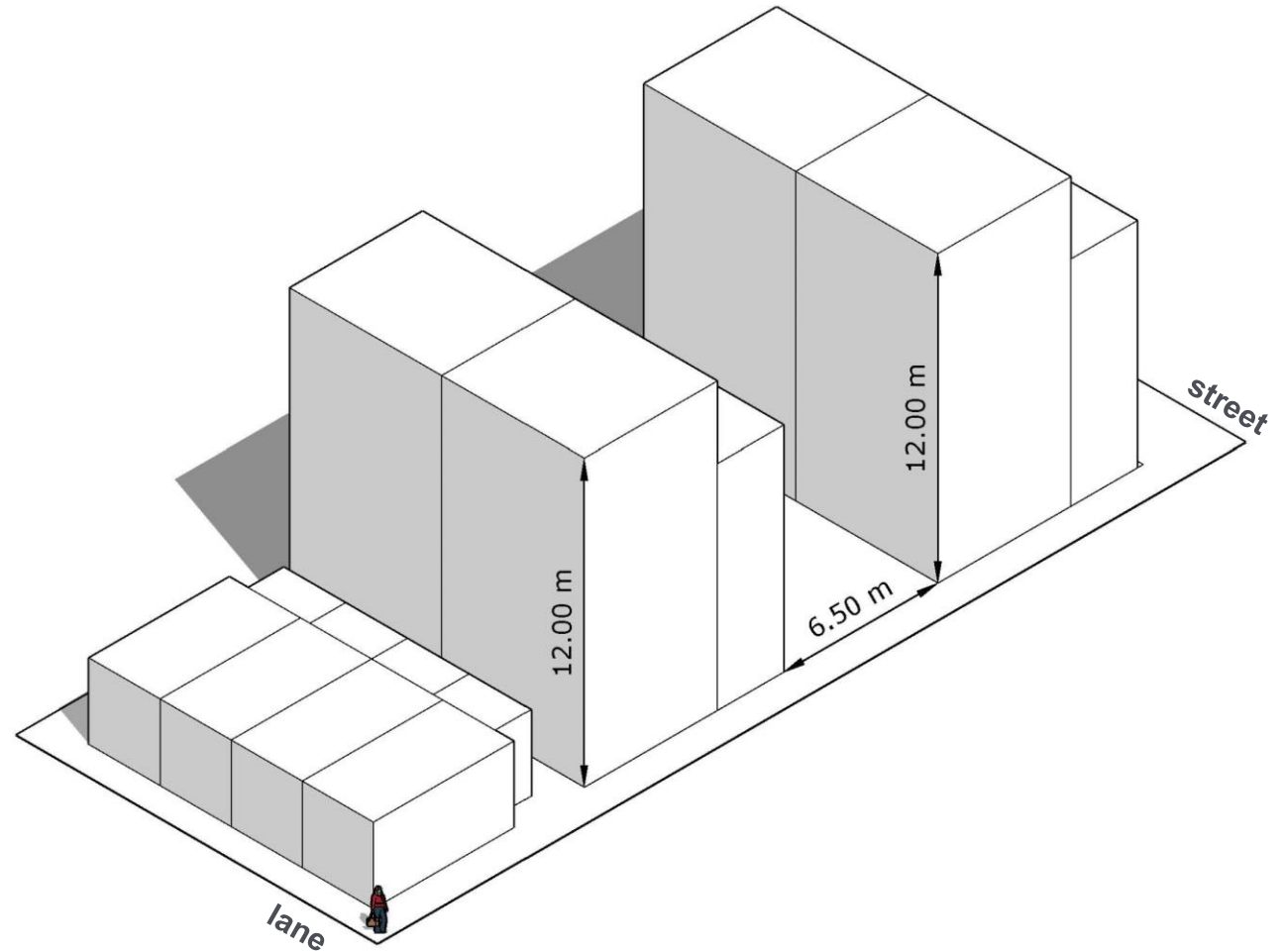
- Same height as M-CG (12 metres)
- Same parcel coverage as R-CG (60%)

Where:

- Only near Main Streets and Transit
- LAP: Neighbourhood Connector and Neighbourhood Flex

How:

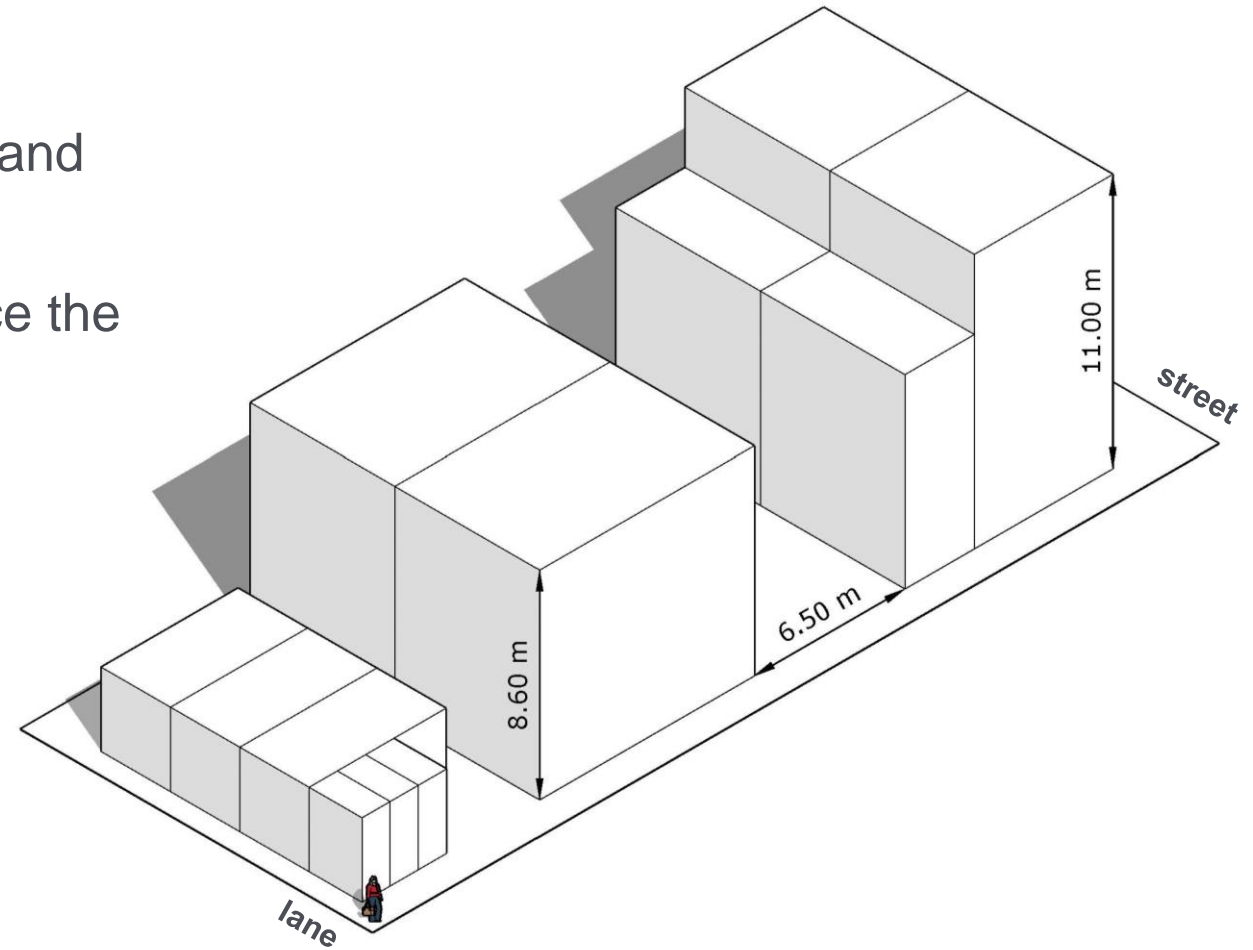
- Applicant-led applications
- Case-by-case Council decisions



What are the Solutions?

Improve R-CG

- No changes to height (11 metres), density and parcel coverage
- Remove restriction that all homes must face the street
- Reduce height for rear buildings
- Reduce parking requirements by 1 stall



What are the Solutions?

Modify Rules for Multi-Residential Districts

- Enable a variety of housing forms
- Standardize costs of parking requirements

Advantages

- Prevents down-zonings and Direct Controls
- Regulatory consistency
- Enable redevelopment in priority growth areas



Recommendation

That the Infrastructure and Planning Committee recommend that Council:

Give three readings to the Proposed Bylaw to amend Land Use Bylaw 1P2007 to add a new housing district (Housing – Grade-Oriented (H-GO) District), to amend the Residential – Grade-Oriented Infill (R-CG) district, as well as other minor consequential amendments to accommodate grade-oriented housing forms such as: semi-detached dwellings, rowhouses, townhouses, at-grade flats, and suites as outlined in Attachment 2.

Update on Residential Parking Program Implementation

RECOMMENDATIONS:

That the Infrastructure and Planning Committee recommend that Council:

1. Adopt proposed amendments to Calgary Parking Policies (Council Policy CP2021-04) as identified in Attachment 2,
2. Give three readings to the Proposed Bylaw in Attachment 3 to amend bylaw 26M96 "Calgary Traffic Bylaw".
3. Direct that this Report be forwarded to the 2022 September 13 Combined Meeting of Council as an Item of Urgent Business.

HIGHLIGHTS

- Adjustments to the Residential Permit Parking (RPP) Program are recommended to introduce the Market Permit option for otherwise ineligible residents.
- What does this mean to Calgarians? These changes will increase flexibility and clarity as to what permits residents may access under the RPP program.
- Why does this matter? Council approved an updated residential parking program in 2021 which made changes to both Calgary Parking Policies (Policy CP2021-04) and Traffic Bylaw 26M96. This report recommends an additional revision to allow residents of large multi-residential buildings to have access to a new permit type to increase the amount of parking options available while limiting demand through permit pricing.
- The proposed policy and bylaw amendments (Attachments 2 and 3) would enable one new permit type called "Market Permit" to be made available to residents in large multi-residential buildings.
- Administration will propose pricing for market permits to encourage off-street parking as the primary parking choice for residents. These fees will be brought as part of the 2023-2026 Business Plan and Budget.
- This report has been made an item of urgent business to maximize the amount of notice that can be provided to citizens.
- Strategic Alignment to Council's Citizen Priorities: A city that moves
- Background and Previous Council Direction is included as Attachment 1.

DISCUSSION

At the 2021 January 18 meeting of Council, Council approved the recommendations of report TT2020-1346, which made significant changes to the Residential Permit Parking (RPP) program (Attachment 1). Prior to approval, the RPP program had never been formally documented as a policy and largely functioned as a collection of rules developed over time. The policy was developed to increase financial sustainability, improve customer service and consistency, better use street space and support the objectives of the Municipal Development Plan and Calgary Transportation Plan.

Over 2022, Administration has begun implementing the approved changes. This report proposes targeted policy changes to add additional flexibility for large, multi-residential buildings. These changes will help operationalize Council's policy.

Update on Residential Parking Program Implementation

Market Permit Option

The initial policies approved in section 4.1.1 of Calgary Parking Policies proposed allocating permit types based on consideration of a dwelling's ground-oriented nature and excluded permits for large, multi-residential buildings (4 stories or taller or greater than 20 units). Significant work was undertaken to determine permit eligibility for individual buildings. Additionally, in report C2022-0308, an option to develop a "market rate" permit initially for older, pre-1945 buildings was proposed upon expiry of their existing permit. Subsequent discussions with stakeholders and some Council members have inquired whether this option could be extended to all residents of large buildings. This option was not part of the original policy proposal and requires changes to the bylaw and policy to provide this option.

The following table summarizes the new permit option:

Residential Permit Type	Existing State	Eligible Dwellings	Future State
Market Permit One permit per dwelling offered at a market rate.	New product.	Residents in large, multi-residential buildings (4 stories or taller or greater than 20 units) in RPP zones.	Residents without a current permit can apply when available (Fall 2022). Residents with existing permits may transition to this option upon permit expiry.

Proposed amendments to the Calgary Parking Policies (Attachment 2) and Traffic Bylaw 26M96 (Attachment 3) will introduce this permit type and facilitate its implementation.

One of the key aspects of the policy changes is to manage on-street parking demand. The market permit considers pricing of surrounding off-street parking options. This is to encourage residents to use their off-street parking first, but provide an additional option if space is not available. A price analysis was conducted by reviewing rental rates for parking stalls in large buildings. The initial rates are at the lower end of these rental rates but should achieve this effect. Should Council approve the recommendations in this report, Administration will be recommending the following fee schedule as part of Council's user fee considerations in the 2023-2026 Business Plan and Budget. Administration is also in discussions with the Fair Entry team to determine if a reduced rate could be offered for qualifying individuals.

MARKET PERMIT PRICING	HIGH (City Centre)	MEDIUM (Inner City)	LOW (Suburbs)
Monthly Rate	\$150.00	\$100.00	\$75.00
RPP Zone	C	P, J, SNA, O, GG, D, LL, AAA, V, M, L, K, Z, W, G, ZZ,	All Other

Update on Residential Parking Program Implementation

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☐ Public Engagement was undertaken
- ☐ Public Communication or Engagement was not required
- ☐ Public/Stakeholders were informed
- ☒ Stakeholder dialogue/relations were undertaken

Public engagement was completed as part of the original program review. These proposed changes are tailoring the implementation to respond to feedback from large multi-residential buildings who are currently restricted as new applicants from receiving RPP permits. The changes will be communicated directly to existing permit holders this fall. The broader public can find up-to-date information on both the Calgary Parking Authority (CPA) and City websites.

IMPLICATIONS

Social

The market permit option would enable parking to be available when there is a critical need and on-site parking options have been exhausted. The implementation team is also working with the City's Fair Entry team on options to provide fee relief in certain circumstances.

Environmental

The market permit approach and permit limit incentivise users to consider their broader travel options, including parking options and transportation methods like walking, biking and public transit. It also makes better use of the existing parking supply.

Economic

The Market Permit charges users a higher monthly cost compared to other permit types. The suggested permit pricing can be adjusted in the future depending on Market Permit demand.

Service and Financial Implications

Other:

\$500,000.00 (revenue)

Permit costs to residents will depend on their parking zone but would be no more than \$150 per month per household. The above revenue amount is the estimated market permit revenue if 10 % of the current permit holders who will be losing their RPP purchase the new market permit. This potential revenue would be utilized to support the historically subsidized RPP program and surplus revenue would be contributed to the parking reinvestment program.

Costs to develop the market permit are nominal as the required programs already exist within the Calgary Parking Authority.

**Operational Services Report to
Infrastructure and Planning Committee
2022 September 9**

**ISC: UNRESTRICTED
IP2022-0939
Page 4 of 4**

Update on Residential Parking Program Implementation

RISK

While there is interest in the market permit product, the extent of uptake will not be fully known until the product is available. If the price is too high, there could be a lack of interest in this product. Alternately, buildings with unclear eligibility in the past may now take advantage of this new product, which could increase demand. Administration will monitor demand and propose annual rate adjustments once the true demand is known to support the broader parking target of 80% occupancy on-street, which leaves enough room for visitors to find parking.

ATTACHMENTS

1. Background and Previous Council Direction
2. Proposed Changes to Section 4.1.1 of Calgary Parking Policies
3. Proposed Wording for a Bylaw to Amend Bylaw 26M96 The Calgary Traffic Bylaw

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Doug Morgan	Operational Services	Approve

Background and Previous Council Direction

Background

Adjustments to the Residential Permit Parking (RPP) Program are recommended to introduce the Market Permit option for otherwise ineligible residents (IP2022-0939).

What does this mean to Calgarians? These changes will increase flexibility and clarity as to what permits residents may access under the RPP program.

Why does this matter? Council approved an updated residential parking program in 2021 which made changes to both Calgary Parking Policies (Policy CP2021-04) and Traffic Bylaw 26M96. This report recommends an additional revision to allow residents of large multi-residential buildings to have access to a new permit type to increase the amount of parking options available while limiting demand through permit pricing.

Previous Council Direction

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
1/13/2021	TT2020-1346	Residential Parking Program Review A comprehensive review of Calgary's residential parking program had uncovered several areas where improvements should be made. This report updated policy and implemented a new program to reduce red tape, improve efficiency in parking, support businesses, achieve better value for citizens and be better positioned for long-term sustainability.
3/8/2022	C2022-0308	Residential Parking Provision for Older Large Buildings Adjustments to the Residential Permit Parking (RPP) Program were recommended to enable multi-residential (greater than 20 unit) properties older than 1945 to continue to participate in the Residential Parking Program.

Bylaws, Regulations, Council Policies

Policy and Bylaw documents related to the above reports.

Calgary Parking Policies (Council Policy CP2021-04)

A policy framework for Calgary, developed to combine the numerous parking policies and Council decisions about parking. Also service as an outline for new policies in development.

Traffic Bylaw 26M96

The Calgary Traffic Bylaw.

Proposed Changes to Section 4.1 and 4.1.1 of Calgary Parking Policies (CP2021-04)

New text shown in *italics*:

4.1 On Street Parking Management Policies

Definitions

Market Permit - A permit meant for residents of a RPZ who are not eligible for a residential parking permit, to access parking, for a fee. Allows for only one permit per dwelling unit and may only be used by the resident.

4.1.1 Residential Areas

15. Permits may be issued to a resident on a block with parking restrictions within a residential parking zone under one of the following classes.
 - b. Resident of a multi-residential *building*:
 - ii. Residents of multi-residential dwellings four stories or taller or with more than 20 dwelling units are ineligible for permits unless the building was built before 1945.
 1. *Above residents may be eligible for a Market Permit.*

**Proposed Wording for a Bylaw to Amend Bylaw 26M96
The Calgary Traffic Bylaw**

1. Bylaw 26M96, the Calgary Traffic Bylaw, as amended, is hereby further amended.
2. Section 20 is deleted and the following is substituted:

“20. In sections 20 to 26:

 - (a) “*large multi-residential building*” means a building of four (4) stories or more in height or a building with more than 20 dwelling units but does not include such a building if it was built prior to 1945;
 - (b) “*market permit*” means a single *Parking Zone Permit* with no visitor permits allowed for residents of *large multi-residential buildings*;
 - (c) “*Parking Zone Permit*” includes a valid and subsisting Residential Parking Permit, Visitor Parking Permit, or *market permit* issued under section 24;
 - (d) “*Residential Parking Zone*” means an area designated by the Traffic Engineer of one or more streets where the use of the property adjacent to the street frontage in the area is primarily residential but may include residential home-based businesses or live-work units;
 - (e) “*small multi-residential building*” means a building that is less than four (4) stories in height or has less than 20 dwelling units and includes a larger building that was built prior to 1945.
3. The following is added after subsection 21(5) as 21(6):

“(6) The Traffic engineer may allocate specific *Parking Zone Permits* based on the type of residential building or dwelling as defined in section 20 above.”
4. Subsection 23(2)(a) and 23(2.1) are deleted.
5. The words “more than” are deleted from subsection 23(2)(d).
6. The first appearance of the words “set a limit to the number” in subsection 24(2)(h) is deleted and the following is substituted:

“determine the type”.
7. The words “specific *small multi-family building*” are deleted from subsection 24(2)(h) and the following is substituted:

“*multi-residential building*”.

8. The word “dwellings” is deleted from subsection 24(2)(h)(iv) and the following is substituted:
“buildings”.
9. The words “particular *small multi-residential building*” are deleted from subsection 25(1)(b) and the following is substituted:
“*multi-residential building*”.
10. This Bylaw comes into force on the day it is passed.



UPDATE ON RESIDENTIAL PARKING PROGRAM IMPLEMENTATION

IP2022-0939

CALGARY PARKING
AUTHORITY



UPDATE ON RESIDENTIAL PARKING PROGRAM IMPLEMENTATION

IP2022-0939



HIGHLIGHTS

- Adjustments to the Residential Permit Parking (RPP) Program are recommended to introduce the Market Permit option for otherwise ineligible residents.
 - **What does this mean to Calgarians?** These changes will increase flexibility and clarity as to what permits residents may access under the RPP program.
 - **Why does this matter?** This report recommends an additional revision to allow residents of large multi-residential buildings to have access to a new permit type to increase the amount of parking options available while limiting demand through permit pricing.



UPDATE ON RESIDENTIAL PARKING PROGRAM IMPLEMENTATION

IP2022-0939



HIGHLIGHTS

- The proposed policy and bylaw amendments (Attachments 2 and 3) would enable one 'Market Permit' to be made available per dwelling to residents in large multi-residential buildings.
- Administration will propose pricing for Market Permits to encourage off-street parking as the primary parking choice for residents. These fees will be brought as part of the 2023-2026 Business Plan and Budget.
- This report has been made an item of urgent business to maximize the amount of notice that can be provided to citizens.



UPDATE ON RESIDENTIAL PARKING PROGRAM IMPLEMENTATION

IP2022-0939



IMPLEMENTATION

Permit Type	Existing State	Eligible Dwellings	Future State
Market Permit One permit per dwelling offered at a market rate.	New product.	Residents in large, multi-family buildings (>20 units or 4 stories and up) in RPP zones.	Residents without a current permit can apply when available (Fall 2022). Residents with existing permits may transition to this option upon permit expiry.



UPDATE ON RESIDENTIAL PARKING PROGRAM IMPLEMENTATION

IP2022-0939



IMPLEMENTATION

MARKET PERMIT PRICING	HIGH (City Centre)	MEDIUM (Inner City)	LOW (Suburbs)
Monthly Rate	\$150.00	\$100.00	\$75.00
RPP Zone	C	P, J, SNA, O, GG, D, LL, AAA, V, M, L, K, Z, W, G, ZZ,	All Other

- These fees will be proposed as part of the 2023-2026 Business Plan and Budget.



UPDATE ON RESIDENTIAL PARKING PROGRAM IMPLEMENTATION

IP2022-0939



RECOMMENDATION:

That Committee:

1. Adopt proposed amendments to Calgary Parking Policies (Council Policy CP2021-04) as identified in italics in Attachment 2.
2. Give three readings to bylaw 14M2022 (Attachment 3) to amend bylaw 26M96 "Calgary Traffic Bylaw".
3. Direct that this Report be forwarded to the 2022 September 13 Combined Meeting of Council as an Item of Urgent Business.



Transition to Online Advertising for Planning Matters

RECOMMENDATION:

That the Infrastructure and Planning Committee recommend that Council:

Give three readings to the proposed Bylaw to Authorize Online Advertising for Planning Matters (Attachment 1).

HIGHLIGHTS

- Administration is seeking Council approval to transition the advertisement of Planning Matters in The Calgary Herald to advertisement online at Calgary.ca to i) save approximately \$114,000 per year, ii) increase awareness of Public Hearings, and iii) minimize The City's environmental footprint.
- Administration's recommendation involves reallocating a portion of the present advertising budget to alternate methods of advertising that can reach a wide variety of Calgarians.
- **What does this mean to Calgarians?** Calgarians will no longer need to access The Calgary Herald to review the Planning Matters agenda for Public Hearings of Council. Online advertising provides more opportunities to be inclusive of a diverse audience.
- **Why does this matter?** The City of Calgary's website, Calgary.ca, has become the primary source of information related to municipal affairs, including planning and development. As such, the municipal website has become the most effective medium for delivering public notices at a reduced cost while reaching a more diverse audience than The Calgary Herald's readership. There is no previous Council direction regarding this report.
- Strategic Alignment to Council's Citizen Priorities: A well-run city

DISCUSSION

Administration's recommendation to transition the advertisement of Planning Matters in The Calgary Herald to advertisement online at Calgary.ca closely follows Council's recent approvals of Online Advertising – Public Works Notices, Property Tax Sale and Annual Report (PFC2021-0503) and Public Hearing Process Improvements – Recommended Approaches (EC2022-0328), in 2021 and 2022, respectively.

Presently, advertising of Planning Matters is required in a newspaper as per Section 606(2) of the Municipal Government Act (MGA). However, Section 606.1(1) of the MGA authorizes Council to, by bylaw, provide for electronic means of advertising Planning Matters where Council is satisfied that the method provided in the proposed bylaw is likely to bring things required to be advertised under Part 17 of the MGA to the attention of affected residents. Administration is confident that the proposed method of advertising Planning Matters on Calgary.ca, supplemented by a rigorous communications campaign, will increase awareness and accessibility of Planning Matters brought to Public Hearings of Council.

The proposed wording for a Bylaw to Authorize Online Advertising for Planning Matters is included as Attachment 1.

Transition to Online Advertising for Planning Matters

If the proposed bylaw is approved, Administration will i) promptly begin advertising Planning Matters on Calgary.ca, ii) implement a robust Communications Strategy (Attachment 2) that would advise Calgarians on how to access information on Planning Matters, and iii) continue to run advertisements in the physical and digital copies of The Calgary Herald through to the end of 2022, at which point the advertisements would direct readers to Calgary.ca until 2023 May.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☐ Public Engagement was undertaken
- ☒ Public Communication or Engagement was not required
- ☒ Public/Stakeholders were informed
- ☐ Stakeholder dialogue/relations were undertaken

The public was informed of the proposed advertising transition by email and newsletter in 2022 August. Further communications are planned for 2022 September, prior to the public hearing of Council. If the proposed transition to online advertising for Planning Matters is approved by Council, additional communications are proposed to be undertaken via organic social media, email and newsletter as per the attached Communications Strategy.

IMPLICATIONS

Social

By reallocating a portion of advertising costs presently paid to The Calgary Herald to alternate methods of advertising that can reach a wide variety of Calgarians (multicultural advertising, community associations, online advertisements), The City will foster a more equitable, diverse, inclusive and accessible planning process.

Environmental

Discontinuing advertising of Planning Matters in the printed form will reduce paper waste.

Economic

Adoption of the proposed bylaw promotes fiscal responsibility by reducing advertising expenses and streamlining the advertising process.

Service and Financial Implications

Cost savings

The City currently spends approximately \$200,000 per year on advertising for Planning Matters (Attachment 3). Administration will reallocate a portion of the advertising budget in 2023 towards different communication methods, generating significant cost savings.

RISK

It is likely that there will be some Calgarians that do not use digital media who will be frustrated by the change. Any impact from this will be mitigated by implementing a fulsome communications plan.

**Planning and Development Services Report to
Infrastructure and Planning Committee
2022 September 9**

**ISC: UNRESTRICTED
IP2022-0934
Page 3 of 3**

Transition to Online Advertising for Planning Matters

Switching to online advertising is likely to engage more Calgarians in Planning Matters, which is consistent with one of Council's guiding principles from Resilient Calgary: Council's Strategic Direction 2023-2026, which is to Strengthen relationships with Calgarians.

The risk of not completing this work is continuing to spend approximately \$200,000 per year on advertising for Planning Matters that excludes the growing population of Calgarians who prefer digital media over print media.

ATTACHMENTS

1. Proposed Wording for a Bylaw to Authorize Online Advertising for Planning Matters
2. Communications Strategy
3. Calgary Herald Advertising Costs 2018-2022
4. Proposed Advertising Layout for Calgary.ca

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Stuart Dalgleish	Planning and Development Services	Approve
Jill Floen	Law	Consult

Proposed Wording for a Bylaw to Authorize Online Advertising for Planning Matters

WHEREAS section 606 of the Municipal Government Act, R.S.A 2000, c. M-26, (the “Act”) includes requirements for advertising;

AND WHEREAS subsection 606(2) provides that notice of a bylaw, resolution, meeting, public hearing or something else to be advertised may be provided by a method provided for in a bylaw under section 606.1 of the Act.

AND WHEREAS subsection 606.1(1) of the Act states that Council may provide one or more methods, which may include electronic means, for advertising public hearings of Council;

AND WHEREAS there are provisions under Part 17 of the Act that require advertising;

AND WHEREAS Council is satisfied that the method provided in this bylaw is likely to bring things required to be advertised under Part 17 of the Act to the attention of substantially all residents in the area to which those things required to be advertised under Part 17 relate;

AND WHEREAS this Bylaw has been advertised in accordance with section 606 of the Act and a public hearing has been held in accordance with section 216.4 of the Act:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the “Online Advertising for Planning Matters”.

DEFINITIONS

2. In this Bylaw:
 - (a) “City” means the municipal corporation of The City of Calgary;
 - (b) “Council” means the elected City Council for The City of Calgary;
 - (c) “Planning Matters” means any bylaw, resolution, meeting, public hearing or something else required to be advertised by Part 17 of the Act; and
 - (d) “Website” means the City’s public website.

ALTERNATIVE ADVERTISING METHODS

3. All advertisements required for Planning Matters must be advertised in accordance with section 4 of this Bylaw.
4. All advertisements referred to in section 3 of this Bylaw must:

- (a) be posted on the Website not less than 10 days before the date of the public hearing for the Planning Matter; and
- (b) the posting in subsection (a) must:
 - a. remain on the Website for a minimum of 10 days; and
 - b. not be removed from the Website prior to the date of the public hearing for the Planning Matter.

TEXT FOR DISCUSSION

Communications Strategy

Strategy Summary

A broad-reaching communications strategy to support the proposed change in newspaper notifications will be implemented starting early August 2022. This communications strategy has three phases, the first is notifying the public of the proposed Bylaw to enable digital advertising channels (Awareness), the second phase is the elimination of newspaper ads for public notice of public hearings on planning matters (Transition), and the third phase communicating where that information can be found (Sustainment).

The communications strategy will focus on phase 1 (Awareness) throughout 2022. Phase 2 (Transition) will carry forward into the first half of 2023. Phase 3 (Sustainment) then become an ongoing body of communications for Planning & Development.

The intent of this communication strategy is to continue to modernize promotional efforts to better inform citizens that Calgary.ca and the Development Map are key tools to get information and be involved in planning.

Additionally, the communications strategy will integrate the multicultural strategy into these public notifications, based on the needs of Calgarians. They will strengthen the connection with citizens who have limited English language skills.

Communications Objectives for Awareness and Transition Phase:

- To inform citizens of the elimination of public hearing notices in newspaper ads.
- To encourage citizens to seek this information on the [Calgary.ca/planningmatters](https://calgary.ca/planningmatters).
- To educate citizens on their options for getting information on development activity in their neighbourhoods.
- To strengthen the connection with citizens who have limited English language skills on.

Communications Objectives for Sustainment Phase:

- Continue informing citizens of planning information available on the [Calgary.ca](https://calgary.ca) website.
- To educate citizens on their options for engaging in development activity that they care about.
- To strengthen the connection with citizens who have limited English language skills on.

Target Audiences

- Calgarians (broadly)
- The Federation of Calgary Communities
- Community Associations
- Mayor and Council

Key Messages

- The City of Calgary is proposing a Bylaw to modernize the promotional mix to improve awareness and engagement with citizens about planning matters.
- Starting August 2022, land use redesignation information will be available on [Calgary.ca/planningmatters](https://calgary.ca/planningmatters).
- Citizens can review upcoming developments that will go to Council public hearings, make comments and/or pre-register to address Council at an upcoming hearing all on one site.

- Advertisements on land use redesignations will continue in the Calgary Herald newspaper until May 2023, where afterwards Calgary.ca/planningmatters will be the go-to source for public hearings on planning matters.
- Providing coordinated, easy to understand information regarding potential changes in a community due to a proposed development will create better awareness and increase opportunities for citizens to participate in the planning process.

Phase 1: Awareness (August – October 2022)

The Awareness phase begins the organic process of having all public hearing information be available on Calgary.ca/planningmatters.

Tactics:

- 1) Calgary.ca/planningmatters
- 2) Organic Social (Facebook & Twitter)
- 3) Information package for Federation of Calgary Communities
- 4) Councillor toolkit
- 5) Community association newspapers
- 6) 311 and Planning Services Centre brief

Phase 2: Transition (October – May 2023)

This phase will have two, city-wide advertising campaigns (October 2022 and May 2023), to heighten awareness of the advertising changes. Each campaign will last 4 weeks to maximize reach.

Tactics:

- 1) Calgary.ca/planningmatters content updates
- 2) Calgary Herald Web Ads
- 3) Paid Social (Facebook & Twitter)
- 4) Organic Social (Facebook & Twitter)
- 5) Calgary Herald newspaper ads
- 6) Community association newspapers
- 7) Multicultural advertising (e.g. Canadian Chinese Times, Punjabi National, Le Franco, Trend Weekly, Sing Tao - Weekend Edition, Windspeaker Radio).
- 8) Notice posting signs

Phase 3: Sustainment (June 2023 and beyond)

This phase will see the end of Calgary Herald newspaper ads and transition to digital promotions of public hearings and a bi-annual campaigns that continues to inform citizens of the services and avenues to be informed and engage in planning applications that matter to them.

Public Hearing Advertisement Tactics:

Occurring monthly; promotion of the next public hearing and where to find the information. Ads used would be standardized to reduce the amount of work each month.

- 1) Calgary.ca/planningmatters content update
- 2) Paid social media (Facebook and Twitter)
- 3) Paid geo-targeted multi-cultural social media ads
- 4) Notice postings

Semi-annual Campaign Tactics:

2-week promotions of the Development Map and where to find information on Calgary.ca, twice a year. Recommend first campaign September/October 2023.

- 1) Calgary Herald Web Ads
- 2) Paid Social (Facebook & Twitter)
- 3) Organic Social (Facebook & Twitter)
- 4) Multicultural advertising (e.g. Canadian Chinese Times, Punjabi National, Le Franco, Trend Weekly, Sing Tao - Weekend Edition, Windspeaker Radio).
- 5) Community association newspapers

Calgary Herald Advertising Costs 2018 – 2022

The following table identifies the monthly costs for advertising public hearings of Council in The Calgary Herald between July 2018 and July 2022, resulting in an average yearly cost of \$203,319.93.

Year	Monthly Costs	Yearly Cost
2018	July 23, 2018 \$16,549.57	Partial 2018: \$121,526.88
	July 30, 2018 \$8,274.78	
	September 10, 2018 \$16,549.57	
	October 9, 2018 \$11,129.15	
	November 12, 2018 \$11,129.15	
	December 10, 2018 \$57,894.66	
2019	January 14, 2019 \$16,549.57	Total 2019: \$222,055.36
	February 25, 2019 \$31,225.60	
	March 18, 2019 \$11,129.15	
	April 8, 2019 \$12,397.76	
	April 29, 2019 \$11,129.15	
	May 27, 2019 \$15,612.80	
	June 17, 2019 \$11,696.00	
	July 22, 2019 \$16,549.57	
	July 29, 2019 \$15,612.80	
	September 9, 2019 \$12,397.76	
	September 30, 2019 \$11,129.15	
	October 21, 2019 \$11,129.15	
	November 18, 2019 \$12,397.76	
	December 16, 2019 \$33,099.14	
2020	January 13, 2020 \$10,499.20	Total 2020: \$180,046.59
	February 3, 2020 \$12,397.76	
	February 24, 2020 \$16,549.57	
	March 16, 2020 \$8,245.95	
	April 6, 2020 \$12,397.76	
	April 27, 2020 \$11,129.15	
	May 25, 2020 \$12,397.76	
	June 15, 2020 \$12,397.76	
	July 20, 2020 \$12,397.76	
	July 27, 2020 \$12,397.76	
	September 14, 2020 \$15,612.80	
	October 5, 2020 \$12,397.76	
	November 2, 2020 \$15,612.80	
	December 14, 2020 \$15,612.80	
2021	January 18, 2021 \$12,397.76	Total 2021: \$149,168.08
	February 8, 2021 \$11,129.16	
	March 1, 2021 \$8,245.96	
	March 22, 2021 \$10,499.20	

	<p>April 12, 2021 \$11,696.00</p> <p>May 10, 2021 \$11,696.00</p> <p>June 21, 2021 \$15,694.40</p> <p>July 5, 2021 \$11,696.00</p> <p>July 26, 2021 \$19,502.40</p> <p>September 13, 2021 \$15,612.80</p> <p>November 15, 2021 \$10,499.20</p> <p>December 6, 2021 \$10,499.20</p>	
2022	<p>January 11, 2022 \$15,612.80</p> <p>February 15, 2022 \$11,696.00</p> <p>March 8, 2022 \$15,612.80</p> <p>March 29, 2022 \$15,612.80</p> <p>April 12, 2022 \$11,696.00</p> <p>May 10, 2022 \$15,612.80</p> <p>June 7, 2022 \$23,419.20</p> <p>July 5, 2022 \$15,607.60</p> <p>July 26, 2022 \$15,612.80</p>	<p>Partial 2022: \$140,482.80</p>
Total annual average over the past 4 years: \$203,319.93		

Proposed Advertising Layout for Calgary.ca

Public Hearing on Planning Matters

Changes to public hearing advertising

We're introducing a new bylaw that modernizes how we advertise public hearings of Council. In early 2023, we will stop advertising public hearings in The Calgary Herald newspapers in favor of having more information available through our website. Please refer to this webpage for updates on public hearing dates and agenda items.

Planning Matters advertised for the September 13th Public Hearing >

Next Public Hearing

To be held at the Council Chamber, Calgary Municipal Building, 800 Macleod Trail SE, on **Tuesday, September 13, 2022, commencing at 9:30 a.m.**

[Planning Matters advertised for the September 13th Public Hearing.](#)

[Agenda for the Combined Meeting of Council will be available on September 9.](#)

Watch: the Committee meeting live stream at [Calgary.ca/watchlive](#)

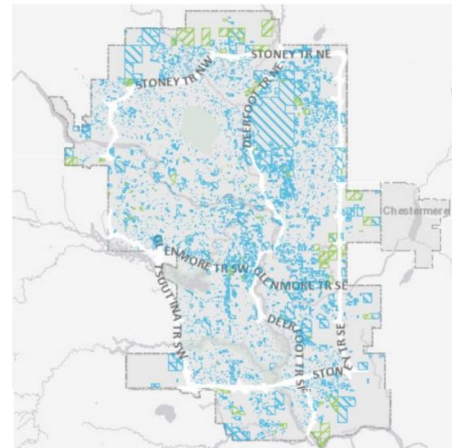
Submit: a written comment to the committee using [public submission form](#)

Speak: e-mail to PublicSubmissions@calgary.ca to register to speak to committee (remote participation encouraged)

Schedule for Council/CPC dates: [Calgary Planning Commission and Public Hearing dates](#)

Development map

Use [developmentmap.calgary.ca](#) to learn more about planning applications, what is being proposed, understand the details and know when and what you can comment on.



Get involved – Submit a comment or register to speak

We encourage the public to be involved in planning matters. For the protection of the health, safety and well-being of the public and our employees, The City of Calgary is encouraging the public to participate in this public hearing of Council electronically or by phone.

Make a comment, or pre-register to address Council on any public hearing matter on this Agenda by submitting [calgary.ca/publicsubmissions](#).

Comment submission deadline: 12:00 p.m., Tuesday, September 13, 2022. Only submissions received by the City Clerk by the deadline shall be included in the Agenda of Council.

Addressing Council: A person addressing Council has a maximum of five (5) minutes and shall limit their comments to the matter contained in the report and the recommendations being discussed.

For more details, please read our legal terms below.

Advertised Planning Matters

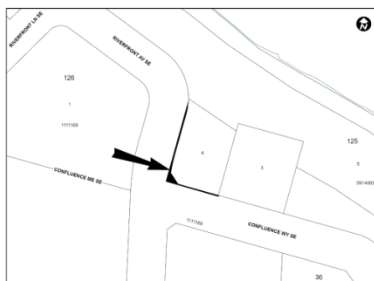
[Expand all](#)

— August 23 and 30, 2022 (Public hearing on September 13)

Notice of Road Closures Land Use Redesignation

The City of Calgary intends pursuant to s.22 of the Municipal Government Act to consider bylaws to close from use and sell or hold those portions of the streets, roads, lanes or public highways described here.

EAST VILLAGE BYLAW 6C2022



PLAN 2210832, AREA 'A'

ASPEN WOODS BYLAW 7C2022



Plan 6699JK, Block B, Lot 5; Commencing at a point at the south east corner of Plan 6699JK, Block B, Lot 5, thence easterly extending the south boundary of said lot a distance of 4.12 metres. Thence northerly at a bearing parallel to the east boundary of said lot a distance of 72.72 metres. Thence north westerly to a point 1.00 metre south, along the east boundary of said lot, of the north east corner of said lot. Thence southerly, along the east boundary of said lot to the point of origin. Containing an area of 0.031 hectares ±

Transfer of Reserves

ALBERT PARK/RADISSON HEIGHTS BYLAW 26M2022

PARKDALE BYLAW 133D2022

To redesignate the land located at [530 – 31 Street NW](#) (Plan 8321AF, Block 37, Lots 30 and 31) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Residential – Grade-Oriented Infill (R-CG) District.

WINSTON HEIGHTS/MOUNTVIEW BYLAW 126D2022

To redesignate the land located at [604 – 33 Avenue NE](#) (Plan 5942AD, Block 8, Lots 19 and 20) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Residential – Grade-Oriented Infill (R-CG) District.

HIGHLAND PARK BYLAW 127D2022

To redesignate the land located at [3424 Centre B Street NW](#) (Plan 3674S, Block 3, Lots 22 and 23) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Residential – Grade-Oriented Infill (R-CG) District.

HIGHLAND PARK BYLAW 129D2022

To redesignate the land located at [3903 – 2 Street NW](#) (Plan 3674S, Block 24, Lots 41 and 42) from Residential – Contextual One / Two Dwelling (R-C2) District **to** Residential – Grade-Oriented Infill (R-CG) District.

HIGHLAND PARK BYLAW 130D2022

To redesignate the land located at [404 – 33 Avenue NW](#) (Plan 3674S, Block 8, Lots 28 and 29) from Residential – Contextual One/Two Dwelling (R-C2) District **to** Residential – Grade-Oriented Infill (R-CGex) District.

HIGHLAND PARK BYLAW 139D2022

To redesignate the land located at [116 – 43 Avenue NE](#) (Plan 5988GT, Block 16, Lot 4) from the Residential – Contextual One / Two Dwelling (R-C2) District **to** Multi-Residential – Contextual Grade-Oriented (M-CGd75) District.

MOUNT PLEASANT BYLAW 124D2022

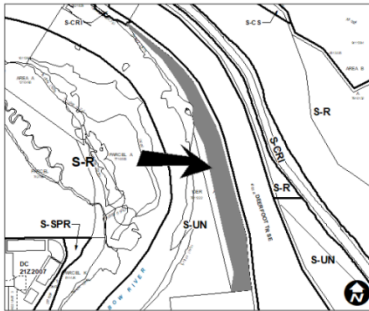
To redesignate the land located at [3220 – 4 Street NW](#) (Plan 9110053, Block 62, Lot 70) from Direct Control (DC) District **to** Commercial – Community 2 f1.0h12 (C-C2f1.0h12) District.

EAST VILLAGE BYLAW 137D2022

To redesignate the closed road (Plan 2210832, Area 'A') adjacent to [606 Confluence Way SE](#) from Undesignated Road Right-of-Way **to** Centre City East Village Mixed Use District (CC-EMU).

MONTGOMERY BYLAW 120D2022

To redesignate the land located at [4519 – 21 Avenue NW](#) (Plan 4994GI, Block 42, Lot 16) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One / Two Dwelling (R-C2) District.



PORTION OF PLAN 7911222, BLOCK 10ER
(Environmental Reserve)

MONTGOMERY

BYLAW 128D2022

To redesignate the land located at [5023 – 21 Avenue NW](#) (Plan 4994GI, Block 37, Lot 17) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One / Two Dwelling (R-C2) District.

MONTGOMERY

BYLAW 131D2022

To redesignate the land located at [5011 – 22 Avenue NW](#) (Plan 4994GI, Block 50, Lot 18) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One / Two Dwelling (R-C2) District.

MONTGOMERY

BYLAW 132D2022

To redesignate the land located at [5112 – 21 Avenue NW](#) (Plan 4994GI, Block 50, Lot 9) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One / Two Dwelling (R-C2) District.

BOWNESS

BYLAW 134D2022

To redesignate the land located at [8345 – 34 Avenue NW](#) (Plan 5960AM, Block 16, portion of Lot 10) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One / Two Dwelling (R-C2) District.

BOWNESS

BYLAW 135D2022

To redesignate the land located at [8507 – 34 Avenue NW](#) (Plan 5960AM, Block 16, portion of Lot 5) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One / Two Dwelling (R-C2) District.

PANORAMA HILLS

BYLAW 125D2022

To redesignate the land located at [67 Panatella Square NW](#) (Portion of SW 1/4 Section 34-25-1-5) from Special Purpose – Future Urban Development (S-FUD) District **to** Multi-Residential – Low Profile (M-1d85) District.

STONEY 1

BYLAW 142D2022

To redesignate the land located at [11105 and 11137 – 11 Street NE, 11134 – 15 Street NE, and 1117 – 110 Avenue NE](#) (Plan 1911083, Block 4, Lots 10 and 11; Plan 1213696, Block 1, Lot 2; Plan 1213696, Block 4, Lot 2) from Industrial – Business (I-B) District and Direct Control (DC) District **to** Direct Control (DC) District to accommodate additional uses contained in other industrial districts.

BYLAW 143D2022

To redesignate the land located at [11061 and 10821 – 15 Street NE, and a portion of 10499 – 15 Street NE](#) (Portion of E1/2 Section 23-25-1-5; Plan 0915074, OT) from Industrial – Business (I-B) District and Industrial – General (I-G) District **to** Direct Control (DC) District to accommodate additional uses contained in other industrial districts.

BYLAW 144D2022

To redesignate the land located at [11120 – 14 Street NE](#) (Plan 1810369, Block 2, Lot 12) from Industrial – Business (I-B) District **to** Direct Control (DC) District to accommodate additional commercial uses.

FOREST LAWN

BYLAW 145D2022

To redesignate the land located at [1839 – 38 Street SE](#) (Plan 2335AH, Block 19, Lots 1 and 2) from Multi-Residential – Contextual Low Profile (M-C1) District **to** Direct Control (DC) District to accommodate the additional use of rowhouse building.

BELTLINE

BYLAW 140D2022

To redesignate the land located at [1401 – 1 Street SE](#) (Plan 0311438, Block 106, Lot 41) from Direct Control (DC) District **to** Direct Control (DC) District to accommodate additional uses within an existing building.

BRITANNIA

BYLAW 118D2022

To redesignate the land located at [4915 Elbow Drive SW](#) (Plan 3700GO, Block 4, Lots 1 to 4) from Commercial – Corridor 1 f1.0h10 (C-COR1f1.0h10) District **to** Commercial – Corridor 1 f1.2h10 (C-COR1f1.2h10) District.

KILLARNEY/GLENGARR

BYLAW 136D2022

To redesignate the land located at [2811 – 26 Street SW](#) (Plan 5661O, Block 44, Lots 5 and 6) from Direct Control (DC) District **to** Residential – Contextual One / Two Dwelling (R-C2) District.

KILLARNEY/GLENGARRY

BYLAW 146D2022

To redesignate the land located at [2734 Richmond Road SW](#) (Plan 5661O, Block 51, Lots 16 to 18) from Direct Control (DC) District to Direct Control (DC) District **to** accommodate the additional use of rowhouse building.

WILLOW PARK

BYLAW 119D2022

To redesignate the land located at [216 – 99 Avenue SE](#) (Plan 3035JK, Block 11, Lot 42) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One / Two Dwelling (R-C2) District.

SHAWNESSY

BYLAW 121D2022

To redesignate the land located at [30 Shannon Place SW](#) (Plan 8111812, Block 15, Lot 35) from Multi-Residential – Contextual Grade-Oriented (M-CGd44) District **to** Multi-Residential – Contextual Medium Profile (M-C2f1.2) District.

LEGACY

BYLAW 122D2022

To redesignate the land located at [21200 and 21415 – 24 Street SE, 22200 – 28 Street SE and 2501 and 2801 – 210 Avenue SE](#) (Portion of Section 7-22-29-4; Portion of E1/2 Section 12-22-1-5; Portion of W1/2 Section 8-22-29-4; Portion of Plan 0910756, Area B; Portion of Plan 1311380, Area 'D') from Residential – One Dwelling (R-1s) District **to** Residential – Low Density Mixed Housing (R-G) District.

LEGACY

BYLAW 123D2022

To redesignate the land located at [250 and 280 Legacy Circle SE](#) (Plan **1712147**, Block 10, Lots 19 and 20) from Multi-Residential – Low Profile Support Commercial (M-X1) District **to** Residential – Low Density Mixed Housing (R-Gm) District.

MAHOGANY

BYLAW 138D2022

To redesignate the land located at [18007 – 88 Street SE and 18080 – 72 Street SE](#) (Portion of N1/2 Section 23-22-29-4) from Residential – Low Density Mixed Housing (R-G) District, Multi-Residential – At Grade Housing (M-Gd50) District, Multi-Residential – Medium Profile (M-2d85) District, Multi-Residential – Medium Profile (M-2d100) District and Special Purpose – School, Park and Community Reserve (S-SPR) District **to** Residential – Low Density Mixed Housing (R-G) District and Special Purpose – School, Park and Community Reserve (S-SPR) District.

ASPEN WOODS

BYLAW 141D2022

To redesignate the land located at [7651 – 14 Avenue SW](#) and the closed road (Plan 6699JK, Block B, Lot 5; Commencing at a point at the south east corner of Plan 6699JK, Block B, Lot 5, thence easterly extending the south boundary of said lot a distance of 4.12 metres. Thence northerly at a bearing parallel to the east boundary of said lot a distance of 72.72 metres. Thence north westerly to a point 1.00 metre south, along the east boundary of said lot, of the north east corner of said lot. Thence southerly, along the east boundary of said lot to the point of origin. Containing an area of 0.031 hectares ±) from Direct Control District and Undesignated Road Right-of-Way **to** Residential – One Dwelling (R-1s) District, Special Purpose – City and Regional Infrastructure (S-CRI) District and Special Purpose – School, Park and Community Reserve (S-SPR) District.

**ASPEN WOODS
BYLAW 116D2022**

To redesignate the land located at [7111 – 14 Avenue SW](#) (Plan 9410843, Block A, Lot 13) from Direct Control (DC) District to Direct Control (DC) District to accommodate a multi-storey building.

Policy Amendments

**AMENDMENT TO THE SPRINGBANK AREA STRUCTURE PLAN
BYLAW 43P2022**

The proposed amendments would add site specific development guidelines within Section 2.2.3 Policies and replace subsection (a) within the East Springbank Area Structure Plan. The amendments are being proposed to allow for a 5-storey multi-storey development at 7111 – 14 Avenue SW. This proposed policy amendment is in conjunction with the proposed land use redesignation for the site (Bylaw 116D2022). For further information, please contact 403-268-5344.

**AMENDMENTS TO THE MONTGOMERY AREA REDEVELOPMENT PLAN
BYLAW 45P2022**

The proposed amendments to the Montgomery Area Redevelopment Plan would change the land use policy for the site located at 4519 – 21 Avenue NW to exempt the site from the restrictions on land use redesignations. This proposed policy amendment is in conjunction with the proposed land use redesignation for the site (Bylaw 120D2022). For further information, please contact 587-576-4317.

**AMENDMENTS TO THE MONTGOMERY AREA REDEVELOPMENT PLAN
BYLAW 46P2022**

The proposed amendments to the Montgomery Area Redevelopment Plan would change the land use policy for the site located at 5023 – 21 Avenue NW to exempt the site from the restrictions on land use redesignations. This proposed policy amendment is in conjunction with the proposed land use redesignation for the site (Bylaw 128D2022). For further information, please contact 403-312-5474.

**AMENDMENTS TO THE MONTGOMERY AREA REDEVELOPMENT PLAN
BYLAW 47P2022**

The proposed amendments to the Montgomery Area Redevelopment Plan would change the land use policy for the site located at 5011 – 22 Avenue NW to exempt the site from the restrictions on land use redesignations. This proposed policy amendment is in conjunction with the proposed land use redesignation for the site (Bylaw 131D2022). For further information, please contact 587-576-3085.

**AMENDMENTS TO THE MONTGOMERY AREA REDEVELOPMENT PLAN
BYLAW 48P2022**

The proposed amendments to the Montgomery Area Redevelopment Plan would change the land use policy for the site located at 5112 – 21 Avenue NW to exempt the site from the restrictions on land use redesignations. This proposed policy amendment is in conjunction with the proposed land use redesignation for the site (Bylaw 132D2022). For further information, please contact 403-369-6488.

**AMENDMENT TO THE KILLARNEY / GLENGARRY AREA
REDEVELOPMENT PLAN
BYLAW 49P2022**

The proposed amendment to the Killarney/Glengarry Area Redevelopment Plan would change the land use policy for the site located at 2734 Richmond Road SW from Conservation/ Infill to Low Density Townhousing. This proposed policy amendment is in conjunction with the proposed land use redesignation for the site (Bylaw 146D2022). For further information, please contact 403-305-0297.

**AMENDMENT TO THE KEYSTONE AREA STRUCTURE PLAN
BYLAW 50P2022**

A policy amendment is proposed to the Keystone Hills Area Structure Plan to remove Growth Management Overlay for several parcels. This amendment includes replacing the existing Map 4 entitled “Growth Management Overlay” with an updated Map 4 entitled “Growth Management Overlay” that includes a larger Growth Management Overlay Removal Area. For further information, please contact 587-572-7462.

**AMENDMENT TO THE BELVEDERE AREA STRUCTURE PLAN
BYLAW 51P2022**

A policy amendment is proposed to the Belvedere Area Structure Plan to remove Growth Management Overlay for several parcels. This amendment includes replacing the existing Map 4 entitled “Growth Management Overlay” with an updated Map 4 entitled “Growth Management Overlay” that includes a larger Growth Management Overlay Removed Area. For further information, please contact 587-572-7462.

**AMENDMENT TO THE RICARDO RANCH AREA STRUCTURE PLAN
BYLAW 52P2022**

A policy amendment is proposed to the Ricardo Ranch Area Structure Plan to remove Growth Management Overlay for the entire area. This amendment includes replacing the existing Map 12 entitled “Growth Management Overlay” with an updated Map 12 entitled “Growth Management Overlay” that includes the entire area within the Growth Management Overlay Removal Area. For further information, please contact 587-572-7462.

+ July 7 and 14, 2022 (Public hearing on July 26)

+ May 19 and 26, 2022 (Public hearing on June 7)

Our terms for public hearings on planning matters

Addressing Council at a public hearing

In light of COVID-19, in order to protect the health, safety and well-being of the public and our employees, The City of Calgary is encouraging the public to participate in this public hearing of Council electronically or by phone.

Members of the public wishing to address Council, on any public hearing matter on this Agenda, may participate remotely and pre-register by contacting the City Clerk's Office electronically at calgary.ca/publicsubmissions

Any person who wishes to address Council on any matter mentioned herein may do so for a period of FIVE MINUTES. The five (5) minutes shall be exclusive of any time required to answer questions. Persons addressing Council shall limit their comments to the matter contained in the report and the recommendations being discussed.

Anyone wishing to distribute additional material at the meeting shall submit the material to the City Clerk, electronically at calgary.ca/publicsubmissions, the day of the Public Hearing. It should be noted that such additional material will require the approval of the Mayor before distribution to Members of Council. If the Public Hearing is still in progress at 9:30 p.m., Council may conclude the matter under discussion and will reconvene at 1:00 p.m. of the next business day, unless otherwise directed by Council.

Providing comments

Only those submissions received by the City Clerk not later than **12:00 p.m., on the [comment submission deadline](https://calgary.ca/publicsubmissions)**, shall be included in the Agenda of Council. Late submissions will not be accepted in the City Clerk's Office Submissions must be addressed to: Office of the City Clerk, The City of Calgary, 700 Macleod Trail SE, P.O. Box 2100, Postal Station "M", Calgary, Alberta T2P 2M5. Submissions may be hand delivered, mailed, faxed to 403-268-2362, or electronically at calgary.ca/publicsubmissions.

Persons wishing to submit a letter, public opinion poll or other communication concerning these matters may do so provided they are printed, typewritten or legibly written and include the name of the writer, mailing address, electronic address (as applicable) and must focus on the application and its planning merits. Submissions with defamatory content and/or offensive language will be filed by the City Clerk and not printed in the Council Agenda or shared with Members of Council.

Personal information provided in submissions relating to Public Hearing Matters before Council or Council Committees is collected under the authority of Bylaw 35M2017 and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta, and/or the Municipal Government Act (MGA) Section 636, for the purpose of receiving public participation in municipal decision-making. Your name, contact information and comments will be made publicly available in the Council Agenda. If you have questions regarding the collection and use of your personal information, please contact City Clerk's Legislative Coordinator at 403-268- 5861, or City Clerk's Office, 700 Macleod Trail S.E., P.O Box 2100, Postal Station 'M' 8007, Calgary, Alberta, T2P 2M5.

Advertised Planning Items

A copy of the proposed bylaws and documents relating to these items are available above. The information available on the website is not provided as an official record but is made available online as a public service for the public's convenience. The City of Calgary assumes no liability for any inaccurate, delayed or incomplete information provided on the website. In case of any discrepancies between the documents and materials on this website and the official documents and materials at the Office of the City Clerk, the official documents and materials at the Office of the City Clerk shall prevail. Please contact 403-268-5311 as soon as possible if you notice any errors or omissions in the documents and materials

The uses and rules that apply to different land use designations are found in the Land Use Bylaw 1P2007 [calgary.ca/landusebylaw](https://www.calgary.ca/landusebylaw) except those for the DC District which are available from Planning & Development. Please direct questions with regard to the matters mentioned herein to 403-268-5311.



Transition to Online Advertising for Planning Matters IP2022-0934

September 9, 2022



RECOMMENDATION

That the Infrastructure and Planning Committee recommend that Council:

Give three readings to the proposed Bylaw to Authorize Online Advertising for Planning Matters (Attachment 1).

Public Notices that have moved Online

SDAB Appeal Notices	2018
Development Permit Public Notices	2019
Public Works & Property Tax Notices	2021



THE MUNICIPAL GOVERNMENT ACT



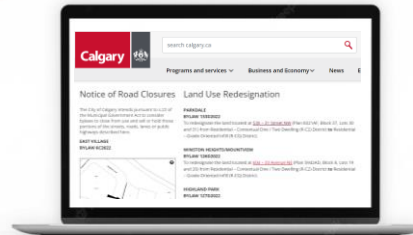
Letters to
Adjoining Owners

+



Published in local
newspaper

OR



Bylaw to allow digital
advertising

Advertising for Planning Matters – Current Methods



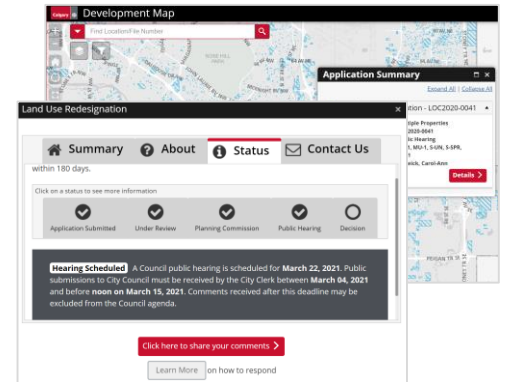
The Calgary Herald



Letters to
Adjoining Owners



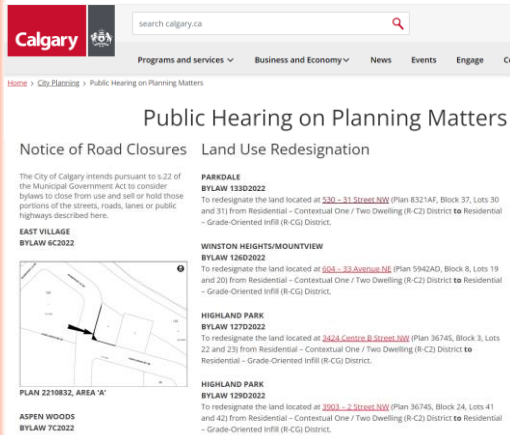
Notice Posting Signs



Development Map on
Calgary.ca

Required per the MGA

Advertising for Planning Matters – Proposed Methods



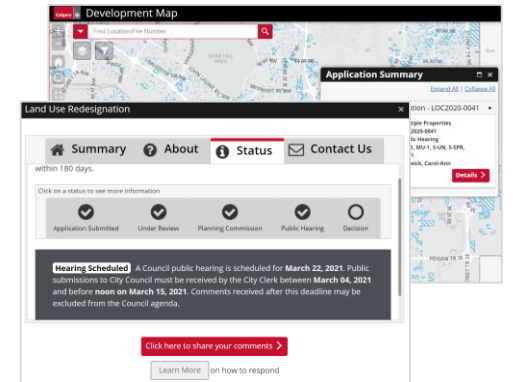
Calgary.ca



Letters to
Adjoining Owners



Notice Posting Signs



Development Map on
Calgary.ca

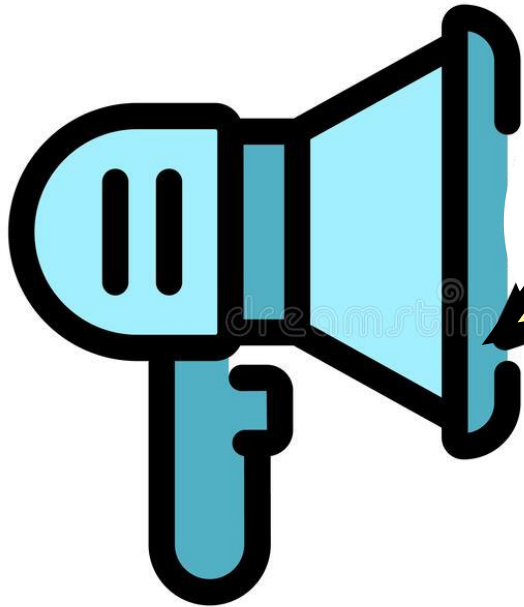
Required per the MGA

Benefits of Transitioning to Online Advertising



- Reduce costs
- Equitable and accessible
- Reduce reliance on paper
- Streamline advertising process
- Reinforce Calgary.ca as the information hub

Communications Strategy for the Change



- The Calgary Herald newspaper/web ads
- Social media
- Community Association newspapers
- Multi-cultural newspapers/Radio
- Notice posting signs

RECOMMENDATION

That the Infrastructure and Planning Committee recommend that Council:

Give three readings to the proposed Bylaw to Authorize Online Advertising for Planning Matters (Attachment 1).

Citywide Growth Strategy – Analysis on Three New Community Business Cases

RECOMMENDATIONS:

That Infrastructure and Planning Committee recommend that Council:

1. Direct Administration to bring amending bylaws to remove Growth Management Overlays associated with the three business cases (or partials, as applicable) directly to a Combined meeting of Council, following approval of the 2023-2026 Service Plans and Budgets; and
2. Endorse Administration's approach to mitigating the risks noted within this report.

HIGHLIGHTS

- The Citywide Growth Strategy in the 2023-2026 Service Plans and Budgets (IP2022-0545) report identified eight new community growth business cases for consideration in the next four-year budget cycle. The City uses a Growth Management Overlay to indicate where there is a need for City infrastructure and services to be funded before land development can occur. On 2022 July 26, through IP2022-0545, Council directed Administration to bring forward Growth Management Overlay removals for five of the business cases. On the three that Administration identified as could be considered with caution, direction was given to further analyze and report back with a more comprehensive recommendation. This report addresses the second part of this direction.
- What does this mean to Calgarians? The Citywide Growth Strategy delivers balanced growth for Calgarians. This is an opportunity to help realize Council's objectives for economic, climate and social resiliency, which support a sustainable future. Responsible growth in new communities is an important part of citywide growth, and business cases are evaluated on balance with risks.
- Why does this matter? Calgarians should understand how The City makes new community growth decisions – by considering Municipal Development Plan/Calgary Transportation alignment, market demand, financial impacts and capacity. This report demonstrates the evaluation for three new community business cases and includes a path forward to development.
- Following an assessment, Administration's recommendation is that the business cases (or partials, as applicable) be supported, acknowledging the risks and issues, which are mitigated by strategies detailed in this report.
- Strategic Alignment to Council's Citizen Priorities: A prosperous city
- Background and Previous Council Direction is included as Attachment 1.

DISCUSSION

On 2022 July 26, Council directed Administration to undertake further analysis on three new community business cases and to report back with an updated recommendation. These three business cases were reviewed as part of the Citywide Growth Strategy in the 2023-2026 Service Plans and Budgets report (IP2022-0545). Further background and details on the new community growth component of the Strategy can be found in Attachments 2, 5, and 6 of that report.

Citywide Growth Strategy - Analysis on Three New Community Business Cases

The three business cases are: Rangeview Trafford WestCreek within the Rangeview Area Structure Plan, and the Glacier Ridge C Qualico and Glacier Ridge D Cabana Brookfield in the Glacier Ridge Area Structure Plan (a map can be found in Attachment 2).

Opportunities, Issues, and Risks

In IP2022-0545, Administration identified opportunities associated with enabling these areas to start growth in 2023-2026, including:

- Increasing supply in two of Calgary's fastest growing new community market sectors;
- Increasing competition and choice, potentially supporting affordability;
- Leveraging existing infrastructure capacity;
- Realizing development along key streets; and
- Attracting new people to support local private and public amenities.

IP2022-0545 also identified that these three business cases "may be supportable if risks around servicing, operating cost efficiency and absorption can be mitigated". To this end, Administration identified two issues and two risks, and has identified mitigation strategies for each.

#	Issue	Mitigation Strategy
11	Status of supporting infrastructure and operating investments in the 2023-2026 budget	Hold growth approvals until certainty is achieved when the 2023-2026 operating and capital budgets are finalized
12	Operating costs in the business cases exceed revenue collection at different points in time as services are introduced	Explore potential flexibility in how City services are introduced into new communities, particularly transit service

For Issue 1, the three business cases do not trigger any new infrastructure investments; however, they do depend on two investments that have already been triggered by growth in the vicinity. Administration considers these investments necessary for development in the two Glacier Ridge business cases to proceed (Glacier Ridge C Qualico and Glacier Ridge D Cabana Brookfield):

- i. **144 Ave NW Extension between Symons Valley Road and Panorama Road / 24 St NW, including the West Nose Creek crossing** (remaining requirement \$48M)
- ii. **Mountain View Pump Station Upgrades** (\$5M)

It is recommended to wait to remove associated Growth Management Overlays until after the 2023-2026 Service Plans and Budgets are approved by Council in 2022 November to confirm that funds for those projects are available. This also gives time to discuss and finalize overlay removal areas with proponents, conduct circulations with regional municipalities, and complete required public hearing advertising. A definitive decision on the removal of Growth Management Overlays could then occur quickly following budget decisions.

For Issue 2, Administration found in the financial impact analysis that operating costs may exceed revenue collection in later years, primarily attributed to public transit operating costs. Approving new community business cases carry risk with respect to the pace of growth and the

Citywide Growth Strategy - Analysis on Three New Community Business Cases

related servicing costs to The City, particularly services with higher and less flexible costs. The City endeavours to introduce partial transit service in year five and full service in year eight from the start of development. If growth is slower than anticipated, population (and ridership revenue) may not align with City-funded servicing costs at those points in time. In terms of the three business cases, strategies were identified to help mitigate this risk, however they carry implications for The City, proponents and transit riders.

- i. **Link service to number of existing homes rather than community age:** This could better balance cost with population, property tax, and fare revenue. This is a transit operational decision that would balance efficiency with expectations and service goals.
- ii. **Phase development to enhance transit efficiency:** Phasing development near existing or pending transit service can enable access for new residents. However, other factors related to land development (e.g., drainage catchments) may outweigh transit service efficiency for phasing decisions; it may not be possible in all cases.
- iii. **On-demand transit service:** Calgary Transit is currently piloting on-demand service in both new and developed communities (see C2022-0831 Calgary Transit On Demand Update for more information). Like option (i) this would be a transit operational decision made separately from Growth Management Overlay removal or development approvals.

#	Risk	Mitigation Strategy
R1	Growth approvals and available existing infrastructure capacity are unaligned	<u>In Glacier Ridge:</u> Align Growth Management Overlay removal areas to the existing total remaining water service capacity through the use of partial approvals
R2	Increased pressure to fund infrastructure investments for new community growth when needed given overall capital budget constraints	Monitor and report on growth progress and costs related to approvals, and the commitments made by The City, outlined annually through the Citywide Growth Strategy

For Risk 1, water infrastructure network capacity limits further growth for both Glacier Ridge C Qualico and Glacier Ridge D Cabana Brookfield to a total population of 4,000, or ~1,350 homes – or approximately one third of the proposed development in the business cases. This led Administration to recommend that this capacity be split between the two business cases and that only a portion of the proposed growth be approved at this time. Further growth can be considered once the North Water Servicing Option (\$460M in infrastructure investment, anticipated by 2029) provides more capacity. This would help realize the vision for growth along 144 Avenue NW between 14 Street NW and West Nose Creek, help increase market access in the sector, and provide greater choice for home buyers.

Administration worked with the Glacier Ridge C proponent (Qualico) to identify the areas where partial Growth Management Overlay removal could enable development given the existing capacity constraint. Administration also worked with the Glacier Ridge D proponent (Brookfield) to discuss options. These conversations are ongoing.

Citywide Growth Strategy - Analysis on Three New Community Business Cases

For Risk 2, the infrastructure required to support new community growth citywide beyond 2027 are estimated to be \$4.4B. This important context demonstrates how new community areas will require significant infrastructure investment as they grow and change. When revenue is insufficient to match costs, shortfalls occur and timelines are impacted. Administration will continue to monitor infrastructure requirements and report to Council as necessary.

Conclusion and Next Steps

Administration supports approval of the business cases (or partials, as applicable) under these circumstances based on a commitment to monitoring and mitigating these risks. Support from Council on the report recommendations would indicate an endorsement of these mitigation strategies. The success of mitigation is dependent on the pace of growth through 2023-2026 and beyond and accepting flexibility in the introduction of leading services such as transit.

As per the issue regarding infrastructure approvals in the 2023-2026 Service Plans and Budgets, Administration is recommending that Growth Management Overlay removals be considered following the approval of budget when there is certainty of infrastructure funding. The time between can be used to address other unresolved or incomplete items, including setting Growth Management Overlay removal areas, information sharing with proponents, regional circulations, and public hearing advertising.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☐ Public Engagement was undertaken
- ☐ Public Communication or Engagement was not required
- ☒ Public/Stakeholders were informed
- ☒ Stakeholder dialogue/relations were undertaken

Discussions were held with proponents in 2022 July and August to discuss Growth Management Overlay removal areas and explore mitigation strategies.

IMPLICATIONS

Social

This work supports a balanced, citywide growth strategy through evaluating new growth opportunities using a holistic set of evaluation factors. Any business cases approved for new growth are expected to offer housing choices that facilitate a diversity of lifestyle options, while helping support affordability for Calgarians.

Environmental

Future growth in these business case areas would increase citywide GHG emissions, increasing climate risk through exposure of developed lands and assets to climate hazards, and remove a wide range of natural assets and ecosystem services. Specific measures to support the Calgary Climate Strategy Pathways to 2050 will be considered at future stages of development, in collaboration with stakeholders. These may include the protection of remaining natural assets, deployment of climate risk reduction measures to future built and natural assets, transit-supportive community design, or green building technology.

Citywide Growth Strategy - Analysis on Three New Community Business Cases

Economic

Investments in growth and development are an important economic driver for Calgary. Regulatory certainty for these three business case areas helps initiate private investment and drive job creation in alignment with the Municipal Development Plan goal of creating a prosperous and diverse economy [Part 2.1], while providing places to live, work and play for Calgarians.

Service and Financial Implications

Other:

\$225K

All growth requires funding and investment. The 2023-2026 operating budget requirements for these three business cases is estimated to be \$225K. However, total operating funding may not be required if growth is slower than anticipated. There will be increasing operating cost requirements beyond the 2023-2026 budget cycle.

Analysis on these lands as part of IP2022-0545 concluded that no capital infrastructure investments are triggered by these business cases in order to initiate development. They will, however, benefit from previous, current, and future City infrastructure investments.

RISK

There is one other notable risk associated with this report beyond the risks identified above:

Climate: Removal of Growth Management Overlays in these and other business case areas is not well aligned with the Climate Strategy and will make it more difficult to achieve mitigation and adaptation goals. Development of the business case areas will increase greenhouse gas emissions and increase climate risk by removing natural assets that enhance resilience and increasing the exposure of infrastructure assets to climate hazards.

ATTACHMENT(S)

1. Attachment 1 - Background and Previous Council Direction
2. Attachment 2 - Business Case Location Map
3. Attachment 3 - Presentation

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Stuart Dalgleish	Planning & Development Services	Approve
Michael Thompson	Infrastructure Services	Consult
Les Tochor	Corporate Planning & Financial Services	Consult
Doug Morgan	Operational Services	Consult

Background & Previous Council Direction

The purpose of this attachment is to provide a summary of the background and previous Council decisions that led to this report.

Background

Citywide Growth Strategy in the 2023-2026 Service Plans and Budgets (IP2022-0545)

On 2022 July 26, as an outcome of Council's decisions on IP2022-0545, Council directed Administration to report back with an updated, more comprehensive recommendation to Council through the 2022 September 9 Infrastructure and Planning Committee for the following new community business cases:

1. Rangeview Area Structure Plan – Trafford (WestCreek)
2. Glacier Ridge Area Structure Plan – Community C (Qualico)
3. Glacier Ridge Area Structure Plan – Community D Cabana (Brookfield)

The Citywide Growth Strategy in the 2023-2026 Service Plans and Budgets (IP2022-0545) report included a Citywide Growth Investment Portfolio (Attachment 2), which identified growth investments citywide and new community business cases that warranted further consideration in the 2023-2026 capital and operating budget development process.

Ahead of the development of the portfolio, proponents submitted 19 new community business cases and these were evaluated by Administration for inclusion in the portfolio. Three business cases were indicated as “may be supportable if risks around servicing, operating cost efficiency and absorption can be mitigated”. This report contains the results and conclusions of this risk analysis.

Previous Council Direction

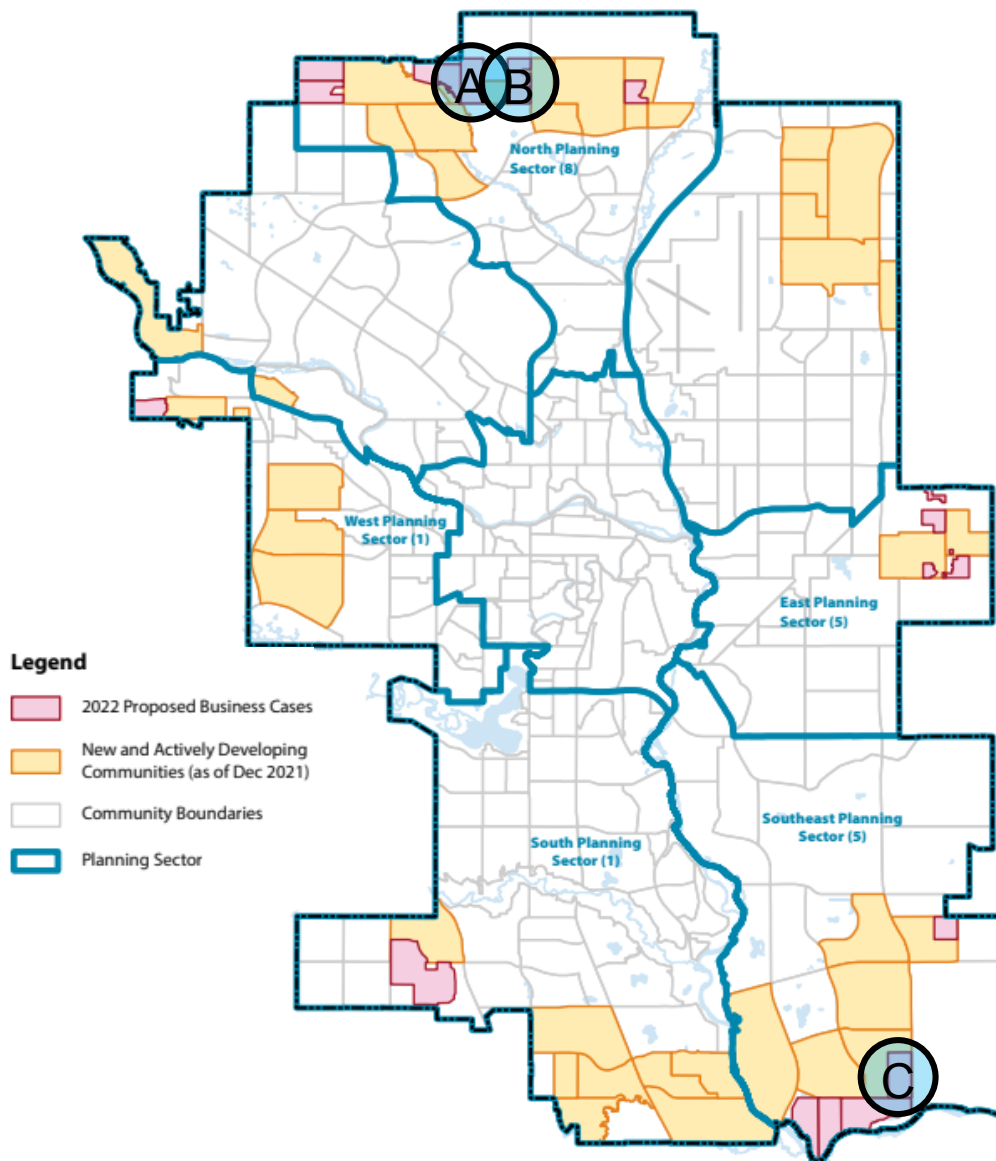
DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
2022 July 26	IP2022-0545	<p>Citywide Growth Strategy</p> <p>An amendment to the main motion was approved by Council at this meeting (emphasis added):</p> <p>4. <i>Direct Administration to prepare Bylaws to remove Growth Management Overlays for Council's consideration on the five (5) recommended Proposed New Community business cases identified in Attachment 2; and, undertake an analysis of the three (3) business cases identified for consideration in advance of the November 2023-2026 Business Plan and Budget deliberations and report back with an updated, more comprehensive, recommendation to Council through the September 9, 2022 Infrastructure and Planning Committee.</i></p>

Note: An in depth listing of previous direction related to the broader Citywide Growth Strategy can be found in Attachment 1 of report IP2022-0545.

Business Case Location Map

This attachment provides an approximate location of the three business cases under review as part of this report. The three business cases are:

- A. Glacier Ridge C Qualico in the Glacier Ridge Area Structure Plan;
- B. Glacier Ridge D Cabana Brookfield in the Glacier Ridge Area Structure Plan; and
- C. Rangeview Trafford WestCreek within the Rangeview Area Structure Plan.





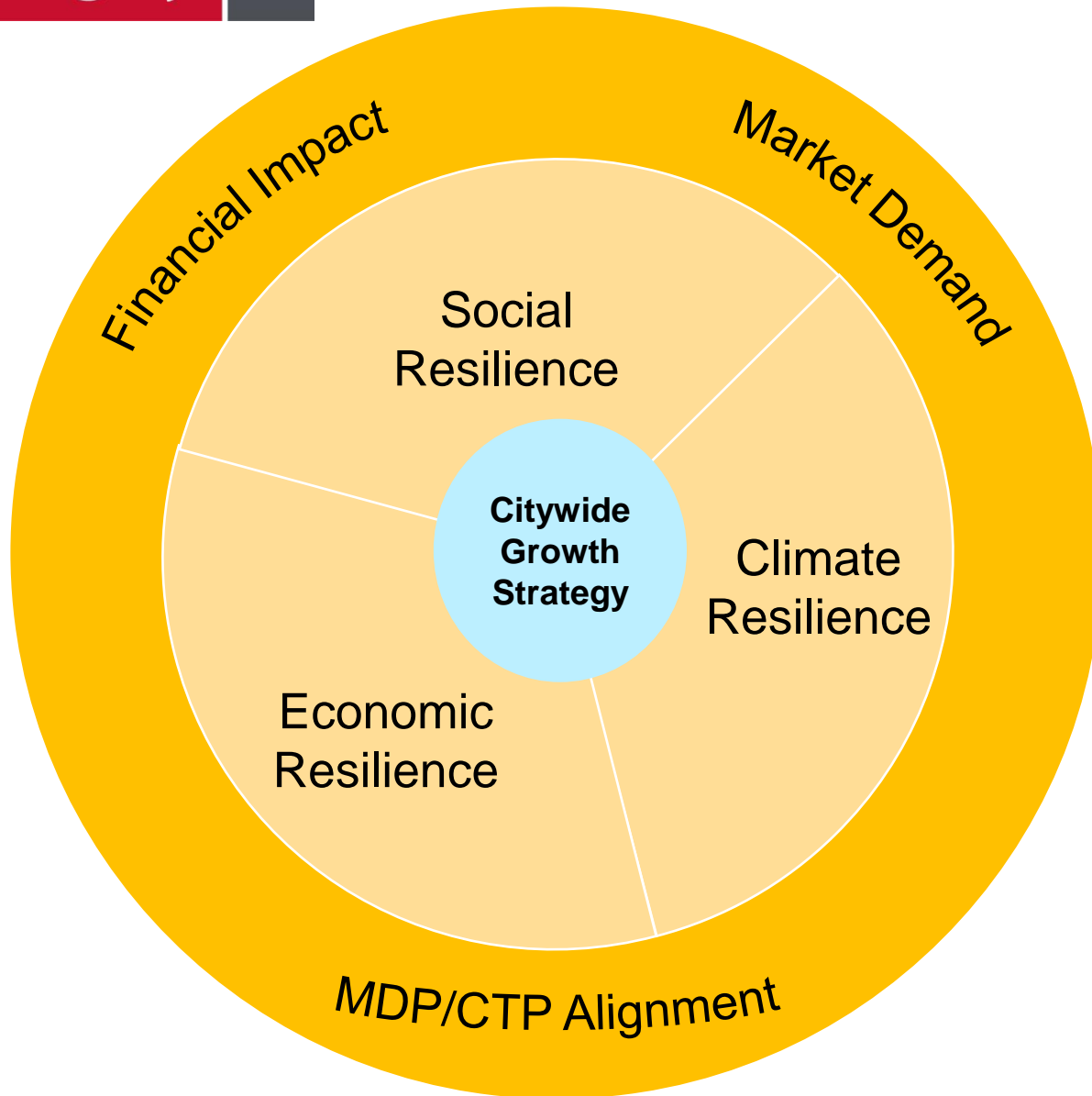
Citywide Growth Strategy - Analysis of Three New Community Business Cases

Infrastructure and Planning Committee 2022 September 9

That Infrastructure and Planning Committee recommend that Council:

1. Direct Administration to bring amending bylaws to remove Growth Management Overlays associated with the three business cases (or partials, as applicable) directly to a Combined meeting of Council, following approval of the 2023-2026 Service Plans and Budgets; and
2. Endorse Administration's approach to mitigating the risks noted within this report.

Calgary Continues to Grow and Change

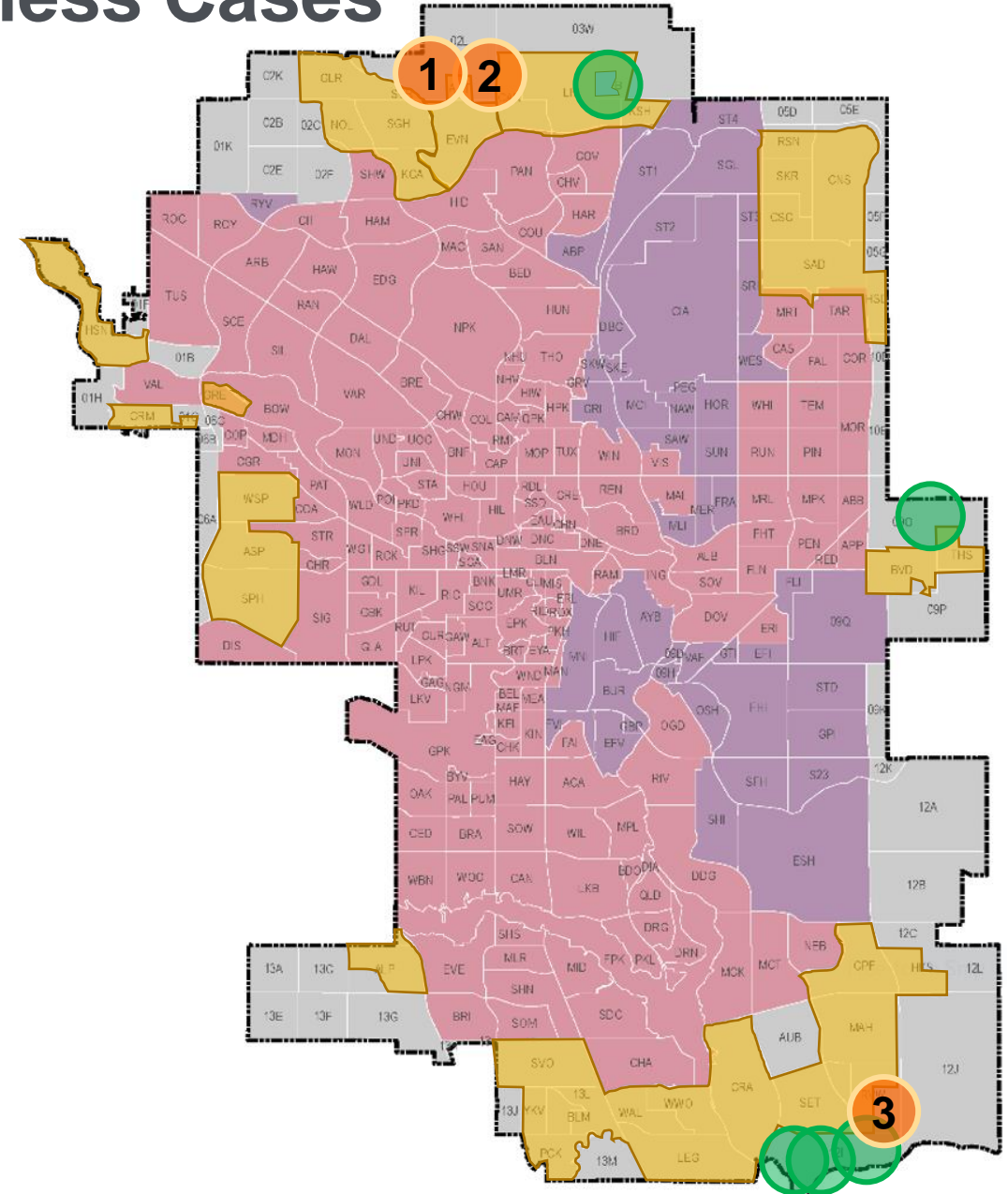


- Outcome-based city building
- Balance opportunities and risks
- Identifying and analyzing mitigation strategies for risks

Analysis of Three Business Cases

In the Citywide Growth Strategy, three business cases were identified as supportable if risks could be mitigated:

1. **Glacier Ridge C Qualico (partial)**
2. **Glacier Ridge D Cabana Brookfield (partial); and**
3. **Rangeview Trafford WestCreek**



Approved new communities



Three proposed business cases



Five business cases that Council will consider for Growth Management Overlay removal on Sept 13

- Contiguous growth
- Increase market access, competition and choice
- Primarily uses existing capital infrastructure
- Realizes development along key streets
- Putting people in places that support local private and public amenities



Issues, Risks, and Mitigations

	Issue or Risk	Mitigation Strategy
I1	Status of supporting infrastructure and operating investments in budget	Hold Growth Management Overlay removals until required investments are confirmed in budget
I2	Operating costs in the business cases exceed revenue collection	Explore flexibility in how City services are introduced into new communities, particularly transit
R1	Growth approvals and available existing infrastructure capacity are unaligned	In Glacier Ridge, align growth to existing total remaining water service capacity using partial approvals
R3	Increased pressure to fund infrastructure investments for new community growth given overall capital budget constraints	Monitor and report on growth, costs, and the commitments made by The City, through the Citywide Growth Strategy

That Infrastructure and Planning Committee recommend that Council:

1. Direct Administration to bring amending bylaws to remove Growth Management Overlays associated with the three business cases (or partials, as applicable) directly to a Combined meeting of Council, following approval of the 2023-2026 Service Plans and Budgets; and
2. Endorse Administration's approach to mitigating the risks noted within this report.

Proposed Real Property Bylaw

RECOMMENDATION:

That the Infrastructure and Planning Committee recommend that Council REPEAL Bylaw 52M2009 and give Three Readings to the proposed Bylaw (Attachment 2).

HIGHLIGHTS

- **Reason for the recommendations** – The Real Property Bylaw ##M2022 (“Proposed Bylaw”) provides an updated and comprehensive framework to support Administration in delivery of real property transaction services for The City by providing:
 - Efficiencies and streamlined process to provide speed of business to customers;
 - More delegated authority to approve and complete transactions within Administration, and reduce Council time on many approvals; and
 - Flexibility to manage, accommodate changes and complete transactions quicker.
- **What does this mean to Calgarians?** This demonstrates The City’s commitment to continuous improvement by streamlining transaction processes and enabling greater Administrative authorities, while maintaining a framework of accountability and appropriate oversight of City interests. Changes will facilitate reduced approval timelines and administration costs, support City project delivery, and improve outcomes for The City, its customers, and citizens.
- **Why does this matter?** Clear procedures and greater delegated authorities will allow Administration to manage and complete more real property transactions that support broader corporate outcomes. It will reduce Council time on approving lower risk, operational approvals while ensuring decisions on high value and complex transaction decisions remain with Council.
- The Real Property Bylaw 52M2009 (“Bylaw 52M2009”) is one of The City’s most intricate Bylaws. It details Council’s delegation of powers, duties, and functions to Administration to manage real property transactions (acquisition, disposition, and occupations (lease and license) and assets).
- Bylaw 52M2009 has served The City well, providing a transparent and consistent approach to deliver real property transactions, with strong oversight by senior Administration and Council. To better meet customer expectations, Administration has reviewed Bylaw 52M2009 and identified challenges and gaps that impact the delivery of transactional services. The review identified opportunities to update the Bylaw to create better process efficiencies, improving transaction services and outcomes for customers.
- The Proposed Bylaw expands Council’s delegation of authorities to Administration to manage and complete a broader range of transactions to achieve these outcomes. The Proposed Bylaw increases the thresholds of authorized employees to approve more transaction decisions, within a tiered delegation framework appropriate to the employee position and risk of the transaction. Updated and new direction is added to address changing customer needs and emerging transaction types.
The Proposed Bylaw supports the efficient processing and approval timelines by Administration, while maintaining oversight by the Management Real Estate Review Committee. Council will receive fewer reports for straightforward, low risk transactions. Council approval will still be required for high value, high risk, and most below-market value sale transactions.
- Strategic Alignment to Council’s Citizen Priorities: A well-run city
- Background and Previous Council Direction is included as Attachment 1.

Proposed Real Property Bylaw

DISCUSSION

Real property transactions include the acquisitions (purchase), dispositions (sale), occupations (lease and license) and exchanges of land and buildings. The Municipal Government Act (MGA) permits Council to delegate its authority to approve these transactions to Administration. The Real Property Bylaw “Bylaw 52M2009”) is an internally focused bylaw that defines the delegated authorities and threshold limits of Administration to approve and complete these transactions on behalf of Council. As one of The City’s more intricate bylaws, it maintains Council oversight in direction, process, and approval of transactions.

Bylaw 52M2009 has served The City’s interests well, ensuring transparency of processes and accountability in decisions. Business practices have evolved and matured under the Bylaw and Administration has continued to monitor Bylaw 52M2009 against service performance, customer expectations and changing needs, and market conditions. In 2017, Bylaw 52M2009 was amended (“Stage 1”) to integrate the newly formed Real Estate & Development Services (RE&DS) business unit and to provide limited new authorities to allow Administration to process and approve more frequent, low value and low risk transactions. At that time, Council was informed that a “Stage 2” amendment would be brought forward to address broader process changes. This report addresses the Stage 2 review.

In seeking to understand how the current processes and delegated authorities impact transactions, approvals timelines, and needs of customers, the review identified challenges and gaps, as well as opportunities to streamline delegations and processes, as highlighted below:

- Purchasers of City land want quicker approvals to provide certainty for business investment.
- Tenants are seeking longer lease and license periods to support business investment and property improvements. This could also support long-term revenue certainty for The City.
- RE&DS spends significant time and resources to renew short-term, nominal value leases with civic partners and non-profit organizations.
- Bylaw 52M2009 does not adequately differentiate the range of occupations being requested of The City today, including extended leases for long-standing civic partners, approval for over 10,000 wireless license applications, and short-term licenses to the film industry.
- Complex property transactions could be integrated into the overall decision-making of major infrastructure projects. This should include expedited land acquisitions, land exchanges, short-term leases and licenses, and expropriation settlements. The Green Line project governance provides a model for this opportunity.
- Creating consistency between business units by clarifying roles and responsibilities for short-term occupations and licenses under this Proposed Bylaw and other City bylaws that allow short-term licensing, fee collection, etc. (e.g., Parks and Pathways Bylaw, Streets Bylaw).
- Bylaw 52M2009 currently restricts Administration’s ability to approve many low value, low risk transactions or make operational decisions to support file management. These transactions require Council approval.
- Experience and trust have been gained over the years through the implementation of Bylaw 52M2009. The Proposed Bylaw provides the opportunity for Council to delegate

Proposed Real Property Bylaw

more authorities to Administration to improve upon its delivery of real property transactions on behalf of The City.

Bylaw ##M2022 (the “Proposed Bylaw”) (**Attachment 2**) builds from the strengths of Bylaw 52M2009, while addressing challenges and opportunities noted above. Major changes are summarized below, with details provided in **Attachment 4**. The Proposed Bylaw:

- Reorganizes sections for clarity and ease of implementation. It consolidates relevant direction by transaction type and by process/operational function.
- Updates sections as necessary to improve interpretation, clarify directions and support transparency and implementation.
 - **Section 2 Purpose** – defines the limitations of the Proposed Bylaw and exceptions for real property transactions permitted through other City bylaws.
 - **Section 3 Definitions** – new and updated terms are provided to add clarity and support interpretation and implementation.
 - **Schedule “A” - List of Authorized Employees** – replaces the current City Manager’s “Delegation of Authority” letter. It specifies Council powers, duties and functions that are being delegated to identified “Authorized Employees” within a tiered framework. Given the scale of authorities being delegated to many positions, formalizing these within the Bylaw creates clarity for Council and Administration.
- Consolidates and updates direction to better facilitate the delivery of real property transactions.
 - **Increase delegated approval limits, by transaction** - to allow Administration to approve a greater number of transactions within Bylaw limits. Changes include:
 - Increase the maximum Acquisition limits from \$5 million to \$10 million.
 - Remove the maximum dollar value limit for a disposition for surplus parcel that has been publicly marketed and is sold at market value
 - Increase the maximum base rent for an Occupation from \$500,000 to \$1,000,000.
 - Increase the maximum length of an Occupation from five (5) years to 15 years, with ability to renew up to a total occupation of 25 years.
 - Increase the maximum length of an occupation for civic partners from five (5) years to 50 years.
 - **Section 6 Acquisitions** – guidance is added to allow Administration to acquire options, rights of first refusal and rights of first offer if these are in The City’s favor.
 - **Section 7 Dispositions** – allows Administration to dispose City-owned property without seeking a Council-approved Method of Disposition (MOD), provided the property is surplus to City needs, is publicly marketed for sale, and is sold at or above market value. Direction is added to allow Administration to dispose City-owned property to civic partners, wholly owned City entities, and other orders of government.
 - **Section 8 Land Exchanges** – new guidance is provided to allow Administration to consider requests for a land exchange when acquiring land required for municipal purposes and disposing of surplus real property.
 - **Section 9 General Occupations** – provides expanded guidance to address a wider range of occupation types, including longer terms for market value leases,

Proposed Real Property Bylaw

licenses for patios, parking, non-profits, civic partners, film purposes etc. Specific guidance is provided for each occupation type, providing greater flexibility to accommodate customer requests and optimize return on value from the property.

- **Section 10 Occupation for Telecommunications Installations** – a distinction is added to include licenses for infrastructure mounted on City streetlight standards. Authority is delegated outside of RE&DS to the Mobility Business Unit, to coordinate license approvals with detailed technical review of installations. This is in anticipation of over 10,000 applications for wireless service applications in the next 5 years.
- **Section 12 Occupations for Film** – new section to guide the licensing of City properties for use by the film industry.
- **Section 14 - “Major Real Estate Undertaking”** – new section to allow Council to designate a capital project as a “major real estate undertaking” to provide flexibility and enable faster transaction approvals as part of the overall project management decision making. This is modelled on the Green Line Stage 1 process.
- **Section 15 Expropriations** – This section is updated to allow Administration to negotiate and complete expropriations and settlements that align with the limits and terms approved by Council in the initiation of expropriation.
- **Section 16 Other Transactions** – new section to allow Administration to approve of other real property transactions under \$10M that are not covered in other sections. Additionally, this section includes the limited ability for Administration to approve of below market transactions, in cases where the value of the land is less than \$25,000 and no objections are raised through the public advertising required pursuant to the MGA.
- Updates, streamlines, and clarifies the processing and approvals of all transactions:
 - **Section 19—20 Rectifications** – authorities are expanded to provide greater flexibility to Administration to manage negotiations and approve changes needed to complete a transaction, within the limits defined.
 - **Section 21 – Land Authorization Forms and Reporting** – this section expands the type of frequent, short-term, or low risk transaction that can be documented and approved by way of the Land Authorization Form process. This simplifies the process and timing by removing the need for a detailed Land Report and approval at Management Real Estate Review Committee. Procedures for reporting on Administration’s use of the delegated authorities are aligned and quarterly reporting to Council for information is removed. Reporting is still required to the Management Real Estate Review Committee and reports are available to Councillors upon request.
 - **Section 22 Approvals by Email** – email approvals are added to expedite time-sensitive, low risk transactions and rectifications.
 - **Section 33 Effective Date** – the Effective Date is 2022 November 01. This provides Administration four weeks to complete training and ensure system readiness following Third Reading.

The Proposed Bylaw builds upon the strengths of Bylaw 52M2009. With the scale of changes and reorganization of sections, it is being presented as a “new” Bylaw versus an amendment. This will require Council to repeal Bylaw 52M2009 and replace it with Bylaw ##M2022

Proposed Real Property Bylaw

(**Attachment 2**). A blackline version comparing the changes between the Bylaw 52M2009 and the Proposed Bylaw is included as **Attachment 3**. A table summarizing the sections of the Proposed Bylaw, major changes, rationale, and benefits is in **Attachment 4**.

In light of these changes and the greater authorizations to Administration, a strong framework of accountability with Council is maintained through the following checks and balances:

- Administration's use of delegated authority must meet the limits set in the Proposed Bylaw.
- Council approval is required on all transactions that exceed those limits.
- Management Real Estate Review (MRER) Committee will continue to provide senior Administration oversight on major transactions prior to approval by delegated authority.
- Administration will continue to pre-inform Ward Councilors of the potential sale of surplus property under delegated authority.
- Reporting on transactions approved by delegated authority is available to members of Council.
- Administration always has the option to bring complex, high risk transactions to Council, even if these transactions can be approved under delegated authority of the Proposed Bylaw.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☐ Public Engagement was undertaken
- ☒ Public Communication or Engagement was not required
- ☐ Public/Stakeholders were informed
- ☐ Stakeholder dialogue/relations were undertaken

As with Bylaw 52M2009, the Proposed Bylaw is an inward-facing bylaw defining Council's authorities to Administration to complete real property transactions on behalf of The City. Engagement focused on RE&DS management and transaction teams, Law, and internal customers to understand current service challenges, customer needs and opportunities. GM Thompson and ELT were engaged for corporate perspective, support for the scale of changes proposed and alignment to other Administration initiatives.

IMPLICATIONS

Social

The Proposed Bylaw provides greater flexibility to transact with civic partners and not-for profit agencies who require The City's real property to provide social programming for Calgarians.

Environmental

The Proposed Bylaw will allow Administration to manage contaminated properties and accommodate environmental remediation as part of market value considerations.

Economic

The Proposed Bylaw allows Administration to meet needs of businesses that leverage The City's real property to support economic diversification and broaden the assessment base.

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Infrastructure and Planning Committee
2022 September 9**

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Proposed Real Property Bylaw

Broader delegated authorities will facilitate quicker approval of market value sales, longer lease periods, and provide greater certainty to customer investments in property improvements.

Service and Financial Implications

Existing operating funding - base

Resources to complete the review, preparation and implementation of the Proposed Bylaw are covered in Real Estate & Development Services Operating Program 488, funded by RE&DS reserves.

RISK

The additional authorities to Administration and new processes being recommended in the Proposed Bylaw to support efficiency, quicker approvals and meet customer expectations, will reduce Council involvement in real property transactions. This risk is mitigated by maintaining clearly defined authorities within the Proposed Bylaw. The tiered delegation framework ensures senior level oversight and review by MRER Committee on major transactions and regular review of the use of delegated authorities within the Proposed Bylaw. Council oversight of real property transactions is maintained through well-established, mandatory reporting mechanisms. Administration will continue to bring complex, high-risk files and most below-market value transactions to Council for approval.

ATTACHMENTS

1. Background and Previous Council Direction
2. Proposed Real Property Bylaw – Text for Discussion
3. Blackline - Bylaw 52M2009
4. Proposed Real Property Bylaw – Section Descriptions
5. Presentation

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Michael Thompson	Infrastructure Services	Approve
Chris Arthurs	People, Innovation and Collaboration Services	Consult
Jill Floen - City Solicitor	Law	Consult
Doug Morgan	Operational Services	Consult
David Duckworth	City Manager	Inform

Background

The City of Calgary undertakes transactions relating to the acquisition, disposition and occupation of real property (land and buildings) to support the delivery of infrastructure projects and services to citizens. The City also manages its real property assets to ensure timely availability of land, minimize operating costs, and leverage its holdings to support business and civic partners. Under Provincial legislation of the Municipal Government Act (MGA), City Council is authorized to approve real property transactions. Council is also provided authority, by way of Bylaw, to delegate its authorities to the Chief Administrative Officer (City Manager) relating to the authorization, documentation, execution, rectification and completion of real property transactions and the administration and management of The City's real property. The City Manager may further delegate specific authorities to defined employees identified in a Bylaw or through a Delegation of Authority letter.

Context

The Real Property Bylaw (Bylaw 52M2009) defines the powers, duties and functions granted by Council to the City Manager to administer real property transactions on behalf of The City. It is one of The City's most complex bylaws, evolving from a series of early Bylaws (see table below), land management frameworks and policies into its comprehensive, current form. It is supported by a Delegation of Authority letter identifying the specific authorities that the City Manager has delegated to the GM of Infrastructure Services and positions within Real Estate & Development Services (RE&DS). The Bylaw establishes Council's direction and defines the operating limits that guide RE&DS management and approval of a variety of real property transactions, while ensuring oversight is maintained with the General Manager and Council.

Previous Council Direction

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
2017 July 26	UCS2017-0606	Proposed Amendments to Real Property Bylaw Number 52M2009 - STAGE 1 Bylaw 32M2017, to amend Real Property Bylaw 52M2009 to include minor process efficiencies and update the Bylaw as a result of reorganization to create the new Real Estate & Development Services Business Unit.
2009 November 02	LAS2009-84	Proposed Repeal/Replacement of Bylaw Number 12M2005: Real Property Transactions Bylaw Bylaw 52M2009 repealed The Real Property Transactions Bylaw and replaced it with the Real Property Bylaw. This effectively updated previous Council direction and delegated authorities to Administration.
2005 February 22	LAS2005-27	Proposed Real Estate Transaction Bylaw: Bylaw Number 12M2005 Bylaw 12M2005 consolidated and updated a number of transaction frameworks existing in six (6) Bylaws and policies into a single Bylaw to provide a comprehensive source and transparent direction to Administration to undertake real estate transactions for The City and ensure necessary due diligence and documentation is exercised, as defined in the Bylaw.

Bylaws, Regulations, Council Policies

Municipal Government Act (MGA) R.S.A 2000, c.M-26, as amended

Provides that Council of The City of Calgary may delegate by bylaw any of its powers, duties or functions to its Chief Administrative Officer. The MGA permits the Chief Administrative Officer to further delegate matters to positions and support delivery of services aligned with the Bylaw.

**Proposed Wording for a Bylaw to Repeal and Replace
Real Property Bylaw 52M2009**

**PART I
GENERAL MATTERS**

TITLE

1. This Bylaw may be cited as the “Real Property Bylaw”.

PURPOSE

2. (1) This Bylaw is limited to the authorization of *transactions* and the administration and management of the *City’s real property*, where the *City* is acting as vendor, purchaser, landlord, tenant, licensor, licensee, grantor or grantee.
- (2) All *transactions* for *real property* are governed by this Bylaw, except for the following:
 - (a) short term permits and temporary licenses of occupation with third parties for activities in Parks where the Parks & Pathways Bylaw 11M2019 applies and such activities align with the service provisions of Parks;
 - (b) short term permits for third parties for activities on *roads* where the Streets Bylaw 20M88 applies and such activities align with the service provisions of Roads;
 - (c) access agreements and licenses of occupations where the Environmental Agreements Bylaw 11M2010 applies;
 - (d) *transactions* where the Green Line Board Bylaw 21M2020 applies;
 - (e) rights-of-way governed under the Municipal Rights-of-Way Bylaw 17M2016;
 - (f) issuance of entry fee tickets and permits into a *City* facility, such as recreational facilities aligned with the service provided in such facilities;
 - (g) issuance of parking entry and user fees for parking on *City* owned lands, including City streets and City owned structures; and
 - (h) crossing agreements, grade separation agreements and other related agreements with the federal government, provincial government, railway companies or utility companies for the *City’s* construction or operation (or both) of roads or bridges over, under, or at grade with other transportation systems, railways, waterways and utilities.

DEFINITIONS AND INTERPRETATION

3. In this Bylaw, the following definitions apply:
- (a) “*acquisition*” means the acquisition of *real property*, or any moveable building or structure, by any means, including its purchase, *land exchange*, dedication, gift, option, right of first refusal, right of first offer, easement, utility right of way or restrictive covenant *agreement*;
 - (b) “*agreement*” means any written agreement documenting a *transaction* and any written agreements relating to the *transaction* including any amending, assignment, assumption, acknowledgement, renewal, extension, or consent agreement;
 - (c) “*affiliate*” means any entity controlling, controlled by or under common control with a party (in each case whether directly or indirectly) where “control” means the ownership of greater than 50% of the equity or beneficial interest of the party or that entity or the right to vote for or appoint a majority of the board of directors or other governing body of the party or that entity;
 - (d) “*authorized employee*” means the employee of the *City* who has been delegated the authority to exercise the powers, duties and functions under this Bylaw as listed in Schedule “A”;
 - (e) “*business identification sign*” means a *sign* identifying a business and erected or to be erected by an owner or legal occupant of land adjacent to or adjoining *City* owned *real property*;
 - (f) “*City*” means the municipal corporation of The City of Calgary;
 - (g) “*City Manager*” means the Chief Administrative Officer of the *City*;
 - (h) “*City associate*” means an entity that assists the *City* in its delivery of core social, recreational and community services to the citizens of Calgary;
 - (i) “*civic partner*” means an independent organization registered in the City’s Partnership Inventory, as defined in the *Investing in Partnerships Policy*;
 - (j) “*Committee*” means the Standing Policy Committee on Infrastructure and Planning or such other committee delegated the authority under the Procedure Bylaw 35M2017 to consider proposed *transactions* and other matters relating to the *City’s real property*;
 - (k) “*community association*” means a non-profit organization representing a residential community or group of communities, but does not include a resident’s association;
 - (l) “*community identification sign*” means a *sign* that states the name of a residential community, including but not limited to designating specific

areas in such residential community, and may contain a logo or symbol that is associated with that residential community;

- (m) “*Coordinator, Land Administration*” means the *City* employee holding the position having the title of Coordinator, Land Administration;
- (n) “*Coordinator, major real estate undertaking*” means the *City* employee holding the position of a Coordinator, or its equivalent, for a *major real estate undertaking*, and whose position requires coordinating or leading *transactions* related to such *major real estate undertaking*;
- (o) “*Coordinator, Real Estate Acquisitions*” means the *City* employee holding the position having the title of Coordinator, Real Estate Acquisitions;
- (p) “*Coordinator, Real Estate Client Services*” means the *City* employee holding the position having the title of Coordinator, Real Estate Client Services;
- (q) “*Coordinator, Real Estate Leasing & Property Management*” means the *City* employee holding the position having the title of Coordinator, Real Estate Leasing & Property Management;
- (r) “*Coordinator, Real Estate Sales*” means the *City* employee holding the position having the title of Coordinator, Real Estate Sales;
- (s) “*Coordinators*” means any one or more of the *City* employees holding the position having the title of *Coordinator, Real Estate Acquisitions, Coordinator, Real Estate Sales, Coordinator, Real Estate Leasing & Property Management, Coordinator, Land Administration* or *Coordinator, Real Estate Client Services* or having the position equivalent to *Coordinator, major real estate undertaking*;
- (t) “*Council*” means the Council for the *City*;
- (u) “*developer*” means the developer of a subdivision or development that has received land use and subdivision approval from the applicable government authority pursuant to Part 17 of the *Municipal Government Act*;
- (v) “*Director, Mobility*” means the *City* employee holding the position having the title of Director, Mobility;
- (w) “*Director, RE&DS*” means the *City* employee holding the position having the title of Director, Real Estate & Development Services;
- (x) “*disposition*” means the disposition of *real property*, or any moveable building or structure, by any means, including its sale, *land exchange*, option, right of first refusal, right of first offer, easement, utility right of way, restrictive covenant or reversioning pursuant to the *Expropriation Act*;

- (y) “*document*” means any form, instrument or document that may be required to complete a *transaction* or to maintain or administer the *City’s real property* registrations, including, but not limited to, any transfer, caveat, affidavit, declaration, certificate, plan, withdrawal, discharge, surrender, postponement, consent, order, form, notice, application or request;
- (z) “*due diligence*” means any inspection or investigation of *real property* including, but not limited to, any testing, geotechnical investigation, soil testing, survey, appraisal, non-invasive environmental investigation, including a phase I environmental site assessment, or hydrovac excavation that is not associated with any environmental investigation;
- (aa) “*election sign*” means any *sign* used to promote a candidate or party during a provincial or federal election or by-election, or any election or by-election held pursuant to the *Local Authorities Election Act*, RSA 2000 c L-21;
- (bb) “*Expropriation Act*” means the *Expropriation Act* RSA 2000 c E-13;
- (cc) “*Finance Leader*” means the *City* employee holding the position having the title of Finance Leader and assigned to the *Real Estate & Development Services* business unit;
- (dd) “*General Manager*” means the *City* employee holding the position having the title of General Manager, Infrastructure Services;
- (ee) “*Investing in Partnerships Policy*” means the *Council* policy number CP2017-01 adopted on February 13, 2017;
- (ff) “*land authorization form*” means an authorization form prescribed by *Real Estate & Development Services* that sets out the material terms and conditions of a proposed *transaction* including:
- (i) a description of the *real property*;
 - (ii) the parties to the *transaction*;
 - (iii) the consideration;
 - (iv) any conditions precedent to completion of the *transaction*;
 - (v) any *transaction dates* or other material dates to the *transaction*; and
 - (vi) any other material terms and conditions respecting the *transaction*;
- (gg) “*land exchange*” means the *disposition* or *acquisition* of one (1) or more *City stand-alone parcels* or *remnant parcels* in exchange for the *disposition* or *acquisition* of one (1) or more *real property* owned by a third party;

- (hh) “*land report*” means a report that sets out the material terms and conditions of a proposed *transaction* including:
- (i) a description of the *real property*;
 - (ii) the parties to the *transaction*;
 - (iii) the consideration;
 - (iv) any conditions precedent to completion of the *transaction*;
 - (v) any *transaction dates* or other material dates to the *transaction*; and
 - (vi) any other material terms and conditions respecting the *transaction*;
- (ii) “*Land Titles Officer*” means the *City* employee holding the position having the title of Land Titles Officer;
- (jj) “*major real estate undertaking*” means an undertaking that includes one (1) or more *acquisitions, dispositions, land exchanges or occupations* and that has been designated by *Council* as a *major real estate undertaking* in accordance with subsection 14(1);
- (kk) “*Management Real Estate Review Committee*” means the *City* administration committee established under this Bylaw to review and consider proposed *transactions* and other matters relating to the *City’s real property*;
- (ll) “*Manager, Land & Asset Management*” means the *City* employee holding the position having the title of Manager, Land & Asset Management;
- (mm) “*Manager, Litigation & Expropriation*” means the *City* employee holding the position having the title of Manager, Litigation & Expropriation within the Law, Legal Services business unit;
- (nn) “*Manager, major real estate undertaking*” means the *City* employee holding the position of a Manager, or its equivalent, for a *major real estate undertaking*, and whose position requires the management of *transactions* related to such *major real estate undertaking*;
- (oo) “*Manager, Planning & Real Estate*” means the *City* employee holding the position having the title of Manager, Planning & Real Estate within the Law, Legal Services business unit;
- (pp) “*Manager, Sales & Acquisitions*” means the *City* employee holding the position having the title of Manager, Sales & Acquisitions;

- (qq) “*Manager, Sales & Acquisitions – Green Line*” means the *City* employee holding the position having the title of Manager, Sales & Acquisitions – Green Line;
- (rr) “*market value*” means the market price, rent, fee or other consideration that would be paid by willing parties to a *transaction* as established by:
- (i) an internal valuation performed by a *City* employee and reviewed and endorsed by the *Valuation Review Committee*; or
 - (ii) an external appraisal performed by an independent appraiser accredited by the Appraisal Institute of Canada and reviewed and endorsed by the *Valuation Review Committee*;
- (ss) “*method of disposition*” means any method for a *disposition* including:
- (i) public offering including, but not limited to, a request for proposal, an invitation to offer, tender or expression of interest;
 - (ii) listing with an independent real estate brokerage;
 - (iii) direct negotiation with one or more persons by *Real Estate & Development Services*; or
 - (iv) public marketing, targeted marketing or an offering administered by *Real Estate & Development Services*;
- (tt) “*Municipal Government Act*” means the *Municipal Government Act* RSA 2000 cM-26;
- (uu) “*net book value*” means the net book value as defined in the Supporting Procedures for TCA Reporting Policy FA-054;
- (vv) “*occupation*” means the use and occupation of *real property* by any means including lease, license or any other *agreement*;
- (ww) “*owner*” has the same meaning as in the *Expropriation Act*;
- (xx) “*proposed payment*” means a proposed payment as set out in the *Expropriation Act*;
- (yy) “*Real Estate & Development Services*” means the *City*’s Real Estate & Development Services business unit or its equivalent;
- (zz) “*real property*” means any legal or equitable estate, right, title or interest in land including buildings, structures and improvements constructed on the land and fixtures attached to the land;

- (aaa) “*rectification*” means a form requesting changes, additions or deletions to the terms and conditions of an approved *land authorization form*, *land report* or *Council* approval of a *transaction* or other matter approvable under this Bylaw;
- (bbb) “*remnant parcel*” means any land that:
- (i) is no longer required for municipal purposes;
 - (ii) is not developable on its own due to physical or financial constraints; and
 - (iii) for which the only potential purchasers are the adjoining land owners;
- (ccc) “*road*” means any public thoroughfare, street, road, trail, avenue, parkway, driveway, lane, alley, square, bridge, causeway owned by the City, or any portion of any of them, intended for vehicular traffic, and road right of ways, including sidewalks;
- (ddd) “*sign*” means any free-standing inscribed board, bill, placard, poster, banner, flag or device that is intended for identification, or advertising, or to promote anything or inform anyone;
- (eee) “*stand-alone parcel*” means any land that:
- (i) is no longer required for municipal purposes; and
 - (ii) is developable on its own;
- (fff) “*temporary sign*” means a *sign* that is not permanently affixed to a building, other immovable structure, or the ground;
- (ggg) “*third party sign*” means a *sign* placed on *City* owned *real property* by a person other than the owner of an adjoining property;
- (hhh) “*transaction*” means an *acquisition*, *disposition*, *occupation* or *land exchange*;
- (iii) “*transaction date*” means any material date(s) to the *transaction*, including closing date, adjustment date, possession date, commencement date, expiry date, termination date, condition precedent date, exercise date, effective date, building commitment date or any other date contemplated in the *transaction*; and
- (jjj) “*Valuation Review Committee*” means the *City* administration committee established by the *City Manager* and which must consist of:

- (i) any one of the *Manager, Land & Asset Management, the Manager, Sales & Acquisitions* or the *Manager, major real estate undertakings*;
- (ii) the *Coordinator, Real Estate Client Services*; and
- (iii) any three (3) other employees of *Real Estate & Development Services* from Real Estate Sales & Acquisitions Division or Land & Asset Management Division;

provided that at least one person on this committee is an appraiser accredited by the Appraisal Institute of Canada.

4. (1) 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.
- (2) Where this Bylaw refers to another Act, bylaw, regulation, agency, *City* policy, or *City* framework it includes references to any Act, bylaw, regulation, agency, *City* policy or *City* framework as amended or that may be substituted therefore.
- (3) Wherever a word appears in italics the word is being used as it is defined in section 3 of this Bylaw and where the same word appears in ordinary font, its regularly applied meaning in the English language is intended.
- (4) A word or expression and grammatical forms of the same word or expression have corresponding meanings.
- (5) References to items and definitions in the plural includes the singular and the singular includes the plural, where applicable.
- (6) The words “include”, “including” and “includes” are not to be read as limiting the phrases or descriptions that precede them.
- (7) Any heading, sub-headings, or tables of contents in this Bylaw are included for guidance purposes and convenience only and shall not form part of this Bylaw.
- (8) All schedules attached to this Bylaw shall form a part of this Bylaw.

PART II AUTHORIZATION OF TRANSACTIONS

ACQUISITIONS

5. An *authorized employee* may approve the following:
 - (a) an *acquisition* of a fee simple interest at or below *market value* where:

- (i) the purchase price for the *real property* is Ten Million (\$10,000,000.00) Dollars or less; and
 - (ii) funding for the *acquisition* is available in a budget approved by *Council*;
- (b) an *acquisition* of an option, right of first refusal or right of first offer where:
 - (i) the initial term of the option, right of first refusal or right of first offer is ten (10) years or less;
 - (ii) the term for an option, right of first refusal or right of first offer may be extended for any number of extensions provided the total length of the term does not exceed a total of twenty (20) years;
 - (iii) the fee for the option, right of first refusal or right of first offer, if any, does not exceed ten (10%) percent of the current *market value* of the *real property*; and
 - (iv) the *acquisition* is otherwise in compliance with this Bylaw;
- (c) an *acquisition* by exercise of an option, right of first refusal or right of first offer where:
 - (i) the purchase price is:
 - A. a set amount approved at the time of the *acquisition* of such option, right of first refusal or right of first offer; or
 - B. Ten Million (\$10,000,000.00) Dollars or less if such purchase price is not determined until the exercise of the option, right of first refusal or right of first offer; and
 - (ii) funding for the *acquisition* is available in a budget approved by *Council*;
- (d) an *acquisition* by dedication for nominal value to the *City*, including that such *authorized employee* may authorize the *City* to relocate, repair or replace existing improvements on the donor's lands adversely impacted by the dedication provided funding for such relocation, repair, or replacement is available in a budget approved by Council;
- (e) an *acquisition* by way of gift to the *City*;
- (f) an *acquisition* of easements or utility rights of way where:
 - (i) the consideration is Five Million (\$5,000,000.00) Dollars or less and at or below *market value*; and

- (ii) funding for the *acquisition* is available in a budget approved by *Council*;
- (g) an *acquisition* of a restrictive covenant that limits or restricts the use of land not owned by the *City* or land owned by the *City* for the benefit of the *City*'s land;
- (h) an *acquisition* of any moveable building or structure including, but not limited to, a mobile home, a house, a commercial building or an ancillary structure, at or below *market value* where:
 - (i) the purchase price is Ten Million (\$10,000,000.00) Dollars or less; and
 - (ii) funding for the *acquisition* is available in a budget approved by *Council*;
- (i) an *acquisition* of a *stand-alone parcel* or remnant parcel with a title marked with 'tax forfeiture'; and
- (j) an *acquisition* of an encroachment on land not owned by the *City* for the benefit of the *City*'s land.

DISPOSITIONS

6. (1) An *authorized employee* may approve the following *dispositions*:
- (a) a *disposition* of the fee simple interest in a *stand-alone parcel* where:
 - (i) the *method of disposition* has been approved by *Council*;
 - (ii) the purchase price of the *stand-alone parcel* is the same as or more than the *market value*; and
 - (iii) the *disposition* complies with any terms and conditions imposed by *Council* in the *method of disposition*;
 - (b) a *disposition* of the fee simple interest in a *stand-alone* or *remnant parcel* as part of the Framework - Transacting with Non-Profit Organizations and Registered Charities below Market Value where:
 - (i) the *method of disposition* has been approved by *Council*;
 - (ii) the purchase price of the *stand-alone* or *remnant parcel* complies with the parameters set out in the *method of disposition* approved by *Council*; and
 - (iii) the *disposition* complies with any other terms and conditions imposed by *Council* in the *method of disposition*;

- (c) a *disposition* of the fee simple interest in a *remnant parcel* where the purchase price for the *remnant parcel* is at or above *market value*;
- (d) a *disposition* of the fee simple interest in a *remnant parcel* for nominal value where:
 - (i) the *remnant parcel* was originally dedicated to the *City* as *road* pursuant to a subdivision or development application, or to a *dedication agreement*; and
 - (ii) the owner of the adjoining lands is the same person or entity that originally dedicated the *remnant parcel* to the *City*;
- (e) a *disposition* of an option, right of first refusal or right of first offer for a *remnant parcel* or a *stand-alone parcel* where:
 - (i) the purchase price for such option, right of first refusal or right of first offer is at or above *market value*;
 - (ii) the term of the option, right of first refusal or right of first offer is for:
 - A. five (5) years or less; or
 - B. twenty-five (25) years or less where the option, right of first refusal or right of first offer is for a school board;
 - (iii) if a fee is charged for the option, right of first refusal or right of first offer, such fee is in line with rates set by *Real Estate & Development Services* for options, rights of first refusal or rights of first offer; and
 - (iv) the *disposition* is otherwise in compliance with this Bylaw;
- (f) a *disposition* of a right to encroach on the *City's real property* in accordance with the *City's* Encroachment Bylaw 9M2020;
- (g) a *disposition* of an easement or utility right of way where:
 - (i) the consideration is at or above *market value*; and
 - (ii) the proposed easement or utility right of way will not materially impact the *City's* future use or development of the *City real property* as determined by *Real Estate & Development Services*;
- (h) a *disposition* of a restrictive covenant that limits or restricts the use of the *City's* land for the benefit of land not owned by the *City* where the *disposition* is at or above *market value*; and
- (i) a *disposition* of any moveable building or structure including a mobile home, a house, a commercial building or an ancillary structure, where the

purchase price is at or above *market value*, without a *method of disposition* having been approved by *Council*.

- (2) Despite subsection 6(1), an *authorized employee* may approve a *disposition* of the fee simple interest in a *stand-alone parcel* without a *method of disposition* having been approved by *Council*, where the *stand-alone parcel*:
 - (a) has been publicly marketed;
 - (b) is deemed surplus by the City; and
 - (c) the purchase price is at or above *market value*.
- (3) Despite subsection 6(1), an *authorized employee* may approve a *disposition* of the fee simple interest in a *stand-alone parcel* or a *remnant parcel* by direct negotiation to Calgary Municipal Land Corporation, Attainable Homes Calgary Corporation, Calgary Housing Company, Calhome Properties Ltd., the provincial government or its related entities, or the federal government or its related entities:
 - (a) without a *method of disposition* approved by *Council* where the purchase price is Ten Million (\$10,000,000.00) Dollars or less and is at or above *net book value* or *market value*; or
 - (b) with a *method of disposition* or *land report* approved by *Council* where the purchase price is below *market value*.
- (4) Despite subsection 6(1), an *authorized employee* may approve a *disposition* of the fee simple interest in a *stand-alone parcel* without a *method of disposition* having been approved by *Council*, where:
 - (a) the *disposition*:
 - (i) is directly negotiated with the owner of the adjoining lands;
 - (ii) satisfies or meets the objectives of the Area Redevelopment Plan or the Area Structure Plan; and
 - (iii) allows for the owner of the adjoining lands to assemble multiple parcels for a larger scale, comprehensive development;
 - (b) the *disposition* of the *stand-alone parcel* cannot meet its desired highest and best use without being consolidated with an adjoining parcel; and
 - (c) the purchase price is Ten Million (\$10,000,000.00) Dollars or less and at or above *market value*.

LAND EXCHANGES

7. (1) An *authorized employee* may approve of a *land exchange* at or above *market value* without a *method of disposition* having been approved by *Council*, where:
- (a) the *market value* of the *City stand-alone parcel* or *remnant parcel* is One Million (\$1,000,000.00) Dollars or less;
 - (b) the *market value* of the *real property* owned by a third party is Ten Million (\$10,000,000.00) Dollars or less;
 - (c) the *acquisition* of *real property* owned by a third party is for municipal purposes and the *City stand-alone parcel* or *remnant parcel* for *disposition* is deemed surplus to by the *City*; and
 - (d) funding for the *land exchange* is available in a budget approved by *Council*.
- (2) The *authorized employee* that may approve of a *land exchange* under subsection 7(1), under the Schedule A delegations, must be determined using the *real property* with the highest *market value*.

OCCUPATIONS

General Occupations

8. (1) Unless otherwise specified in this Bylaw, an *authorized employee* may approve the following:
- (a) an *occupation* by lease at or above *market value* where:
 - (i) whether the *City* is the landlord or the tenant, the annual base rent or fee is One Million (\$1,000,000.00) Dollars or less;
 - (ii) whether the *City* is the landlord or the tenant, the initial term is:
 - A. month to month;
 - B. year to year; or
 - C. a fixed term of fifteen (15) years or less;
 - (iii) the *City* is the landlord, for a fixed term *occupation*:
 - A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;
 - B. the renewal or extension rate is at or above *market value* if such rate is determined at the time of such renewal or

extension or at the time the initial fixed term *occupation* was approved; and

(iv) the *City* is the tenant, for a fixed term *occupation*:

- A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;
- B. the renewal or extension rate is at or below *market value* if such rate is determined at the time of the renewal or extension or at the time the initial fixed term *occupation* was approved; and
- C. funding is available in a budget approved by *Council*;

(b) an *occupation* by license at or below *market value* where:

(i) whether the *City* is the licensor or the licensee, the annual license fee is One Million (\$1,000,000.00) Dollars or less and in line with rates set by *Real Estate & Development Services*;

(ii) whether the *City* is the licensor or the licensee, the initial term is:

- A. month to month;
- B. year to year; or
- C. a fixed term of fifteen (15) years or less;

(iii) the *City* is the licensor, for a fixed term *occupation*:

- A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and
- B. the annual license fee for such renewal or extension is One Million (\$1,000,000.00) Dollars or less and in line with rates set by *Real Estate & Development Services*;

(iv) the *City* is the licensee, for a fixed term *occupation*:

- A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and

- B. funding is available in a budget approved by *Council*; and
- (v) the license area is part of a *road*, then the license is subject to early termination on thirty (30) days' written notice;
- (c) a continued *occupation* of *real property* following its *acquisition* by the *City* where:
 - (i) the base rent or fee is at or above *market value* at the time the initial *occupation* was approved or is included in the total consideration payable for the *acquisition*;
 - (ii) the proposed occupant(s) are either the prior registered owners or prior legal occupants of the *real property*; and
 - (iii) the period of continued *occupation* is:
 - A. twenty-five (25) years or less; or
 - B. where a continued *occupation* is tied to a *major real estate undertaking* the period of continued *occupation* may be extended to accommodate the time frames of the *major real estate undertaking*; and
- (d) overholding by former legal occupants of the *City's real property*.
- (2) Despite subsection 8(1)(a), an *authorized employee* may approve:
 - (a) an *occupation* at or below *market value* for a term of 99 years or less by way of:
 - (i) a lease or license entered into with the provincial government or its related entities, the federal government or its related entities, school boards, non-profit wholly owned subsidiaries of the *City* and their subsidiaries;
 - (ii) a license entered into with other municipalities; or
 - (iii) a lease entered into with other municipalities where the *City* is the tenant;
 - (b) an *occupation* by lease or license entered into with a non-profit organization at or below *market value* where:
 - (i) the initial term is:
 - A. month to month;
 - B. year to year; or

- C. a fixed term of fifteen (15) years or less; and
- (ii) for a fixed term *occupation*, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;
- (c) an *occupation* by lease or license entered into with a *civic partner* or a *City associate* where:
 - (i) the annual base rent is at or below *market value*;
 - (ii) for a fixed term *occupation* of twenty-five (25) years or less; and
 - (iii) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of fifty (50) years;
- (d) an *occupation* by lease or license entered into with a *community association* or a social recreation group for a nominal fee for the same length of term or less as approved by *Council* for standard form leases and licenses for *community associations* and social recreation groups or organizations; and
- (e) an *occupation* by prospective purchasers, tenants or licensees of the *City's real property* for the purposes of conducting *due diligence*, where:
 - (i) the license fee is at or below *market value*; and
 - (ii) the term of the *occupation* is two (2) years or less.

Occupations of Road

- 9. (1) An *authorized employee* may approve an *occupation* by license of *road*, other than for the purposes of either a *sign* or a telecommunication installation, where:
 - (a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by *Real Estate & Development Services* for licenses of *road*;
 - (b) the *occupation* of the *road* is subject to early termination on thirty (30) days' written notice;
 - (c) the *road* is not required for public use; and
 - (d) the *occupation* is otherwise in compliance with this Bylaw.

- (2) An *authorized employee* may approve of an *occupation* by license over *road* for banners and decorative lights and elements on street posts, streetlights or other similar infrastructure where:
- (a) the license fee is at or below *market value*; and
 - (b) the *occupation* over the *road* is subject to early termination on thirty (30) days' written notice.

Occupations for a Telecommunication Installation

10. (1) An *authorized employee* may approve the *occupation* by license for a telecommunication installation where:
- (a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less or less and in line with rates set by *Real Estate & Development Services* for telecommunication installation licenses;
 - (b) the initial term is:
 - (i) month to month;
 - (ii) year to year; or
 - (iii) a fixed term of fifteen (15) years or less;
 - (c) for a fixed term *occupation*, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;
 - (d) the licensee has obtained a letter of concurrence from the *City's* Community Planning business unit or such business unit that would provide these letters of concurrence; and
 - (e) the license area is part of a *road*, then the license is subject to early termination on thirty (30) days' written notice.
- (2) An *authorized employee* may approve the *occupation* by license for a telecommunications installation on streetlight installations stewarded by the *City's* Mobility business unit, where:
- (a) the annual fee is in compliance with the rates set out in the *City's* master license agreement with wireless service providers and at or above *market value*;
 - (b) the initial term is a fixed term of fifteen (15) years or less;

- (c) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;
- (d) the licensee has entered into the *City's* master license agreement; and
- (e) where the license area is part of a *road*, then the license is subject to early termination on thirty (30) days' written notice.

Occupations for Signs

11. (1) An *authorized employee* may approve the following *occupations* for signs:
 - (a) a license for a *business identification sign* or a *third party sign* where:
 - (i) the annual license fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by *Real Estate & Development Services* for sign licenses;
 - (ii) the initial term is:
 - A. month to month;
 - B. year to year; or
 - C. a fixed term of ten (10) years or less; and
 - (iii) for a fixed term *occupation*, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;
 - (b) a license granted to a *community association* or other non-profit organization for a *community identification sign* where:
 - (i) the license fee is at or below *market value*;
 - (ii) the initial term of a license is fifteen (15) years or less;
 - (iii) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and
 - (iv) any *community identification sign* for which a license has been granted under this Bylaw is exempt from the application of the Temporary Signs on Highways Bylaw 29M97;

- (c) a license granted to a *developer* or a resident's association for a *community identification sign* where:
 - (i) the license fee is at or below *market value*;
 - (ii) the *developer* or the resident's association, whichever is applicable, provides an irrevocable letter of credit or other type of security satisfactory to an *authorized employee*;
 - (iii) the initial term of a license is ten (10) years or less;
 - (iv) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and
 - (v) any *community identification sign* for which a license has been granted under this Bylaw is exempt from the application of the Temporary Signs on Highways Bylaw 29M97;
- (d) a license for a *temporary sign* where the fee is at or below *market value*;
- (e) a license for an *election sign* where the term and the fee are consistent with the applicable terms and rates approved by *Council*; and
- (f) a license for banners on street posts, streetlights or other similar infrastructure where the fee is at or below the *market value*.
- (2) Where any license area for a *sign* is located within a *road*, the license must be terminable upon thirty (30) days' notice.

Occupations for Film

- 12. An *authorized employee* may approve an *occupation* by way of license for the purposes of filming or film production where:
 - (a) the license fee is at or below *market value*; and
 - (b) the initial term and any renewals or extensions of the *occupation* does not exceed a total of five (5) years.

Surrender of an Occupation

- 13. An *authorized employee* may approve the surrender or partial surrender of an *occupation* prior to the end of the term, whether the *City* is the landlord or tenant, where consideration payable for the surrender or partial surrender is One Million (\$1,000,000.00) Dollars or less and funding is available in a budget approved by Council.

MAJOR REAL ESTATE UNDERTAKINGS

14. (1) An *authorized employee* may approve of:
- (a) any one (1) or more *transactions* and the total compensation for such *transactions*, which may include, but is not limited to *market value*, *market value* of exchange lands, incentive payments, non-cash items (such as construction activities or services) and any other payments or costs required to facilitate the negotiation and finalization of such *transaction* where:
 - (i) the *transaction* is part of an undertaking designated by *Council* as a *major real estate undertaking*;
 - (ii) the *transaction* complies with any additional terms and conditions set out in the *Council* designation of the undertaking as a *major real estate undertaking*; and
 - (iii) funding for the *transaction* and compensation is available in a budget approved by *Council*.
 - (2) Where the *transaction* being approved pursuant to subsection 14(1) involves a *land exchange*, the *authorized employee* that may approve of such *land exchange*, under the tiered list of amounts in Schedule “A”, must be determined using the purchase price of the *real property* with the highest *market value*.

EXPROPRIATIONS

15. (1) Where *Council* has approved of the initiation of expropriation proceedings in respect of any *real property*, an *authorized employee* may approve:
- (a) the initiation of expropriation proceedings to acquire the same interest(s) in land over a smaller portion of the *real property* as that originally approved by *Council*;
 - (b) the initiation of expropriation proceedings to acquire any lesser interest(s) in land than that originally approved by *Council* in respect of such *real property*, whether by way of profit, easement, right, privilege or benefit in, over or derived from the *real property*;
 - (c) the initiation of expropriation proceedings to acquire any lesser interest(s) in land over a smaller portion of the *real property* as that originally approved by *Council* in respect of such *real property*, whether by way of profit, easement, right, privilege or benefit in, over or derived from the *real property*; and
 - (d) the exception or partial exception of the initiation of expropriation proceedings of any interest(s) in *real property* originally approved by *Council*.

- (2) Where *Council* has previously authorized the initiation of an expropriation of any estate or interest in *real property*, an *authorized employee* may approve an *acquisition* of any such party's interest in the *real property* by way of an *agreement* pursuant to section 30 of the *Expropriation Act*, provided that the *proposed payment* for the interest in the *real property* is:
- (a) the same or less than the original *proposed payment* approved by *Council*; or
 - (b) Ten Million (\$10,000,000.00) Dollars or less if there was no original *proposed payment* approved by *Council*; and
- the *proposed payment* is available in a budget or funding source approved by *Council* and reflects compensation that the *owner* could reasonably be entitled to receive under the *Expropriation Act*, provided the *proposed payment* is reviewed and endorsed by the *Valuation Review Committee*; and
- (3) Where *Council* has previously authorized the initiation of expropriation of any estate or interest in *real property*, an *authorized employee* may approve a negotiated settlement of any compensation that may be payable pursuant to the *Expropriation Act* where funding for the negotiated settlement is available in a budget or funding source approved by *Council* and the *owner* releases the *City* from any existing or future claims under the *Expropriation Act* or the *Municipal Government Act* for which the *owner* is being compensated for, provided the negotiated settlement has been reviewed and endorsed by the *Valuation Review Committee*.

OTHER TRANSACTIONS

16. (1) An *authorized employee* may approve of the following additional *transactions*:
- (a) resolutions related to the management of a condominium corporation in which the *City* owns one or more units, including the cancellation of such condominium corporation; and
 - (b) any other matter not specifically listed in this Bylaw where:
 - (i) the *market value* of the *real property* or the consideration for the *transaction* is Ten Million (\$10,000,000.00) Dollars or less;
 - (ii) the *City* is not subject to a financial obligation that exceeds One Million (\$1,000,000.00) Dollars;
 - (iii) the matter relates to *real property*; and
 - (iv) funding is available in a budget approved by *Council*.
- (2) Despite any other sections in this Bylaw, an *authorized employee* may approve of a disposition of an interest in the *City's real property*, including a *disposition* of a

stand-alone parcel, remnant parcel, a utility right of way, an easement, a restrictive covenant and, an occupation by way of lease, to any third party below market value, without a method of disposition having been approved by Council, where:

- (a) the proposed *disposition* has been advertised where required by the *Municipal Government Act*;
- (b) there is no opposition or objections to the proposed *disposition* raised by members of the public during any required advertising period; and
- (c) the *market value* for the *City's real property* proposed for *disposition* is \$25,000 or less.

COMPENSATION

17. Provided that funding is available in a budget approved by Council, an *authorized employee* may, in order to facilitate the negotiation, completion and administration of *transactions* or other matters approved under this Bylaw, approve of any one or more of the following:
- (a) the payment of reasonable legal, appraisal, engineering, broker/realty fees and other professional or consulting fees and disbursements incurred by parties to *transactions* or other matters approved under this Bylaw;
 - (b) the payment or reimbursement for or performance of additional services, including landscaping, fencing, construction of other improvements, moving expenses, tenant improvement allowances and incentive payments provided such payment or performance does not exceed Five Hundred Thousand (\$500,000.00) Dollars; or
 - (c) a payment of Five Hundred Thousand (\$500,000.00) Dollars or less for other types of compensation to facilitate the negotiation, completion, and administration of *transactions*.

PART III MISCELLANEOUS

MANAGEMENT REAL ESTATE REVIEW COMMITTEE

18. *Management Real Estate Review Committee* must have a quorum of six persons comprised of the parties listed below or their representatives:
- (a) at least one of the following:
 - (i) the *General Manager*; or
 - (ii) the *Director, RE&DS*;
 - (b) the *Manager, Sales & Acquisitions*;

- (c) the *Manager, Land & Asset Management*;
- (d) the *Finance Leader*;
- (e) *Manager, Planning & Real Estate*;
- (f) at least one or more of the *Coordinators*;

and at least four persons forming the quorum must be employees of *Real Estate & Development Services*;

RECTIFICATIONS, COMPLETION OF AND ADMINISTRATION OF REAL PROPERTY TRANSACTIONS

19. An *authorized employee* may approve the following corrections and changes of *land reports, land authorization forms, agreements and documents*:
 - (a) the correction of unintentional errors in the *land report, land authorization form, agreement or document* provided that the corrections are consistent with the intent of the *transaction*;
 - (b) any changes to the description of the *real property* or moveable buildings or structures in the *land report, land authorization form, agreement or document*;
 - (c) the correction of spelling mistakes and errors in transposition of legal descriptions, municipal descriptions, names of parties, letters, figures and serial numbers for moveable buildings or structures; and
 - (d) the correction of minor changes to an *agreement* that do not impact material terms and conditions of an *agreement*, where such *agreement* was approved as a direct attachment to a *land authorization form or land report*.
20. An *authorized employee* may, in order to facilitate the negotiation, completion and administration of *transactions*, approve by *rectification* the following:
 - (a) the addition, amendment or deletion of terms and conditions that are consistent with the intent of the *transaction* and that do not subject the *City*:
 - (i) to any further material obligations; or
 - (ii) to any financial obligations exceeding the sum of One Million (\$1,000,000.00) Dollars;
 - (b) the reduction or increase in the purchase price of an *acquisition of real property* provided that where there is an increase in the purchase price, such increase does not exceed the original maximum amount set out in this Bylaw for such *acquisition*;

- (c) the reduction or increase in the purchase price of a *disposition of real property* provided that where there is a reduction in the purchase price, the purchase price for such *disposition* must not be reduced below *market value*;
- (d) the reduction or increase in the base rent or license fee of an occupation provided where:
 - (i) there is a reduction to the base rent, the base rent must not be reduced below *market value*; or
 - (ii) there is an increase in the base rent or license fee, such increase in the base rent or license fee does not exceed the original maximum amount set out in this Bylaw for such *occupation*;
- (e) subject to subsections 20(h) and 20(i), the extension(s) of any *transaction date* where the extension(s) does not exceed a total period of five (5) years from that original *transaction date* and for greater certainty an extension to an expiry date which impacts the length of term of any *occupations*, option, right of first refusal or right of first offer term must be rectified under subsections 20(h) or 20(i);
- (f) the moving up of any *transaction date*;
- (g) the splitting up of any *transaction date* into two or more *transaction dates* where:
 - (i) the earliest *transaction date* is extended no more than five (5) years from the *original transaction date*; and
 - (ii) the last *transaction date* is extended no more than five (5) years from the *original transaction date*.
- (h) an amendment to the length of term of an *occupation* where the amendment to the length of the term is otherwise in compliance with this Bylaw;
- (i) an amendment to the length of an option, right of first refusal or right of first offer term or an extension of an option, right of first refusal or right of first offer term where the amendment or extension is otherwise in compliance with this Bylaw;
- (j) where the *City* is the tenant or licensee, the exercise of a renewal or extension of an *occupation* provided such renewal or extension complies with this Bylaw;
- (k) adding a renewal or extension term to an *occupation* provided such renewal or extension term complies with this Bylaw;

- (l) the charging or paying of fees for the extension of closing or exercise dates for *dispositions* or *acquisitions* and administrative fees for assignment and assumption *agreements*, amending *agreements* and administering *occupation agreements* in accordance with rates established by *Real Estate & Development Services*;
- (m) any changes to the base rent or fee payable upon the exercise of either an option or a right to renew or extend an *occupation*, where the new base rent or fee payable is at or above *market value* or more;
- (n) rent forgiveness, temporary rent relief or change in base rent:
 - (i) to match new prevailing market conditions and address conditions if there is a rapid onset crisis with material impacts on economic conditions;
 - (ii) to address temporary construction or other projects which impact or limit the viability of tenants' businesses or operations; or
 - (iii) where directed by *Council*;
- (o) a change in the permitted use of an *occupation*;
- (p) the substitution, addition or deletion of parties to *transactions* approved by *Council* or pursuant to this Bylaw;
- (q) adjustments made to the:
 - (i) *market value* purchase price, base rent or fee as a result of a change in the property area upon completion of a survey; or
 - (ii) area for an *occupation* to include any additional rental areas or the reduction of any rental area;
- (r) an increase to any *proposed payment* approved by *Council* to facilitate the completion of an *agreement* pursuant to section 30 of the *Expropriation Act* where such an increase is available in a budget or funding source approved by *Council* and the increase to the *proposed payment* reflects compensation that the *owner* could reasonably be entitled to receive under the *Expropriation Act*, provided such increase is reviewed and endorsed by the *Valuation Review Committee*;
- (s) an increase to any *proposed payment* for an expropriation approved by *Council* where such an increase is available in a budget or funding source approved by *Council* and the increase to the *proposed payment* reflects compensation that the *owner* could reasonably be entitled to receive under the *Expropriation Act*, provided such increase is reviewed and endorsed by the *Valuation Review Committee*;

- (t) a decrease to any *proposed payment* approved by *Council* where such decrease reflects compensation the *owner* could reasonably be entitled to receive under the *Expropriation Act*, provided such decrease is reviewed and endorsed by the *Valuation Review Committee*;
- (u) the payment of additional compensation provided such additional compensation complies with section 17;
- (v) the charging or paying of any deposit or security to be taken or given by the *City* to secure the performance of obligations under any *agreement* and the terms and conditions pursuant to which the deposit or security is to be paid, held and released;
- (w) the increase, reduction, or waiver of any interest payable and the imposition or acceptance of alternate terms and conditions relating to payment of interest in consideration of the extension or advancement of any *transaction date* where the increase, reduction or waiver of the interest payable is Fifty Thousand (\$50,000.00) Dollars or less;
- (x) the waiver of conditions precedent;
- (y) the assignment and assumption of any *agreement* including the charging of or paying of fees for the assignment and assumption of any *agreement*;
- (z) amendment to any terms and conditions of an *occupation* for film purposes under section 12 provided such amendments complies with this Bylaw; and
- (aa) any additions of any terms and conditions to a *land report* or any corrections, changes, additions, amendments or deletions of any terms and conditions set out in a *land report*, which are necessary in order to facilitate the negotiation, finalization and administration of a *transaction* or other matter where a *land report* approved by *Council* authorizes the use of the powers set out in this section.

LAND AUTHORIZATION FORMS AND REPORTING

21. (1) The approval of the following *transactions* pursuant to this Bylaw may be documented in a *land authorization form*:
- (a) an *acquisition* or *disposition* of an easement, utility right of way or a restrictive covenant;
 - (b) an *occupation* for the purpose of landscaping, crop and pasture use, a residential tenancy, or shoring;
 - (c) an *occupation* with a term of five (5) years or less;
 - (d) an *acquisition* of a dedication pursuant to subsection 5(1)(d);

- (e) a *disposition of a remnant parcel* pursuant to subsections 6(1)(c) or (d);
 - (f) a *land exchange* pursuant to subsection 7(1) that only involves the exchange of a *City remnant parcel* for a remnant parcel owned by a third party and for greater certainty, a remnant parcel owned by a third party is one that is not developable on its own and for which the *City* is likely the only purchaser;
 - (g) an *occupation* pursuant to subsection 8(2)(a);
 - (h) an *occupation for due diligence* pursuant to subsection 8(2)(e);
 - (i) an *occupation of a road* pursuant to section 9(1) and 9(2);
 - (j) an *occupation* for telecommunication installations pursuant to subsection 10(1);
 - (k) an *occupation* for a *sign* pursuant to section 11(1)(a) to 11(1)(f);
 - (l) an *occupation* for film purposes pursuant to section 12;
 - (m) a surrender of an *occupation* pursuant to section 13; and
 - (n) a *transaction* required to facilitate a *major real estate undertaking* pursuant to subsection 14(1).
- (2) The *Manager, Land & Asset Management* must on a quarterly basis prepare and submit to the *Management Real Estate Review Committee* a report listing all the *transactions* approved pursuant to this Bylaw, including all *transactions* approved pursuant to subsection 14(1), that are documented in a *land authorization form*.
- (3) The approval of other *transactions* pursuant to this Bylaw that are not included in subsection 21(1) and section 22 must be documented in a *land report* and reviewed and considered at *Management Real Estate Review Committee*.
- (4) Minutes of the *Management Real Estate Review Committee* meetings must be taken and members of *Council* may request such minutes provided that such minutes are kept confidential as required pursuant to section 21 of the Code of Conduct For Elected Officials Bylaw 26M2018.
- (5) The *Manager, Land & Asset Management* must on a quarterly basis prepare and submit to *Management Real Estate Review Committee* a report listing all *transactions* completed pursuant to this Bylaw commencing when this Bylaw comes into effect and such quarterly reports must be available to members of *Council* upon request.

APPROVALS BY EMAIL

22. The approval of the following *transactions* and *rectifications* pursuant to this Bylaw may be documented by way of email:
- (a) *occupations* pursuant to subsections 8(1)(c) or 8(1)(d);
 - (b) *occupations* by way of license with a term of thirty (30) days or less;
 - (c) *occupations* for telecommunications installations on streetlights pursuant to subsection 10(2);
 - (d) *occupations* by way of license for film purposes pursuant to section 12 with a term of ninety (90) days or less and for greater certainty, multiple email approvals may be approved for the same *occupation* by way of license for film purposes provided the total number of approvals does not exceed a total of ninety (90) days;
 - (e) resolutions related to the management of a condominium corporation in which the *City* owns one or more units, including the cancellation of such condominium corporation, pursuant subsection 16(1)(a);
 - (f) any corrections and changes of *land reports*, *land authorization forms*, *agreements* and *documents* pursuant to section 19;
 - (g) the extension(s) or moving up of a *transaction date* under subsections 20(e), (f) or (g) by one (1) year or less and for greater certainty, multiple extensions or moving up of a *transaction date* may be approved by email provided the total number of such extension(s) or moving up of a *transaction date* does not exceed a total of one (1) year;
 - (h) where the *City* is the tenant or licensee, the exercise of a renewal or extension of an *occupation* pursuant to subsection 20(j);
 - (i) an increase, waiver or reduction of any interest payable pursuant to subsection 20(w); and
 - (j) amendment to the terms and conditions of an *occupation* for film purposes pursuant to subsection 20(z) provided such amendment complies with this Bylaw.

LIMITATIONS

23. (1) The following limitations apply to all *land authorization forms*, *land reports*, *Council* approvals, *rectifications* and email approvals:
- (a) any *method of disposition* approved by *Council*.

- (i) after this Bylaw comes into effect expires five (5) years after the *Council* approval date; and
 - (ii) prior to this Bylaw coming into effect does not expire unless otherwise provided in that *method of disposition*;
 - (b) an approval of a *land authorization form, land report* or *Council* approval of a *transaction* expires:
 - (i) five (5) years from the latest original *transaction date* set out in such approval;
 - (ii) five (5) years after any *Council* approved extension to the latest original *transaction date* if *Council* approval is required to extend an original *transaction date* beyond the maximum permitted under this Bylaw; or
 - (iii) when a subsequent approval occurs for the same *real property*;
 - (c) an email approval or *rectification* for an extension(s), moving up or splitting up of a *transaction date*, may be completed after the original *transaction date* being rectified has passed, but prior to execution of an *agreement* or *document* for the *transaction* related to such original *transaction date*, where:
 - (i) the email approval or *rectification* is obtained within five (5) years of the original *transaction date*; and
 - (ii) the new *transaction date* being approved is within the maximum permitted under this Bylaw; and
 - (d) despite subsection 23(1)(b), once an *agreement* for a *transaction* has been fully executed, the *land authorization form, land report* or *Council* approval no longer expires and may be rectified to further accommodate other *transactions* related to the original *transaction*;
- (2) Despite any other sections in this Bylaw:
- (a) extending or moving up a time frame for a *transaction date* and replacing such time frame with an actual date may be rectified under subsections 20(e), (f) and (g) and does not trigger approval under subsection 20(a); and
 - (b) a *rectification* is not required where the party being substituted, added or deleted is an *affiliate* of the original party from the approved *transaction*.

MANAGEMENT OF THE CITY'S REAL PROPERTY**Guidelines, Procedures and Standards**

24. (1) The *General Manager, Infrastructure Services* may establish guidelines, procedures, and standards for *Real Estate & Development Services* for the negotiation and administration of *transactions* for the *City*.
- (2) The *General Manager, Infrastructure Services* may at any time amend or revoke all or any part of the guidelines, procedures, and standards established under subsection 24(1).

Land Titles Registration and General Administrative Authority

25. (1) An *authorized employee* may, in order to facilitate the management of the *City's real property*:
- (a) notify the Registrar of the Land Titles Office that the requirements for the removal of municipal reserve or municipal and school reserve designations have been complied with;
 - (b) file with the Registrar of the Land Titles Office all required certificates and documentation accompanying road plans of survey;
 - (c) authorize the Registrar of the Land Titles Office to remove public utility lot (PUL) designations from certificates of title registered in the name of the *City*;
 - (d) authorize or consent to the Registrar of the Land Titles Office registering or correcting plans of survey;
 - (e) request the Registrar of the Land Titles Office to take the appropriate action(s) pursuant to the tax recovery procedures set out in the *Municipal Government Act*;
 - (f) include the *City's real property* in applications for land use, subdivision or development approvals under Part 17 of the *Municipal Government Act*, building permit applications, if such inclusion will not restrict the *City's* ability to negotiate, approve and complete related *transactions*;
 - (g) enter into and complete any *agreements* or documents required for the subdivision and development of the *City's real property* under Part 17 of the *Municipal Government Act*;
 - (h) withdraw, discharge, surrender or postpone any instrument registered at the Land Titles Office by or on behalf of the *City* or any instrument registered at the Personal Property Registry related to any moveable building or structures;

- (i) request to include the estate or interest in mines or minerals in an *acquisition* pursuant to the *Municipal Government Act*;
- (j) enter into an *acquisition* or a *disposition* of a restrictive covenant, utility right of way or an easement that limits or restricts the use of land owned by the *City* for the benefit of other land owned by the *City*;
- (k) place tenders for the demolition or removal (or both) of buildings and improvements constructed on the *City's real property* where:
 - (i) the buildings or improvements are no longer habitable, are structurally unsound or unsafe;
 - (ii) the buildings or improvements are required to be demolished or removed (or both) for a project approved by *Council*; or
 - (iii) it is economically advantageous to demolish or remove (or both) buildings or improvements to prepare the *City's real property* for *disposition*; and
- (l) where the *City* is the landlord or the licensor, consent to a renewal or extension of an *occupation* exercised by the tenant or licensee, provided the terms of the *agreement* for the renewal or extension of such *occupation* have been complied with and the base rent or license fee complies with this Bylaw.
- (2) Despite subsection 21(3), the actions and *transactions* listed in section 25(1) do not require approval by way of email, *rectification*, *land authorization form*, *land report* or *Council*.

EXECUTION OF DOCUMENTS AND AGREEMENTS

26. (1) Despite the provisions of the Execution of Contracts Bylaw 43M99:
- (a) the *City Manager*, the *General Manager*, the *Director*, *RE&DS*, the *Manager*, *Sales & Acquisitions*, the *Manager*, *major real estate undertaking*, or the *Manager*, *Land & Asset Management* may execute any *agreement* or *documents* relating to the *City's real property* or a *transaction*;
 - (b) the *Manager*, *Sales & Acquisitions – Green Line* may execute any *agreements* or *documents* relating subsections 15(1) to (3) and 20(r) to (t) in addition to the *City Manager* and the *authorized employees* listed in subsection 26(1)(a);
 - (c) the *Manager*, *Land & Asset Management*, the *Coordinator*, *Land Administration* or the *Land Titles Officer* may execute any *agreement* or document listed in subsections 25(1)(a) to (i); and

- (d) the following *agreements* and *documents* may be duly executed by the *authorized employee* without affixing the *City's* corporate seal to the *agreement* or *document*:
 - (i) any *document* to be registered at the Land Titles Office as required by subsection 25(1)(h) of this Bylaw or any *document* approved by *Council* to be registered at the Land Titles Office pursuant to the *Expropriation Act*;
 - (ii) any *occupation* for the purpose of landscaping, crop and pasture use, a residential tenancy, a mobile home tenancy, shoring, a telecommunication installation, a *sign*, film purposes, an *occupation* having a term of less than five (5) years, inclusive of any renewals or extensions or any *occupation* for the purposes set out in subsection 8(2)(a); and
 - (iii) letter amending *agreements*.
- (2) An *authorized employee's* signature may be digital, electronic, printed, scanned, photocopied or otherwise reproduced on *agreements* or *documents* and if such signature is done by digital, electronic, scanned, photocopied or other such similar methods, such signature has the same legal effect as an original signature.

GENERAL PROVISIONS

City Manager Authorized Employee

27. The *City Manager* is an *authorized employee* for all the powers, duties and functions listed in Schedule A.

Repeal

28. Bylaw 52M2009, the Real Property Bylaw, is hereby repealed on the date this Bylaw comes into effect.

Conflict Between this and Other Bylaws

29. In the event of a conflict between this Bylaw and any other bylaw previously passed by *Council*, this Bylaw shall prevail.

Transitional Provision

30. (1) This Bylaw applies to all *transactions*, *rectifications*, approvals, authorizations or actions relating to *real property* from and after the date this Bylaw comes into effect.
- (2) For greater certainty, this Bylaw applies to any *transactions*, *rectifications*, approvals, authorizations or actions relating to *real property* approved by

delegated authority under Bylaw 52M2009 or by Council prior to this Bylaw coming into effect.

- (3) For further greater certainty, any delegations authorized by *Council* prior to this Bylaw coming into effect are hereby ratified and continued and where such delegations were previously made to the Deputy City Manager position and the General Manager for the Deputy City Manager's Office position, they may be exercised going forward by the *General Manager, Infrastructure Services*.

Effective Date

31. This Bylaw comes into effect on November 1, 2022.

Text For Discussion

Schedule “A”**List of Authorized Employees****Legend:**

GMIS	General Manager, Infrastructure Services
DREDS	Director, Real Estate & Development Services
DM	Director, Mobility
LTO	Land Titles Officer
MLAM	Manager, Land & Asset Management
MMREU	Manager, major real estate undertaking
MSA	Manager, Sales & Acquisitions
MSA-GL	Manager, Sales & Acquisitions – Green Line
MMO	Manager, Mobility Operations
CLA	Coordinator, Land Administration
CMREU	Coordinator, major real estate undertaking
CREA	Coordinator, Real Estate Acquisitions
CRECS	Coordinator, Real Estate Client Services
CRELPM	Coordinator, Real Estate Leasing & Property Management
CRES	Coordinator, Real Estate Sales

Section	Power, Duty or Function	Position(s)
ACQUISITIONS		
5(a)	<p>(a) an acquisition of a fee simple interest at or below market value where:</p> <p>(i) the purchase price for the real property is Ten Million (\$10,000,000.00) Dollars or less; and</p> <p>(ii) funding for the acquisition is available in a budget approved by Council;</p>	<p>For acquisitions with a purchase price of \$10,000,000.00 or less – GMIS</p> <p>For acquisitions with a purchase price of \$5,000,000.00 or less: GMIS DREDS</p> <p>For acquisitions with a purchase price of \$1,000,000.00 or less – GMIS DREDS MLAM MMREU MSA</p>
5(b)	<p>(b) an acquisition of an option, right of first refusal or right of first offer where:</p> <p>(i) the initial term of the option, right of first refusal or right of first offer is ten (10) years or less;</p> <p>(ii) the term for an option, right of first refusal or right of first offer may be extended for any number of extensions provided the total length of the term does not exceed a total of twenty (20) years;</p> <p>(iii) the fee for the option, right of first refusal or right of first offer, if any, does not exceed ten (10%) percent of the current <i>market value</i> of the <i>real property</i>; and</p> <p>(iv) the acquisition is otherwise in compliance with this Bylaw;</p>	<p>GMIS DREDS</p>

5(c)	<p>(c) an <i>acquisition</i> by exercise of an option, right of first refusal or right of first offer where:</p> <p>(i) the purchase price is:</p> <p>A. a set amount approved at the time of the <i>acquisition</i> of such option, right of first refusal or right of first offer; or</p> <p>B. Ten Million (\$10,000,000.00) Dollars or less if such purchase price is not determined until the exercise of the option, right of first refusal or right of first offer; and</p> <p>funding for the <i>acquisition</i> is available in a budget approved by <i>Council</i>;</p>	<p>GMIS DREDS</p>
5(d)	<p>(d) an <i>acquisition</i> by dedication for nominal value to the City, including that such <i>authorized employee</i> may authorize the City to relocate, repair or replace existing improvements on the donor's lands adversely impacted by the dedication provided funding for such relocation, repair, or replacement is available in a budget approved by Council;</p>	<p>GMIS DREDS MLAM MMREU MSA</p>
5(e)	<p>(e) an <i>acquisition</i> by way of gift to the City;</p>	<p>GMIS DREDS MLAM MMREU MSA</p>
5(f)	<p>(f) an <i>acquisition</i> of easements or utility rights of way where:</p> <p>(i) the consideration is Five Million (\$5,000,000.00) Dollars or less and at or below <i>market value</i>; and</p> <p>(ii) funding for the <i>acquisition</i> is available in a budget approved by <i>Council</i>;</p>	<p>For acquisitions where the consideration is \$5,000,000.00 or less – GMIS</p> <p>For acquisitions where the consideration is \$2,000,000.00 or less: DREDS MLAM MMREU MSA</p>

5(g)	(g) an <i>acquisition</i> of a restrictive covenant that limits or restricts the use of land not owned by the <i>City</i> or land owned by the <i>City</i> for the benefit of the <i>City's</i> land;	GMIS DREDS MLAM MMREU MSA
5(h)	(h) an <i>acquisition</i> of any moveable building or structure including, but not limited to, a mobile home, a house, a commercial building or an ancillary structure, at or below <i>market value</i> where: (i) the purchase price is Ten Million (\$10,000,000.00) Dollars or less; and (ii) funding for the <i>acquisition</i> is available in a budget approved by <i>Council</i> ;	For acquisitions where the purchase price is \$10,000,000.00 or less – GMIS For acquisitions where the purchase price is \$5,000,000.00: GMIS DREDS For acquisitions where the purchase price is \$1,000,000.00 or less: GMIS DREDS MLAM MMREU MSA
5(i)	(i) an <i>acquisition</i> of a <i>stand-alone parcel</i> or remnant parcel with a title marked with 'tax forfeiture'; and	GMIS DREDS
5(j)	(j) an <i>acquisition</i> of an encroachment on land not owned by the <i>City</i> for the benefit of the <i>City's</i> land.	GMIS DREDS MLAM MMREU MSA
DISPOSITIONS		
6(1)	An <i>authorized employee</i> may approve the following <i>dispositions</i> :	
6(1)(a)	(a) a <i>disposition</i> of the fee simple interest in a <i>stand-alone parcel</i> where: (i) the <i>method of disposition</i> has been approved by <i>Council</i> ; (ii) the purchase price of the <i>stand-alone parcel</i> is the same as or more than the <i>market value</i> ; and	GMIS

	(iii) the <i>disposition</i> complies with any terms and conditions imposed by <i>Council</i> in the <i>method of disposition</i> ;	
6(1)(b)	<p>(b) a <i>disposition</i> of the fee simple interest in a <i>stand-alone</i> or <i>remnant parcel</i> as part of the Framework - Transacting with Non-Profit Organizations and Registered Charities below Market Value where:</p> <p>(i) the <i>method of disposition</i> has been approved by <i>Council</i>;</p> <p>(ii) the purchase price of the <i>stand-alone</i> or <i>remnant parcel</i> complies with the parameters set out in the <i>method of disposition</i> approved by <i>Council</i>; and</p> <p>(iii) the <i>disposition</i> complies with any other terms and conditions imposed by <i>Council</i> in the <i>method of disposition</i>;</p>	GMIS
6(1)(c)	(c) a <i>disposition</i> of the fee simple interest in a <i>remnant parcel</i> where the purchase price for the <i>remnant parcel</i> is at or above <i>market value</i> ;	GMIS DREDS
6(1)(d)	<p>(d) a <i>disposition</i> of the fee simple interest in a <i>remnant parcel</i> for nominal value where:</p> <p>(i) the <i>remnant parcel</i> was originally dedicated to the <i>City</i> as <i>road</i> pursuant to a subdivision or development application, or to a dedication <i>agreement</i>; and</p> <p>(ii) the owner of the adjoining lands is the same person or entity that originally dedicated the <i>remnant parcel</i> to the <i>City</i>;</p>	GMIS DREDS MLAM MMREU MSA
6(1)(e)	(e) a <i>disposition</i> of an option, right of first refusal or right of first offer for a	GMIS DREDS

	<p><i>remnant parcel</i> or a <i>stand-alone parcel</i> where:</p> <ul style="list-style-type: none"> (i) the purchase price for such option, right of first refusal or right of first offer is at or above <i>market value</i>; (ii) the term of the option, right of first refusal or right of first offer is for: <ul style="list-style-type: none"> A. five (5) years or less; or B. twenty-five (25) years or less where the option, right of first refusal or right of first offer is for a school board; (iii) if a fee is charged for the option, right of first refusal or right of first offer, such fee is in line with rates set by <i>Real Estate & Development Services</i> for options, rights of first refusal or rights of first offer; and (iv) the <i>disposition</i> is otherwise in compliance with this Bylaw; 	
6(1)(g)	<p>(g) a <i>disposition</i> of an easement or utility right of way where:</p> <ul style="list-style-type: none"> (i) the consideration is at or above <i>market value</i>; and (ii) the proposed easement or utility right of way will not materially impact the <i>City's</i> future use or development of the <i>City real property</i> as determined by <i>Real Estate & Development Services</i>; 	GMIS DREDS MLAM MMREU MSA
6(1)(h)	<p>(h) a <i>disposition</i> of a restrictive covenant that limits or restricts the use of the <i>City's</i> land for the benefit of land not owned by the <i>City</i> where the</p>	GMIS

	<i>disposition</i> is at or above <i>market value</i> ; and	
6(1)(i)	(i) a <i>disposition</i> of any moveable building or structure including a mobile home, a house, a commercial building or an ancillary structure, where the purchase price is at or above <i>market value</i> , without a <i>method of disposition</i> having been approved by <i>Council</i> .	GMIS DREDS MLAM MMREU MSA
6(2)	Despite subsection 6(1), an <i>authorized employee</i> may approve a <i>disposition</i> of the fee simple interest in a <i>stand-alone parcel</i> without a <i>method of disposition</i> having been approved by <i>Council</i> , where the <i>stand-alone parcel</i> : (a) has been publicly marketed; (b) is deemed surplus by the City; and (c) the purchase price is at or above <i>market value</i> .	For dispositions where the purchase price is greater than \$5,000,000.00 – GMIS For dispositions where the purchase price is \$5,000,000.00 or less: GMIS DREDS For dispositions where the purchase price is \$1,000,000.00 or less: GMIS DREDS MLAM MMREU MSA
6(3)	Despite subsection 6(1), an <i>authorized employee</i> may approve a <i>disposition</i> of the fee simple interest in a <i>stand-alone parcel</i> or a <i>remnant parcel</i> by direct negotiation to Calgary Municipal Land Corporation, Attainable Homes Calgary Corporation, Calgary Housing Company, Calhome Properties Ltd., the provincial government or its related entities, or the federal government or its related entities:	
6(3)(a)	(a) without a <i>method of disposition</i> approved by <i>Council</i> where the purchase price is Ten Million (\$10,000,000.00) Dollars or less and is at or above <i>net book value</i> or <i>market value</i> ; or	For dispositions where the purchase price is \$10,000,000.00 or less – GMIS For dispositions where the purchase price is \$5,000,000.00 or less: GMIS DREDS
6(3)(b)	(b) with a <i>method of disposition</i> or <i>land report</i> approved by <i>Council</i> where	For dispositions where the purchase price is below <i>market value</i> with a <i>method of</i>

	the purchase price is below <i>market value</i> .	<i>disposition or land report</i> approved by <i>Council</i> : GMIS DREDS MLAM MMREU MSA
6(4)	<p>Despite subsection 6(1), an <i>authorized employee</i> may approve a <i>disposition</i> of the fee simple interest in a <i>stand-alone parcel</i> without a <i>method of disposition</i> having been approved by <i>Council</i>, where:</p> <p>(a) the <i>disposition</i>:</p> <p>(i) is directly negotiated with the owner of the adjoining lands;</p> <p>(ii) satisfies or meets the objectives of the Area Redevelopment Plan or the Area Structure Plan; and</p> <p>(iii) allows for the owner of the adjoining lands to assemble multiple parcels for a larger scale, comprehensive development;</p> <p>(b) the <i>disposition</i> of the <i>stand-alone parcel</i> or the <i>remnant parcel</i> cannot meet its desired highest and best use without being consolidated with an adjoining parcel; and</p> <p>(c) the purchase price is Ten Million (\$10,000,000.00) Dollars or less and at or above <i>market value</i>.</p>	<p>For dispositions where the purchase price is \$10,000,000.00 or less – GMIS</p> <p>For dispositions where the purchase price is \$5,000,000.00 or less: GMIS DREDS</p>
LAND EXCHANGES		
7(1)	<p>An <i>authorized employee</i> may approve of a <i>land exchange</i> at or above <i>market value</i> without a <i>method of disposition</i> having been approved by <i>Council</i>, where:</p> <p>(a) the <i>market value</i> of the <i>City stand-alone parcel</i> or <i>remnant parcel</i> is One Million (\$1,000,000.00) Dollars or less;</p>	<p>For <i>land exchanges</i> where the <i>market value</i> of the <i>real property</i> owned by a third party is \$10,000,000.00 or less – GMIS</p> <p>For <i>land exchanges</i> where the <i>market value</i> of the <i>real property</i> owned by a third party is \$5,000,000.00 or less: GMIS</p>

	<p>(b) the <i>market value</i> of the <i>real property</i> owned by a third party is Ten Million (\$10,000,000.00) Dollars or less;</p> <p>(c) the <i>acquisition</i> of <i>real property</i> owned by a third party is for municipal purposes and the <i>City stand-alone parcel</i> or <i>remnant parcel</i> for <i>disposition</i> is deemed surplus to by the <i>City</i>; and</p> <p>(d) funding for the <i>land exchange</i> is available in a budget approved by <i>Council</i>.</p>	<p>DREDS</p> <p>For <i>land exchanges</i> approved where the <i>market value</i> of the <i>real property</i> owned by a third party is \$1,000,000.00 or less:</p> <p>GMIS DREDS MLAM MMREU MSA</p>
OCCUPATIONS – GENERAL OCCUPATIONS		
8(1)	Unless otherwise specified in this Bylaw, an <i>authorized employee</i> may approve the following:	
8(1)(a)	<p>(a) an <i>occupation</i> by lease at or above <i>market value</i> where:</p> <p>(i) whether the <i>City</i> is the landlord or the tenant, the annual base rent or fee is One Million (\$1,000,000.00) Dollars or less;</p> <p>(ii) whether the <i>City</i> is the landlord or the tenant, the initial term is:</p> <p>A. month to month;</p> <p>B. year to year; or</p> <p>C. a fixed term of fifteen (15) years or less;</p> <p>(iii) the <i>City</i> is the landlord, for a fixed term occupation:</p> <p>A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s)</p>	<p>GMIS DREDS MLAM MMREU MSA</p>

	<p>does not exceed a total of twenty-five (25) years; and</p> <p>B. the renewal or extension rate is at or above market value if such rate is determined at the time of such renewal or extension or at the time the initial fixed term occupation was approved; and</p> <p>(iv) the City is the tenant, for a fixed term occupation:</p> <p>A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</p> <p>B. the renewal or extension rate is at or below market value if such rate is determined at the time of the renewal or extension or at the time the initial fixed term occupation was approved; and</p> <p>C. funding is available in a budget approved by Council;</p>	
8(1)(b)	<p>(b) an <i>occupation</i> by license at or below <i>market value</i> where:</p> <p>(i) whether the <i>City</i> is the licensor or the licensee, the annual license fee is One Million (\$1,000,000.00) Dollars or less and in line with rates set by <i>Real Estate & Development Services</i>;</p> <p>(ii) whether the <i>City</i> is the licensor or the licensee, the initial term is:</p> <p>A. month to month;</p>	<p>GMIS DREDS MLAM MMREU MSA</p>

	<p>B. year to year; or</p> <p>C. a fixed term of fifteen (15) years or less;</p> <p>(iii) the City is the licensor, for a fixed term occupation:</p> <p>A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</p> <p>B. the annual license fee for such renewal or extension is One Million \$1,000,000.00) Dollars or less and in line with rates set by Real Estate & Development Services;</p> <p>(iv) the City is the licensee, for a fixed term occupation:</p> <p>A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</p> <p>B. funding is available in a budget approved by Council; and</p> <p>(v) the license area is part of a road, then the license is subject to early termination on thirty (30) days' written notice;</p>	
8(1)(c)	(c) a continued <i>occupation of real property</i> following its <i>acquisition</i> by the <i>City</i> where:	

	<p>(i) the base rent or fee is at or above <i>market value</i> at the time the initial <i>occupation</i> was approved or is included in the total consideration payable for the <i>acquisition</i>;</p> <p>(ii) the proposed occupant(s) are either the prior registered owners or prior legal occupants of the <i>real property</i>; and</p> <p>(iii) the period of continued <i>occupation</i> is:</p> <p>A. twenty-five (25) years or less; or</p> <p>B. where a continued <i>occupation</i> is tied to a <i>major real estate undertaking</i>, the period of continued <i>occupation</i> may be extended to accommodate the time frames of the <i>major real estate undertaking</i>; and</p>	
8(1)(d)	(d) overholding by former legal occupants of the <i>City's real property</i> .	
8(2)	Despite subsection 8(1)(a), an <i>authorized employee</i> may approve:	
8(2)(a)	<p>(a) an <i>occupation</i> at or below <i>market value</i> for a term of 99 years or less by way of:</p> <p>(i) a lease or license entered into with the provincial government or its related entities, the federal government or its related entities, school boards, non-profit wholly owned subsidiaries of the <i>City</i> and their subsidiaries;</p> <p>(ii) a license entered into with other municipalities; or</p> <p>(iii) a lease entered into with other municipalities where the <i>City</i> is the tenant;</p>	GMIS DREDS MLAM MMREU MSA
8(2)(b)	(b) an <i>occupation</i> by lease or license entered into with a non-profit	GMIS DREDS

	<p>organization at or below <i>market value</i> where:</p> <p>(iv) the initial term is:</p> <p>A. month to month;</p> <p>B. year to year; or</p> <p>C. a fixed term of fifteen (15) years or less; and</p> <p>(v) for a fixed term <i>occupation</i>, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</p>	MLAM MMREU MSA
8(2)(c)	<p>(c) an <i>occupation</i> by lease or license entered into with a <i>civic partner</i> or a <i>City associate</i> where:</p> <p>(vi) the annual base rent is at or below <i>market value</i>;</p> <p>(vii) for a fixed term <i>occupation</i> of twenty-five (25) years or less; and</p> <p>(viii) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of fifty (50) years;</p>	GMIS DREDS MLAM MMREU MSA
8(2)(d)	<p>(d) an <i>occupation</i> by lease or license entered into with a <i>community association</i> or a social recreation group for a nominal fee for the same length of term or less as approved by <i>Council</i> for standard form leases and licenses for <i>community associations</i> and social recreation groups or organizations; and</p>	GMIS DREDS MLAM MMREU MSA

8(2)(e)	<p>(e) an <i>occupation</i> by prospective purchasers, tenants or licensees of the <i>City's real property</i> for the purposes of conducting <i>due diligence</i>, where:</p> <p>(i) the license fee is at or below <i>market value</i>; and</p> <p>(ii) the term of the <i>occupation</i> is two (2) years or less.</p>	GMIS DREDS MLAM MMREU MSA
OCCUPATIONS - ROAD		
9(1)	<p>An <i>authorized employee</i> may approve an <i>occupation</i> by license of <i>road</i>, other than for the purposes of either a <i>sign</i> or a telecommunication installation, where:</p> <p>(a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by <i>Real Estate & Development Services</i> for licenses of <i>road</i>;</p> <p>(b) the <i>occupation</i> of the <i>road</i> is subject to early termination on thirty (30) days' written notice;</p> <p>(c) the <i>road</i> is not required for public use; and</p> <p>(d) the <i>occupation</i> is otherwise in compliance with this Bylaw.</p>	GMIS DREDS MLAM MMREU MSA
9(2)	<p>An <i>authorized employee</i> may approve of an <i>occupation</i> by license over <i>road</i> for banners and decorative lights and elements on street posts, streetlights or other similar infrastructure where:</p> <p>(a) the license fee is at or below <i>market value</i>; and</p> <p>(b) the <i>occupation</i> over the <i>road</i> is subject to early termination on thirty (30) days' written notice.</p>	GMIS DREDS MLAM MMREU MSA
OCCUPATIONS – TELECOMMUNICATION INSTALLATION		

10(1)	<p>An <i>authorized employee</i> may approve the <i>occupation</i> by license for a telecommunication installation where:</p> <p>(a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by <i>Real Estate & Development Services</i> for telecommunication installation licenses;</p> <p>(b) the initial term is:</p> <p>(iii) month to month;</p> <p>(iv) year to year; or</p> <p>(v) a fixed term of fifteen (15) years or less;</p> <p>(c) for a fixed term <i>occupation</i>, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</p> <p>(d) the licensee has obtained a letter of concurrence from the <i>City's</i> Community Planning business unit or such business unit that would provide these letters of concurrence; and</p> <p>(e) the license area is part of a <i>road</i>, then the license is subject to early termination on thirty (30) days' written notice.</p>	GMIS DREDS MLAM MMREU MSA
10(2)	<p>An <i>authorized employee</i> may approve the <i>occupation</i> by license for a telecommunications installation on streetlight installations stewarded by the <i>City's</i> Mobility business unit, where:</p> <p>(a) the annual fee is in compliance with the rates set out in the <i>City's</i> master license agreement with wireless</p>	GMIS DREDS MLAM MMREU MSA DM MMO

	<p>service providers and at or above <i>market value</i>;</p> <p>(b) the initial term is a fixed term of fifteen (15) years or less;</p> <p>(c) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</p> <p>(d) the licensee has entered into the <i>City's</i> master license agreement; and</p> <p>(e) where the license area is part of a <i>road</i>, then the license is subject to early termination on thirty (30) days' written notice.</p>	
OCCUPATIONS - SIGNS		
11(1)	An <i>authorized employee</i> may approve the following <i>occupations</i> for signs:	

11(1)(a)	<p>(a) a license for a <i>business identification sign</i> or a <i>third party sign</i> where:</p> <p>(i) the annual license fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by <i>Real Estate & Development Services</i> for sign licenses;</p> <p>(ii) the initial term is:</p> <p>A. month to month;</p> <p>B. year to year; or</p> <p>C. a fixed term of ten (10) years or less; and</p> <p>(iii) for a fixed term <i>occupation</i>, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</p>	GMIS DREDS MLAM MMREU MSA
11(1)(b)	<p>(b) a license granted to a <i>community association</i> or other non-profit organization for a <i>community identification sign</i> where:</p> <p>(i) the license fee is at or below <i>market value</i>;</p> <p>(ii) the initial term of a license is fifteen (15) years or less;</p> <p>(iii) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</p>	GMIS DREDS MLAM MMREU MSA

	(iv) any <i>community identification sign</i> for which a license has been granted under this Bylaw is exempt from the application of the Temporary Signs on Highways Bylaw 29M97;	
11(1)(c)	<p>(c) a license granted to a <i>developer</i> or a resident's association for a <i>community identification sign</i> where:</p> <p>(i) the license fee is at or below <i>market value</i>;</p> <p>(ii) the <i>developer</i> or the resident's association, whichever is applicable, provides an irrevocable letter of credit or other type of security satisfactory to an <i>authorized employee</i>;</p> <p>(iii) the initial term of a license is ten (10) years or less;</p> <p>(iv) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</p> <p>(v) any <i>community identification sign</i> for which a license has been granted under this Bylaw is exempt from the application of the Temporary Signs on Highways Bylaw 29M97;</p>	GMIS DREDS MLAM MMREU MSA
11(1)(d)	(d) a license for a <i>temporary sign</i> where the fee is at or below <i>market value</i> ;	GMIS DREDS MLAM MMREU MSA
11(1)(e)	(e) a license for an <i>election sign</i> where the term and the fee are consistent	GMIS DREDS MLAM

	with the applicable terms and rates approved by <i>Council</i> ; and	MMREU MSA
11(1)(f)	(f) a license for banners on street posts, streetlights or other similar infrastructure where the fee is at or below the <i>market value</i> .	GMIS DREDS MLAM MMREU MSA
OCCUPATIONS - FILM		
12	An <i>authorized employee</i> may approve an <i>occupation</i> by way of license for the purposes of filming or film production where: (a) the license fee is at or below <i>market value</i> ; and (b) the initial term and any renewals or extensions of the <i>occupation</i> does not exceed a total of five (5) years.	GMIS DREDS MLAM MMREU MSA
OCCUPATIONS - SURRENDER		
13	An <i>authorized employee</i> may approve the surrender or partial surrender of an <i>occupation</i> prior to the end of the term, whether the <i>City</i> is the landlord or tenant, where consideration payable for the surrender or partial surrender is One Million (\$1,000,000.00) Dollars or less and funding is available in a budget approved by Council.	GMIS DREDS MLAM MMREU MSA
MAJOR REAL ESTATE UNDERTAKINGS		
14(1)	An <i>authorized employee</i> may approve of: (a) any one (1) or more <i>transactions</i> and the total compensation for such <i>transactions</i> , which may include, but is not limited to <i>market value</i> , <i>market value</i> of exchange lands, incentive payments, non-cash items (such as construction activities or services) and any other payments or costs required to facilitate the negotiation	For transactions \$0 to greater than \$10,000,000.00: City Manager and GMIS For transactions \$0 to \$10,000,000.00 million: GMIS For transactions \$0 to \$5,000,000.00: GMIS DREDS

	<p>and finalization of such <i>transaction</i> where:</p> <ul style="list-style-type: none"> (i) the <i>transaction</i> is part of an undertaking designated by <i>Council</i> as a <i>major real estate undertaking</i>; (ii) the <i>transaction</i> complies with any additional terms and conditions set out in the <i>Council</i> designation of the undertaking as a <i>major real estate undertaking</i>; and (iii) funding for the <i>transaction</i> and compensation is available in a budget approved by <i>Council</i>. 	<p>For transactions \$0 to \$1,000,000.00:</p> <p>GMIS DREDS MLAM MMREU MSA</p>
EXPROPRIATIONS		
15(1)	Where <i>Council</i> has approved of the initiation of expropriation proceedings in respect of any <i>real property</i> , an <i>authorized employee</i> may approve:	
15(1)(a)	(a) the initiation of expropriation proceedings to acquire the same interest(s) in land over a smaller portion of the <i>real property</i> as that originally approved by <i>Council</i> ;	GMIS
15(1)(b)	(b) the initiation of expropriation proceedings to acquire any lesser interest(s) in land than that originally approved by <i>Council</i> in respect of such <i>real property</i> , whether by way of profit, easement, right, privilege or benefit in, over or derived from the <i>real property</i> ;	GMIS
15(1)(c)	(c) the initiation of expropriation proceedings to acquire any lesser interest(s) in land over a smaller portion of the <i>real property</i> as that originally approved by <i>Council</i> in respect of such <i>real property</i> , whether by way of profit, easement, right, privilege or benefit in, over or derived from the <i>real property</i> ; and	GMIS
15(1)(d)	(d) the exception or partial exception of the initiation of expropriation	GMIS

	proceedings of any interest(s) in <i>real property</i> originally approved by <i>Council</i> .	
15(2)	<p>Where <i>Council</i> has previously authorized the initiation of an expropriation of any estate or interest in <i>real property</i>, an <i>authorized employee</i> may approve an <i>acquisition</i> of any such party's interest in the <i>real property</i> by way of an <i>agreement</i> pursuant to section 30 of the <i>Expropriation Act</i>, provided that the <i>proposed payment</i> for the fee simple interest in the <i>real property</i> is:</p> <p>(a) the same or less than the original <i>proposed payment</i> approved by <i>Council</i>; or</p> <p>(b) Ten Million (\$10,000,000.00) Dollars or less if there was no original <i>proposed payment</i> approved by <i>Council</i>; and</p> <p>the <i>proposed payment</i> is available in a budget or funding source approved by <i>Council</i> and reflects compensation that the <i>owner</i> could reasonably be entitled to receive under the <i>Expropriation Act</i>, provided the <i>proposed payment</i> is reviewed and endorsed by the <i>Valuation Review Committee</i>; and</p>	GMIS
15(3)	Where <i>Council</i> has previously authorized the initiation of expropriation of any estate or interest in <i>real property</i> , an <i>authorized employee</i> may approve a negotiated settlement of any compensation that may be payable pursuant to the <i>Expropriation Act</i> where funding for the negotiated settlement is available in a budget or funding source approved by <i>Council</i> and the <i>owner</i> releases the <i>City</i> from any existing or future claims under the <i>Expropriation Act</i> or the <i>Municipal Government Act</i> for which the <i>owner</i> is being compensated for, provided the negotiated settlement has been reviewed	<p>For settlements \$0 to greater than \$10,000,000.00: City Manager and GMIS</p> <p>For settlements \$0 to \$10,000,000.00 million: GMIS</p> <p>For settlements \$0 to \$5,000,000.00: GMIS DREDS</p> <p>For settlements \$0 to \$1,000,000.00: GMIS DREDS</p>

	and endorsed by the <i>Valuation Review Committee</i> .	MLAM MMREU MSA MSA-GL
OTHER TRANSACTIONS		
16(1)	An <i>authorized employee</i> may approve of the following additional <i>transactions</i> :	
16(1)(a)	(a) resolutions related to the management of a condominium corporation in which the <i>City</i> owns one or more units, including the cancellation of such condominium corporation; and	GMIS DREDS MLAM MMREU MSA
16(1)(b)	(b) any other matter not specifically listed in this Bylaw where: (i) the <i>market value</i> of the <i>real property</i> or the consideration for the <i>transaction</i> is Ten Million (\$10,000,000.00) Dollars or less; (ii) the <i>City</i> is not subject to a financial obligation that exceeds One Million (\$1,000,000.00) Dollars; (iii) the matter relates to <i>real property</i> ; and (iv) funding is available in a budget approved by <i>Council</i> .	For transactions \$10,000,000.00 or less – GMIS For transactions \$5,000,000.00 or less: GMIS DREDS
16(2)	Despite any other sections in this Bylaw, an <i>authorized employee</i> may approve of a disposition of an interest in the <i>City's real property</i> , including a <i>disposition</i> of a <i>stand-alone parcel</i> , <i>remnant parcel</i> , a <i>utility right of way</i> , an <i>easement</i> , a <i>restrictive covenant</i> and, an <i>occupation</i> by way of lease, to any third party below market value, without a <i>method of disposition</i> having been approved by <i>Council</i> where: (a) the proposed <i>disposition</i> has been advertised where required by the <i>Municipal Government Act</i> ;	GMIS DREDS

	<p>(b) there is no opposition or objections to the proposed <i>disposition</i> raised by members of the public during any required advertising period; and</p> <p>(c) the <i>market value</i> for the <i>City's real property</i> proposed for <i>disposition</i> is \$25,000 or less.</p>	
COMPENSATION		
17	Provided that funding is available in a budget approved by Council, an <i>authorized employee</i> may, in order to facilitate the negotiation, completion and administration of <i>transactions</i> or other matters approved under this Bylaw, approve of any one or more of the following:	
17(a)	(a) the payment of reasonable legal, appraisal, engineering, broker/realty fees and other professional or consulting fees and disbursements incurred by parties to <i>transactions</i> or other matters approved under this Bylaw;	<p>For any amounts: GMIS DREDS</p> <p>For amounts between \$0 to \$50,000.00 GMIS DREDS MLAM MMREU MSA</p>
17(b)	(b) the payment or reimbursement for or performance of additional services, including landscaping, fencing, construction of other improvements, moving expenses, tenant improvement allowances and incentive payments provided such payment or performance does not exceed Five Hundred Thousand (\$500,000.00) Dollars; and	<p>For amounts between \$0 to \$500,000.00: GMIS DREDS</p> <p>For amounts between \$0 to \$50,000.00: GMIS DREDS MLAM MMREU MSA</p>
17(c)	(c) a payment of Five Hundred Thousand (\$500,000.00) Dollars or less for other types of compensation to facilitate the negotiation, completion, and administration of <i>transactions</i> .	GMIS DREDS
RECTIFICATIONS		

19(a) – (d)	<p>An <i>authorized employee</i> may approve the following corrections and changes of <i>land reports, land authorization forms, agreements and documents</i>:</p> <p>(a) the correction of unintentional errors in the <i>land report, land authorization form, agreement or document</i> provided that the corrections are consistent with the intent of the <i>transaction</i>;</p> <p>(b) any changes to the description of the <i>real property</i> or moveable buildings or structures in the <i>land report, land authorization form, agreement or document</i>;</p> <p>(c) the correction of spelling mistakes and errors in transposition of legal descriptions, municipal descriptions, names of parties, letters, figures and serial numbers for moveable buildings or structures; and</p> <p>(d) the correction of minor changes to an <i>agreement</i> that do not impact material terms and conditions of an <i>agreement</i>, where such <i>agreement</i> was approved as a direct attachment to a <i>land authorization form or land report</i>.</p>	GMIS DREDS MLAM MMREU MSA CLA CMREU CREA CRECS CRELPM CRÉS
20	<p>An <i>authorized employee</i> may, in order to facilitate the negotiation, completion and administration of <i>transactions</i>, approve by <i>rectification</i> the following:</p>	
20(a)	<p>(a) the addition, amendment or deletion of terms and conditions that are consistent with the intent of the <i>transaction</i> and that do not subject the <i>City</i>:</p> <p>(i) to any further material obligations; or</p> <p>(ii) to any financial obligations exceeding the sum of One Million (\$1,000,000.00) Dollars;</p>	GMIS

20(b)	(b) the reduction or increase in the purchase price of an <i>acquisition</i> of <i>real property</i> provided that where there is an increase in the purchase price, such increase does not exceed the original maximum amount set out in this Bylaw for such <i>acquisition</i> ;	Increases that will bring the purchase price up to \$10,000,000.00 – GMIS Increases that will bring the purchase price up to \$5,000,000.00: GMIS DREDS Increases that will bring the purchase price up to \$1,000,000.00: GMIS DREDS MLAM MMREU MSA
20(c)	(c) the reduction or increase in the purchase price of a <i>disposition</i> of <i>real property</i> provided that where there is a reduction in the purchase price, the purchase price for such <i>disposition</i> must not be reduced below <i>market value</i> ;	GMIS DREDS MLAM MMREU MSA
20(d)	(d) the reduction or increase in the base rent or license fee of an occupation provided where: (i) there is a reduction to the base rent, the base rent must not be reduced below <i>market value</i> ; or (ii) there is an increase in the base rent or license fee, such increase in the base rent or license fee does not exceed the original maximum amount set out in this Bylaw for such <i>occupation</i> ;	GMIS DREDS MLAM MMREU MSA
20(e)	(e) subject to subsections 20(h) and 20(i), the extension(s) of any <i>transaction date</i> where the extension(s) does not exceed a total period of five (5) years from that original <i>transaction date</i> and for greater certainty an extension to an expiry date which impacts the length of term of any <i>occupations</i> , option,	For extensions up to a total 5 years: GMIS DREDS MLAM MMREU MSA

	right of first refusal or right of first offer term must be rectified under subsections 20(h) or 20(i);	For extensions up to a total of 1 year: GMIS DREDS MLAM MMREU MSA CLA CMREU CREA CRECS CRELPM CRES
20(f)	(f) the moving up of any <i>transaction date</i>	For moving up a <i>transaction date</i> any amount of time: GMIS DREDS MLAM MMREU MSA For moving up a <i>transaction date</i> up to a total of 1 year: GMIS DREDS MLAM MMREU MSA CLA CMREU CREA CRECS CRELPM CRES
20(g)	(g) the splitting up of any <i>transaction date</i> into two or more <i>transaction dates</i> where: (i) the earliest <i>transaction date</i> is extended no more than five (5) years from the <i>original transaction date</i> ; and (ii) the last <i>transaction date</i> is extended no more than five (5)	For extension of the earliest or the last <i>transaction date</i> by up to a total of 5 years for each: GMIS DREDS MLAM MMREU MSA For extension of the earliest or the last <i>transaction date</i> by up to a total of 1 year for each: GMIS

	years from the <i>original transaction date</i> .	DREDS MLAM MMREU MSA CLA CMREU CREA CRECS CRELPM CRES
20(h)	(h) an amendment to the length of term of an <i>occupation</i> where the amendment to the length of the term is otherwise in compliance with this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(i)	(i) an amendment to the length of an option, right of first refusal or right of first offer term or an extension of an option, right of first refusal or right of first offer term where the amendment or extension is otherwise in compliance with this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(j)	(j) where the <i>City</i> is the tenant or licensee, the exercise of a renewal or extension of an <i>occupation</i> provided such renewal or extension complies with this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(k)	(k) adding a renewal or extension term to an <i>occupation</i> provided such renewal or extension term complies with this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(l)	(l) the charging or paying of fees for the extension of closing or exercise dates for <i>dispositions</i> or <i>acquisitions</i> and administrative fees for assignment and assumption <i>agreements</i> , amending <i>agreements</i> and administering <i>occupation agreements</i> in accordance with rates established by <i>Real Estate & Development Services</i> ;	GMIS DREDS MLAM MMREU MSA
20(m)	(m) any changes to the base rent or fee payable upon the exercise of either an option or a right to renew or extend an	GMIS DREDS MLAM

	<i>occupation</i> , where the new base rent or fee payable is at or above <i>market value</i> or more;	MMREU MSA
20(n)	(n) rent forgiveness, temporary rent relief or change in base rent: (i) to match new prevailing market conditions and address conditions if there is a rapid onset crisis with material impacts on economic conditions; (ii) to address temporary construction or other projects which impact or limit the viability of tenants' businesses or operations; or (iii) where directed by <i>Council</i> ;	GMIS DREDS
20(o)	(o) a change in the permitted use of an <i>occupation</i> ;	GMIS DREDS MLAM MMREU MSA
20(p)	(p) the substitution, addition or deletion of parties to <i>transactions</i> approved by <i>Council</i> or pursuant to this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(q)	(q) adjustments made to the: (i) <i>market value</i> purchase price, base rent or fee as a result of a change in the property area upon completion of a survey; or (ii) area for an <i>occupation</i> to include any additional rental areas or the reduction of any rental area;	GMIS DREDS MLAM MMREU MSA
20(r)	(r) an increase to any <i>proposed payment</i> approved by <i>Council</i> to facilitate the completion of an <i>agreement</i> pursuant to section 30 of the <i>Expropriation Act</i> where such an increase is available in a budget or funding source approved by <i>Council</i> and the increase to the <i>proposed payment</i> reflects compensation that the <i>owner</i> could	For increases greater than \$10,000,000.00: City Manager and GMIS For increases \$0 to \$10,000,000.00 million: GMIS

	reasonably be entitled to receive under the <i>Expropriation Act</i> , provided such increase is reviewed and endorsed by the <i>Valuation Review Committee</i> ;	For increases \$0 to \$5,000,000.00: GMIS DREDS
20(s)	(s) an increase to any <i>proposed payment</i> for an expropriation approved by <i>Council</i> where such an increase is available in a budget or funding source approved by <i>Council</i> and the increase to the <i>proposed payment</i> reflects compensation that the <i>owner</i> could reasonably be entitled to receive under the <i>Expropriation Act</i> , provided such increase is reviewed and endorsed by the <i>Valuation Review Committee</i> ;	For increases greater than \$10,000,000.00: City Manager and GMIS For increases \$0 to \$10,000,000.00 million: GMIS For increases \$0 to \$5,000,000.00: GMIS DREDS
20(t)	(t) a decrease to any <i>proposed payment</i> approved by <i>Council</i> where such decrease reflects compensation the <i>owner</i> could reasonably be entitled to receive under the <i>Expropriation Act</i> , provided such decrease is reviewed and endorsed by the <i>Valuation Review Committee</i> ;	GMIS DREDS
20(u)	(u) the payment of additional compensation provided such additional compensation complies with section 17;	17(a): For any amounts: GMIS DREDS For amounts between \$0 to \$50,000.00 GMIS DREDS MLAM MMREU MSA 17(b): GMIS DREDS 17(c): For amounts between \$0 to \$500,000.00: GMIS

		DREDS For amounts between \$0 to \$50,000.00: GMIS DREDS MLAM MMREU MSA
20(v)	(v) the charging or paying of any deposit or security to be taken or given by the <i>City</i> to secure the performance of obligations under any <i>agreement</i> and the terms and conditions pursuant to which the deposit or security is to be paid, held and released;	GMIS DREDS MLAM MMREU MSA
20(w)	(w) the increase, reduction, or waiver of any interest payable and the imposition or acceptance of alternate terms and conditions relating to payment of interest in consideration of the extension or advancement of any <i>transaction date</i> where the increase, reduction or waiver of the interest payable is Fifty Thousand (\$50,000.00) Dollars or less;	GMIS DREDS MLAM MMREU MSA
20(x)	(x) the waiver of conditions precedent;	GMIS DREDS MLAM MMREU MSA
20(y)	(y) the assignment and assumption of any <i>agreement</i> including the charging of or paying of fees for the assignment and assumption of any <i>agreement</i> ;	GMIS DREDS MLAM MMREU MSA
20(z)	(z) amendment to any terms and conditions of an <i>occupation</i> for film purposes under section 12 provided such amendments complies with this Bylaw; and	GMIS DREDS MLAM MMREU MSA
20(aa)	(aa) any additions of any terms and conditions to a <i>land report</i> or any corrections, changes, additions, amendments or deletions of any terms	As set out in the <i>land report</i> approved by <i>Council</i> : GMIS or DREDS

	and conditions set out in a <i>land report</i> , which are necessary in order to facilitate the negotiation, finalization and administration of a <i>transaction</i> or other matter where a <i>land report</i> approved by <i>Council</i> authorizes the use of the powers set out in this section.	
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Text For Discussion

~~OFFICE CONSOLIDATION~~ Proposed Wording for a Bylaw to Repeal and Replace**BYLAW NUMBER**
Real Property Bylaw 52M2009

**~~BEING A BYLAW OF THE CITY OF CALGARY
TO DELEGATE CERTAIN POWERS, DUTIES
AND FUNCTIONS RELATING TO THE
AUTHORIZATION AND ADMINISTRATION OF
REAL PROPERTY TRANSACTIONS AND TO
THE ADMINISTRATION AND MANAGEMENT
OF THE CITY OF CALGARY'S REAL
PROPERTY~~**

(Amended by 32M2017)

~~**WHEREAS** The City of Calgary is involved in transactions relating to the acquisition, disposition and occupation of real property which must be authorized, documented, executed, rectified and completed and is involved in the administration and management of The City of Calgary's real property;~~

~~**AND WHEREAS** the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended, provides that Council of The City of Calgary may delegate by bylaw any of its powers, duties or functions to its Chief Administrative Officer;~~

~~**AND WHEREAS** it is expedient and appropriate to delegate to the Chief Administrative Officer certain powers, duties and functions relating to the authorization, documentation, execution, rectification and completion of real property transactions and relating to the administration and management of The City of Calgary's real property;~~

**PART I
GENERAL MATTERS**

TITLE

1. ~~The bylaw~~ This Bylaw may be ~~referred to~~ cited as the "Real Property Bylaw".

PURPOSE

2. ~~The bylaw~~ (1) This Bylaw is limited to the authorization of *transactions* and the administration and management of the *City's real property* ~~undertaken by Real Estate & Development Services, where the City is acting as vendor, purchaser, landlord, tenant, licensor, licensee, grantor or grantee.~~

(32M2017, 2017 September 13)

- 2) All transactions for real property are governed by this Bylaw, except for the following:

- (a) short term permits and temporary licenses of occupation with third parties for activities in Parks where the Parks & Pathways Bylaw 11M2019 applies and such activities align with the service provisions of Parks;
- (b) short term permits for third parties for activities on roads where the Streets Bylaw 20M88 applies and such activities align with the service provisions of Roads;
- (c) access agreements and licenses of occupations where the Environmental Agreements Bylaw 11M2010 applies;
- (d) transactions where the Green Line Board Bylaw 21M2020 applies;
- (e) rights-of-way governed under the Municipal Rights-of-Way Bylaw 17M2016;
- (f) issuance of entry fee tickets and permits into a City facility, such as recreational facilities aligned with the service provided in such facilities;
- (g) issuance of parking entry and user fees for parking on City owned lands, including City streets and City owned structures; and
- (h) crossing agreements, grade separation agreements and other related agreements with the federal government, provincial government, railway companies or utility companies for the City's construction or operation (or both) of roads or bridges over, under, or at grade with other transportation systems, railways, waterways and utilities.

DEFINITIONS AND INTERPRETATION

3. ~~(1) — The~~ In this Bylaw, the following definitions apply ~~in the bylaw~~:
- (a) "acquisition" means the acquisition of *real property*, or any moveable building or structure, by any means, including its purchase, land exchange, dedication, gift, option, right of first refusal, right of first offer, easement, utility right of way

or restrictive covenant *agreement*;

~~(32M2017, 2017 September 13)~~

- (b) "agreement" means any written agreement documenting a *transaction* and any written agreements relating to the *transaction* including any amending, assignment, assumption, acknowledgement, renewal, extension, or consent agreement;
- (c) ~~"bylaw" means the Real Property Bylaw described in Section 1, as it may be amended from time to time;~~ "affiliate" means any entity controlling, controlled by or under common control with a party (in each case whether directly or indirectly) where "control" means the ownership of greater than 50% of the equity or beneficial interest of the party or that entity or the right to vote for or appoint a majority of the board of directors or other governing body of the party or that entity;
- (d) "authorized employee" means the employee of the City who has been delegated the authority to exercise the powers, duties and functions under this Bylaw as listed in Schedule "A";
- (e) "business identification sign" means a sign identifying a business and erected or to be erected by an owner or legal occupant of land adjacent to or adjoining City owned real property;
- (f) ~~(d)~~ "City" means the municipal corporation of The City of Calgary;
- (g) ~~(e)~~ "City Manager" means the ~~person appointed by Council as the City's~~ Chief Administrative Officer ~~or that person's designate~~ of the City;
- ~~(f) — DELETED BY 32M2017, 2017 SEPTEMBER 13;~~
- (h) "City associate" means an entity that assists the City in its delivery of core social, recreational and community services to the citizens of Calgary;
- (i) "civic partner" means an independent organization registered in the City's Partnership Inventory, as defined in the Investing in Partnerships Policy;
- (j) ~~(g)~~ "Committee" means the Standing Policy Committee on Utilities Infrastructure and Corporate Services Planning or such other committee designated by Council ~~delegated the authority under the Procedure Bylaw 35M2017 to consider proposed transactions and other matters relating to the City's real property;~~
- ~~(h) — DELETED BY 32M2017, 2017 SEPTEMBER 13;~~
- (k) ~~(h)~~ "community association" means a non-profit organization representing a residential community or group of communities, but does not include a resident's association;
- (l) ~~(i)~~ "community identification sign" means a sign that states the name of a residential community, including but not limited to designating specific areas in such residential community, and may contain a logo or symbol that is associated with that residential community;
- (m) ~~(j)~~ "Coordinator, Real Estate Client Services Land Administration" means the City employee appointed to holding the position having the title of Coordinator, Land Administration;
- (n) "Coordinator, major real estate undertaking" means the City employee holding the position of a Coordinator, or its equivalent, for a major real estate undertaking, and whose position requires coordinating or leading transactions related to such major real estate undertaking;

- (o) [“Coordinator, Real Estate Acquisitions”](#) means the [City](#) employee holding the position having the title of [Coordinator, Real Estate Acquisitions](#);
- (p) [“Coordinator, Real Estate Client Services](#) ~~or that person’s designate~~” means the [City](#) employee holding the position having the title of [Coordinator, Real Estate Client Services](#);
- (q) [“Coordinator, Real Estate Leasing & Property Management”](#) means the [City](#) employee holding the position having the title of [Coordinator, Real Estate Leasing & Property Management](#);

(32M2017, 2017-September 13)

- ~~(k) — DELETED BY 32M2017, 2017 SEPTEMBER 13;~~
- (r) [“Coordinator, Real Estate Sales”](#) means the [City](#) employee holding the position having the title of [Coordinator, Real Estate Sales](#);
- (s) ~~(t) —~~ [“Coordinators”](#) means any one or more of the [City](#) employees ~~appointed to~~ [holding](#) the ~~positions~~ [position](#) having the title of [Coordinator, Real Estate Acquisitions, Coordinator, Real Estate Sales, Coordinator, Real Estate](#) ~~Coordinator, Real Estate~~ [Coordinator, Real Estate](#) Leasing & Property Management, [Coordinator, Land Administration or Coordinator, Real Estate](#) [Coordinator, Real Estate](#) Client Services or ~~that person’s designate~~ [having the position equivalent to Coordinator, major real estate undertaking](#);

(32M2017, 2017-September 13)

- (t) ~~(m) —~~ [“Council”](#) means the Council for the [City](#);

- ~~(n) — “Deputy City Manager” means the City employee appointed to the position of Deputy City Manager or that person’s designate;~~

(32M2017, 2017-September 13)

- (u) ~~(e)~~ “*developer*” means the developer of a subdivision or development that has received land use and subdivision approval from the applicable government authority pursuant to Part 17 of the *Municipal Government Act*;
- (v) “Director, Mobility” means the City employee holding the position having the title of Director, Mobility;
- (w) ~~(p)~~ “*Director, RE&DS*” means the City employee ~~appointed to~~holding the position having the title of Director, Real Estate & Development Services, ~~or that person’s designate~~;
- (x) ~~(q)~~ “*disposition*” means the disposition of *real property*, or any moveable building or structure, by any means, including its sale, land exchange, option, right of first refusal, right of first offer, easement ~~or~~, utility right of way, restrictive covenant or reverting pursuant to the *Expropriation Act*;
- (y) ~~(r)~~ “*document*” means any form, instrument or document ~~to be registered in the Land Titles Office~~ that may be required to complete a *transaction* or to maintain or administer the City’s *real property* registrations, including, but not limited to, any transfer, caveat, affidavit, declaration, certificate, plan, withdrawal, discharge, surrender, postponement, consent, order, form, notice, application or request;
- (z) ~~(s)~~ “*due diligence*” means any inspection or investigation of *real property* including, but not limited to, any ~~environmental site assessment or~~ testing, geotechnical investigation, soil testing, survey, appraisal, non-invasive environmental investigation, including a phase I environmental site assessment, or hydrovac excavation, ~~survey or appraisal~~ that is not associated with any environmental investigation;
- (aa) ~~(t)~~ “*election sign*” means any *sign* used to promote a candidate or party during a provincial or federal election or by-election, or any election or by-election held pursuant to the *Local Authorities Election Act*, R.S.A. RSA 2000, c. L-21;
- (bb) ~~(u)~~ “*Expropriation Act*” means the *Expropriation Act* R.S.A. RSA 2000, c. E-13;
- (cc) ~~(v)~~ “*Finance Leader*” means the City employee ~~with~~holding the position having the title of Finance Leader and assigned to the Real Estate & Development Services ~~appointed to the position of Finance Leader or that person’s designate~~business unit;
- (w) ~~DELETED BY 32M2017, 2017 SEPTEMBER 13;~~
- (dd) “General Manager” means the City employee holding the position having the title of General Manager, Infrastructure Services;

(ee) [“Investing in Partnerships Policy” means the Council policy number CP2017-01 adopted on February 13, 2017;](#)

(ff) ~~(x)~~—“*land authorization form*” means an authorization form ~~developed~~prescribed by *Real Estate & Development Services* that sets out the material terms and conditions of a proposed *transaction* including:

- (i) a description of the *real property*; ~~(32M2017, 2017 September 13)~~

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- (ii) the parties to the *transaction*;
- (iii) the consideration;
- (iv) any conditions precedent to completion of the *transaction*;
- (v) any *transaction dates* or other material dates to the *transaction*;
- and
- (vi) any other material terms and conditions respecting the *transaction*;

(gg) "land exchange" means the disposition or acquisition of one (1) or more City stand-alone parcels or remnant parcels in exchange for the disposition or acquisition of one (1) or more real property owned by a third party;

(hh) ~~(y)~~ "land report" means a report that sets out the material terms and conditions of a proposed *transaction* including:

- (i) a description of the *real property*;
- (ii) the parties to the *transaction*;
- (iii) the consideration;
- (iv) any conditions precedent to completion of the *transaction*;
- (v) any *transaction dates* or other material dates to the *transaction*;
- and
- (vi) any other material terms and conditions respecting the *transaction*;

~~(z) — DELETED BY 32M2017, 2017 SEPTEMBER 13;~~

~~(aa) —~~

(ii) "Land Titles Officer" means the City employee ~~appointed to~~ holding the position having the title of Land Titles Officer ~~or that person's designate~~;

~~(32M2017, 2017 September 13)~~

~~(bb) —~~

(jj) "major real estate undertaking" means an undertaking that includes one (1) or more acquisitions, dispositions, land exchanges or occupations and that has been designated by Council as a major real estate undertaking in accordance with subsection 14(1);

(kk) "Management Real Estate Review Committee" means the ~~Management Real Estate Review Committee that reviews~~ City administration committee established under this Bylaw to review and ~~considers~~ consider proposed *transactions* and other matters relating to the City's *real property*;

(ll) ~~(cc)~~ "Manager, Land & Asset Management" means the City employee ~~appointed to~~ holding the position having the title of Manager, Land & Asset Management ~~or that person's designate~~;

~~(32M2017, 2017 September 13)~~

~~(cc-1)~~

(mm) "Manager, ~~Real Estate~~ Litigation & Expropriation" means the City employee ~~appointed to~~ holding the position having the title of Manager, ~~Real Estate~~ Litigation & Expropriation within the Law ~~and Legislative~~ Legal Services business unit;

(nn) "Manager, major real estate undertaking" means the City employee holding the position of a Manager, or its equivalent, for a major real

estate undertaking, and whose position requires the management of transactions related to such major real estate undertaking;

(oo) "Manager, Planning & Real Estate" means the City employee holding the position having the title of Manager, Planning & Real Estate within the Law, Legal Services business unit ~~or that person's designate;~~

~~(32M2017, 2017 September 13)~~

~~(cc.2)~~

(pp) "Manager, Sales & Acquisitions" means the City employee ~~appointed to~~ holding the position having the title of Manager, Sales & Acquisitions;

(qq)

“Manager, Sales & Acquisitions – Green Line” means the *City* employee holding the position having the title of Manager, Sales & Acquisitions ~~or that person’s designate~~ Green Line;

(32M2017, 2017 September 13)

~~(dd)~~—

(rr) *“market value”* means the ~~fair~~ market price, rent, fee or other consideration that would be paid by willing parties to a *transaction* as established by:

(i) an internal valuation performed by a *City* employee and reviewed and endorsed by the *Valuation Review Committee*; or

(ii) ~~(i)~~ an external appraisal performed by an independent appraiser accredited by the Appraisal Institute of Canada and reviewed and endorsed by the *Valuation Review Committee*; or

~~(ii)~~ an internal valuation performed by a *City* employee and reviewed and verified by the *Valuation Review Committee*;

(32M2017, 2017 September 13)

~~(ee)~~—

(ss) *“method of disposition”* means any method for a *disposition* including:

- (i) public offering including, but not limited to, a request for proposal, an invitation to offer, tender or expression of interest;
- (ii) listing with an independent real estate brokerage;
- (iii) direct negotiation with one or more persons by *Real Estate & Development Services*; or
- (iv) public marketing, targeted marketing or an offering administered by *Real Estate & Development Services*;

(32M2017, 2017 September 13)

~~(ff)~~—

(tt) *“Municipal Government Act”* means the *Municipal Government Act*, ~~R.S.A.~~ RSA 2000, c. M cM-26;

(uu) *“net book value”* means the net book value as defined in the Supporting Procedures for TCA Reporting Policy FA-054;

(vv) ~~(gg)~~ *“occupation”* means the use and occupation of *real property* by any means including lease, license or any other ~~tenancy~~ agreement;

~~(hh)~~ *“owner sign”* means a ~~sign erected or to be erected by an owner of land adjoining *City*-owned *real property*;~~

(ww) *“owner”* has the same meaning as in the *Expropriation Act*;

(xx) *“proposed payment”* means a proposed payment as set out in the *Expropriation Act*;

(yy) ~~(ii)~~ *“Real Estate & Development Services”* means the *City*’s Real Estate & Development Services business unit or its equivalent;

(32M2017, 2017 September 13)

~~(jj)~~—

(zz) *“real property”* means any legal or equitable estate, right, title or interest in land including buildings, structures and improvements constructed on the land and fixtures attached to the land;

| (aaa) "rectification" means a form requesting changes, additions or deletions to the terms and conditions of an approved *land authorization form*, *land report* or *Council* approval of a *transaction* or other matter approvable under this Bylaw;

| (bbb) ~~(kk)~~ "remnant parcel" means any land that:
| (i) is no longer required for municipal purposes;
| (ii) is not developable on its own due to physical or financial constraints; and

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- (iii) for which the only potential purchasers are the adjoining land owners;

~~(ll) “reserve e consideration” means the minimum price, base rent, fee or other consideration as established by Council for an acquisition, disposition or occupation;~~

~~(mm) —~~

(ccc) “road” means any public thoroughfare, street, road, trail, avenue, parkway, driveway, lane, alley, square, bridge, causeway owned by the City, or any portion of any of them, intended for vehicular traffic, and road right of ways, including sidewalks;

~~(32M2017, 2017 September 13)~~

~~(nn) —~~

(ddd) “sign” means any free standing inscribed board, bill, placard, poster, banner, flag or device that is intended for identification, or advertising, or to promote anything or inform anyone;

(eee) ~~(ee)~~ “stand alone parcel” means any land that:

- (i) is no longer required for municipal purposes; and
- (ii) is developable on its own;

(fff) ~~(ff)~~ “temporary sign” means a *sign* that is not permanently affixed to a building, other ~~irremovable~~ immovable structure, or the ground;

(ggg) ~~(gg)~~ “third party sign” means a *sign* placed on *City* owned *real property* by a person other than the owner of an adjoining property;

(hhh) ~~(ff)~~ “transaction” means an *acquisition, disposition, or occupation* or land exchange;

(iii) ~~(ss)~~ “transaction date” means any material date(s) to the *transaction*, including closing date, adjustment date, possession date, commencement date, expiry date, termination date, condition precedent date, exercise date, effective date, building commitment date or any other date contemplated in the *transaction*; and

(jjj) ~~(tt)~~ “Valuation Review Committee” means the ~~Valuation Review Committee that is comprised~~ City administration committee established by the City Manager and which must consist of:

- (i) any one of the *Manager, Land & Asset Management* ~~or,~~ the *Manager, Sales & Acquisitions* or the Manager, major real estate undertakings;
- (ii) the *Coordinator, Real Estate Client Services*; and
- (iii) any ~~two~~ three ~~(23)~~ other employees of *Real Estate & Development Services*; from *Real Estate Sales & Acquisitions Division* or *Land & Asset Management Division*;

and provided that at least one person on ~~the Valuation Review Committee~~ must be this committee is an appraiser accredited by the Appraisal Institute of Canada.

~~(32M2017, 2017 September 13)~~

4. (1) ~~In the bylaw:~~ 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.
- (2) Where this Bylaw refers to another Act, bylaw, regulation, agency, City policy, or City framework it includes references to any Act, bylaw, regulation, agency, City policy or City framework as amended or that may be substituted therefore.
- (3) ~~(a) wherever~~ Wherever a word appears in italics the word is being used as it is defined in ~~Section 3(1)~~ section 3 of ~~the bylaw~~ this Bylaw and where the same word appears in ordinary font, its regularly applied meaning in the English language is intended;.
- (4) ~~(b) a~~ A word or expression and grammatical forms of the same word or expression have corresponding meanings;.
- ~~(c) — wherever the bylaw refers to a person with reference to gender or is gender neutral, the intention is to read the bylaw with the gender applicable in the circumstances;~~
- (5) ~~(d) references~~ References to items and definitions in the plural ~~include~~ includes the singular ~~and the singular includes the plural~~, where applicable;.
- (6) ~~(e) the~~ The words “include”, “including” and “includes” are not to be read as limiting the phrases or descriptions that precede them;.
- ~~(f) — any reference to statutes of Alberta includes any amendments, related regulations or any enactments substituted for the referenced statute;~~
- ~~(g) — any reference to City bylaws includes any amendments or replacements to the referenced bylaw; and~~
- (7) ~~(h) Any heading, sub-headings, or tables of contents in this Bylaw are inserted~~ included for ease of reference guidance purposes and convenience only and ~~are~~ shall not ~~to be used as interpretation aids~~ form part of this Bylaw.
- ~~5. — If a court or tribunal of competent jurisdiction declares any portion of the bylaw to be illegal or unenforceable, that portion of the bylaw will be considered to be severed from the balance of the bylaw, which will continue to operate in full force.~~
- (8) All schedules attached to this Bylaw shall form a part of this Bylaw.

PART II
AUTHORIZATION OF TRANSACTIONS

ACQUISITIONS

5. ~~6. (1) The City Manager~~An authorized employee may approve the following ~~acquisitions:~~
- (a) an *acquisition* of a fee simple interest at or below *market value* ~~if~~where:
- (i) the purchase price for the real property is ~~Five~~Ten Million
(~~\$5,000,000.00~~10,000,000.00) Dollars or less; and
- (ii) funding for the *acquisition* is available in a budget approved by
Council; ~~(32M2017, 2017-September 13)~~
- (b) an *acquisition* of ~~either~~ an option ~~or~~ right of first refusal ~~if~~for right of first offer where:

- (i) the initial term of the option, right of first refusal or right of first refusal fee offer is no more than ten (10%) percent of the purchase price for the real property;
- ~~(ii) — the term of) years or less;~~
- (ii) the term for an option, right of first refusal or right of first offer may be extended for any number of extensions provided the total length of the term does not exceed a total of twenty (20) years;
- (iii) the fee for the option or the right of first refusal is one (1) year or less right of first offer, if any, does not exceed ten (10%) percent of the current market value of the real property; and
- (iv) (iii) the acquisition is otherwise in compliance with the bylaw this Bylaw;
- (c) an acquisition by exercise of an option or right of first refusal at or below market value if right of first offer where:
 - (i) the purchase price is Five:
 - A. a set amount approved at the time of the acquisition of such option, right of first refusal or right of first offer; or
 - B. Ten Million (\$5,000,000.00 10,000,000.00) Dollars or less if such purchase price is not determined until the exercise of the option, right of first refusal or right of first offer; and
 - (ii) ~~(32M2017, 2017 September 13)~~ funding for the acquisition is available in a budget approved by Council;
- (d) an acquisition by dedication for nominal value to the City. ~~In addition, the City Manager, including that such authorized employee~~ may authorize the City to relocate, repair or replace existing improvements on the donor's lands adversely impacted by the dedication provided funding for such relocation, repair, or replacement is available in a budget approved by Council;
- (e) an acquisition by way of gift to the City;
- (f) an acquisition of easements or utility rights of way ~~if~~ where:
 - (i) the consideration is Five Million (\$5,000,000.00) Dollars or less and at or below market value; and
 - (ii) ~~(32M2017, 2017 September 13)~~ funding for the acquisition is available in a budget approved by Council;
- (g) an acquisition of a restrictive covenant that limits or restricts the use of land not owned by the City or land owned by the City for the benefit of the City's land; ~~and~~
- (h) an acquisition of any moveable building or structure including, but not limited to, a mobile home, a house, a commercial building or an ancillary structure, at or below market value ~~if~~ where:
 - (i) the purchase price is FiveTen Million (\$5,000,000.00 10,000,000.00) Dollars or less; and

~~(ii) — Funding~~

(ii) funding for the *acquisition* is available in a budget approved by ~~Council~~.

~~(32M2017, 2017 September 13)~~

~~(2) Any acquisition described in Subsection 6(1) must meet all applicable policies, procedures, standards and guidelines approved by Council and/or Real Estate & Development Services;~~

(i) an acquisition of a stand-alone parcel or remnant parcel with a title marked with 'tax forfeiture'; and

(j) an acquisition of an encroachment on land not owned by the City for the benefit of the City's land.

(32M2017, 2017 September 13)

DISPOSITIONS

6. ~~7.~~(1) ~~The City Manager~~An authorized employee may approve the following dispositions:

- (a) a disposition of the fee simple interest in a stand-alone parcel ~~if~~where:
 - (i) the *method of disposition* has been approved by *Council*;
 - (ii) the purchase price of the stand-alone parcel is the same as or more than the ~~reserve consideration~~market value; and
 - (iii) the *disposition* complies with any terms and conditions imposed by *Council* in the *method of disposition*;
- (b) a disposition of the fee simple interest in a stand-alone or remnant parcel ~~if~~as part of the Framework - Transacting with Non-Profit Organizations and Registered Charities below Market Value where:
 - (i) the method of disposition has been approved by Council;
 - (ii) the purchase price ~~for~~of the stand-alone or remnant parcel ~~is Five Million (\$5,000,000.00) Dollars or less~~complies with the parameters set out in the method of disposition approved by Council; and
 - (iii) the disposition complies with any other terms and conditions imposed by Council in the method of disposition;
- (c) a disposition of the fee simple interest in a remnant parcel where the purchase price for the remnant parcel is at or above *market value*;

(32M2017, 2017 September 13)

- (d) ~~(e)~~ a disposition of the fee simple interest in a remnant parcel, ~~to the owner of the adjoining lands~~, for nominal value ~~if~~where:
 - (i) the *remnant parcel* was originally dedicated to the *City* as *road* pursuant to a subdivision or development application, or to a dedication agreement; and
 - (ii) the owner of the adjoining lands is the same person or entity that originally dedicated the *remnant parcel* to the *City*;
- (e) ~~(d)~~ a disposition of an option, right of first refusal or right of first offer for a remnant parcel or a stand-alone parcel ~~by option or right of first refusal~~ ~~if~~where:
 - (i) the purchase price for such option ~~or the~~, right of first refusal ~~fee or right of first offer~~ is at ~~least ten (10%) percent of the purchase price of the remnant parcel or stand-alone parcel or above market value~~;
 - (ii) the term of the option, right of first refusal or right of first ~~refusal offer~~ is for ~~one~~:
 - A. five (15) year years or less; or
 - B. twenty-five (25) years or less where the option, right of first refusal or right of first offer is for a school board;
 - (iii) if a fee is charged for the option, right of first refusal or right of first offer, such fee is in line with rates set by Real Estate & Development Services for options, rights of first refusal or rights of first offer; and
 - (iv) ~~(iii)~~ the *disposition* is otherwise in compliance with ~~the bylaw~~this Bylaw;

- (f) ~~(e)~~ a *disposition* of a right to encroach on the *City's real property* in accordance with the *City's* ~~corporate policy on encroachments~~ Encroachment Bylaw 9M2020;
- (g) ~~(f)~~ a *disposition* of an easement or utility right of way ~~if~~ where:
- (i) the consideration ~~is Five Million (\$5,000,000.00) Dollars or less and~~ is at or above *market value*; and

~~(32M2017, 2017 September 13)~~

- (ii) the proposed easement or utility right of way will not materially impact the City's future use or development of the City ~~lands~~real property as determined by *Real Estate & Development Services*;

(32M2017, 2017 September 13)

- (h) ~~(g)~~ a *disposition* of a restrictive covenant that limits or restricts the use of the City's land for the benefit of land not owned by the City ~~if~~where the *disposition* is at or above *market value*; and

(32M2017, 2017 September 13)

- (i) ~~(h)~~ a *disposition* of any moveable building or structure including, ~~but not limited to,~~ a mobile home, a house, a commercial building or an ancillary structure, ~~if~~where the purchase price is ~~Five Million (\$5,000,000.00) Dollars or less~~at or above market value, without a *method of disposition* having been approved by *Council*.

(32M2017, 2017 September 13)

~~(2) Notwithstanding section 7(1), the City Manager~~

- (2) Despite subsection 6(1), an *authorized employee* may approve a *disposition* of the fee simple interest in a *stand-alone parcel* ~~or a remnant~~without a *method of disposition* having been approved by Council, where the *stand-alone* parcel ~~if:~~

(a) has been publicly marketed;(b) is deemed surplus by the City; and(c) the purchase price is at or above *market value*.

- ~~(a) the *disposition* is directly negotiated with~~ (3) Despite subsection 6(1), an *authorized employee* may approve a *disposition* of the fee simple interest in a *stand-alone parcel* or a *remnant parcel* by direct negotiation to Calgary Municipal Land Corporation, Attainable Homes Calgary Corporation, Calgary Housing Company, Calhome Properties Ltd., the provincial government or its related entities, or the federal government; ~~and or its related entities:~~

~~(b) the purchase price is Five Million (\$5,000,000.00) Dollars or less and is at or above book value;~~

- (a) without a *method of disposition* ~~having been~~ approved by Council, where the purchase price is Ten Million (\$10,000,000.00) Dollars or less and is at or above *net book value* or *market value*; or

(32M2017, 2017 September 13)

- (b) with a *method of disposition* or *land report* approved by Council where the purchase price is below *market value*.

- ~~(3) Notwithstanding Section 7(1), the City Manager~~ (4) Despite subsection 6(1), an *authorized employee* may approve a *disposition* of the fee simple interest in a *stand-alone parcel* ~~or without a *remnant parcel* if~~method of disposition having been approved by Council, where:

- (a) the *disposition*:
- (i) is directly negotiated with the owner of the adjoining lands;
 - ~~(ii) — meets the City's triple bottom line objectives;~~
 - (ii) ~~(iii)~~ satisfies or meets the objectives of the Area Redevelopment Plan or the Area Structure Plan; and
 - (iii) ~~(iv)~~ allows for the owner of the adjoining lands to assemble multiple parcels for a larger scale, comprehensive development;
- (b) the *disposition* of the *stand -alone* ~~parcel or the remnant~~ parcel cannot meet its desired highest and best use without being consolidated with an adjoining parcel; and
- (c) the purchase price is ~~Five~~Ten Million (~~\$5,000,000.00~~10,000,000.00) Dollars or less; and at or above market value.

LAND EXCHANGES

7. (1) An authorized employee may approve of a land exchange at or above market value without a method of disposition having been approved by Council, where:

(32M2017, 2017 September 13)

- ~~(4) Any disposition described in Subsections 7(1), (2) or (3) must meet all applicable policies, procedures, standards and guidelines approved by Council and/or Real Estate & Development Services.~~

(32M2017, 2017 September 13)

- (a) the market value of the City stand-alone parcel or remnant parcel is One Million (\$1,000,000.00) Dollars or less;
- (b) the market value of the real property owned by a third party is Ten Million (\$10,000,000.00) Dollars or less;
- (c) the acquisition of real property owned by a third party is for municipal purposes and the City stand-alone parcel or remnant parcel for disposition is deemed surplus to by the City; and
- (d) funding for the land exchange is available in a budget approved by Council.

- (2) The authorized employee that may approve of a land exchange under subsection 7(1), under the Schedule A delegations, must be determined using the real property with the highest market value.

OCCUPATIONSGeneral Occupations

8. (1) ~~The City Manager~~ Unless otherwise specified in this Bylaw, an authorized employee may approve the following ~~occupations~~:
- (a) an occupation by lease at or ~~license if above market value where~~:
 - (i) whether the City is the landlord or the tenant, the annual base rent or fee is Five Hundred Thousand (\$500,000.00) One Million (\$1,000,000.00) Dollars or less;
 - (ii) whether the City is the landlord or the tenant, the initial term is:
 - A. month to month;
 - B. year to year; or
 - C. a fixed term of ~~five~~fifteen (~~5~~15) years or less;
 - (iii) the City is the landlord, for a fixed term occupation, there are no more than two:
 - A. the renewal(2s) or extension(s) may be for any number of options to renew, each renewal term being or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a period total of twenty-five (25) years or less; and
 - B. the renewal or extension rate is at or above market value if such rate is determined at the time of such renewal or

- (iv) extension or at the time the initial fixed term *occupation* was approved; and
~~if the City is the tenant, funding for the operating costs~~ the City is the tenant, for a fixed term *occupation*:
A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;
B. the renewal or extension rate is at or below *market value* if such rate is determined at the time of the renewal or extension or at the time the initial fixed term *occupation* was approved; and
C. *funding* is available in a budget approved by Council;

~~(32M2017, 2017 September 13)~~

~~(a.1) an *occupation* by lease or license, for a food service establishment on lands which are under either Parks or Recreation's stewardship, if:~~

~~(i) the annual base rent or fee is Five Hundred Thousand (\$500,000.00) Dollars or less; and~~

~~(ii) the *occupation* is for a fixed term of fifteen (15) years or less, with no options to renew;~~

~~(32M2017, 2017 September 13)~~

(b) ~~an amendment or extension of an *occupation* if the *occupation*~~ by license at or below *market value* where:

~~is otherwise in compliance with the *bylaw*;~~

~~(32M2017, 2017 September 13)~~

~~(c) — an exercise of an option or a right to renew or extend an occupation,
where the City is a tenant pursuant to an occupation,
if:~~

~~(32M2017, 2017 September 13)(i) —~~

(i) whether the City is the licensor or the licensee, the annual ~~base~~
~~rent or license~~ fee is ~~Five Hundred Thousand (\$500,000.00)~~ One
Million (\$1,000,000.00) Dollars or less;

~~(ii) — the renewal or extension and in line with rates set by *Real Estate
& Development Services*;~~

(ii) whether the City is the licensor or the licensee, the initial term is:

~~(32M2017, 2017 September 13)~~

- A. month to month;
 - B. year to year; or
 - C. a fixed term of ~~five~~fifteen (~~5~~15) years or less;
- (iii) the City is the licensor, for a fixed term occupation:
- A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and
 - B. the annual license fee for such renewal or extension is One Million (\$1,000,000.00) Dollars or less and in line with rates set by Real Estate & Development Services;
- (iv) the City is the licensee, for a fixed term occupation:
- A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and
 - B. ~~(iii) funding for the operating costs~~ is available in a budget approved by Council; and

~~(d) notwithstanding Subsection 8(1)(a), an occupation by lease or license entered into with the provincial or federal government for a nominal fee and for a term of any length;~~

~~(32M2017, 2017 September 13)~~

- (v) the license area is part of a road, then the license is subject to early termination on thirty (30) days' written notice;
- (c) ~~(e)~~ a continued occupation of real property following its acquisition by the City ~~if~~ where:
- (i) the base rent or fee is at or above market value at the time the initial occupation was approved or is included in the total consideration payable for the acquisition;
 - (ii) the proposed occupant(s) are either the prior registered owners or prior legal occupants of the real property; and
 - (iii) the period of continued occupation is ~~one~~ twenty-five (~~1~~25) ~~year~~years or less; or
- B. where a continued occupation is tied to a major real estate undertaking the period of continued occupation may be extended to accommodate the time frames of the major real estate undertaking; and

~~(32M2017, 2017 September 13)~~

- (d) ~~(f)~~ overholding by former legal occupants of the City's real property ~~if the period of overholding is one (1) year or less.~~

~~(2) Any occupation described in Subsection 8(1) must meet all applicable policies, procedures, standards and guidelines approved by Council and/or Real Estate & Development Services.~~

(32M2017, 2017 September 13)

(2) Despite subsection 8(1)(a), an authorized employee may approve:

- (a) an occupation at or below market value for a term of 99 years or less by way of:
 - (i) a lease or license entered into with the provincial government or its related entities, the federal government or its related entities, school boards, non-profit wholly owned subsidiaries of the City and their subsidiaries;
 - (ii) a license entered into with other municipalities; or
 - (iii) a lease entered into with other municipalities where the City is the tenant;
- (b) an occupation by lease or license entered into with a non-profit organization at or below market value where:
 - (i) the initial term is:
 - A. month to month;
 - B. year to year; or
 - C. a fixed term of fifteen (15) years or less; and
 - (ii) for a fixed term occupation, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;
- (c) an occupation by lease or license entered into with a civic partner or a City associate where:
 - (i) the annual base rent is at or below market value;
 - (ii) for a fixed term occupation of twenty-five (25) years or less; and
 - (iii) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of fifty (50) years;
- (d) an occupation by lease or license entered into with a community association or a social recreation group for a nominal fee for the same length of term or less as approved by Council for standard form leases and licenses for community associations and social recreation groups or organizations; and
- (e) an occupation by prospective purchasers, tenants or licensees of the City's real property for the purposes of conducting due diligence, where:
 - (i) the license fee is at or below market value; and
 - (ii) the term of the occupation is two (2) years or less.

Occupations of Road

- 9. (1) ~~The City Manager~~An authorized employee may approve an occupation by license of road, other than for the purposes of either a sign or a telecommunication installation, ~~if~~where:
 - (a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by Real Estate & Development Services for licenses of road;

- (b) the *occupation* of the *road* is subject to early termination on thirty (30) days' written notice;
- (c) the *road* is not required for public use; and
- (d) the *occupation* is otherwise in compliance with ~~the bylaw~~ this Bylaw.

~~(2) Any occupation described in Subsection 9(1) must meet all applicable policies, procedures, standards and guidelines approved by Council and/or Real Estate & Development Services.~~

(32M2017, 2017 September 13)

(2) An authorized employee may approve of an occupation by license over road for banners and decorative lights and elements on street posts, streetlights or other similar infrastructure where:

(a) the license fee is at or below *market value*; and

(b) the *occupation* over the *road* is subject to early termination on thirty (30) days' written notice.

Occupations for a Telecommunication Installation

10. (1) ~~The City Manager~~ An authorized employee may approve the *occupation* by license for a telecommunication installation ~~at or above market value if~~ where:

(a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less or less and in line with rates set by Real Estate & Development Services for telecommunication installation licenses;

(b) the initial term is:

(i) ~~A.~~ month to month;

(ii) ~~B.~~ year to year; or

(iii) ~~C.~~ a fixed term of ~~ten~~ fifteen (1015) years or less;

(c) for a fixed term occupation, there are no more than two the renewal(2s) or extension(s) may be for any number of options to renew, with each renewal term being or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a periodtotal of twenty-five (525) years or less;

~~(d) DELETED BY 32M2017, 2017 SEPTEMBER 13;~~

(d) (e) the licensee has obtained a letter of concurrence from the City's Community Planning and Development business unit or such business unit that would provide these letters of concurrence; and

(32M2017, 2017 September 13)

~~(f) DELETED BY 32M2017, 2017 SEPTEMBER 13;~~

~~(g) if~~

(e) the license area is part of a *road*, then the license is subject to early termination on thirty (30) days' written notice.

~~(2) Any occupation described in Subsection 10(1) must meet all applicable policies, procedures, standards and guidelines approved by Council and/or Real Estate & Development Services.~~

~~(32M2017, 2017 September 13)~~

(2) An authorized employee may approve the occupation by license for a telecommunications installation on streetlight installations stewarded by the City's Mobility business unit, where:

(a) the annual fee is in compliance with the rates set out in the City's master license agreement with wireless service providers and at or above market value;

(b) the initial term is a fixed term of fifteen (15) years or less;

(c) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;

(d) the licensee has entered into the City's master license agreement; and

(e) where the license area is part of a road, then the license is subject to early termination on thirty (30) days' written notice.

Occupations for Signs

11. (1) ~~The City Manager~~An authorized employee may approve the following occupations for signs:
- (a) a license for ~~an owner~~a business identification sign or a *third party sign* ~~if~~where:
- (i) the annual license fee is ~~at or above the market value~~Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by Real Estate & Development Services for sign licenses;
- (ii) the initial term is:
- A. month to month;
- B. year to year; or
- C. a fixed term of ~~fiveten~~ (510) years or less; and
- (iii) for a fixed term ~~license for third party signs, there are no more than two (2) options to renew, with each renewal term being~~occupation, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a period total of twenty-five (525) years-or less;
- ~~(32M2017, 2017 September 13)~~
- (b) a license granted to a *community association* or other non-profit organization for a *community identification sign* ~~if~~where:
- (i) the license fee is at or ~~above the~~below market value;
- (ii) the initial term of a license is fifteen (15) years or less; ~~and~~
- (iii) ~~the community identification sign is located on road and the license is satisfactory to the person appointed to the position of Director, Roads or that person's designate;~~the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and
- ~~(32M2017, 2017 September 13)~~
- (iv) any *community identification sign* for which a license has been granted under this ~~bylaw~~Bylaw is exempt from the application of the Temporary Signs on Highways Bylaw 29M97;
- ~~(32M2017, 2017 September 13)~~
- (c) a license granted to a *developer* or a resident's association for a *community identification sign* ~~if~~where:
- (i) the license fee is at or ~~above the~~below market value;
- (ii) the *developer* or the resident's association, whichever is applicable, provides an irrevocable letter of credit or other type of security satisfactory to ~~the City Manager~~an authorized employee;
- (iii) the initial term of a license ~~granted to a developer~~ is ~~fiveten~~ (510) years or less;
- ~~(32M2017, 2017 September 13)~~

(iv)

¹³⁾
~~the community identification sign is not located on road; and~~
renewal(s) or extension(s) may be for any number of options to
renew or extend and any length of term provided the initial fixed
term and any renewal(s) or extension(s) does not exceed a total
of twenty-five (25) years; and

~~(32M2017, 2017 September
13)~~

- (v) any *community identification sign* for which a license has been granted under this ~~bylaw~~Bylaw is exempt from the application of the Temporary Signs on Highways Bylaw 29M97;
- (d) a license for a *temporary sign* ~~if~~where the fee is at or ~~above the~~below *market value*;
- (e) a license for an *election sign* ~~if~~where the term and the fee are consistent with the applicable terms and rates approved by *Council*; and
- (f) a license for banners on street posts, streetlights or other similar infrastructure where the fee is at or below the *market value*.
- (2) ~~Where~~Where any license area for a *sign* is located within a *road*, the license must be terminable upon thirty (30) days' notice ~~and the occupation must meet all applicable policies, procedures, standards and guidelines approved by Council and/or Real Estate & Development Services.~~

(32M2017, 2017 September 13)

Occupations for Film

12. An authorized employee may approve an occupation by way of license for the purposes of filming or film production where:
- (a) the license fee is at or below *market value*; and
 - (b) the initial term and any renewals or extensions of the *occupation* does not exceed a total of five (5) years.

Surrender of an Occupation

13. ~~12. The City Manager~~An authorized employee may approve the surrender or partial surrender of an *occupation* prior to the end of the term ~~if, whether~~ the *City is the landlord or tenant, where* consideration payable for the surrender or partial surrender is ~~Five Hundred Thousand (\$500,000.00)~~One Million (\$1,000,000.00) Dollars or less and funding is available in a budget approved by Council.

Expropriations**MAJOR REAL ESTATE UNDERTAKINGS**

14. (1) An authorized employee may approve of:
- (a) any one (1) or more *transactions* and the total compensation for such *transactions*, which may include, but is not limited to *market value*, *market value* of exchange lands, incentive payments, non-cash items (such as construction activities or services) and any other payments or costs required to facilitate the negotiation and finalization of such *transaction* where:
 - (i) the *transaction* is part of an undertaking designated by *Council* as a *major real estate undertaking*.

- (ii) the *transaction* complies with any additional terms and conditions set out in the *Council* designation of the undertaking as a *major real estate undertaking*; and
- (iii) funding for the *transaction* and compensation is available in a budget approved by *Council*.
- (2) Where the *transaction* being approved pursuant to subsection 14(1) involves a *land exchange*, the *authorized employee* that may approve of such *land exchange*, under the tiered list of amounts in Schedule "A", must be determined using the purchase price of the *real property* with the highest *market value*.

EXPROPRIATIONS

15. (1) Where *Council* has approved of the initiation of expropriation proceedings in respect of any *real property*, an *authorized employee* may approve:
- (a) the initiation of expropriation proceedings to acquire the same interest(s) in land over a smaller portion of the *real property* as that originally approved by *Council*;
 - (b) the initiation of expropriation proceedings to acquire any lesser interest(s) in land than that originally approved by *Council* in respect of such *real property*, whether by way of profit, easement, right, privilege or benefit in, over or derived from the *real property*;
 - (c) the initiation of expropriation proceedings to acquire any lesser interest(s) in land over a smaller portion of the *real property* as that originally approved by *Council* in respect of such *real property*, whether by way of profit, easement, right, privilege or benefit in, over or derived from the *real property*; and
 - (d) the exception or partial exception of the initiation of expropriation proceedings of any interest(s) in *real property* originally approved by *Council*.

~~12.1~~ ~~(12)~~ ~~If~~ Where *Council* has previously authorized the initiation of an expropriation of any estate or interest in *real property*, ~~the City Manager~~ an *authorized employee* may approve an *acquisition* of any ~~parties~~ such party's interest in the *real property* by way of an *agreement* pursuant to ~~Section~~ section 30 of the ~~*Expropriation Act*~~, ~~if:~~ (a) ~~the proposed payment for the fee simple interest in the *real property* is:~~

- (i) ~~the same or less than the original proposed payment approved by *Council*; or~~
- (ii) ~~if there was no original proposed payment approved by *Council*, the sum of Five Million (\$5,000,000.00) Dollars or less; and~~

~~in either case~~ Expropriation Act, provided that the *proposed payment* ~~reflects the current market value~~ for the ~~lands as approved by the Valuation Review Committee;~~

~~(b) — the consideration for any other~~ interest in the *real property* is:

~~(i) —~~

(a) the same or less than the original *proposed payment* approved by Council; or

~~(ii) —~~
(b) Ten Million (\$10,000,000.00) Dollars or less if there was no original *proposed payment* approved by *Council*; ~~the sum of Five Million (\$5,000,000.00) Dollars or less~~; and

~~in either case, provided that~~
the ~~proposed payment price reflects the current market value for the lands as approved~~ is available in a budget or funding source approved by Council and reflects compensation that the owner could reasonably be entitled to receive under the Expropriation Act, provided the proposed payment is reviewed and endorsed by the Valuation Review Committee; and

- ~~funding for the acquisition is available in a budget approved by Council.~~
(23) If/Where Council has previously authorized the initiation of expropriation of any estate or interest in *real property*, ~~the City Manager~~ an authorized employee may approve a negotiated settlement of any compensation that may be payable pursuant to the Expropriation Act if/where funding for the negotiated settlement is available in a budget or funding source approved by Council and the owner releases the City from any existing or future claims under the Expropriation Act or the Municipal Government Act for which the owner is being compensated for, provided the negotiated settlement has been reviewed and endorsed by the Valuation Review Committee.

OTHER TRANSACTIONS

16. (1) An authorized employee may approve of the following additional transactions:

- (a) resolutions related to the management of a condominium corporation in which the City owns one or more units, including the cancellation of such condominium corporation; and
- (b) any other matter not specifically listed in this Bylaw where:
 - (i) the market value of the real property or the consideration for the transaction is Ten Million (\$10,000,000.00) Dollars or less;
 - (ii) the City is not subject to a financial obligation that exceeds One Million (\$1,000,000.00) Dollars;
 - (iii) the matter relates to real property; and
 - (iv) funding is available in a budget approved by Council.

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- (2) Despite any other sections in this Bylaw, an authorized employee may approve of a disposition of an interest in the City's real property, including a disposition of a stand-alone parcel, remnant parcel, a utility right of way, an easement, a restrictive covenant and, an occupation by way of lease, to any third party below market value, without a method of disposition having been approved by Council, where:

- (a) the proposed *disposition* has been advertised where required by the *Municipal Government Act*;
- (b) there is no opposition or objections to the proposed *disposition* raised by members of the public during any required advertising period; and
- (c) the *market value* for the *City's real property* proposed for *disposition* is \$25,000 or less.

COMPENSATION

17. Provided that funding is available in a budget approved by Council, an *authorized employee* may, in order to facilitate the negotiation, completion and administration of *transactions* or other matters approved under this Bylaw, approve of any one or more of the following:
- (a) the payment of reasonable legal, appraisal, engineering, broker/realty fees and other professional or consulting fees and disbursements incurred by parties to *transactions* or other matters approved under this Bylaw;
 - (b) the payment or reimbursement for or performance of additional services, including landscaping, fencing, construction of other improvements, moving expenses, tenant improvement allowances and incentive payments provided such payment or performance does not exceed Five Hundred Thousand (\$500,000.00) Dollars; or
 - (c) a payment of Five Hundred Thousand (\$500,000.00) Dollars or less for other types of compensation to facilitate the negotiation, completion, and administration of *transactions*.

PART III MISCELLANEOUS

MANAGEMENT REAL ESTATE REVIEW COMMITTEE

18. ~~13. (1)~~ *Management Real Estate Review Committee* must have a quorum of six persons comprised of the parties listed below or their representatives:
- (a) at least one of the following:
 - (i) the ~~Deputy City~~*General* Manager; or
 - (ii) the Director, RE&DS;
 - (b) the Manager, Sales & Acquisitions;
 - (c) the Manager, Land & Asset Management;
 - (d) the Finance Leader;
 - (e) Manager, Planning & ~~Real Estate & Expropriation~~;
 - (f) at least one or more of the Coordinators;

and at least four persons forming the quorum must be employees of *Real Estate & Development Services*;

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**RECTIFICATIONS, COMPLETION OF AND ADMINISTRATION OF REAL PROPERTY
TRANSACTIONS**

19.

~~14. (1) The City Manager~~ An authorized employee may approve the following corrections and changes of *land reports, land authorization forms, agreements and documents*:

~~(32M2017, 2017 September
13)~~

- (a) the correction of ~~obvious~~ unintentional errors in the *land report, land authorization form, agreement or document* ~~if~~ provided that the corrections are consistent with the intent of the *transaction*;

- (b) any changes to the description of the *real property* or moveable buildings or structures in the *land report, land authorization form, agreement or document*; ~~and~~
- (c) the correction of spelling mistakes and errors in transposition of legal descriptions, municipal descriptions, names of parties, letters ~~and~~, figures and serial numbers for moveable buildings or structures; and
- (d) the correction of minor changes to an agreement that do not impact material terms and conditions of an agreement, where such agreement was approved as a direct attachment to a land authorization form or land report.

20.

~~15. (1) The City Manager~~ An authorized employee may, in order to facilitate the negotiation, completion and administration of *transactions*, approve by *rectification* the following:

- (a) the addition, amendment or deletion of terms and conditions that are consistent with the intent of the *transaction* and that do not subject the *City*:
 - (i) to any further material obligations; or
 - (ii) to any financial obligations exceeding the sum of ~~Five Hundred Thousand (\$500,000.00)~~ One Million (\$1,000,000.00) Dollars;
- (b) ~~the extension(s) or advancement(s) of any transaction date if the~~ ^(32M2017, 2017 September 13) reduction or increase in the purchase price of an acquisition of real property provided that where there is an increase in the purchase price, such increase does not exceed the original maximum amount set out in this Bylaw for such acquisition;
- (c) the reduction or increase in the purchase price of a disposition of real property provided that where there is a reduction in the purchase price, the purchase price for such disposition must not be reduced below market value;
- (d) the reduction or increase in the base rent or license fee of an occupation provided where:
 - (i) there is a reduction to the base rent, the base rent must not be reduced below market value; or
 - (ii) there is an increase in the base rent or license fee, such increase in the base rent or license fee does not exceed the original maximum amount set out in this Bylaw for such occupation;
- (e) ~~(i)~~ subject to subsections 20(h) and 20(i), the extension(s) of any transaction date where the extension(s) does not exceed a total period of ~~one five~~ ⁽¹⁵⁾ ~~year~~ years from that original transaction date and for greater certainty an extension to an expiry date which impacts the length of term of any occupations, option, right of first refusal or right of first offer term must be rectified under subsections 20(h) or 20(i);
- (f) the moving up of any transaction date;
- (g) ~~(ii)~~ the advancement(s) splitting up of any transaction date does not exceed a period of one (1) year from that original transaction date; and
- ~~(iii) any transaction date may be split into two or more transaction dates if where:~~

- (i) ~~A.~~ the earliest *transaction date* is ~~advanced~~extended no more than ~~one~~ year ~~(1)~~ five (5) years from the *original transaction date*; and
- (ii) ~~B.~~ the last *transaction date* is extended no more than ~~one~~ five ~~(15)~~ year years from the *original transaction date*.
- (h) an amendment to the length of term of an *occupation* where the amendment to the length of the term is otherwise in compliance with this Bylaw;
- (i) an amendment to the length of an option, right of first refusal or right of first offer term or an extension of an option, right of first refusal or right of first offer term where the amendment or extension is otherwise in compliance with this Bylaw;
- (j) where the *City* is the tenant or licensee, the exercise of a renewal or extension of an *occupation* provided such renewal or extension complies with this Bylaw;
- (k) adding a renewal or extension term to an *occupation* provided such renewal or extension term complies with this Bylaw;
- (l) ~~(e)~~ the charging or paying of fees for the extension of closing or exercise dates for *dispositions* or *acquisitions* if; and administrative fees for assignment and assumption agreements, amending agreements and administering *occupation agreements* in accordance with rates established by *Real Estate & Development Services*;
- ~~(i) — the fee for the extension of closing or exercise dates for one (1) year or less is at least one (1%) percent of the purchase price per month; and~~
- ~~(ii) — the fee for the extension of closing or exercise dates for periods greater than one (1) year is at least one (1%) percent of the purchase price per month for the first year and at least five (5%) percent of the purchase price per month during subsequent years;~~
- ~~(d) — DELETED BY 32M2017, 2017 SEPTEMBER 13;~~

- (m) ~~(e) where the City is the landlord,~~ any changes to the base rent or fee payable upon the exercise of either an option or a right to renew or extend an occupation, if where the new base rent or fee payable is at ~~least~~ or above market value or more;
- (n) rent forgiveness, temporary rent relief or change in base rent:
 - (i) to match new prevailing market conditions and address conditions if there is a rapid onset crisis with material impacts on economic conditions;
 - (ii) to address temporary construction or other projects which impact or limit the viability of tenants' businesses or operations; or
 - (iii) where directed by Council;
- (o) a change in the permitted use of an occupation;
- (p) ~~(f)~~ the substitution, addition or deletion of parties to *transactions* approved by *Council* or pursuant to ~~the bylaw~~ this Bylaw;
- (q) ~~(g)~~ adjustments made to the:
 - (i) to market value purchase price, base rent or fee as a result of a change in the property area upon completion of a survey; or
 - (ii) ~~to the~~ area for an *occupation* to include any additional rental areas or the reduction of any rental area; ~~or~~

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- (iii) ~~to the market value purchase price, base rent or fee to reflect encumbrances or other title impediments if the total adjustments is thirty (30%) percent, or less, of the purchase price, base rent or fee for the acquisition or disposition;~~
- (r) ~~(h)~~ an increase to the any proposed purchase price payment approved by *Council* ~~of up to thirty (30%) percent of the original proposed purchase price,~~ to facilitate the completion of an *agreement* pursuant to ~~Section~~ section 30 of the *Expropriation Act* ~~if:~~ (i) where such an increase is available in a budget or funding source approved by Council and the increase to the proposed purchase price payment reflects ~~the current market value for the lands as approved by the Valuation Review Committee; or~~
- (ii) ~~the increase to the proposed purchase price reflects additional compensation that the owner of the lands could reasonably be entitled to receive under the Expropriation Act and the owner of the lands releases the City from any future claims under the Expropriation Act or the Municipal Government Act for which the owner is being compensated for as approved, provided such increase is reviewed and endorsed by the Valuation Review Committee;~~
- (s) ~~(i)~~ an increase to the any proposed payment for an expropriation approved by *Council* ~~of up to thirty (30%) percent of the original proposed payment, if:~~ (i) where such an increase is available in a budget or funding source approved by Council and the increase to the proposed purchase price payment reflects ~~the current market value for the lands as approved by the Valuation Review Committee; or~~
- (ii) ~~the increase to the proposed purchase price reflects additional compensation that the owner of the lands could reasonably be entitled to~~

| receive under the *Expropriation Act*, provided such increase is reviewed
and endorsed by the *Valuation Review Committee*;

| ~~(j) — the payment of reasonable legal fees (subject to the approval of the City~~

- ~~Solicitor), appraisal and other consulting fees and disbursements incurred by parties to transactions;~~
- (t) a decrease to any proposed payment approved by Council where such decrease reflects compensation the owner could reasonably be entitled to receive under the Expropriation Act, provided such decrease is reviewed and endorsed by the Valuation Review Committee;
- (u) the payment of additional compensation provided such additional compensation complies with section 17;
- (v) ~~(k)~~ the charging or paying of any deposit or security to be taken or given by the City to secure the performance of obligations under any agreement and the terms and conditions ~~that pursuant to which~~ the deposit or security is to be paid, held and released; ~~and~~

(32M2017, 2017 September 13)

~~(l) the waiver of conditions precedent;~~~~(m) DELETED BY 32M2017, 2017 SEPTEMBER 13;~~~~(n) DELETED BY 32M2017, 2017 SEPTEMBER 13.~~

- ~~(2) Any rectification or approval described in Subsection 15(1) must meet all applicable policies, procedures, standards or guidelines approved by Council and/or Real Estate & Development Services.~~

(32M2017, 2017 September 13)

MANAGEMENT OF THE CITY'S REAL PROPERTY

General Approvals

16. ~~(1) The City Manager may, in order to facilitate the management of the City's real property, approve the following:~~
- (w) ~~(a)~~ the increase, reduction, or waiver of any interest payable and the imposition or acceptance of alternate terms and conditions relating to payment of interest in consideration of the extension or advancement of any transaction date if where the increase, reduction or waiver of the interest payable is Fifty Thousand (\$50,000.00) Dollars or less;

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- ~~(b) access by prospective purchasers, tenants or licensees of the City's real property for the purposes of conducting due diligence;~~

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- ~~(b.1) an agreement for the access by City employees or agents to lands not owned by the City for the purposes of conducting due diligence~~

~~for a proposed acquisition or occupation;~~

~~(32M2017, 2017 September 13)~~

~~(c) — tenders for the demolition and/or removal of buildings and improvements constructed on the City's real property if the buildings or improvements are no longer habitable, are structurally unsound or unsafe, or are required to be demolished and/or removed for a project approved by Council;~~

(x) ~~the waiver of conditions precedent;~~

(y) ~~(d) — the assignment and assumption of any agreement including the charging of or paying of fees for the assignment and assumption of any agreement;~~

|

and

|

~~(32M2017, 2017 September 13)~~

~~(e) DELETED BY 32M2017, 2017 SEPTEMBER 13;~~

~~(f) DELETED BY 32M2017, 2017 SEPTEMBER 13;~~

~~(g) the entering into any agreement relating to the clean up or management of any environmental contamination of the City's lands in connection~~

(z) amendment to any terms and conditions of an *occupation* for film purposes under section 12 provided such amendments complies with this Bylaw; and

(aa) any additions of any terms and conditions to a *land report* or any corrections, changes, additions, amendments or deletions of any terms and conditions set out in a *land report*, which are necessary in order to facilitate the negotiation, finalization and administration of a *transaction* or other matter where a *land report* approved by *Council* authorizes the use of the powers set out in this section.

LAND AUTHORIZATION FORMS AND REPORTING

21. (1) The approval of the following *transactions* pursuant to this Bylaw may be documented in a *land authorization form*:

(a) an *acquisition* or *disposition* of an easement, utility right of way or a restrictive covenant;

(b) an *occupation* for the purpose of landscaping, crop and pasture use, a residential tenancy, or shoring;

(c) an *occupation* with a term of five (5) years or less;

(d) an *acquisition* of a dedication pursuant to subsection 5(1)(d);

(e) a *disposition* ~~or~~ of a *remnant parcel* pursuant to subsections 6(1)(c) or (d);

(f) a *land exchange* pursuant to subsection 7(1) that only involves the exchange of a *City remnant parcel* for a remnant parcel owned by a third party and for greater certainty, a remnant parcel owned by a third party is one that is not developable on its own and for which the *City* is likely the only purchaser;

(g) an *occupation* pursuant to subsection 8(2)(a);

(h) an *occupation* for *due diligence* pursuant to subsection 8(2)(e);

(i) an *occupation* of a *road* pursuant to section 9(1) and 9(2);

(j) an *occupation* for telecommunication installations pursuant to subsection 10(1);

(k) an *occupation* for a *sign* pursuant to section 11(1)(a) to 11(1)(f);

(l) an *occupation* for film purposes pursuant to section 12;

(m) a *surrender of an occupation* pursuant to section 13; and

(n) a *transaction* required to facilitate a *major real estate undertaking* pursuant to subsection 14(1).

- ~~(2) Any approval described in Subsection 16(1) must meet all applicable policies, procedures, standards and guidelines approved by Council and/or~~
- (2) The Manager, Land & Asset Management must on a quarterly basis prepare and submit to the Management Real Estate Review Committee a report listing all the transactions approved pursuant to this Bylaw, including all transactions approved pursuant to subsection 14(1), that are documented in a land authorization form.
- (3) The approval of other transactions pursuant to this Bylaw that are not included in subsection 21(1) and section 22 must be documented in a land report and reviewed and considered at Management Real Estate Review Committee.
- (4) Minutes of the Management Real Estate Review Committee meetings must be taken and members of Council may request such minutes provided that such minutes are kept confidential as required pursuant to section 21 of the Code of Conduct For Elected Officials Bylaw 26M2018.
- (5) The Manager, Land & Asset Management must on a quarterly basis prepare and submit to Management Real Estate Review Committee a report listing all transactions completed pursuant to this Bylaw commencing when this Bylaw comes into effect and such quarterly reports must be available to members of Council upon request.

APPROVALS BY EMAIL

22. The approval of the following transactions and rectifications pursuant to this Bylaw may be documented by way of email:
- (a) occupations pursuant to subsections 8(1)(c) or 8(1)(d);
 - (b) occupations by way of license with a term of thirty (30) days or less;
 - (c) occupations for telecommunications installations on streetlights pursuant to subsection 10(2);
 - (d) occupations by way of license for film purposes pursuant to section 12 with a term of ninety (90) days or less and for greater certainty, multiple email approvals may be approved for the same occupation by way of license for film purposes provided the total number of approvals does not exceed a total of ninety (90) days;
 - (e) resolutions related to the management of a condominium corporation in which the City owns one or more units, including the cancellation of such condominium corporation, pursuant subsection 16(1)(a);
 - (f) any corrections and changes of land reports, land authorization forms, agreements and documents pursuant to section 19;
 - (g) the extension(s) or moving up of a transaction date under subsections 20(e), (f) or (g) by one (1) year or less and for greater certainty, multiple extensions or moving up of a transaction date may be approved by email provided the total number of such extension(s) or moving up of a transaction date does not exceed a total of one (1) year;

- (h) where the *City* is the tenant or licensee, the exercise of a renewal or extension of an *occupation* pursuant to subsection 20(j);
- (i) an increase, waiver or reduction of any interest payable pursuant to subsection 20(w); and
- (j) amendment to the terms and conditions of an *occupation* for film purposes pursuant to subsection 20(z) provided such amendment complies with this Bylaw.

LIMITATIONS

23. (1) The following limitations apply to all *land authorization forms, land reports, Council approvals, rectifications* and email approvals:

- (a) any *method of disposition* approved by *Council*:
 - (i) after this Bylaw comes into effect expires five (5) years after the *Council* approval date; and
 - (ii) prior to this Bylaw coming into effect does not expire unless otherwise provided in that *method of disposition*;
- (b) an approval of a *land authorization form, land report* or *Council* approval of a *transaction* expires:
 - (i) five (5) years from the latest original *transaction date* set out in such approval;
 - (ii) five (5) years after any *Council* approved extension to the latest original *transaction date* if *Council* approval is required to extend an original *transaction date* beyond the maximum permitted under this Bylaw; or
 - (iii) when a subsequent approval occurs for the same *real property*;
- (c) an email approval or *rectification* for an extension(s), moving up or splitting up of a *transaction date*, may be completed after the original *transaction date* being rectified has passed, but prior to execution of an *agreement* or *document* for the *transaction* related to such original *transaction date*, where:
 - (i) the email approval or *rectification* is obtained within five (5) years of the original *transaction date*; and
 - (ii) the new *transaction date* being approved is within the maximum permitted under this Bylaw; and
- (d) despite subsection 23(1)(b), once an *agreement* for a *transaction* has been fully executed, the *land authorization form, land report* or *Council* approval no longer expires and may be rectified to further accommodate other *transactions* related to the original *transaction*;

(2) Despite any other sections in this Bylaw:

- (a) extending or moving up a time frame for a *transaction date* and replacing such time frame with an actual date may be rectified under subsections 20(e), (f) and (g) and does not trigger approval under subsection 20(a); and

- (b) a rectification is not required where the party being substituted, added or deleted is an affiliate of the original party from the approved transaction.

MANAGEMENT OF THE CITY'S REAL PROPERTY

Guidelines, Procedures and Standards

24. (1) The General Manager, Infrastructure Services may establish guidelines, procedures, and standards for Real Estate & Development Services for the negotiation and administration of transactions for the City.

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- 2) The General Manager, Infrastructure Services may at any time amend or revoke all or any part of the guidelines, procedures, and standards established under subsection 24(1).

Land Titles Registration and General Administrative Authority

25. ~~16.1~~ (1) ~~The City Manager~~ An authorized employee may, in order to facilitate the management of the City's real property:
- (a) notify the Registrar of the Land Titles Office that the requirements for the removal of municipal reserve or municipal and school reserve designations have been complied with;
 - (b) file with the Registrar of the Land Titles Office all required certificates and documentation accompanying road plans of survey;
 - (c) authorize the Registrar of the Land Titles Office to remove public utility lot (PUL) designations from certificates of title registered in the name of the City;
 - (d) authorize or consent to the Registrar of the Land Titles Office registering or correcting plans of survey;
 - (e) request the Registrar of the Land Titles Office to take the appropriate action(s) pursuant to the tax recovery procedures set out in the Municipal Government Act;
 - (f) ~~(a)~~ include the City's real property in applications for land use, subdivision or development approvals under Part 17 of the Municipal Government Act, building permit applications, if such inclusion will not restrict the City's ability to negotiate, approve and complete related transactions;
 - (g) ~~(b)~~ enter into and complete any agreements or documents required for the subdivision and development of the City's real property under Part 17 of the Municipal Government Act;
 - (h) ~~(c)~~ withdraw, discharge, surrender or postpone any instrument registered at the Land Titles Office by or on behalf of the City or any instrument registered at the Personal Property Registry related to any moveable building or structures;
 - (i) ~~(d)~~ request to include the estate or interest in mines or minerals in an acquisition pursuant to the Municipal Government Act;

- (j) ~~(e)~~ enter into an *acquisition* or a *disposition* of a restrictive covenant, utility right of way or an easement that limits or restricts the use of land owned by the *City* for the benefit of other land owned by the *City*;

~~(32M2017, 2017 September 13)~~

~~Land Titles Registrations~~

- (k) ~~17. (1) The *Land Titles Officer* may, in order to facilitate management of~~ place tenders for the demolition or removal (or both) of buildings and improvements constructed on the *City's real property* where:

- ~~(a) — notify the Registrar of the Land Titles Office that the requirements for the removal of municipal reserve or municipal and school reserve designations have been complied with;~~
- ~~(b) — file with the Registrar of the Land Titles Office all required certificates~~

accompanying road plans of survey;

~~(c) — authorize the Registrar of the Land Titles Office to remove public utility lot (PUL) designations from certificates of title registered in the name of the City;~~

~~(d) — authorize or consent to the Registrar of the Land Titles Office registering or correcting plans of survey; and~~

~~(e) — request the Registrar of the Land Titles Office to take the appropriate action(s) pursuant to the tax recovery procedures set out in the Municipal Government Act.~~

~~(2) — Any actions described in Subsection 17(1) must meet all applicable policies, procedures, standards and guidelines approved by Council and/or Real Estate & Development Services.~~

(32M2017, 2017 September 13)

REPORTING

~~18. (1) — The approval of the following transactions pursuant to the bylaw must be documented in a land authorization form:~~

~~(a) — an acquisition or disposition of an easement or utility right of way or a restrictive covenant;~~

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~~(b) — an occupation for the purpose of landscaping, crop and pasture use, a residential tenancy, shoring, a telecommunication installation or a sign;~~

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~~(c) — an occupation having a term of one (1) year or less;~~

(32M2017, 2017 September 13)

~~(d) — an occupation of a road;~~

~~(e) — an exercise of an option or a right to renew or extend an occupation or a right to renew or extend an occupation pursuant to Section 8(1)(b) or (c);~~

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~~(f) — a surrender of an occupation pursuant to Section 12;~~

~~(g) — a disposition of a remnant parcel pursuant to Sections 7(1)(b) or (c); and~~

~~(h) — an authorization for the demolition of any buildings or improvements.~~

~~(2) — The Manager, Land & Asset Management must prepare and submit to the Management Real Estate Review Committee a report listing all the~~

~~transactions approved pursuant to the bylaw that are documented in a land
authorization form every month, or as otherwise directed by Committee or
Council.~~

~~(32M2017, 2017 September 13)~~

~~(3) The approval of other transactions pursuant to the bylaw that are not included in Section 18(1) must be documented in a land report and reviewed and considered at Management Real Estate Review Committee.~~

~~(32M2017, 2017 September 13)~~

~~(4) Minutes of the Management Real Estate Review Committee meetings must be taken and be available to members of Council upon request.~~

~~(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.~~

(i) the buildings or improvements are no longer habitable, are structurally unsound or unsafe;

(ii) the buildings or improvements are required to be demolished or removed (or both) for a project approved by Council; or

(iii) it is economically advantageous to demolish or remove (or both) buildings or improvements to prepare the City's real property for disposition; and

(l) where the City is the landlord or the licensor, consent to a renewal or extension of an occupation exercised by the tenant or licensee, provided the terms of the agreement for the renewal or extension of such occupation have been complied with and the base rent or license fee complies with this Bylaw.

(2) Despite subsection 21(3), the actions and transactions listed in section 25(1) do not require approval by way of email, rectification, land authorization form, land report or Council.

EXECUTION OF DOCUMENTS AND AGREEMENTS

26. ~~19.~~ (1) Despite the provisions of the Execution of Contracts Bylaw 43M99:

~~(32M2017, 2017 September 13)~~

(a) the ~~Deputy~~ City Manager, the General Manager, the Director, RE&DS, the Manager, Sales & Acquisitions, the Manager, major real estate undertaking, or the Manager, Land & Asset ~~management or the Land Titles Officer~~ Management may execute any agreement or documents relating to the City's real property or a transaction;

~~(32M2017, 2017 September 13)~~

(b) the Manager, Sales & Acquisitions – Green Line may execute any agreements or documents relating subsections 15(1) to (3) and 20(r) to (t) in addition to the City Manager and the authorized employees listed in subsection 26(1)(a);

(c) the Manager, Land & Asset Management, the Coordinator, Land Administration or the Land Titles Officer may execute any agreement or document listed in subsections 25(1)(a) to (i); and

(d) ~~(b)~~ the following *agreements* and *documents* may be duly executed by the *authorized signing officers* employee without affixing the City's corporate seal to the *agreement* or *document*:

- (i) any *document* to be registered at the Land Titles Office as required by ~~Section 16.1(1)~~ subsection 25(1)(e) of ~~the bylaw~~ this Bylaw or any *document* approved by *Council* to be registered at the Land Titles Office pursuant to the *Expropriation Act*;

(32M2017, 2017 September 13)

- (ii) ~~any encroachment agreement; and~~
 (iii) ~~any occupation~~ for the purpose of landscaping, crop and pasture use, a residential tenancy, a mobile home tenancy, shoring, a telecommunication installation, a *sign*, ~~or for film purposes~~, an *occupation* having a term of less than ~~one~~ five (15) ~~year~~ years, inclusive of any renewals or extensions ~~or any occupation for the purposes set out in subsection 8(2)(a); and~~ letter amending agreements.

- (2) ~~The City Manager~~ An authorized employee's signature ~~and the signature of any person to whom the City Manager further delegates~~ may be digital, electronic, printed, scanned, photocopied or otherwise reproduced on agreements or documents and if such signature is done by digital, electronic, scanned, photocopied or other such similar methods, such signature has the same legal effect as an original signature.

(32M2017, 2017 September 13)

GENERAL PROVISIONS

~~Delegations by~~ City Manager Authorized Employee

27. ~~20. (1) The authority delegated to the City Manager as described in the bylaw, may only be further delegated by the City Manager to:~~

~~(a) — the Deputy City Manager;~~

~~(b) — the Director;~~

~~(c) — the Manager, Sales & Acquisitions;~~

~~(d) — the Manager, Land & Asset Management;~~

~~(e) — the Manager, Real Estate & Expropriation and any of lawyers or solicitors in the Real Estate & Expropriation section of the Law business Unit;~~

~~(f) — any General Manager of any City department; or~~

~~(g) — the Land Titles Officer.~~

~~(32M2017, 2017 September 13)~~

~~(2) Any further concurrent or sub-delegation of any other~~ is an authorized employee for all the powers, duties ~~or~~ and functions under the bylaw must be approved by the City Manager listed in Schedule A.

Repeal

28. ~~21. Bylaw 4252M20052009, the Real Property Transactions Bylaw, is hereby repealed.~~
~~22. Bylaw 10M98, on the Real Property Transactions Bylaw, is hereby repealed~~ date this Bylaw comes into effect.

Conflict Between this and Other Bylaws

29. ~~23.~~ In the event of a conflict between ~~the bylaw~~ this Bylaw and any other bylaw previously passed by Council, ~~the bylaw~~ this Bylaw shall prevail.

Transitional Provision

30. ~~24. The bylaw will apply~~ (1) This Bylaw applies to all ~~transactions, rectifications,~~ approvals, authorizations or actions relating to *real property* from and after the date ~~it is passed~~ this Bylaw comes into effect.

(2) For greater certainty, this Bylaw applies to any transactions, rectifications, approvals, authorizations or actions relating to real property approved by delegated authority under Bylaw 52M2009 or by Council prior to this Bylaw coming into effect.

(3) For further greater certainty, any delegations authorized by Council prior to this Bylaw coming into effect are hereby ratified and continued and where such delegations were previously made to the Deputy City Manager position and the General Manager for the Deputy City Manager's Office position, they may be exercised going forward by the General Manager, Infrastructure Services.

Effective Date

31. ~~25. The bylaw~~ This Bylaw comes into effect on ~~the date it is passed.~~
~~READ A FIRST TIME THIS 2ND DAY OF NOVEMBER~~ November 1, 2009 2022.

~~READ A SECOND TIME, AS AMENDED, THIS 2ND DAY OF NOVEMBER, 2009.~~

~~READ A THIRD TIME, AS AMENDED, THIS 15TH DAY OF NOVEMBER, 2009.~~

~~(Sgd.) D. Bronconnier~~
~~MAYOR~~

~~(Sgd.) D.~~
~~Garner~~
~~CITY~~
~~CLERK~~

Schedule “A”**List of Authorized Employees****Legend:**

<u>GMIS</u>	<u>General Manager, Infrastructure Services</u>
<u>DREDS</u>	<u>Director, Real Estate & Development Services</u>
<u>DM</u>	<u>Director, Mobility</u>
<u>LTO</u>	<u>Land Titles Officer</u>
<u>MLAM</u>	<u>Manager, Land & Asset Management</u>
<u>MMREU</u>	<u>Manager, major real estate undertaking</u>
<u>MSA</u>	<u>Manager, Sales & Acquisitions</u>
<u>MSA-GL</u>	<u>Manager, Sales & Acquisitions – Green Line</u>
<u>MMO</u>	<u>Manager, Mobility Operations</u>
<u>CLA</u>	<u>Coordinator, Land Administration</u>
<u>CMREU</u>	<u>Coordinator, major real estate undertaking</u>
<u>CREA</u>	<u>Coordinator, Real Estate Acquisitions</u>
<u>CRECS</u>	<u>Coordinator, Real Estate Client Services</u>
<u>CRELPM</u>	<u>Coordinator, Real Estate Leasing & Property Management</u>
<u>CRES</u>	<u>Coordinator, Real Estate Sales</u>

<u>Section</u>	<u>Power, Duty or Function</u>	<u>Position(s)</u>
<u>ACQUISITIONS</u>		
<u>5(a)</u>	<p><u>(a) an acquisition of a fee simple interest at or below market value where:</u></p> <p><u>(i) the purchase price for the real property is Ten Million (\$10,000,000.00) Dollars or less; and</u></p> <p><u>(ii) funding for the acquisition is available in a budget approved by Council;</u></p>	<p><u>For acquisitions with a purchase price of \$10,000,000.00 or less – GMIS</u></p> <p><u>For acquisitions with a purchase price of \$5,000,000.00 or less: GMIS DREDS</u></p> <p><u>For acquisitions with a purchase price of \$1,000,000.00 or less – GMIS DREDS MLAM MMREU MSA</u></p>
<u>5(b)</u>	<p><u>(b) an acquisition of an option, right of first refusal or right of first offer where:</u></p> <p><u>(i) the initial term of the option, right of first refusal or right of first offer is ten (10) years or less;</u></p> <p><u>(ii) the term for an option, right of first refusal or right of first offer may be extended for any number of extensions provided the total length of the term does not exceed a total of twenty (20) years;</u></p> <p><u>(iii) the fee for the option, right of first refusal or right of first offer, if any, does not exceed ten (10%) percent of the current <i>market value</i> of the <i>real property</i>; and</u></p> <p><u>(iv) the acquisition is otherwise in compliance with this Bylaw;</u></p>	<p><u>GMIS</u> <u>DREDS</u></p>
<u>5(c)</u>	<u>(c) an acquisition by exercise of an option, right of first refusal or right</u>	<u>GMIS</u> <u>DREDS</u>

	<p><u>of first offer where:</u></p> <p><u>(i) the purchase price is:</u></p> <p><u>A. a set amount approved at the time of the acquisition of such option, right of first refusal or right of first offer; or</u></p> <p><u>B. Ten Million (\$10,000,000.00) Dollars or less if such purchase price is not determined until the exercise of the option, right of first refusal or right of first offer; and</u></p> <p><u>funding for the acquisition is available in a budget approved by Council;</u></p>	
<u>5(d)</u>	<p><u>(d) an acquisition by dedication for nominal value to the City, including that such authorized employee may authorize the City to relocate, repair or replace existing improvements on the donor's lands adversely impacted by the dedication provided funding for such relocation, repair, or replacement is available in a budget approved by Council;</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>5(e)</u>	<p><u>(e) an acquisition by way of gift to the City;</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>5(f)</u>	<p><u>(f) an acquisition of easements or utility rights of way where:</u></p> <p><u>(i) the consideration is Five Million (\$5,000,000.00) Dollars or less and at or below market value; and</u></p> <p><u>(ii) funding for the acquisition is available in a budget approved by Council;</u></p>	<p>For acquisitions where the consideration is \$5,000,000.00 or less – <u>GMIS</u></p> <p>For acquisitions where the consideration is \$2,000,000.00 or less: <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>5(g)</u>	<p><u>(g) an acquisition of a restrictive covenant that limits or restricts the use of land not owned by the City or land owned by the City for the benefit of the City's land;</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>

<u>5(h)</u>	<p><u>(h)</u> an <i>acquisition</i> of any moveable building or structure including, but not limited to, a mobile home, a house, a commercial building or an ancillary structure, at or below <i>market value</i> where:</p> <p><u>(i)</u> the purchase price is Ten Million (\$10,000,000.00) Dollars or less; and</p> <p><u>(ii)</u> funding for the <i>acquisition</i> is available in a budget approved by <i>Council</i>;</p>	<p>For acquisitions where the purchase price is \$10,000,000.00 or less – <u>GMIS</u></p> <p>For acquisitions where the purchase price is \$5,000,000.00: <u>GMIS</u> <u>DREDS</u></p> <p>For acquisitions where the purchase price is \$1,000,000.00 or less: <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>5(i)</u>	<u>(i)</u> an <i>acquisition</i> of a <i>stand-alone parcel</i> or remnant parcel with a title marked with 'tax forfeiture'; and	<u>GMIS</u> <u>DREDS</u>
<u>5(j)</u>	<u>(j)</u> an <i>acquisition</i> of an encroachment on land not owned by the <i>City</i> for the benefit of the <i>City's</i> land.	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
DISPOSITIONS		
<u>6(1)</u>	An authorized employee may approve the following <i>dispositions</i> :	
<u>6(1)(a)</u>	<p><u>(a)</u> a <i>disposition</i> of the fee simple interest in a <i>stand-alone parcel</i> where:</p> <p><u>(i)</u> the <i>method of disposition</i> has been approved by <i>Council</i>;</p> <p><u>(ii)</u> the purchase price of the <i>stand-alone parcel</i> is the same as or more than the <i>market value</i>; and</p> <p><u>(iii)</u> the <i>disposition</i> complies with any terms and conditions imposed by <i>Council</i> in the <i>method of disposition</i>;</p>	<u>GMIS</u>
<u>6(1)(b)</u>	<u>(b)</u> a <i>disposition</i> of the fee simple interest in a <i>stand-alone</i> or <i>remnant parcel</i> as part of the Framework - Transacting with Non-Profit Organizations and Registered Charities below Market Value	<u>GMIS</u>

	<u>where:</u> <u>(i) the <i>method of disposition</i> has been approved by <i>Council</i>;</u> <u>(ii) the purchase price of the <i>stand-alone or remnant parcel</i> complies with the parameters set out in the <i>method of disposition</i> approved by <i>Council</i>; and</u> <u>(iii) the <i>disposition</i> complies with any other terms and conditions imposed by <i>Council</i> in the <i>method of disposition</i>;</u>	
<u>6(1)(c)</u>	<u>(c) a <i>disposition</i> of the fee simple interest in a <i>remnant parcel</i> where the purchase price for the <i>remnant parcel</i> is at or above <i>market value</i>;</u>	<u>GMIS</u> <u>DREDS</u>
<u>6(1)(d)</u>	<u>(d) a <i>disposition</i> of the fee simple interest in a <i>remnant parcel</i> for nominal value where:</u> <u>(i) the <i>remnant parcel</i> was originally dedicated to the <i>City</i> as <i>road</i> pursuant to a subdivision or development application, or to a dedication <i>agreement</i>; and</u> <u>(ii) the owner of the adjoining lands is the same person or entity that originally dedicated the <i>remnant parcel</i> to the <i>City</i>;</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>6(1)(e)</u>	<u>(e) a <i>disposition</i> of an option, right of first refusal or right of first offer for a <i>remnant parcel</i> or a <i>stand-alone parcel</i> where:</u> <u>(i) the purchase price for such option, right of first refusal or right of first offer is at or above <i>market value</i>;</u> <u>(ii) the term of the option, right of first refusal or right of first offer is for:</u> <u>A. <i>five (5) years</i> or less; or</u> <u>B. <i>twenty-five (25) years</i> or less where the option, right of first refusal or right of first offer is for a school board;</u> <u>(iii) if a fee is charged for the</u>	<u>GMIS</u> <u>DREDS</u>

	<p>option, right of first refusal or right of first offer, such fee is in line with rates set by <i>Real Estate & Development Services</i> for options, rights of first refusal or rights of first offer; and</p> <p>(iv) the <i>disposition</i> is otherwise in compliance with this Bylaw;</p>	
<u>6(1)(g)</u>	<p>(g) a <i>disposition</i> of an easement or utility right of way where:</p> <p>(i) the consideration is at or above <i>market value</i>; and</p> <p>(ii) the proposed easement or utility right of way will not materially impact the <i>City's</i> future use or development of the <i>City real property</i> as determined by <i>Real Estate & Development Services</i>;</p>	<p>GMIS DREDS MLAM MMREU MSA</p>
<u>6(1)(h)</u>	<p>(h) a <i>disposition</i> of a restrictive covenant that limits or restricts the use of the <i>City's</i> land for the benefit of land not owned by the <i>City</i> where the <i>disposition</i> is at or above <i>market value</i>; and</p>	GMIS
<u>6(1)(i)</u>	<p>(i) a <i>disposition</i> of any moveable building or structure including a mobile home, a house, a commercial building or an ancillary structure, where the purchase price is at or above <i>market value</i>, without a <i>method of disposition</i> having been approved by <i>Council</i>.</p>	<p>GMIS DREDS MLAM MMREU MSA</p>
<u>6(2)</u>	<p>Despite subsection 6(1), an <i>authorized employee</i> may approve a <i>disposition</i> of the fee simple interest in a <i>stand-alone parcel</i> without a <i>method of disposition</i> having been approved by <i>Council</i>, where the <i>stand-alone parcel</i>:</p> <p>(a) has been publicly marketed;</p> <p>(b) is deemed surplus by the <i>City</i>; and</p> <p>(c) the purchase price is at or above <i>market value</i>.</p>	<p>For dispositions where the purchase price is greater than \$5,000,000.00 – GMIS</p> <p>For dispositions where the purchase price is \$5,000,000.00 or less: GMIS DREDS</p> <p>For dispositions where the purchase price is \$1,000,000.00 or less: GMIS</p>

		<u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>6(3)</u>	<u>Despite subsection 6(1), an <i>authorized employee</i> may approve a <i>disposition</i> of the fee simple interest in a <i>stand-alone parcel</i> or a <i>remnant parcel</i> by direct negotiation to Calgary Municipal Land Corporation, Attainable Homes Calgary Corporation, Calgary Housing Company, Calhome Properties Ltd., the provincial government or its related entities, or the federal government or its related entities:</u>	
<u>6(3)(a)</u>	<u>(a) without a <i>method of disposition</i> approved by <i>Council</i> where the purchase price is Ten Million (\$10,000,000.00) Dollars or less and is at or above <i>net book value</i> or <i>market value</i>; or</u>	<u>For dispositions where the purchase price is \$10,000,000.00 or less – GMIS</u> <u>For dispositions where the purchase price is \$5,000,000.00 or less:</u> <u>GMIS</u> <u>DREDS</u>
<u>6(3)(b)</u>	<u>(b) with a <i>method of disposition</i> or <i>land report</i> approved by <i>Council</i> where the purchase price is below <i>market value</i>.</u>	<u>For dispositions where the purchase price is below <i>market value</i> with a <i>method of disposition</i> or <i>land report</i> approved by <i>Council</i>:</u> <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>6(4)</u>	<u>Despite subsection 6(1), an <i>authorized employee</i> may approve a <i>disposition</i> of the fee simple interest in a <i>stand-alone parcel</i> without a <i>method of disposition</i> having been approved by <i>Council</i>, where:</u> <u>(a) the <i>disposition</i>:</u> <u>(i) is directly negotiated with the owner of the adjoining lands;</u> <u>(ii) satisfies or meets the objectives of the Area Redevelopment Plan or the Area Structure Plan; and</u> <u>(iii) allows for the owner of the adjoining lands to assemble multiple parcels for a larger scale, comprehensive development;</u> <u>(b) the <i>disposition</i> of the <i>stand-alone</i></u>	<u>For dispositions where the purchase price is \$10,000,000.00 or less – GMIS</u> <u>For dispositions where the purchase price is \$5,000,000.00 or less:</u> <u>GMIS</u> <u>DREDS</u>

	<u>parcel or the remnant parcel cannot meet its desired highest and best use without being consolidated with an adjoining parcel; and</u>	
	<u>(c) the purchase price is Ten Million (\$10,000,000.00) Dollars or less and at or above market value.</u>	
LAND EXCHANGES		
<u>7(1)</u>	<p><u>An authorized employee may approve of a land exchange at or above market value without a method of disposition having been approved by Council, where:</u></p> <p><u>(a) the market value of the City stand-alone parcel or remnant parcel is One Million (\$1,000,000.00) Dollars or less;</u></p> <p><u>(b) the market value of the real property owned by a third party is Ten Million (\$10,000,000.00) Dollars or less;</u></p> <p><u>(c) the acquisition of real property owned by a third party is for municipal purposes and the City stand-alone parcel or remnant parcel for disposition is deemed surplus to by the City; and</u></p> <p><u>(d) funding for the land exchange is available in a budget approved by Council.</u></p>	<p><u>For land exchanges where the market value of the real property owned by a third party is \$10,000,000.00 or less – GMIS</u></p> <p><u>For land exchanges where the market value of the real property owned by a third party is \$5,000,000.00 or less:</u> GMIS DREDS</p> <p><u>For land exchanges approved where the market value of the real property owned by a third party is \$1,000,000.00 or less:</u> GMIS DREDS MLAM MMREU MSA</p>
OCCUPATIONS – GENERAL OCCUPATIONS		
<u>8(1)</u>	<u>Unless otherwise specified in this Bylaw, an authorized employee may approve the following:</u>	
<u>8(1)(a)</u>	<p><u>(a) an occupation by lease at or above market value where:</u></p> <p><u>(i) whether the City is the landlord or the tenant, the annual base rent or fee is One Million (\$1,000,000.00) Dollars or less;</u></p> <p><u>(ii) whether the City is the landlord or the tenant, the initial</u></p>	<p>GMIS DREDS MLAM MMREU MSA</p>

	<p><u>term is:</u></p> <p><u>A. month to month;</u></p> <p><u>B. year to year; or</u></p> <p><u>C. a fixed term of fifteen (15) years or less;</u></p> <p><u>(iii) the City is the landlord, for a fixed term occupation:</u></p> <p><u>A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</u></p> <p><u>B. the renewal or extension rate is at or above market value if such rate is determined at the time of such renewal or extension or at the time the initial fixed term occupation was approved; and</u></p> <p><u>(iv) the City is the tenant, for a fixed term occupation:</u></p> <p><u>A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</u></p> <p><u>B. the renewal or extension rate is at or below market value if such rate is determined at the time of the renewal or extension or at the time the initial fixed term occupation was approved; and</u></p> <p><u>C. funding is available in a budget approved by Council;</u></p>	
<u>8(1)(b)</u>	<p><u>(b) an occupation by license at or below market value where:</u></p> <p><u>(i) whether the City is the licensor or the licensee, the annual license fee is One Million</u></p>	<p><u>GMIS</u></p> <p><u>DREDS</u></p> <p><u>MLAM</u></p> <p><u>MMREU</u></p> <p><u>MSA</u></p>

	<p><u>(\$1,000,000.00) Dollars or less and in line with rates set by <i>Real Estate & Development Services</i>;</u></p> <p><u>(ii) whether the City is the licensor or the licensee, the initial term is:</u></p> <p><u>A. month to month;</u></p> <p><u>B. year to year; or</u></p> <p><u>C. a fixed term of fifteen (15) years or less;</u></p> <p><u>(iii) the City is the licensor, for a fixed term occupation:</u></p> <p><u>A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</u></p> <p><u>B. the annual license fee for such renewal or extension is One Million \$1,000,000.00 Dollars or less and in line with rates set by <i>Real Estate & Development Services</i>;</u></p> <p><u>(iv) the City is the licensee, for a fixed term occupation:</u></p> <p><u>A. the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</u></p> <p><u>B. funding is available in a budget approved by Council; and</u></p> <p><u>(v) the license area is part of a road, then the license is subject to early termination on thirty (30) days' written notice;</u></p>	
<u>8(1)(c)</u>	<p><u>(c) a continued occupation of real property following its acquisition by the City where:</u></p> <p><u>(i) the base rent or fee is at or</u></p>	

	<p><u>above market value at the time the initial occupation was approved or is included in the total consideration payable for the acquisition;</u></p> <p><u>(ii) the proposed occupant(s) are either the prior registered owners or prior legal occupants of the real property; and</u></p> <p><u>(iii) the period of continued occupation is:</u></p> <p><u>A. twenty-five (25) years or less; or</u></p> <p><u>B. where a continued occupation is tied to a major real estate undertaking the period of continued occupation may be extended to accommodate the time frames of the major real estate undertaking; and</u></p>	
<u>8(1)(d)</u>	<u>(d) overholding by former legal occupants of the City's real property.</u>	
<u>8(2)</u>	<u>Despite subsection 8(1)(a), an authorized employee may approve:</u>	
<u>8(2)(a)</u>	<p><u>(a) an occupation at or below market value for a term of 99 years or less by way of:</u></p> <p><u>(i) a lease or license entered into with the provincial government or its related entities, the federal government or its related entities, school boards, non-profit wholly owned subsidiaries of the City and their subsidiaries;</u></p> <p><u>(ii) a license entered into with other municipalities; or</u></p> <p><u>(iii) a lease entered into with other municipalities where the City is the tenant;</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>8(2)(b)</u>	<p><u>(b) an occupation by lease or license entered into with a non-profit organization at or below market value where:</u></p> <p><u>(iv) the initial term is:</u></p> <p><u>A. month to month;</u></p> <p><u>B. year to year; or</u></p> <p><u>C. a fixed term of fifteen (15)</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>

	<p><u>years or less; and</u></p> <p><u>(v) for a fixed term occupation, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</u></p>	
<u>8(2)(c)</u>	<p><u>(c) an occupation by lease or license entered into with a civic partner or a City associate where:</u></p> <p><u>(vi) the annual base rent is at or below market value;</u></p> <p><u>(vii) for a fixed term occupation of twenty-five (25) years or less; and</u></p> <p><u>(viii) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of fifty (50) years;</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>8(2)(d)</u>	<p><u>(d) an occupation by lease or license entered into with a community association or a social recreation group for a nominal fee for the same length of term or less as approved by Council for standard form leases and licenses for community associations and social recreation groups or organizations; and</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>8(2)(e)</u>	<p><u>(e) an occupation by prospective purchasers, tenants or licensees of the City's real property for the purposes of conducting due diligence, where:</u></p> <p><u>(i) the license fee is at or below market value; and</u></p> <p><u>(ii) the term of the occupation is two (2) years or less.</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
OCCUPATIONS - ROAD		
<u>9(1)</u>	<p><u>An authorized employee may approve an occupation by license of road, other than for the purposes of either a sign or a</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u></p>

	<u>telecommunication installation, where:</u> <u>(a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by Real Estate & Development Services for licenses of road;</u> <u>(b) the occupation of the road is subject to early termination on thirty (30) days' written notice;</u> <u>(c) the road is not required for public use; and</u> <u>(d) the occupation is otherwise in compliance with this Bylaw.</u>	<u>MMREU</u> <u>MSA</u>
<u>9(2)</u>	<u>An authorized employee may approve of an occupation by license over road for banners and decorative lights and elements on street posts, streetlights or other similar infrastructure where:</u> <u>(a) the license fee is at or below market value; and</u> <u>(b) the occupation over the road is subject to early termination on thirty (30) days' written notice.</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
OCCUPATIONS – TELECOMMUNICATION INSTALLATION		
<u>10(1)</u>	<u>An authorized employee may approve the occupation by license for a telecommunication installation where:</u> <u>(a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by Real Estate & Development Services for telecommunication installation licenses;</u> <u>(b) the initial term is:</u> <u>(iii) month to month;</u> <u>(iv) year to year; or</u> <u>(v) a fixed term of fifteen (15) years or less;</u> <u>(c) for a fixed term occupation, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25)</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>

	<p><u>years;</u></p> <p><u>(d)</u> <u>the licensee has obtained a letter of concurrence from the City's Community Planning business unit or such business unit that would provide these letters of concurrence;</u> <u>and</u></p> <p><u>(e)</u> <u>the license area is part of a road,</u> <u>then the license is subject to early termination on thirty (30) days'</u> <u>written notice.</u></p>	
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<u>10(2)</u>	<p><u>An authorized employee may approve the occupation by license for a telecommunications installation on streetlight installations stewarded by the City's Mobility business unit, where:</u></p> <p>(a) <u>the annual fee is in compliance with the rates set out in the City's master license agreement with wireless service providers and at or above market value;</u></p> <p>(b) <u>the initial term is a fixed term of fifteen (15) years or less;</u></p> <p>(c) <u>the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</u></p> <p>(d) <u>the licensee has entered into the City's master license agreement; and</u></p> <p>(e) <u>where the license area is part of a road, then the license is subject to early termination on thirty (30) days' written notice.</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u> <u>DM</u> <u>MMO</u></p>
OCCUPATIONS - SIGNS		
<u>11(1)</u>	<u>An authorized employee may approve the following occupations for signs:</u>	
<u>11(1)(a)</u>	<p>(a) <u>a license for a business identification sign or a third party sign where:</u></p> <p>(i) <u>the annual license fee is Five Hundred Thousand (\$500,000.00) Dollars or less and in line with rates set by Real Estate & Development Services</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>

	<p><u>for sign licenses;</u></p> <p><u>(ii) the initial term is:</u></p> <p><u>A. month to month;</u></p> <p><u>B. year to year; or</u></p> <p><u>C. a fixed term of ten (10) years or less; and</u></p> <p><u>(iii) for a fixed term <i>occupation</i>, the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years;</u></p>	
<u>11(1)(b)</u>	<p><u>(b) a license granted to a <i>community association</i> or other non-profit organization for a <i>community identification sign</i> where:</u></p> <p><u>(i) the license fee is at or below <i>market value</i>;</u></p> <p><u>(ii) the initial term of a license is fifteen (15) years or less;</u></p> <p><u>(iii) the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</u></p> <p><u>(iv) any <i>community identification sign</i> for which a license has been granted under this Bylaw is exempt from the application of the Temporary Signs on Highways Bylaw 29M97;</u></p>	<p><u>GMIS</u></p> <p><u>DREDS</u></p> <p><u>MLAM</u></p> <p><u>MMREU</u></p> <p><u>MSA</u></p>
<u>11(1)(c)</u>	<p><u>(c) a license granted to a <i>developer</i> or a resident's association for a <i>community identification sign</i> where:</u></p> <p><u>(i) the license fee is at or below <i>market value</i>;</u></p> <p><u>(ii) the <i>developer</i> or the resident's association, whichever is applicable, provides an irrevocable letter of credit or other type of security satisfactory to an <i>authorized employee</i>;</u></p>	<p><u>GMIS</u></p> <p><u>DREDS</u></p> <p><u>MLAM</u></p> <p><u>MMREU</u></p> <p><u>MSA</u></p>

	<p>(iii) <u>the initial term of a license is ten (10) years or less;</u></p> <p>(iv) <u>the renewal(s) or extension(s) may be for any number of options to renew or extend and any length of term provided the initial fixed term and any renewal(s) or extension(s) does not exceed a total of twenty-five (25) years; and</u></p> <p>(v) <u>any community identification sign for which a license has been granted under this Bylaw is exempt from the application of the Temporary Signs on Highways Bylaw 29M97;</u></p>	
<u>11(1)(d)</u>	<u>(d) a license for a temporary sign where the fee is at or below market value;</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>11(1)(e)</u>	<u>(e) a license for an election sign where the term and the fee are consistent with the applicable terms and rates approved by Council; and</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>11(1)(f)</u>	<u>(f) a license for banners on street posts, streetlights or other similar infrastructure where the fee is at or below the market value.</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
OCCUPATIONS - FILM		
<u>12</u>	<p><u>An authorized employee may approve an occupation by way of license for the purposes of filming or film production where:</u></p> <p>(a) <u>the license fee is at or below market value; and</u></p> <p>(b) <u>the initial term and any renewals or extensions of the occupation does not exceed a total of five (5) years.</u></p>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
OCCUPATIONS - SURRENDER		
<u>13</u>	<u>An authorized employee may approve the surrender or partial surrender of an occupation prior to the end of the term,</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u>

	<u>whether the <i>City</i> is the landlord or tenant, where consideration payable for the surrender or partial surrender is One Million (\$1,000,000.00) Dollars or less and funding is available in a budget approved by Council.</u>	<u>MMREU</u> <u>MSA</u>
MAJOR REAL ESTATE UNDERTAKINGS		
<u>14(1)</u>	<u>An authorized employee may approve of:</u> <u>(a) any one (1) or more <i>transactions</i> and the total compensation for such <i>transactions</i>, which may include, but is not limited to <i>market value</i>, <i>market value</i> of exchange lands, incentive payments, non-cash items (such as construction activities or services) and any other payments or costs required to facilitate the negotiation and finalization of such <i>transaction</i> where:</u> <u>(i) the <i>transaction</i> is part of an undertaking designated by Council as a <i>major real estate undertaking</i>;</u> <u>(ii) the <i>transaction</i> complies with any additional terms and conditions set out in the Council designation of the undertaking as a <i>major real estate undertaking</i>; and</u> <u>(iii) funding for the <i>transaction</i> and compensation is available in a budget approved by Council.</u>	<u>For transactions \$0 to greater than \$10,000,000.00:</u> <u>City Manager and GMIS</u> <u>For transactions \$0 to \$10,000,000.00 million:</u> <u>GMIS</u> <u>For transactions \$0 to \$5,000,000.00:</u> <u>GMIS</u> <u>DREDS</u> <u>For transactions \$0 to \$1,000,000.00:</u> <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
EXPROPRIATIONS		
<u>15(1)</u>	<u>Where Council has approved of the initiation of expropriation proceedings in respect of any <i>real property</i>, an authorized employee may approve:</u>	
<u>15(1)(a)</u>	<u>(a) the initiation of expropriation proceedings to acquire the same interest(s) in land over a smaller portion of the <i>real property</i> as that originally approved by Council;</u>	<u>GMIS</u>
<u>15(1)(b)</u>	<u>(b) the initiation of expropriation proceedings to acquire any lesser interest(s) in land than that originally approved by Council in respect of such <i>real property</i>, whether by way of</u>	<u>GMIS</u>

	<u>profit, easement, right, privilege or benefit in, over or derived from the <i>real property</i>;</u>	
<u>15(1)(c)</u>	<u>(c) the initiation of expropriation proceedings to acquire any lesser interest(s) in land over a smaller portion of the <i>real property</i> as that originally approved by Council in respect of such <i>real property</i>, whether by way of profit, easement, right, privilege or benefit in, over or derived from the <i>real property</i>; and</u>	<u>GMIS</u>
<u>15(1)(d)</u>	<u>(d) the exception or partial exception of the initiation of expropriation proceedings of any interest(s) in <i>real property</i> originally approved by Council.</u>	<u>GMIS</u>
<u>15(2)</u>	<p><u>Where Council has previously authorized the initiation of an expropriation of any estate or interest in <i>real property</i>, an <i>authorized employee</i> may approve an <i>acquisition</i> of any such party's interest in the <i>real property</i> by way of an <i>agreement</i> pursuant to section 30 of the <i>Expropriation Act</i>, provided that the <i>proposed payment</i> for the fee simple interest in the <i>real property</i> is:</u></p> <p><u>(a) the same or less than the original <i>proposed payment</i> approved by Council; or</u></p> <p><u>(b) Ten Million (\$10,000,000.00) Dollars or less if there was no original <i>proposed payment</i> approved by Council; and</u></p> <p><u>the <i>proposed payment</i> is available in a budget or funding source approved by Council and reflects compensation that the <i>owner</i> could reasonably be entitled to receive under the <i>Expropriation Act</i>, provided the <i>proposed payment</i> is reviewed and endorsed by the <i>Valuation Review Committee</i>; and</u></p>	<u>GMIS</u>
<u>15(3)</u>	<u>Where Council has previously authorized the initiation of expropriation of any estate or interest in <i>real property</i>, an <i>authorized employee</i> may approve a negotiated settlement of any compensation that may</u>	<p><u>For settlements \$0 to greater than \$10,000,000.00:</u> <u>City Manager and GMIS</u></p> <p><u>For settlements \$0 to</u></p>

	<p><u>be payable pursuant to the <i>Expropriation Act</i> where funding for the negotiated settlement is available in a budget or funding source approved by <i>Council</i> and the <i>owner</i> releases the <i>City</i> from any existing or future claims under the <i>Expropriation Act</i> or the <i>Municipal Government Act</i> for which the <i>owner</i> is being compensated for, provided the negotiated settlement has been reviewed and endorsed by the <i>Valuation Review Committee</i>.</u></p>	<p><u>\$10,000,000.00 million:</u> <u>GMIS</u></p> <p><u>For settlements \$0 to \$5,000,000.00:</u> <u>GMIS</u> <u>DREDS</u></p> <p><u>For settlements \$0 to \$1,000,000.00:</u> <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u> <u>MSA-GL</u></p>
OTHER TRANSACTIONS		
<u>16(1)</u>	<u>An authorized employee may approve of the following additional transactions:</u>	
<u>16(1)(a)</u>	<p><u>(a) resolutions related to the management of a condominium corporation in which the <i>City</i> owns one or more units, including the cancellation of such condominium corporation; and</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>16(1)(b)</u>	<p><u>(b) any other matter not specifically listed in this Bylaw where:</u></p> <p><u>(i) the <i>market value</i> of the <i>real property</i> or the consideration for the <i>transaction</i> is Ten Million (\$10,000,000.00) Dollars or less;</u></p> <p><u>(ii) the <i>City</i> is not subject to a financial obligation that exceeds One Million (\$1,000,000.00) Dollars;</u></p> <p><u>(iii) the matter relates to <i>real property</i>; and</u></p> <p><u>(iv) funding is available in a budget approved by <i>Council</i>.</u></p>	<p><u>For transactions \$10,000,000.00 or less – <u>GMIS</u></u></p> <p><u>For transactions \$5,000,000.00 or less:</u> <u>GMIS</u> <u>DREDS</u></p>
<u>16(2)</u>	<p><u>Despite any other sections in this Bylaw, an authorized employee may approve of a disposition of an interest in the <i>City's real property</i>, including a <i>disposition</i> of a <i>stand-alone parcel</i>, <i>remnant parcel</i>, a <i>utility right of way</i>, an <i>easement</i>, a</u></p>	<p><u>GMIS</u> <u>DREDS</u></p>

	<u>restrictive covenant and, an occupation by way of lease, to any third party below market value, without a <i>method of disposition</i> having been approved by Council where:</u> <u>(a) the proposed <i>disposition</i> has been advertised where required by the <i>Municipal Government Act</i>;</u> <u>(b) there is no opposition or objections to the proposed <i>disposition</i> raised by members of the public during any required advertising period; and</u> <u>(c) the <i>market value</i> for the <i>City's real property</i> proposed for <i>disposition</i> is \$25,000 or less.</u>	
COMPENSATION		
<u>17</u>	<u>Provided that funding is available in a budget approved by Council, an <i>authorized employee</i> may, in order to facilitate the negotiation, completion and administration of <i>transactions</i> or other matters approved under this Bylaw, approve of any one or more of the following:</u>	
<u>17(a)</u>	<u>(a) the payment of reasonable legal, appraisal, engineering, broker/realty fees and other professional or consulting fees and disbursements incurred by parties to <i>transactions</i> or other matters approved under this Bylaw;</u>	<u>For any amounts:</u> <u>GMIS</u> <u>DREDS</u> <u>For amounts between \$0 to \$50,000.00</u> <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>17(b)</u>	<u>(b) the payment or reimbursement for or performance of additional services, including landscaping, fencing, construction of other improvements, moving expenses, tenant improvement allowances and incentive payments provided such payment or performance does not exceed Five Hundred Thousand (\$500,000.00) Dollars; and</u>	<u>For amounts between \$0 to \$500,000.00:</u> <u>GMIS</u> <u>DREDS</u> <u>For amounts between \$0 to \$50,000.00:</u> <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>17(c)</u>	<u>(c) a payment of Five Hundred Thousand (\$500,000.00) Dollars or</u>	<u>GMIS</u> <u>DREDS</u>

	<u>less for other types of compensation to facilitate the negotiation, completion, and administration of transactions.</u>	
RECTIFICATIONS		
<u>19(a) – (d)</u>	<p><u>An authorized employee may approve the following corrections and changes of land reports, land authorization forms, agreements and documents:</u></p> <p>(a) <u>the correction of unintentional errors in the land report, land authorization form, agreement or document provided that the corrections are consistent with the intent of the transaction;</u></p> <p>(b) <u>any changes to the description of the real property or moveable buildings or structures in the land report, land authorization form, agreement or document;</u></p> <p>(c) <u>the correction of spelling mistakes and errors in transposition of legal descriptions, municipal descriptions, names of parties, letters, figures and serial numbers for moveable buildings or structures; and</u></p> <p>(d) <u>the correction of minor changes to an agreement that do not impact material terms and conditions of an agreement, where such agreement was approved as a direct attachment to a land authorization form or land report.</u></p>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u> <u>CLA</u> <u>CMREU</u> <u>CREA</u> <u>CRECS</u> <u>CRELPM</u> <u>CRES</u>
<u>20</u>	<u>An authorized employee may, in order to facilitate the negotiation, completion and administration of transactions, approve by rectification the following:</u>	
<u>20(a)</u>	<p>(a) <u>the addition, amendment or deletion of terms and conditions that are consistent with the intent of the transaction and that do not subject the City:</u></p> <p>(i) <u>to any further material obligations; or</u></p>	<u>GMIS</u>

	(ii) <u>to any financial obligations exceeding the sum of One Million (\$1,000,000.00) Dollars;</u>	
<u>20(b)</u>	(b) <u>the reduction or increase in the purchase price of an <i>acquisition of real property</i> provided that where there is an increase in the purchase price, such increase does not exceed the original maximum amount set out in this Bylaw for such <i>acquisition</i>;</u>	<u>Increases that will bring the purchase price up to \$10,000,000.00 – GMIS</u> <u>Increases that will bring the purchase price up to \$5,000,000.00:</u> <u>GMIS</u> <u>DREDS</u> <u>Increases that will bring the purchase price up to \$1,000,000.00:</u> <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(c)</u>	(c) <u>the reduction or increase in the purchase price of a <i>disposition of real property</i> provided that where there is a reduction in the purchase price, the purchase price for such <i>disposition</i> must not be reduced below <i>market value</i>;</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(d)</u>	<u>(d) the reduction or increase in the base rent or license fee of an occupation provided where:</u> <u>(i) there is a reduction to the base rent, the base rent must not be reduced below <i>market value</i>;</u> <u>or</u> <u>(ii) there is an increase in the base rent or license fee, such increase in the base rent or license fee does not exceed the original maximum amount set out in this Bylaw for such <i>occupation</i>;</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(e)</u>	(e) <u>subject to subsections 20(h) and 20(i), the extension(s) of any <i>transaction date</i> where the extension(s) does not exceed a total period of five (5) years from that original <i>transaction date</i> and for</u>	<u>For extensions up to a total 5 years:</u> <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u>

	<p><u>greater certainty an extension to an expiry date which impacts the length of term of any <i>occupations</i>, option, right of first refusal or right of first offer term must be rectified under subsections 20(h) or 20(i):</u></p>	<p><u>MSA</u></p> <p>For extensions up to a total of 1 year:</p> <p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u> <u>CLA</u> <u>CMREU</u> <u>CREA</u> <u>CRECS</u> <u>CRELPM</u> <u>CRES</u></p>
<u>20(f)</u>	<p><u>(f) the moving up of any <i>transaction date</i></u></p>	<p>For moving up a <i>transaction date</i> any amount of time:</p> <p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p> <p>For moving up a <i>transaction date</i> up to a total of 1 year:</p> <p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u> <u>CLA</u> <u>CMREU</u> <u>CREA</u> <u>CRECS</u> <u>CRELPM</u> <u>CRES</u></p>
<u>20(g)</u>	<p><u>(g) the splitting up of any <i>transaction date</i> into two or more <i>transaction dates</i> where:</u></p> <p><u>(i) the earliest <i>transaction date</i> is extended no more than five (5) years from the <i>original transaction date</i>; and</u></p> <p><u>(ii) the last <i>transaction date</i> is extended no more than five (5) years from the <i>original transaction date</i>.</u></p>	<p>For extension of the earliest or the last <i>transaction date</i> by up to a total of 5 years for each:</p> <p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p> <p>For extension of the earliest or the last <i>transaction date</i> by up to a total of 1 year for each:</p> <p><u>GMIS</u> <u>DREDS</u></p>

		MLAM MMREU MSA CLA CMREU CREA CRECS CRELPM CRES
20(h)	(h) an amendment to the length of term of an <i>occupation</i> where the amendment to the length of the term is otherwise in compliance with this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(i)	(i) an amendment to the length of an option, right of first refusal or right of first offer term or an extension of an option, right of first refusal or right of first offer term where the amendment or extension is otherwise in compliance with this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(j)	(j) where the <i>City</i> is the tenant or licensee, the exercise of a renewal or extension of an <i>occupation</i> provided such renewal or extension complies with this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(k)	(k) adding a renewal or extension term to an <i>occupation</i> provided such renewal or extension term complies with this Bylaw;	GMIS DREDS MLAM MMREU MSA
20(l)	(l) the charging or paying of fees for the extension of closing or exercise dates for <i>dispositions</i> or <i>acquisitions</i> and administrative fees for assignment and assumption <i>agreements</i> , amending <i>agreements</i> and administering <i>occupation agreements</i> in accordance with rates established by <i>Real Estate & Development Services</i> ;	GMIS DREDS MLAM MMREU MSA
20(m)	(m) any changes to the base rent or fee payable upon the exercise of either an option or a right to renew or extend an <i>occupation</i> , where the new base rent or fee payable is at or above <i>market value</i> or more;	GMIS DREDS MLAM MMREU MSA

<u>20(n)</u>	<p><u>(n) rent forgiveness, temporary rent relief or change in base rent:</u></p> <p><u>(i) to match new prevailing market conditions and address conditions if there is a rapid onset crisis with material impacts on economic conditions;</u></p> <p><u>(ii) to address temporary construction or other projects which impact or limit the viability of tenants' businesses or operations; or</u></p> <p><u>(iii) where directed by Council;</u></p>	<p><u>GMIS</u> <u>DREDS</u></p>
<u>20(o)</u>	<p><u>(o) a change in the permitted use of an occupation;</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>20(p)</u>	<p><u>(p) the substitution, addition or deletion of parties to transactions approved by Council or pursuant to this Bylaw;</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>20(q)</u>	<p><u>(q) adjustments made to the:</u></p> <p><u>(i) market value purchase price, base rent or fee as a result of a change in the property area upon completion of a survey; or</u></p> <p><u>(ii) area for an occupation to include any additional rental areas or the reduction of any rental area;</u></p>	<p><u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p>
<u>20(r)</u>	<p><u>(r) an increase to any proposed payment approved by Council to facilitate the completion of an agreement pursuant to section 30 of the Expropriation Act where such an increase is available in a budget or funding source approved by Council and the increase to the proposed payment reflects compensation that the owner could reasonably be entitled to receive under the Expropriation Act, provided such</u></p>	<p>For increases greater than \$10,000,000.00: <u>City Manager and GMIS</u></p> <p>For increases \$0 to \$10,000,000.00 million: <u>GMIS</u></p> <p>For increases \$0 to \$5,000,000.00: <u>GMIS</u> <u>DREDS</u></p>

	<u>increase is reviewed and endorsed by the <i>Valuation Review Committee</i>;</u>	
<u>20(s)</u>	<u>(s) an increase to any <i>proposed payment</i> for an expropriation approved by <i>Council</i> where such an increase is available in a budget or funding source approved by <i>Council</i> and the increase to the <i>proposed payment</i> reflects compensation that the <i>owner</i> could reasonably be entitled to receive under the <i>Expropriation Act</i>, provided such increase is reviewed and endorsed by the <i>Valuation Review Committee</i>;</u>	<p><u>For increases greater than \$10,000,000.00:</u> <u>City Manager and GMIS</u></p> <p><u>For increases \$0 to \$10,000,000.00 million:</u> <u>GMIS</u></p> <p><u>For increases \$0 to \$5,000,000.00:</u> <u>GMIS</u> <u>DREDS</u></p>
<u>20(t)</u>	<u>(t) a decrease to any <i>proposed payment</i> approved by <i>Council</i> where such decrease reflects compensation the <i>owner</i> could reasonably be entitled to receive under the <i>Expropriation Act</i>, provided such decrease is reviewed and endorsed by the <i>Valuation Review Committee</i>;</u>	<u>GMIS</u> <u>DREDS</u>
<u>20(u)</u>	<u>(u) the payment of additional compensation provided such additional compensation complies with section 17;</u>	<p><u>17(a):</u> <u>For any amounts:</u> <u>GMIS</u> <u>DREDS</u></p> <p><u>For amounts between \$0 to \$50,000.00</u> <u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u></p> <p><u>17(b):</u> <u>GMIS</u> <u>DREDS</u></p> <p><u>17(c):</u> <u>For amounts between \$0 to \$500,000.00:</u> <u>GMIS</u> <u>DREDS</u></p> <p><u>For amounts between \$0 to \$50,000.00:</u> <u>GMIS</u> <u>DREDS</u></p>

		<u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(v)</u>	<u>(v) the charging or paying of any deposit or security to be taken or given by the City to secure the performance of obligations under any agreement and the terms and conditions pursuant to which the deposit or security is to be paid, held and released;</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(w)</u>	<u>(w) the increase, reduction, or waiver of any interest payable and the imposition or acceptance of alternate terms and conditions relating to payment of interest in consideration of the extension or advancement of any transaction date where the increase, reduction or waiver of the interest payable is Fifty Thousand (\$50,000.00) Dollars or less;</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(x)</u>	<u>(x) the waiver of conditions precedent;</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(y)</u>	<u>(y) the assignment and assumption of any agreement including the charging of or paying of fees for the assignment and assumption of any agreement;</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(z)</u>	<u>(z) amendment to any terms and conditions of an occupation for film purposes under section 12 provided such amendments complies with this Bylaw; and</u>	<u>GMIS</u> <u>DREDS</u> <u>MLAM</u> <u>MMREU</u> <u>MSA</u>
<u>20(aa)</u>	<u>(aa) any additions of any terms and conditions to a land report or any corrections, changes, additions, amendments or deletions of any terms and conditions set out in a land report, which are necessary in order to facilitate the negotiation, finalization and administration of a transaction or other matter where a land report approved by Council authorizes the use of the powers set</u>	As set out in the <u>land report</u> approved by <u>Council</u> : <u>GMIS</u> or <u>DREDS</u>

	<u>out in this section.</u>	
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Document comparison by Workshare 10.0 on Tuesday, August 23, 2022 6:04:29 PM

Input:	
Document 1 ID	file:///COC/Law/Shared/Legal/ProLaw Documents/B0511/LKYL/Bylaw/2154888.docx
Description	2154888
Document 2 ID	file:///COC/Law/Shared/Legal/ProLaw Documents/B0511/LKYL/Bylaw/2039173_6.docx
Description	2039173_6
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	1959
Deletions	692
Moved from	39
Moved to	39
Style changes	0
Format changes	0
Total changes	2729

Proposed Real Property Bylaw – Section Descriptions

Proposed Bylaw Section	Description of Proposed Bylaw Section -including changes, rationale, benefits
1. TITLE	The Title of the Proposed Bylaw remains “The Real Property Bylaw”.
2. PURPOSE	<p>This section confirms the purpose of the Proposed Bylaw - to guide Administration’s delivery of real property transaction services that include land acquisition, dispositions, occupations (leasing and licensing) and other transactions such as land exchanges, utility rights of way, easements, and options).</p> <p>It specifically excludes the short-term permitting and licensing that are authorized through other City Bylaws, which define the service delivery of Business Units other than Real Estate & Development Services. The Green Line Board Bylaw includes similar guidance to the Proposed Bylaw relating to transactions required to support the Green Line Phase 1 project. However, its governance and delegated authorities are to employee positions on the Green Line project.</p>
3. DEFINITIONS	<p>Section 3 provides definitions of terms and employee positions within Administration that clarify interpretation and support the consistent delivery of transactions.</p> <p>New terms added or significantly updated include:</p> <p>“Authorized Employee” are those employees identified to perform a specific power, duty or function delegated by Council. The Proposed Bylaw itself now directly delegates Council’s authorities identified in Schedule A to employees defined in Section 3. This clearly identifies which positions are able to approve each type of transaction or rectification. Inclusion of Schedule A within the Bylaw avoids possibility of conflicting delegation letters, which are no longer kept by the City Clerk.</p> <p>Position Titles– these are the specific authorized employees referenced in Schedule. They include the current titles of General Manager of Infrastructure Services and Director, Managers and Land Titles Officer in RE&DS. New positions added include</p> <ul style="list-style-type: none"> • Coordinator positions in RE&DS authorized to approve minor rectifications to support completion of transactions. • Director Mobility and Manager, Traffic Mobility, who are authorized to approve telecommunications installations. <p>“Land Exchange” is defined to describe a transaction where The City could acquire and disposed of properties through one transaction. Currently it requires two transactions (an acquisition and a disposition).</p> <p>“Major Real Estate Undertaking” defines a new tool to allow Council to designate a City project requiring one or more acquisitions, dispositions, occupations of land exchanges as a major real estate undertaking. This provides the ability for Administration, under the delegated authorities of the Proposed Bylaw, to complete these real property transactions within the context and timelines of the project. (See also Section 14)</p>

	<p>“Market Value” – updated to reference “endorsement by the Valuation Review Committee” versus “verified”. This ensures consistency that both internal and external appraisals are reviewed with same rigor. Market value replaces the term “reserve consideration”, and will be used with future Methods of Dispositions, to support transactions that otherwise meet the conditions of the MOD but where the market value has decreased to that set in the reserve consideration. This will avoid Council approval simply to set a new reserve consideration, which will be the current market value.</p> <p>“Net Book Value” – added to reference and clarify use of The City’s current methods to value a tangible capital asset. This clarifies how net book value is defined when real property is disposed to wholly owned City subsidiaries (CMLC, Enmax, etc.) and to other orders of government.</p> <p>“Rectification” – this term is currently undefined. It is added to ensure clarity in understanding and application. Rectifications will continue to be used to process and document changes, additions, or deletions to a transaction approval to allow flexibility to completion a transaction. They will be approved under delegated authority.</p>
4. INTERPRETATION	This section combines and reorganizes two sections of the current Bylaw, to clarify and assist with the interpretation and application of the Proposed Bylaw sections.
PART II - AUTHORIZATION OF TRANSACTIONS	
5. ACQUISITIONS	<p>The maximum purchase price for real property allowed to be approved by delegated authority increases from \$5 million to \$10 million, where funding for the acquisition is available in a budget approved by Council. Acquisitions with a purchase price greater than \$10 million will require Council Approval.</p> <p>Clarity is added for the acquisition of options to purchase/repurchase, rights of first refusal and rights to first offer in The City’s favor. This was not clear in the current Bylaw, and some options were required to go to Council for approval. Detail is added regarding the type of option and rights, length of terms of those option and rights, the purchase prices for such options and fees, if any.</p>
6. DISPOSITIONS	<p>Section 6(1)(b) is added to allow Administration to support delivery of the Framework - Transacting with Non-Profit Organizations and Registered Charities below Market Value (approved in 2018) once a method of disposition is approved by Council. Currently such transactions must return to Council for approval.</p> <p>Section 6(2) is added to allow Administration to sell City land <u>without a Council Approved Method of Disposition (MOD)</u> only where the City land:</p> <ul style="list-style-type: none"> • is surplus to municipal needs • has been publicly marketed to provide opportunity for any interested party to bid, and • is sold at or above market value <p>This provision will allow The City to transact quicker with businesses who have responded to the public marketing and pay market value for The City land, without first requiring a Council approved MOD, as is currently required. It does not allow Administration to direct negotiate and sell to a single entity. Accountability is maintained through the tiered approval levels (Schedule A) and the market value being endorsed by the Valuation Review Committee (VRC).</p>

	<p>Section 6(3) is an updated section to provide clarity for Administration to direct negotiate for the sale of land to specific City entities and higher orders of government at market value up to \$10 million. It may also complete a transaction with these same parties at a below-market value if Council has previously approved direction through a MOD. The maximum purchase price for such a transaction is increased from five (5) million to \$10 million, which is consistent with other maximum thresholds set out in Proposed Bylaw. Approval of such transaction is tiered based on the purchase value, as shown in Schedule A.</p> <p>Section 6(4) is clarified to guide when Administration can direct negotiate the sale of City land with an adjacent landowner to help achieve a community outcome greater than the parcel itself could achieve. For example, it allows for the sale of a surplus City parcel as identified in a statutory plan approved by Council (ASP/ARP), or to allow the consolidation with other privately-owned parcel(s) to support a comprehensive redevelopment. Specific reference to “meets the City’s Triple Bottom Line objectives” has been removed. The ARP/ASP objectives are TBL informed and provide specific direction about the parcel, are publicly available, and the impact of those policies can be considered in a market value assessment. If additional TBL opportunities are identified as part of a negotiation and impact the purchase price, Administration would bring these to Council for approval of an MOD, including discussion of the additional information supporting the recommendation.</p>
7. LAND EXCHANGES	<p>New Section to provide clarity for Administration to consider and approve a Land Exchange, where The City both acquires and disposes of interests in property as part of one transaction. This will facilitate the negotiation and settlement with landowners who may want to minimize monetary compensation for the transaction or provide The City the opportunity to acquire other land needed for municipal purposes as part of the transaction.</p> <p>Since this new section allows for direct negotiations and does not require a method of disposition, tight restrictions were placed upon the dispositions of The City lands: 1. The City’s lands must be deemed surplus; 2. The City lands cannot exceed one (1) million dollars in market value; 3. the acquisition of a third party’s lands must be for municipal purposes and 4. funding for the land exchange must be available in a budget approved by Council. The market value of the third party’s lands may be up to ten (10) million dollars, to line up with the limits set out in the acquisitions section.</p>
OCCUPATIONS	
8. General Occupations	<p>Changes to General Occupations</p> <p>This section has been updated to add more flexibility for The City to enter into a wider variety of leases and licenses that The City is encountering, and to differentiate the direction and delegated authority permitted for each Occupation.</p> <p>Except where specifically noted below, the following changes to General Occupations will now apply:</p> <ul style="list-style-type: none"> the maximum base rent for an occupation is increased from \$500,000 to \$1,000,000, which is consistent with other proposed changes and delegated levels of authority within the Proposed Bylaw.

	<ul style="list-style-type: none"> the maximum length of a fixed term is increased from five (5) years to 15 years to support business needs of tenants and certainty of their investments. The maximum number of renewals (2) and length of renewal up to 5 years is removed. Any number of renewals may be granted for any length of term, provided the total occupation (fixed term + extensions) does not exceed a total of 25 years. The MGA does not identify below market value licenses as needing to be advertised. As such, licenses in this section are differentiated from leases with specific guidance added. Administration may approve a license at below market value to offset City capital investments, by passing these costs on to the licensee as part of the agreement. (e.g., property improvements). In all cases Administration will seek to achieve actual license fees received, including other benefits from the licensee, equivalent to market value license fees. <p>8(1)(b) New section created for licenses. It is broader and allows Administration to grant licenses for many purposes, including patios, parking, storage etc. This aligns with recent Council direction and increasing requests of business to use adjacent property to activate streets and communities.</p> <p>8(1)(c) Updating an existing section that allows The City to lease or license property back to the original owner following acquisition by The City. Currently only a one (1) year term is permitted. This is being increased up to 25 years to allow greater flexibility in negotiating acquisitions where a legal owner or tenant may wish to remain for a period of time until the land is required for The City purpose.</p> <p>8(1)(d) Updating existing section that allows Administration the ability to grant an overhold to a previous tenant or licensee. Removing the limit to one (1) year to allow for long overholding flexibilities.</p> <p>8(2)(a) Revised this section to provide flexibility to better address Occupations that The City may enter with other levels of government (Provincial, Federal and municipal), school boards and wholly owned subsidiaries of The City. It will allow The City to enter into long-term occupations with these entities for a nominal fee to allow them to carry out their services that benefit The City and citizens. An example of such an occupation would be agreements entered into with the Province for some of portions of our regional pathways on Provincial lands.</p> <p>8(2)(b) New section to provide flexibility for Administration to address Occupations with non-profit organizations at or below market value.</p> <p>8(2)(c) New section to provide flexibility for Administration to address Occupations to civic partners or a civic associate at or below market value. It allows an initial fixed term Occupation up to 25 years, with any number of extensions allowed, so long as the total occupation does not exceed 50 years.</p> <p>8(2)(d) New section to provide flexibility for Administration to better facilitate agreements for community associations and social recreation groups. This is not to replace the standard form community association or social recreation group leases and licenses, but to better help facilitate agreements for those groups when the situation calls for a non-standard agreement. Currently</p>
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	<p>non-standard agreements that exceed an initial term of 5 years require Council approval.</p> <p>8(2)(e) Due diligence provisions have been moved from General Approvals to the Occupations section as this section is more appropriate for these approvals. A maximum term of two years is also specified to complete any due diligence activities.</p>
9. Occupations Of Roads	<p>9(1) This section will continue to allow Administration to grant short-term licenses for use of public road rights-of-way. Added clarity that rates for these licenses, like with other licenses in the Proposed Bylaw, that license fees are to be in line with rates set by Real Estate & Development Services.</p> <p>9(2) New section to grant Administration authority to approve licensing of streets posts and lighting at below market value to local community and business groups for identity and holiday lighting purposes.</p>
10. Occupations For Telecommunication Installations	<p>10(2) This existing section is updated to allow Administration to grant licenses for telecommunications infrastructure for a fixed term of 15 years, with extensions allowed to a maximum of 25 years. This could include licensing City property for a cell phone tower once it meets planning and development approvals.</p> <p>10(2) is a new section added to differentiate telecommunications installations on City land (11(1) above) and those that are attached directly to City streetlight standards within City roadway. This is specifically added to support the licensing of up to 10,000 upcoming applications from wireless service providers for 5G network equipment to be mounted on and at the base of streetlight poles. The authorized employees for these transactions will now be the Mobility Business Unit Director and Manager, as identified in Schedule A to the Proposed Bylaw. This special delegation outside the RE&DS Business Unit is recommended to coordinate the Mobility's technical review and the licensing approvals. RE&DS will continue to support Mobility with the Master License Agreement between The City and the applicants.</p>
11. Occupations For Signs	<p>This section 11 has been changed to allow for longer fixed terms for all signs from five (5) years to 10 years, with the ability for any number of renewals that do not exceed a total license term of 25 years.</p> <p>11(b) and 11(c) - these sections are added to differentiate between community association signs (non-profit) and community identification signs (developer or residents association). This is to reflect the ability for Administration to provide below market value licenses to community associations or non-profit organizations and at or above market valuations to the private land developers when they develop a new community and establish a residents' association.</p>
12. Occupations For Film	<p>New Section added specifically to allow Administration to respond quicker to requests from the film industry to use The City's streets, parks and buildings for film production. While these are generally shorter-term licenses, the Proposed Bylaw would allow Administration to approve the licensing of land or facility for up to 5 years. This supports Council's Film Friendly initiative.</p>

13. Surrender Of An Occupation	Section 13 is clarified to apply to situations where The City is either the Landlord or the Tenant. The value of the surrender or partial surrender is increased from \$500,000 to \$1,000,000 to align with other increases in the Proposed Bylaw.
14. MAJOR REAL ESTATE UNDERTAKINGS	<p>This section has been added to the Proposed Bylaw to provide greater flexibility to City infrastructure projects requiring complex real property transaction solutions (typically acquisitions, land exchanges, etc.).</p> <p>It will allow City infrastructure projects that have been designated by Council as a major real estate undertaking to exercise the authorities granted in the Proposed Bylaw by delegating decision making and approving authorities to specific employees to carry out a full range of transactions services and approvals that are directly tied to successful delivery of that Project. This section is developed from learnings from the Green Line Phase 1 project.</p>
15. EXPROPRIATIONS	<p>This is an update to the current Expropriation guidance, to add further authorities to allow Administration to complete all negotiations and make settlements on expropriations up to the terms and values approved by Council though the initiation of expropriation.</p> <p>Once Council has approved the initiation of expropriation proceedings, more flexibility is being delegated to Administration to adjust the interests being acquired (e.g., area of land or other interests such as leases), but any adjustment in interests being acquired will never exceed what was originally approved by Council. It will also allow Administration to negotiate proposed payments and settlements by removing caps on the value of those payments. Any amounts proposed to be paid must be in a budget or funding source approved by Council and would only be amounts an owner is reasonably entitled to receive under the Expropriation Act, provided such payments are reviewed and endorsed by the Valuation Review Committee.</p>
16. OTHER TRANSACTIONS	<p>Section 16(1) authorizes Administration to approve of additional transactions relating to the management of The City's real property, where the purchase price or consideration will not exceed ten (10) million dollars, where The City is not subject to a financial obligation that exceeds one (1) million dollars and funding is available in a budget approved by Council. This new section provides flexibility for Administration to approve of other transactions not contemplated in the Proposed Bylaw, but still within the limits set out within the rest of the Proposed Bylaw.</p> <p>New guidance is added to allow Administration to approve of land dispositions at a below market price where the value of the parcel is less than \$25,000, and The City has received no objections from publicly advertising the below market sell. This will support the disposition of The City's remnant parcels to adjacent landowners, to reduce ongoing maintenance obligations and to support the assessment base. It will help accommodate some no-build restrictive covenant dispositions that fall below a market value, again where the market value of the land is less than \$25,000 and there are no objections from the public during required advertisement periods.</p>
17. COMPENSATION	This new section provides Administration with some flexibility to negotiate other components of a transaction that involve an aspect of financial compensation. The City now has more flexibility to reimburse for reasonable professional, legal, broker/realty fees etc. as well as pay for other services,

	up to \$500,000, to help facilitate transactions (e.g., landscaping, fencing etc.). Additionally, The City can add additional financial compensation up to \$500,000 to help incentivize more difficult transactions where The City is trying to acquire lands.
PART III - MISCELLANEOUS	
18. MANAGEMENT REAL ESTATE REVIEW COMMITTEE	The titles of employees who make up quorum on the Management Real Estate Review Committee are updated for consistency with current organization and definitions in Section 3.
19. RECTIFICATIONS, COMPLETION OF AND ADMINISTRATION OF REAL PROPERTY TRANSACTIONS	Section clarified to grant authorized employees the ability to correct unintentional errors and minor changes in land reports, land authorization forms agreements and documents, consistent with the intent of the original transaction approval.
20. RECTIFICATIONS, COMPLETION OF AND ADMINISTRATION OF REAL PROPERTY TRANSACTIONS	<p>This section defines the limits of what an authorized employee may approve by rectification to facilitate the negotiation, completion, and administration of a transaction. The changes must be consistent with the intent of the original approval and the following terms:</p> <ul style="list-style-type: none"> • The financial obligation limit is increased from \$500,000 to \$1,000,000. • The purchase price is not below market value • The base rent is not below market value or license fee is in line with rates set by Real Estate & Development Services • The maximum transaction date extension is increased from one (1) to five (5) years. <p>The Proposed Bylaw specifically provides guidance to allow Administration to consider rent forgiveness and temporary rent relief in event of a rapid onset crisis that impacts prevailing market conditions, construction impacts that affect business viability. The recent COVID19 pandemic and requirement for reporting and approval of Council is an example of this.</p>
21. LAND AUTHORIZATION FORMS AND REPORTING	<p><u>Land Authorization Forms</u> This Section expands the current use of the Land Authorization Form (LAF) by providing more transactions that can now be approved by way of LAF. This will allow for more efficient processing and documentation of these frequent, low risk transactions and quicker approvals by the authorized employee identified in Schedule A.</p> <p>One of the major additions was the ability to approve of all transactions for major real estate undertakings by way of LAF. This is in line with how approvals are done for Green Line and will help accommodate much quicker approvals for these undertakings that often require faster timelines than regular projects. Some of other transactions added to the LAF list include:</p> <ul style="list-style-type: none"> • Licenses up to five (5) years can now be approved (previously one (1) year) • Land exchanges involving only a remnant parcels (these are usually very straight forward – land exchanges involving any stand-alone parcel must still be approved by land report) • Film licenses longer than 90 days and up to five (5) years <p><u>Reporting</u> Will require Administration to continue to document reports on transactions approvals and completions through use of delegated authority of this Proposed Bylaw. This reporting will be to Management Real Estate Review</p>

	Committee. Quarterly reporting to Council through the SPC on Infrastructure and Planning Committee will be discontinued. However, these reports will be available to members of Council upon request.
22. APPROVALS BY EMAIL	<p>This new section will allow approvals by email for specific, time-sensitive transactions and rectifications that facilitate the administration of files and property management decisions. They are for lower risk, operational changes needed to facilitate the completion of a transaction, or to grant a short-term occupation of City property. This will also help facilitate urgent requests for some short-term licenses, such as film industry licenses with a term of 90 days or less and other licenses with a term of 30 days or less.</p> <p>Administration is developing internal guidelines and documentation standards for approvals by email.</p>
23. LIMITATIONS	<p>This new section adds clarity to the interpretation of the Proposed Bylaw and sets expiry dates for various types of approvals.</p> <p>This guidance was not in the current Bylaw, and often relied on Admin interpretation, which could be inconsistent or challenged. This ensures guidance is clear and application is consistently applied.</p>
MANAGEMENT OF THE CITY'S REAL PROPERTY	
24. Guidelines, Procedures and Standards	<p>This section identifies the General Manager of Infrastructure Services as able to approve internal processes, guidelines and standards that support Administration to manage workflows, file processes, documentation, internal reporting, etc. All guidelines, procedures and standards must align to the authorities defined by the Proposed Bylaw and cannot re-interpret or change sections of the Proposed Bylaw. Such changes would have to be addressed through a bylaw amendment and Council approval.</p>
25. Land Titles Registration and General Administrative Authority	<p>This section reorganizes and updates current direction guiding how Land Title registrations are managed by Administration.</p>
26. EXECUTION OF DOCUMENTS AND AGREEMENTS	<p>This revised section adds exceptions to the Executions of Contracts Bylaw 43M99 allowing more authorized employees to execute agreements and documents related to real property transactions.</p> <p>26(2) is has been updated to accommodate any electronic execution.</p> <p>Notwithstanding this, current RE&DS internal processes allow only for "wet" signatures on formal agreements or documents, but this process is being updated. Once updated, the Proposed Bylaw will already accommodate such changes.</p>

GENERAL PROVISIONS	
27. City Manager Authorized Employee	<p>The list of positions to which the City Manager may delegate authorities through the Delegation of Authority Letter is removed, as they are all included within the Proposed Bylaw Schedule A.</p> <p>This Section confirms the City Manager as able to approve any of Council's delegated authorities defined in the Proposed Bylaw.</p>
28. Repeal	<p>This Section formally recognizes the repeal of Bylaw 52M2009 so there is no confusion between Bylaws going forward.</p>
29. Conflict Between this and Other Bylaws	<p>Wording is updated and continues direction of the current Bylaw. In the event of a conflict between the Proposed Bylaw and any other Bylaws previously passed by Council the Proposed Bylaw will prevail.</p>
30. Transitional Provision	<p>This section adds clarity that once the Proposed Bylaw is in effect, it will govern approvals going forward and any previous approvals will need to follow the new requirements in the Proposed Bylaw should such previous approvals require any rectification.</p>
31. Effective Date	<p>An Effective Date is proposed for 2022 November 01. This provides allows four weeks following Council approval of Third Reading of the Proposed Bylaw to allow RE&DS to finalize its transaction processing, reporting templates and provide final training based to implementers and decision approvers.</p>

Calgary



Proposed Real Property Bylaw IP2022-1003

2022 September 09

Recommendation



That the Infrastructure and Planning Committee recommend that Council REPEAL Bylaw 52M2009 and give Three Readings to the proposed Bylaw (Attachment 2).

Purpose of Real Property Bylaw



Internally focused Bylaw

Defines Council's delegated authorities to Administration to deliver real property transactions

Real Property Transactions include:


- Acquisitions
- Dispositions
- Occupations (Leases and Licenses)

Challenges



- Customers need quicker transaction approvals and speed of business
- Customers are seeking longer occupations to finance business investments
- Process inefficiencies
- Delegated authorities drive Council approvals – extend timelines

Opportunities

- 
- Expand Council's authorities to Administration to approve and complete transactions
 - Clarify directions to Administration and provide flexibility to execute
 - Tiered delegation framework for approvals
 - New tools and procedures
 - Reduce Council time on reports and approvals

High Impact Solutions



- Increase acquisition limits from \$5 to \$10 Million
- Increase rent limits from \$500,000 to \$1 Million
- Eliminate certain Method of Dispositions
- Limited below-market value approvals
- Increase length of term for all Occupations
- Accommodate needs of Film industry
- Major Real Estate Undertaking
- Ability to provide rent forgiveness/relief

Outcomes



- Create efficiencies and streamline processes to provide ***speed of business***
- More Administration authorities and ***reduced Council time*** on approvals
- Flexibility for Administration to manage, accommodate changes and ***increase speed of transactions***
- **Clarity** for Administration to deliver its services that achieve Council priorities

Recommendation



That the Infrastructure and Planning Committee recommend that Council REPEAL Bylaw 52M2009 and give Three Readings to the proposed Bylaw (Attachment 2).

BRIEFING

Page 1 of 3

Item # 11.1

Planning & Development Briefing to
Infrastructure and Planning Committee
2022 September 09

ISC: UNRESTRICTED
IP2022-0983

Municipal Development Plan / Calgary Transportation Plan Monitoring Report 2022

PURPOSE OF BRIEFING

The Municipal Development Plan and Calgary Transportation Plan (the Plans) outline Calgary's city building vision and goals. Measuring the progress in meeting these goals is critical. Doing so helps prioritize how we invest and where to direct efforts to maintain or change direction. The Plans progress is based on measuring 14 Core Indicators. This briefing is a review of the progress on the indicators focusing on The City's objectives regarding growth, social, environmental, and economic considerations. This is the third Monitoring Progress update to Council. The first occurred in 2013 and the second in 2018. A summary of each of the fourteen Core Indicators is available on the City's website at <https://www.calgary.ca/planning/progress-report.html>.

Data-based decision making helps Council and Administration identify where good progress is being made and identify areas that need more attention while potentially avoiding significant economic, environmental and social costs to Calgarians. By recognizing areas where The City of Calgary is behind on achieving its goals, we are able to course correct and get back on track.

SUPPORTING INFORMATION

Key Findings:

While progress has been made in some important areas, such as increased density and diversity of housing choices, other areas, such as urban expansion or transportation mode split are not on track. The Progress Trend Summary (Page 1 in Attachment 2) provides a view of all fourteen indicators. Many of these indicators are interdependent and affect one another. There is no single headline indicator that measures the Plans' success alone. Instead, the suite of indicators should be considered together to make a general assessment of progress. When considered holistically, the indicators are used to inform better decision-making when planning for growth and change in our city.

Highlights from this year's analysis, categorized by Municipal Development Plan goal, include:

Creating Great Communities (Core Indicator: Residential Land Use Mix)

- Residential land use mix is trending positively. New communities are composed of an increasing amount of medium, and higher-density residential land uses allowing for a greater diversity of housing choice. Diverse communities allow for better aging in place opportunities, social diversity, and communities that are less susceptible to population loss as residents age and occupancy rates decline. While newer communities are being built with greater land use diversity, some established communities have fewer land uses, making them less resilient to population decline.

- The proposed Land Use Bylaw Renewal initiative is expected to further improve the results of this indicator.

A Strategic Framework for Growth and Change (Core Indicator: Urban Expansion)

- Over the past five years, progress towards achieving the Urban Expansion target has declined. Investment and growth in new communities far outpaces investment and growth in the developed areas of the city. Typically slow or negative population growth occurs in the developed areas during times of low economic growth.
- Population decline in the developed areas is not uniform. Many inner city communities are seeing strong growth and investment, but these population gains are being offset by population losses in more outer established neighbourhoods. Despite only absorbing 12.4% of population growth from 2006 to 2021, the developed areas absorbed 28.9% of net new units built citywide.
- The Municipal Development Plan encourages balanced growth between developed and developing areas and offers the opportunity to support ongoing investments in civic amenities and infrastructure that result in complete communities for all Calgarians. Building in developed areas has a lower cost per capita for infrastructure than developing areas, enhances initial investment, and reinforces community development.

Shaping a More Compact Urban Form (Core Indicator: Accessibility to Daily Needs)

- Population density continues to increase in the city, and the proportion of housing being built in Activity Centres and Main Streets is increasing. This increase improves the efficiency of city investments and municipal services, and benefits from programs such as the Main Streets initiative and the Calgary Climate Strategy.

Connecting the City (Core Indicator: Transportation Mode Split, Accessibility to PTN)

- Active modes of transportation, such as walking, cycling, e-cycling and riding scooters, increased significantly in 2020. However, this result may be a temporary effect of the COVID-19 pandemic and it remains to be seen if it continues in the future. Investing in equitable access to safe and active transportation options encourages a healthy population, lowers Calgarians' need to use cars for daily trips, reduces the need for expensive new infrastructure on the periphery of the city and supports climate action.
- Conversely, transit usage has decreased significantly during the pandemic. This decline may be temporary, given the positive increase in years before 2020, or may face a slow recovery if remote and hybrid work continues long-term. As we emerge from the COVID-19 Pandemic, The City is working to improve transit through initiatives such as the Calgary Transit Recovery Strategy.
- No transit routes currently operate at a level of service necessary to be considered a primary transit network (PTN) route since service levels were reduced in 2019 due to budget adjustments and further still due to ridership declines throughout the pandemic. The share of housing being built near potential PTN routes is proportional to housing growth citywide.

Core Indicator Review:

While the Core Indicators have been useful in the past, some are no longer effectively fulfilling their ability to monitor and drive the outcomes envisioned in the Plans. Although Council had

originally directed Administration to bring proposed changes to the 14 Core Indicators, the review was deferred through the City Planning and Policy Roadmap (IP2022-0053) to occur as part of the proposed Calgary Plan. This initiative will combine the Municipal Development Plan Volume 1 (MDP) and Volume 3 (CTP) into one user-friendly document to guide growth, mobility, and community development in Calgary. It is anticipated to be completed by the end of 2024. A key initiative of the Core Indicator review will provide the opportunity to revise the indicators to better align with Council's priorities and focus areas, such as social equity, transit, climate change, and land use and local area planning review. The review would also ensure there is alignment between the proposed targets in the Plans and the policies of the Calgary Metropolitan Region Board (CMRB) Growth Plan, which was approved in July 2022.

Data Sourcing

During the 2018-2022 reporting cycle, Administration changed data sources for multiple indicators. For example, because the Civic Census has not been conducted since 2019, the Statistics Canada Federal Census was referenced for various indicators. As a result, some indicators may not align with previously reported values. Where data is not available, alternate data sources have been provided to estimate missing data. These alternate sources may not reflect the original intent of the indicator but are the best proxy available. A key component of the indicator review will be determining new data sources where required.

The Effects of COVID-19

The COVID-19 pandemic has challenged Calgarians in unfamiliar ways. The degree to which COVID-19 impacts the Plans' goals is not yet fully understood as the pandemic is only now abating. However, some early indications suggest we are emerging from the pandemic in a good position with relatively strong population and jobs growth returning to Greater Downtown. Trends emerging from the pandemic do not diminish the need to achieve the goals and objectives of the Plans. The Plans continue to provide a clear sense of direction of what needs to be done to build a prosperous, inclusive and sustainable city, even in the face of uncertain times. Attachment 2 speaks specifically to the observed effects of the pandemic on the Core Indicators. It also discusses potential future scenarios of how the indicators may continue to be affected by the COVID-19 pandemic through an update of the Strategic Foresight work first undertaken in 2020.

Opportunities for Conversation

If Committee members would like to have a more in-depth conversation beyond the material on the website or in the attachments about Core Indicators and how they are measured and inform decision making, Administration is available to incorporate this topic into an upcoming Learning Session (September 19) or Strategic Council Session on Growth (September 20), and is also available for informal one-on-one meetings.

ATTACHMENT(S)

1. Attachment 1 – Previous Council Direction
2. Attachment 2 – 14 Core Indicators for Land Use and Mobility

Previous Council Direction

Context

At the 2009 September 28 Regular Meeting of Council, Council approved the Municipal Development Plan and Calgary Transportation Plan. The Plans have a shared monitoring and reporting framework that measures the progress of Core Indicators. Policy direction in the Plans requires that “The City will measure the Core Indicators for Land Use and Mobility on a continuous basis and report to Council, Administration and the public on the progress towards the targets prior to each business planning cycle”.

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
02/15/2022	IP2022-0053 City Planning and Policy Roadmap	Approval of the City Planning and Policy Workplan in which “Municipal Development Plan/Calgary Transportation Plan – Core Indicator Review” was removed as an adjusted initiative, and the Calgary Plan, including a review of the growth targets, was included as a new initiative.
10/7/2020	PUD2020-1106 Review and Update of the Municipal Development Plan and Calgary Transportation Plan	Direct Administration, as part of the Next MDP/CTP monitoring report, to report back on: <ul style="list-style-type: none"> a. Proposed changes to the 14 core indicators, and related impacts, taking into consideration the forthcoming CMRB Growth Plan b. The impacts of COVID-19 on achieving the long-term vision of the plans.
06/14/2018	PUD2018-0696 Municipal Development Plan Calgary Transportation Plan 2018 Monitoring Progress Report	That the SPC on Planning and Urban Development recommend that Council: <ul style="list-style-type: none"> 1. Receive this report for information. 2. Direct Administration to bring a scoping report for the Calgary Transportation Plan and Municipal Development Plan 10-year review no later than 2018 September SPC on Planning and Urban development meeting.
01/27/2013	PUD2013-0545 2013 Municipal Development Plan/Calgary Transportation Plan Monitoring Progress Report.	2013 Municipal Development Plan/Calgary Transportation Plan Monitoring Progress Report.

MDP/CTP Core Indicators

The Calgary Municipal Development Plan and Calgary Transportation Plan are The City's key strategic policy documents that guide growth, mobility and city building.

Together, these Plans aim to develop the kind of city that Calgarians have asked for – a great city that attracts investment, jobs and business opportunities, grows in an environmentally sound and affordable manner, and provides more choices in how to travel and where to live. To evaluate the progress being made towards the objectives of the Municipal Development Plan and Calgary Transportation Plan goals, 14 Core Indicators measuring a broad spectrum of urban analytics were first developed in 2009 along with the approval of the plans.

How are we doing?

Individual indicators demonstrate that we are succeeding in certain areas but need to work harder to achieve our targets in other areas.

Trend Description



Improvement: The past trend indicates that indicator is on track to achieve the target as desired, or the target has already been achieved.

















Behind Trend for Goal: The indicator is trending in the right direction, but not at a pace fast enough to achieve the target as intended.



No Improvement: The indicator is neither trending positively or negatively and has not changed significantly since the last reporting period. With no change, the indicator will not achieve the desired target.



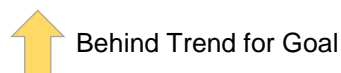
Decline: The indicator has moved further from the target since the last reporting period.

Improvement	Improvement (Behind Trend for Goal)	No Improvement	Decline
 Density	 Urban Expansion	 Land Use Mix	 Access to Primary Transit Network
 Residential Land Use Mix	 Population to Job Balance	 Urban Forest	 Transit Service
 Access to Daily Needs	 Transportation Mode Split		 Watershed Health
 Road and Street Infrastructure			
 Goods Access			
 District Energy			

Data

Results are reported with the most current data available. Due to the cancellation of the Civic Census, certain indicators provide both historical Civic Census data as well as an updated data from an alternate data source.

Trend Summary



Behind Trend for Goal

60-70 Year Target:

50%

Latest Data (2006-2021):

12.4%

Baseline (2006-2011):

2.5%

Data Sources

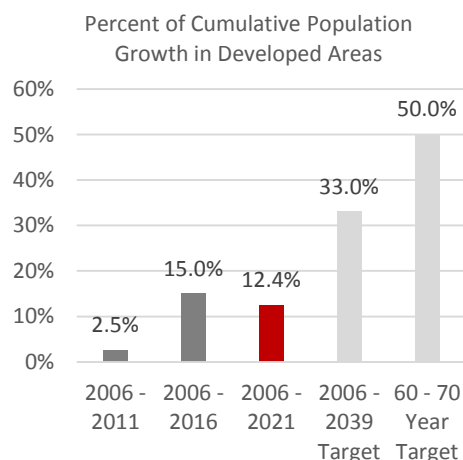
- 2021 Statistics Canada

Going Forward

While progress has been made to 'turn the curve', and the developed areas continue to see positive growth rates, it is unlikely that the long term goal of achieving 50% growth in the developed areas will be achievable.

With the loss of the Civic Census, new data sources will be required to monitor success of this indicator.

This indicator will be reviewed through the Core Indicator Review with a greater emphasis placed on shorter term milestones.



Urban Expansion

Note the data source for this indicator has been changed from the Civic Census to the Federal Census. Therefore, results from this report should not be directly compared to previously reported data.

This indicator shows the outward expansion of the city by measuring the population growth accommodated within the Developed Area since 2006 as a percent of total city-wide population growth. Over the next 60 to 70 years, 50 per cent of the population growth is targeted to occur in Developed Areas. Developed Area correspond to approximately communities built before the mid 2000s and is shown by the Balanced Growth Boundary on Map 1 of the MDP.

Benefit

Encouraging balanced growth between Developing and Developed Area of the city makes the best use of our existing land, reduces the cost of City services, locates residents closer to where they work, shop and play, and makes walking, cycling and transit more attractive as a mode of transportation, reducing the need to drive to meet daily needs.

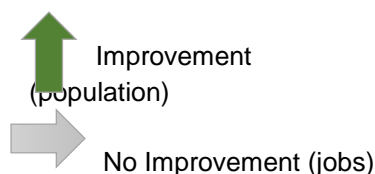
How are we doing?

Most population growth is still occurring in Developing Areas. Overall, the indicator continues to show that The City is slowly moving in the right direction, however, progress towards the target slowed between 2016 and 2021. Between 2006 and 2011, only 2.5% of the cumulative population growth occurred in the Developed Areas of the City. By 2016, this had increased to 15%, but declined to 12.4% by 2021. In years of strong growth, developed areas tend to attract a greater share of residents than lower growth years, while developing areas tend to see more relatively consistent growth. Consequently, with relatively steady suburban growth and moderate forecasted population growth, this target may become increasingly difficult to achieve. For progress to move forward, it will be important to continue to add population in the Activity Centres and Main Streets identified in the Plans. Although the monitoring review shows that we are behind on this target, progress has been made with nearly 40,000 residents added to Developed Areas since 2006. This is more than the population of Cochrane. However, during the same time, the Developed Areas grew by 280,000 residents.

Growth is not evenly distributed through the Developed Areas. Centre City and the Inner City is capturing the majority this growth. Many Developed Areas communities, particularly those ones built between 1970 and 2000, are losing population, largely due to natural population lifecycles experienced by communities and lack of redevelopment occurring. Although the Developed Areas have only captured 12.4% of the population growth from 2006 to 2021, they have captured 29% of net new dwelling unit growth. Dwelling units in the Developed areas tend to have a lower occupancy rate compared to Developing Areas.

Density

Trend Summary



60 Year Target

27 people / ha

18 jobs / ha

Latest Data (2021, 2016)

25.3 people / ha (2021)

13.5 jobs / ha (2016)

Baseline (2005)

22.3 people / ha

13.7 jobs / ha

Data Sources

- 2016 Place of Work Survey, Civic Census
- 2021 Statistics Canada

Going Forward

This data is still relevant, however, new data sources will be required for continued monitoring due to the loss of the Civic Census. 2021 Job data will be available from Statistics Canada by Q1 2023.

Density is measured by taking the total number of people and jobs, and dividing by the total built-up area for a given year, providing a per-hectare city-wide density measure. The 60-year target is to have 27 people per hectare and 18 jobs per hectare citywide.

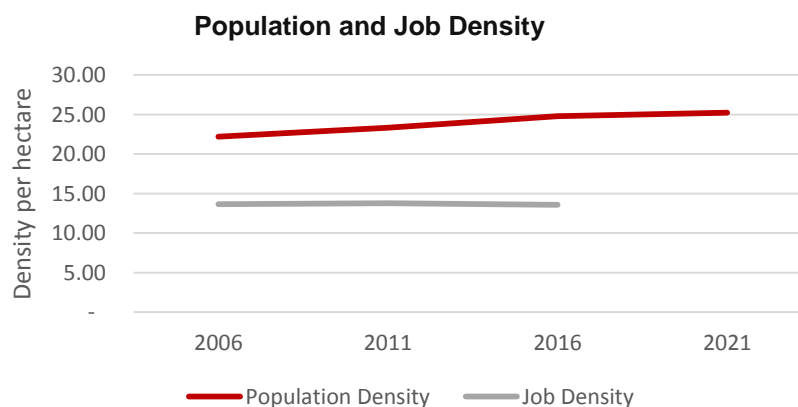
Benefit

Directing future urban growth in a way that fosters more compact and complete neighbourhoods has benefits for communities, and for Calgary as a whole. Areas with higher densities offer more housing and mobility options, and have a population that supports amenities and infrastructure. At a city-wide level a more compact urban form reduces the cost of service provision (including roads, water, and waste management), and requires less revenue in the form of taxes to provide the quality of life that Calgarians enjoy. From 2006 to 2021 there was a City-wide increase in population density of about 14%.

How are we doing?

The population density indicator continues to show positive performance. As Calgary continues to grow, it is anticipated that increased housing opportunities will be strategically located within focal areas for growth – primarily in Activity Centres and along Main Streets. Increasing residential development throughout the city will give Calgarians a more livable, vibrant and resilient city. However, population density is not increasing uniformly across the city. Although inner city areas and greenfield areas are seeing increase in density, many established communities are losing population.

Job density remains stable around 13 jobs per hectare, and needs to increase to reach the target of 18 jobs per hectare.



Population and Job Balance

*Note custom Federal Census employment data has not yet been released.
The most current job figures are from 2016.*

Trend Summary



Behind Trend for Goal

60 Year Target

Pop:Job Ratio

NW - 3:1
NE -1.4:1
SW – 1.5:1
SE – 1.5:1

Latest Data (2016)

Pop:Job Ratio

NW - 3:1
NE -1.7:1
SW – 1.4:1
SE – 1.5:1

Baseline (2006)

Pop:Job Ratio

NW - 3:1
NE -1.7:1
SW – 1.3:1
SE – 1.2:1

Data Sources

- 2016 Civic Census
- 2016 Place of Work

Going Forward

This indicator relies on Civic Census and Place of Work data.

Population and Job Balance measures the ratio between population and jobs within each quadrant of the city. A higher ratio indicates fewer jobs are available relative to the population of the quadrant.

Benefit

How jobs are distributed throughout the city and where people live directly influences the choice of travel mode. The strategy of balancing housing and job growth can reduce the need for long commutes and keep residential and employment communities easily accessible to each other, and provide more transportation options for people who may not drive a car. All quadrants are at or near the 60-year target.

How are we doing?

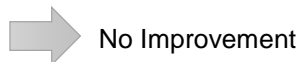
All quadrants are at or moving towards the 60-year target. This trend reveals the population to job balance ratio is moving in the right direction in all quadrants except the northeast. Strong population growth in the northeast has increased the ratio of population to jobs. Increased industrial development in the northeast sector in the future should help bring the ratio in better alignment with the target. An increasingly unbalanced population to jobs ratio can lead to an increase in congestion of roads and transit. A decreasing share in the number of jobs in the northwest has resulted in a higher number of people commuting from the northwest to other quadrants for work. The key factor to achieving the target in the northwest is through the development of Activity Centres and Main Streets. That being said, this quadrant is expected to continue to have a much higher residential population than number of jobs, which increases commute lengths. Maintaining a sustainable balance of population and jobs in the northwest will largely depend on the development of complete communities that provide both housing and employment choices for people in this quadrant. Job growth in areas such as the University District will improve the northwest's ratio.

Population to Job Ratios

	SW	SE	NW	NE
60 Year Target	1.5	1.5	3	1.4
2016	1.4	1.5	3.2	1.7
2011	1.4	1.2	3.3	1.6
2006	1.3	1.2	3	1.7

Mix of Land Use

Trend Summary



60 Year Target

0.7

Latest Data (2021)

0.56

Baseline (2008)

0.53

Data Sources

- 2022 Land Uses

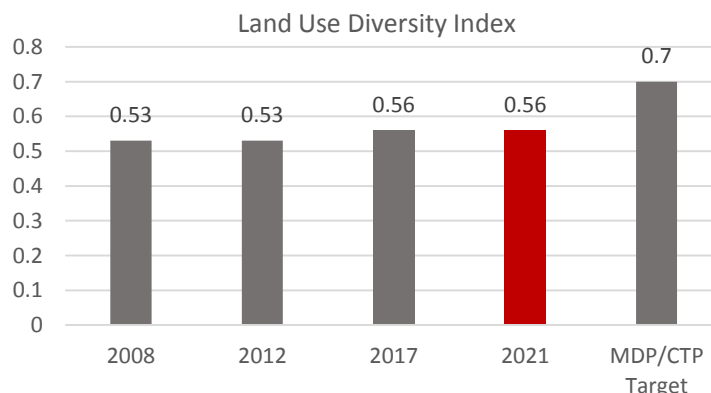
The Land Use Diversity Index measures the variety of Land Use Districts within the city's built area (excluding Centre City) and the share of land within each district. The city-wide index is the average of all community indices. Using a method called the Simpson's Diversity Index, total area of land uses is measured by community. A score higher to 1 means all land uses have the same share of land. A score close to 0 indicates the area of land uses is not evenly balanced. Therefore, a community with a mixture of uses would score high, while a community with one predominant land use district would score low. The 60-year target is 0.7.

Benefit

Communities that are diverse, or have a greater mix of uses, tend to have more destinations and therefore more complete. Mixed land uses in communities plays a strong role in creating equity amongst citizens. Residents can access more services, products and amenities that they need within the neighbourhood. By growing in a way that brings together places where you live, work, and play, daily trips become more convenient and result in shorter travel times. This improves the quality of your experience living in the city and fosters a sense of community.

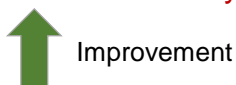
How are we doing?

There has been improvement in Land Use Diversity since 2012, however, in the past 5 years, the indicator has not increased. Generally, the biggest change in land use diversity is in new communities where more complete, mixed neighbourhoods are being built compared to older communities with which have less diverse land uses. In established communities, land uses do not change as often, and when they do, much smaller areas are changed. While there is improvement occurring in the Developed Areas, the changes are slower and more incremental. From 2012 to 2021 there was a 15% increase in land Use Diversity.



Mix of Residential Land Use

Trend Summary



Improvement

60 Year Target

0.4

Latest Data (2021)

0.23

Baseline (2008)

0.19

Data Sources

- 2022 Land Uses

Residential Land Use Mix measures the diversity of housing forms and types within a community. This indicator describes the housing mix expressed in terms of the number of residential land use districts. It is calculated using the same methodology as the Mix of Land Use category, but only includes residential land uses in the calculation. The 60-year target is 0.4.

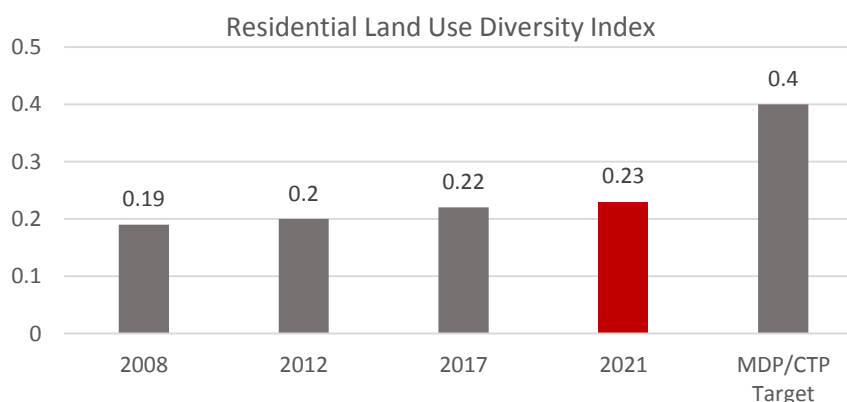
Benefit

Communities with a more diverse range of housing are often less affected by community demographic lifecycles and provide local level economic resilience. A socio-economically and age diverse mix of residents supports local retail and commercial services and uses community amenities like parks and transit most efficiently. A range of housing choice and opportunity can foster the building of complete communities, with more opportunities for affordability for all Calgarians.

How are we doing?

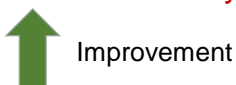
Our Plans establish a residential housing diversity target of 0.4. A number closer to 1.0 indicates a more diverse range of residential land use types permitted. A number close to zero means that only one land use type dominates. Communities with high residential diversity will have more housing options available. A score closer to 1.0 indicates there is more potential for housing diversity.

This indicator will change slowly city-wide. In 2021, the Residential Diversity Index was 0.23, a 21 per cent increase in housing diversity since 2008. Development in new communities where a greater range of residential uses are now required has helped to move this indicator. In established areas, residential uses do not change as much or in terms of the volume of land area re-designated as in Developing Areas, but this will become increasingly important as Main Streets and Activity Centres continue to redevelop. The proposed Land Use Bylaw renewal project will aim to improve this score.



Road and Street Infrastructure

Trend Summary



Improvement

60 Year Target

0.57

Latest Data (2022)

0.47

Baseline (2008)

0.72

Data Sources

- 2022 Road data

This metric measures the roads to streets ratio, which is a proportion of skeletal roads used for high-speed, long-distance travel such as freeways and expressways to streets used for local residents, businesses and services. The 60-year target is to have 0.57 km of skeletal roads for every 1 km of arterial streets.

Benefit

Calgary needs to have efficient transportation to be competitive, but requires streets to provide a high-quality environment for all modes of transportation to sustain vibrant communities, provide safe travel, enable diverse forms of mobility for all people, and support local business. Skeletal roadways are the major transportation connections that carry cars and trucks long distances at high speeds while arterial streets provide access to homes, businesses, and local services. While both types of infrastructure are required, a smaller ratio of roads to streets means there is more accessible transportation infrastructure that could accommodate multi-modal transportation, resulting in a greater share for transit, bike and pedestrian trips.

How are we doing?

In 2005, Calgary had a road to street ratio of 0.72, meaning there was 1 km of Arterial Streets for every 0.72 km of Skeletal Roads, whereas the CTP target is 1km for every 0.57km. When the Calgary Transportation Plan was implemented, roadways across the city were reclassified to a new system. This reclassification shifted the ratio to 0.49, exceeding the plan target. In 2017, this shifted significantly again to 0.61 after the construction of the Stoney Trail ring road, returning to behind our target for this indicator. By 2022, Calgary surpassed its target by having a road to street ratio of 1 km of Skeletal Roads for every 0.47 km of Arterial Street.

The ratio is lower now because we have built more or improved more arterial roads than skeletal roads. Although parts of the Southwest Ring Road were opened in 2020, we have added more arterials and that is moving the ratio closer to the target. Over the next few years as portions of the Southwest and West Ring Roads are complete, this ratio will likely change.



Road to Street Ratio

2005	2012	2017	2022	Target
0.72	0.49	0.61	0.47	0.57

Trend Summary



Decline

60 Year Target

Percent of population within 400m of a Primary Transit Network: **45%**

Percent of jobs within 400m of a Primary Transit Network: **67%**

Latest Data (2019, 2016)

Percent of population within 400m of a Primary Transit Network: **0%**

Percent of jobs within 400m of a Primary Transit Network: **0%**

Baseline (2008)

Percent of population within 400m of a Primary Transit Network: **0%**

Percent of jobs within 400m of a Primary Transit Network: **0%**

Data Sources

- 2022 PTN
- 2019 Civic Census
- 2016 Place of Work

Going Forward

A new indicator will be required through the Core Indicator Review to find a permanent data source.

Accessibility to Primary Transit Network

Note population and job data previously acquired are no longer available to inform this indicator. Building Permits offer a temporary proxy measure.

Accessibility to the Primary Transit Network (PTN) is measured by the percent of population and jobs that are located within 400 meters of the PTN.

Benefit

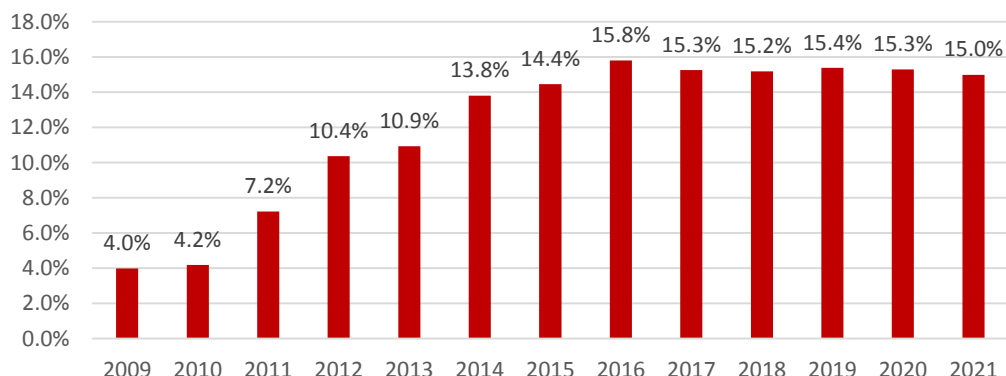
The Primary Transit Network is a system of interconnected routes that are fast, convenient, and easy to use. Primary transit routes run every ten minutes, 15 hours a day, seven days a week. Having access to this level of service is key to making travel equitable, affordable and easy throughout Calgary. Accessible transit provides an affordable option to people who may not drive, such as youth, seniors, and people with disabilities.

How are we doing?

In 2005, there were no areas in Calgary that had Primary Transit Network levels of transit service. By 2016, service levels on Route 3 and both CTrain lines had increased to a PTN level of service and 37 per cent of jobs and 14 per cent of the population were in the Primary Transit Network area. By 2022, the level of service has decreased and no routes operate at a PTN level of service due to service reductions initially attributed to the economic recession and exacerbated by the COVID-19 pandemic.

With no Civic Census data available, Building Permits (BP) can be used as a proxy measure. The share of BPs near the hypothetical PTN increased from 2009 to 2016, but has since levelled off. The following chart shows BPs within a hypothetical PTN, including both LRT lines and Bus Route 3.

Cumulative Percentage of Issued Building Permits (Units) within 400 m of the Primary Transit Network



■ Cumulative Percentage of BPs within 400m of PTN

Trend Summary



Decline

60 Year Target

Transit Service Hours Per Capita: **3.70**

Latest Data (2021)

Transit Service Hours Per Capita: **1.77**

Baseline (2005)

Transit Service Hours Per Capita: **2.22**

Data Sources

- Calgary Transit

Going Forward

Covid has significantly impacted Transit Service and 2022 is not a useful data point. Further monitoring of this indicator is required to assess if we are on track to achieve our target.

Transit Service

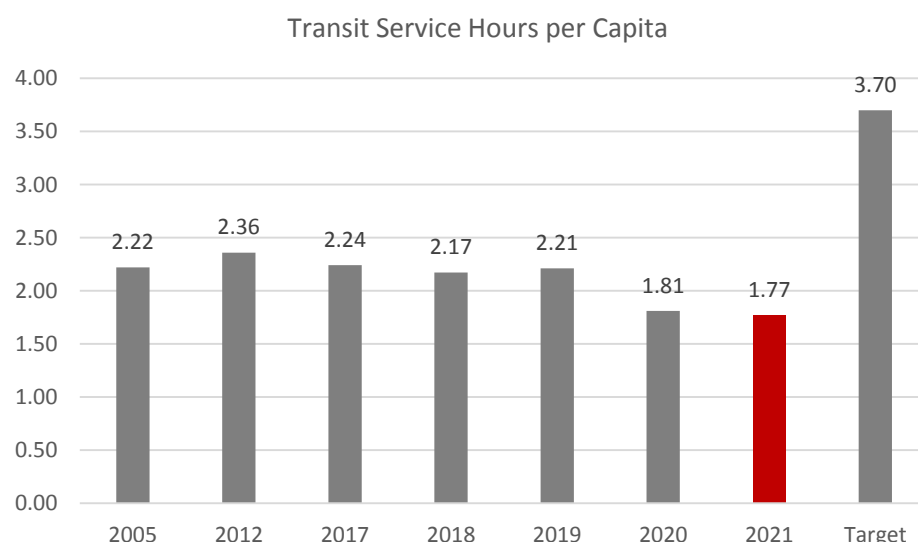
Transit Service is measured by annual transit service hours divided by total population for a given year and is measured in service hours per capita. In a growing city, more service is required each year to maintain a baseline level.

Benefit

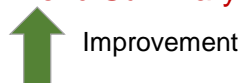
Transit service needs to be safe, frequent and reliable to attract a high level of ridership. People begin to rely on transit as a preferred mode when they are able to walk a short distance to service and can expect a bus or train to arrive with minimal and predictable wait time. Improving transit service improves equity amongst Calgarians.

How are we doing?

Investments in service improved between 2005 and 2012, when the city was experiencing economic growth. During the recent economic downturn, fewer transit riders resulted in decreased service. COVID-19 has significantly affected transit service; however, this is likely a short-term decrease and expected to rise after the pandemic as work from home orders end. The extent to which it will rise is unclear. Calgary Transit strategically adjusted schedules, however, considerable effort will be needed to reverse this decrease and move towards the Plans' target.



Trend Summary



Improvement

60 Year Target

Per cent of intermodal and warehousing facilities within 1600 m (actual) of Primary Goods Movement Network:
95%

Latest Data (2022)

Per cent of intermodal and warehousing facilities within 1600 m (actual) of Primary Goods Movement Network:
98%

Baseline (2008)

Per cent of intermodal and warehousing facilities within 1600 m (actual) of Primary Goods Movement Network:
73%

Data Sources

A new data source is required for this indicator.

- Logistics Council

Going Forward

A review of this indicator is required though the Core Indicator Review.

Goods Access

A new consistent data source is required for this indicator.

Goods Access measures the percentage of intermodal and warehousing facilities in close proximity (1600 metres) to the Primary Goods Movement network.

Benefit

Locating intermodal and warehousing facilities close to the Primary Goods Movement Network contributes to transportation efficiency and supports the city and regional economy. Smaller distances between these facilities and the network decreases trip length and reduces greenhouse gas emissions.

How are we doing?

Currently 98 per cent of Calgary's intermodal and warehousing facilities are within 1600m of the Primary Goods Movement Network, above the target of 95 per cent throughout reporting periods. New intermodal and warehousing facilities have been successful in locating near the Goods Movement Network, and adjustments have been made to the Primary Goods Movement Network. Success can also be attributed to the Industrial Strategy and Goods Movement Strategy.

Percent of Intermodal Facilities within 1600m of Goods Movement Network

2005	2012	2022	Target
0.73	0.73	0.98	0.95

Transportation Mode Split

Trend Summary



Behind trend for goal

60 Year Target

Per cent split (all purpose trips, 24 hours, city-wide)

Walking and cycling: 20% - 25%

Transit: 15% - 20%

Auto: 65% - 55%

Latest Data (2022)

Per cent split (all purpose trips, 24 hours, city-wide)

Walking and cycling: 22%

Transit: 3%

Auto: 75%

Baseline (2008)

Per cent split (all purpose trips, 24 hours, city-wide)

Walking and cycling: 14%

Transit: 9%

Auto: 77%

Data Sources

- Transportation Data

Going Forward

Current data is heavily skewed by Covid and not relevant to long range monitoring

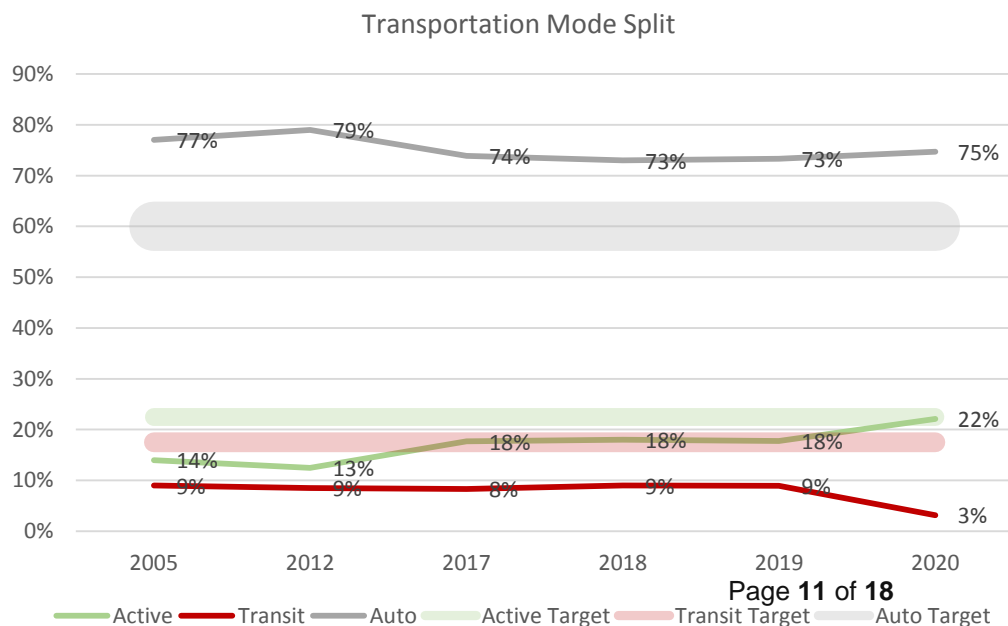
Percentage of all-purpose, city-wide trips made by walking, cycling, transit and car within a 24-hour period. This includes trips for work, school, leisure or other.

Benefit

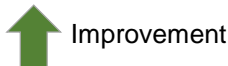
Most people have access to a variety of travel modes, but will only choose a mode if it is safe, affordable and easy to use. The way Calgarians move around the city is reflective of the urban form, urban design, transit services, and street connectivity. Reducing vehicle dependence improves equity amongst Calgarians. More Calgarians using transit and active forms of transportation reduces GHG emissions and promotes health. Less reliance on personal vehicles also strengthens equity amongst Calgarians.

How are we doing?

The COVID-19 pandemic has significantly affected transportation mode split, particularly in terms of active transportation and transit usage. Reductions in service prompted by COVID-19 as well as the economic downturn impacted the ability of transit to recover in mode share. During the pandemic, workers were more likely to have worked from home, a situation which especially affected downtown workers who may have previously taken transit. Automobile travel has remained the primary transportation option for Calgarians. Active modes of transportation have increased significantly during the pandemic, with increasing options, such as bike lanes and the scooter-share program proliferating, as well as street closures for active transportation. Long term remote and hybrid work scenarios could result in latent capacity in the transportation system at traditional peak times. This may enable utilizing more road space to enable dedicated transit, walking/wheeling space to aid in shifting mode share over time.



Trend Summary



60 Year Target

Per cent of population within Major and Community Activity Centres, and 600 m of Urban and Neighbourhood Corridors:
30%

Latest Data (2019)

Per cent of population within Major and Community Activity Centres, and 600 m of Urban and Neighbourhood Corridors:
22% (2019)

Baseline (2008)

Per cent of population within Major and Community Activity Centres, and 600 m of Urban and Neighbourhood Corridors:
18%

Data Sources

- Civic Census
- Building Permits

Going Forward

A new indicator will be required due to the loss of the Civic Census. Building Permits has been used as a proxy indicator.

Accessibility to Daily Needs

Note population and job data previously acquired are no longer available. Additional reporting using Building Permits offers a temporary proxy measurement.

Accessibility to daily needs is measured by the percentage of Calgarians living within Activity Centres, or within 600 metres of Main Streets.

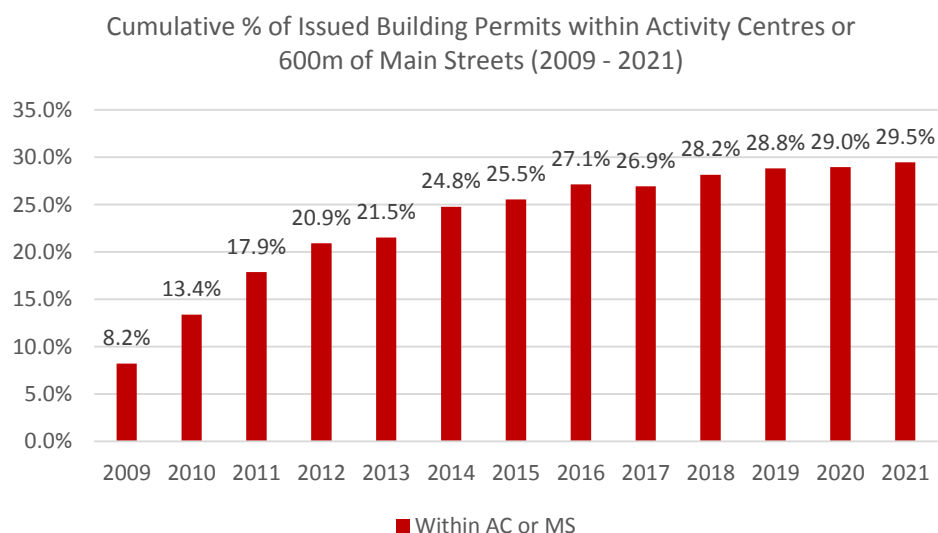
Benefit

Encouraging new development and redevelopment that focuses on intensifying and diversifying housing and urban activities within community hubs (Activity Centres and Main Streets) around transit stations and premium transit routes encourages more walking, cycling and transit use. Destination within a community make for efficient use of public investment and infrastructure, and creates less of a need for personal vehicles, increasing equity amongst Calgarians by making services readily available in close proximity, and reducing greenhouse gas emissions. This also strengthens our business and commercial districts.

How are we doing?

In 2019, 22 per cent of Calgary's population was located within Activity Centres and Main Streets. These strategically important areas have added over 48,000 people since 2006. This share of growth is consistent with long term objectives.

Household level Civic Census data is required to monitor this indicator. In the absence of a Civic Census, Building Permit data has been analysed to determine if residential unit construction is occurring within proximity to daily needs. This data shows that an increasing share of dwelling unit growth is occurring in these strategic growth areas.



Trend Summary



Decline

60 Year Target

Per cent of impervious surfaces: **10% - 20%**

Latest Data (2018)

Per cent of impervious surfaces: **45%**

Baseline (1998)

Per cent of impervious surfaces: **33%**

Data Sources

- Calgary Impervious Surface

Going Forward

This indicator is not a relevant measure of watershed health and will be reviewed through the Core Indicator Review. As density increases, impervious surfaces also increase. A better indicator not conflicting with other indicators is required.

Watershed Health

Watershed Health measures the amount of impervious surface area (land area covered by buildings, roadways, and parking lots) within the urban area. As imperviousness increases there is a degradation in river and creek channel stability, water quality, and aquatic biodiversity. As land is developed, impervious surfaces can have a significant impact on the quantity and quality of rainfall run-off that flows to the river. The amount of imperviousness rises in the city as more area is developed with buildings, roads, and parking lots. There is a direct correlation between the increase in impervious surfaces and an increase in stormwater runoff to the rivers which affects water quality and quantity.


Benefit

Protecting the watershed by decreasing impervious surfaces is necessary to sustain and enhance river and creek channel stability, water quality, and aquatic biodiversity. Limiting impervious surface area can lower the stress load on stormwater systems, mitigate surface and bank erosion, and avoid damaging run-off.

How are we doing?

Calgary's impervious surface cover has been increasing since 1998. Compared to baseline data, imperviousness has increased by 12 per cent. As urban development continues, less area remains green and permeable.

Trend Summary

 No Improvement

60 Year Target

Per cent of tree cover: **14% - 20%**

Latest Data (2020)

Per cent of tree cover: **8.25%**

Baseline (1998)

Per cent of tree cover: **7%**

Data Sources

- Calgary Tree Cover, City of Calgary

Urban Forest

Urban Forest measures the percentage of area covered by tree canopy in Calgary's urbanized area. It is an important indicator of the health of forests throughout the city.

Benefit

Trees provide many ecological services, including cleaning the air, reducing erosion and creating wildlife habitats. In general, trees contribute to the quality of life, providing shade to residents and adding a sense of serenity and character to the neighbourhoods. In 1998, a baseline of 7% was established for tree canopy cover. Our Plans set a target of 14% to 20% tree canopy coverage.

How are we doing?

This was a slight drop in canopy since 2017, however, the minor decrease of a land area of almost 85,000 ha is likely not of statistical significance. The trend is that our canopy is remained stable since the 2014 storm despite having planted approximately 39,000 trees since 2014. Regrowth and steady increases of tree canopy city-wide are a result of Calgary Parks' strategies and actions.

1998	2012	2013	2015	2017	2020	Target
7.0%	8.5%	8.4%	8.2%	8.3%	8.2%	14-20%

District Energy

Trend Summary



Improvement

60 Year Target

6.5%

Latest Data (2016)

Per cent of land area with densities supportive of district energy systems: **2.6%**

Baseline (1998)

Per cent of land area with densities supportive of district energy systems: **1.8%**

Data Sources

- Civic Census

Going Forward

Although the density information captured by this Core Indicator is an essential background condition for district energy, the indicator does not directly address the adoption or success of district energy systems. New or revised indicators in the future may include the number of district energy facilities, total floor space of developments served by district energy, and other alternative energy measures. These would be explored in the Core Indicator Review and more direct linkages will be made to the Climate Strategy .

Note population and job data previously acquired from the Civic Census are no longer available.

District Energy measures the percentage of Calgary's land area with enough population and job density to potentially support a district energy system.

Benefit

District energy systems are communal heating, cooling and power networks that can reduce the demand for non-renewable energy resources. The increased efficiency of supplying energy in this form reduces overall energy consumption and greenhouse gas emissions.

How are we doing?

District energy systems rely on a dense network of uses to enable cost effective management and distribution of heating, cooling and electricity efficiently. While the number of district energy facilities has not increased in Calgary since the last reporting period, a greater percent of the city now has a sufficient density to support these systems. However, only 2.6% of urban area in Calgary in 2016 was dense enough to support district energy.

COVID-19 Impacts on MDP/CTP Indicators and Long-Term Vision

Context

On 2020 March 5, the first case of COVID-19 was detected in the Calgary zone, and by 2020 March 17 the Province declared a Public Health State of Emergency in response to the increasing number of cases. Over the next two years, public health restrictions were enacted and lifted in response to waves of the virus in the population. By March 2022, nearly all public health measures have been lifted, however, at the time of this report being drafted, wastewater collection data shows that case are currently increasing in the Calgary zone and Alberta is experiencing the seventh wave of COVID-19 pandemic.

After the first wave on 2020 October 7, Council directed Administration (PUD2020-1106), as part of the next MDP/CTP monitoring report, to report back on proposed changes to the 14 core indicators, and related impacts, and the impacts of COVID-19 on achieving the long-term vision of the plans. Since that time, the pandemic increased in severity and is still ongoing. Trends emerging from the COVID-19 pandemic are evident in the 14 Core Indicators, however, the extent to which they affect the long-term vision of the Municipal Development Plan (MDP) and Calgary Transportation Plan (CTP) are still unclear. It would be premature to draw long-term conclusions for the indicators at this time.

The data analysed in the fourteen Core Indicators shows that the following indicators may be affected by COVID-19:

Urban Expansion: The data shows that the developed areas of the city received a smaller share of citywide growth relative to the developing areas from 2016 to 2021 compared to the period from 2011 to 2016. This indicator tends to be correlated to economic cycles in the city. In high growth years, the developed areas receive higher than average shares of citywide growth. Due to COVID-19 and slow economic growth over the past 5 years, a smaller share of growth to the developed areas is expected. Other factors influence this indicator as well. Housing affordability of new single detached homes is still advantageous compared to other large Canadian municipalities, and migration to Calgary may drive growth in developing areas of the city. There has been speculation that residents may seek less dense housing forms due to COVID-19, however, there has been an increase in multi-family building permits recently in the developed areas of the city. However, it remains to be seen if this behaviour is confirmed and enduring and will influence the indicator.

Accessibility to the Primary Transit Network: The Primary Transit Network (PTN) refers to routes that run every ten minutes, 18 hours a day, seven days a week. Prior to COVID-19, Calgary Transit adjusted schedules to better align with reduced commuter demand due to the economic downturn. The adjustments resulted in no routes meeting that definition to be considered a Primary Transit route. With many commuters working at home due to Provincial work-from-home orders, low ridership and corresponding service remained through the COVID-19 pandemic. New housing starts in proximity to the historical PTN remained consistent with housing starts citywide over the course of the pandemic. A greater share of growth must occur within proximity to the PTN to meet the MDP/CTP targets. Work-from-home were lifted in March 2022, however, it is too early to determine the results of ridership on transit routes or if residents will be more likely to move near the PTN.

Transit Service: COVID-19 has significantly affected transit service. This is likely a short-term decrease and expected to rise after the pandemic. Calgary Transit strategically adjusted schedules, however,

resources will be needed to reverse this decrease and move towards the Plans' target. Without significant re-investment in transit frequency, the service becomes less useful to the public, thereby reducing ridership. Further reduced ridership puts pressure to cut service.

Transportation Mode Split: This indicator has seen significant change during the COVID-19 pandemic, particularly in transit and active modes of transportation shares. Between 2019 and 2020, the share of trips taken by auto increased slightly from 73% to 75%, while the share of active modes of transportation increased from 18% to 22% and the share of transit trips decreased from 9% to 3%. With work-from-home orders being lifted and services levels being restored, it is expected that transit ridership will increase. Future investment in transit, including the construction of the Green Line, will result in a higher share of transit ridership. Long term remote and hybrid work scenarios could result in latent capacity in the transportation system at traditional peak times. This may enable utilizing more road space to enable dedicated transit, walking/wheeling space to aid in shifting mode share over time. The surge in popularity of bicycles and the success of interim assignments of roads space for exclusive walking and wheeling use during the pandemic offers an opportunity for further growth in the share of active modes, consistent with the MDP/CTP objectives.

Post-Pandemic Strategic Foresight Scenarios

In 2020 October 21 through TT2020-1120, Future of Transportation: COVID Recovery Scenarios, Administration reported to council the results of Strategic Foresight work which identified and discussed new technologies, societal trends and major disruptions that may have lasting impacts on Calgary's transportation system. Strategic Foresight was used to identify risk scenarios before they emerge and reduce the likelihood that The City will be caught by surprise. The scenarios were applied to 'stress test' the Sustainability Principles contained in the MDP and CTP. This process has helped to identify areas where increased effort will be required to achieve the vision of the MDP and CTP as real-world conditions track towards one (or a blend of two) of the scenarios.

The exercise identified three potential outcomes following the end of the COVID-19 pandemic: Rapid Recovery, Increased Crisis, and Transformational Change. These scenarios have been revisited and updated on the basis of developments since Q2 2020, and will be used to inform the Core Indicator reviews through the Calgary Plan initiative. Regardless of which scenario or combination of scenarios occurs following the COVID-19 pandemic, the vision of the MDP/CTP is still imperative in building a socially, economically, and environmentally sustainable city.

Back to 'Normal': The analysis found that the Back to 'Normal' scenario (previously referred to as 'Rapid Recovery') aligns most with a business-as-usual recovery. Trending suggests it is unlikely to fully meet all Plan targets which would decelerate efforts to achieve the Sustainability Principles. This scenario includes:

- a rebound in the oil and gas sector, though with more moderate population and job growth rates due to efficiencies already achieved by the sector over the last five years, and
- consistent with growth patterns in recent growth periods, a continued focus on suburban development over the next 20 years, with some inner-city redevelopment. Even with urban redevelopment continuing at current rates, the focus in this scenario on suburban growth means that development patterns and travel behaviour would not shift quickly enough to achieve the Sustainability Principles or Core Indicator targets of the MDP and CTP.

Increased Disruption: The Increased Disruption scenario (previously referred to as ‘Increased Crisis’) was found to have a neutral or slightly decelerating impact on The City’s abilities to achieve the MDP/CTP Sustainability Principles. Reasons for this include:

- the decline and slow recovery of Calgary’s economy, population and employment base in this scenario which would severely restrict the ability to provide new, increased housing choices or compact, mixed-use developments as development slows growth. Of the growth that occurs, more affordable housing options may be desired,
- reductions in revenue and funding streams which would restrict investment in the growth of the Primary Transit Network, and
- the increasingly important role of local communities, which could slowly encourage initiatives to increase community wellbeing and the use of more local and sustainable transportation options.

Transformative Change: The Transformative Change scenario (previously referred to as ‘Transformational Change’) has the potential to accelerate achievement of the MDP/CTP Sustainability Principles. Several elements of this scenario that could accelerate progress are:

- the rate and scale of change caused by a rapid diversification of Calgary’s local economy (green energy, local manufacturing, technology, etc.) triggering demand for more housing choice and travel choice,
- a drastic increase in remote work that builds demand for more unique community designs and social spaces, as well as a causing greater mix of land uses throughout Calgary, and the ability to use more sustainable modes of travel to reach daily destinations, and
- increased support for investment in dedicated spaces for active modes (walking, wheeling, and transit) within existing streets.

Going forward, Administration will use this analysis to proactively plan responses to changes in travel behavior and urban growth that have been influenced by COVID-19 through the development of the Calgary Plan. Proactive planning to manage short-term uncertainties will help ensure that The City can continue to provide effective service to Calgarians and continue working towards our strategic goals.

BRIEFING

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Item # 11.2

**Operational Services Briefing to
Infrastructure and Planning Committee
2022 September 09**

**ISC: UNRESTRICTED
IP2022-0973**

Storm Pond Safety

PURPOSE OF BRIEFING

This briefing provides Committee with an update on the progress to date and activities planned to enhance public safety at storm ponds.

SUPPORTING INFORMATION

On 2021 March 16 Council provided two short and one long-term direction to enhance public safety at storm ponds. See Attachment #1

On 2021 December 21, Administration provided an update on the two short-term directions. See Attachment #2.

Work continues on a longer term program. The overall goal of the program is to ensure stormponds in Calgary are both functional for their intended purposes, inherently safe for all and a purposeful space which adds vibrancy for citizens to enjoy. The program includes five key projects that are ongoing and will be included as part of the 2023-2026 Service Plans and Budget. Internal resourcing and consulting dollars to complete the following items of work are also included in the 2023-2026 Stormwater Management Service Plan.

1. Conduct safety assessment/audits of high-risk storm ponds located in Calgary.

As noted in Attachment 2, the methodology and findings of the initial public safety investigation resulted in thirty (30) Priority-One locations that will be the focus of a program of consulting work to achieve:

- detailed design reviews understanding the identified risks, unique features and design intent of each location,
- a full, physical site assessment to identify potential capital upgrades that could improve public safety,
- stakeholder engagement to better understand the opportunities and challenges in the community context, and
- a report for each site identifying the scope of public safety improvement options and associated budget requirements, including options to bundle the work to increase procurement and delivery efficiency.

2. Lead internal and external engagement on storm pond safety issues.

The activities under this program of work will align with the City of Calgary's Social Wellbeing Policy to ensure internal business units are speaking with One Voice on public safety at storm ponds and community needs can be incorporated into service delivery, educational programming and event response. This will be achieved through the following actions:

BRIEFING

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Item # 11.2

- Administration will seek the advice, support, knowledge and experience of the Social Wellbeing Advisory Committee in Fall of 2022
- Through partnering with the Innovation Lab, we will:
 - Conduct a series of engagements with key stakeholders and the public to understand the issues driving risky behaviours and issues surrounding storm ponds.
 - Prototype scalable solutions to increase safe behaviours and decrease inappropriate use at storm ponds.
 - Gain a better understanding of what educational tools and communication approaches would work for a broader public use.

3. Coordinate cross-corporation storm pond safety.

Creating One Voice for public safety at storm ponds starts with a meaningful dialogue with key stakeholder business units (Water Services, Calgary Fire Department, Parks and Open Spaces, Calgary Community Standards, Calgary Neighborhoods, Community Planning, City and Regional Planning, Customer Service and Communications) to:

- Share and fully understand the public safety issues surrounding storm ponds
- Explore how to improve processes between Business Units
- Outline roles in educational approaches and communications
- Take a public education first approach to bylaw compliance
- Improve coordination on issues/locations of concern
- Discuss areas of overlap or service gaps

4. Continue to refine and develop educational and communication tools.

Based on the outcomes of the engagement work, we will improve existing educational approaches and communications to develop a suite of tools to reach diverse and vulnerable populations. This work will consider social equity, cultural norms, age, gender and marginalized groups to ensure inclusive and citizen-focused approaches are adopted. It will also foster and build better community connections on sharing messaging of the risks associated with storm ponds. In addition, traditional and English-only print, media and digital media channels need to be expanded to reach audiences who do not speak English.

5. Address the planning and design of storm ponds.

As part of The City of Calgary's 2022 Stormwater Management and Design Manual update, a review is being conducted that compares storm pond design standards across eight (8) jurisdictions in Canada and the United States to identify specific public safety parameters that could be used to address health and safety concerns in the Calgary context.

ATTACHMENT(S)

1. Attachment 1 – Previous Council Direction
2. Attachment 2 – Administrative Memo 2021 December 21, Initial Findings on Public Safety Investigation into Storm Pond Safety

Background & Previous Council Direction

This report responds to the Council NOM from 2021. It follows an Administrative Memo that provided an update on short-term progress.

Background

COVID-19 restrictions in the winter of 2020 motivated many Calgarians to seek outdoor recreational opportunities near their homes. Unfortunately, this led to citizens jeopardizing their personal safety and in some severe circumstances the need for rescue was required. As an important component of Calgary's water management infrastructure, storm ponds are designed to collect, hold, and slow down rainfall and snowmelt before it reaches our rivers. They also reduce sediments and pollutants helping keep our rivers and creeks healthy. Although they are situated in and contribute to beautiful open spaces, they are not designed for recreational activities.

Previous Council Direction

Council sought short- and long-term improvements in communications, education, and pond characteristics to ensure Calgarians can live and play in safe surroundings.

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
2021 December 21	Memo	Initial Findings on Public Safety Investigation into Storm Pond Safety Issued by Nancy Stalker, Director, Water Services, this Administrative Memo outlined progress on the expanded winter public awareness campaign, a summary of findings from the initial investigation, key messages for citizens, and a commitment for a full report focused on actions and recommendations. See Attachment 2.
2021 March 16	PFC2021-0416	Council Notice of Motion (NOM) – Storm Pond Safety Sponsored by George Chahal, former Ward 5 Councillor, the NOM outlined Council's direction to complete an initial public safety investigation into storm ponds in close proximity to high risk areas with a report back on no later than Q4 2021, to complete a full public safety audit of all storm ponds with a report back on or before Q3 2022, and to immediately expand public awareness campaign using communication methods that are culturally appropriate for all Calgarians. See Attachment 3.

Bylaws, Regulations, Council Policies

The recommendations and actions identified in this report and its related attachments have taken into account the principles and requirements outlined in the following Corporate Policy and Bylaw:

Social Wellbeing Policy

This Corporate Policy helps ensure all Calgarians can benefit from City services regardless of identify factors such as age, race, gender, income, or ability.

Stormwater Bylaw 37M2005

Section 11.6 indicates that a Person must not, unless authorized by the Director, Water Services or the Director, Community Planning, (a) enter; or (b) place or remove any plant, animal or object in or from; any facility or structure that is part of the Stormwater System, including a storm pond.

December 21, 2021

To: Mayor Gondek and Members of Council

From: Nancy Stalker, Director, Water Services

Re: Initial findings on public safety investigation into Storm Pond Safety

The purpose of this memo is to provide City Council with an update on Administration's activities regarding *Notice of Motion* (NOM) PFC2021-0416 Storm Pond Safety (see attached). The memo highlights the short-term efforts to expand the public awareness campaign focused on storm pond safety in 2021. It also provides an update on the initial public safety investigation into storm ponds near high risk areas. A full report detailing the pond safety findings and recommendations will follow in Q3 2022.

Expanding public awareness campaigns

COVID-19 restrictions in the winter of 2020 motivated many Calgarians to seek outdoor recreational opportunities near their homes. Unfortunately, this led citizens to jeopardizing their personal safety and in some severe circumstances the need for rescue was required.¹ As an important component of Calgary's water management infrastructure, storm ponds are designed to collect, hold, and slow down rainfall and snowmelt before it reaches our rivers. They also reduce sediments and pollutants helping keep our rivers and creeks healthy. They are not designed for recreational activities.

Prior to the NOM, Water Services had partnered with several internal business units, including the Calgary Fire Department, Calgary Community Standards, and Water Resource's Citizen Program Team to address winter safety concerns at a limited number of storm ponds. Increased signage and additional Bylaw officers' and Calgary Fire presence on site helped spread the message of safe use of public spaces. In addition, increased use of The City's social media channels and web pages promoted the messages to a wide audience. Other partner organizations, including EMPOWER ME, Ward offices, and schools, were also engaged to ensure these messages were being delivered to a wide audience.

Water Services and its partners leveraged the success of the expanded communications and programs noted above to develop and deliver more targeted messages that are culturally appropriate and focused on vulnerable populations. Please see the list of actions taken to expand public awareness below:

Outreach, engagement and internal partnerships

- In November 2021 staff met with The City's Punjabi working group. The presentation focused on storm ponds and storm pond safety. What we heard at this meeting included the need for developer/realtor outreach, the use of multicultural media sources to get out our messaging and the importance of easy to understand graphics on our signage. In 2022, we will ensure that our media/social media strategies include the use of a diverse assortment of media sources. In addition, we will begin outreach with both developers and realtors. This work will include gathering information on how storm ponds are currently "marketed" to new homeowners as well as the creation of materials that can be shared with these two user groups. Finally, signage updates will be further investigated as part of the pond design guidelines initiative noted below.
- This winter the Calgary Fire Department and the Water Utility will amplify water safety messaging into the annual ice safety campaign.

¹ <https://www.cbc.ca/news/canada/calgary/seniors-saddleridge-turban-siding-hose-ice-rescue-teenagers-1.5789457>

Memo

- After hearing from our partners that many citizens were unsure if they had a storm pond in their community, Water Services and Corporate Analytics and Innovation created a map of each quadrant of the city indicating where all storm ponds are located. These maps will be posted online so that residents can differentiate between functioning storm ponds and recreational lakes located within their community. Once citizens understand where storm ponds are located, they should be empowered to adopt the safe behaviours we are promoting around those bodies of water.
- In the first quarter of 2022 we will investigate the proper channels to get our safety information into schools. Our investigation will include partner outreach, working with schools directly to determine if/when we can include our information in parent package materials and direct presentations from City staff.
- The City will share and distribute content on storm pond safety, including providing alternative City-approved locations to recreate through enhanced our cross-corporate collaboration between Water, Parks and Calgary Neighborhoods.

Digital communications

- To meet the needs of diverse ethnic groups in Calgary, brochures were translated into Arabic, Hindi, Punjabi, Simplified Chinese, and Urdu and posted to Calgary.ca. This will allow for greater outreach for Calgarians where English is a second language.
- A set of videos related to storm ponds and storm pond safety are being created for both summer and winter conditions. The winter safety video will be completed in Q4 2021 and the summer video is projected to be finished by the end of Q1 2022. The videos will be used as part of our education and outreach work. These videos will be shared via social media, media, rec center advertising and thru partners like Trout Unlimited. The videos will also be posted to our website, Calgary.ca/stormponds.
- The storm pond web page on Calgary.ca has been updated to focus on safety as well as the purpose and function of storm ponds.
- Additional budget was allocated towards a targeted social media campaign on storm pond safety in Q4 2021.

Print/Traditional communications

- A brochure style handout has been translated into several of Calgary's top spoken languages. This brochure is available for download online and will be shared with our public safety and community partners. Internal partners include the Calgary Fire Department, the Parks Community Strategist Team and the Calgary Neighborhoods Neighborhood Strategist Teams. External partners will include Empower Me, Trout Unlimited and cultural institutions like the Genesis Centre. We will also be doing outreach with potential new external partners in 2022.
- Bold signs will be placed in communities on the winter safety priority list described below in Q4 2021.
- Key messages and content for winter safety have been developed and will be shared with Community Associations for inclusion in their newsletters in Q4 2021.

Initial public safety investigation

As part of the NOM, Council requested an initial public safety investigation into storm ponds in close proximity to what are deemed to be potentially high risk areas including, but not limited to, schools, playgrounds, and high use parks, and to identify and implement any short term improvements that could be quickly deployed.

To satisfy the short-term request, an initial assessment was undertaken to identify risk factors that could be present in the Calgary context. This study focused on public safety incidents both in Calgary and learnings from across Canada. Specific industry studies were gathered from partner

municipalities and utilities involved in benchmarking efforts to share experiences, learnings and best practices. These risk factors were then applied to the entire storm pond inventory. The preliminary highlights of this study are discussed below.

Use of geo-demographics and geo-spatial analysis to highlight risk

To determine potential public safety risks, a geodemographic and geospatial analysis was undertaken on 220 storm pond locations which hold water year-round. This analysis examined storm pond locations in close proximity to the following:

- parks, playgrounds, schools, playfields,
- childcare facilities,
- off-leash dog parks,
- treatment/drop-in centers and group homes,
- seniors' residences,
- other gathering places (i.e. community centres, religious/cultural institutions, etc.) and
- populations under the age of 15 living within a short walking distance of storm ponds.

Storm ponds located closest to playgrounds, elementary schools or childcare facilities, and off-leash dog parks were specifically assessed to determine if there was a direct line of sight with no physical barrier (such as a street or structure) to the pond. Where these conditions exist and direct pond access was possible, the pond's priority risk ranking was increased.

Public safety incidents and other inquiries from 9-1-1 and 311 recorded from 2018 to 2021 were reviewed and categorized to better understand the public experience at or near storm pond locations. Several insights were gleaned from this review including a large sample of calls regarding pets and/or pet-owners entering the water as well as identifying specific and unique risks for summer and winter seasons. Overlaying 9-1-1/311 calls with demographic information and geospatial data allowed for the prioritization of anticipated relative risks for all locations – where ponds, proximate populations, high use areas, and vulnerable populations overlap.

The ranking resulted in 77 ponds being identified and ranked as locations of potential concern as they have a higher relative risk profile when all factors were considered. This was further delineated to inform immediate education and outreach efforts, temporary signage needs, and potential on-site monitoring over the winter of 2021/2022 for 47 ponds in 31 communities with specific winter risks.

Updates to pond design guidelines

Public safety incidents in Calgary in 2018 and 2020 started separate reviews of pond design guidelines to ensure City requirements contain appropriate limits or requirements for slopes, pathway proximity, landscape features and vegetation, access to water surfaces, adequate and updated signage, and emergency vehicle access for new ponds and for any pond retrofit or rehabilitation project. The City works with municipalities across Canada to share best practices regarding pond design standards and has been cited in several updates to other jurisdictions' requirements. Updates to The City's storm water guidelines will be occurring throughout 2022 and will incorporate suggested changes from a collaborative discussion between The City, its consultants and members of the development community.

Q3 2022 report to Council

In Q3 of 2022, Water Services will be coming to Council with a report which will focus on actions and recommendations on how The City can reduce the public safety risk associated with storm ponds. This report will also include an implementation plan that will contain proposed schedules for implementation as well as an overview of resourcing and budgetary implications.

Key Messages

- Storm ponds play a vital role in providing communities with beautiful open spaces while they help us manage storm water. They protect communities from flooding and provide contaminants a chance to settle out before the storm water travels to our rivers, creeks, and streams.
- The City is committed to continually refining and adjusting our community safety messaging and delivery regarding storm pond safety through outreach, engagement, and partnerships with external stakeholders.
- Safety is a value we live everyday – public safety and the safety of our crews are top of mind as we deliver service.
- Recreating on or in storm ponds is prohibited at all times. The water levels in storm ponds will vary with weather conditions creating hazards and risks that require on-going education and awareness campaigns.
- Storm ponds have specific public safety risks in the summer and winter which create the need for targeted messaging and programs.
- In winter months, road salt and snowmelt can cause dangerous and unpredictable conditions at storm ponds. Storm ponds can have a strong current and very thin ice, which could be catastrophic if a person falls through and is swept under the ice.
- Throughout the winter, sledding, ice skating and hockey must be restricted to recreational facilities in all neighborhoods and communities. To find a nearby rink, follow these links:
 - <https://www.calgary.ca/csps/parks/locations/outdoor-skating-rinks.html>
 - <https://www.calgary.ca/csps/recreation/arenas.html>
- In the summer, wading, boating, fishing, and other recreational pursuits must be restricted to rivers and streams or recreational lakes built and marketed for this purpose. Pet owners should keep their animals on-leash and away from storm ponds to protect their health and safety.

Key Contact: Nancy Stalker
Acting Director of Water Services
Utilities and Environmental Protection
Nancy.Stalker@Calgary.ca

Email Distribution: This memo was emailed to: The Mayor, City Council

cc: Councillor EAs
Executive Leadership Team

BRIEFING

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Item # 11.3

**Operational Services Briefing to
Infrastructure and Planning Committee
2022 September 09**

**ISC: UNRESTRICTED
IP2022-0949**

Safer Collector Framework

PURPOSE OF BRIEFING

Mobility safety continues to be a top concern for Calgarians. In response to this, City Council directed Administration to lower the default speed limit to 40 km/h on neighbourhood roadways effective May 31, 2021. Administration was also directed to develop a framework to prioritize reduced speed limits on Collector classification roadways. More information about the neighbourhood speed limit change is available at [Calgary.ca/saferspeed](https://calgary.ca/saferspeed).

This briefing outlines how changes will be made to Collector roadways to encourage operating speeds consistent with a 40 km/h speed limit, and safer outcomes for Calgarians in their neighbourhoods. The framework is data based and will include three approaches: Signage changes where operations are consistent with 40 km/h speed limit, permanent changes in high risk/high speed communities, and temporary changes in communities based on opportunity, equity and alignment with other work. Safety for all modes of travel and improvements to accessibility will be focuses of this work. A supporting capital funding request to deliver this work will be presented this fall.

SUPPORTING INFORMATION

Collector classification roadways in Calgary largely remained at 50 km/h following the reduction of default speed limit to 40 km/h starting May 31, 2021. There were, however, a select number of Collector roadways which already supported a lower speed that were reduced to 40 km/h. These were reviewed following citizen and councillor requests for their alignment with publicly available criteria. Council also directed Administration to develop new design standards for new construction and retrofit of existing roadways to support lower and safer speeds, and to develop a framework to reduce operating speeds on Collector classification roadways.

Feedback from citizens who live along Collectors, through 311 and Council, following the speed limit change has been overwhelmingly in support of reduced speed limits on Collector roadways. A citizen survey following the change also indicated that there is broad support for speed reductions in neighbourhoods, including on Collector roadways. One concern expressed by many citizens was equity given that those who live along Collector Roads continue to be exposed to higher operating speeds. Further evaluation of the change, including data on speeds and collisions, will be presented to Council in 2023.

The Safer Collector Framework outlines an approach to continue reducing speeds on Collector roadways. This report builds on technical analysis completed for scenario development during the Neighbourhood Speed Limit Review in 2020. Previous analysis showed positive safety benefits associated with investing to reconstruct Collector Roadways but with a substantial initial capital cost. Further review and consideration of how changes could be implemented in a practical way resulted in the following three-pronged approach that will be advanced:

BRIEFING

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Item # 11.3

1 - Continued review and signage change of Collectors that already support 40 km/h speed limit

This first approach will continue the low-cost and high-compliance approach taken during the initial implementation. Further data collection and review of collectors will identify remaining segments that can be reduced to 40 km/h and operate well without physical changes. These changes can be made on an ongoing and immediate basis as reviews are completed. Collectors that do not meet the current criteria can be considered for further changes through permanent or temporary change.

2 – Permanent changes on Collector roadways to support lower speeds

This second approach will prioritize neighbourhoods for Collector roadway reconstruction to new 40 km/h design standards based on harm reduction in terms of collision and speed data to ensure capital investment is focused where there is the greatest objective need and potential benefit to improve safety in an equitable way. The initial two years of the program will use temporary materials prior to being made permanent to confirm that geometric changes are resulting in operating speeds consistent with the 40 km/h speed limit, and to adjust standards if needed. Temporary design elements for these projects will be made permanent once their effectiveness has been proven. Adjustments to the prioritization will be made where appropriate to coordinate with other major capital programs. A dedicated program to re-build collectors to the new 40 km/h design standard over time can address a long-standing issue for citizens but will require new capital investment. There may also be opportunities for increased investment in renewal programs in communities such as the pavement surface overlay program to physically change the roadway to the new design standard.

3 – Temporary changes on Collector roadways to support lower speeds

This third approach will be flexible and responsive to opportunities, supporting equity of City work and aligning with other programs such as Neighbourhood Streets and the 5A network. This responsive approach can support policy using lower-cost temporary measures for longer periods until permanent changes would be possible. While these neighbourhoods may not be prioritized based on objective collision or speed data, interim measures can advance some benefits citizens may expect with eventual permanent changes to follow.

Application of the Safer Collector Framework as presented above is intended to be flexible while advancing Collector roadway retrofits over time with accessibility improvements. An annual investment in 10 communities (5 permanent and 5 temporary) would result in a 40-year horizon to bring all Collector roadways to the new standard. This gradual investment in collectors will also facilitate ongoing evaluation and adjustment to confirm best design strategies and value for investment. Criteria for reducing Collector roadways to 40 km/h may also evolve based on evaluations and changes in driver behaviour over time. Evaluation, Education and Engagement principles of the Safer Mobility Plan will continue to be applied to support the Safer Collector Framework.

ATTACHMENT(S)

1. Attach 1 – Previous Council Direction IP2022-0949
2. Attach 2 – Safer Collector Framework Report – IP2022-0949

Background and Previous Council Direction

Background

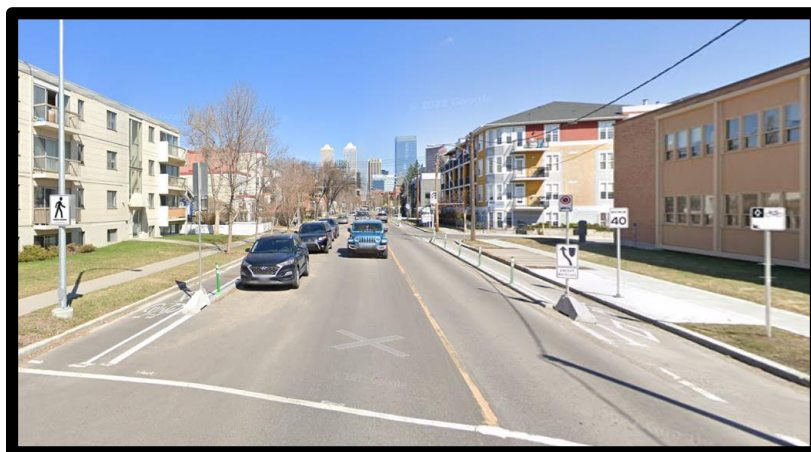
Mobility safety continues to be a top concern for Calgarians. In response to this, City Council directed Administration to lower the default speed limit to 40 km/h on neighbourhood roadways effective May 31, 2021. Administration was also directed to develop a framework to prioritize reduced speed limits on Collector classification roadways. More information about the neighbourhood speed limit change is available at [Calgary.ca/saferspeed](https://calgary.ca/saferspeed).

Previous Council Direction

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
2020 November 03	TT2020-1036	<p>Council Direction</p> <p>Direct Administration to work with industry partners to revise Collector standards to support 40 km/h roadways and to revise Residential standards to support 30 km/h roadways, and to apply those standards in new communities and for retrofit projects on existing city roadways.</p>
2021 February 01	C2021-0173	<p>Council Direction</p> <ol style="list-style-type: none"> 1. Give three readings to the proposed Bylaw 1H2020, the Speed Limit Charter Bylaw, to change the unposted speed limit from 50 km/h to 40 km/h within the city limits, with an implementation date of May 31, 2021; 2. Direct Administration to post 50 km/h speed limit signs on existing unposted Collector and Neighbourhood Boulevard roadways, unless roadway design already supports a lower speed; 3. Direct Administration to create a framework for prioritizing reduced speed limits on Collector roadways, returning to Council with a briefing no later than Q3 2021, considering issues such as roadway design, volumes for all travel modes, collision history, 311 concerns, and presence of existing speed zones; 4. Provide an update to Council, no later than Q2 2023, with a preliminary summary of results

		achieved post implementation, including any learnings from implementation elsewhere in Alberta and Canada.
2021 July 26	C2021-1097	Report Deferral Deferred to Q2, 2022.
2022 June 10	IP2022-0631	Report Deferral Deferred to Q3, 2022.

Safer Collector Framework



IP2022-0949
September 9, 2022
Mobility Operations, Mobility Safety

Safer Collector Framework Overview

Safety in Neighbourhoods continues to be a top concern for Calgarians. Improving safety outcomes in Neighbourhoods, through lower operating speeds, was the main goal of the Neighbourhood Speed Limit review; This goal remains the same for the Safer Collector Framework. Complimentary benefits of reduced vehicle speeds in Neighbourhoods include increased comfort and feelings of safety for people walking and cycling, lower noise levels, more confidence that walking or cycling to school is a viable option and making sidewalks or front yards more enjoyable places to visit with neighbours. This report builds on technical analysis completed for scenario development during the Neighbourhood Speed Limit Review in 2020. Previous analysis showed positive safety benefits associated with investing to reconstruct Collector Roadways but with a substantial initial capital cost. The full technical report for the Neighbourhood Speed Limit Review is available at [Calgary.ca/saferspeed](https://calgary.ca/saferspeed), or by searching council records for report TT2020-1036.

Collector classification roadways in Calgary largely remained at 50 km/h following the reduction of default speed limit to 40 km/h starting May 31, 2021. There were, however, a select number of Collector roadways which already supported a lower speed that were reduced to 40 km/h. These were reviewed following citizen and Councillor requests for their alignment with publicly available criteria. Council also directed Administration to develop new design standards to re-build existing Collector roadways to support lower and safer speeds, and to develop a framework to reduce operating speeds on Collector classification roadways.

The Neighbourhood Speed Limit Review included a review of collisions by classification of road to describe the scope and scale of the issue. The key findings were that roughly one quarter of collisions in Calgary occur on roadways in neighbourhoods and one fifth of all casualties (injury and fatal collisions) occur on those roads. These are also the roadways for which Administration receives the most concerns through 311 because the operations impact citizens directly where they live.

Feedback from citizens who live along Collectors through 311 and Council following the speed limit change was overwhelmingly in support of reduced speed limits on Collector roadways. A citizen survey following the change also indicated that there is broad support for speed reductions in neighbourhoods, including on Collector roadways. One concern expressed by many citizens was equity given that those who live along Collector Roads continue to be exposed to higher operating speeds.

The Safer Collector Framework outlines an approach to continue reducing speeds on Collector roadways. Three approaches to encourage 40 km/h operations on Collector roadways are recommended and described in further detail in the report:

1. Continued review of Collectors for existing 40 km/h operations and reduce speed limit to match.
2. Permanent changes to Collector roads to encourage 40 km/h operations where collisions are highest, starting with temporary treatments to confirm functionality of new designs to achieve 40 km/h operating speeds.
3. Temporary and flexible changes to Collector roads to encourage 40 km/h where there is support from communities, policy or other programs.

Application of the Safer Collector Framework as presented above is intended to be flexible while advancing Collector roadway retrofits over time. An initial annual investment in 5 neighbourhoods using permanent measures and 5 communities using temporary measures would result in a 40-year horizon to bring all Collector roadways to the new standard. This gradual investment in collectors will also facilitate ongoing evaluation and adjustment to confirm best design strategies and value for investment. Criteria for reducing Collector roadways to 40 km/h may also evolve based on evaluations and changes in driver behaviour over time.

Evaluation, Education and Engagement principles of the Safer Mobility Plan will continue to be applied to support the Safer Collector Framework. Ongoing evaluation and refinement of our approach demonstrates value for citizens and can build support for further investments. The focus of this report is physical change of Collector roadways to make lower speeds more credible. However, our mobility system relies on

individual behaviour and choices which the City can support with better education and engagement about what the City is doing and why and how citizens can contribute to safer outcomes for all Calgarians.

Citizen Survey of Initial Change and Support for Reduced Speed Limit

A survey of citizens was completed, following the change in default speed limit, to determine awareness of the speed limit change and perceptions of the impacts to citizens. The survey was conducted by Leger from July 28 – August 5th, 2021, with 503 Calgarians (aged 18 years or older) via phone using random digit dialing (RDD). The survey was conducted using numbers from both landlines (27% of completed surveys) and cell phones (73%) to obtain a random and statistically representative sample of Calgarians. The survey averaged 13.4 minutes in duration. The margin of error (MOE) for the total sample of n=503 is ± 4.4 percentage points, 19 times out of 20. To ensure the data were gathered from a representative group of Calgarians, sample quotas were set by age, gender, and city quadrant of the general population aged 18 and older. Data were then weighted to the 2016 Civic Census for age and gender.

Key Findings:

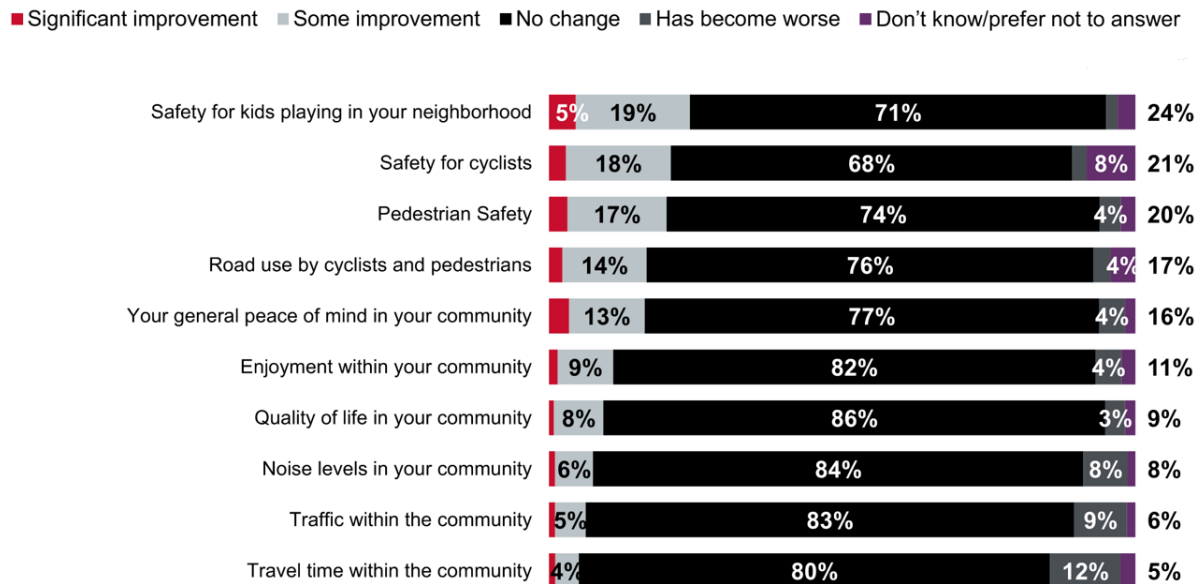
- Eight-in-ten survey respondents have recently read, seen, or heard anything about speed limits in Calgary.
- 81% of survey respondents say they have read, seen, or heard something about speed limits in Calgary, while only 19% indicated that they have not. This is up by 32 percentage points since the previous survey.
- Those aged 35+ are more likely than those aged 18-34 to have read, seen or heard anything about speed limits in Calgary (88% of those aged between 35-64 and 85% 65+ vs. 67% of those aged 18-34). However, for those aged 18-34, this is up from 49 percentage points in the first survey from 18%.
- Those who have lived in Calgary for 20 or more years are more likely than those who have lived in Calgary fewer than 10 years to have read, seen or heard anything

about speed limits in Calgary (86% of those who have lived in Calgary 20 or more years vs. 70% of those who have lived in Calgary Fewer than 10 years).

- Those who self-identify as a visible minority are less likely than other Calgarians to have read, seen or heard anything about speed limits in Calgary (74% of those who identify as a visible minority vs. 83% of those who do not).
- Of those survey respondents who have recently read, seen, or heard anything about speed limits in Calgary, just over seven-in-ten (71%) recall specific topics about “reducing the speed limit in residential zones to 40 km/hr. This had increased significantly by 44 percentage points since the previous survey where just under three-in-ten (27%) recalled this information.

In terms of changes that respondents have seen in their communities following the reduction of the unposted speed limit, almost a quarter say that they have seen improvement when it comes to safety for kids playing, followed by 21% who say that safety for cyclists has improved and 20% saying pedestrian safety has improved. A larger selection of factors and Calgarians responses are presented in Figure 1. Overall support for the speed limit change was found to be at least 60%, shown in Figure 2, with higher levels of support for those living on Collector roadways but requesting further changes.

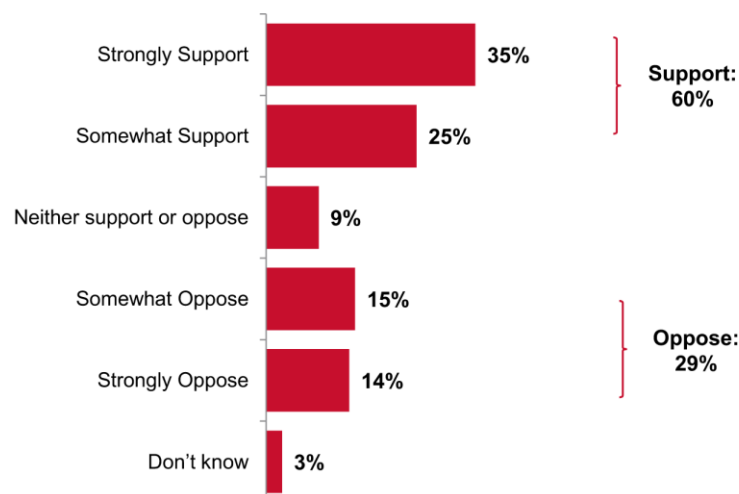
Figure 1: Citizen perceptions of changes following unposted speed limit reduction



Since the change to the unposted speed limit at the end of May, to what extent have you noticed a change in the following...
Base: All respondents (n=503). Note. Data labels that are 3% or less are not shown.

Figure 2: Citizen Support for Reduced Speed Limits in Neighbourhoods

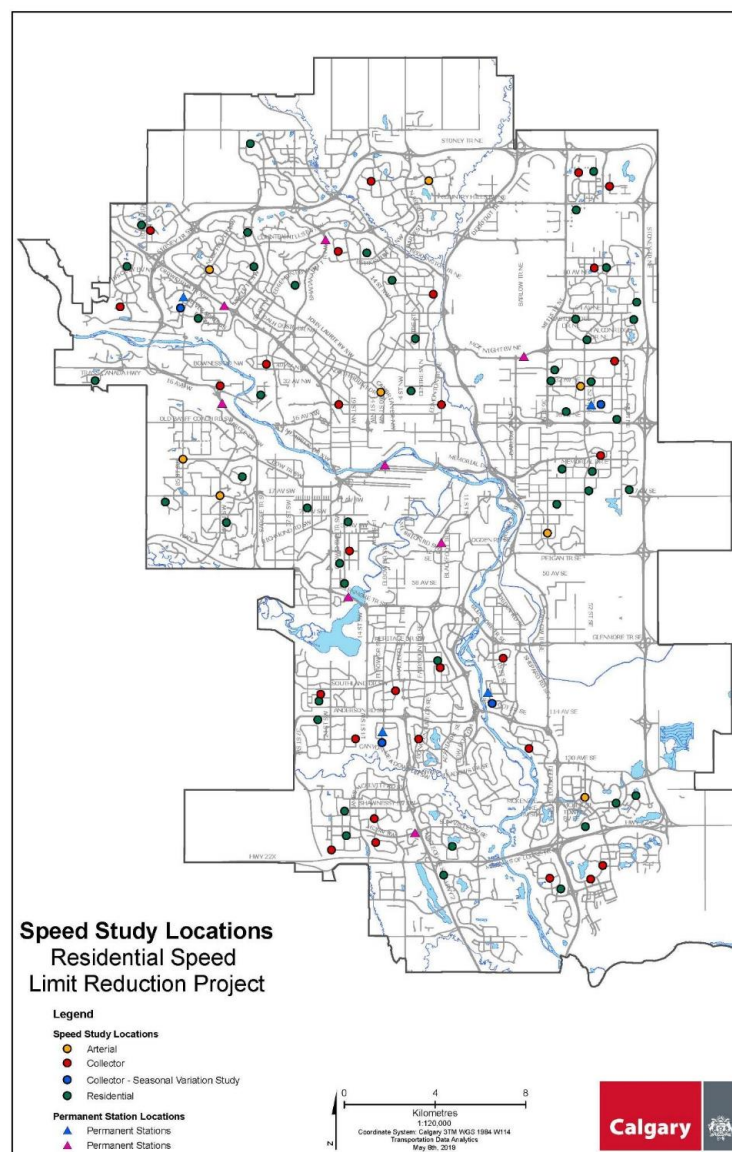
Support for The City's Decision to Reduce Speed Limits on Some Roads to 40 km/hr



Operating Speeds in Neighbourhoods

The Neighbourhood Speed Limit Review collected speed data on Collector and Residential roadways to quantify the nature of the speeding issue and to serve as baseline data. Post-implementation data has been collected at the same locations where the previous studies were completed and provide an early indication of changes in motorist behaviour. The locations of the studies are shown in Figure 3, and more detail is provided in the technical report mentioned previously.

Figure 3: Neighbourhood Speed Study Locations



Initial indications from Fall 2021 data collection indicate that operating speeds have decreased on both Residential and Collector roadways. Summary statistics of the speed studies are presented in Table 1. All traffic data, including these speed studies, are publicly available at trafficcounts.calgary.ca. The results of these studies and the spring 2022 speed studies, currently under review, will be presented in more detail during the formal evaluation of the Neighbourhood Speed Limits implementation in Q2 2023, as directed by Council.

Residential roadways were found to have an overall reduction in average speed of 1.6 km/h relative to the pre-implementation fall measurements; 85th percentile speeds were 2.5 km/h lower which indicates a larger impact on higher level speeds, as expected.

Collector roadways, which largely remained at 50 km/h, were also found to have moderate decreases in speed of 0.6 km/h and 1.7 km/h for average and 85th percentile speeds, respectively. These moderations in speed are promising and may suggest that improved compliance on residential roads is also influencing motorist behaviour on Collector roadways.

The modest speed reductions noted above are consistent with expected changes in the Neighbourhood Speed Limit Review report and are expected to continue to improve over time; behaviour change takes time.

Table 1: Leading indicators of change on Initial speed data following change

Location	Spring 2019			Fall 2019			Fall 2021		
	Total Obs.	85 th ile speed (km/h)	Mean Speed (km/h)	Total Obs.	85 th ile speed (km/h)	Mean Speed (km/h)	Total Obs.	85 th ile speed (km/h)	Mean Speed (km/h)
Arterial Street	13856			14009			12128		
	8	67.3	57.8	9	67.7	58.4	9	66.6	57.0
Collector	15558			78537			33690		
	2	51.5	42.1	5	52.8	43.0	5	51.1	42.4

Residential Street	23398	45.0	34.7	26640	46.2	35.5	21832	43.7	33.9
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Prioritization of Collectors for Review/Design Changes

There is a need to prioritize the redesign of Collector Roadways given the large network and practical limitations to how quickly the work can be completed (both budget and capacity). Collisions, injury, or fatal collisions in particular, are the key data on which to prioritize the work for consistency with direction from Council. A secondary prioritization metric would naturally be the observed speeds. A focus on objective data will be the most equitable approach to ensure that resources are invested first where there is greatest need and potential impact for an objective and ongoing program.

There are many metrics beyond reductions in collisions and speed as the key objectives for which we have or can collect data. Secondary objectives of increasing active transportation, perceptions of safety, or access/equity may be described by data sets to assist in determining priority for other projects which may not be ranked highly based on collisions and speeds. These data include such items as missing sidewalk links, 311 concerns from citizens related to speed or feelings of safety, transit use etc. While an objective process is possible to prioritize work based on these criteria, there is also a recognized need to be responsive and flexible to requests which may come from citizens, community groups or through the Councillor's offices from interactions with their constituents.

Prioritization based on the above criteria will provide a solid starting point to focus efforts, and it will be important to maintain flexibility in application. As a specific example, if a community is identified as a top priority that could be constructed in the following year and a major surface overlay is planned within the next few years it would be beneficial to take the opportunity to leverage that work by delaying so the work can be done at the same time. Similarly, if a project is identified as a priority to be rebuilt in four years but there is Surface Overlay work planned within 1 year there would be a good case to advance the Collector redesign work to coordinate the work. Similar

considerations will need to be applied for secondary objectives to ensure flexibility of application while falling within a general framework.

Examples of data sets envisioned for use in the Framework are identified graphically in Figure 4. As additional data sets are considered the approach may be adjusted and refined.

Four themes for prioritization have been identified and are described in Table 2:

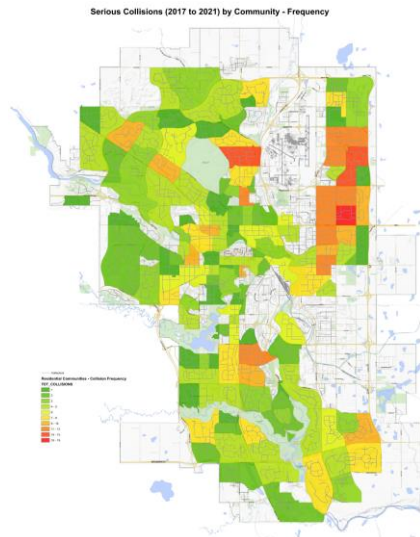
1. Collision Reduction: remaining true to the purpose of the project means prioritizing corridors with safety problems
2. Equity: advancing communities with greater deficiency relative to geometric standards and higher need will balance historic inequity
3. Opportunity: aligning with capital programs will make for a faster overall delivery
4. Alignment: following policy will help guide mobility investment through the benefit of past analysis and engagement

Table 2: Prioritization themes

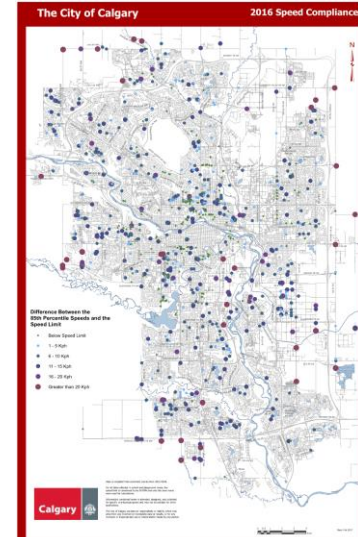
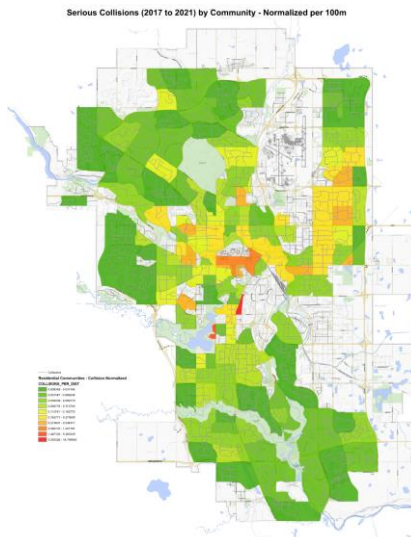
Collision Reduction	Equity	Opportunity	Policy Alignment & Benefits
<i>Measures:</i> Injury Speed	<i>Measures:</i> Roadway deficiencies Need	<i>Measures:</i> Capital programs Asset condition Ease of implementation Redevelopment	<i>Measures:</i> Mobility networks
<i>Metrics:</i> Serious injuries Community age: area-based injury rates Speed Volumes Road width	<i>Metrics:</i> Missing links Transit ridership- Bus frequency as a surrogate Income Access to green space	<i>Metrics:</i> Pavement condition Tree conditions Utility conditions	<i>Metrics:</i> 5A network Primary transit network Complete Streets Policy

Figure 4: Graphical representation of data for prioritization

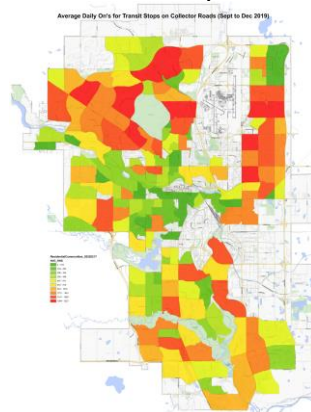
Serious Collisions by Community



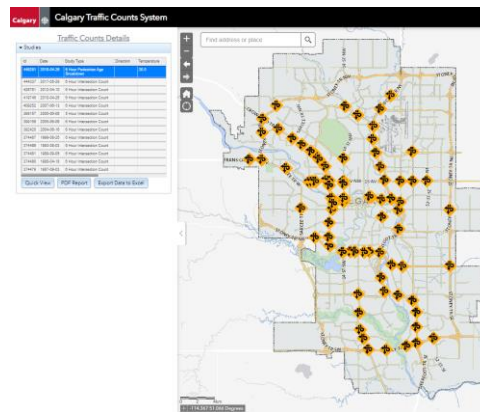
Serious Collisions per 100m Observed Speed Data



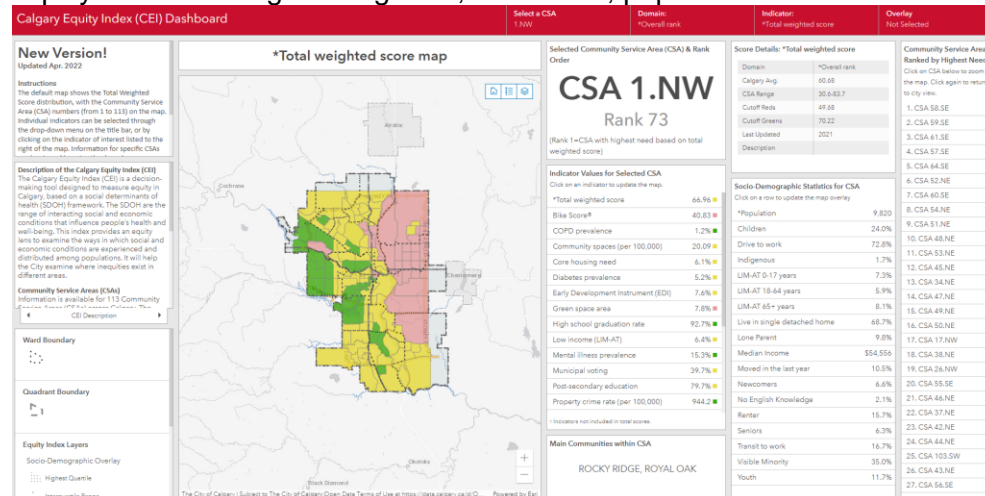
Transit Ridership



Traffic Counts



Equity data including missing links, bike score, population indicators etc.



Recommended Safer Collector Program to Implement Framework

Three approaches are recommended to implement the prioritized work of the Safer Collector Framework these are: Continued review and change of speed limit where roadway supports 40 km/h, Permanent changes to support lower speeds while starting with temporary to evaluate and confirm design elements to achieve 40 km/h operating speed, and Temporary changes to support lower speeds. These are described in greater detail below and will require flexibility in application, similar to the approach for prioritization.

Continued review and signage change of Collectors that already support 40 km/h speed limit

This first approach will continue the low-cost and high-compliance approach taken during the initial implementation. Further data collection and review of collectors will identify remaining segments that can be reduced to 40 km/h and operate well without physical changes. These changes can be made on an ongoing and immediate basis as reviews are completed. Collectors that do not meet the current criteria can be considered for further changes through permanent or temporary change. Current criteria for Collector roadways to have a 40 km/h speed limit are presented in Figure 5.

Observed changes in operating speeds on Collector roadways following the implementation of the reduced speed limit indicate that there is some background adjustment in driver comfort speeds and compliance. This suggests that a larger number of Collector roadways for which compliance is currently low may have behaviour changes such that compliance would be considered acceptable, and no physical changes would be required to encourage safer speeds.

Figure 5: Criteria for Collector Roadways to be 50 km/h or 40 km/h

These criteria will be used to determine if the speed limit will be posted at 50 km/h or if 40 km/h will apply (and may or may not be posted).

- Roads within Industrial areas and Downtown will remain at their current speed limits.
- Playground Zone signs will remain unaffected (30 km/h from 07:30 to 21:00), but the speed outside of zone hours may change.
- Collector or Neighbourhood Boulevard roadways that have observed speeds consistent with 40 km/h will be left as unposted or posted at 40 km/h as appropriate. As a clear definition: If a speed study is available and the average operating speed is less than 45 km/h, and 85-percentile speed is less than 55 km/h, the speed limit of the roadway will be 40 km/h.
- Collector roadways and Neighbourhood Boulevards that serve a collector function (connect multiple residential roads to arterial roads), provide a connection to another collector roadway or loop back to itself, or carry high traffic volumes (>2000 vehicles/day) are all appropriate to sign at 50 km/h.
- Collectors will not be posted at 50 km/h unless they are 500 metres or longer. If an uninterrupted (i.e. no Playground Zone or stop control) length of a collector is greater than 500 m, it will be posted as 50 km/h. If a road is less than 500 metres, but connects to two higher class roadways and satisfies other criteria (on this list), it will be posted at 50 km/h.
- Cul-de-sacs will not have a posted speed limit. A collector road, with a median, that connects to a cul-de-sac will also not have a posted speed limit.
- Calgary Transit will be consulted for collectors that otherwise would not meet the above criteria but serve a bus route. Collectors with bus routes which have been identified for on-demand transit service will not be posted at 50 km/h unless other criteria are met to post the speed limit at 50 km/h.

Permanent changes on Collector roadways to support lower speeds

This second approach will prioritize neighbourhoods for Collector roadway reconstruction to new 40 km/h design standards based on the Collision Reduction them in terms of collision and speed data to ensure capital investment is focused where there is the greatest objective need and potential benefit. Adjustments to the prioritization will be made where appropriate to coordinate with other major capital programs. A dedicated program to re-build collectors to the new 40 km/h design standard over time can address a long-standing issue for citizens but will require new capital investment. There may also be opportunities for increased investment in renewal programs in communities such as the pavement surface overlay program to physically change the roadway to the new design standard being developed in the Design Guideline for Subdivision Servicing. Temporary measures will be used during initial years of the program to evaluate and fine tune geometric design standards to confirm that the

expected 40 km/h operating speed outcomes are achieved. Adjustments made to geometric elements such as curb extensions at intersections or mid-block locations, speed humps/cushions, can then be made permanent with increased confidence that the investment will result in the desired outcomes.

Temporary changes on Collector roadways to support lower speeds

This third approach will be flexible and responsive to opportunities, supporting equity of City work and aligning with other programs such as Neighbourhood Streets and the 5A network. This responsive approach can support policy using lower-cost temporary measures until permanent changes would be possible. While these neighbourhoods may not be prioritized based on objective collision or speed data, interim measures can advance some benefits citizens may expect with eventual permanent changes.

Plan for data collection and evaluation

Progress on redesigning collectors will be evaluated based on observed speed changes and collisions. The City is continuing to expand the use of video based conflict analysis and will do so when/where appropriate. As the program proceeds the level of effort required to achieve the desired outcomes will be refined. There may also be background changes in behaviour as motorists become more comfortable with the default speed limit of 40 km/h and compliance may improve – this presents opportunity to reduce speed limits on collector roads without further investment in infrastructure.

Recommended Budget for the Safer Collector Program

The Safer Collector Program will be a new effort to improve the safety and livability of neighbourhoods in Calgary. Administration recommends a moderate start to the program to ensure time for initial evaluations and adjustments to ensure we are achieving objectives prior to intensified investment. The recommended investment in the initial four years of the capital program would result in an average of 5 communities being built with permanent measures, 5 communities with temporary measures, and

adjustments to appropriate collector roadways where physical changes are not needed; this level of effort would result in reconstruction in every neighbourhood over 40 years. Evaluation and assessment of behaviour may support increased investment, or potentially reduced investment as behaviour change occurs over decades.

Permanent construction is recommended on collector roads in 5 neighbourhoods per year to make 40 km/h a credible speed limit (prioritized based on Collisions Reduction). Another 5 communities would be treated with temporary measures, such as traffic calming curbs etc., based on Equity, Opportunity, and Alignment themes to be responsive to community requests (concerned communities eager to adopt, speeding issues with low collision frequency, political pressure, etc.). This would result in no longer than a 40-year cycle to rebuild collectors as needed in all neighbourhoods in the city.

The budget suggested below is a Class 5 Estimate based on doubling the investment per neighbourhood that was made in the neighbourhood of Erin Woods as a case study and will depend on the specific treatments adopted in the updated design standards. Traffic Calming in Erin Woods is a useful case study since work on the collectors was done using both Temporary and Permanent approaches.

Recommended investment in Capital program for Safer Collector Program*:

Temporary materials for year 1 - \$4M (10 communities)

Temporary materials and permanent changes for year 2 - \$8M (10 communities)

Temporary materials for year 3 and 4 - \$1M/year (5 communities @\$200K)

Permanent changes (in year 3 onward) - \$15M/year (5 communities @\$3M)

Data collection/evaluation (\$300k per year)

Total annual request for year 1 of Safer Collector Program work \$4M

Total annual request for year 2 of Safer Collector Program work \$8M

Total annual request for year 3 and 4 of Safer Collector Program work \$16.3M

*Investment may be focused on end of program after initial evaluations and adjustments.