



AGENDA

REGULAR MEETING OF COUNCIL

November 13, 2017, 9:30 AM
IN THE COUNCIL CHAMBER

1. CALL TO ORDER
2. OPENING REMARKS
3. QUESTION PERIOD
4. CONFIRMATION OF AGENDA
5. CONFIRMATION OF MINUTES
 - 5.1 UNCONFIRMED MINUTES OF THE COMBINED MEETING OF COUNCIL, 2017 SEPTEMBER 11
 - 5.2 UNCONFIRMED MINUTES OF THE ORGANIZATIONAL MEETING OF COUNCIL, PART 1, 2017 OCTOBER 23
 - 5.3 UNCONFIRMED MINUTES OF THE ORGANIZATIONAL MEETING OF COUNCIL, PART 2, 2017 OCTOBER 30
6. PRESENTATION(S) AND RECOGNITION(S)
7. CONSENT AGENDA
 - 7.1 UTILITY BILLING AUDIT, AC2017-0661
 - 7.2 9-1-1 CALL CENTRE AUDIT, AC2017-0664
8. POSTPONED REPORTS

(includes related/supplemental reports)
9. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES
 - 9.1 OFFICER OF COUNCIL REPORTS
 - 9.2 ADMINISTRATION REPORTS

9.2.1 IMPACT OF SUSPENDING PUBLIC ART PROJECTS, C2017-1157

9.2.2 REVISIONS FOR PROPOSED 2018 COUNCIL CALENDAR, C2017-1153

9.2.3 OLYMPIC UPDATE REPORT, C2017-1162

9.3 COMMITTEE REPORTS

9.3.1 DESIGNATION OF GLENWOOD MANOR AS A MUNICIPAL HISTORIC RESOURCE, PUD2017-0657, BYLAW 43M2017

9.3.2 DESIGNATION OF THE ARNELL BLOCK AND THE SMITH (COZZUBBO) RESIDENCE AS A MUNICIPAL HISTORIC RESOURCE, PUD2017-0659, BYLAW 44M2017

9.3.3 DESIGNATION OF THE KING EDWARD SCHOOL AS A MUNICIPAL HISTORIC RESOURCE, PUD2017-0660, BYLAW 42M2017

9.3.4 BUSINESS IMPROVEMENT AREAS (FORMERLY BUSINESS REVITALIZATION ZONES) - BOARD GOVERNANCE AND LEGISLATIVE CHANGES, CPS2017-0647, BYLAWS 38M2017, 39M2017 AND 36M2017

9.3.5 ESTABLISHMENT OF THE HIPVILLE BUSINESS IMPROVEMENT AREA , CPS2017-0648, BYLAW 40M2017

9.3.6 CHANGE TO THE BOUNDARY AND CHANGE IN NAME OF THE MARDIA LOOP BUSINESS REVITALIZATION ZONE, CPS2017-0650, BYLAW 37M2017

10. ITEMS DIRECTLY TO COUNCIL

10.1 NOTICE OF MOTIONS & BYLAW TABULATIONS

10.1.1 SOUTHWEST BRT - PHASE 2 (CLLR. FARKAS & CLLR. COLLEY-URQUHART), NM2017-42

2/3 affirmative vote required to proceed.

10.1.2 BYLAW TABULATION - BYLAW 305D2017

10.2 MISCELLANEOUS BUSINESS

11. URGENT BUSINESS

12. CONFIDENTIAL ITEMS

Freedom of Information and Protection of Privacy Act (FOIP) Sections 16, 17, 23, 24, 25 and 27

CONFIDENTIAL CONSENT AGENDA

ITEMS 12.1 - 12.17 INCLUSIVE

- 12.1 PROPOSED LEASE & OPERATING AGREEMENT AND LICENSE RE ACCESS – (BRIDGELAND/RIVERSIDE) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1300 ZOO RD NE (JLC), UCS2017-0669 (FOIP 23,24 and 25)
- 12.2 PROPOSED DELEGATED AUTHORITY: LAND ACQUISITION FOR STAGE 1 GREEN LINE LRT PROJECT – WARD 07 (CLLR. DRUH FARRELL)WARD 08 (CLLR. EVAN WOOLLEY) WARD 09 (CLLR. GIAN-CARLO CARRA)WARD 12 (CLLR. SHANE KEATING) (JC), UCS2017-0670 (FOIP 23,24 and 25)
- 12.3 PROPOSED INITIATION OF EXPROPRIATION – (OGDEN) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 640 LYNNVIEW RD SE (DG), UCS2017-0671 (FOIP 23,24 and 25)
- 12.4 PROPOSED INITIATION OF EXPROPRIATION – (RAMSAY) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1002 8 ST SE (DG), UCS2017-0672 (FOIP 23,24 and 25)
- 12.5 PROPOSED INITIATION OF EXPROPRIATION – (ALYTH/BONNYBROOK) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1009 26 AV SE (DG), UCS2017-0673 (FOIP 23, 24 and 25)
- 12.6 PROPOSED INITIATION OF EXPROPRIATION – (RAMSAY) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1020 9 ST SE (DG), UCS2017-0674 (FOIP 23, 24 and 25)
- 12.7 PROPOSED INITIATION OF EXPROPRIATION – (RAMSAY) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1024 9 ST SE (DG), UCS2017-0675 (FOIP 23,24 and 25)
- 12.8 PROPOSED INITIATION OF EXPROPRIATION – (ALYTH/BONNYBROOK) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1027 26 AV SE (DG), UCS2017-0676 (FOIP 23,24 and 25)
- 12.9 PROPOSED INITIATION OF EXPROPRIATION – (ALYTH/BONNYBROOK) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1235 26 AV SE (DG), UCS2017-0677 (FOIP 23, 24 and 25)
- 12.10 PROPOSED INITIATION OF EXPROPRIATION – (HIGHFIELD) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1360 HIGHFIELD CR SE (JRM), UCS2017-0678 (FOIP 23, 24 and 25)
- 12.11 PROPOSED INITIATION OF EXPROPRIATION – (HIGHFIELD) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1515 46 AV SE (JRM), UCS2017-0679 (FOIP 23, 24 and 25)
- 12.12 PROPOSED INITIATION OF EXPROPRIATION – (OGDEN) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 2719 78 AV SE (MD), UCS2017-0680 (FOIP 23, 24 and 25)
- 12.13 PROPOSED INITIATION OF EXPROPRIATION – (OGDEN SHOPS) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 7201 OGDEN DALE RD SE (DG), UCS2017-0681 (FOIP 23, 24 and 25)
- 12.14 PROPOSED INITIATION OF EXPROPRIATION – (OGDEN) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 7647 OGDEN RD SE (MD), UCS2017-0682 (FOIP 23, 24 and 25)

- 12.15 PROPOSED INITIATION OF EXPROPRIATION – (OGDEN) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 7648 OGDEN RD SE (MD), UCS2017-0683 (FOIP 23, 24 and 25)
- 12.16 PROPOSED INITIATION OF EXPROPRIATION – (OGDEN) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 7808 OGDEN RD SE (GPS), UCS2017-0684 (FOIP 23, 24 and 25)
- 12.17 PROPOSED INITIATION OF EXPROPRIATION – (EAST SHEPARD INDUSTRIAL) – WARD 12 (CLLR. SHANE KEATING) FILE NO: 11511 40 ST SE (JC), UCS2017-0685 (FOIP 23, 24 and 25)
- 12.18 SADDLEDOME FOUNDATION APPOINTMENT (VERBAL), VR2017-0038 (FOIP 17 and 19)
- 12.19 POLICE COMMISSION APPOINTMENTS (VERBAL), VR2017-0043 (FOIP 17 and 19)
- 12.20 CALGARY PLANNING COMMISSION APPOINTMENTS (VERBAL), VR2017-0044 (FOIP 17 and 19)
- 12.21 POSTPONED - LABOUR UPDATE (VERBAL), C2017-1119 (FOIP 23, 24 and 25)
- 12.22 FACILITIES UPDATE (VERBAL), VR2017-0040 (FOIP 16, 23, 24, 25 and 27)
- 12.23 LEGAL BRIEFING #1 (VERBAL), VR2017-0041 (FOIP 27)
- 12.24 LEGAL BRIEFING #2 (VERBAL), VR2017-0042 (FOIP 27)
- 12.25 CALGARY REGIONAL PARTNERSHIP MEMBERSHIP, IGA2017-0638 (FOIP 23 and 24)

13. ADMINISTRATIVE INQUIRIES

14. ADJOURNMENT



MINUTES
COMBINED MEETING OF COUNCIL
HELD 2017 SEPTEMBER 11 AT 9:30 AM
IN THE COUNCIL CHAMBER

PRESENT:

Mayor N. Nenshi
Councillor G-C. Carra
Councillor A. Chabot
Councillor S. Chu
Councillor D. Colley-Urquhart
Councillor P. Demong
Councillor D. Farrell
Councillor R. Jones
Councillor S. Keating
Councillor J. Magliocca
Councillor B. Pincott
Councillor R. Pootmans
Councillor J. Stevenson
Councillor W. Sutherland
Councillor E. Woolley

ALSO PRESENT:

City Manager J. Fielding
Deputy City Manager B. Stevens
Chief Financial Officer E. Sawyer
General Manager S. Dalglish
General Manager K. Hanson
General Manager M. Logan
General Manager R. Stanley
Acting General Manager D. Limacher
Acting General Manager K. Black
City Solicitor and General Counsel G. Cole
Acting City Solicitor D. Jakal
Acting City Clerk B. Hilford
Acting City Clerk J. Dubetz

This meeting was conducted in accordance with the Procedure Bylaw 44M2006, as amended.

1. OPENING

Mayor Nenshi called for a moment of quiet contemplation at today's Meeting.

2. PRESENTATION(S) AND RECOGNITION(S)

2.1 OPEN DATA FOR VALUE AWARD

Mayor Nenshi announced that The City of Calgary has been awarded the 2017 Canadian Open Data "Open Data for Value" award which recognizes advancements in open data that add value to the community. The City's Open Data Portal provides free, public access to hundreds of datasets managed by The City of Calgary. With enhanced data analysis features, new data visualization tools and Application Program Interface (API) capabilities for easier application development, the new Open Data Portal was recognized for the transparency of City information it provides to citizens and businesses. Mayor Nenshi invited the Manager of Innovation, Data & External Access, Lisa Sierra, along with the Leader of Intellectual Property & Access Management, Dale McNamee, to come forward to accept this award.

2.2 2016 IDEASCALE INNOVATION MANAGEMENT AWARD FOR BEST ENGAGEMENT STRATEGY

Mayor Nenshi announced that the IdeaScale Innovation Management Award for "Best Engagement Strategy" had been awarded for myCityInnovation. MyCityInnovation is the internal portal for Civic Innovation YYC, where employees can share and collaborate on innovative ways to improve the city. This award recognizes the most creative and impressive engagement campaign to generate online participation. By using a multi-channel employee engagement campaign, myCityInnovation was recognized for its ability to generate interest and ideas from employees across The Corporation. MyCityInnovation has over 3700 users and has received over 500 ideas. Mayor Nenshi invited the Manager of Innovation, Data & External Access, Lisa Sierra, along with Chad Oberg of Civic Innovation YYC, to come forward to accept this award.

Project of the Year award

Mayor Nenshi also announced that on 2017 September 07 the Crowchild Trail Study was awarded the International Association for Public Participation (IAP2) Canada Core Values Awards for Extending the Practice – Creativity, Contribution and Innovation in the Field, as well as for Project of the Year. They were presented at the IAP2 North American Conference in Denver. The Project of the Year award recognizes excellence in the tools, techniques and efforts in public participation within a finite framework.

Acknowledgement

Mayor Nenshi stated that the 2017 September 11 Combined Meeting of Council would be the last Council meeting for Councillors Pincott, Pootmans, and Stevenson who have announced their retirement. Mayor Nenshi took the time to honour these 3 Councillors, as follows:

Councillor Brian Pincott

Councillor Pincott is in his third term as Councillor for Ward 11. For most of his life, he has been focused on environmental and cultural sustainability. He moved to Calgary in 1996, made a career in the arts community and joined Council in 2007.

Councillor Pincott has been an incredibly prominent voice in changing how we think about growth and how we think about our city. He has been fighting against urban sprawl, he has been working incredibly hard on issues of affordable housing and on poverty reduction. He is the Chair of the Calgary Housing Corporation Board and a member of Attainable Homes Calgary. He serves this Council like no one ever has nationally as a representative on the Federation of Canadian Municipalities and he is particularly passionate about his work with the Family and Community Support Services Association of Alberta. Councillor Pincott has always believed in bringing people into the building process. He continues to make City Hall more accessible and show Calgarians how their ideas can be the driving force behind our decision making. Councillor Pincott has set the standard for Council with his tireless work ethic and his extraordinary integrity as well his great personal courage which we saw addressed as recently as this morning in ending the stigma around mental illness and bringing more people into the community, understanding that they truly belong.

Councillor Richard Pootmans

Councillor Pootmans was elected in October 2010. He displayed great leadership in the Audit Committee and in making the community better. Councillor Pootmans constantly reminds us that our ultimate goal in the City is fostering the economic and social development of this City in so many ways.

He has served on so many committees and he brought to this table 30 years as a businessman, as a public service leader and as a business executive in a public company. He co-owned and managed a very successful business and worked in the oil patch. Councillor Pootmans will tell you that, when he told me that he decided that he was not going to seek another term for reelection, I did not respond well, but I have not been able to convince him otherwise. I have spent a lot of time in Ward 6 over the course of this summer. Unfailingly the community members in that Ward have been so grateful to have a representative of this tremendous caliber serving them every single day on community work; on constituency work; on ward work, in addition to the incredible work he's done behind the scenes here at Council.

Councillor Jim Stevenson

Councillor Stevenson was the president of our resident's association in our community for many years. He is a tremendously successful businessman. He has had a career spanning 35 years, 6 countries, 4 children, 11 grandchildren and 2 great-grandchildren.

Councillor Stevenson has been a powerhouse on this Council for so many reasons. Number one is his incredible advocacy for North East Calgary. In terms of getting the LRT extension done, working with the hospital extension, and the big project - The Airport Tunnel. And I think that every politician at the federal and provincial level in Calgary remembers Councillor Stevenson's relentless work to make sure that this vital piece of community infrastructure was built.

Since 2010, Councillor Stevenson has been our primary representative on the Alberta Urban

Municipalities Association. He has worked hard on the Municipal Government Act, on talking sense into successive provincial governments and through five different Premiers now. And really making sure that the voices of the big cities, in particularly The City of Calgary, were heard. It is going to be extremely hard to replace that expertise and that experience around that table, as well as around so many other tables. But I know that even though Councillor Stevenson says that he's retiring from public life, we are going to be seeing a lot more of him. It's in his blood to continue to work for the betterment of every single person in this community. And that is something that I have always admired.

3. QUESTION PERIOD

1. COUNCILLOR ACCESS TO INFORMATION (COUNCILLOR CHU)

Recently, I approached Administration with specific questions in terms of the anticipated costs of going green. I was informed that the information I was seeking was classified and, for the first time, I felt as though I was being stonewalled. In all other instances, City Administration has gone above and beyond to provide a timely response to concerns, or questions, I have raised. Administration has a duty to provide Council with the information it is seeking. I was provided with some information but I have had to do my own research and have discovered that wind power is actually four to five times more expensive than other forms of energy. If I, as a Councillor, feel as though I am being denied information by Administration, how does the average citizen feel when trying to access information from The City?

Jeff Fielding, City Manager, responded by stating that Councillors should never feel as though they are being denied information. It is Administration's obligation and responsibility to ensure that members of Council are well informed. There will be instances when information may be classified, but Council members should rest assured that topics they are concerned about will be well researched and relevant information provided in terms of specific questions that have been raised. Administration will return to Council with the results of this inquiry.

2. FOREST FIRE MANAGEMENT AND AIR QUALITY ISSUES (COUNCILLOR POOTMANS)

This summer, Calgarians have endured an unusual amount of forest fire smoke. It has been suggested that the air quality issues in Calgary are as a result of changes in the forest fire management practices, both in States bordering the Canadian border and in British Columbia. In the past, there have been controlled burns and it is well accepted that forest fires are a natural cycle of a healthy forest. Is there anything that can be done about this issue? Can we enter into discussions with neighboring jurisdictions about what can be done to manage forest fires?

Kurt Hanson, General Manager, Community Services, responded by stating that The City works very closely with Alberta Health Services in regard to air quality monitoring. In addition, Administration is very cognizant of these concerns in terms of outdoor recreational programming for youth in Calgary as well as for outdoor work schedules for City of Calgary employees. As the smoke has increased, The City has tried to find ways to mitigate impacts. Communities within Calgary have been very cooperative and have opened their doors to allow some programming to take place indoors and Administration has implemented protocols for employees to protect their wellbeing.

GM Hanson further stated that Administration has also been working in conjunction with the Calgary Emergency Management Agency (CEMA), and other partner agencies, to provide up to date, accurate information with respect to the situation. A fire ban was implemented in August for the City of Calgary. This ban will not remedy the current situation but it will not contribute to the air quality problems.

In conclusion, GM Hanson reported there is an opportunity for Administration to work with the Environmental and Parks Departments for both the Provincial and Federal Governments but it may prove more difficult to work across national borders. He also commented that The City has sent aid to the Waterton area to try and fight fires burning in that region. He assured Council that updates would be provided directly to members of Council as they became available.

3. NEXT STEP SOFTWARE FOR THE VISUALLY IMPAIRED (COUNCILLOR CARRA)

Calgary Transit has a program called Next Stop for individuals with visual impairments. I understand that it is a software and hardware program that informs commuters, as they ride public transit, what the next stop will be. This program is incredibly important as it allows visual impaired riders to navigate and understand where they are in the city. Apparently, the Next Stop program has issues and some of the time it does not function properly. This summer I rode the Number 1 bus into Forest Lawn and back, several times, and Next Stop worked only occasionally. I have been informed by Calgary Transit that this is due to challenges with the software and that there is an anticipated six to seven year time frame before the program is remedied to the point where individuals can actually enjoy that service. What can we do to significantly decrease that timeframe so that we have a fully functioning Next Stop program?

Mac Logan, General Manager, Transportation and Transit, responded by stating that he was unaware that the Next Stop program has been malfunctioning. In the past there had been issues related to announcements on LRTs, specifically in terms of which side of the train a door would be opening. One of the challenges with this program is that there are many different types of vehicles and it is anticipated that it could take a long period of time transition through the different generations of vehicles to ensure that the software has been included in them all. That being the case, it would seem plausible to develop a mobile hand held app that could be quickly updated, to help improve service to visually impaired citizens. Transportation could perhaps consider one of the various events hosted by The City as an opportunity to remedy this solution in an expedient and cost effective manner.

SUSPEND PROCEDURE BYLAW, Moved by Councillor Magliocca, Seconded by Councillor Chu, that Section 87 (4) and (7) of the Procedure Bylaw 44M2006, as amended, be suspended in order that Question Period be extended to allow an additional four questions.

ROLL CALL VOTE

For:

P. Demong, J. Magliocca, R. Pootmans, G-C. Carra, A. Chabot, S. Chu, D. Colley-Urquhart

Against:

D. Farrell, R. Jones, S. Keating, B. Pincott, J. Stevenson, W. Sutherland, E. Woolley, N. Nenshi

MOTION LOST

4. CONFIRMATION OF AGENDA

DISTRIBUTION

At the request of Councillor Colley-Urquhart and with the concurrence of the Chair, the Acting City Clerk distributed copies of Councillor Colley-Urquhart's Revised Notice of Motion, NM2017-18.

AMENDMENT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Chabot, that the Agenda for today's meeting be amended by bringing forward and tabling Item 12.1, Council Compensation Review (Councillor Colley-Urquhart), NM2017-18, to be dealt with as the first item of business under the Notice(s) of Motion section.

CARRIED

AMENDMENT, Moved by Councillor Farrell, Seconded by Councillor Demong, that the Agenda for today's meeting, as amended, be further amended by bringing forward and tabling Item 8.31, Land Use Amendment, Parkdale (Ward 7), North of Parkdale Boulevard NW and West of 29 Street NW, Bylaw 305D2017, CPC2017-307, to the 2017 November 06 Public Hearing of Council.

CARRIED

AMENDMENT, Moved by Councillor Farrell, Seconded by Councillor Woolley, that the Agenda for today's meeting, as amended, be further amended by bringing forward and

referring Item 8.18, Policy Amendment and Land Use Amendment, Sunnyside (Ward 7), Memorial Drive NW and 9 Street NW, Bylaws 51P2017 and 287D2017, CPC2017-289, to Administration for further consultation with the community in regard to reducing building height, and to return to the 2017 November 06 Public Hearing of Council.

ROLL CALL VOTE

For:

B. Pincott, E. Woolley, D. Farrell, R. Jones, N. Nenshi

Against:

S. Keating, J. Magliocca, R. Pootmans, J. Stevenson, W. Sutherland, G.C. Carra, A. Chabot, S. Chu, D. Colley-Urquhart, P. Demong

MOTION LOST

DISTRIBUTION

At the request of Councillor Carra and with the concurrence of the Chair, the Acting City Clerk distributed copies of a letter from Merle Smith, Re: #13 Urgent Business Council Meeting September 11, 2017, dated 2017 September 05, with respect to Green Sheet – Redressing 28 Avenue SE Slope Concerns (Councillor Carra).

AMENDMENT, Moved by Councillor Carra, Seconded by Councillor Pincott, that the Agenda for today's meeting, as amended, be further amended by bringing forward and tabling Item 12.2, Green Sheet – Redressing 28 Avenue SE Slope Concerns (Councillor Carra), to be heard immediately following Item 12.1, Council Compensation Review (Councillor Colley-Urquhart), NM2017-18.

CARRIED

AMENDMENT, Moved by Councillor Carra, Seconded by Councillor Keating, that the Agenda for today's meeting, as amended, be further amended by bringing forward and tabling Item 14.1.14, Elbow Valley West Servicing (Councillor Carra), NM2017-40, to be dealt with at the end of the In Camera section.

CARRIED

AMENDMENT, Moved by Councillor Demong, Seconded by Councillor Keating, that the Agenda for today's meeting, as amended, be further amended by adding an item of Urgent Business, Request for Reconsideration – Outline Plan and Land Use Amendment Application Fees, C2017-0595, VR2017-0036.

CARRIED

AMENDMENT, Moved by Councillor Pincott, Seconded by Councillor Demong, that the Agenda for today's meeting, as amended, be further amended by adding the following items

of Urgent Business:

- 16.1 VOTE THE SHARE - CALGARY TECHNOLOGIES INC. 2017 ANNUAL MEETING OF SHAREHOLDERS, C2017-0690
- 16.2 SLIDING SCALE IMPLEMENTATION UPDATE , CPS2017-0652
- 16.3 USE OF FLASHING LIGHTS ON SCHOOL BUSES, CPS2017-0654
- 16.4 2017 MID-YEAR ACCOUNTABILITY REPORT, PFC2017-0635
- 16.5 2017 MID-YEAR CAPITAL AND OPERATING BUDGET REVISIONS REPORT, PFC2017-0615
- 16.6 SILVERA FOR SENIORS FINANCIAL REVIEW, PFC2017-0666
- 16.7 MUNICIPAL RIGHTS OF WAY BYLAW AMENDMENT, GP2017-0645
- 16.8 ALBERTA UTILITIES COMMISSION DECISION ON THE ENMAX CORPORATION TAX AGREEMENT WITH THE CITY OF CALGARY UPDATE (VERBAL), VR2017-0031

CARRIED

AMENDMENT, Moved by Councillor Pincott, Seconded by Councillor Demong, that the Agenda for today's meeting, as amended, be further amended by adding the following items of Urgent Business, In Camera:

- 18.1 ROCKY VIEW COUNTY OMNI AREA STRUCTURE PLAN UPDATE – VERBAL REPORT, IGA2017-0633
- 18.2 PERSONNEL MATTER, VR2017-0032
- 18.3 LEGAL UPDATE ON A LAND MATTER (VERBAL), VR2017-0033

CARRIED

AMENDMENT, Moved by Councillor Carra, Seconded by Councillor Woolley, that the Agenda for today's meeting, as amended, be further amended by bringing forward and tabling Item 8.22, Road Closure and Land Use Amendment, Inglewood (Ward 9), East of 12 Street SE and South of Bow River, Bylaw 290D2017, to be dealt with in conjunction with Item 9.2, Proposed Disposition of Reserve, Inglewood (Ward 9), East of 12 Street SE and South of the Bow River CPC2017-312.

CARRIED

AMENDMENT, Moved by Councillor Stevenson, Seconded by Councillor Demong, that the Agenda for today's meeting, as amended, be further amended by bringing forward and

tabling Item 18.1, Rocky View County Omni Area Structure Plan Update - Verbal Report, IGA2017-0633, to be dealt with as the first item of new business immediately following the Consent Agenda.

CARRIED

AMENDMENT, Moved by Councillor Stevenson, Seconded by Councillor Demong, that the Agenda for today's meeting, as amended, be further amended by bringing forward and tabling Item 17.4, Labour Update (Verbal), C2017-0689, to be dealt with as the first item of new business immediately following the lunch recess.

CARRIED

AMENDMENT, Moved by Councillor Farrell, Seconded by Councillor Colley-Urquhart, that the Agenda for today's meeting, as amended, be further amended by bringing forward and tabling Item 10.1, Second And Third Reading Of Bylaws 35P2015 And 158D2015 Policy Amendment And Land Use Amendment, Eau Claire (Ward 7), 2 Avenue SW And 2 Street SW, C2017-0646, to be dealt with in conjunction with Item 15.2 Tabulation of Bylaw to Repeal Bylaw 37M2008 Designating of the Eau Claire Smokestack as a Municipal Historic Resource, Bylaw 23M2017, Second and Third Reading

CARRIED

AMENDMENT, Moved by Councillor Chabot, Seconded by Councillor Carra, that the Agenda for today's meeting, as amended, be further amended by bringing forward and tabling Item 10.1, Second And Third Reading Of Bylaws 35P2015 And 158D2015 Policy Amendment And Land Use Amendment, Eau Claire (Ward 7), 2 Avenue SW And 2 Street SW, C2017-0646, and Item 15.2 Tabulation of Bylaw to Repeal Bylaw 37M2008 Designating of the Eau Claire Smokestack as a Municipal Historic Resource, Bylaw 23M2017, Second and Third Reading, to be dealt with as the first items of new business immediately following the afternoon recess.

CARRIED

CONFIRM AGENDA, AS AMENDED, Moved by Councillor Pootmans, Seconded by Councillor Chu, that the Agenda for the 2017 September 11 Combined Meeting of Council be confirmed, ~~as amended~~, as follows:

BRING FORWARD AND TABLE TO THE 2017 NOVEMBER 06 PUBLIC HEARING OF COUNCIL:

- 8.31 LAND USE AMENDMENT, PARKDALE (WARD 7), NORTH OF PARKDALE BOULEVARD NW AND WEST OF 29 STREET NW, BYLAW 305D2017, CPC2017-307

BRING FORWARD AND TABLE TO BE DEALT WITH IMMEDIATELY FOLLOWING THE CONSENT AGENDA:

- 18.1 ROCKY VIEW COUNTY OMNI AREA STRUCTURE PLAN UPDATE – VERBAL REPORT, IGA2017-0633

BRING FORWARD AND TABLE TO BE DEALT WITH AS THE FIRST ITEM OF NEW BUSINESS FOLLOWING THE AFTERNOON RECESS:

- 17.4 LABOUR UPDATED (VERBAL), C2017-0689

BRING FORWARD AND TABLE TO BE DEALT WITH IN CONJUNCTION, AS THE FIRST ITEMS OF NEW BUSINESS FOLLOWING THE AFTERNOON RECESS:

- 10.1 SECOND AND THIRD READING OF BYLAWS 35P2015 AND 158D2015 POLICY AMENDMENT AND LAND USE AMENDMENT, EAU CLAIRE (WARD 7), 2 AVENUE SW AND 2 STREET SW, C2017-0646
- 15.2 TABULATION OF BYLAW TO REPEAL BYLAW 37M2008 DESIGNATING OF THE EAU CLAIRE SMOKESTACK AS A MUNICIPAL HISTORIC RESOURCE

BRING FORWARD AND TABLE TO BE DEALT WITH IN CONJUNCTION WITH ITEM 8.22, REPORT CPC2017-297:

- 9.2 PROPOSED DISPOSITION OF RESERVE, INGLEWOOD (WARD 9), EAST OF 12 STREET SE AND SOUTH OF THE BOW RIVER, CPC2017-312

BRING FORWARD AND TABLE TO BE DEALT WITH DURING THE NOTICE(S) OF MOTION SECTION:

- 12.1 COUNCIL COMPENSATION REVIEW (COUNCILLOR COLLEY-URQUHART), NM2017-18

BRING FORWARD AND TABLE TO BE DEALT WITH IN IMMEDIATELY FOLLOWING ITEM 12.1, NM2017-18:

- 12.2 GREEN SHEET - REDRESSING 28 AVENUE SE SLOPE CONCERNS (COUNCILLOR CARRA)

BRING FORWARD AND TABLE TO BE DEALT WITH AT THE END OF THE IN CAMERA SECTION:

- 14.1.14 ELBOW VALLEY WEST SERVICING (COUNCILLOR CARRA), NM2017-40

ADD URGENT BUSINESS:

- 16.1 VOTE THE SHARE - CALGARY TECHNOLOGIES INC. 2017 ANNUAL MEETING OF SHAREHOLDERS, C2017-0690
- 16.2 SLIDING SCALE IMPLEMENTATION UPDATE , CPS2017-0652
- 16.3 USE OF FLASHING LIGHTS ON SCHOOL BUSES, CPS2017-0654

- 16.4 2017 MID-YEAR ACCOUNTABILITY REPORT, PFC2017-0635
- 16.5 2017 MID-YEAR CAPITAL AND OPERATING BUDGET REVISIONS REPORT, PFC2017-0615
- 16.6 SILVERA FOR SENIORS FINANCIAL REVIEW, PFC2017-0666
- 16.7 MUNICIPAL RIGHTS OF WAY BYLAW AMENDMENT, GP2017-0645
- 16.8 ALBERTA UTILITIES COMMISSION DECISION ON THE ENMAX CORPORATION TAX AGREEMENT WITH THE CITY OF CALGARY UPDATE (VERBAL), VR2017-0031
- 16.9 REQUEST FOR RECONSIDERATION – OUTLINE PLAN AND LAND USE AMENDMENT APPLICATION FEES, C2017-0595, VR2017-0036

ADD URGENT BUSINESS, IN CAMERA:

- 18.1 ROCKY VIEW COUNTY OMNI AREA STRUCTURE PLAN UPDATE - VERBAL REPORT, IGA2017-0633
- 18.2 PERSONNEL MATTER, VR2017-0032
- 18.3 LEGAL UPDATE ON A LAND MATTER (VERBAL), VR2017-0033

CARRIED

5. CONFIRMATION OF MINUTES

5.1 MINUTES OF THE REGULAR MEETING OF COUNCIL, 2017 JULY 24

CONFIRM MINUTES, Moved by Councillor Chabot, Seconded by Councillor Demong, that the Minutes of the Regular Meeting of Council held on 2017 July 24, be confirmed.

CARRIED

5.2 MINUTES OF THE COMBINED MEETING OF COUNCIL, 2017 JULY 31 TO AUGUST 02

CLERICAL CORRECTION

At the request of Councillor Chabot, the following clerical corrections were noted to the Minutes of the Combined Meeting of Council, held on 2017 July 31 – August 02:

- Page 85 of 99, in the preamble of the Resolution, by adding the words “, **after amendment,**” following the words “be adopted” and by deleting the word “applicant” following the words “allow one application per year” and by substituting the words “**land owner**”;
- Page 88 of 99, in the fourth line of Resolution c), by deleting the words “the technical” following the words “can be declared surplus to municipal requirements, determine”;
- and
- Page 99 of 99, in the last line of the Administrative Inquiry, by deleting the word “proper” following the words “Agreement and Fee be waived on structures in place” and by substituting the word “prior”.

CONFIRM MINUTES, AS CORRECTED, Moved by Councillor Chabot, Seconded by Councillor Demong, that the Minutes of the Combined Meeting of Council, held on 2017 July 31 – August 02, be confirmed, **as corrected**.

CARRIED

6. CONSENT AGENDA

- 6.1 SUMMARY OF REMNANT LAND SALES, STAND ALONE LAND SALES, ACQUISITIONS AND OCCUPATIONS FOR THE FIRST QUARTER 2017 (JH), UCS2017-0612
- 6.2 EXTERNAL AUDITOR 2017 AUDIT SERVICE PLAN AND FEES REPORT, AC2017-0450
- 6.3 CITY AUDITOR'S OFFICE 2ND QUARTER 2017 REPORT, AC2017-0613
- 6.4 INFORMATION TECHNOLOGY (IT) FOLLOW-UP AUDIT, AC2017-0590
- 6.5 DEFERRAL TO 2017 Q4 – FLAGS DISPLAYED IN THE COUNCIL CHAMBER, C2017-0651

ADOPT, Moved by Councillor Chu, Seconded by Councillor, that the Committee Recommendations contained in the following Reports, be adopted in an omnibus motion:

SUMMARY OF REMNANT LAND SALES, STAND ALONE LAND SALES, ACQUISITIONS AND OCCUPATIONS FOR THE FIRST QUARTER 2017 (JH), UCS2017-0612

EXTERNAL AUDITOR 2017 AUDIT SERVICE PLAN AND FEES REPORT, AC2017-0450

CITY AUDITOR'S OFFICE 2ND QUARTER 2017 REPORT, AC2017-0613

INFORMATION TECHNOLOGY (IT) FOLLOW-UP AUDIT, AC2017-0590

DEFERRAL TO 2017 Q4 -- FLAGS DISPLAYED IN THE COUNCIL CHAMBER, C2017-0651

CARRIED

END CONSENT AGENDA

SUSPEND PROCEDURE BYLAW, Moved by Councillor Demong, Seconded by Councillor Pincott, that pursuant to Section 4(3) of the Procedure Bylaw 44M2006, as amended, Council suspend Section 92(2) in order that Council may reconvene at 9:30 a.m. on Tuesday, 2017 September 12, to complete the remaining items on the Agenda.

CARRIED

IN CAMERA, Moved by Councillor Stevenson, Seconded by Councillor Keating, that, in accordance with Section 197 of the *Municipal Government Act* and Sections 23, 24 and 25 of the *Freedom of Information and Protection of Privacy Act*, Council now move into the Committee of the Whole, In Camera, at 10:19 a.m., in the Council Lounge, to discuss a confidential matter with respect to Item 18.1, Report IGA2017-0633.

CARRIED

The Committee of the Whole reconvened in the Council Chamber at 10:25 a.m. with Mayor Nenshi in the Chair.

RISE AND REPORT, Moved by Councillor Stevenson, that the Committee of the Whole rise and report to Council.

CARRIED

7. TABLED REPORT(S) - PUBLIC HEARING
(including additional related/supplementary reports, related to Public Hearing issues)
8. LAND USE ITEMS
(including all related bylaws, etc)

8.1 LAND USE AMENDMENT, TUSCANY (WARD 1), TUSCANY HILLS WAY NW
AND TUSCANY HILLS POINT NW, BYLAW 275D2017, CPC2017-277

The public hearing was called and Kellea Cole addressed Council with respect to Bylaw 275D2017.

ADOPT, Moved by Councillor Sutherland, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-277, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.07 hectares \pm (0.17 acres \pm) located at 19 Tuscany Hills Point NW (Plan 9611542, Block 1, Lot 82) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 275D2017.

Opposed: J. Stevenson

CARRIED

INTRODUCE, Moved by Councillor Sutherland, Seconded by Councillor Woolley, that Bylaw 275D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0141), be introduced and read a first time.

Opposed: J. Stevenson

CARRIED

SECOND, Moved by Councillor Sutherland, Seconded by Councillor Woolley, that Bylaw 275D2017 be read a second time.

Opposed: J. Stevenson

CARRIED

AUTHORIZATION, Moved by Councillor Sutherland, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 275D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Sutherland, Seconded by Councillor Woolley, that Bylaw 275D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007

(Land Use Amendment LOC2017-0141), be read a third time.

Opposed: J. Stevenson

CARRIED

8.2 LAND USE AMENDMENT, DALHOUSIE (WARD 7), DALHOUSIE ROAD NW AND DALFORD ROAD NW, BYLAW 276D2017, CPC2017-278

The public hearing was called and Larry Heather addressed Council with respect to Bylaw 276D2017.

ADOPT, Moved by Councillor Farrell, Seconded by Councillor Pincott, that the Calgary Planning Commission Recommendations contained in Report CPC2017-278, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.09 hectares \pm (0.22 acres \pm) located at 5823 Dalford Road NW (Plan 6590JK, Block 18 Lot 16) from Residential – Contextual One Dwelling (R-C1) District to Residential-Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 276D2017.

ROLL CALL VOTE

For:

B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra, A. Chabot, D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, S. Keating, N. Nenshi

Against:

J. Stevenson, S. Chu, J. Magliocca

CARRIED

INTRODUCE, Moved by Councillor Farrell, Seconded by Councillor Pincott, that Bylaw 276D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0096), be introduced and read a first time.

ROLL CALL VOTE

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, S. Keating, B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra, A. Chabot, N. Nenshi

Against:

S. Chu, J. Magliocca, J. Stevenson

CARRIED

SECOND, Moved by Councillor Farrell, Seconded by Councillor Pincott, that Bylaw 276D2017 be read a second time.

VOTE WAS AS FOLLOWS

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, S. Keating, B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra, A. Chabot, N. Nenshi

Against:

S. Chu, J. Magliocca, J. Stevenson

CARRIED

AUTHORIZATION, Moved by Councillor Farrell, Seconded by Councillor Pincott, that authorization now be given to read Bylaw 276D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Farrell, Seconded by Councillor Pincott, that Bylaw 276D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0096), be read a third time.

VOTE WAS AS FOLLOWS

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, S. Keating, B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra, A. Chabot, N. Nenshi

Against:

S. Chu, J. Magliocca, J. Stevenson

CARRIED

8.3 LAND USE AMENDMENT, UPPER MOUNT ROYAL (WARD 8), 14 STREET SW AND 30 AVENUE SW, BYLAW 277D2017, CPC2017-279

The public hearing was called, and the following persons addressed Council with respect to Bylaw 277D2017:

1. Jeff Nichol, President, Mount Royal Community Association
2. Roy Wright, Mount Royal Community Association
3. Mary Rozsa de Coquet
4. Richard Grant
5. Jamal Eirafht
6. Larry Heather

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Pincott, that the Calgary Planning Commission Recommendations contained in Report CPC2017-279, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.08 hectares \pm (0.19 acres \pm) located at 3014 - 14 Street SW (Plan 8632FT, Block 83, Lot 6) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 277D2017.

ROLL CALL VOTE

For:

R. Pootmans, E. Woolley, G-C. Carra, D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, B. Pincott, N. Nenshi

Against:

J. Stevenson, W. Sutherland, A. Chabot, S. Chu, J. Magliocca

CARRIED

INTRODUCE, Moved by Councillor Woolley, Seconded by Councillor Pincott, that Bylaw 277D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0135), be introduced and read a first time.

ROLL CALL VOTE

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, B. Pincott, R. Pootmans, E. Woolley, G-C. Carra, N. Nenshi

Against:

J. Magliocca, J. Stevenson, W. Sutherland, A. Chabot, S. Chu

CARRIED

SECOND, Moved by Councillor Woolley, Seconded by Councillor Pincott, that Bylaw 277D2017 be read a second time.

VOTE WAS AS FOLLOWS

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, B. Pincott, R. Pootmans, E. Woolley, G-C. Carra, N. Nenshi

Against:

J. Magliocca, J. Stevenson, W. Sutherland, A. Chabot, S. Chu

CARRIED

AUTHORIZATION, Moved by Councillor Woolley, Seconded by Councillor Pincott, that authorization now be given to read Bylaw 277D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Woolley, Seconded by Councillor Pincott, that Bylaw 277D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0135), be read a third time.

VOTE WAS AS FOLLOWS

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, B. Pincott, R. Pootmans, E. Woolley, G-C. Carra, N. Nenshi

Against:

J. Magliocca, J. Stevenson, W. Sutherland, A. Chabot, S. Chu

CARRIED

8.4 LAND USE AMENDMENT, BRAESIDE (WARD 11), BRAESIDE DRIVE SW AND BRACKENRIDGE ROAD SW, BYLAW 278D2017, CPC2017-280

The public hearing was called; however, no one came forward to address Council with respect to Bylaw 278D2017.

ADOPT, Moved by Councillor Pincott, Seconded by Councillor Colley-Urquhart, that the Calgary Planning Commission Recommendations contained in Report CPC2017-280, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 10652 Brackenridge Road SW (Plan 5469JK, Block 10, Lot 24) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 278D2017.

Opposed: J. Stevenson

CARRIED

INTRODUCE, Moved by Councillor Pincott, Seconded by Councillor Colley-Urquhart, that Bylaw 278D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0095), be introduced and read a first time.

Opposed: J. Stevenson

CARRIED

SECOND, Moved by Councillor Pincott, Seconded by Councillor Colley-Urquhart, that Bylaw 278D2017 be read a second time.

Opposed: J. Stevenson

CARRIED

AUTHORIZATION, Moved by Councillor Pincott, Seconded by Councillor Colley-Urquhart, that authorization now be given to read Bylaw 278D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Pincott, Seconded by Councillor Colley-Urquhart, that Bylaw 278D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0095), be read a third time.

Opposed: J. Stevenson

CARRIED

8.5 LAND USE AMENDMENT, SOMERSET (WARD 13), SOMERSET DRIVE SW AND SOMERGLEN CRESCENT SW, BYLAW 279D2017, CPC2017-281

The public hearing was called and Karen Webster addressed Council with respect to Bylaw 279D2017.

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that the Calgary Planning Commission Recommendations contained in Report CPC2017-281, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 920 Somerset Drive SW (Plan 9710298, Block 17, Lot 3) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 279D2017.

Opposed: J. Stevenson

CARRIED

INTRODUCE, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that Bylaw 279D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0136), be introduced and read a first time.

Opposed: J. Stevenson

CARRIED

SECOND, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that Bylaw 279D2017 be read a second time.

Opposed: J. Stevenson

CARRIED

AUTHORIZATION, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that authorization now be given to read Bylaw 279D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that Bylaw 279D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0136), be read a third time.

Opposed: J. Stevenson

CARRIED

8.6 LAND USE AMENDMENT, SILVERADO (WARD 14), NORTH OF SILVERADO BOULEVARD SW & WEST OF SILVERADO RIDGE LINK SW, BYLAW 280D2017, CPC2017-282

The public hearing was called; however, no one came forward to address Council with respect to Bylaw 280D2017.

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-282, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 91 Silverado Ridge Crescent SW (Plan 0715756, Block 49, Lot 32) from Residential – One Dwelling (R-1) District to Residential – One Dwelling (R-1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 280D2017.

ROLL CALL VOTE

For:

E. Woolley, G-C. Carra, S. Chu, D. Colley-Urquhart, D. Farrell, B. Pincott, R. Pootmans, N. Nenshi

Against:

A. Chabot, P. Demong, R. Jones, S. Keating, J. Magliocca, J. Stevenson, W. Sutherland

CARRIED

INTRODUCE, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 280D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0143), be introduced and read a first time.

ROLL CALL VOTE

For:

B. Pincott, R. Pootmans, E. Woolley, G-C. Carra, S. Chu, D. Colley-Urquhart, D. Farrell, N. Nenshi

Against:

R. Jones, S. Keating, J. Magliocca, J. Stevenson, W. Sutherland, A. Chabot, P. Demong

CARRIED

SECOND, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 280D2017 be read a second time.

VOTE WAS AS FOLLOWS

For:

B. Pincott, R. Pootmans, E. Woolley, G-C. Carra, S. Chu, D. Colley-Urquhart, D. Farrell, N. Nenshi

Against:

R. Jones, S. Keating, J. Magliocca, J. Stevenson, W. Sutherland, A. Chabot, P. Demong

CARRIED

AUTHORIZATION, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 280D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 280D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0143), be read a third time.

VOTE WAS AS FOLLOWS

For:

B. Pincott, R. Pootmans, E. Woolley, G-C. Carra, S. Chu, D. Colley-Urquhart, D. Farrell, N. Nenshi

Against:

R. Jones, S. Keating, J. Magliocca, J. Stevenson, W. Sutherland, A. Chabot, P. Demong

CARRIED

8.7 LAND USE AMENDMENT, COUGAR RIDGE (WARD 6), COUGAR RIDGE CLOSE WEST OF COUGAR RIDGE MANOR SW, BYLAW 283D2017, CPC2017-285

The public hearing was called and Gregorio Ureta Aguilar addressed Council with respect to Bylaw 283D2017.

ADOPT, Moved by Councillor Pootmans, Seconded by Councillor Magliocca, that the Calgary Planning Commission Recommendations contained in Report CPC2017-285, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.04 hectares \pm (0.09 acres \pm) located at 182 Cougar Ridge Close SW (Plan 1210568, Block 6, Lot 3) from Residential – One Dwelling (R-1) District to Residential One Dwelling (R-1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 283D2017.

ROLL CALL VOTE

For:

W. Sutherland, E. Woolley, G-C. Carra, S. Chu, D. Colley-Urquhart, D. Farrell, R. Jones, J. Magliocca, B. Pincott, R. Pootmans, N. Nenshi

Against:

A. Chabot, P. Demong, S. Keating, J. Stevenson

CARRIED

INTRODUCE, Moved by Councillor Pootmans, Seconded by Councillor Magliocca, that Bylaw 283D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0151), be introduced and read a first time.

ROLL CALL VOTE

For:

J. Magliocca, B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra, S. Chu, D. Colley-Urquhart, D. Farrell, R. Jones, N. Nenshi

Against:

S. Keating, J. Stevenson, A. Chabot, P. Demong

CARRIED

SECOND, Moved by Councillor Pootmans, Seconded by Councillor Magliocca, that Bylaw 283D2017 be read a second time.

VOTE WAS AS FOLLOWS

For:

J. Magliocca, B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra, S. Chu,
D. Colley-Urquhart, D. Farrell, R. Jones, N. Nenshi

Against:

S. Keating, J. Stevenson, A. Chabot, P. Demong

CARRIED

AUTHORIZATION, Moved by Councillor Pootmans, Seconded by Councillor Magliocca, that authorization now be given to read Bylaw 283D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Pootmans, Seconded by Councillor Magliocca, that Bylaw 283D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0151), be read a third time.

VOTE WAS AS FOLLOWS

For:

J. Magliocca, B. Pincott, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra, S. Chu,
D. Colley-Urquhart, D. Farrell, R. Jones, N. Nenshi

Against:

S. Keating, J. Stevenson, A. Chabot, P. Demong

CARRIED

8.8 LAND USE AMENDMENT, SIGNAL HILL (WARD 6), SIERRA MORENA CLOSE SW AND SIERRA MORENA PLACE SW, BYLAW 284D2017, CPC2017-286

The public hearing was called, and the following persons addressed Council with respect to Bylaw 284D2017:

1. Kimberly Holland
2. Somayyeh Ahani
3. Manuel Mertin

DISTRIBUTION

At the request of Manuel Mertin and with the concurrence of the Mayor, the Acting City Clerk distributed copies of letter from Jeff Laplante, Signal Hill Community Association, Re: September 11, 2017 Agenda item Land Use Amendments CPC2017-286, with respect to Report CPC2017-286.

CHANGE TIME OF SCHEDULED RECESS, Moved by Councillor Carra, Seconded by Councillor Colley-Urquhart, that pursuant to Section 91(3) of the Procedure Bylaw 44M2006, as amended, the time of scheduled recess be changed in order that Council may complete Item 8.8, Report CPC2017-286, prior to the lunch recess.

CARRIED

4. Gordon Larmoor
5. Carol Brausse/ Boles
6. Larry Heather

ADOPT, Moved by Councillor Pincott, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-286, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 804 Sierra Morena Place SW (Plan 9011261, Block 1, Lot 27) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 284D2017.

ROLL CALL VOTE

For:

R. Jones, B. Pincott, E. Woolly, G-C. Carra, P. Demong, D. Farrell, N. Nenshi

Against:

S. Keating, J. Magliocca, R. Pootmans, J. Stevenson, W. Sutherland, A. Chabot, D. Colley-Urquhart

MOTION LOST

RECONSIDER, Moved by Councillor Keating, Seconded by Councillor Demong, that Council's decision with respect to Item 8.8, Report CPC2017-286, be reconsidered.

CARRIED

ADOPT, Moved by Councillor Pincott, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-286, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.05 hectares \pm (0.13 acres \pm) located at 804 Sierra Morena Place SW (Plan 9011261, Block 1, Lot 27) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 284D2017.

ROLL CALL VOTE

For:

P. Demong, D. Farrell, R. Jones, S. Keating, B. Pincott, E. Woolley, G-C. Carra, N. Nenshi

Against:

D. Colley-Urquhart, J. Magliocca, R. Pootmans, J. Stevenson, W. Sutherland, A. Chabot, S. Chu

CARRIED

INTRODUCE, Moved by Councillor Pincott, Seconded by Councillor Woolley, that Bylaw 284D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0144), be introduced and read a first time.

ROLL CALL VOTE

For:

B. Pincott, E. Woolley, G-C. Carra, P. Demong, D. Farrell, R. Jones, S. Keating, N. Nenshi

Against:

J. Magliocca, R. Pootmans, J. Stevenson, W. Sutherland, A. Chabot, S. Chu,
D. Colley-Urquhart,

CARRIED

SECOND, Moved by Councillor Pincott, Seconded by Councillor Woolley, that Bylaw 284D2017 be read a second time.

VOTE WAS AS FOLLOWS

For:

B. Pincott, E. Woolley, G-C. Carra, P. Demong, D. Farrell, R. Jones, S. Keating, N. Nenshi

Against:

J. Magliocca, R. Pootmans, J. Stevenson, W. Sutherland, A. Chabot, S. Chu,
D. Colley-Urquhart,

CARRIED

AUTHORIZATION, Moved by Councillor Pincott, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 284D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Pincott, Seconded by Councillor Woolley, that Bylaw 284D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0144), be read a third time.

VOTE WAS AS FOLLOWS

For:

B. Pincott, E. Woolley, G-C. Carra, P. Demong, D. Farrell, R. Jones, S. Keating, N. Nenshi

Against:

J. Magliocca, R. Pootmans, J. Stevenson, W. Sutherland, A. Chabot, S. Chu,
D. Colley-Urquhart,

CARRIED

RECESS AND RECONVENE IN CAMERA, Moved by Councillor Jones, Seconded by Councillor Pootmans, that, in accordance with Section 197 of the *Municipal Government Act* and Sections 23, 24 and 25 of the *Freedom of Information and Protection of Privacy Act*, Council recess at 12:15 p.m. and reconvene at 1:30 p.m., into the Committee of the Whole, In Camera, in the Council Boardroom, in order to consider a confidential matter with respect to Item 17.4, Report C2017-0689.

CARRIED

Council reconvened, In Camera, in the Council Boardroom at 1:33 p.m. with Mayor Nenshi in the Chair.

The Committee of the Whole recessed In Camera and reconvened in public session in the Council Chamber at 2:29 p.m. with Mayor Nenshi in the Chair.

RISE AND REPORT, Moved by Councillor Stevenson, that the Committee of the Whole rise and report to Council with respect Item 17.4, Labour Update (Verbal), C2017-0689.

CARRIED

8.9 LAND USE AMENDMENT, FOREST LAWN (WARD 10), 21 AVENUE SE AND 45 STREET SE, BYLAW 285D2017, CPC2017-287

The public hearing was called and Bernie Heasler addressed Council with respect to Bylaw 285D2017.

ADOPT, Moved by Councillor Chabot, Seconded by Councillor Carra, that the Calgary Planning Commission Recommendations contained in Report CPC2017-287, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2211 – 45 Street SE (Plan 5454HJ, Block 3, Lot 49) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 285D2017.

Opposed: J. Stevenson

CARRIED

INTRODUCE, Moved by Councillor Chabot, Seconded by Councillor Carra, that Bylaw 285D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0139), be introduced and read a first time.

Opposed: J. Stevenson

CARRIED

SECOND, Moved by Councillor Chabot, Seconded by Councillor Carra, that Bylaw 285D2017 be read a second time.

Opposed J. Stevenson

CARRIED

AUTHORIZATION, Moved by Councillor Chabot, Seconded by Councillor Carra, that authorization now be given to read Bylaw 285D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Chabot, Seconded by Councillor Carra, that Bylaw 285D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0139), be read a third time.

Opposed: J. Stevenson

CARRIED

8.10 LAND USE AMENDMENT, MILLRISE (WARD 13), NORTH OF SHAWNESSY BOULEVARD SW AND WEST OF MACLEOD TRAIL SE, BYLAW 292D2017, CPC2017-294

The public hearing was called; however, no one came forward to address Council with respect to Bylaw 292D2017.

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that the Calgary Planning Commission Recommendations contained in Report CPC2017-294, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.04 hectares \pm (0.09 acres \pm) located at 64 Millside Road SW (Plan 8110429, Block 4, Lot 16) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 292D2017.

Opposed: J. Stevenson

CARRIED

INTRODUCE, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that Bylaw 292D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0165), be introduced and read a first time.

Opposed: J. Stevenson

CARRIED

SECOND, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that Bylaw 292D2017 be read a second time.

Opposed: J. Stevenson

CARRIED

AUTHORIZATION, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that authorization now be given to read Bylaw 292D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Colley-Urquhart, Seconded by Councillor Farrell, that Bylaw 292D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0165), be read a third time.

Opposed: J. Stevenson

CARRIED

8.11 LAND USE AMENDMENT, WILLOW PARK (WARD 14), WILLOW PARK DRIVE SE AND WILLOWBURN CRESCENT SE, BYLAW 293D2017, CPC2017-295

The public hearing was called and Saadia Stainsby addressed Council with respect to Bylaw 293D2017.

ADOPT, Moved by Councillor Demong, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-295, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 644 Willow Park Drive SE (Plan 3952JK, Block 27, Lot 51A) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 293D2017.

Opposed: J. Stevenson

CARRIED

INTRODUCE, Moved by Councillor Demong, Seconded by Councillor Woolley, that Bylaw 293D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0157), be introduced and read a first time.

Opposed: J. Stevenson

CARRIED

SECOND, Moved by Councillor Demong, Seconded by Councillor Woolley, that Bylaw 293D2017 be read a second time.

Opposed: J. Stevenson

CARRIED

AUTHORIZATION, Moved by Councillor Demong, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 293D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Demong, Seconded by Councillor Woolley, that Bylaw 293D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0157), be read a third time.

Opposed: J. Stevenson

CARRIED

8.12 LAND USE AMENDMENT, WHITEHORN (WARD 5), NORTH OF 32 AVENUE NE AND EAST OF 36 STREET NE, BYLAW 294D2017, CPC2017-296

The public hearing was called; however, no one came forward to address Council with respect to Bylaw 296D2017.

ADOPT, Moved by Councillor Jones, Seconded by Councillor Chabot, that the Calgary Planning Commission Recommendations contained in Report CPC2017-296, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.04 hectares \pm (0.09 acres \pm) located at 80 Whitmel Place NE (Plan 7711574, Block 5, Lot 40) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 294D2017.

Opposed: J. Stevenson and S. Chu

CARRIED

INTRODUCE, Moved by Councillor Jones, Seconded by Councillor Chabot, that Bylaw 294D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0140), be introduced and read a first time.

Opposed: J. Stevenson and S. Chu

CARRIED

SECOND, Moved by Councillor Jones, Seconded by Councillor Chabot, that Bylaw 294D2017 be read a second time.

Opposed: J. Stevenson and S. Chu

CARRIED

AUTHORIZATION, Moved by Councillor Jones, Seconded by Councillor Chabot, that authorization now be given to read Bylaw 294D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Jones, Seconded by Councillor Chabot, that Bylaw 294D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0140), be read a third time.

Opposed: J. Stevenson and S. Chu

CARRIED

8.13 POLICY AMENDMENT AND LAND USE AMENDMENT,
BRIDGELAND/RIVERSIDE (WARD 9), NORTH OF MEMORIAL DRIVE
NE AND EAST OF EDMONTON TRAIL NE, BYLAWS 48P2017 AND
281D2017, CPC2017-283

The public hearing was called and Don Lothian addressed Council with respect to Bylaws 48P2017 and 281D2017.

ADOPT, Moved by Councillor Carra, Seconded by Councillor Chabot, that the Calgary Planning Commission Recommendations contained in Report CPC2017-283, be adopted, as follows:

That Council:

1. Adopt the proposed amendments to the Bridgeland/Riverside Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 48P2017;
3. Adopt the proposed redesignation of 0.28 hectares \pm (0.69 acres \pm) located at 625 and 629 – 2 Avenue NE (Plan D, Block 4, Lots 6 and 7) from Multi-Residential – Contextual Grade-Oriented (M-CGd111) District to Commercial – Corridor 1 f4.5h29 (CCOR1f4.5h29) District, in accordance with Administration's recommendation;
4. Give three readings to the proposed Bylaw 281D2017; and
5. If it chooses to approve this land use, also considers directing Administration to register a Right-of-Way access for the existing alley across the City owned parcel against Edmonton Trail NE and to the south of the subject site in order to secure vehicle access appropriate for a C-COR1 condition along this Main Street.

CARRIED

INTRODUCE, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 48P2017, Being a Bylaw of The City of Calgary to Amend the Bridgeland/Riverside Area Redevelopment Plan Bylaw 11P80, be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 48P2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Carra, Seconded by Councillor Chabot, that authorization now be given to read Bylaw 48P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 48P2017, Being a Bylaw of The City of Calgary to Amend the Bridgeland/Riverside Area Redevelopment Plan Bylaw, be read a third time.

CARRIED

INTRODUCE, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 281D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0340), be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 281D2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Carra, Seconded by Councillor Chabot, that authorization now be given to read Bylaw 281D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 281D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0340), be read a third time.

CARRIED

MOTION ARISING, Moved by Councillor Carra, Seconded by Councillor Colley-Urquhart, that with Respect to Report CPC2017-283, that Council Direct Administration to register a Right-of-Way access for the existing alley across the City owned parcel against Edmonton Trail NE and to the south of the subject site in order to secure vehicle access appropriate for a C-COR1 condition along this Main Street.

CARRIED

Council recessed at 3:14 p.m. to reconvene at 3:45 p.m.

Council reconvened at 3:48 p.m. with Mayor Nenshi in the Chair.

8.14 LAND USE AMENDMENT, BRIDGELAND/RIVERSIDE (WARD 9), SOUTH OF 5 AVENUE NE AND EAST OF EDMONTON TR NE, BYLAW 289D2017, CPC2017-291

The public hearing was called; however, no one came forward to address Council with respect to Bylaw 289D2017.

ADOPT, Moved by Councillor Carra, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-291, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.07 hectares \pm (0.17 acres \pm) located at 647 – 4 Avenue NE (Plan 3247GL, Lots 2 and 3) from Multi-Residential – Contextual Grade-Oriented (M-CG d111) District to Multi-Residential – Contextual Medium Profile (M-C2) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 289D2017.

ROLL CALL VOTE

For:

B. Pincott, R. Pootmans, J. Stevenson, E. Woolley, G-C. Carra, D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, S. Keating, J. Magliocca, N. Nenshi

Against:

S. Chu and A. Chabot

CARRIED

INTRODUCE, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 289D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2015-0155), be introduced and read a first time.

Opposed: S. Chu and A. Chabot

CARRIED

SECOND, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 289D2017 be read a second time.

Opposed: S. Chu and A. Chabot

CARRIED

AUTHORIZATION, Moved by Councillor Carra, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 289D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 289D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2015-0155), be read a third time.

Opposed: S. Chu and A. Chabot

CARRIED

8.15 LAND USE AMENDMENT, SADDLE RIDGE (WARD 3), 46 STREET NE AND AIRPORT TRAIL NE, BYLAW 282D2017, CPC2017-284

The public hearing was called, and the following persons addressed Council with respect to Bylaw 282D2017:

1. Heather Dyborg
2. Pam MacInnis, B&A Planning Group.

ADOPT, Moved by Councillor Stevenson, Seconded by Councillor Chu, that the Calgary Planning Commission Recommendations contained in Report CPC2017-284, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 7.13 hectares \pm (17.61 acres \pm) located at 9325 – 52 Street NE (Portion of Plan 1412743, Block 1, Lot 1) from Residential – One Dwelling (R-1s) District, Special Purpose – School, Park and Community Reserve (S-SPR) District and Special Purpose – Urban Nature (S-UN) District to Residential – Low Density Mixed Housing (R-G) District and Special Purpose – School, Park and Community Reserve (S-SPR) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 282D2017.

Opposed: B. Pincott

CARRIED

INTRODUCE, Moved by Councillor Stevenson, Seconded by Councillor Chu, that Bylaw 282D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0039), be introduced and read a first time.

Opposed: B. Pincott

CARRIED

SECOND, Moved by Councillor Stevenson, Seconded by Councillor Chu, that Bylaw 282D2017 be read a second time.

Opposed: B. Pincott

CARRIED

AUTHORIZATION, Moved by Councillor Stevenson, Seconded by Councillor Chu, that authorization now be given to read Bylaw 282D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Stevenson, Seconded by Councillor Chu, that Bylaw 282D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0039), be read a third time.

Opposed: B. Pincott

CARRIED

8.16 LAND USE AMENDMENT, SADDLE RIDGE (WARD 3), 89 AVENUE NE EAST OF SADDLECREST BOULEVARD NE, BYLAW 303D2017, CPC2017-305

The public hearing was called and David White, CivicWorks Planning + Design Inc., addressed Council with respect to Bylaw 303D2017.

POINT OF INFORMATION

Councillor Pootmans raised on a Point of Information to confirm that we were currently dealing with Item 8.16, Report CPC2017-305.

ADOPT, Moved by Councillor Stevenson, Seconded by Councillor Jones, that the Calgary Planning Commission Recommendations contained in Report CPC2017-305, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 1.39 hectares \pm (3.43 acres \pm) located at 6803 – 89 Avenue NE (Plan 731001, Block 8) from Special Purpose – Future Urban Development (S-FUD) District **to** Residential – Low Density Mixed Housing (R-G) District, Commercial – Neighbourhood 1 (C-N1) District and Special Purpose – School, Park and Community Reserve (S-SPR) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 303D2017.

Opposed: G-C. Carra

CARRIED

INTRODUCE, Moved by Councillor Stevenson, Seconded by Councillor Jones, that Bylaw 303D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2015-0074), be introduced and read a first time.

Opposed: G-C. Carra

CARRIED

SECOND, Moved by Councillor Stevenson, Seconded by Councillor Jones, that Bylaw 303D2017 be read a second time.

Opposed: G-C. Carra

CARRIED

AUTHORIZATION, Moved by Councillor Stevenson, Seconded by Councillor Jones, that authorization now be given to read Bylaw 303D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Stevenson, Seconded by Councillor Jones, that Bylaw 303D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2015-0074), be read a third time.

Opposed: G-C. Carra

CARRIED

8.17 POLICY AMENDMENT AND LAND USE AMENDMENT, MEADOWLARK PARK (WARD 11), GLENMORE TRAIL SW AND MACLEOD TRAIL SW, BYLAW 286D2017, CPC2017-288

The public hearing was called, and the following persons addressed Council with respect to Bylaw 286D2017:

1. John Merrett, Dentons Canada LLP
2. Vern Hart, B&A Planning Group
3. Rick Grol, Bennett Jones Calgary
4. Michael Sydenham, Watt Consulting Group
5. Martin Halliday, Atlas Development Corporation

RECEIVE FOR THE CORPORATE RECORD

At the request of Administration and with the concurrence of the Mayor, the Acting City Clerk received for the Corporate Record a map entitled "Schedule C" with respect to report CPC2017-288.

ADOPT, Moved by Councillor Pincott, Seconded by Councillor Pootmans, that the Calgary Planning Commission Recommendations contained in Report CPC2017-288, be adopted, as follows:

That Council:

1. Adopt, by Resolution, the proposed amendments to the Chinook Station Area Plan, in accordance with Administration's recommendation; and
2. Adopt the proposed redesignation of 21.82 hectares \pm (53.92 acres \pm) located at 5919, 6101, and 6455 MacLeod Trail SW (Plan 1512789, Block 1, Lots 3 and 4, Plan 7100HB, Block D, Lots 1 and 2) from Commercial – Corridor 3 f1.0h12 (C-COR3 f1.0h12) District and DC Direct Control District to DC Direct Control District to accommodate phased mixed use development, in accordance with Administration's recommendation; and
3. Give three readings to the proposed Bylaw 286D2017.

CARRIED

INTRODUCE, Moved by Councillor Pincott, Seconded by Councillor Pootmans, that Bylaw 286D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0008), be introduced and read a first time.

CARRIED

AMENDMENT, Moved by Councillor Carra, Seconded by Councillor Stevenson, that Bylaw 286D2017 be amended in Schedule B, as follows:

(1) Delete Section 5 in its entirety and replace with the following:

"Relaxation of this Direct Control District

5 The development authority may not relax any of the rules or requirements of this Direct Control District Bylaw other than:

- (a) the required motor vehicle parking stalls and visitor parking stalls for a development where a parking study submitted as part of a development permit application demonstrates that the motor vehicle parking stall requirement or visitor parking stall requirements should vary, provided the test for relaxation set out in Bylaw 1P2007 is met;
- (b) the building setback, provided the test for relaxation set out in Bylaw 1P2007 is met.";

(2) Add a new Section 25, as follows:

“25. A grade-separated vehicular ramp providing access to Site 2 must not be located within the portion of the Macleod Trail SW street right-of-way shown outlined in the plan attached to this Bylaw as Schedule C”; and

(3) Attach the Map entitled “Schedule C” received for the Corporate Record as the new Schedule C.

Opposed: B. Pincott

CARRIED

SECOND, Moved by Councillor Pincott, Seconded by Councillor Pootmans, that Bylaw 286D2017 be read a second time, as amended.

CARRIED

AUTHORIZATION, Moved by Councillor Pincott, Seconded by Councillor Pootmans, that authorization now be given to read Bylaw 286D2017 a third time, as amended.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Pincott, Seconded by Councillor Pootmans, that Bylaw 286D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0008), be read a third time, **as amended**, as follows:

(1) Delete Section 5 in its entirety and replace with the following:

“5 The **development authority** may not relax any of the rules or requirements of this Direct Control District Bylaw other than:

(a) the required **motor vehicle parking stalls** and **visitor parking stalls** for a **development** where a parking study submitted as part of a **development permit** application demonstrates that the **motor vehicle parking stall** requirement or **visitor parking stall** requirements should vary, provided the test for relaxation set out in Bylaw 1P2007 is met; and

(b) the **building setback**, provided the test for relaxation set out in Bylaw 1P2007 is met.

(2) Add a new Section 25, as follows:

“25. A grade-separated vehicular ramp providing access to Site 2 must not be located within the portion of the Macleod Trail SW *street* right-of-way shown outlined in the plan attached to this Bylaw as Schedule C.”; **and**

(3) Attach the Map entitled “Schedule C” received for the Corporate Record as the new Schedule C.

CARRIED

8.18 POLICY AMENDMENT AND LAND USE AMENDMENT, SUNNYSIDE (WARD 7),
MEMORIAL DRIVE NW AND 9 STREET NW, BYLAWS 51P2017 AND
287D2017, CPC2017-289

REFER, Moved by Councillor Farrell, Seconded by Councillor Woolley, that Council refer Report CPC2017-289 to the Administration to allow for broader community engagement on both height and interface and return to the 2017 December 11 Combined Meeting of Council.

ROLL CALL VOTE

For:

P. Demong, D. Farrell, R. Jones, B. Pincott, N. Nenshi

Against:

E. Woolley, G-C. Carra, A. Chabot, S. Chu, D. Colley-Urquhart, S. Keating, J. Magliocca,
R. Pootmans, J. Stevenson

MOTION LOST

The public hearing was called, and the following persons addressed Council with respect to Bylaws 51P2017 and 289D2017:

1. David White, CivicWorks Planning + Design Inc
2. George Trutina, Truman Development.

RECESS

Council recessed at 6:02 p.m. to reconvene at 7:17 p.m.

Council reconvened at 7:19 p.m. with Mayor Nenshi in the Chair.

3. Dale Mastre
4. Michelle LeBeau
5. Malcom Mackenzie
6. Tai Graham

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-289, be adopted, as follows:

That Council:

1. Adopt the proposed amendments to the Hillhurst/Sunnyside Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 51P2017.
3. Adopt the proposed redesignation of 0.10 hectares \pm (0.24 acres \pm) located at 924 Memorial Drive NW (Plan 1710361, Block 16, Lot 41) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District to DC Direct Control District to accommodate multi-residential development, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 287D2017.

Opposed: D. Farrell

CARRIED

INTRODUCE, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 51P2017, Being a Bylaw of The City of Calgary to Amend the Hillhurst/Sunnyside Area Redevelopment Plan Bylaw 19P87, be introduced and read a first time.

Opposed: D. Farrell

CARRIED

SECOND, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 51P2017 be read a second time.

Opposed: D. Farrell

CARRIED

AUTHORIZATION, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 51P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 51P2017, Being a Bylaw of The City of Calgary to Amend the Hillhurst/Sunnyside Area Redevelopment Plan Bylaw 19P87, be read a third time.

Opposed: D. Farrell

CARRIED

INTRODUCE, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 287D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0346), be introduced and read a first time.

Opposed: D. Farrell

CARRIED

SECOND, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 287D2017 be read a second time.

Opposed: D. Farrell

CARRIED

AUTHORIZATION, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 287D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Colley-Urquhart, Seconded by Councillor Woolley, that Bylaw 287D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0346), be read a third time.

Opposed: D. Farrell

CARRIED

MOTION ARISING, Moved by Councillor Farrell, Seconded by Councillor Pincott, that with respect to Report CPC2017-289, Council direct Administration, through community consultation, to bring forward amendments to the Hillhurst/Sunnyside Area Redevelopment Plan which consider:

1. The impact of floodway requirements on land uses and required building elevations/heights; and
2. Land use redesignations, Land Use Bylaw relaxations, and other incentives for heritage/character property retention in accordance with the Developed Areas Guidebook and other relevant City policies.

and report back to Council no later than 2018 Q3.

Opposed: J. Magliocca

CARRIED

8.19 LAND USE AMENDMENT, SUNNYSIDE (WARD 7), WEST OF 2 AVENUE NW AND 8 STREET NW, BYLAW 291D2017, CPC2017-293

The public hearing was called, and the following persons addressed Council with respect to Bylaw 291D2017:

1. Jennifer Dobbin
2. Tai Graham
3. Rob Froese
4. Kirsten Archuleta
5. Peggi McDougall
6. Claudette Antoniuk
7. Cathryn Ironside

CHANGE TIME OF SCHEDULED RECESS, Moved by Councillor Pincott, Seconded by Councillor Pootmans, that pursuant to Section 91(3) of the Procedure Bylaw 44M2006, as amended, the time of scheduled recess be changed in order that Council may complete Item 8.19, Report CPC2017-293, prior to the evening recess.

CARRIED

ADOPT, Moved by Councillor Farrell, Seconded by Councillor Carra, that the Calgary Planning Commission Recommendations contained in Report CPC2017-293, be adopted, **after amendment**, as follows:

That Council:

1. Adopt the proposed redesignation of 0.53 hectares \pm (1.30 acres \pm) located at 916, 918, 920, 922 and 926 – 2 Avenue NW (Plan 2448O, Block 11, Lots 28 to 34) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District to DC Direct Control District to accommodate multi-residential development, in accordance with Administration's recommendation;
2. Give **first reading only** to the proposed Bylaw 291D2017; **and**
3. **Withhold second and third readings pending the tentative approval of a Development Permit by Calgary Planning Commission, with particular regard to the following:**
 - a. **Improved and more sensitive transition to low-density residential and M-CG designated parcels,**
 - b. **Mitigation of overlooking issues to adjacent parcels,**
 - c. **Improved material differentiation and durability, in accordance with the Hillhurst/Sunnyside Area Redevelopment Plan, and**
 - d. **Facade articulation and grade-level interfaces that promote the pedestrian-scale vision of the Hillhurst/Sunnyside Area Redevelopment Plan.**

ROLL CALL VOTE

For:

G-C. Carra, A. Chabot, S. Chu, D. Colley-Urquhart, D. Farrell, R. Jones, B. Pincott, R. Pootmans, E. Woolley, N. Nenshi

Against:

P. Demong, S. Keating, J. Magliocca, J. Stevenson

CARRIED

INTRODUCE, Moved by Councillor Farrell, Seconded by Councillor Carra, that Bylaw 291D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0091), be introduced and read a first time.

CARRIED

RECESS

Council recessed at 9:40 p.m. to reconvene at 9:30 a.m. on Tuesday, 2017 September 12.

Council reconvened at 9:31 a.m. on Tuesday, 2017 September 12, with Mayor Nenshi in the Chair.

BRING FORWARD AND REFER, Moved by Councillor Carra, Seconded by Councillor Sutherland, that Item 8.23, Report CPC2017-300, be brought forward and referred to Administration to allow for re-advertising of Bylaw 298D2017 and to return to the 2017 November 06 Public Hearing of Council.

CARRIED

8.20 POLICY AMENDMENT AND LAND USE AMENDMENT MOUNT PLEASANT (WARD 7), SOUTH OF 20 AVENUE NW AND EAST OF 4 STREET NW, BYLAWS 52P2017 AND 288D2017, CPC2017-290

The public hearing was called, and the following persons addressed Council with respect to Bylaws 52P2017 and 288D2017:

1. Colin Godbout, Elevated Developments
2. Margaret Langford

ADOPT, Moved by Councillor Farrell, Seconded by Councillor Carra, that the Calgary Planning Commission Recommendations contained in Report CPC2017-290, be adopted, as follows:

That Council:

1. Adopt the proposed amendments to the North Hill Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 52P2017.
3. Adopt the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) located at 470 – 19 Avenue NW (Plan 21290, Block 16, Lots 31 and 32) from Residential – Contextual One / Two Dwelling (R-C2) District to Residential – Grade-Oriented Infill (R-CG) District, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 288D2017.

ROLL CALL VOTE

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, J. Magliocca, B. Pincott, R. Pootmans, J. Stevenson, W. Sutherland, E. Woolley, G-C. Cara, N. Nenshi

Against:

A. Chabot, S. Chu, S. Keating

CARRIED

INTRODUCE, Moved by Councillor Farrell, Seconded by Councillor Carra, that Bylaw 52P2017, Being a Bylaw of The City of Calgary to Amend the North Hill Area Redevelopment Plan Bylaw 7P99, be introduced and read a first time.

Opposed: A. Chabot, S. Chu

CARRIED

SECOND, Moved by Councillor Farrell, Seconded by Councillor Carra, that Bylaw 52P2017 be read a second time.

Opposed: A. Chabot, S. Chu

CARRIED

AUTHORIZATION, Moved by Councillor Farrell, Seconded by Councillor Carra, that authorization now be given to read Bylaw 52P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Farrell, Seconded by Councillor Carra, that Bylaw 52P2017, Being a Bylaw of The City of Calgary to Amend the North Hill Area Redevelopment Plan Bylaw 7P99, be read a third time.

Opposed: A. Chabot, S. Chu

CARRIED

INTRODUCE, Moved by Councillor Farrell, Seconded by Councillor Carra, that Bylaw 288D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LUC2017-0142), be introduced and read a first time.

ROLL CALL VOTE

For:

B. Pincott, R. Pootmans, J. Stevenson, W. Sutherland, E. Woolley, G-C. Carra,
D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, J. Magliocca, N. Nenshi

Against:

A. Chabot, S. Chu, S. Keating

CARRIED

SECOND, Moved by Councillor Farrell, Seconded by Councillor Carra, that Bylaw 288D2017 be read a second time.

VOTE WAS AS FOLLOWS

For:

B. Pincott, R. Pootmans, J. Stevenson, W. Sutherland, E. Woolley, G-C. Carra,
D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, J. Magliocca, N. Nenshi

Against:

A. Chabot, S. Chu, S. Keating

CARRIED

AUTHORIZATION, Moved by Councillor Farrell, Seconded by Councillor Carra, that authorization now be given to read Bylaw 288D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Farrell, Seconded by Councillor Carra, that Bylaw 288D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0142), be read a third time.

VOTE WAS AS FOLLOWS

For:

B. Pincott, R. Pootmans, J. Stevenson, W. Sutherland, E. Woolley, G-C. Carra,
D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, J. Magliocca, N. Nenshi

Against:

A. Chabot, S. Chu, S. Keating

CARRIED

8.21 LAND USE AMENDMENT, CRESCENT HEIGHTS (WARD 7), NE CORNER OF 15 AVENUE NE AND 1 STREET NE, BYLAW 290D2017, CPC2017-292

The public hearing was called and Meenaz Rajan addressed Council with respect to Bylaw 290D2017.

ADOPT, Moved by Councillor Farrell, Seconded by Councillor Chabot, that the Calgary Planning Commission Recommendations contained in Report CPC2017-292, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.08 hectares \pm (0.19 acre \pm) located at 202 and 206 – 15 Avenue NE (Plan 791P, Block 26, Lots 16 to 18) from Multi-Residential – Medium Profile Support Commercial (M-X2) District to Multi-Residential – High Density Low Rise (M-H1h22) District, in accordance with Administration's recommendation; and

2. Give three readings to the proposed Bylaw 290D2017.

ROLL CALL VOTE

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, J. Magliocca, B. Pincott, J. Stevenson, E. Woolley, G-C. Carra, A. Chabot, N. Nenshi

Against:

S. Chu, S. Keating, R. Pootmans, W. Sutherland

CARRIED

INTRODUCE, Moved by Councillor Farrell, Seconded by Councillor Chabot, that Bylaw 290D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0022), be introduced and read a first time.

ROLL CALL VOTE

For:

J. Stevenson, E. Woolley, G-C. Carra, A. Chabot, D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, J. Magliocca, B. Pincott, N. Nenshi

Against:

R. Pootmans, W. Sutherland, S. Chu, S. Keating

CARRIED

SECOND, Moved by Councillor Farrell, Seconded by Councillor Chabot, that Bylaw 290D2017 be read a second time.

VOTE WAS AS FOLLOWS

For:

J. Stevenson, E. Woolley, G-C. Carra, A. Chabot, D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, J. Magliocca, B. Pincott, N. Nenshi

Against:

R. Pootmans, W. Sutherland, S. Chu, S. Keating

CARRIED

AUTHORIZATION, Moved by Councillor Farrell, Seconded by Councillor Chabot, that authorization now be given to read Bylaw 290D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Farrell, Seconded by Councillor Chabot, that Bylaw 290D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0022), be read a third time.

VOTE WAS AS FOLLOWS

For:

J. Stevenson, E. Woolley, G-C. Carra, A. Chabot, D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, J. Magliocca, B. Pincott, N. Nenshi

Against:

R. Pootmans, W. Sutherland, S. Chu, S. Keating

CARRIED

MOTION ARISING, Moved by Councillor Carra, Seconded by Councillor Farrell, that with respect to Report CPC2017-292, Council direct Administration to include as Posse Comments for a subsequent Development Permit on this site, that the Development Authority work with the applicant to strongly consider a "retail-ready" built form, for example a 4.5 metre first floor height.

CARRIED

8.22 ROAD CLOSURE AND LAND USE AMENDMENT, INGLEWOOD (WARD 9), EAST OF 12 STREET SE AND SOUTH OF BOW RIVER, BYLAWS 12C2017 AND 295D2017, CPC2017-297

Note: This Item was dealt in conjunction with Item 9.2, Report CPC2017-312.

The public hearing was called; however, no one came forward to address Council with respect to Bylaws 12C2017 and 295D2017.

ADOPT, Moved by Councillor Carra, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-297, be adopted, as follows:

That Council:

1. Adopt the proposed closure of 0.05 hectares \pm (0.12 acres \pm) of road (Plan 1711339, Area A) adjacent to 620 and 712 – 12 Street SE, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Closure Bylaw 12C2017.
3. Adopt the proposed redesignation of 0.05 hectares \pm (0.12 acres \pm) of closed road (Plan 1711339, Area A) adjacent to 620 and 712 – 12 Street SE from Undesignated Road Right-of-Way to Special Purpose – Community Service (S-CS) District, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 295D2017.

CARRIED

INTRODUCE, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 12C2017, Being a Bylaw of The City of Calgary For A Closure Of A Road (Plan 1711339, Area A) (Closure LOC2017-0103), be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 12C2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Carra, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 12C2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 12C2017, Being a Bylaw The City of Calgary For A Closure Of A Road (Plan 1711339, Area A) (Closure LOC2017-0103), be read a third time.

CARRIED

INTRODUCE, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 295D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0103), be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 295D2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Carra, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 295D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Carra, Seconded by Councillor Woolley, that Bylaw 295D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0103), be read a third time.

CARRIED

CHANGE TIME OF SCHEDULED RECESS, Moved by Councillor Colley-Urquhart, Seconded by Councillor Carra, that pursuant to Section 91(1)(a) of the Procedure Bylaw 44M2006, as amended, the scheduled lunch recess be changed to occur from 12:00 p.m. to 1:30 p.m.

CARRIED

- 8.23 POLICY AMENDMENT AND LAND USE AMENDMENT, INGLEWOOD (WARD 9), 10 AVENUE SE AND 13 STREET SE, BYLAWS 53P2017 AND 298D2017, CPC2017-300

Note: This Item was referred to the 2017 November 06 Public Hearing of Council to allow Administration to re-advertise Bylaw 298D2017.

- 8.24 LAND USE AMENDMENT, BRENTWOOD (WARD 7), NORTH OF CROWCHILD TRAIL NW AND WEST OF CHARLESWOOD DRIVE NW, BYLAW 296D2017, CPC2017-298

The public hearing was called and Kris Nelson, Urban Systems, addressed Council with respect to Bylaw 296D2017.

ADOPT, Moved by Councillor Farrell, Seconded by Councillor Chu, that the Calgary Planning Commission Recommendations contained in Report CPC2017-298, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 8.11 hectares \pm (20.04 acres \pm) located at 3436, 3630, and 3750 Brentwood Road NW and 3501 Charleswood Drive NW (Plan 3324JK, Block A, Lot 1; Plan 1657JK, Block 12, Lots A to D; Plan 9211141, Area A) from DC Direct Control District to DC Direct Control District to accommodate mixed use development, in accordance with Administration's recommendation, and
2. Give three readings to the proposed Bylaw 296D2017.

CARRIED

INTRODUCE, Moved by Councillor Farrell, Seconded by Councillor Chu, that Bylaw 296D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0171), be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Farrell, Seconded by Councillor Chu, that Bylaw 296D2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Farrell, Seconded by Councillor Chu, that authorization now be given to read Bylaw 296D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Farrell, Seconded by Councillor Chu, that Bylaw 296D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0171), be read a third time.

CARRIED

8.25 LAND USE AMENDMENT, SOUTH CALGARY (WARD 8), WEST OF 14 STREET SW AND SOUTH OF 29 AVENUE SW, BYLAW 297D2017, CPC2017-299

The public hearing was called and David Pidgeon, Certus Developments Inc., addressed Council with respect to Bylaw 297D2017.

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Carra, that the Calgary Planning Commission Recommendations contained in Report CPC2017-299, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.20 hectares \pm (0.49 acres \pm) located at 3001 - 14 Street SW (Plan 4479P, Block 28, Lots 34 to 40) from Residential – Contextual One / Two Dwelling (R-C2) District and Commercial – Corridor 2 f1.0h10 (C-COR2f1.0h10) District to Mixed Use – General f1.5h16.5 (MU-1f1.5h16.5) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 297D2017.

Opposed: P. Demong

CARRIED

INTRODUCE, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 297D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0130), be introduced and read a first time.

Opposed: P. Demong

CARRIED

SECOND, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 297D2017 be read a second time.

Opposed: P. Demong

CARRIED

AUTHORIZATION, Moved by Councillor Woolley, Seconded by Councillor Carra, that authorization now be given to read Bylaw 297D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 297D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0130), be read a third time.

Opposed: P. Demong

CARRIED

8.26 POLICY AMENDMENT AND LAND USE AMENDMENT, ROCKY RIDGE (WARD 1), EAMON ROAD NW AND ROCKY RIDGE ROAD NW, BYLAWS 54P2017 AND 299D2017, CPC2017-301

The public hearing was called and David White, Civicworks Planning + Design Inc., addressed Council with respect to Bylaws 54P2017 and 299D2017.

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Carra, that the Calgary Planning Commission Recommendations contained in Report CPC2017-301, be adopted, as follows:

That Council:

1. Adopt the proposed amendments to the Rocky Ridge Area Structure Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 54P2017.
3. Adopt the proposed redesignation of 0.89 hectares ± (2.20 acres ±) located at 10310 Eamon Road NW (NE1/4 Section 17-25-2-5) from Special Purpose – City and Regional Infrastructure (S-CRI) District to Multi-Residential – High Density Medium Rise (MH2f4.0h36) District, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 299D2017.

Opposed: W. Sutherland

CARRIED

INTRODUCE, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 54P2017, Being a Bylaw of The City of Calgary to Amend the Rocky Ridge Area Structure Plan Bylaw 13P92, be introduced and read a first time.

Opposed: W. Sutherland

CARRIED

SECOND, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 54P2017 be read a second time.

Opposed: W. Sutherland

CARRIED

AUTHORIZATION, Moved by Councillor Woolley, Seconded by Councillor Carra, that authorization now be given to read Bylaw 54P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 54P2017, Being a Bylaw of The City of Calgary to Amend the Rocky Ridge Area Structure Plan Bylaw 13P92, be read a third time.

Opposed: W. Sutherland

CARRIED

INTRODUCE, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 299D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2015-0073), be introduced and read a first time.

Opposed: W. Sutherland

CARRIED

SECOND, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 299D2017 be read a second time.

Opposed: W. Sutherland

CARRIED

AUTHORIZATION, Moved by Councillor Woolley, Seconded by Councillor Carra, that authorization now be given to read Bylaw 299D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Woolley, Seconded by Councillor Carra, that Bylaw 299D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2015-0073), be read a third time.

Opposed: W. Sutherland

CARRIED

MOTION ARISING, Moved by Councillor Sutherland, Seconded by Councillor Magliocca, that with respect to Report CPC2017-301, Council direct Administration to refer the Development Permit to the Urban Design Review Panel (UDRP) and Calgary Planning Commission (CPC) to render a decision. And further, that Council direct Administration to work with the applicant to hold an open house/ workshop with the applicant once the preliminary building design is ready for a Development Permit submission.

CARRIED

8.27 LAND USE AMENDMENT, DALHOUSIE (WARD 7), NORTH OF BUCKBOARD ROAD NW AND SOUTH OF DALHOUSIE ELEMENTARY SCHOOL, BYLAW 300D2017, CPC2017-302

DISTRIBUTION

At the request of Councillor Farrell, and with the concurrence of the Mayor, the Acting City Clerk distribute copies of the following documents with respect to Report CPC2017-302:

- An email from Andrew Hamilton on behalf of BDRG, Re: Intercare Dalhousie LOC2015-0104, dated 2017 September 08;
- An email from Cameron Wallace, Re: Intercare Dalhousie LOC2015-0104, dated 2017 September;
- A letter from David N. Ail, President, Intercare Corporate Group Inc., Re: Dalhousie Use CPH, September 11, 2017 – Item 5.27, dated 2017 September 07; and
- A letter from Neil Pozak, Dalhousie Community Association Board Member and Chair of Planning and Development Committee, RE: DCA Comments Regarding LOC2015-0104 (InterCare/ Buckboard Road, 64th Avenue), dated 2017 September 05.

The public hearing was called, and the following persons came forward to address Council with respect to Bylaw 300D2017:

1. David Ail, President, Intercare Corporate Group
2. Victor Kallos
3. Angelo Speranza
4. Neil Pozak, Dalhousie Community Association

RECESS

Council recessed at 11:58 p.m. to reconvene at 1:30 p.m. on Tuesday, 2017 September 12

Council reconvened at 1:34 p.m. with Mayor Nenshi in the Chair.

5. Ian Ferguson

ADOPT, Moved by Councillor Farrell, Seconded by Councillor Keating, that the Calgary Planning Commission Recommendations contained in Report CPC2017-302, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.81 hectares ± (2.01 acres ±) located at 5612 and 5620 Buckboard Road NW (Plan 3123GH, Blocks 30 and 31) from Special Purpose – Future Urban Development (S-FUD) District and Residential – Contextual One Dwelling (R-C1) District to DC Direct Control District to accommodate assisted living and/or residential care facility, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 300D2017.

CARRIED

INTRODUCE, Moved by Councillor Farrell, Seconded by Councillor Keating, that Bylaw 300D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2015-0104), be introduced and read a first time.

CARRIED

AMENDMENT, Moved by Councillor Farrell, Seconded by Councillor Sutherland, that Bylaw 300D2017 be amended, as follows:

- “1. In section 1(c) of the Bylaw, delete the word “and” at the end of the sentence.
2. In section 1(d) of the Bylaw, add the word “and” at the end of the sentence.
3. In section 1 of the Bylaw, add a new subsection as follows:
 - (e) manage vehicular access and require motor vehicle parking for the benefit of residents, visitors and staff.
4. In section 8(1) of the Bylaw add a new subsection as follows:
 - (b) The maximum cumulative number of residents is 140.
5. In section 8(4) of the Bylaw, amend (e)ii as follows:

patios; which may only be located along property lines shared with a street;
6. In section 8 of the Bylaw, add a new subsection as follows:
 - (8) Vehicular Access
 - (a) Unless otherwise referenced below, no vehicular access is allowed from Buckboard Road NW.
 - (b) Secondary (emergency) vehicular access may be accommodated from Buckboard Road NW.
7. In section 8 of the Bylaw, add a new subsection as follows:
 - (9) Motor Vehicle Parking
 - (a) A minimum of 0.5 *motor vehicle parking stalls per care unit* is required.
 - (b) A minimum of 0.5 *motor vehicle parking stalls per Dwelling Unit* is required.
8. In section 9 of the Bylaw, replace the words: “section 8(1) to 8(6)” with:

“sections 8(1) to 8(6), 8(8) and 8(9).
9. Amend the legend within the Schedule “C” of the Bylaw, as follows:

Maximum Building Height

Area A

Two storeys – up to 9.0 metres, but not exceeding a geodetic point of 1161.39m

Area B

Three storeys – up to 12.0 metres, but not exceeding a geodetic point of 1161.39m

Area C

Four storeys – up to 16.0 metres, but not exceeding a geodetic point of 1161.39m

Maximum Overall Site Building Height

The maximum overall site building height will be 3 floors up to 12 m above the average of the four geodetic property line corner points (average of 1149.39m), conforming to a maximum geodetic height of 1161.39m. All heights related to this maximum building height are inclusive of rooftop items such as doors, architectural features, elevator housing, mechanical penthouse and screening of mechanical systems.”

CARRIED

REFER, Moved by Councillor Farrell, Seconded by Councillor Carra, that Council refer Report CPC2017-302 to the Administration and return to Council with a concurrent Development Plan.

Opposed: S. Keating

CARRIED

MOTION ARISING, Moved by Councillor Farrell, Seconded by Councillor Woolley, That with respect to Item CPC2017-302, Council direct City Administration to change the address of future development on the subject site to 64 Av N.W.

CARRIED

8.28 LAND USE AMENDMENT, MARLBOROUGH PARK (WARD 10), 4 AVENUE NE
AND MADDOCK DRIVE NE, BYLAW 301D2017, CPC2017-303

The public hearing was called and Jennifer Maxximatis-White addressed Council with respect to Bylaw 301D2017.

ADOPT, Moved by Councillor Chabot, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-303, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.12 hectares \pm (0.28 acres \pm) located at 6107 - 4 Avenue NE (Plan 1844LK, Block 8, Lots 44 and 45) from DC Direct Control District to DC Direct Control District to accommodate existing child care facilities, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 301D2017.

CARRIED

INTRODUCE, Moved by Councillor Chabot, Seconded by Councillor Woolley, that Bylaw 301D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0099), be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Chabot, Seconded by Councillor Woolley, that Bylaw 301D2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Chabot, Seconded by Councillor Woolley, that authorization now be given to read Bylaw 301D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Chabot, Seconded by Councillor Woolley, that Bylaw 301D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0099), be read a third time.

CARRIED

8.29 LAND USE AMENDMENT, RESIDUAL SUB-AREA 2E (WARD 2), 85 STREET NW AND NORTH OF 112 AVENUE NW, BYLAW 302D2017, CPC2017-304

The public hearing was called, and the following persons addressed Council with respect to Bylaw 302D2017:

1. Janice Weitendorf, Calgary Police Service
2. Peggy Flanigan, Calgary Police Service

ADOPT, Moved by Councillor Magliocca, Seconded by Councillor Sutherland, that the Calgary Planning Commission Recommendations contained in Report CPC2017-034, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 1.27 hectares \pm (3.13 acres \pm) located at 11808 – 85 Street NW (Portion of W1/2 Section 27-25-2-5) from Special Purpose – Future Urban Development (S-FUD) District to DC Direct Control District to accommodate a Jail and Protective and Emergency Service, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 302D2017.

CARRIED

INTRODUCE, Moved by Councillor Magliocca, Seconded by Councillor Sutherland, that Bylaw 302D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0131), be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Magliocca, Seconded by Councillor Sutherland, that Bylaw 302D2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Magliocca, Seconded by Councillor Sutherland, that authorization now be given to read Bylaw 302D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Magliocca, Seconded by Councillor Sutherland, that Bylaw 302D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2017-0131), be read a third time.

CARRIED

8.30 LAND USE AMENDMENT, TARADALE (WARD 3), EAST TERMINUS OF TARINGTON PLACE NE AND WEST OF STONEY TRAIL NE, BYLAW 304D2017, CPC2017-306

The public hearing was called, and the following persons addressed Council with respect to Bylaw 304D2017:

1. Nancy Sanborn, B&A

DISTRIBUTION

At the request of Nancy Sanborn and with the concurrence of The Mayor, the Acting City Clerk distributed copies of Ms. Sanborn's presentation notes with respect to Report CPC2017-306.

2. Terry Fenton, Fenton Consulting LTD.

ADOPT, Moved by Councillor Stevenson, Seconded by Councillor Jones, that the Calgary Planning Commission Recommendations contained in Report CPC2017-306, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.24 hectares \pm (0.59 acres \pm) located at 102 and 103 Tarington Place NE (Plan 0212335, Block 13, Lot 116; Plan 0212335, Block 21, Lot 39) from Special Purpose – City and Regional Infrastructure (S-CRI) District to Residential – Low Density Mixed Housing (R-G) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 304D2017.

Opposed: S. Keating

CARRIED

INTRODUCE, Moved by Councillor Stevenson, Seconded by Councillor Jones, that Bylaw 304D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0004), be introduced and read a first time.

Opposed: S. Keating

CARRIED

SECOND, Moved by Councillor Stevenson, Seconded by Councillor Jones, that Bylaw 304D2017 be read a second time.

Opposed: S. Keating

CARRIED

AUTHORIZATION, Moved by Councillor Stevenson, Seconded by Councillor Jones, that authorization now be given to read Bylaw 304D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Stevenson, Seconded by Councillor Jones, that Bylaw 304D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0004), be read a third time.

Opposed: S. Keating

CARRIED

- 8.31 LAND USE AMENDMENT, PARKDALE (WARD 7), NORTH OF PARKDALE BOULEVARD NW AND WEST OF 29 STREET NW, BYLAW 305D2017, CPC2017-307

Note: This Item was tabled to the 2017 November 06 Public Hearing of Council.

- 8.32 LAND USE AMENDMENT, SHAGANAPPI (WARD 8), 17 AVENUE SW EAST OF 29 STREET SW, BYLAW 306D2017, CPC2017-308

The public hearing was called and David White, CivicWorks Planning + Design Inc. addressed Council with respect to Bylaw 306D2017.

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Demong, that the Calgary Planning Commission Recommendations contained in Report CPC2017-308, be adopted, as follows:

That Council:

1. Adopt the proposed redesignation of 0.18 hectares \pm (0.44 acres \pm) located at 2910 and 2940 – 17 Avenue SW (Plan 9019EP, Block 1, Lot 1) from Multi-Residential – Contextual Low Profile (M-C1) District and Commercial – Corridor 2 f3.0h46 (C-COR2 f3.0h46) District to DC Direct Control District to accommodate mixed use development, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 306D2017.

CARRIED

INTRODUCE, Moved by Councillor Woolley, Seconded by Councillor Demong, that Bylaw 306D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0292), be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Woolley, Seconded by Councillor Demong, that Bylaw 306D2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Woolley, Seconded by Councillor Demong, that authorization now be given to read Bylaw 306D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Woolley, Seconded by Councillor Demong, that Bylaw 306D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0292), be read a third time.

CARRIED

8.33 POLICY AMENDMENT AND LAND USE AMENDMENT, COUGAR RIDGE (WARD 6), COULEE WAY NORTH OF OLD BANFF COACH ROAD SW, BYLAWS 57P2017 AND 307D2017, CPC2017-309

The public hearing was called, and the following persons addressed Council with respect to Bylaws 57P2017 and 307D2017:

1. Terry Fenton, Fenton Consulting LTD.
2. Samantha Lorio
3. Olesya Afanasyeva
4. Erin Varsányi

Council recessed at 3:15 p.m. on 2017 September 12 to reconvene at 3:45 p.m.

Council reconvened at 3:50 p.m. with Deputy Mayor Pootmans in the Chair.

5. John Ramotowski
6. Kevin McLachlan
7. Nicola Guilcher

Mayor Nenshi Assumed the Chair at 3:55 p.m.

8. Suzette Miller
9. László Varsányi
10. Dan Kolenick
11. Kevin Miller

ADOPT, Moved by Councillor Keating, Seconded by Councillor Stevenson, that the Administration Recommendations contained in Report CPC2017-309, be adopted, as follows:

That Council:

1. Adopt, by bylaw, the proposed amendments to the East Springbank Area Structure Plan Appendix 5: East Springbank III Community Plan, in accordance with Administration's recommendation; and

2. Give three readings to the proposed Bylaw 57P2017.
3. Adopt the proposed redesignation of 1.30 hectares \pm (3.21 acres \pm) located at 35 Coulee Way SW (Portion of Plan 6262AC, Block 3) from Residential – One Dwelling (R-1 District and Special Purpose – School, Park and Community Reserve (S-SPR) District **to** Multi-Residential – At Grade (M-Gd53) District and Special Purpose – School, Park and Community Reserve (S-SPR) District; and
4. Give three readings to the proposed Bylaw 307D2017.

ROLL CALL VOTE

For:

D. Colley-Urquhart, R. Jones, S. Keating, J. Magliocca, J. Stevenson, N. Nenshi

Against:

A. Chabot, S. Chu, P. Demong, D. Farrell, B. Pinzot, R. Pootmans, W. Sutherland, E. Woolley, G-C. Carra

MOTION LOST

FILE AND ABANDON, Moved by Councillor Pootmans, Seconded by Councillor Chu, that Report CPC2017-309 be filed, the application be refused and Bylaws 57P2017 and 307D2017 be abandoned.

Opposed: J. Magliocca

CARRIED

8.34 POLICY AMENDMENT AND LAND USE AMENDMENT, WALDEN AND LEGACY (WARD 14), SOUTHEAST OF THE INTERSECTION OF 210 AVENUE SE AND MACLEOD TRAIL SE, BYLAWS 58P2017 AND 308D2017, CPC2017-310

The public hearing was called, and the following persons addressed Council with respect to Bylaws 58P2017 and 308D2017:

1. Kathy Oberg, B&A Planning Group
2. Jeff O'Reilly, Royop Development

ADOPT, Moved by Councillor Demong, Seconded by Councillor Carra, that the Calgary Planning Commission Recommendations contained in Report CPC2017-310, be adopted, as follows:

That Council:

1. Adopt the proposed South Macleod Centre Area Structure Plan and Repeal the South Macleod Centre Area Structure Plan (Bylaw 35P2013), in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 58P2017
3. Adopt the proposed redesignation of 25.15 hectares \pm (62.14 acres \pm) located at 1411 and 1555 – 210 Avenue SE (Plan 1611206, Block 38, Lot 1; Plan 1413264, Block 13, Lot 2) from Commercial – Regional 3 f0.3h20 (C-R3 f0.3h20) District and DC Direct Control District to DC Direct Control District to accommodate regional and local commercial uses and mixed use commercial/residential development, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 308D2017

CARRIED

INTRODUCE, Moved by Councillor Demong, Seconded by Councillor Carra, that Bylaw 58P2017, Being a Bylaw of The City of Calgary to Adopt the South Macleod Centre Area Structure Plan, be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Demong, Seconded by Councillor Carra, that Bylaw 58P2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Demong, Seconded by Councillor Carra, that authorization now be given to read Bylaw 58P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Demong, Seconded by Councillor Carra, that Bylaw 58P2017, Being a Bylaw of The City of Calgary to Adopt the South Macleod Centre Area Structure Plan, be read a third time.

CARRIED

INTRODUCE, Moved by Councillor Demong, Seconded by Councillor Carra, that Bylaw 308D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0210), be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Demong, Seconded by Councillor Carra, that Bylaw 308D2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Demong, Seconded by Councillor Carra, that authorization now be given to read Bylaw 308D2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Demong, Seconded by Councillor Carra, that Bylaw 308D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0210), be read a third time.

CARRIED

BRING FORWARD, Moved by Councillor Demong, Seconded by Councillor Chu, that Item 16.9, Report C2017-0595, be brought forward to be dealt with at this time.

CARRIED

9. DISPOSITIONS OF PUBLIC RESERVE LAND(S)
(which are not part of a land use item)

9.1 DISPOSITION OF RESERVE, ALBERT PARK/RADISSON HEIGHTS (WARD 10),
12 AVENUE, CITY PROPERTY WEST OF 34 STREET, 16 AVENUE,
RESIDENTIAL LANE EAST OF RADISSON DRIVE SE, CPC2017-311

DISTRIBUTION

At the request of Councillor Pincott and with the concurrence of the Mayor, the Acting City Clerk distributed copies of an undated letter by Mark Rees with respect to Report CPC2017-311.

The public hearing was called, and the following persons addressed Council with respect to the proposed disposition:

1. David Purdell-Chung
2. Kate Thompson, Canadian Municipal Land Corporation
3. Amber Osadau-Ullman, Canadian Municipal Land Corporation
4. Nancy Floris

ADOPT, Moved by Councillor Chabot, Seconded by Councillor Carra, that the Calgary Planning Commission Recommendations contained in Report CPC2017-311, be adopted, as follows:

That Council:

1. Adopt, by Resolution, the proposed disposition of 0.975 hectares \pm (2.41 acres \pm) located at 3345 - 12 Avenue and 3416 - 16 Avenue SE (Plan 2870JK, Block 4, Lot B Community Reserve), in accordance with Administration's recommendation, and
2. Direct a designated officer to notify the registrar of the Southern Alberta Land Titles Office to register on titles a Deferred Reserve Caveat on Plan 2870JK, Block 4, Lot B.
3. Direct a designated officer to notify the registrar of the Southern Alberta Land Titles Office that the requirements of the Municipal Government Act have been complied with and request the removal of the Municipal Reserve Designation.

CARRIED

9.2 PROPOSED DISPOSITION OF RESERVE, INGLEWOOD (WARD 9), EAST OF 12 STREET SE AND SOUTH OF THE BOW RIVER, CPC2017-312

Note: This Item was dealt in conjunction with Item 8.22, Report CPC2017-297.

The public hearing was called; however, no one came forward to address Council with respect to the disposition of reserve, Report CPC2017-312.

ADOPT, Moved by Councillor Carra, Seconded by Councillor Woolley, that the Calgary Planning Commission Recommendations contained in Report CPC2017-312, be adopted, as follows:

That Council:

1. Adopt, by Resolution, the proposed disposition of 0.04 hectares \pm (0.10 acres \pm) located at 1033 - 7 Avenue SE (Plan 8410089, Lot 8MR), in accordance with Administration's recommendation, and
2. Direct a designated officer to notify the registrar of the Southern Alberta Land Titles Office that the requirements of the Municipal Government Act have been complied with and request the removal of the Municipal Reserve Designation.

CARRIED

10. EXECUTIVE REPORTS (which are not part of a land use item)

10.1 SECOND AND THIRD READING OF BYLAWS 35P2015 AND 158D2015 POLICY AMENDMENT AND LAND USE AMENDMENT, EAU CLAIRE (WARD 7), 2 AVENUE SW AND 2 STREET SW, C2017-0646

Note: This Item was dealt with immediately following the afternoon break on Monday, 2017 September 11.

DISTRIBUTION

At the request of Councillor Farrell and with the concurrence of the Mayor, the Acting City Clerk distributed copies of a letter by James A. Hughes, President, Eau Claire Community Association, Re: Eau Claire Market Redevelopment, dated 2017 September 03 with respect to Report C2017-0646.

ADOPT, Moved by Councillor Farrell, Seconded by Councillor Woolley, that Administrations Recommendations contained in Report C2017-0646, be adopted, as follows:

That Council:

1. Adopt the amendments to Bylaw 35P2015 as outlined in Attachment 3;
2. Give second and third reading to Bylaw 35P2015, as amended;
3. Adopt the amendments to Bylaw 158D2015 as outlined in Attachment 4; and
4. Give second and third reading to Bylaw 158D2015, as amended.

CARRIED

AMENDMENT, Moved by Councillor Farrell, Seconded by Councillor Woolley, that Bylaw 35P2015 be amended as follows:

On page 1 of 5

- By deleting Section 2.(a) including the attached Schedule A.
- In Section 2.(b), delete the text “2015” and replace with “2017”.

On page 2 of 5

- In Section 2.(i) delete the text in its entirety and replace with the following:
 “In Section 11.4.6(d), add the following at the end of the sentence “or as otherwise allowed by a Direct Control District for the E1 lands as shown on Figure 3.”

CARRIED

SECOND, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 35P2015 be read a second time, as amended.

CARRIED

THIRD, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 35P2015, Being a Bylaw of The City of Calgary to Amend the Eau Claire Area Redevelopment Plan Bylaw 2P95, be read a third time, **as amended**, as follows:

On page 1 of 5

- By deleting Section 2.(a) including the attached Schedule A.
- In Section 2.(b), delete the year “2015” and replace with the year “2017”.

On page 2 of 5

- In Section 2.(i) delete the text in its entirety and replace with the following:
 “In Section 11.4.6(d), add the following at the end of the sentence “or as otherwise allowed by a Direct Control District for the E1 lands as shown on Figure 3.”

CARRIED

AMENDMENT, Moved by Councillor Farrell, Seconded by Councillor Woolley, that Bylaw 158D2015 be amended in Schedule B, by deleting the text in its entirety and by substituting with the following:

“DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to be characterized by:

- (a) a primarily residential and commercial **development** to meet the needs of the workers, visitors and local and regional users, and in recognition of the site as a destination for retail **uses** where flexible and creative **development** encourages an exciting and energetic environment;
- (b) a mix of residential, commercial, **Office** and cultural **uses**;
- (c) intensive **development** where intensity is measured by **floor area ratio**; and
- (d) a **building** form that is street oriented at **grade**.

Compliance with Bylaw 1P2007

2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definitions

- 4 In this Direct Control District,

- (a) “**commercial uses**” means all of the **discretionary uses** in this Direct Control District other than:

- (i) **residential uses**;
- (ii) **Child Care Service**;
- (iii) **Community Entrance Feature**;
- (iv) **Community Recreation Facility**;
- (v) **Home Occupation – Class 2**;
- (vi) **Indoor Recreation Facility**;
- (vii) **Library**;
- (viii) **Office**;
- (ix) **Parking Lot – Grade**;
- (x) **Parking Lot – Grade (temporary)**;
- (xi) **Performing Arts Centre**;
- (xii) **Power Generation Facility – Small**;
- (xiii) **Residential Care**;
- (xiv) **School Authority Purpose – School**;
- (xv) **School Authority Purpose – Major**;
- (xvi) **School Authority – Minor**;
- (xvii) **Service Organization**;
- (xviii) **Sign – Class C**;
- (xix) **Sign – Class E**;
- (xx) **Special Function – Class 2**;

- (xxi) **Temporary Marketing Centre**; and
- (xxii) **Utility Building**.

(b) "**Eau Claire Plaza**" means:

- (i) Those lands described as Plan 8110407; Block 1; Lot 6

(c) "**podium**" means that portion of a **building** located below:

- (i) 30.0 metres above **grade** for Site 1, or
- (ii) 20.0 metres above **grade** for Site 2.

(d) "**residential uses**" means one or more of the following **uses**:

- (i) **Assisted Living**;
- (ii) **Dwelling Unit**;
- (iii) **Hotel**;
- (iv) **Live Work Unit**;
- (v) **Multi-Residential Development**; and
- (vi) **Townhouse**.

(e) "**tower**" means that portion of a **building** above the **podium**.

Defined Uses

5

In this Direct Control
District,

(a) "**Temporary Marketing Centre**" means a **use**:

- (i) where **units** are offered for sale to the public;
- (ii) that may include sales **offices** and displays of materials used in the construction of the **units** that are offered for sale;
- (iii) that must occur in a **unit**, which may be temporarily modified to accommodate the **use**, or in a temporary **building**; and

(iv) must not operate for longer than 4 years.

Sites 1 and 2

Application

6 The provisions in sections 7 through 19 apply only to Sites 1 and 2.

Permitted Uses

7 The following **uses** are **permitted uses** in this Direct Control District:

- (a) **Accessory Residential Building;**
- (b) **Park;**
- (c) **Protective and Emergency Service; and**
- (d) **Sign – Class D.**

Discretionary Uses

8 The following **uses** are **discretionary uses** in this Direct Control District:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Artist's Studio;**
- (d) **Assisted Living;**
- (e) **Auction Market – Other Goods;**
- (f) **Catering Service – Minor;**
- (g) **Child Care Service;**
- (h) **Community Entrance Feature;**
- (i) **Community Recreation Facility;**
- (j) **Computer Games Facility;**
- (k) **Convenience Food Store;**
- (l) **Cultural Support;**
- (m) **Dinner Theatre;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**
- (p) **Dwelling Unit;**
- (q) **Financial Institution;**
- (r) **Fitness Centre;**
- (s) **Food Kiosk;**
- (t) **Health Services Laboratory – With Clients;**
- (u) **Home Occupation – Class 2;**
- (v) **Hotel;**
- (w) **Indoor Recreation Facility;**
- (x) **Instructional Facility;**
- (y) **Library;**
- (z) **Liquor Store;**
- (aa) **Live Work Unit;**
- (bb) **Market;**
- (cc) **Market – Minor;**
- (dd) **Medical Clinic;**
- (ee) **Multi-Residential Development;**

- (ff) **Museum;**
- (gg) **Outdoor Café;**
- (hh) **Outdoor Recreation Area;**
- (ii) **Parking Lot – Grade;**
- (jj) **Parking Lot - Grade (Temporary);**
- (kk) **Performing Arts Centre;**
- (ll) **Pet Care Service;**
- (mm) **Place of Worship – Small;**
- (nn) **Post-secondary Learning Institution;**
- (oo) **Power Generation Facility – Small;**
- (pp) **Print Centre;**
- (qq) **Radio and Television Studio;**
- (rr) **Residential Care;**
- (ss) **Restaurant: Food Service Only – Large;**
- (tt) **Restaurant: Food Service Only – Medium;**
- (uu) **Restaurant: Food Service Only – Small;**
- (vv) **Restaurant: Licensed – Large;**
- (ww) **Restaurant: Licensed – Medium;**
- (xx) **Restaurant: Licensed – Small;**
- (yy) **Retail and Consumer Service;**
- (zz) **School – Private;**
- (aaa) **School Authority – School;**
- (bbb) **School Authority Purpose – Major;**
- (ccc) **School Authority Purpose – Minor;**
- (ddd) **Service Organization;**
- (eee) **Sign – Class C;**
- (fff) **Sign – Class E;**
- (ggg) **Special Function – Class 2;**
- (hhh) **Specialty Food Store;**
- (iii) **Supermarket;**
- (jjj) **Take Out Food Service;**
- (kkk) **Temporary Marketing Centre;**
- (lll) **Townhouse;**
- (mmm) **Utility Building; and**
- (nnn) **Veterinary Clinic.**

Bylaw 1P2007 District Rules

- 9** Unless otherwise specified, the General Rules for the Commercial Residential Districts in Part 13 Division 1 of Bylaw 1P2007 apply in this Direct Control District.

Sunlight Protection Areas

- 10 (1)** The following sunlight protection areas should not be placed in greater shadow by a **development** as measured on September 21, at the times and locations indicated for each area, than were already in shadow as the result of an existing or approved **development**.

- (a) Riverbank (not including the Riverbank Promenade and between 3 and 7 Streets SW): an area 20.0 metres wide abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m., MDT;

- (b) Riverbank Promenade (between 3 Street SW and Centre Street): an area 9.0 metres wide abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m.,

MDT;

- (c) Barclay (3 St SW) Mall: the westerly 8.0 metres of the right-of-way and **setback area** of the Barclay Mall, from 12:30 p.m. to 1:30 p.m., MDT; and

- (d) Barclay (3 St SW) Mall: the easterly 8.0 metres of the right-of-way and **setback area** of the Barclay Mall, from 1:30 p.m. to 2:30 p.m., MDT.

- (2) The **Eau Claire Plaza** (the "Plaza") should not be placed in greater shadow by a **development** as measured on September 21, at the times indicated, than were already in shadow as the result of an existing or approved **development** excepting:

- (a) south of a line drawn parallel to and 52 metres northward from the south boundary of the Plaza and east of a line drawn parallel to and 14 metres westward from the east boundary of the Plaza, from 10:00 a.m. to 12:30 p.m., MDT;

- (b) south of a line drawn parallel to and 34 metres northward from the south boundary of the Plaza from 12:30 p.m. to 2:30 p.m., MDT; and

- (c) south of a line drawn parallel to and 34 metres northward from the south boundary of the Plaza and east of a line drawn parallel to and 15 metres westward from the east boundary of the Plaza, at 2:30 p.m. to 4:00 p.m. MDT.

Location of Uses within Buildings

- 11 Office uses must not be located on the ground floor of a **building**.

Use Area

- 12 (1) Unless otherwise referenced in this section, the maximum **use area** for **uses** located on the ground floor of a **building** is 1200.0 square metres.

- (2) The maximum **use area** of a **Financial Institution** when located on the ground floor of a **building** is 465.0 square metres of **public area**.

- (3) The maximum **use area** of a **Hotel** when located on the ground floor of a **building** is 2000.0 square metres.

- (4) For **Retail and Consumer Service, Supermarket**, or a **Supermarket** combined with any other **use**, there may be one such maximum **use area** of 3600.0 square metres and one such maximum **use area** of 2400.0 square metres on the ground floor of a **building**.

Required Motor Vehicle Parking Stalls

13 (1) For **Dwelling Units** or **Live Work Units**:

- (a) the minimum **motor vehicle parking stall** requirement is 0.5 stalls per **unit**;
 - (b) the maximum number of **motor vehicle parking stalls** that may be provided is:
 - (i) 1.0 stalls per **unit** where the **unit's gross floor area** is less than or equal to 125.0 square metres; and
 - (ii) 2.0 stalls per **unit** where the **unit's gross floor area** is greater than 125.0 square metres; and
 - (c) the **visitor parking stall** requirement is 0.1 stalls per **unit**.
- (2) For a **Hotel**, the minimum number of required **motor vehicle parking stalls** is 1.0 per 3.0 guest rooms.
- (3) The following **uses** require a parking study to determine the required minimum number of **motor vehicle parking stalls**:
- (a) **Indoor Recreation Facility**;
 - (b) **Library**;
 - (c) **Museum**;
 - (d) **Performing Arts Centre**; and
 - (e) **Post-secondary Learning Institution**.
- (4) For **Office**, the minimum number of required **motor vehicle parking stalls** is 0.7 per 100.0 square metres of **gross useable floor area**, which must be provided:
- (a) 50 per cent as stalls; and
 - (b) 50 per cent as a cash-in-lieu payment;
 - (c) Payments made under subsection (b) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** at the time the payment is made.
- (5) **Temporary Marketing Centre** does not require **motor vehicle parking stalls**.
- (6) For all other **uses**, the minimum required **motor vehicle parking stalls** is the requirement referenced in Part 4 of Bylaw 1P2007.

- (7) Payments made under subsection (4)(b) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** with respect to Part 13 of Bylaw 1P2007, at the time the payment is made.

Short Stay Parking Stalls

- 14 (1) A maximum of 24.0 additional **motor vehicle parking stalls** may be provided as **parking area – short stay** stalls where such stalls are:
- (a) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (b) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public; and
 - (c) prominently signed at the **street** level indicating the availability and conditions of use of such stalls.
- (2) Additional **motor vehicle parking stalls** as provided in subsection (1) are not subject to the cash-in-lieu provisions of Section 13.

Use of Parking Areas

- 15 (1) All **uses** may share an entrance to areas of a parking structure.
- (2) **Motor vehicle parking stalls** and **bicycle parking stalls** required for **uses** on Site 1 and Site 2 may be shared and located on any one Site or both Sites, but those stalls required for **residential uses** (except **Hotel**) must be physically separated from stalls for other **uses**.

Required Bicycle Parking Stalls

- 16 (1) Unless otherwise referenced in this section or in subsection 13(3), the minimum number of required **bicycle parking stalls – class 1** and **class 2** is the requirement referenced in Part 4 of Bylaw 1P2007.
- (2) For an **Office**, the minimum number of required:
- (a) **bicycle parking stalls - class 1** is 2.0 per 1000.0 square metres of **gross usable floor area**; and
 - (b) **bicycle parking stalls - class 2** is 2.0 per 1000.0 square metres of **gross usable floor area**.
- (3) For a **Dwelling Unit** or **Live Work Unit**, the minimum number of **bicycle parking stalls – class 1** is 0.5 per **unit** for **developments** with greater than

20.0 *units*.

- (4) **Temporary Marketing Centre** does not require **bicycle parking stalls – class 1** or **class 2**.
- (5) The following **uses** require a parking study to determine the required minimum number of **bicycle parking stalls – class 1** and **bicycle parking stalls – class 2**:
- (a) **Indoor Recreation Facility**;
 - (b) **Library**;
 - (c) **Museum**;
 - (d) **Performing Arts Centre**; and
 - (e) **Post-secondary Learning Institution**.
- (6) Where **bicycle parking stalls – class 1** are required for an **Office** in a proposed **building**, the following amenities must be provided:
- (a) lockers at a ratio of 1.0 per 4.0 **bicycle parking stalls – class 1**; and
 - (b) where a minimum of 25.0 **bicycle parking stalls – class 1** are required:
 - (i) private change rooms at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater;
 - (ii) showers at a minimum of 0.4 square metres per required **parking stalls – class 1** or 20.0 square metres, whichever is greater; and
 - (iii) an unobstructed area for bicycle maintenance which must:
 - (A) be a minimum of 6.0 square metres; and
 - (B) have no dimension less than 2.0 metres.

Location of Bicycle Parking Stalls

- 17 **Bicycle parking stalls – class 1** must be located at **grade** or within the first parking level directly below **grade**.

Roof

- 18 The roof of any **podium** must be a **landscaped area** and roof-top equipment must be **screened**.

Relaxation Powers

- 19 (1) Except as otherwise stated in subsections (2) and (3), the **Development Authority** may relax any of the rules within this Direct Control District, including without limitation the rule in section 32, where the relaxation test in Bylaw 1P2007 is met.

- (2) The **Development Authority** may relax sections 23(2), 25, 28, 29, 31, 34(2), 35 and 39 of this Direct Control District only where both the test for relaxation in Bylaw 1P2007 is met and where the relaxation is required as the result of integration of a development into the Green Line.
- (3) The **Development Authority** must not relax subsections 23(4) and 23(6).

Site 1 (±1.46 hectares)

Application

20 The provisions in sections 21 through 32 apply only to Site 1.

Additional Discretionary Uses

21 The following **uses** are additional **discretionary uses** in this Direct Control District:

- (a) **Cinema**; and
- (b) **Office**.

Parking Lot-Grade (Temporary)

22 **Development permits** for **Parking Lot – Grade (Temporary)** must not be approved with an expiry date later than 10 years after a **development completion permit** has been issued for the **podium** of the first phase of Site 1.

Floor Area Ratio

- 23** (1) The cumulative total maximum **floor area ratio** is 10.0.
- (2) The minimum **floor area ratio** is 4.0 for **residential uses**.
- (3) The minimum **floor area ratio** is 0.9 for **commercial uses**.
- (4) Subject to subsection (5), the maximum **floor area ratio** is 1.9 for **Office use**.
- (5) The maximum **floor area ratio** for **Office use** may be increased from the maximum **floor area ratio** listed in subsection (4), in accordance with the bonus incentive provisions contained in section 24.
- (6) The cumulative **floor area ratio** for **residential uses** must be greater than the cumulative **floor area ratio** for **Office use**.

Incentive Density Calculation Method

- 24** (1) The **floor area ratio** in subsection 23(4) may be increased by up to an additional 2.2 through a financial contribution to **Eau Claire Plaza Improvement Fund**.
- (2) The amount of additional **gross floor area** achieved by providing the financial contribution to the **Eau Claire Improvement Fund** set out in subsection (1) is calculated by dividing the cost of the contribution amount to the **Eau Claire Plaza Revitalization Fund** by the Incentive Rate 1 of Part 13 Division 3 of Bylaw 1P2007 as established by **Council**, and amended from time to time.

- (3) For purposes of this section, "**Eau Claire Improvement Fund**" means a dedicated civic fund to provide off-site improvements to the Eau Claire Plaza.

Maximum Height

25 The maximum **building height** is 127.0 metres from **grade**.

Location of Uses within Buildings

26 **Office uses** may only be located in a **building** located at the northwest corner of 2 Avenue and 2 Street SW.

Building Setbacks

27 There are no minimum **building setbacks**.

Tower Separation

28 The minimum separation distance between **towers** is 18.0 metres.

Floor Plate Restrictions

29 (1) Each floor of a **tower** containing **Assisted Living, Dwelling Units, Hotel** suites, or **Live Work Units**, has a maximum:

- (a) **floor plate area** of 1600.0 square metres; and
- (b) horizontal dimension of 85.0 metres.

(2) Each floor of a **tower** containing primarily **Offices** has a maximum:

- (a) **floor plate area** of 3000.0 square metres; and
- (b) horizontal dimension of 85.0 metres.

Riverfront Avenue Requirement

30 A vehicular connection extending Riverfront Avenue SW between 2 Street SW and 3 Street SW with sidewalks along its full length on both the north and south sides must be completed as part of the first phase of the Site 1 **development permit** application.

Phasing

31 No **development completion permit** for **Office use** may be issued until a **development completion permit** for the minimum **floor area ratio** of 4.0 for **residential uses** has been issued for Site 1.

Development Permit Requirements

32 (1) A **development permit** application must conform to the form and renderings plans attached to this Bylaw as Schedule C. For greater certainty, a **development permit** application must include the drawings attached as Schedule C.

- (2) This section remains in effect until the date a **development completion permit** is issued for the entirety of the **development** contained in Schedule C.

Site 2 (±1.41 hectares)

Application

33 The provisions in sections 34 through 39 apply only to Site 2.

Floor Area Ratio

- 34** (1) The cumulative maximum **floor area ratio** is 4.0.
- (2) The minimum **floor area ratio** is 2.0 for **residential uses**.
- (3) The cumulative **floor area ratio** for **residential uses** must be greater than the cumulative **floor area ratio** for all other **uses**.

Maximum Height

35 The maximum **building height** is 70 metres from **grade**.

Location of Uses within Buildings

- 36** (1) **Restaurant: Licensed – Large** must not front the northernmost boundary of Site 2.
- (2) Only **residential uses** (not including **Hotel**) may be located in a **tower**.

Building Setbacks

- 37** The minimum **building setbacks** are:
- (a) 0.0 metres from a **property line** shared with a **street**;
 - (b) 11.0 metres from the west **property line** shared with the Eau Claire Plaza; and
 - (c) 20.0 metres from the north **property line**.

Tower Separation

38 The minimum separation distance between **towers** is 18.0 metres.

Floor Plate Restrictions

- 39** Each floor of a **tower** containing **Assisted Living, Dwelling Units, Hotel** suites, or **Live Work Units**, has a maximum:
- (a) **floor plate area** of 1600.0 square metres; and
 - (b) horizontal dimension of 85.0 metres.

Site 3 (±0.083 hectares)**Application**

40 The provisions in sections 41 through 43 apply only to Site 3.

Permitted Uses

- 41** The **permitted uses** of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the addition of:
- (a) **Child Care Service**, where located within existing approved **buildings**.

Discretionary Uses

42 The **discretionary uses** of the Special Purpose - Community Service (S-CS) District

of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Fitness Centre;**
- (b) **Restaurant: Licensed – Large;**
- (c) **Restaurant: Licensed – Small; and**
- (d) **Retail and Consumer Service.**

Development Guidelines

- 43** Unless otherwise specified, the rules of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 apply in this Direct Control District."

CARRIED

SECOND, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 158D2015 be read a second time, as amended.

CARRIED

THIRD, Moved by Councillor Carra, Seconded by Councillor Chabot, that Bylaw 158D2015, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2014-0054), be read a third time, **as amended**, in Schedule B, by deleting the text in its entirety and by substituting with the following:

"DIRECT CONTROL DISTRICT

Purpose

- 1** This Direct Control District is intended to be characterized by:
- (a) a primarily residential and commercial **development** to meet the needs of the workers, visitors and local and regional users, and in recognition of the site as a destination for retail **uses** where flexible and creative **development** encourages an exciting and energetic environment;
 - (b) a mix of residential, commercial, **Office** and cultural **uses**;
 - (c) intensive **development** where intensity is measured by **floor area ratio**; and
 - (d) a **building** form that is street oriented at **grade**.

Compliance with Bylaw 1P2007

- 2** Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3** Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definitions

4 In this Direct Control District,

- (a) “**commercial uses**” means all of the **discretionary uses** in this Direct Control District other than:
- (i) **residential uses**;
 - (ii) **Child Care Service**;
 - (iii) **Community Entrance Feature**;
 - (iv) **Community Recreation Facility**;
 - (v) **Home Occupation – Class 2**;
 - (vi) **Indoor Recreation Facility**;
 - (vii) **Library**;
 - (viii) **Office**;
 - (ix) **Parking Lot – Grade**;
 - (x) **Parking Lot – Grade (temporary)**;
 - (xi) **Performing Arts Centre**;
 - (xii) **Power Generation Facility – Small**;
 - (xiii) **Residential Care**;
 - (xiv) **School Authority Purpose – School**;
 - (xv) **School Authority Purpose – Major**;
 - (xvi) **School Authority – Minor**;
 - (xvii) **Service Organization**;
 - (xviii) **Sign – Class C**;
 - (xix) **Sign – Class E**;
 - (xx) **Special Function – Class 2**;
 - (xxi) **Temporary Marketing Centre**; and
 - (xxii) **Utility Building**.

(b) "**Eau Claire Plaza**" means:

- (i) Those lands described as Plan 8110407; Block 1; Lot 6

(c) "**podium**" means that portion of a **building** located below:

- (i) 30.0 metres above **grade** for Site 1; or
- (ii) 20.0 metres above **grade** for Site 2.

(d) "**residential uses**" means one or more of the following **uses**:

- (i) **Assisted Living**;
- (ii) **Dwelling Unit**;
- (iii) **Hotel**;
- (iv) **Live Work Unit**;
- (v) **Multi-Residential Development**; and
- (vi) **Townhouse**.

(e) "**tower**" means that portion of a **building** above the **podium**.

Defined Uses

5 In this Direct Control District,

(a) "**Temporary Marketing Centre**" means a **use**:

- (i) where **units** are offered for sale to the public;
- (ii) that may include sales **offices** and displays of materials used in the construction of the **units** that are offered for sale;
- (iii) that must occur in a **unit**, which may be temporarily modified to accommodate the **use**, or in a temporary **building**; and
- (iv) must not operate for longer than 4 years.

Sites 1 and 2

Application

6 The provisions in sections 7 through 19 apply only to Sites 1 and 2.

Permitted Uses

7 The following **uses** are **permitted uses** in this Direct Control District:

- (a) **Accessory Residential Building;**
- (b) **Park;**
- (c) **Protective and Emergency Service; and**
- (d) **Sign – Class D.**

Discretionary Uses

8 The following **uses** are **discretionary uses** in this Direct Control District:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Artist's Studio;**
- (d) **Assisted Living;**
- (e) **Auction Market – Other Goods;**
- (f) **Catering Service – Minor;**
- (g) **Child Care Service;**
- (h) **Community Entrance Feature;**
- (i) **Community Recreation Facility;**
- (j) **Computer Games Facility;**
- (k) **Convenience Food Store;**
- (l) **Cultural Support;**
- (m) **Dinner Theatre;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**
- (p) **Dwelling Unit;**
- (q) **Financial Institution;**
- (r) **Fitness Centre;**
- (s) **Food Kiosk;**
- (t) **Health Services Laboratory – With Clients;**
- (u) **Home Occupation – Class 2;**
- (v) **Hotel;**
- (w) **Indoor Recreation Facility;**
- (x) **Instructional Facility;**
- (y) **Library;**
- (z) **Liquor Store;**
- (aa) **Live Work Unit;**
- (bb) **Market;**
- (cc) **Market – Minor;**
- (dd) **Medical Clinic;**
- (ee) **Multi-Residential Development;**
- (ff) **Museum;**
- (gg) **Outdoor Café;**
- (hh) **Outdoor Recreation Area;**
- (ii) **Parking Lot – Grade;**
- (jj) **Parking Lot - Grade (Temporary);**

- (kk) **Performing Arts Centre;**
- (ll) **Pet Care Service;**
- (mm) **Place of Worship – Small;**
- (nn) **Post-secondary Learning Institution;**
- (oo) **Power Generation Facility – Small;**
- (pp) **Print Centre;**
- (qq) **Radio and Television Studio;**
- (rr) **Residential Care;**
- (ss) **Restaurant: Food Service Only – Large;**
- (tt) **Restaurant: Food Service Only – Medium;**
- (uu) **Restaurant: Food Service Only – Small;**
- (vv) **Restaurant: Licensed – Large;**
- (ww) **Restaurant: Licensed – Medium;**
- (xx) **Restaurant: Licensed – Small;**
- (yy) **Retail and Consumer Service;**
- (zz) **School – Private;**
- (aaa) **School Authority – School;**
- (bbb) **School Authority Purpose – Major;**
- (ccc) **School Authority Purpose – Minor;**
- (ddd) **Service Organization;**
- (eee) **Sign – Class C;**
- (fff) **Sign – Class E;**
- (ggg) **Special Function – Class 2;**
- (hhh) **Specialty Food Store;**
- (iii) **Supermarket;**
- (jjj) **Take Out Food Service;**
- (kkk) **Temporary Marketing Centre;**
- (lll) **Townhouse;**
- (mmm) **Utility Building, and**
- (nnn) **Veterinary Clinic.**

Bylaw 1P2007 District Rules

- 9** Unless otherwise specified, the General Rules for the Commercial Residential Districts in Part 13 Division 1 of Bylaw 1P2007 apply in this Direct Control District.

Sunlight Protection Areas

- 10 (1)** The following sunlight protection areas should not be placed in greater shadow by a **development** as measured on September 21, at the times and locations indicated for each area, than were already in shadow as the result of an existing or approved **development**:

- (a) Riverbank (not including the Riverbank Promenade and between 3 and 7 Streets SW): an area 20.0 metres wide abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m., MDT;
- (b) Riverbank Promenade (between 3 Street SW and Centre Street): an area 9.0 metres wide abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m.,

MDT;

(c) Barclay (3 St SW) Mall: the westerly 8.0 metres of the right-of-way and **setback area** of the Barclay Mall, from 12:30 p.m. to 1:30 p.m., MDT; and

(d) Barclay (3 St SW) Mall: the easterly 8.0 metres of the right-of-way and **setback area** of the Barclay Mall, from 1:30 p.m. to 2:30 p.m., MDT.

(2) The **Eau Claire Plaza** (the "Plaza") should not be placed in greater shadow by a **development** as measured on September 21, at the times indicated, than were already in shadow as the result of an existing or approved **development** excepting:

(a) south of a line drawn parallel to and 52 metres northward from the south boundary of the Plaza and east of a line drawn parallel to and 14 metres westward from the east boundary of the Plaza, from 10:00 a.m. to 12:30 p.m., MDT;

(b) south of a line drawn parallel to and 34 metres northward from the south boundary of the Plaza from 12:30 p.m. to 2:30 p.m., MDT; and

(c) south of a line drawn parallel to and 34 metres northward from the south boundary of the Plaza and east of a line drawn parallel to and 15 metres westward from the east boundary of the Plaza, at 2:30 p.m. to 4:00 p.m. MDT.

Location of Uses within Buildings

11 Office **uses** must not be located on the ground floor of a **building**.

Use Area

12 (1) Unless otherwise referenced in this section, the maximum **use area** for **uses** located on the ground floor of a **building** is 1200.0 square metres.

(2) The maximum **use area** of a **Financial Institution** when located on the ground floor of a **building** is 465.0 square metres of **public area**.

(3) The maximum **use area** of a **Hotel** when located on the ground floor of a **building** is 2000.0 square metres.

(4) For **Retail and Consumer Service, Supermarket**, or a **Supermarket** combined with any other **use**, there may be one such maximum **use area** of 3600.0 square metres and one such maximum **use area** of 2400.0 square metres on the ground floor of a **building**.

Required Motor Vehicle Parking Stalls

13 (1) For **Dwelling Units** or **Live Work Units**:

- (a) the minimum **motor vehicle parking stall** requirement is 0.5 stalls per **unit**;
 - (b) the maximum number of **motor vehicle parking stalls** that may be provided is:
 - (iv) 1.0 stalls per **unit** where the **unit's gross floor area** is less than or equal to 125.0 square metres; and
 - (v) 2.0 stalls per **unit** where the **unit's gross floor area** is greater than 125.0 square metres; and
 - (c) the **visitor parking stall** requirement is 0.1 stalls per **unit**.
- (2) For a **Hotel**, the minimum number of required **motor vehicle parking stalls** is 1.0 per 3.0 guest rooms.
- (3) The following **uses** require a parking study to determine the required minimum number of **motor vehicle parking stalls**:
- (a) **Indoor Recreation Facility**;
 - (b) **Library**;
 - (c) **Museum**;
 - (d) **Performing Arts Centre**; and
 - (e) **Post-secondary Learning Institution**.
- (4) For **Office**, the minimum number of required **motor vehicle parking stalls** is 0.7 per 100.0 square metres of **gross useable floor area**, which must be provided:
- (a) 50 per cent as stalls; and
 - (b) 50 per cent as a cash-in-lieu payment;
 - (c) Payments made under subsection (b) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** at the time the payment is made.
- (5) **Temporary Marketing Centre** does not require **motor vehicle parking stalls**.
- (6) For all other **uses**, the minimum required **motor vehicle parking stalls** is the requirement referenced in Part 4 of Bylaw 1P2007.
- (7) Payments made under subsection (4)(b) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** with respect to Part 13 of Bylaw 1P2007, at the time the payment is made.

Short Stay Parking Stalls

14 (1) A maximum of 24.0 additional **motor vehicle parking stalls** may be provided as **parking area – short stay** stalls where such stalls are:

- (a) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (b) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public; and
 - (c) prominently signed at the **street** level indicating the availability and conditions of use of such stalls.
- (2)** Additional **motor vehicle parking stalls** as provided in subsection (1) are not subject to the cash-in-lieu provisions of Section 13.

Use of Parking Areas

- 15 (1)** All **uses** may share an entrance to areas of a parking structure.
- (2)** **Motor vehicle parking stalls** and **bicycle parking stalls** required for **uses** on Site 1 and Site 2 may be shared and located on any one Site or both Sites, but those stalls required for **residential uses** (except **Hotel**) must be physically separated from stalls for other **uses**.

Required Bicycle Parking Stalls

16 (1) Unless otherwise referenced in this section or in subsection 13(3), the minimum number of required **bicycle parking stalls – class 1** and **class 2** is the requirement referenced in Part 4 of Bylaw 1P2007.

- (2)** For an **Office**, the minimum number of required:
- (a) **bicycle parking stalls - class 1** is 2.0 per 1000.0 square metres of **gross usable floor area**; and
 - (b) **bicycle parking stalls - class 2** is 2.0 per 1000.0 square metres of **gross usable floor area**.

- (3)** For a **Dwelling Unit** or **Live Work Unit**, the minimum number of **bicycle parking stalls – class 1** is 0.5 per **unit** for **developments** with greater than 20.0 **units**.

- (4)** **Temporary Marketing Centre** does not require **bicycle parking stalls – class 1** or **class 2**.

- (5) The following **uses** require a parking study to determine the required minimum number of **bicycle parking stalls – class 1** and **bicycle parking stalls – class 2**:
- (a) **Indoor Recreation Facility;**
 - (b) **Library;**
 - (c) **Museum;**
 - (d) **Performing Arts Centre;** and
 - (e) **Post-secondary Learning Institution.**
- (6) Where **bicycle parking stalls – class 1** are required for an **Office** in a proposed **building**, the following amenities must be provided:
- (a) lockers at a ratio of 1.0 per 4.0 **bicycle parking stalls – class 1**; and
 - (b) where a minimum of 25.0 **bicycle parking stalls – class 1** are required:
 - (i) private change rooms at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater;
 - (ii) showers at a minimum of 0.4 square metres per required **parking stalls – class 1** or 20.0 square metres, whichever is greater; and
 - (vi) an unobstructed area for bicycle maintenance which must:
 - (A) be a minimum of 6.0 square metres; and
 - (B) have no dimension less than 2.0 metres.

Location of Bicycle Parking Stalls

- 17 **Bicycle parking stalls – class 1** must be located at **grade** or within the first parking level directly below **grade**.

Roof

- 18 The roof of any **podium** must be a **landscaped area** and roof-top equipment must be **screened**.

Relaxation Powers

- 19 (1) Except as otherwise stated in subsections (2) and (3), the **Development Authority** may relax any of the rules within this Direct Control District, including without limitation the rule in section 32, where the relaxation test in Bylaw 1P2007 is met.
- (2) The **Development Authority** may relax sections 23(2), 25, 28, 29, 31, 34(2), 35 and 39 of this Direct Control District only where both the test for relaxation in Bylaw 1P2007 is met and where the relaxation is required as the result of integration of a development into the Green Line.

- (3) The **Development Authority** must not relax subsections 23(4) and 23(6).

Site 1 (±1.46 hectares)

Application

- 20** The provisions in sections 21 through 32 apply only to Site 1.

Additional Discretionary Uses

- 21** The following **uses** are additional **discretionary uses** in this Direct Control District:

- (a) **Cinema**; and
- (b) **Office**.

Parking Lot-Grade (Temporary)

- 22** **Development permits** for **Parking Lot – Grade (Temporary)** must not be approved with an expiry date later than 10 years after a **development completion permit** has been issued for the **podium** of the first phase of Site 1.

Floor Area Ratio

- 23**
- (1) The cumulative total maximum **floor area ratio** is 10.0.
 - (2) The minimum **floor area ratio** is 4.0 for **residential uses**.
 - (3) The minimum **floor area ratio** is 0.9 for **commercial uses**.
 - (4) Subject to subsection (5), the maximum **floor area ratio** is 1.9 for **Office use**.
 - (5) The maximum **floor area ratio** for **Office use** may be increased from the maximum **floor area ratio** listed in subsection (4), in accordance with the bonus incentive provisions contained in section 24.
 - (6) The cumulative **floor area ratio** for **residential uses** must be greater than the cumulative **floor area ratio** for **Office use**.

Incentive Density Calculation Method

- 24**
- (1) The **floor area ratio** in subsection 23(4) may be increased by up to an additional 2.2 through a financial contribution to **Eau Claire Plaza Improvement Fund**.
 - (2) The amount of additional **gross floor area** achieved by providing the financial contribution to the **Eau Claire Improvement Fund** set out in subsection (1) is calculated by dividing the cost of the contribution amount to the **Eau Claire Plaza Revitalization Fund** by the Incentive Rate 1 of Part 13 Division 3 of Bylaw 1P2007 as established by **Council**, and amended from time to time.
 - (3) For purposes of this section, "**Eau Claire Improvement Fund**" means a dedicated civic fund to provide off-site improvements to the Eau Claire Plaza.

Maximum Height

25 The maximum **building height** is 127.0 metres from **grade**.

Location of Uses within Buildings

26 **Office uses** may only be located in a **building** located at the northwest corner of 2 Avenue and 2 Street SW.

Building Setbacks

27 There are no minimum **building setbacks**.

Tower Separation

28 The minimum separation distance between **towers** is 18.0 metres.

Floor Plate Restrictions

29 (1) Each floor of a **tower** containing **Assisted Living, Dwelling Units, Hotel suites, or Live Work Units**, has a maximum:

- (a) **floor plate area** of 1600.0 square metres; and
- (b) horizontal dimension of 85.0 metres.

(2) Each floor of a **tower** containing primarily **Offices** has a maximum:

- (a) **floor plate area** of 3000.0 square metres; and
- (b) horizontal dimension of 85.0 metres.

Riverfront Avenue Requirement

30 A vehicular connection extending Riverfront Avenue SW between 2 Street SW and 3 Street SW with sidewalks along its full length on both the north and south sides must be completed as part of the first phase of the Site 1 **development permit** application.

Phasing

31 No **development completion permit** for **Office use** may be issued until a **development completion permit** for the minimum **floor area ratio** of 4.0 for **residential uses** has been issued for Site 1.

Development Permit Requirements

32 (1) A **development permit** application must conform to the form and renderings plans attached to this Bylaw as Schedule C. For greater certainty, a **development permit** application must include the drawings attached as Schedule C.

(2) This section remains in effect until the date a **development completion permit** is issued for the entirety of the **development** contained in Schedule C.

Site 2 (±1.41 hectares)**Application**

33 The provisions in sections 34 through 39 apply only to Site 2.

Floor Area Ratio

- 34** (1) The cumulative maximum **floor area ratio** is 4.0.
- (2) The minimum **floor area ratio** is 2.0 for **residential uses**.
- (3) The cumulative **floor area ratio** for **residential uses** must be greater than the cumulative **floor area ratio** for all other **uses**.

Maximum Height

- 35** The maximum **building height** is 70 metres from **grade**.

Location of Uses within Buildings

- 36** (1) **Restaurant: Licensed – Large** must not front the northernmost boundary of Site 2.
- (2) Only **residential uses** (not including **Hotel**) may be located in a **tower**.

Building Setbacks

- 37** The minimum **building setbacks** are:
- (a) 0.0 metres from a **property line** shared with a **street**;
 - (b) 11.0 metres from the west **property line** shared with the Eau Claire Plaza; and
 - (c) 20.0 metres from the north **property line**.

Tower Separation

- 38** The minimum separation distance between **towers** is 18.0 metres.

Floor Plate Restrictions

- 39** Each floor of a **tower** containing **Assisted Living, Dwelling Units, Hotel** suites, or **Live Work Units**, has a maximum:
- (a) **floor plate area** of 1600.0 square metres; and
 - (b) horizontal dimension of 85.0 metres.

Site 3 (±0.083 hectares)**Application**

- 40** The provisions in sections 41 through 43 apply only to Site 3.

Permitted Uses

- 41** The **permitted uses** of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the addition of:
- (b) **Child Care Service**, where located within existing approved **buildings**.

Discretionary Uses

- 42** The **discretionary uses** of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
- (a) **Fitness Centre**;

- (b) **Restaurant: Licensed – Large;**
- (c) **Restaurant: Licensed – Small; and**
- (d) **Retail and Consumer Service.**

Development Guidelines

43 Unless otherwise specified, the rules of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 apply in this Direct Control District.”

CARRIED

10.2 SUPPLEMENTARY REPORT TO MARTINDALE LAND USE ITEM CPC2017-156, C2017-0655

INELIGIBLE TO VOTE

Pursuant to Section 184(a) of the *Municipal Government Act*, Councillor Colley-Urquhart was absent from the public hearing on Bylaw 163D2017, and therefore was ineligible to vote and participate in debate on Report C2017-0655 and left the Council Chamber on Tuesday, 2017 September 12 at 5:35 p.m.

DISTRIBUTION

At the request of Councillor Jones and with the concurrence of the Mayor, the Acting City Clerk distributed copies of an email from Rajinder Singh, Team Save Genesis Park, Re: Designation of special purpose recreation land – south of the Genesis Center, dated 2017 September 12 with respect to Report C2017-0655.

REFER, Moved by Councillor Jones, Seconded by Councillor Chabot, that Council refer Report C2017-0655 and second and third readings of Bylaw 163D2017 to the Administration for further consultation on other potential uses, to return to the 2017 December 11 Combined Meeting of Council.

ROLL CALL VOTE

For:

R. Jones, E. Woolley, A. Chabot, N. Nenshi

Against:

D. Farrell, S. Keating, J. Magliocca, B. Pincott, R. Pootmans, J. Stevenson, W. Sutherland, G-C. Carra, S. Chu, P. Demong

MOTION LOST

CHANGE TIME OF SCHEDULED RECESS, Moved by Councillor Pincott, Seconded by Councillor Jones, that pursuant to Section 91(3) of the Procedure Bylaw 44M2006, as amended, the time of scheduled recess be changed in order that Council may complete Item 10.2, Report C2017-0655, and procedural matter, prior to the dinner recess.

CARRIED

ADOPT, Moved by Councillor Pincott, Seconded by Councillor Stevenson, that the Administration Recommendations contained in Report C2017-0655, be adopted, as follows:

That Council:

1. Give second and third reading to Bylaw 163D2017 (Attachment 1); and
2. Receive for information the Martindale Land Use Redesignation What We Heard Summary (Attachment 2).

Opposed: A. Chabot and R. Jones

CARRIED

SECOND, Moved by Councillor Pincott, Seconded by Councillor Stevenson, that Bylaw 163D2017 be read a second time.

Opposed: A. Chabot and R. Jones

CARRIED

THIRD, Moved by Councillor Pincott, Seconded by Councillor Stevenson, that Bylaw 163D2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2016-0320), be read a third time.

Opposed: A. Chabot and R. Jones

CARRIED

MOTION ARISING, Moved by Councillor Carra, Seconded by Councillor Chabot, that with respect to Report C2017-0655, Council direct Administration to engage in discussions with the applicant on publicly accessible green space in this development.

ROLL CALL VOTE

For:

J. Magliocca, E. Woolley, G-C. Carra, A. Chabot, D. Farrell, R. Jones. N. Nenshi

Against:

S. Keating, B. Pincott, R. Pootmans, J. Stevenson, W. Sutherland, S. Chu, P. Demong

MOTION LOST

Councillor Colley-Urquhart returned to her regular seat in the Council Chamber at 6:04 p.m. following the conclusion of Council's deliberations on Bylaw 163D2017.

WAIVE NOTICE, Moved by Councillor Colley-Urquhart, Seconded by Councillor Magliocca, that the requirement to provide written notice be waived in order to introduce an item of Urgent Business, In Camera, to today's Agenda as Item 18.4, entitled "Land Update (Verbal), VR2017-0032".

CARRIED

RECESS AND RECONVENE IN CAMERA, Moved by Councillor Keating, Seconded by Councillor Pootmans, that, in accordance with Section 197 of the Municipal Government Act and Sections 24 and 27 of the *Freedom of Information and Protection of Privacy Act*, Council recess at 6:07 p.m. and reconvene at 7:20 p.m., in the Committee of the Whole, In Camera, in the Council Boardroom, in order to discuss a confidential matter with respect to Item 18.4, Land Update (Verbal), VR2017-0032.

CARRIED

Council Reconvened, In Camera, in the Council Boardroom, at 7:20p.m. with Mayor Nenshi in The Chair.

The Committee of the Whole recessed In Camera, and reconvened in public session in the Council Chamber at 8:07 p.m. with Mayor Nenshi in the Chair.

RISE WITHOUT REPORTING, Moved by Councillor Jones, Seconded by Councillor Stevenson, that the Committee of the Whole rise without reporting to Council and Table Item 18.4, Report VR2017-0032 to the In Camera Portion of today's Agenda.

CARRIED

BRING FORWARD AND TABLE, Moved by Councillor Pincott, Seconded by Councillor Chabot, that the following Reports be brought forward and dealt with at this time, prior to Item 11.1, Report CPC2017-313:

14.1.8 SUPPORTING HOUSEHOLD ENERGY EFFICIENCY (COUNCILLOR PINCOTT), NM2017-34

14.1.9 ENERGY REPORTING FOR COMMERCIAL BUILDINGS (COUNCILLOR PINCOTT), NM2017-35

14.1.10 GREEN ROOFS (COUNCILLOR PINCOTT), NM2017-36

14.1.11 SOUTHLAND STATION PEDESTRIAN CONNECTIVITY (COUNCILLOR PINCOTT), NM2017-37

CARRIED

11. CALGARY PLANNING COMMISSION REPORT(S)
(which are not part of a land use item)

11.1 MISCELLANEOUS – LAND USE BYLAW AMENDMENTS TO ACCOMMODATE FOOD PRODUCTION USES, CITYWIDE, BYLAW 49P2017, CPC2017-313

The public hearing was called; however, no one came forward to address Council with respect to Bylaw 49P2017.

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Pootmans, that the Calgary Planning Commission Recommendations contained in Report CPC2017-313, be adopted, as follows:

That Council:

1. Adopt the proposed amendments to Land Use Bylaw 1P2007, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 49P2017.

CARRIED

INTRODUCE, Moved by Councillor Woolley, Seconded by Councillor Pootmans, that Bylaw 49P2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw, be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Woolley, Seconded by Councillor Pootmans, that Bylaw 49P2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Woolley, Seconded by Councillor Pootmans, that authorization now be given to read Bylaw 49P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Woolley, Seconded by Councillor Pootmans, that Bylaw 49P2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007, be read a third time.

CARRIED

11.2 LAND USE BYLAW AMENDMENT – DEVELOPMENT COMPLIANCE
FOLLOWING CITY LAND ACQUISITIONS, CITY WIDE, BYLAW
50P2017, CPC2017-314

The public hearing was called; however, no one came forward to address Council with respect to Bylaw 50P2017.

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Demong, that the Calgary Planning Commission Recommendations contained in Report CPC2017-314, be adopted, as follows:

That Council:

1. Adopt the proposed amendments to Land Use Bylaw 1P2007, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 50P2017.

CARRIED

INTRODUCE, Moved by Councillor Woolley, Seconded by Councillor Demong, that Bylaw 50P2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007, be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Woolley, Seconded by Councillor Demong, that Bylaw 50P2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Woolley, Seconded by Councillor Demong, that authorization now be given to read Bylaw 50P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Woolley, Seconded by Councillor Demong, that Bylaw 50P2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007, be read a third time.

CARRIED

11.3 POLICY AMENDMENT, SAGE HILL (WARD 2), WEST OF SAGE HILL DRIVE NW AND SOUTH OF SAGE VALLEY BOULEVARD NW, BYLAW 55P2017, CPC2017-315

The public hearing was called, and the following persons addressed Council with respect to Bylaw 55P2017:

1. Kathy Oberg, B&A Planning Group
2. Grant Paultron, B&A Planning Group.

ADOPT, Moved by Councillor Magliocca, Seconded by Councillor Chu, that the Calgary Planning Commission Recommendations contained in Report CPC2017-315, be adopted, as follows:

That Council:

1. Adopt the proposed amendments to the Symons Valley Community Plan (Area Structure Plan), in accordance with Administration's recommendation, as amended; and
2. Give three readings to the proposed Bylaw 55P2017.

CARRIED

INTRODUCE, Moved by Councillor Magliocca, Seconded by Councillor Chu, that Bylaw 55P2017, Being a Bylaw of The City of Calgary to Amend the Symons Valley Area Structure Plan Bylaw 6P2001, be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Magliocca, Seconded by Councillor Chu, that Bylaw 55P2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Magliocca, Seconded by Councillor Chu, that authorization now be given to read Bylaw 55P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Magliocca, Seconded by Councillor Chu, that Bylaw 55P2017, Being a Bylaw of The City of Calgary to Amend the Symons Valley Area Structure Plan Bylaw 6P2001, be read a third time.

CARRIED

CHANGE TIME OF SCHEDULED RECESS, Moved by Councillor Colley-Urquhart, Seconded by Councillor Demong, that Section 91(3) of the Procedure Bylaw 44M2006, as amended, the scheduled time of recess be changed in order that Council may complete the remaining Public Hearing Items, Reports CPC2017-316 and CPC2017-317, prior to the evening recess.

Opposed: S. Chu and R. Pootmans

CARRIED

11.4 MISCELLANEOUS – DIGITAL MESSAGE SIGNS, CITY WIDE, BYLAW 56P2017, CPC2017-316

The public hearing was called, however, no one came forward to address Council with respect to Bylaw 56P2017.

ADOPT, Moved by Councillor Chabot, Seconded by Councillor Pootmans, that the Calgary Planning Commission Recommendations contained in Report CPC2017-316, be adopted, as follows:

That Council:

1. Adopt the proposed amendments to Land Use Bylaw 1P2007, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 56P2017

Opposed: B. Pincott and D. Farrell

CARRIED

INTRODUCE, Moved by Councillor Chabot, Seconded by Councillor Pootmans, that Bylaw 56P2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007, be introduced and read a first time.

Opposed: B. Pincott and D. Farrell

CARRIED

SECOND, Moved by Councillor Chabot, Seconded by Councillor Pootmans, that Bylaw 56P2017 be read a second time.

Opposed: B. Pincott and D. Farrell

CARRIED

AUTHORIZATION, Moved by Councillor Chabot, Seconded by Councillor Pootmans, that authorization now be given to read Bylaw 56P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Chabot, Seconded by Councillor Pootmans, that Bylaw 56P2017, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007, be read a third time.

Opposed: B. Pincott and D. Farrell

CARRIED

11.5 POLICY AMENDMENT, WEST MACLEOD ASP (WARD 14), SOUTH OF 210 AVENUE S AND WEST OF CANADIAN PACIFIC RAILWAY LINE, BYLAW 59P2017, CPC2017-317

The public hearing was called and Kathy Oberg, B&A Planning Group, addressed Council with respect to Bylaw 59P2017.

ADOPT, Moved by Councillor Demong, Seconded by Councillor Colley-Urquhart, that the Calgary Planning Commission Recommendations contained in Report CPC2017-XXX, be adopted, as follows:

That Council:

1. Adopt, by Resolution, the proposed amendments to the West Macleod Area Structure Plan, in accordance with Administration's recommendation;
2. Adopt the proposed amendments to the West Macleod Area Structure Plan, in accordance with Administration's recommendation, as amended; and
3. Give three readings to the proposed Bylaw 59P2017.

CARRIED

INTRODUCE, Moved by Councillor Demong, Seconded by Councillor Colley-Urquhart, that Bylaw 59P2017, Being a Bylaw of The City of Calgary to Amend the West Macleod Area Structure Plan Bylaw 10P2014, be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Demong, Seconded by Councillor Colley-Urquhart, that Bylaw 59P2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Demong, Seconded by Councillor Colley-Urquhart, that authorization now be given to read Bylaw 59P2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Demong, Seconded by Councillor Colley-Urquhart, that Bylaw 59P2017, Being a Bylaw of The City of Calgary to Amend the West Macleod Area Structure Plan Bylaw 10P2014, be read a third time.

CARRIED

SUSPEND PROCEDURE BYLAW, Moved by Councillor Pootmans, Seconded by Councillor Chu, that pursuant to Section 4(3) of the Procedure Bylaw 44M2006, as amended, Council suspend Section 92(2) in order that Council may reconvene at 10:30 a.m. on Wednesday, 2017 September 13, to complete the remaining items on the Agenda.

CARRIED

Council recessed at 9:43 p.m. to reconvene at 10:30 a.m. on Wednesday, 2017 September 13 in the Council Chamber.

Council reconvened at 10:30 a.m., on Wednesday, 2017 September 13, with Mayor Nenshi in the Chair.

BRING FORWARD, Moved by Councillor Pootmans, Seconded by Councillor Woolley, that Item 18.4, Verbal Report VR2017-0034 be brought forward and dealt with at this time.

CARRIED

IN CAMERA, Moved by Councillor Demong, Seconded by Councillor Jones, that, in accordance with Section 197 of the *Municipal Government Act* and Sections 16, 23, 24, 25 and 27 of the *Freedom of Information and Protection of Privacy Act*, Council now move into the Committee of the Whole, In Camera, at 10:32 a.m., in the Council Boardroom, to discuss a confidential matter with respect to Item 18.4, Verbal Report, VR2017-0034.

Opposed: D. Colley-Urquhart

CARRIED

12. TABLED REPORT(S) - REGULAR PORTION

(including additional related/supplementary reports, related to Regular Meeting issues)

12.1 COUNCIL COMPENSATION REVIEW (COUNCILLOR COLLEY-URQUHART),
NM2017-18

Note: This item was dealt with immediately following Item 13.2.1, Report UCS2017-0606.

DISTRIBUTION

At the request of Councillor Colley-Urquhart and with the concurrence of the Mayor, the Acting City Clerk distributed the following copies of Bylaws with respect to Notice of Motion, NM2017-18:

- Bylaw Number 32M2008, Being a Bylaw of the City of Calgary to Establish a Council Compensation Review Committee;
- Bylaw Number 29M2009, Being a Bylaw of the City of Calgary to Amend Bylaw 32M2008, The Council Compensation Review Committee Bylaw;
- Bylaw Number 8M2011, Being a Bylaw of the City of Calgary to Amend Bylaw 32M2008, The Council Compensation Review Committee Bylaw; and
- Bylaw Number 25M2015, Being a Bylaw of the City of Calgary to Establish a Council Compensation Review Committee.

CLERICAL CORRECTION

At the request of Councillor Colley-Urquhart, a clerical correction was noted on Page 1 of 2 of Notice of Motion NM2017-18, sixth paragraph, by deleting the Bylaw Number "25M2008" following the word "Whereas", and substituting with the Bylaw Number "25M2015".

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Chabot, that Councillor Colley-Urquhart's Motion, NM2017-18 be adopted, **after amendment**, as follows:

WHEREAS Council initially passed The Council Compensation Review Committee (CCRC) Bylaw 32M2008 to make recommendations to Council regarding compensation for Members of Council which came into force April 2009, and

WHEREAS further amendments were made to Bylaw 32M2008 which came into force January 2011 that included:

- a) *"That the Committee submit a written final report with recommendations to Council on or before a date to be set by resolution of Council from time to time."*
- b) *"Base salary and other compensation such as Deputy Mayor honorarium and committee attendances."*
- c) *"The Committee shall be supported by The City of Calgary Human Resources Business Unit and by an independent consultant in compensation benchmarking funded through the City Manager."*

WHEREAS Bylaw 32M2008 was repealed when Bylaw 25M2015 was adopted by Council in

July 2015, and

WHEREAS no Terms of Reference were specifically developed for the CCRC with any of the various versions of the Bylaws, but rather articles were incorporated into the Bylaw, and

WHEREAS the CCRC is not entirely independent of City Administration with the:

- a) City of Calgary Human Resources Business Unit providing administrative support;
- b) City Manager determining and approving discretionary expenses and funding the work of the Committee;

WHEREAS Bylaw **25M2015** directs that the Committee (CCRC):

- a) *"Shall review and make recommendations to Council on changes to the process and decision structure currently in place in regard to future adjustments to the elements of compensation considered," and*
- b) *"Is to have regard to the following principles"... but not limited to:*
 - *"Reflect the responsibilities, time commitments and accountability of the position expected by the general public:"*
 - *"Comparability to equivalent legislative positions elsewhere in Canada;"*

WHEREAS there is no mechanism in the Bylaw for the general public to be consulted, no allocated budget to undertake citizen consultation, and no review of the CCRC process since coming into force in 2008, and

WHEREAS the CCRC final report to Council in June 2017 went beyond the 25M2015 principle of *"Comparability to equivalent legislative positions elsewhere in Canada;"*

NOW THEREFORE BE IT RESOLVED THAT:

1. An independent review be undertaken (independent of Council) to examine:
 - a. Potential changes to the process and decision structure currently in place;
 - b. Best practices for determining municipal elected officials compensation;
 - c. Potential options and recommendations that include, but not be limited to,
 - i. how the general public can be engaged and consulted;
 - ii. Terms of Reference and Bylaw amendments;
 - iii. The extent to which independence can be achieved.
2. Past CCRC members, the public and Members of Council be consulted for their input and views.
3. **Direct the City Manager to determine the best procurement and reporting mechanism.**
4. Report back to Council through the Priorities and Finance Committee no later than March 2018.

RECORDED VOTE

For:

D. Colley-Urquhart, A. Chabot, S. Chu, J. Magliocca, P. Demong

Against:

E. Woolley, G-C. Carra, D. Farrell, R. Pootmans, S. Keating, R. Jones, N. Nenshi

MOTION LOST

12.2 GREEN SHEET - REDRESSING 28 AVENUE SE SLOPE CONCERNS
(COUNCILLOR CARRA)

Note: This Item was dealt with at the end of the In Camera section.

TABLE, Moved by Councillor Carra, Seconded by Councillor Keating, that Item 12.2, Greensheet - Redressing 28 Avenue SE Slope Concerns, be tabled to the end of the In Camera section.

CARRIED

DISTRIBUTION

At the request of Councillor Carra and with the concurrence of the Mayor, the Acting City Clerk distributed a copy of the Green Sheet - Redressing 28 Avenue SE Slope Concerns (Councillor Carra), dated 2017 July 31.

ADOPT, Moved by Councillor Carra, Seconded by Councillor Chabot, that Councillor Carra's Motion, be adopted, **after amendment**, as follows:

WHEREAS a grade differential has existed for many years between 28th Avenue SE and the adjacent privately owned land located on 26th Street and 28th Ave SE;

AND WHEREAS the landowner alleges that the grade differential is steep, making it difficult for certain commercial vehicles to access the privately owned property;

AND WHEREAS for many years the landowner has pursued City Administration, Ward 9 Aldermanic and Councillor offices and the Mayor's Office to direct The City (at its sole cost) to modify the grade differential through the rebuilding of 28 Ave SE to enable certain commercial vehicles to access the privately owned land in a manner to his liking;

AND WHEREAS to date, the landowner has been unsuccessful in securing this remedy, and has asked Councillor Carra to place this request before City Council for decision.

NOW THEREFORE BE IT RESOLVED that

1. Council directs Administration to undertake a rebuilding of 28 AVE SE in order to raise it to a height necessary to meet the slope requirements for the driveways located at 2714 28 Avenue SE.

2. Keep the In Camera discussions with respect to Greensheet RE: Redressing 28 Avenue SE Slope Concerns confidential pursuant to Section 27, of the *Freedom of Information and Protection of Privacy Act*.

ROLL CALL VOTE

For:

R. Jones, J. Magliocca

Against:

J. Stevenson, G-C. Carra, A. Chabot, S. Chu, P. Demong, D. Farrell, R. Pootmans, N. Nenshi

MOTION LOST

MOTION ARISING, Moved by Councillor Carra, Seconded by Councillor Chabot, that with respect to Green Sheet - Redressing 28 Avenue SE Slope Concerns (Councillor Carra), that Council direct Administration to offer to regrade the owner's land to fix the driveways located at 2714 28 ave SE.

CARRIED

Council reconvened at 1:17 p.m. with Mayor Nenshi in the Chair.

INTRODUCTION

Mayor Nenshi introduced a group of 24 guest from the China Petroleum Pipeline Engineering Company, facilitated by Pamela Lam, in attendance in the public gallery. He welcomed the group to Calgary and thanked them for attending today's Council Meeting.

13. ITEMS FROM ADMINISTRATION AND COMMITTEES
(related to Regular Meeting Issues)

13.1 CITY MANAGER'S REPORT(S)

13.1.1 REQUEST FOR RECONSIDERATION – ECONOMIC DEVELOPMENT
INVESTMENT FUND, C2017-0643

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Farrell, that the Administration Recommendations contained in Report C2017-0643 be adopted, as follows:

That Council:

1. Reconsider their decision for Administration to report to Council on the EDIF at a regular meeting of Council by November 2017 during the 2018 budget deliberations process. This decision is contained in the Minutes of the Strategic Meeting of Council, 2017 June 19; and
2. Direct that Administration's recommendation on the EDIF's terms of reference, long term recommended value and funding sources be brought to the 2017 December 05 Priorities and Finance Committee Meeting for consideration.

CARRIED

13.1.2 LOCATION OF THE 2017 SWEARING-IN CEREMONY, C2017-0665

ADOPT, Moved by Councillor Demong, Seconded by Councillor Keating, that the Administration Recommendation contained in Report C2017-0665 be adopted, as follows:

That Council suspend Section 29(1) of the Procedure Bylaw 44M2006, as amended, by a two-thirds vote, to allow for a change in venue for the 2017 Swearing-In Ceremony from the Council Chamber to the Municipal Complex Atrium.

Opposed: A. Chabot, R. Jones

CARRIED

13.1.3 ANNOUNCEMENT OF EXTERNAL AUDITOR APPOINTMENT (VERBAL), C2017-0662

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Chabot, that with respect to Verbal Report, C2017-0662, the following be adopted:

That Council confirm the announcement of the appointment of Deloitte LLP as The City of Calgary's external auditors, for a five year period from 2018 – 2022.

CARRIED

13.2 REPORT OF THE REGULAR MEETING OF THE SPC ON UTILITIES AND CORPORATE SERVICES

13.2.1 PROPOSED AMENDMENT TO REAL PROPERTY BYLAW NUMBER 52M2009 -

STAGE 1, UCS2017-0606

ADOPT, Moved by Councillor Demong, Seconded by Councillor Magliocca, that the SPC on Utilities and Corporate Services Recommendation contained in Report UCS2017-0606 be adopted, as follows:

That Council give three readings to proposed Bylaw 32M2017 to amend the Real Property Bylaw, 52M2009.

CARRIED

INTRODUCE, Moved by Councillor Demong, Seconded by Councillor Magliocca, that Bylaw 32M2017, Being a Bylaw of The City of Calgary to Amend Bylaw 52M2009 The Real Property Bylaw, be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Demong, Seconded by Councillor Magliocca, that Bylaw 32M2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Demong, Seconded by Councillor Magliocca, that authorization now be given to read Bylaw 32M2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Demong, Seconded by Councillor Magliocca, that Bylaw 32M2017, Being a Bylaw of The City of Calgary to Amend Bylaw 52M2009 The Real Property Bylaw, be read a third time.

CARRIED

14. ITEMS DIRECTLY TO COUNCIL
(related to Regular Meeting issues)

14.1 NOTICE(S) OF MOTION

14.1.1 GLENMORE CHRISTIAN ACADEMY MUNICIPAL RESERVE LAND
ACQUISITION (COUNCILLOR COLLEY-URQUHART), NM2017-27

DISTRIBUTION

At the request of Councillor Colley-Urquhart and with the concurrence of the Mayor, the Acting City Clerk distributed copies of a letter from Doug Holt, Glenmore Christian Academy, dated 2017 August 24, with respect to Notice of Motion NM2017-27.

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Jones, that Councillor Colley-Urquhart's Motion, NM2017-27 be adopted, as follows:

NOW THEREFORE BE IT RESOLVED that Real Estate and Development Services enter into direct negotiations with the Glenmore Christian Academy regarding the sale of 249 Bridlerange Place SW (0815756;4;13MR) at market value and the disposal of the Reserve for same and report back to Council no later than Q2 2018.

Opposed: A. Chabot

CARRIED

14.1.2 STAGGERED BILLING FOR GREEN CART PROGRAM IMPLEMENTATION (COUNCILLORS DEMONG AND KEATING), NM2017-28

CLERICAL CORRECTION

A clerical correction was noted on Page 1 of 1 of Notice of Motion, NM2017-28, on the second paragraph, by deleting the year "2017" prior to the words "November 21" and by substituting with the year "2016".

ADOPT, Moved by Councillor Demong, Seconded by Councillor Keating, that Councillors Demong and Keating's Motion, NM2017-28 be adopted, as follows:

NOW THEREFORE BE IT RESOLVED that the estimated remaining balance of \$3 million from the Fiscal Stability Reserve be allocated to Green Cart funding in 2018 to allow a staggered billing start date per quadrant and a more equitable subsidy across the city, and that Administration include this in the 2018 Budget Adjustment process in November 2017.

CARRIED

14.1.3 COMMUNITY PLANNING IN NORTH CENTRAL GREEN LINE COMMUNITIES (COUNCILLORS FARRELL AND CARRA) NM2017-29

DISTRIBUTION

At the request of Councillor Farrell and with the concurrence of the Mayor, the Acting City Clerk distributed copies of the following letters, with respect to Notice of Motion, NM2017-29:

- from Anne Johnson, Tuxedo Park Community Association, dated 2017 August 29;
- from Dennis Marr, Crescent Heights Community Association, dated 2017 September 06; and
- from Chris Best, Mount Pleasant Community Association, dated 2017 September 10

ADOPT, Moved by Councillor Farrell, Seconded by Councillor Carra, that Councillors Farrell and Carra's Motion, NM2017-29 be adopted, as follows:

NOW THEREFORE BE IT RESOLVED that City Council directs City Administration, in anticipation of updating existing north central Area Redevelopment Plans as part of the Green Line LRT and Main Streets work, to explore incorporating work on community planning, **economic development** and the Developed Areas Guidebook;

AND FURTHER BE IT RESOLVED that City Administration report back to Council through the Standing Policy Committee on Planning and Urban Development no later than Q2 2018 with a scoping report that includes timelines, resources, and budget.

CARRIED

14.1.4 DOROTHY MOTHERWELL TAX PENALTY RELIEF (COUNCILLOR WOOLLEY),
NM2017-30

DISTRIBUTION

At the request of Councillor Woolley and with the concurrence of the Mayor, the Acting City Clerk distributed copies of the subject property picture and a confidential document, which are to remain confidential pursuant to Section 17 of the *Freedom of Information and Protection of Privacy Act*.

Mayor Nenshi left the Chair at 2:40 p.m., in order to participate in debate with respect to the Notice of Motion, NM2017-30, and Deputy Mayor Pootmans assumed the Chair.

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Carra, that Councillor Woolley's Motion, NM2017-30 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED that The City of Calgary cancels \$1,172.91 remaining unpaid taxes on the property located at 64 Wildwood Dr SW, Roll #061057402;

RECORDED VOTE

For:
E. Woolley, G. C. Carra, D. Colley-Urquhart, A. Chabot, J. Magliocca, S. Keating, R. Jones, R. Pootmans, N. Nenshi

Against:
D. Farrell, S. Chu, J. Stevenson, P. Demong

CARRIED

ADOPT, Moved by Councillor Woolley, Seconded by Councillor Carra, that Councillor Woolley's Motion, NM2017-30 be adopted, in part, **after amendment**, as follows:

AND FURTHER BE IT RESOLVED that Council direct Administration to:

- Investigate the current tax forgiveness programs and legislation within large Canadian municipalities and provincial and federal governments;
- Review the impact to The City's tax revenues and the legal ramifications of cancelling taxes **and penalties** due to extraordinary circumstances;

And return to Council with recommendations, through Priorities and Finance Committee, no later than Q2 2018.

RECORDED VOTE

For:

E. Woolley, G-C. Carra, D. Farrell, D. Colley-Urquhart, S. Chu, J. Magliocco, S. Keating, J. Stevenson, R. Jones, P. Demong, R. Pootmans, N. Nenshi

Against:

A. Chabot

CARRIED

Mayor Nenshi resumed the Chair at 2:51 p.m. and Councillor Pootmans returned to his regular seat in Council.

BRING FORWARD, Moved by Councillor Keating, Seconded by Councillor Chu, that Item 14.1.6, Notice of Motion, NM2017-32 be brought forward to be dealt with at this time.

CARRIED

14.1.5 WATER AND WASTEWATER CONSUMER BILLING IRREGULARITIES (COLLEY-URQUHART), NM2017-31

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Chu, that Councillor Colley-Urquhart's Motion, NM2017-31 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

1. Forgive these exorbitant consumer bills immediately, and only require affected consumers to pay the average monthly amount they have previously been incurring.

ROLL CALL VOTE

For:

R. Jones, J. Magliocca, E. Woolley, S. Chu, D. Colley-Urquhart, N. Nenshi

Against:

P. Demong, D. Farrell, R. Pootmans, G-C. Carra, A. Chabot

CARRIED

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Chu, that Councillor Colley-Urquhart's Motion, NM2017-31 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

2. Conduct a detailed analysis of past trends on billing irregularities to:
 - a. Understand how often this occurs;
 - b. Factors related to why this occurs;
 - c. Examine the technological aspects of the billing process to identify potential issues with water meters;
 - d. Pre-emptive options to alert consumers of billing irregularities.

Opposed: P. Demong

CARRIED

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Chu, that Councillor Colley-Urquhart's Motion, NM2017-31 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

3. Bring forward consumer appeal mechanisms and governance oversight approaches for Council consideration.

Opposed: A. Chabot, N. Nenshi

CARRIED

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Chu, that Councillor Colley-Urquhart's Motion, NM2017-31 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

4. Bring forward cost estimates for providing free City inspection services for consumers.

ROLL CALL VOTE

For:

J. Magliocca, R. Pootmans, E. Woolley, G-C. Carra, S. Chu, D. Colley-Urquhart, R. Jones

Against:

A. Chabot, P. Demong, D. Farrell, N. Nenshi

CARRIED

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Chu, that Councillor Colley-Urquhart's Motion, NM2017-31 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

5. Review the actual cost of Wastewater and Drainage to more accurately reflect that not all m³ of water entering a residence is exactly the same as the m³ of water entering the sewer system.

ROLL CALL VOTE

For:

R. Pootmans, E. Woolley, G-C. Carra, S. Chu, D. Colley-Urquhart, R. Jones, J. Magliocca

Against:

A. Chabot, P. Demong, D. Farrell, N. Nenshi

CARRIED

ADOPT, Moved by Councillor Colley-Urquhart, Seconded by Councillor Chu, that Councillor Colley-Urquhart's Motion, NM2017-31 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to:

6. Report back to Council through the Standing Policy Committee on Utilities and Corporate Services no later than Q1 2018 with recommendations and options.

CARRIED

14.1.6 AMENDMENTS TO THE CORPORATE PUBLIC ART POLICY (COUNCILLORS CHU, KEATING, COLLEY-URQUHART, CHABOT, DEMONG, SUTHERLAND, MAGLIOCCA, JONES, AND MAYOR NENSHI), NM2017-32

Note: This Item was dealt with immediately after Item 14.1.4, Notice of Motion, NM2017-30.

DISTRIBUTION

At the request of Councillor Farrell and with the concurrence of the Mayor, the Acting City Clerk distributed copies of a document entitled "Report back on the status of direction outlined in the 2014 Notice of Motion on Public Art", with respect to Notice of Motion, NM2017-32.

DISTRIBUTION

At the request of Councillor Chabot and with the concurrence of the Mayor, the Acting City Clerk distributed copies of a letter from Alison Karim-McSwiney, International Avenue Business Revitalization Zone, with respect to Notice of Motion, NM2017-32.

CHANGE TIME OF SCHEDULED RECESS, Moved by Councillor Keating, Seconded by Councillor Magliocca, that pursuant to Section 91(3) of the Procedure Bylaw 44M2006, as amended, the scheduled time of recess be changed in order that Council may complete Item 14.1.6, Notice of Motion, NM2017-32, prior to the afternoon recess.

CARRIED

AMENDMENT, Moved by Councillor Chabot, Seconded by Councillor Carra, that Notice of Motion, NM2017-32 be amended on the Now Therefore Be It Resolved paragraph, Item number1, by adding the following text at the end of the sentence:

"not meant to include significant projects currently underway, including but not limited to the Southeast 17th Avenue Transitway project."

CARRIED

ADOPT, AS AMENDED, Moved by Councillor Chu, Seconded by Councillor Keating, that Councillors Chu, Keating, Colley-Urquhart, Chabot, Demong, Sutherland, Magliocca, Jones, and Mayor Nenshi's Motion, NM2017-32 be adopted, in part, **as amended**, as follows:

NOW THEREFORE BE IT RESOLVED THAT:

1. Administration immediately suspend further Requests For Proposals (RFPs) regarding new Public Art design as of Sept. 15, 2017, **not meant to include significant projects currently underway, including but not limited to the Southeast 17th Avenue Transitway project.**
2. Administration report back directly to Council no later than November 2017 on the impact of suspending all new public art projects scheduled for RFP until Q2 2018.
3. Administration be directed to report back to Council through the Standing Policy Committee on Community and Protective Services in Q1 2018 with a progress update and again in Q2 2018 with recommendations on a new process including the following:
 - a. Best practices around fully engaging the public with the public policies, practices and The Public Art Policy Management Framework.
 - c. How to accommodate concept submissions from artists that foster and enhance local,

- regional, national, and culturally appropriate artists.
- d. How Council can be briefed on short-listed submissions by the Public Art Board, and how in turn the public can be engaged for their feedback.
 - e. Who will make the selection of a successful candidate and how it will be communicated back to the public and to Council.
 - f. When and how the suspension of the Corporate Public Art Policy should be lifted.
 - g. Report back on the progress of the implementation of Notice of Motion, NOM2013-34.**

CARRIED

ADOPT, Moved by Councillor Chu, Seconded by Councillor Keating, that Councillors Chu, Keating, Colley-Urquhart, Chabot, Demong, Sutherland, Magliocca, Jones, and Mayor Nenshi's Motion, NM2017-32 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED THAT:

- 3. Administration be directed to report back to Council through the Standing Policy Committee on Community and Protective Services in Q1 2018 with a progress update and again in Q2 2018 with recommendations on a new process including the following:
 - b. Mechanisms for the prioritization and allocation of tax dollars for art funding during economic downturns and Council engagement.

Opposed: D. Farrell

CARRIED

RECESS

Council recessed at 3:40 p.m. to reconvene at 4:10 p.m.

Council reconvened at 4:14 p.m. with Mayor Nenshi in the Chair.

14.1.7 SUPPORT FOR HYPERLOOP VACUUM TRAIN DEVELOPMENT AND TESTING IN CALGARY (COUNCILLOR CARRA), NM2017-33

CLERICAL CORRECTION

At the request of Councillor Carra, a clerical correction was noted on Page 1 of 1 of Notice of Motion, NM2017-33, by deleting the last Whereas paragraph in its entirety.

ADOPT, Moved by Councillor Carra, Seconded by Councillor Pootmans, that Councillor Carra's Motion, NM2017-33 be adopted, **after amendment**, as follows:

NOW THEREFORE BE IT RESOLVED that Administration, in collaboration with Calgary Economic Development, **Innovate Calgary and post secondary institutions** and within existing budgets, support the development of a research centre and test track as the first steps in determining the viability of this technology and report on progress to the SPC on Transportation and Transit no later than Q2 2018.

CARRIED

14.1.8 SUPPORTING HOUSEHOLD ENERGY EFFICIENCY (COUNCILLOR PINCOTT), NM2017-34

ADOPT, Moved by Councillor Pincott, Seconded by Councillor Demong, that Councillor Pincott's Motion, NM2017-34 be adopted, as follows:

NOW THEREFORE BE IT RESOLVED that Council direct Administration to:

- a. **Explore developing** a standalone permit application process, including a proposed fee structure, pertaining to adding insulation to buildings designated as low density residential to remove excess burden on the planning department, and;
- b. Explore permitting lot coverage to exceed the current maximum for existing homes to allow for additional exterior insulation, up to a maximum of 30 centimeters per side, so long as relevant building and safety codes are met;

AND FURTHER BE IT RESOLVED that Administration report back to Council, through the SPC on Planning and Urban Development, on the proposed changes no later than Q2, 2018.

CARRIED

14.1.9 ENERGY REPORTING FOR COMMERCIAL BUILDINGS (COUNCILLOR PINCOTT), NM2017-35

ADOPT, Moved by Councillor Pincott, Seconded by Councillor Demong, that Councillor Pincott's Motion, NM2017-35 be adopted, **after amendment**, as follows:

NOW THEREFORE BE IT RESOLVED that Council direct Administration, in consultation with stakeholders, develop an energy reporting mechanism for commercial buildings, and return **with a scoping report on energy efficiency** to Council through the Standing Policy Committee on **Utilities and Corporate Services**, no later than **Q2 2018**.

CARRIED

14.1.10 GREEN ROOFS (COUNCILLOR PINCOTT), NM2017-36

REFER, Moved by Councillor Pootmans, Seconded by Councillor Magliocca, that Item 14.1.10, NM2017-36, be referred to Administration, to bring back a business case and a potential strategy on green roofs and actions to move forward and return to Council through the SPC on Utilities and Corporate Services no later than Q2 2018

Opposed: A. Chabot

CARRIED

14.1.11 SOUTHLAND STATION PEDESTRIAN CONNECTIVITY (COUNCILLOR PINCOTT), NM2017-37

ADOPT, Moved by Councillor Pincott, Seconded by Councillor Demong, that Councillor Pincott's Motion, NM2017-37 be adopted, as follows:

NOW THEREFORE BE IT RESOLVED that Council direct Administration to work with both Applicants and the adjacent community associations to identify pedestrian improvements along Southland Drive between 2nd Street SE and Southland Station, including the Southland Drive Bridge, and return to City Council through the Standing Policy Committee on Transportation and Transit, no later than Q1, 2019, with an implementation plan to coincide with the construction of the applicants' sites.

CARRIED

14.1.12 INDEPENDENT REVIEW OF NON-RESIDENTIAL ASSESSMENT AND COMPLAINTS (MAYOR NENSHI), NM2017-38

Mayor Nenshi left the Chair at 5:09 p.m., in order to participate in debate with respect to the Notice of Motion, NM2017-38, and Deputy Mayor Pootmans assumed the Chair.

ADOPT, Moved by Mayor Nenshi, Seconded by Councillor Woolley, that Mayor Nenshi's Motion, NM2017-38 be adopted, as follows:

NOW THEREFORE BE IT RESOLVED that Council directs Administration to engage a consultant to conduct an independent review of the non-residential assessment process to determine if changes could be implemented within the bounds of the legislation to increase fairness, transparency and equity from the standpoint of all non-residential taxpayers, while taking into consideration associated financial risks to The City.

AND BE IT FURTHER RESOLVED that Council directs Administration to engage a consultant to conduct an independent review of the non-residential complaint process to determine if changes could be implemented within the bounds of the legislation to the

manner in which non-residential taxpayers can seek review of non-residential property assessments.

AND BE IT FURTHER RESOLVED that the independent review include an examination of the non-residential assessment complaint processes in The City of Edmonton and other relevant jurisdictions to determine what practices, if any, The City of Calgary could emulate to ensure greater fairness, transparency and predictability.

AND BE IT FURTHER RESOLVED that the independent review examine non-residential assessment complaint best practices, associated financial risks and applicable legislation from other jurisdictions, for the timely and equitable resolution of assessment complaints.

AND BE IT FURTHER RESOLVED that the independent review identify and recommend potential changes to the assessment complaint process in the *Municipal Government Act* for Council to consider adopting as an advocacy position to the province.

AND BE IT FURTHER RESOLVED that a report return to the Priorities and Finance Committee no later than Q2 2018.

CARRIED

14.1.13 THE INTERNATIONAL CHARTER FOR WALKING (MAYOR NENSHI), NM2017-39

ADOPT, Moved by Mayor Nenshi, Seconded by Councillor Farrell, that Mayor Nenshi's Motion, NM2017-39 be adopted, as follows:

NOW THEREFORE BE IT RESOLVED That Council recognizes the benefits of walking as a key indicator of healthy, efficient, socially inclusive and sustainable communities and acknowledges the universal rights of people to be able to walk safely and to enjoy high quality public spaces;

AND BE IT FURTHER RESOLVED That Council reaffirms that it is committed to reducing the physical, social and institutional barriers that limit walking activity and The City of Calgary will work with others to help create a culture where people choose to walk through our commitment to the International Charter for Walking and its strategic principles;

AND BE IT FURTHER RESOLVED that Council hereby adopts the International Charter for Walking and authorizes the Mayor to sign the Charter on behalf of The City of Calgary.

CARRIED

Mayor Nenshi resumed the Chair at 5:31 p.m. and Councillor Pootmans returned to his regular seat in Council.

14.1.14 ELBOW VALLEY WEST SERVICING (COUNCILLOR CARRA), NM2017-40

Note: This Item was dealt with at the end of the In Camera section.

ADOPT, Moved by Councillor Carra, Seconded by Councillor Chu, that Councillor Carra's Motion, NM2017-40 be adopted, **after amendment**, as follows:

NOW THEREFORE BE IT RESOLVED that Council:

1. Reaffirm its commitment to not extend servicing beyond its boundaries without specific authorization from City Council;
2. Direct Administration to review The City's existing direction and policy for utility extensions beyond The City's boundaries in light of the evolving nature of regional planning in the Calgary region and develop interim guidance that would enable Council to consider outside City servicing requests on a case by case basis that aligns with the recommendations and key messages of the Urban Municipalities Task Force until such time as the Calgary Metropolitan Region Board establishes a servicing plan.
3. Direct Administration to continue negotiations of a new Master Servicing Agreement with Rocky View County for the provisions of wastewater servicing in alignment with the sound regional planning principles established through the Urban Municipalities Task Force, and return to Council for **consideration** of a new service area that includes Elbow Valley West once it is confirmed that The City's wastewater system has sufficient capacity.
4. **Keep the In Camera discussions with respect to NM2017-40 confidential pursuant to Sections 21 and 24 of the Freedom of Information and Protection of Privacy Act.**

Opposed: D. Farrell, R. Pootmans

CARRIED

15. BYLAW TABULATION(S)

15.1 TABULATION TO AMEND THE HOUNSFIELD HEIGHTS/BRIAR HILL AREA REDEVELOPMENT PLAN BYLAW 15P89

15.1.1 BYLAW 47P2017, THIRD READING ONLY

THIRD, Moved by Councillor Carra, Seconded by Councillor Colley-Urquhart, that Bylaw 47P2017, Being a Bylaw of The City of Calgary to Amend the Hounsfeld Heights/Briar Hill Area Redevelopment Plan Bylaw 15P89, be read a third time.

ROLL CALL VOTE

For:

D. Colley-Urquhart, P. Demong, J. Magliocca, E. Woolley, G-C. Carra, N. Nenshi

Against:

D. Farrell, R. Jones, R. Pootmans, A. Chabot, S. Chu

CARRIED

15.2 TABULATION OF BYLAW TO REPEAL BYLAW 37M2008 DESIGNATING OF THE EAU CLAIRE SMOKESTACK AS A MUNICIPAL HISTORIC RESOURCE

Note: This Item was heard in conjunction with Item 10.1, Report C2017-0646.

15.2.1 BYLAW 23M2017, SECOND AND THIRD READING

SECOND, Moved by Councillor Chabot, Seconded by Councillor Woolley, that Bylaw 23M2017 be read a second time.

Opposed: D. Farrell and B. Pincott

CARRIED

THIRD, Moved by Councillor Chabot, Seconded by Councillor Woolley, that Bylaw 23M2017, Being a Bylaw of The City of Calgary to Repeal Bylaw 37M2008 Which Designates the Eau Claire Smokestack as a Municipal Historic Resource, be read a third time.

Opposed: D. Farrell and B. Pincott

CARRIED

16. URGENT BUSINESS

16.1 VOTE THE SHARE - CALGARY TECHNOLOGIES INC. 2017 ANNUAL MEETING OF SHAREHOLDERS, C2017-0690

ADOPT, Moved by Councillor Pootmans, Seconded by Councillor Woolley, that the Administration Recommendation contained in Report C2017-0690 be adopted, as follows:

That Council authorize the Manager, Partnership Management, Lori Kerr on behalf of The City of Calgary, to represent The City of Calgary and exercise all the powers and voting rights of The City of Calgary as a shareholder of Calgary Technologies Inc. at the 2017 September 27 annual meeting of shareholders.

CARRIED

16.2 SLIDING SCALE IMPLEMENTATION UPDATE , CPS2017-0652

AMENDMENT, Moved by Councillor Demong, Seconded by Councillor Chabot, that the SPC on Community and Protective Services Recommendation be amended by adding a Recommendation 2 as follows:

“2. Request the Mayor to write to the Federal and Provincial Ministers to request funding for this program.”

CARRIED

ADOPT, AS AMENDED, Moved by Councillor Carra, Seconded by Councillor Woolley, that the SPC on Community and Protective Services Recommendations contained in Report CPS2017-0652 be adopted, **as amended**, as follows:

That Council:

1. Direct Administration to:

- a. Bring forward a detailed sliding scale funding gap estimate in 2017 November to be considered as part of Adjustments to the 2018 Business Plan and Budget; and
- b. Report back with an update on sliding scale including a funding framework, no later than Q4 2018 with the intent of reflecting the framework in the 2019-2022 One Calgary Service Plan and Budget.

2. Request the Mayor to write to the Federal and Provincial Ministers to request funding for this program.

Opposed: A. Chabot

CARRIED

16.3 USE OF FLASHING LIGHTS ON SCHOOL BUSES, CPS2017-0654

ADOPT, Moved by Councillor Carra, Seconded by Councillor Chu, that the SPC on Community and Protective Services Recommendation contained in Report CPS2017-0654 be adopted, as follows:

That Council receive Report CPS2017-0654 for information.

ROLL CALL VOTE

For:

D. Colley-Urquhart, P. Demong, D. Farrell, R. Jones, R. Pootmans, G-C. Carra, A. Chabot

Against:

J. Magliocca, S. Chu, N. Nenshi

CARRIED

16.4 2017 MID-YEAR ACCOUNTABILITY REPORT, PFC2017-0635

ADOPT, Moved by Councillor Demong, Seconded by Councillor Pootmans, that the Priorities and Finance Committee Recommendation contained in Report PFC2017-0635 be adopted, as follows:

That Council receive for information:

- Attachment 1 – 2017 Mid-Year Accountability Report.
- Attachment 2 – Tracking Organizational Realignment.

CARRIED

16.5 2017 MID-YEAR CAPITAL AND OPERATING BUDGET REVISIONS REPORT, PFC2017-0615

ADOPT, Moved by Councillor Demong, Seconded by Councillor Woolley, that the Priorities and Finance Committee Recommendations contained in Report PFC2017-0615 be adopted, as follows:

That Council:

1. Approve capital budget revisions, as identified in Attachment 1.
2. Receive for information:
 - a. Attachment 2 – Capital Budget Revisions – Previously approved
 - b. Attachment 3 – Capital Budget Revision Summary
 - c. Attachment 4 - 2017 Operating Net Budget Changes;
 - d. Attachment 5 - Council Decisions/Referrals Having Actual or Potential Future Year Operating Budget Impacts;

CARRIED

16.6 SILVERA FOR SENIORS FINANCIAL REVIEW, PFC2017-0666

ADOPT, Moved by Councillor Pootmans, Seconded by Councillor Chabot, that the Priorities and Finance Committee Recommendations contained in Report PFC2017-0666 be adopted, as follows:

That Council:

1. Receive this report and its attachments for information;
2. Direct Silvera to report back to Council through the Priorities and Finance Committee with its full 2018 budget for consideration of Council approval no later than 2017 December;
3. Direct Administration to work with Silvera and the Government of Alberta to prepare a transition plan to address the expected discontinuation of Provincial gap funding for Silvera, reporting back to Council through PFC by 2017 Q4; and
4. Approve the recommendations contained in Attachment 8 and keep Attachment 8, In Camera discussions and recommendations confidential pursuant to Sections 23, 24 and 25 of the *Freedom of Information and Protection of Privacy Act* until such time as this matter is resolved.

ROLL CALL VOTE

For:

R. Jones, J. Magliocca, R. Pootmans, G-C. Carra, A. Chabot, S. Chu, P. Demong, N. Nenshi

Against:

E. Woolley, D. Colley-Urquhart, D. Farrell

CARRIED

16.7 MUNICIPAL RIGHTS OF WAY BYLAW AMENDMENT, GP2017-0645

ADOPT, Moved by Councillor Chabot, Seconded by Councillor Magliocca, that the Gas, Power and Telecommunications Committee Recommendations contained in Report GPC2017-0645 be adopted, as follows:

That Council:

1. Give three readings to the proposed Bylaw 41M2017; and
2. Receive this report for information.

CARRIED

INTRODUCE, Moved by Councillor Chabot, Seconded by Councillor Magliocca, that Bylaw 41M2017, Being a Bylaw of The City of Calgary to Amend the Municipal Rights-Of-Way Bylaw 17M2016, be introduced and read a first time.

CARRIED

SECOND, Moved by Councillor Chabot, Seconded by Councillor Magliocca, that Bylaw 41M2017 be read a second time.

CARRIED

AUTHORIZATION, Moved by Councillor Chabot, Seconded by Councillor Magliocca, that authorization now be given to read Bylaw 41M2017 a third time.

CARRIED UNANIMOUSLY

THIRD, Moved by Councillor Chabot, Seconded by Councillor Magliocca, that Bylaw 41M2017, Being a Bylaw of The City of Calgary to Amend the Municipal Rights-Of-Way Bylaw 17M2016, be read a third time.

CARRIED

16.8 ALBERTA UTILITIES COMMISSION DECISION ON THE ENMAX CORPORATION
TAX AGREEMENT WITH THE CITY OF CALGARY UPDATE (VERBAL),
VR2017-0031

DISTRIBUTION

At the request of Councillor Chabot and with the concurrence of the Mayor, the Acting City Clerk distributed copies of the ENMAX Power Corporation Tax Agreement with The City of Calgary, dated 2017 September 07, with respect to Report VR2017-0031.

ADOPT, Moved by Councillor Chabot, Seconded by Councillor Magliocca, that the Gas, Power and Telecommunications Committee Recommendations contained in Report VR2017-0031 be adopted, as follows:

That Council receive the Alberta Utilities Commission decision on the ENMAX Tax Agreement with The City of Calgary (Attachment) for information.

CARRIED

16.9 REQUEST FOR RECONSIDERATION – OUTLINE PLAN AND LAND USE AMENDMENT APPLICATION FEES (C2017-0595), VR2017-0036

Note: The Reconsideration Motion occurred immediately following Item 8.34, Report CPC2017-310.

RECONSIDER, Moved by Councillor Demong, Seconded by Councillor Chu that Council reconsider its decision contained in the Minutes of the 2017 July 31 Combined meeting of Council, with respect to report C2017-0595 to adopt a new full cost-recovery fee for all combined Outline Plans and Land Use Applications

CARRIED

DISTRIBUTION

At the request of Administration and with the concurrence of the Mayor, the Acting City Clerk distributed the following documents, with respect to Report C2017-0595:

- a PowerPoint presentation entitled “Request for Reconsideration – Outline Plan and Land use Amendment Applications Fees, C2017-0595”, dated 2017 September 11;
- a letter from Guy Huntington, BLD Calgary Region, dated 2017 September 07
- Attachment 1, C2017-0595 entitled “2017 and 2018 Combined Outline Plan/Land Use Amendment Fee Schedules; and
- Attachment 2, C2017-0595 entitled “2017 and 2018 Subdivision Fee Schedules

CHANGE TIME OF SCHEDULED RECESS, RECESS AND RECONVENE IN CAMERA, Moved by Councillor Demong, Seconded by Councillor Jones, that pursuant to Section 91(3) of the Procedure Bylaw 44M2006, as amended, the scheduled time of dinner recess be changed in order to shorten the recess to forty five minutes and further, that, in accordance with Section 197 of the *Municipal Government Act* and Sections 16, 17, 19, 23, 24, 25 and 27 of the *Freedom of Information and Protection of Privacy Act*, Council recess and reconvene following the dinner recess, into the Committee of the Whole, In Camera, at 6:50 p.m., in the Council Lounge, in order to consider several confidential matters.

CARRIED

ADOPT, Moved by Councillor Demong, Seconded by Councillor Chu, that with respect to Verbal Report VR2017-0036, the following be adopted:

That Council:

1. Amend the 2017 Planning Applications Fee Schedule to adopt a full cost recovery fee only for combined outline plan and land use applications in areas with Growth Management Overlays as follows:
 - a. By adding the proposed 2017 and 2018 Combined Outline Plan and Land Use Amendment and Ancillary Applications Fee Schedules in Attachment 1; and

- b. By deleting the 2017 Subdivision Fee Schedule and replacing it with the proposed 2017 and 2018 Subdivision Fee Schedules in Attachment 2.
2. Direct Administration to work with industry to define cost recovery needs and establish a model that can apply to combined outline plan and land use applications in areas without a Growth Management Overlay and bring any recommendations to Council no later than the end of Q1 2018.

CARRIED

WAIVE NOTICE, Moved by Councillor Pootmans, Seconded by Councillor Farrell, that the requirement to provide written notice be waived in order to introduce an item of Urgent Business, In Camera, to today's Agenda, Item 18.5, entitled "Economic Development Opportunity (Verbal), VR2017-0035".

CARRIED

RECESS

Council recessed at 6:05 p.m. to reconvene, In Camera, as the Committee of the Whole, in the Council lounge, at 6:50 p.m.

The Committee of the Whole reconvened, In Camera, at 6:55 p.m. with Deputy Mayor Pootmans in the Chair.

Mayor Nenshi resumed the Chair at 6:56 p.m. and Councillor Pootmans returned to his regular seat in Committee.

The Committee of the Whole recessed In Camera and reconvened in the Council Chamber at 8:05 p.m. with Mayor Nenshi in the Chair.

RISE AND REPORT, Moved by Councillor Jones, that the Committee of the Whole rise and report to Council.

CARRIED

17. IN CAMERA ITEMS

- 17.1 PROPOSED METHOD OF DISPOSITION - (BRIDGELAND/RIVERSIDE) - WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 950 MCPHERSON SQ NE (IWS), UCS2017-0607

ADOPT, Moved by Councillor Demong, Seconded by Councillor Carra, that with respect to Report UCS2017-0607, the following be adopted:

That Council:

1. Adopt the SPC on Utilities and Corporate Services Recommendation contained in Report UCS2017-0607; and
2. Keep the Recommendations, Report and Attachments confidential pursuant to Sections 23, 24, and 25, of the *Freedom of Information and Protection of Privacy Act* until the sale has closed, except for Attachments 4, 5, and 6 which shall remain confidential.

CARRIED

17.2 PROPOSED ACQUISITION AND LICENSE – (ALYTH/BONNYBROOK, HIGHFIELD, BURNS INDUSTRIAL) – WARD 09 (CLLR. GIAN-CARLO CARRA) FILE NO: 1100 26 AV SE MAIN FILE (DR), UCS2017-0608

ADOPT, Moved by Councillor Demong, Seconded by Councillor Carra, that with respect to Report UCS2017-0608, the following be adopted:

That Council:

1. Adopt the SPC on Utilities and Corporate Services Recommendation contained in Report UCS2017-0608; and
2. Keep the Recommendations, Report and Attachments confidential pursuant to Sections 23, 24, and 25, of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

17.3 EXTERNAL AUDITOR 2016 - 2017 PERFORMANCE ASSESSMENT, AC2017-0451

ADOPT, Moved by Councillor Pootmans, Seconded by Councillor Chabot, that with respect to Report AC2017-0451, the following be adopted:

That Council direct that Report AC2017-0451, heard In Camera, remain confidential pursuant to Sections 16 and 19 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

17.4 LABOUR UPDATE (VERBAL), C2017-0689

Note: This Item was dealt with immediately following the Lunch Recess on 2017 September 11

ADOPT, Moved by Councillor Sutherland, Seconded by Councillor Carra, that with respect to Report C2017-0689, the following be adopted:

That Council direct that the verbal report, Labour Update C2017-0689, heard In Camera, remain confidential pursuant to sections 23, 24 and 25 of the *Freedom of Information and Protection of Privacy Act*, until such time that this issue is resolved.

CARRIED

18. URGENT BUSINESS IN CAMERA

18.1 ROCKY VIEW COUNTY OMNI AREA STRUCTURE PLAN UPDATE - VERBAL REPORT, IGA2017-0633

Note: This item was dealt with immediately following the Consent Agenda.

ADOPT, Moved by Councillor Stevenson, Seconded by Councillor Jones, that the Intergovernmental Affairs Committee recommendations contained in Report IGA2017-0633, be adopted, as follows:

That Council:

1. Adopt the recommendations as outlined in Attachment 1 to the Rocky View County Omni Area Structure Plan Update – Verbal Report, IGA2017-0633; and
2. Direct that the In Camera discussions and attachment remain confidential pursuant to Sections 23, 24 and 25 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

18.2 PERSONNEL MATTER (VERBAL), VR2017-0032

ADOPT, Moved by Councillor Chu, Seconded by Councillor Carra, that with respect to Verbal Report VR2017-0032, the following be adopted:

That Council direct that the verbal report, Item 18.2, Personnel Matter VR2017-0032, heard In Camera, remain confidential pursuant to Sections 17 and 27 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

18.3 LEGAL UPDATE ON A LAND MATTER (VERBAL), VR2017-0033

ADOPT, Moved by Councillor Demong, Seconded by Councillor Carra, that with respect to Verbal Report VR2017-0033, the following be adopted:

That Council direct that the verbal report, Item 18.3, Legal Update on a Land Matter, VR2017-0033, heard In Camera, remain confidential pursuant to Sections 24 and 27 of the *Freedom of Information and Protection of Privacy Act*.

Opposed: S. Chu and J. Magliocca

CARRIED

18.4 LAND UPDATE (VERBAL), VR2017-0034

Note: This Item was dealt with immediately following the dinner recess on Tuesday, 2017 September 12 and as the first item of business on Wednesday, 2017 September 13.

The Committee of the Whole reconvened in the Council Chamber at 11:56 a.m. with Mayor Nenshi in the Chair.

RISE AND REPORT, Moved by Councillor Jones, that the Committee of the Whole rise and report to Council.

CARRIED

ADOPT, Moved by Councillor Pootmans, Seconded by Councillor Farrell, that with respect to Verbal Report VR2017-0034, the following be adopted:

That Council:

1. Authorize the Mayor, having consulted with members of Council, to release information pertaining to event Centre discussions; and
2. Keep the Verbal Report, VR2017-0034, and, with the exception of the information referred to in Recommendation #2, the in camera discussions confidential pursuant to Sections 16, 23, 24, 25 and 27 of the *Freedom of Information and Protection of Privacy Act*.

ROLL CALL VOTE

For:

E. Woolley, G-C. Carra, P. Demong, D. Farrell, R. Jones, S. Keating, R. Pootmans, N. Nenshi

Against:

A. Chabot, S. Chu, D. Colley-Urquhart, J. Magliocca

CARRIED

RECESS

Council recessed at 12:00 p.m., to reconvene at 1:15 p.m.

18.5 ECONOMIC DEVELOPMENT OPPORTUNITY (VERBAL), VR2017-0035

ADOPT, Moved by Councillor Stevenson, Seconded by Councillor Pootmans, that with respect to Verbal Report VR2017-0035, the following be adopted:

That Council direct that the verbal report, Item 18.5, Economic Development Opportunity, VR2017-0035, remain confidential pursuant to Sections 24 and 25 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

19. ADMINISTRATIVE INQUIRIES

No Administrative Inquiries were received at today's Meeting.

20. EXCUSING ABSENCE OF MEMBERS

All Members of Council were in attendance.

21. ADJOURNMENT

ADJOURN, Moved by Councillor Stevenson, Seconded by Councillor Pootmans, that this Council adjourn on Wednesday, 2017 September 13, at 8:20 p.m.

END CONSENT AGENDA

CONFIRMED BY COUNCIL ON

MAYOR

ACTING CITY CLERK

UNCONFIRMED



MINUTES

PART 1 - ORGANIZATIONAL MEETING OF COUNCIL AND OTHER RELATED BUSINESS

**October 23, 2017, 2:00 PM
IN THE MUNICIPAL BUILDING ATRIUM**

PRESENT:

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

ALSO PRESENT:

City Clerk L. Kennedy
Associate Chief Justice John D. Rooke
Elder Leonard Bastien Traditional Knowledge Keeper of Treaty 7

1. OPENING

L. Kennedy, City Clerk, called the Organizational Meeting of Council to order.

**2. GREETING FROM ELDER LEONARD BASTIEN TRADITIONAL KNOWLEDGE
KEEPER OF TREATY 7**

3. SWEARING-IN OF MAYOR-ELECT

The City Clerk called Mr. John D. Rooke, Associate Chief Justice forward to administer the Oath of Office to Mayor-Elect Naheed Nenshi.

4. SWEARING-IN OF COUNCILLORS-ELECT

Mr. John D. Rooke, Associate Chief Justice administered the Oaths of Office to the following:

Ward 1 Ward Sutherland
Ward 2 Joe Magliocca
Ward 3 Jyoti Gondek
Ward 4 Sean Chu
Ward 5 George Chahal
Ward 6 Jeff Davison
Ward 7 Druh Farrell
Ward 8 Evan Woolley
Ward 9 Gian-Carlo Carra
Ward 10 Ray Jones
Ward 11 Jeromy Farkas
Ward 12 Shane Keating
Ward 13 Diane Colley-Urquhart
Ward 14 Peter Demong

5. RECESS TO 2017 OCTOBER 30, 9:30 AM

Moved by Councillor Jones

Seconded by Councillor Colley-Urquhart

That Council now recess at 2:52 p.m. to reconvene in the Council Chamber on Monday, 2017 October 30, to continue with the 2017 Organizational Meeting of Council.

CARRIED

CONFIRMED BY COUNCIL ON

MAYOR

CITY CLERK



MINUTES

PART 2 - ORGANIZATIONAL MEETING OF COUNCIL AND OTHER RELATED BUSINESS

**October 30, 2017, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT:

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

ALSO PRESENT:

City Manager J. Fielding
City Solicitor and General Counsel G. Cole
City Clerk L. Kennedy
Deputy City Clerk B. Hilford
Governance and Policy Coordinator K. Martin
Legislative Recorder M. A. Cario
Legislative Assistant D. Williams
Governance and Policy Assistant C. Coulombe

1. RECONVENE FROM 2017 OCTOBER 23

Council reconvened at 9:32 a.m. on Monday, 2017 October 30, in the Council Chamber with Mayor Nenshi in the Chair.

Moved by Councillor Demong
Seconded by Councillor Chahal

That Councillor Magliocca be appointed as the Deputy Mayor for the purpose of the Part 2 of the 2017 Organizational Meeting of Council.

CARRIED

INTRODUCTION

Councillor Gondek introduced a group of 22 Grades two and three students from Hidden Valley School, accompanied by their teacher.

Moved by Councillor Chu

Seconded by Councillor Carra

That the Agenda for the 2017 Organizational Meeting of Council be confirmed.

CARRIED

2. APPOINTMENT OF FOUR (4) COUNCILLORS TO A PRO-TEM NOMINATING COMMITTEE

Moved by Councillor Demong

Seconded by Councillor Keating

That Councillors Demong, Keating, Carra and Woolley be appointed to the Pro-Tem Nominating Committee, with Mayor Nenshi as Ex-Officio member, for the purpose of nominating seven members to each of the four Standing Policy Committees.

CARRIED

Council recessed at 9:52 a.m.

The Pro-Tem Nominating Committee convened in the Council Chamber.

Moved by Councillor Woolley

Seconded by Councillor Demong

That in accordance with Section 197 of the *Municipal Government Act*, and Section 19 of the *Freedom of Information and Protection of Privacy Act*, the Pro-Tem Nominating Committee now recess at 9:52 a.m. to reconvene, in Closed Meeting, in the Council Lounge, to consider the Councillor appointments to the four Standing Policy Committees.

CARRIED

Pursuant to Section 197(6) of the *Municipal Government Act*, the following members of Administration were in attendance in the Closed Meeting: B. Hilford (Clerk), K. Martin (Clerk).

Moved by Councillor Demong

Seconded by Councillor Woolley

That the Pro-Tem Nominating Committee move to a public meeting and adjourn at 10:01 a.m. with Mayor Nenshi in the Chair.

And further, that the closed meeting discussions remain confidential pursuant to Section 19 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

Council reconvened in the Council Chamber at 10:02 a.m. with Mayor Nenshi in the Chair.

Administration reported on the Pro-Tem Nominating Committee recommendations.

3. APPOINTMENT OF THE STANDING POLICY COMMITTEE (SPC) MEMBERS

3.1 SPC ON COMMUNITY AND PROTECTIVE SERVICES

Clerk Note: This SPC forms the membership of the Emergency Management Committee.

Moved by Councillor Carra

Seconded by Councillor Woolley

That the Recommendations of the Pro-Tem Nominating Committee with respect to membership of the SPC on Community and Protective Services, be adopted, as follows, effective 2017 October 30 with the terms to expire at the 2018 Organizational Meeting of Council:

Councillor Carra
Councillor Chahal
Councillor Chu
Councillor Colley-Urquhart
Councillor Farkas
Councillor Jones
Councillor Woolley

CARRIED

3.2 SPC ON PLANNING AND URBAN DEVELOPMENT

Moved by Councillor Carra

Seconded by Councillor Keating

That the Recommendations of the Pro-Tem Nominating Committee with respect to membership of the SPC on Planning and Urban Development, be adopted, as follows, effective 2017 October 30 with the terms to expire at the 2018 Organizational Meeting of Council:

Councillor Carra
Councillor Davison
Councillor Demong
Councillor Farrell
Councillor Jones
Councillor Magliocca
Councillor Sutherland

CARRIED

3.3 SPC ON TRANSPORTATION AND TRANSIT

Moved by Councillor Carra

Seconded by Councillor Demong

That the Recommendations of the Pro-Tem Nominating Committee with respect to membership of the SPC on Transportation and Transit, be adopted, as follows, effective 2017 October 30 with the terms to expire at the 2018 Organizational Meeting of Council:

Councillor Chahal
Councillor Chu
Councillor Davison
Councillor Farkas
Councillor Gondek
Councillor Keating
Councillor Woolley

CARRIED

3.4 SPC ON UTILITIES AND CORPORATE SERVICES

Moved by Councillor Carra

Seconded by Councillor Woolley

That the Recommendations of the Pro-Tem Nominating Committee with respect to membership of the SPC on Utilities and Corporate Services be adopted, as follows, effective 2017 October 30 with the terms to expire at the 2018 Organizational Meeting of Council:

Councillor Colley-Urquhart
Councillor Demong
Councillor Farrell
Councillor Gondek
Councillor Keating
Councillor Magliocca
Councillor Sutherland

CARRIED

4. RECESS - UNTIL THE COMPLETION OF FOUR (4) MEETINGS FOR THE STANDING POLICY COMMITTEES

Council recessed at 9:45 a.m. in order for the Standing Policy Committees to conduct the election of Chairs and Vice-Chairs.

Council reconvened in the Council Chamber at 10:22 a.m. with Mayor Nenshi in the Chair.

Moved by Councillor Keating

Seconded by Councillor Magliocca

That in accordance with Section 197 of the *Municipal Government Act*, and Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act*, Council now recess

at 10:26 a.m., to reconvene, in Closed Meeting, in the Council Boardroom, to consider the Councillor and Public appointments to the various Boards, Commissions and Committees.

RECORDED VOTE:

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

CARRIED

Pursuant to Section 197(6) of the *Municipal Government Act*, the following members of Administration were in attendance in the Closed Meeting: L. Kennedy (Clerk), B. Hilford (Clerk), K. Martin (Clerk), C. Coulombe (Clerk), G. Cole (Legal Advice), S. Swinn (Legal Advice).

Council reconvened in the Council Chamber at 5:32 p.m. with Mayor Nenshi in the Chair.

Moved by Councillor Davison

Seconded by Councillor Gondek

That Council revert to a public meeting.

CARRIED

5. BOARDS, COMMISSIONS AND COMMITTEES WITH COUNCILLOR APPOINTMENTS

5.1 WHOLLY-OWNED SUBSIDIARY COUNCILLOR APPOINTMENT PROCESS, C2017-1078

Moved by Councillor Chahal

Seconded by Councillor Demong

That Report C2017-1078 Recommendations be adopted, **after amendments**, as follows:

That Council:

1. Confirm and approve Council's nominees for appointment to the boards of directors of the following Wholly-Owned Subsidiaries: Attainable Homes Calgary Corporation, Calgary Arts Development Authority Ltd., Calgary Economic Development Ltd., Calhome Properties Ltd. operating as the Calgary Housing Company, Calgary Municipal Land Corporation, and ENMAX Corporation; and
2. Authorize the Mayor, or in the Mayor's absence, the Deputy Mayor, to execute a resolution on behalf of the shareholder for each of Wholly-Owned Subsidiaries named in Recommendation 1 appointing the Mayor and/or Councillor nominees for the term specified to the respective board of directors.

CARRIED

Moved by Councillor Carra
Seconded by Councillor Demong

That with respect to the Councillor Appointments to the Wholly-Owned Subsidiaries, Council nominates to the Board of Directors, as follows:

Attainable Homes Calgary Corporation

Term to expire at the 2018 Organizational Meeting of Council

Councillor Chahal

Calgary Arts Development Authority (CADA)

Term to expire at the 2018 Organizational Meeting of Council

Councillor Woolley

Calgary Economic Development (CED)

Term to expire at the 2018 Organizational Meeting of Council

Councillor Davison

Calhome Properties Ltd. operating as Calgary Housing Company

Terms to expire at the 2020 Organizational Meeting of Council

Councillor Chahal
Councillor Farkas
Councillor Farrell

ENMAX Corporation

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Demong
Councillor Keating

OMNIBUS MOTION CARRIED

5.2

SUMMARY– 2017 COUNCILLOR PREFERENCES TABLE FOR BOARDS, COMMISSIONS AND COMMITTEES

RECEIVE FOR CORPORATE RECORD

The City Clerk received for the Corporate Record, a document entitled "Council Appointment Summary Attachment" with respect to the Councillor Appointments to various Boards, Commissions and Committees.

Moved by Councillor Carra
Seconded by Councillor Demong

That the following be adopted in an omnibus motion:

1. That with respect to the Councillor Appointments to the various Boards, Commissions and Committees, Council hereby appoints the Councillors as set out in the Council Appointment Summary Attachment and listed as follows:

Audit Committee

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Chahal
Councillor Farkas
Councillor Farrell
Councillor Woolley

Gas, Power and Telecommunications Committee

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Chu
Councillor Colley-Urquhart
Councillor Davison
Councillor Farrell

Intergovernmental Affairs Committee

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Carra (CRP Representative)
Councillor Demong (AUMA Representative)
Councillor Magliocca (FCM Representative)
Councillor Farkas
Councillor Gondek
Councillor Jones

Priorities and Finance Committee

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Chu, Vice-Chair, Councillor-at-Large
Councillor Colley-Urquhart, Chair, SPC on Community and Protective Services
Councillor Keating, Chair, SPC on Transportation and Transit
Councillor Magliocca, Chair, SPC on Planning and Urban Development
Councillor Sutherland, Chair, SPC on Utilities and Corporate Services
To be appointed, Chair of Audit Committee

Clerk Note: The Chair of Audit Committee will be appointed at the 2017 December 14 Regular Meeting of the Audit Committee.

Alberta Urban Municipalities Association (AUMA)

Term to expire at the 2018 Organizational Meeting of Council

Councillor Sutherland

Term to expire at the 2019 Organizational Meeting of Council

Councillor Demong (Designated as the Vice-President for Calgary)

Calgary Convention Centre Authority

Term to expire at the 2018 Organizational Meeting of Council

Councillor Colley-Urquhart

Calgary General Hospital Legacy Fund Review Committee

Committee established at the 2017 Organizational Meeting

Councillor Carra

Calgary Homeless Foundation

Term to expire at the 2018 Organizational Meeting of Council

Councillor Chahal

Calgary Parking Authority

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Chu

Councillor Davison

Calgary Planning Commission

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Gondek

Councillor Woolley

Calgary Police Commission

Continuing appointment with terms to expire on 2018 October 31

Councillor Sutherland

A Councillor will be appointed upon completion of a Calgary Police Service security check.

Calgary Public Library Board

Continuing appointment with terms to expire at the 2018 Organizational Meeting of Council

Councillor Farrell
Councillor Woolley

Calgary Regional Partnership

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Carra
Councillor Chahal (alternate)

Calgary Stampede Board

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Magliocca
Councillor Sutherland

Co-ordinating Committee of the Councillors' Office

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Chu
Councillor Colley-Urquhart
Councillor Farkas
Councillor Jones
Councillor Magliocca

Community Representation Framework Task Force

Continuing appointment with terms to expire when the mandate is completed

Councillor Carra
Councillor Demong
Councillor Woolley

Term to expire when the mandate is completed

Councillor Farkas

Corporate Pension Governance Committee (PGC)

Continuing appointments with no set term

Councillor Colley-Urquhart
Councillor Jones

Family and Community Support Services Association of Alberta

Term to expire at the 2018 Organizational Meeting of Council

Councillor Carra

Inter-Municipal Committee (IMC) – Foothills

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Colley-Urquhart
Councillor Demong
Councillor Keating

Inter-Municipal Committee (IMC) – Rocky View

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Chahal
Councillor Gondek

The City of Calgary / Town of Chestermere Intermunicipal Committee (IMC)

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Carra
Councillor Jones

Nominations Committee

Terms to expire at the 2018 Organizational Meeting of Council

Councillor Chahal
Councillor Davison
Councillor Farkas
Councillor Jones

Regional Transportation Steering Committee

Term to expire at the 2021 Organizational Meeting of Council

Councillor Carra

Route Ahead Steering Committee

Appointments postponed to a later date

Silvera for Seniors

Continuing appointment to expire at the 2018 Organizational Meeting of Council

Councillor Sutherland

2. With respect to the Federation of Canadian Municipalities (FCM), Council hereby nominates Councillor Magliocca with a term to expire at the 2018 Organizational Meeting of Council.

3. With respect to the Calgary Police Commission, Council hereby appoints the Councillor selected subject to the mandatory Calgary Police Service security check with the term to expire on 2019 October 31; and

4. Council directs that the closed meeting discussions and Attachments with respect to the Boards, Commissions and Committees with Councillor Appointments remain confidential pursuant to Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act*.

OMNIBUS MOTION CARRIED

6. BOARDS, COMMISSIONS AND COMMITTEES WITH COUNCILLOR AND PUBLIC MEMBER APPOINTMENTS

Clerk Note:

Council's decisions with respect to Agenda items 6 and 7 are contained in an omnibus motion, and can be located following Agenda Item 7.1.

6.1 BOARD APPOINTMENTS TO LEGISLATED BODIES: The Calgary Public Library Board and Calgary Convention Centre Authority, C2017-1079

Moved by Councillor Farrell

Seconded by Councillor Woolley

That with respect to Report C2017-1079 Recommendation 1, the following be adopted:

That Council thanks all individuals who have put their names forward and:

1. Hereby appoints the following as put forward by the Calgary Public Library Board:

- Rob Macaulay;
- Janet Hutchinson; and
- Andrew Rodych; with the terms to expire at the 2020 Organizational Meeting of Council; and

2. Directs that closed meeting discussions and Attachments 2, 4, 5, 6, 7, 8, 9, 10, 11, 13 and 14 to Report C2017-1079 remain confidential pursuant to Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act* (Alberta).

CARRIED

Moved by Councillor Colley-Urquhart

Seconded by Councillor Keating

That with respect to Report C2017-1079 Recommendation 2, following be adopted:

That Council thanks all individuals who have put their names forward and:

1. Hereby appoints the following as put forward by the Calgary Convention Centre Authority:

- Tom Bornhorst; and
- Robert Palmer; with the terms to expire at the 2021 Organizational Meeting of Council; and

2. Direct that the closed meeting discussions and Attachments 2, 4, 5, 6, 7, 8, 9, 10, 11, 13 and 14 to Report C2017-1079 remain confidential pursuant to Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act* (Alberta).

CARRIED

6.2 APPOINTMENTS TO THE SILVERA FOR SENIORS BOARD, C2017-1067

Moved by Councillor Sutherland

Seconded by Councillor Colley-Urquhart

That Report C2017-1067 Recommendations be adopted, as follows:

That Council thanks all individuals who have put their names forward and that Council:

- Adopt the Board's appointment of Sue Frerichs to the Board, as a public-at-large member, for a three-year term set to expire on 2020 September 30; and
- Directs that the Attachment to Report C2017-1067 remain confidential pursuant to Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

7. BOARDS, COMMISSIONS AND COMMITTEES WITH PUBLIC MEMBER APPOINTMENTS

7.1 CONSIDERATION OF APPLICANTS FOR APPOINTMENT TO ADVISORY, REVIEW AND INTEREST GROUP BCCS, C2017-1069

Moved by Councillor Jones

Seconded by Councillor Magliocca

That with respect to the Boards, Commissions and Committees Public Member Appointments, Council thanks all individuals who have put their names forward and hereby appoints, as follows:

Advisory Committee on Accessibility

Terms to expire at the 2019 Organizational Meeting of Council

- Patrick Almond (Citizen-at-large)
- Layne Douglas (Citizen-at-large)
- Anuya Pai (Public member with a disability)
- Deanna Picklyk (Public member with a disability)

Audit Committee

Terms to expire at the 2019 Organizational Meeting of Council

- Lori Caltagirone
- Michael Lambert

BiodiverCity Advisory Committee

Terms to expire at the 2019 Organizational Meeting of Council

- Abhishek Banerjee (Public member who represents the technical industry or research field)
- Polly Knowlton Cockett (Public member who represents the ecological literacy field)
- Katie Morisson (Citizen-at-large)
- Mathew Swallow (Public member who represent the technical industry or research field)

Calgary Aboriginal Urban Affairs Committee

Terms to expire at the 2019 Organizational Meeting of Council

- Judy Fernandes (Non-Aboriginal)
- Samantha First Charger (Aboriginal)
- Rosalinda Hernandez (Non-Aboriginal)
- Ena Kuang (Non-Aboriginal)
- Candeeana Langan (Aboriginal)
- Shelley Larose (Non-Aboriginal)
- Cathy Lynn (Aboriginal)
- Sumon Mamun (Non-Aboriginal)
- Simone Parker (Aboriginal Youth)

That with respect to Calgary Aboriginal Urban Affairs Committee, Council:

1. Amends the Calgary Aboriginal Urban Affairs Committee terms of reference to include 1 Councillor appointment for a one year term; and
2. Appoints Councillor Colley-Urquhart for a term to expire at the 2018 Organizational Meeting of Council.

Calgary General Hospital Legacy Fund Review Committee

Terms to expire at the 2019 Organizational Meeting of Council

- Adam Jiwani (Public Member)
- Lawrence Scammell (Business Representative from the Bridgeland-Riverside Community, nominated by the Bridgeland Riverside Community Association)

Calgary Heritage Authority

Terms to expire at the 2020 Organizational Meeting of Council

- Janet McCready
- Erika Topola
- Reg Young

Terms to expire at the 2019 Organizational Meeting of Council

- Lauren Herschel
- Christine Leppard
- Patricia O'Reilly

For a completion of a 2 year term to expire at the 2018 Organizational Meeting of Council.

- Faizan Rahemtulla

Calgary Technologies Inc.

Terms to expire at the 2018 Organizational Meeting of Council

- Dan Furst
- Heather Herring
- Sujatha Kamma

Calgary Transit Access Eligibility Appeal Board,

Terms to expire at the 2018 Organizational Meeting of Council

- Nina Busuego (Public member with disabilities using specialized transportation services)
- Scott Herron (Public member with disabilities using specialized transportation services)
- Donna Hreys (Health care practitioner)
- Ian Holloway (Citizen-at-large)
- Raymond Lewkonja (Health care practitioner)

Calgary Transit Public Safety Citizen Oversight Committee

Term to expire at the 2020 Organizational Meeting of Council.

- Zolani Ncube

Combative Sports Commission

Terms to expire at the 2019 Organizational Meeting of Council

- Michael Gadde
- Shawn Hiron
- Allison Kavanagh
- Shane Moore

Livery Transport Advisory Committee

Terms to expire at the 2018 Organizational Meeting of Council

- Sherri DiVincentis (Representative of Tourism Calgary)
- Lui Greco (Representative of the general public)
- Ian Lawson (Representative for limousine brokers)
- Gordon Lowe (Representative of the general public)
- Robert McGregor (Representative for limousine drivers)
- Cheryl McLaughlin (Representative of the general public)
- Kaleigh Maher (Representative of the Calgary Airport Authority)
- Lisa Skierka (Representatives of the general public)
- Spencer Villam (Representative of the Calgary Hotel Association)

Clerk Note: Two positions are left vacant:

- Representative for taxi broker
- Member for Transportation Network Companies

Public Art Board

Terms to expire at the 2020 Organizational Meeting of Council

- Anthony Eagle
- Zev Klymochko
- Tamara Marajh

Saddledome Foundation

That with respect to the Saddledome Foundation, that the City Clerk, on behalf of City Council, forward the name of the nominated citizen to serve as one of The City of Calgary's three Directors on the Saddledome Foundation Board of Directors, such citizen subject to appointment by the members of the Saddledome Foundation for a term of three years, such term to expire at the 2020 Organizational Meeting of Council.

And further that Council directs that the closed meeting discussions, Attachments 1 to 8 to Report C2017-1069 and the Attachments with respect to the Boards, Commissions and Committees with Public Member Appointments remain confidential pursuant to Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act*.

OMNIBUS MOTION CARRIED

Moved by Councillor Sutherland
Seconded by Councillor Gondek

1. That with respect to the Calgary Police Commission Public Member Appointments, Council thanks all individuals who have put their names forward and hereby appoints, as follows:

Terms to expire at the 2019 October 31 or when a successor is appointed, whichever is later.

- Chris Salmon
- Tyler Shandro
- Brian Thiessen

2. That with respect to the Calgary Police Commission public member appointments, the seven short-listed candidates be interviewed by Councillors Sutherland and Gondek;

3. That the Councillors report back with recommendations for the vacant positions subject to the mandatory Calgary Police Service security check, to the Closed Meeting of the 2017 November 13 Regular Meeting of Council;

4. And further that Council directs that the closed meeting discussions and the Attachments with respect to the Boards, Commissions and Committees with Councillor and Public Member Appointments remain confidential pursuant to Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

Moved by Councillor Gondek
Seconded by Councillor Woolley

1. That with respect to the Calgary Planning Commission Public Member appointment, Council thanks all individuals who have put their names forward and hereby appoints, as follows:

- Melvin Foht with a term to expire at the 2019 Organizational Meeting of Council;

2. That with respect to the Calgary Planning Commission Public Member appointments, the four short-listed candidates be interviewed by Councillors Gondek and Woolley and the Calgary Planning Commission Chair;

3. That the Councillors report back with recommendations for the vacant position, to the Closed Meeting of the 2017 November 13 Regular Meeting of Council;

4. And further that Council directs that the closed meeting discussions and the Attachments with respect to the Boards, Commissions and Committees with Councillor and Public Member Appointments remain confidential pursuant to Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

Moved by Councillor Farrell
Seconded by Councillor Colley-Urquhart

That with respect to the Urban Design Review Panel, the current appointments remain and that Council refer the appointment process to the Mayor to consult

with Administration and interested members of Council to return to Council no later than 2017 December with a proposed slate of candidates.

CARRIED

7.2 LIVERY TRANSPORT ADVISORY COMMITTEE - APPOINTMENT OF CHAIR, C2017-1061

Moved by Councillor Colley-Urquhart

Seconded by Councillor Chu

That Report C2017-1061 Recommendations be adopted, as follows:

That Council:

1. Appoints Tongjie Zhang to serve as Chair of the Livery Transport Advisory Committee for the 2017/2018 term; and
2. Directs that Attachment 1 of Report C2017-1061 remain confidential pursuant to Sections 17 and 19 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

8. 2018 COUNCIL CALENDAR, C2017-1076

Moved by Councillor Keating

Seconded by Councillor Davison

That with respect to Report C2017-1076, Council:

1. Adopt the 2018 Council Calendar for the month of January only as set out on Attachment 1; and
2. Refer the remainder of the 2018 Council Calendar to Administration to incorporate changes such as uniformity in scheduling the Committee meetings which would be similar to how the 2018 January schedule was structured and to return to Council on 2017 November 13.

CARRIED

9. 2017 - 2018 DEPUTY MAYOR ROSTER AND RELATED DUTIES, C2017-1085

Moved by Councillor Chahal

Seconded by Councillor Farkas

That Report C2017-1085 Recommendation be adopted, **after amendment**, as follows:

That Council adopt the following 2017 – 2018 Deputy Mayor Roster from 2017 October 23 to 2018 December 31:

Deputy Mayor Roster

2017

October 23 - 31 Councillor Magliocca

November Councillor Chu

December Councillor Farkas

2018

January Councillor Keating

February **Councillor Sutherland**

March Councillor Chahal

April Councillor Carra

May Councillor Demong

June Councillor Davison

July Councillor Jones

August **Councillor Colley-Urquhart**

September Councillor Woolley

October Councillor Farrell

November Councillor Gondek

December Councillor Magliocca

CARRIED10. GREY CUP AND QUEBEC WINTER CARNIVAL - ELECTION OF REPRESENTATIVES (VERBAL)**Moved by** Councillor Jones**Seconded by** Councillor Keating

That Council:

1. Elect the following Councillors to be The City's representatives at the 105th Grey Cup:

Councillor Keating

Councillor Sutherland

• Councillor Jones (Alternate)

2. Elect the following Councillors to be The City's representatives at the 2018 Quebec

Winter Carnival:

Councillor Carra

Councillor Gondek

• Councillor Colley-Urquhart (Alternate)

3. Authorize the Manager, Office of the Councillors, to make the necessary arrangements should none of Council's elected representatives be available to attend the Grey Cup and/or the Quebec Winter Carnival.

Against: Councillor Colley-Urquhart

CARRIED11. ADMINISTRATION APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES, C2017-1059**Moved by** Councillor Demong**Seconded by** Councillor Keating

That Report C2017-1059 Recommendations be adopted, as follows:

That Council:

1. Appoint Administration's nominees to Boards, Commissions and Committees (Attachment 1 to Report C2017-1059); and
2. Receive for information current Administration members serving on Boards, Commissions and Committees (Attachment 2 to Report C2017-1059).

CARRIED

12. COUNCIL AUTHORIZATION TO COVER MEETING COSTS FOR DIRECTORS OF THE FEDERATION OF CANADIAN MUNICIPALITIES, C2017-1060

Moved by Councillor Colley-Urquhart
Seconded by Councillor Farrell

That Report C2017-1060 Recommendations be adopted, as follows:

That Council agrees that should The City of Calgary's Nominee to FCM be elected to the FCM Board of Directors, Council is prepared to meet all reasonable costs of attendance at meetings of the FCM Board of Directors; such costs to be charged to Corporate Costs Program 861.

CARRIED

Moved by Councillor Colley-Urquhart
Seconded by Councillor Chahal

MOTION ARISING, That the Mayor be requested to call a meeting of the Nominations Committee as soon as possible regarding the issues that arose with respect to the appointment process including diversity and gender, as discussed in today's open and closed meeting.

CARRIED

13. ADJOURNMENT

Moved by Councillor Jones
Seconded by Councillor Farkas

That this Council adjourn at 5:54 p.m. on 2017 October 30.

ROLL CALL VOTE:

For: Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Jones, Councillor Sutherland, Mayor Nenshi

Against: Councillor Carra, Councillor Chu, Councillor Keating, Councillor Magliocca, and Councillor Woolley

CARRIED

CONFIRMED BY COUNCIL ON

MAYOR

CITY CLERK

UNCONFIRMED

UTILITY BILLING AUDIT

EXECUTIVE SUMMARY

The City Auditor's Office issued the Utility Billing Audit Report to Administration on September 5, 2017. The report includes Administration's response to three recommendations raised by the City Auditor's Office to strengthen assurance the water utility billing is complete and accurate. Administration accepted all recommendations and has committed to the implementation of action plans no later than August 31, 2018. The City Auditor's Office will track the implementation of these commitments as part of our on-going follow-up process.

RECOMMENDATIONS

1. That Audit Committee receive this report for information; and
2. That Audit Committee recommend that Council receive this report for information.

RECOMMENDATION OF THE AUDIT COMMITTEE, DATED 2017 SEPTEMBER 14:

That Council receive Report AC2017-0661 for information.

PREVIOUS COUNCIL DIRECTION / POLICY

Bylaw 30M2004 (as amended) established the position of City Auditor and the powers, duties and functions of the position. Under the City Auditor's Office Charter, the City Auditor presents an annual risk-based audit plan to Audit Committee for approval. The City Auditor's Office 2017/2018 Annual Audit Plan was approved on November 10, 2016. The City Auditor is accountable to Council and subject to the oversight of Audit Committee under Bylaw 48M2012 (as amended).

BACKGROUND

This audit was undertaken as part of the approved City Auditor's Office 2017/2018 Annual Audit Plan. The objective of this audit was to assess the effectiveness of The City's controls over the completeness and accuracy of utility billing, conducted on behalf of The City by Enmax Encompass Inc. (ENMAX)¹. The audit focused on water billing, and the objective was achieved by assessing the design and operation of The City's controls that mitigate the risks that:

- Billable customers are not billed for consumption;
- Metered customers are significantly overcharged; and,
- Metered customers are significantly undercharged.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The Business Units of Water Services and Water Resources (collectively known as the Water Utility) are responsible for managing the quality and delivery of Calgary's water supply. Although the responsibility for billing water consumers has been contracted to ENMAX, The City has overall accountability.

The audit determined the Water Utility's current controls and processes provide only partial effectiveness in supporting the Water Utility business objective that the water billing conducted by ENMAX is complete and accurate. Controls conducted by the Finance Department involving

¹ Enmax Encompass Inc. is part of the ENMAX group of companies.

UTILITY BILLING AUDIT

daily revenue follow-up and monthly revenue checks, and the annual rate change process are designed and operating effectively. However these processes are not designed to ensure accuracy or completeness of billing on an individual customer accounts basis.

Over the past two years, the Water Utility have developed new technological tools and processes relating to water billing. These advancements include automating data entry and transfer of meter account information to ENMAX and creating exception reports to allow the Water Utility to compare water billing data to information in The City's databases. While these new advancements provide improvements, further enhancements and implementation of additional controls are recommended. These recommendations include:

- Confirmation of data changes that will impact customers' water billing specific to:
 - Water billing for residential meters, both new installations and removals; and,
 - ENMAX's application of temporary bill adjustments to customers' billing.
- Implementation of an effective exception reporting process to support comparing water billing data to The City's databases; analyzing billing data in its entirety provides greater confidence that billing is complete.

The City's contractual agreement with ENMAX sets out service level expectations, including providing reports of water consumption irregularities and meter anomaly to the Water Utility. To date, the Water Utility has not received all reporting outlined in the contract agreement with ENMAX. Absent or incomplete reporting can result in delays in identifying inaccurate billing which can create delay in receipt of revenue, unexpected financial burden on customers, and reputational risk to The City.

Stakeholder Engagement, Research and Communication

This audit was conducted with Water Resources, Water Services, and Finance acting as the principal audit contacts within Administration.

Strategic Alignment

Audit reports assist Council in its oversight of the City Manager's administration and accountability for stewardship over public funds and achievement on value for money in City operations.

Social, Environmental, Economic (External)

N/A

Financial Capacity

Current and Future Operating Budget:

N/A

Current and Future Capital Budget:

N/A

Risk Assessment

The activities of the City Auditor's Office serve to promote accountability, mitigate risk, and support an effective governance structure.

**City Auditor's Report to
Audit Committee
2017 September 14**

**ISC: UNRESTRICTED
AC2017-0661
Page 3 of 3**

UTILITY BILLING AUDIT

Revenue from billing for water and wastewater services is the largest non-tax related source of revenue to The City. In 2016, water, wastewater services and stormwater revenues were over \$662.3 million. The City has contracted responsibility for water billing to ENMAX, however, The City remains accountable to Calgarians that water is billed completely and accurately. Strengthening controls supports the Water Utility in their accountability to Calgarians, and provides The City with assurance that water billing is complete and accurate.

REASONS FOR RECOMMENDATIONS:

Bylaw 48M2012 (as amended) states: "Audit Committee receives directly from the City Auditor any individual Audit Report and forwards these to Council for information."

ATTACHMENT

AC2017-0661 UTILITY BILLING AUDIT



Calgary

City Auditor's Office

Utility Billing Audit

September 5, 2017

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The City Auditor's Office completes all projects in conformance with the *International Standards for the Professional Practice of Internal Auditing*.

Executive Summary

The Business Units of Water Services and Water Resources (collectively known as the Water Utility) are responsible for managing the quality and delivery of Calgary's water supply – from the river, to the taps and back to the river. Water, wastewater and stormwater services are funded through utility billing; its revenue is the largest non-tax related source of revenue to The City. In 2016, revenues for water, wastewater and stormwater services were over \$662.3 million. Although the responsibility for billing water consumers has been contracted to Enmax Encompass Inc. (ENMAX)¹, The City has overall accountability. Water revenue is required to deliver water, wastewater and stormwater services to customers. Effective management of revenue is important to The City, and this is acknowledged by the Water Utility in their commitment to “continually improve on financial plans and practices to manage financial health” and “leverage tools and technology to support operations and realize efficiencies”².

The objective of this audit was to provide assurance on the completeness and accuracy of the utility billing process. The audit focused on the Water Utility monitoring controls and processes that support complete and accurate water billing, conducted by ENMAX. The audit's timeframe reviewed was January 1, 2016 to May 30, 2017.

The audit determined the Water Utility's current controls and processes provide only partial effectiveness in supporting the Water Utility business objective that the water billing conducted by ENMAX is complete and accurate. Controls conducted by the Finance Department involving daily revenue follow-up and monthly revenue checks, and the annual rate change process are designed and operating effectively. However, these processes are not designed to ensure accuracy or completeness of billing on an individual customer accounts basis.

Over the past two years, the Water Utility have developed new technological tools and processes relating to water billing. These advancements include automating data entry and transfer of meter account information to ENMAX and creating exception reports to allow the Water Utility to compare water billing data to information in The City's databases. While these new advancements provide improvements, further enhancements and implementation of additional controls are recommended. These recommendations include:

- Confirmation of data changes that will impact customers' water billing specific to:
 - Water billing for residential meters, both new installations and removals; and,
 - ENMAX's application of temporary bill adjustments to customers' billing.
- Implementation of an effective exception reporting process to support comparing water billing data to The City's databases; analyzing billing data in its entirety provides greater confidence that billing is complete.

The City's contractual agreement with ENMAX sets out service level expectations, including providing reports of water consumption irregularities and meter anomaly to the Water Utility. To date, the Water Utility has not received all reporting outlined in the contract agreement with ENMAX. Absent or incomplete reporting can result in delays in identifying inaccurate billing which can create delay in receipt of revenue, unexpected financial burden on customers, and reputational risk to The City.

We raised three recommendations to support the Water Utility in their accountability to Calgarians and provide The City with assurance that water billing is accurate and complete.

¹ Enmax Encompass Inc. is part of the ENMAX group of companies.

² 2015-2018 Action Plan, The City of Calgary

The Water Utility has agreed to all recommendations and committed to implementing the recommendations by August 31, 2018. The City Auditor's Office will follow up on all commitments as part of our ongoing recommendation follow-up process.

1.0 Background

Water Resources and Water Services (collectively known as the Water Utility) manage the quality and delivery of Calgary's water supply – from the river, to the taps and back to the river. The Water Utility protects public health by ensuring a clean and reliable supply of water and by treating wastewater, and provides these services to over one million Calgarians and residents of the region.

Water and wastewater services are funded through utility billing rather than through property taxes. Revenue from billing for water and wastewater services is the largest non-tax related source of revenue to The City. In 2016, revenues for water, wastewater services and drainage were over \$662.3 million, and a 10.25% increase over 2015 revenues. The revenue is collected and forwarded to The City by contractual agreement with ENMAX. Water rates and service charges are set by the Water Utility Bylaw and published on The City's internet site. ENMAX earns a fee for managing customer interactions, data management, billing, collection and remittance of revenue.

Recognizing the importance of utility revenue to The City and role in Council's priority of being a well-run city, Utilities & Environmental Protection (UEP) Department, which includes the Water Utility, committed to being "as efficient and effective as possible, reducing costs and focusing on value-for-money" in the 2015-2018 Action Plan. Strategies to achieve the objective include "continually improve on financial plans and practices to manage financial health" and, "leverage tools and technology to support operations and realize efficiencies". Recent initiatives include improving the process efficiency of meter installation information transferred through mobile technology, and designing and implementing Quality Assurance/Quality Control (QA/QC) processes to confirm and locate water meter assets. The City Auditor's Office conducted advisory activity at the request of the Water Utility in 2012, which focused on the completeness of billing data. The audit has considered the advisory work completed as part of the audit planning process.

2.0 Audit Objectives, Scope and Approach

2.1 Audit Objective

The objective of this audit was to assess the effectiveness of The City's controls over the completeness and accuracy of utility billing. The objective was achieved by assessing the design and operation of The City's controls that mitigate the risks that:

- Billable customers are not billed for consumption;
- Metered customers are significantly overcharged; and,
- Metered customers are significantly undercharged.

2.2 Audit Scope

The audit examined The City's controls and activities in place to mitigate the risk of incomplete and inaccurate utility billing from January 1, 2016 to May 31, 2017. The audit focused on billing for water services.

The audit scope is limited to the activities that are undertaken by The City to provide a high level of confidence that all metered customers who should receive a water billing, do, and the water billings are accurate.

The audit did not assess ENMAX's processes and associated controls such as:

- Meter readings;
- Customer records or billing system calculations;
- Issuing of bills, including timeliness; and,
- Collection of billing revenue.

2.3 Audit Approach

The audit approach involved:

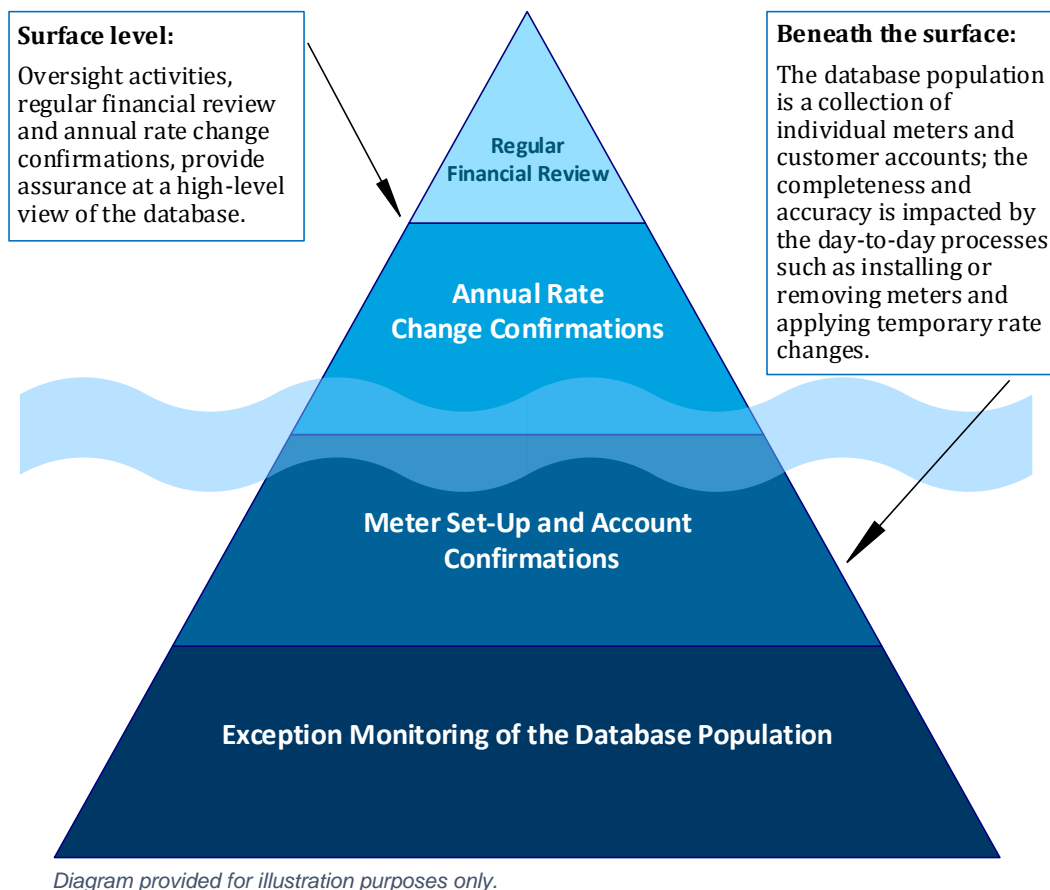
- Interviews and document analysis that assessed the effectiveness of the design of controls and activities that mitigate the risks; and
- Data analysis to confirm the effectiveness of the operation of the controls and activities.

We would like to thank staff from the Water Utility and Finance for their assistance and support throughout this audit.

3.0 Results

We assessed the Water Utility's processes and associated controls over activities around meter and account-set up, terminations, rate adjustments, and billing accuracy. Since 2013, the Contract for Utility Billing and Customer Care Services between ENMAX and The City of Calgary (The Contract) defines the responsibilities, accountabilities, and service expectation for water billing. ENMAX "will perform billing, collection and customer care services in respect of utility charges incurred by Customers"³; though the provision of water, and water meters installation and maintenance are the responsibility of The City. The City is accountable to customers to ensure that ENMAX provides accurate and complete water billings.

The City's current approach provides confidence that at a high-level, water billing is complete and accurate. Finance conducts regular reviews of the water revenue and the Water Utility has a verification process to confirm that the annual rate change is completed. Our review confirmed that these processes and associated controls are effective in design and operation.



However, our review confirmed that at an individual account level, current processes and associated controls provide a lower level of confidence that water billing is complete and accurate. The diagram depicts these two levels of confidence: high level assurance that billing is taking place, and at the appropriate annual rate (surface level), but limited assurance over the completeness and accuracy of individual customer billing and accounts that make up the database (beneath the surface).

³ Contract for Utility Billing and Customer Care Services between Enmax Encompass Inc. and The City of Calgary

3.1 Meters and Billing Completeness

We reviewed The City's controls regarding account set up and termination, and The City's processes to identify exceptions (accounts not included in the billing cycle) to mitigate the risk that customers are not billed for water consumption. Our review confirmed the Water Utility's process provide a lower level of confidence and limited assurance of completeness at the individual customer account level.

3.1.1 Account Set-Up

We assessed the Water Utility's process to update ENMAX with new meter installation and customer account information. At the time of our review, the Water Utility were planning to automate parts of the current process. We reviewed the current process and the planned process. Under the current process, the Water Utility record meter installations manually, and transmit the data by email or fax to ENMAX. Plans to automate the process replace manual forms with electronic applications; the meter installation and customer information will be entered at the job site, and the information will be transmitted to ENMAX electronically. The Water Utility do not currently monitor the meter billings to confirm that newly installed meters are billed appropriately, and ENMAX does not confirm receipt of meter installation information or commencement of meter billing. The Water Utility therefore have limited confidence that meter installations are received by ENMAX or that water billing is complete. Regardless of the approach taken by the Water Utility, manual or electronic, we recommend the Water Utility design and implement a process to confirm new meters are included in the billing cycle (Recommendation 1).

3.1.2 Account Termination

We assessed the Water Utility's process to inform ENMAX when a meter is removed and an account is terminated. The Water Utility transmit the information to ENMAX by email or fax; however, the Water Utility do not monitor account terminations by ENMAX and therefore have not mitigated the risk that meter terminations are incomplete and unauthorized. We recommend the Water Utility design and implement a process to confirm requested changes to water accounts (Recommendation 1).

3.1.3 Exception Process

The Water Utility began in 2015 testing a process to compare water billing data to information in the City's GIS database. The test process was focused on missing meters from a revenue risk perspective, while also resulting in replacement of failed or failing meters. However, the process does not yet produce the desired results; the Water Utility determined the process was producing an unacceptably high number of false positives and therefore it is not used operationally. An exception reporting and monitoring process that analyzes the water billing at the individual account level to identify exceptions would provide the Water Utility with improved confidence that the water billing is complete. We recommend the Water Utility design and implement a process to monitor and review exceptions by either fully developing the partially completed process or finding an alternative process (Recommendation 2).

3.2 Billing Accuracy

We reviewed The City's controls regarding revenue, rate changes and temporary bill adjustments, and individual account readings to provide assurance that customers are not significantly over or under-charged. Our review confirmed that the Water Utility has confidence, on a high-level or oversight level, that the billing is accurate (see Diagram on page 9). However, at the individual customer level, the Water Utility's processes do not effectively mitigate the risk of individual customers being significantly over or under-charged.

3.2.1 Rate Changes and Temporary Bill Adjustments

The annual rate change involves coordination with the Finance, the Water Utility and Waste & Recycling Services Business Units. The Finance Business Unit maintains the rate financial model and analysis and provides ENMAX with final rate change validation. ENMAX finalizes the rate change in its system by December and implements the rate change on the first day of the calendar year. Once implemented, ENMAX provides the Water Utility with two samples of the customer billings from each rate category (i.e. residential, commercial, wholesale, etc.) to confirm the rate change. The Water Utility complete the sample review to validate rate accuracy and ENMAX provides the Water Utility with confirmation of the rate change. We assessed the process to complete the 2017 annual rate adjustment applied to the whole customer population and confirmed the process is designed effectively to mitigate the risk that water billing is incomplete or inaccurate. The process is designed to provide assurance that the annual rate change is accurate.

The Water Utility monitor the impact that weather changes have on the integrity of water infrastructure. During winter, when a risk of ground-freeze is identified, the Water Utility request those water customers in affected areas to run water from a faucet in the residence to prevent pipes from freezing and bursting. The Water Utility maintain a list of impacted customers, and informs ENMAX that the impacted customers must receive an adjusted water billing to compensate for the additional water consumption. However, the Water Utility do not verify temporary bill adjustments completion and timeliness and ENMAX does not provide confirmation of the bill adjustment. There is a gap in the design of the process; the Water Utility do not have assurance related to individual account accuracy. In section 4.1, we recommend the Water Utility implement a process to confirm that temporary bill adjustments are appropriate and timely; this will provide the Water Utility with greater assurance over the accuracy of billing (Recommendation 1).

3.2.2 Revenue Monitoring

We reviewed the processes undertaken by the Finance Business Unit (Finance) that provide assurance that the water revenue is complete. Finance has staff dedicated to support the Water Utility, monitor the revenue received daily from ENMAX, provide month over month trending, and review of ENMAX's Key Performance Indicators (KPI) such as the number of monthly meter readings completed. The processes designed provide a high level of assurance that the overall water consumption revenue aligns with the level of water consumption (see Diagram on page 9). Finance monitoring is designed and operating effectively to identify missing billings cycles, annual rate errors, or a significant change in meter reading activity.

3.2.3 Individual Accounts

As per The Contract, ENMAX provides reports to The City, such as the monthly KPI summaries provided to Finance. ENMAX is also responsible to monitor the water meter readings, identify anomalies, and provide timely notification to the Water Utility in order

that individual account issues can be identified and corrected. The Contract states ENMAX will take daily action to identify meters that have been estimated for more than two months and provide a monthly report to The City. The Contract also states that *“Zero consumption reads will be accepted for a period of three months before a Water Consumption Check is created”*. Estimated meters do not provide an exact measure of water usage or accurate water billing. Meters that report zero water consumption can be an indication of a meter failure and the Water Utility may need to replace it in order that The City receives all water revenue in a timely manner.

Our review confirmed that the Water Utility has not consistently received complete reporting from ENMAX as per the terms of the Contract. Regular reports that the Water Utility can rely on are critical to the Water Utility’s operation; our discussions with the Water Utility confirmed the reports are a call to action and staff are dispatched to investigate possible meter failures when meter errors are identified. Through a joint committee, improved reporting was identified as a goal. However, since this goal was agreed, over 12 months have passed without a solution. We recommend the Contract Owners & Contract Managers Committee (COCM) work out a timeframe with ENMAX to obtain necessary reports, either the reports stated in The Contract, or alternate reporting that provides assurance regarding billing accuracy and timeliness (Recommendation 3).

4.0 Observations and Recommendations

4.1 Confirmation of Account Changes

The Water Utility does not conduct follow up and monitoring activities to confirm that requested changes to water accounts have been made by ENMAX, including new meters, removed meters and specified temporary rate changes. Although ENMAX is responsible for billing, The City has a vested interest to ensure changes to the accounts are accurate. Without confirmation, the Water Utility do not have assurance that new meter information and temporary rate change information was received by ENMAX and incorporated into the next water billing cycle.

The Water Utility send water meter installation information to ENMAX in order for the water meter account to be set-up and commence billing. The process to send information to ENMAX is currently manual (printing information, scanning work orders, faxing meter installation information). ENMAX does not provide information receipt confirmation to the Water Utility, or confirmation that billing has commenced. Since 2016 the Water Utility have been working on a new process (Meters-to-Cash) that will eliminate many manual processes; meter installation information will be transmitted to ENMAX electronically. However, additional information will still be required to confirm that ENMAX completed the process and have initiated water billing for the new account. Between January 2015 and December 2016, ENMAX recorded 12,336 residential meters installed.

The Water Utility also do not conduct monitoring activities to confirm that ENMAX applies seasonal temporary bill adjustments to customer billings in accordance with the Water Utility's instructions. The Water Utility maintain a list of water customers located in areas prone to ground-freeze during the winter months. In order to protect the customers from freezing water lines and the damage that may result to the customer as well as The City's Infrastructure, the Water Utility developed a "Run-Water" program. The affected customers are asked to run a thin stream of water from a faucet in their home continuously until they are notified that there is no longer a risk of freezing. As additional water consumption results from this approach, the customers' billings are adjusted. ENMAX manually adjusts the accounts affected by the Run-Water program. Each year, the number of impacted customers for this program depends on winter temperatures. In 2016, 1,153 addresses throughout the city were impacted. Temporary changes applied through billing adjustments are not confirmed by ENMAX.

As The City assumes a level of accountability to support accurate billing, implementing a risk based verification approach could effectively mitigate the risk exposure. Specifically, verifying account changes on a sample basis that ENMAX has made requested changes to water accounts would provide the Water Utility greater assurance over the completeness and accuracy of billing.

Recommendation 1

Water Resources' Customer & Strategic Services Manager design and implement a process to confirm on a sample basis that requested changes to water accounts have been incorporated into an appropriate and timely billing cycle.

Management Response

Agree.

Action Plan	Responsibility
<p><u>Part 1:</u> The Water Utility will implement the Meter Management System (MMS,) the first phase of the Meters-to-Cash Program, to support quality control/quality assurance and ensure billing accuracy. With implementation of the MMS, the Water Utility will:</p> <ul style="list-style-type: none"> • Develop monthly reports that compare changes in the MMS to information in the ENMAX billing system to identify and address unprocessed transactions; • Develop and implement an electronic receipt process with ENMAX to confirm that meter and billing information that has been sent to ENMAX is entered into the billing system. <p><u>Part 2:</u> The Water Utility will work with ENMAX to develop a process to confirm that bill adjustments for temporary seasonal programs like the Run-Water Program are entered in a timely manner. The Water Utility will use a sample based approach to ensure accuracy.</p>	<p><u>Lead:</u> Part 1: Leader, Meters and Cross Connection Control Part 2: Leader, Customer Strategy</p> <p><u>Support:</u> Leader, Customer Strategy; Leader, Operational Coordination; Leader, Meters; Meters-to-Cash Steering Committee; Manager, ENMAX Customer Care; Leader, UEP Technology; Finance</p> <p><u>Commitment Date:</u> Part 1: June 30, 2018 Part 2: January 31, 2018</p>

4.2 Monitoring Exceptions

The Water Utility does not have an established exception reporting process to support prompt identification and corrective action on issues related to incomplete billing. An exception process, combined with follow up actions, could identify addresses which receive water services, but are not part of billing cycle, and therefore provide the Water Utility with assurance and confidence on billing completeness.

The Water Utility has begun to develop a process that compares water billing data from ENMAX's database to information in the City's GIS database (QA/QC process). This approach upon greater refinement may successfully isolate exceptions (i.e. locations where a meter is not included in billing cycles, or a meter is missing). The QA/QC process has been used on a test basis during 2015, 2016 and into 2017. There was also a review of consumption data for one postal code which included a sample of 85 potential exceptions for one postal code. This identified five failed or failing meters that needed to be replaced. The QA/QC process has not been used in operations (either across the city as a whole, or on a repeatable basis) as the comparison of data is currently producing up to 1800 addresses requiring further investigation to determine the validity of the exception. The Water Utility acknowledge the QA/QC process requires more refinement before it can be utilized as part of an exception reporting process, and are continuing to develop the data comparison.

Development and implementation of an effective exception reporting process would provide the Water Utility with greater assurance that the billing is complete.

Recommendation 2

Water Resources' Customer & Strategic Services Manager design and implement a process to monitor and review exception reports to ensure that possible exceptions are investigated, followed-up to resolution and fully documented, through either:

- Fully developing the trial QA/QC process to form the basis of a city wide exception identification and follow up process, or,
- Collaborating with ENMAX to develop an alternative methodology of identifying exceptions in the billing cycle.

Management Response

Agree.

Action Plan	Responsibility
<p>The Water Utility will improve the use of exception reporting to investigate, address and resolve billing issues.</p> <p>The Water Utility will:</p> <ul style="list-style-type: none"> • Build on the test QA/QC process to identify issues with missing meters; • Review, in collaboration with ENMAX, all exception reports currently specified in the contract to assess effectiveness and recommend improvements; and, • Use the information from the review to develop and implement, in collaboration with ENMAX, an improved exception reporting process that will identify and track meter and billing issues to ensure timely resolution. 	<p><u>Lead:</u> Manager, Customer & Strategic Services</p> <p><u>Support:</u> Leader, Customer Strategy; Leader, Meters; Leader, UEP Technology; Leader, Operational Coordination; Meter, Data & Customer Management Committee; Manager, ENMAX Customer Care; Finance</p> <p><u>Commitment Date:</u> August 31, 2018</p>

4.3 Contract Management

The Contract for Utility Billing and Customer Care Services between Enmax Encompass Inc. and The City of Calgary is not currently delivering all specified services and reports, which is limiting the Water Utility's assurance that Calgarians are appropriately billed.

The Contract does not explicitly assign responsibility for billing accuracy, instead stating "Encompass will perform billing, collection and customer care service in respect of utility charges incurred by Customers" and setting the following service expectations of ENMAX related to billing accuracy (Schedule A-1):

- *Encompass to produce and action the daily Too Many Estimate Report that identifies meters that have been estimated for more than 2 months.*
- *Monthly Too Many Estimates Report and weekly Large Accounts Issue Tracker is shared with the City of Calgary to manage issues proactively.*

- *Zero consumption reads will be accepted for a period of 3 months before a WCON (Water Consumption Check) is created.*

Since the start of this current contract (2013), the Water Utility has not received regular or complete Zero Consumption or Too Many Estimates reports or alternative reporting to address those issues. This gap in information increases the risk that inaccurate billing is not promptly identified and rectified. For example, in mid-2016, the Water Utility experienced a number of meter read failures due to faulty Encoder Receiver Transmitters (ERTs) on water meters. The Water Utility identified accounts where estimated reads continued for “*a number of months*”⁴ and were not identified, resulting in large retrospective customer bills. Our audit work identified one Service Request due to “Too Many Estimates” and confirmed the meter had been significantly under-estimated for 10 months. Without monthly information, it is not clear whether The City or ENMAX was responsible for the delay. Inaccuracies in billing can create delay in receipt of revenue, unexpected financial burden on customers, and reputational risk to The City.

Contract issues are discussed at monthly and quarterly meetings of the Meter Data & Customer Management (MDCM) and the Contract Owners & Contract Managers (COCM) Committees respectively. Reinforcing contractual expectations through these Committees will provide the Water Utility with further information with which to monitor meter and billing issues and improve overall response time by both partners.

Recommendation 3

COCM Committee to negotiate a timeframe with ENMAX for providing the report as stated in the contract or an alternative reporting which provides assurance regarding billing accuracy and timeliness.

Management Response

Agree.

⁴ Monthly Meter Data & Customer Management Committee Action Register – July 20, 2016.

Action Plan	Responsibility
<p>The Water Utility will collaborate with ENMAX through the COCM to ensure that reporting supports billing accuracy and timely resolution of billing issues. Any changes will be reflected in the contract to support effective contract management.</p> <p>The Water Utility will work with ENMAX to:</p> <ul style="list-style-type: none"> • Review the benefits and challenges with the Too Many Estimates and Zero Consumption reports as specified in the contract; • Use the findings from the review to develop and implement an effective reporting tool that provides assurance that billing is accurate and ensures timely resolution if issues arise; and • Confirm in writing, and obtain approval from the COCM, if amendments to the terms of the contract are required to accurately reflect the agreed upon reporting process. 	<p><u>Lead</u>: Manager, Customer & Strategic Services</p> <p><u>Support</u>: Leader, Customer Strategy; Leader, Meters; Leader, UEP Technology; Manager, ENMAX Customer Care; COCM Committee; Finance</p> <p><u>Commitment Date</u>: August 31, 2018</p>

9-1-1 CALL CENTRE AUDIT

EXECUTIVE SUMMARY

The City Auditor's Office issued the 9-1-1 Call Centre Audit Report to Administration on September 6, 2017. The report includes Administration's response to four recommendations raised by the City Auditor's Office to further enhance the controls that facilitate the achievement of call handling key performance indicators (KPIs) and mitigates the risks of delays or problems in the call handling process. Administration accepted all recommendations and has committed to the implementation of action plans no later than June 28, 2019. The City Auditor's Office will track the implementation of these commitments as part of our on-going follow-up process.

RECOMMENDATIONS

1. That Audit Committee receive this report for information; and
2. That Audit Committee recommend that Council receive this report for information.

RECOMMENDATION OF THE AUDIT COMMITTEE, DATED 2017 SEPTEMBER 14:

That Council receive Report AC2017-0664 for information.

PREVIOUS COUNCIL DIRECTION / POLICY

Bylaw 30M2004 (as amended) established the position of City Auditor and the powers, duties and functions of the position. Under the City Auditor's Office Charter, the City Auditor presents an annual risk-based audit plan to Audit Committee for approval. The City Auditor's Office 2017/2018 Annual Audit Plan was approved on November 10, 2016. The City Auditor is accountable to Council and subject to the oversight of Audit Committee under Bylaw 48M2012 (as amended).

BACKGROUND

This audit was undertaken as part of the approved City Auditor's Office 2017/2018 Annual Audit Plan. The objective of this audit was to evaluate the effectiveness of controls in place to support the achievement of call-handling KPIs. The audit assessed KPIs, and the design and operation of associated key controls to mitigate the risk of delays or problems in the call handling process for Police 9-1-1 calls, up to the point the call was passed over for dispatch.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Calgary 9-1-1 (C9-1-1) is the 9-1-1 call center for the City of Calgary, acting as the first point of contact for citizens in need of emergency assistance. C9-1-1 answers and evaluates 9-1-1 emergency and non-emergency calls, and dispatches the appropriate agencies to respond: Police, Fire or Emergency Medical Services (EMS). C9-1-1 tracks and monitors KPIs to evaluate operational performance and through follow up actions mitigate risk to citizens of delays or errors in the call handling process.

Based on the audit procedures completed, we concluded that the design of C9-1-1's key controls support the achievement of call-handling KPIs and mitigate the risk of delays or problems in the call handling process. However, as call duration has increased, C9-1-1 is challenged to do "more" with existing resources, and continue to mitigate risks while being as efficient as possible. C9-1-1 has not met their KPI target of answering 95% of the Police 911

9-1-1 CALL CENTRE AUDIT

calls within 15 seconds in either 2015 or 2016, and based on the results of this audit may be similarly challenged to meet their KPI target in 2017. C9-1-1 acknowledges the risk exposure to Calgarians represented by these missed targets, and continue to apply and develop additional mitigating strategies, including development of a revised staffing plan and investigating options to reconfigure the call answering process.

Accordingly, we recommended that in addition to on-going long term mitigation strategies, C9-1-1 should investigate additional short term initiatives to minimize the risk of continued missed Police 9-1-1 KPI targets, such as additional workforce wellness initiatives; cross training additional staff; and process changes to reduce Police 9-1-1 call duration. The audit also raised a further recommendation to establish a process to ensure that all abandoned calls receive call back within an appropriate time frame, and raised two recommendations regarding Standard Operating Procedures (SOPs) to maximize the efficiency of SOPs review process, and to enhance the value of the SOPs as a training tool.

Stakeholder Engagement, Research and Communication

This audit was conducted with C9-1-1 acting as the principal audit contact within Administration.

Strategic Alignment

Audit reports assist Council in its oversight of the City Manager's administration and accountability for stewardship over public funds and achievement on value for money in City operations.

Social, Environmental, Economic (External)

N/A

Financial Capacity

Current and Future Operating Budget:

N/A

Current and Future Capital Budget:

N/A

Risk Assessment

The activities of the City Auditor's Office serve to promote accountability, mitigate risk, and support an effective governance structure.

Quality and promptness of the call handling process are critical factors to ensure successful and efficient emergency responses. Potential delays and errors in call response, evaluation, and dispatch in 9-1-1 call handling pose a critical risk to public health and safety. The audit assessed the design and operation of the key controls to mitigate the risk of delays or problems in the call answering process for Police 9-1-1 calls. Strengthening 9-1-1 call centre controls will enhance the effectiveness of the call answering process to support timely emergency assistance for citizens.

9-1-1 CALL CENTRE AUDIT

REASONS FOR RECOMMENDATIONS:

Bylaw 48M2012 (as amended) states: "Audit Committee receives directly from the City Auditor any individual Audit Report and forwards these to Council for information."

ATTACHMENT

1. AC2017-0664 9-1-1 CALL CENTRE AUDIT
2. Revised Attachment 1



Calgary

City Auditor's Office

9-1-1 Call Centre Audit

September 6, 2017

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The City Auditor's Office completes all projects in conformance with the *International Standards for the Professional Practice of Internal Auditing*.

Executive Summary

Calgary 9-1-1 (C9-1-1) is the 9-1-1 call centre for the City of Calgary, acting as the first point of contact for citizens in need of emergency assistance. C9-1-1 answers and evaluates 9-1-1 emergency and non-emergency calls, and dispatches the appropriate agencies to respond: Police, Fire or Emergency Medical Services (EMS).

Quality and promptness of the call handling process are critical factors to ensure successful and efficient emergency responses. Potential delays and errors in call response, evaluation, and dispatch in 9-1-1 call handling pose a critical risk to public health and safety. C9-1-1 tracks and monitors key performance indicators (KPIs) to evaluate operational performance and through follow up actions mitigate risk to citizens of delays or errors in the call handling process.

The objective of this audit was to evaluate the effectiveness of controls in place to support the achievement of call handling KPIs. The audit assessed the design and operation of key controls to mitigate the risk of delays or problems in the call handling process for Police 9-1-1 calls, up to the point the call was passed over for dispatch.

The audit focused on KPIs and associated controls that mitigate the risk of:

1. Unacceptable delay in Emergency Communication Officers (ECOs) response to calls, and
2. Health and safety of citizens and emergency responders is impacted due to errors in relaying critical information to emergency responders.

The design of C9-1-1's key controls supports the achievement of call handling KPIs and mitigates the risk of delays or problems in the call handling process. However, as call duration has increased, C9-1-1 is challenged to do "more" with existing resources, and continue to mitigate risks while being as efficient as possible.

C9-1-1 identified additional staffing growth positions in their 2015-18 Action Plan to maintain service levels as Calgary's population grows and assist in increasing service levels when there is an unexpected surge in calls. However, resourcing remains as an identified concern in addressing service levels. C9-1-1 has not met their KPI target of answering 95% of the Police 9-1-1 calls within 15 seconds in either 2015 (93%) or 2016 (94%), and based on the results of this audit may be similarly challenged to meet their KPI target in 2017.

C9-1-1 acknowledges the risk exposure to Calgarians represented by these missed targets, and continues to apply and develop additional mitigating strategies, including:

- Developing a revised staffing plan following Alberta Health Services (AHS) transition by the end of Q2 2017; and
- Investigating options to reconfigure the call answering process, such as considering changing the first point of answer (PSAP) to Police 9-1-1.

Our testing identified additional associated factors/trends that, if they continue through 2017 and 2018, could further negatively impact call answer times and thus increase the risk to the public's health and safety. From 2015 to 2016, C9-1-1 experienced a 20% increase in the average number of sickness and absence days per employee; a 54% increase in overtime; and a 5% increase in total average call duration for Police 9-1-1 calls. C9-1-1's ongoing mitigation plans will take additional time to be fully executed due to the complexity of process changes and existing resource constraints. Accordingly, we recommended that in addition to on-going long-term mitigation strategies, C9-1-1 should investigate additional short-term initiatives to minimize the risk of continued missed Police 9-1-1 KPI targets, such as, additional workforce wellness initiatives; cross

training additional staff to rebalance staffing between PSAP and Police 9-1-1 teams; and process changes to reduce Police 9-1-1 call duration.

The audit also raised a further recommendation to establish a process to ensure that all abandoned calls receive call back within an appropriate and specified time frame, and raised two recommendations regarding Standard Operating Procedures (SOPs) with the aim of assisting C9-1-1 in maximizing the efficiency of their processes, and enhancing the value of the SOPs as a training tool.

C9-1-1 has agreed to all recommendations and committed to implementing the recommendations by June 28, 2019. The City Auditor's Office will monitor the status of commitments as part of its ongoing recommendation follow-up process.

We would like to thank staff from C9-1-1 for their assistance and support throughout this audit.

1.0 Background

C9-1-1 ensures public and emergency responders safety by providing 9-1-1 emergency and non-emergency call evaluation and dispatch services. C9-1-1's ECOs answer, assess and dispatch 9-1-1 emergency and non-emergency calls for the Calgary Police Service (CPS), Calgary Fire Department (CFD) and several surrounding Regional Fire Departments.

C9-1-1 formerly delivered call evaluation and dispatch services within Calgary and portions of southern Alberta for AHS. However, the City and AHS revised their service agreement and effective March 14, 2017, EMS calls from outside Calgary city limits are being dispatched by AHS. In the new contract C9-1-1 maintains dispatch services for EMS calls made within Calgary city limits but effective June 28, 2017, use AHS technology, including dispatch software and telephony, to handle those EMS calls.

C9-1-1 is one of the largest emergency call centers in Canada. It serves a region of almost 12,000 square kilometers and answers more than one million emergency and non-emergency calls each year and dispatches events for frontline emergency responders. C9-1-1 had 258.5 full time employees in 2016 with the operating budget of \$29M¹. The operating budget for 2016 had 85 % of funding coming from tax support, and the remaining 15% of funding coming from revenue (external service contracts).

C9-1-1's Board of Governors defines the strategic direction for C9-1-1, monitors its progress to achieve its mission and ensures its operational stability. The Board of Governors has representation from CPS, CFD, City of Calgary Information Technology and The City's Calgary Community Standards Business Unit. The Board of Governors is accountable to Calgary City Council, City Administration and the Calgary Police Commission for matters related to the governance and mandate of C9-1-1.

To support efficient and timely emergency response, C9-1-1's contracted clients (CPS, CFD, AHS and Regional Fire) have specific service expectations regarding call answer, evaluation and dispatch times. These requirements are outlined in their respective Service Level Agreements with Calgary 9-1-1. The percentage of calls that 9-1-1 are able to answer within a targeted time is known as Grade of Service (GOS). GOS forms a critical part of the Service Level Agreements, performance measures and reporting. C9-1-1 tracks, monitors and reports performance measures and follow up action to the Board of Governors on a quarterly basis.

Emergency calls may come simultaneously (random call arrival), rather than on a sequential basis at regular intervals, thus the strategic deployment of resources is a key to ensure that ECOs can answer and evaluate every call without causing a delay to other incoming calls. 2016 call volumes were:

Function (Queue)	Calls Offered
PSAP	413,524
Fire non-emergency	70,038
Medical non-emergency	28,985
Police 9-1-1	213,545
Police non-emergency	352,039
Total	1,078,131

¹ Community Services Action Plan 2015-2018

C9-1-1's systems (phone, radio, Computer Aided Dispatch (CAD)) are important in supporting the call handling process, as these systems can be utilized to confirm caller location, collect information related to the incident, and provide real time updates to front line responders. As of June 2017, C9-1-1 utilizes three CADs, two CAD systems (out of three) are owned by the City of Calgary, one utilized for Police events, the other utilized for Fire events. The third CAD is owned by AHS. All emergency calls are initially answered by the Public Safety Answering Point (PSAP) ECOs. The PSAP function is responsible for answering calls made to an emergency telephone number for Police, Fire, and EMS. Calls requiring Police (approximately 15,000 per month) are transferred to Police ECOs for evaluation (see Appendix). An additional 3,000 calls per month are internally generated from within the 9-1-1 call centre to police ECOs. Calls requiring EMS are transferred to the AHS pod and calls requiring Fire are evaluated by the PSAP ECOs.

2.0 Audit Objectives, Scope and Approach

2.1 Audit Objective

The objective of this risk-based audit was to evaluate the effectiveness of controls in place to support the achievement of call handling KPIs. The objective was achieved by assessing the design and operation of controls that mitigate the following risks:

- Unacceptable delay in 9-1-1 ECO response to calls; and
- Health and safety of citizens and emergency responders is impacted due to errors in relaying critical information to emergency responders.

2.2 Audit Scope

The audit scope focused on C9-1-1's emergency calls from the citizen's 9-1-1 phone call, to the point where the CAD event is generated/sent to dispatcher (indicated through yellow highlighted functions in the Appendix: High Level Process Map). We also examined the prioritization of emergency over non-emergency calls. We tested and analyzed C9-1-1 KPIs and related controls data for the period of July 1, 2016 to December 31, 2016. The audit also used observations during the time of the audit fieldwork (April, 2017) to support our evidence based testing.

Although the focus of the audit was specific to Police 9-1-1 calls, many of the key controls tested also apply to EMS and Fire calls. Detailed testing and validation of the CAD system and call dispatching were not part of the audit scope.

2.3 Audit Approach

The audit approach reviewed:

- Risk related KPIs to evaluate performance and to confirm calculation (accuracy and completeness) of the indicators; and
- The design and operation of key controls that support the achievement of the KPIs through interviews, documentation reviews, testing and analysis.

3.0 Results

The audit evaluated a sample of five KPIs which are utilized by C9-1-1 to mitigate the risk of delays or problems in the call handling process. In our evaluation we noted the sample call handling KPIs are clearly defined and they are calculated through specified formulas that include measurement frequency, scope and data definition. We confirmed that the KPI calculations for Q3-Q4 of 2017 were complete and accurate. The design of C9-1-1's key controls (as discussed further below) support the achievement of call handling KPIs, and effectively mitigate the risk of delays or problems in the call handling process. However, as call duration has increased, C9-1-1 is challenged to maintain service levels and to continue to provide adequate risk mitigation given current finite resources. The operation of controls related to staffing is therefore limited in effectiveness. We recommended that in addition to on-going long term mitigation strategies, C9-1-1 should investigate additional short term initiatives to minimize the risk of missed Police 9-1-1 KPI targets. The audit also raised three further recommendations to better manage the abandoned calls follow up process; and to enhance SOPs revision and training processes.

3.1 Risk of unacceptable delay in ECO response to calls

C9-1-1 utilizes the following KPIs to monitor the risk of unacceptable delay in ECO response to calls (see Appendix):

- KPI # 2.1.1 - 95 % of PSAP 9-1-1 calls answered within 15 seconds
(The call answer time of all PSAP 9-1-1 initiated calls.)
- KPI # 2.1.2 - 95 % of Police 9-1-1 calls answered within 15 seconds
(The call answer time of all Police 9-1-1 initiated calls.)

We reviewed the KPI calculation methodology and confirmed that the calculations completely and accurately captured information in line with the KPI definition. We reviewed the 2015 and 2016 Performance Reports presented to the Board of Governors, and confirmed that the KPI 2.1.1 met or exceeded the target in 2015 and 2016 (95% and 96% respectively against the target of 95%). However, the performance of the KPI 2.1.2 was below the target in 2015 and 2016 (93% and 94% respectively against the target of 95%).

We tested the following key controls which were designed to mitigate the risk and to support the achievement of the related KPIs. The following is the summary of our controls testing:

3.1.1 Staffing Plan

C9-1-1 has a formalized process to prepare the staffing plan annually. The staffing plan incorporates previous year's GOS, call volumes, average call duration and call volume projections for the future year. It outlines total staffing needs including breaks/relief factor (the number of additional staff needed to reasonably assure uninterrupted coverage) for each day and shift. We confirmed, as per call center best practices, C9-1-1 uses a staffing calculator (Erlang C Calculator) to finalize the staffing model. Erlang C Calculator is a tool that considers call volumes and the desired service level, and then determines the minimum resources to achieve the desired service level.

However, our testing of the 2016 staffing plan and interviews indicated that C9-1-1 assign fewer number of staff to receive Police 9-1-1 calls than recommended by the staffing model due to resource limitations. C9-1-1 has a challenge to meet the desired service level for police 9-1-1 calls (to answer 95% of calls within 15 seconds) with finite resources. C9-1-1 is developing mitigating strategies such as revised staffing plan and process changes to achieve Police 9-1-1 call answering KPIs. Our testing identified additional factors such as higher than anticipated sickness and absence which may further impact call answer times. We recommended that in addition to the long-term strategies, C9-1-1 should also investigate short-term actions to address the risk (Recommendation 1).

3.1.2 Monitoring Grade of Service

C9-1-1 monitors GOS (GOS - % of calls answered by PSAP within 15 seconds, and % of Police 9-1-1 calls answered by Police ECOs within 15 seconds) to mitigate the risk of not achieving KPI targets. GOS and call volumes are monitored by Emergency Communications Leads (ECL) in real time. The ECLs proactively adjust staffing levels to the extent possible (e.g., re-assigning duties to provide greater staffing to the impacted function) to address decline in the GOS or increase in call volumes during the shifts. GOS is also tracked for each shift through daily GOS reports. We reviewed 25 daily GOS reports and verified that the GOS reports with the details of follow up actions taken are distributed to C9-1-1 management. The design of controls to monitor GOS is appropriate to mitigate the risk of missing KPI targets.

3.1.3 Business Continuity Plan

C9-1-1 has an established and documented Business Continuity Plan consisting of six Business Continuity Standard Operation Procedures (SOPs). The plan has detailed instructions to support C9-1-1 in responding to unexpected increases in call volumes or to a business continuity event. A customized business continuity e-learning module was completed by 92% of C9-1-1 staff in 2016.

3.1.4 Phone Queue Prioritization

C9-1-1's phone system has been configured to assign high priority to emergency calls. We reviewed an Interface Control Document (a paper document describing the configuration of the phone system), and confirmed that C9-1-1 uses a priority queuing logic to create a system control which assigns a higher or lower priority to a given access number than to other access numbers in the same queue. We confirmed through observing two call center shifts that emergency calls are correctly identified by the phone system and receive appropriate priority service over non-emergency calls. The system controls related to queue prioritization are operating effectively.

3.1.5 Abandoned Calls Tracking

Abandoned calls are tracked in real time through a Computer Telephone Interface (CTI), and the ECOs are directed to follow up on abandoned calls through the CTI, as per the C9-1-1 SOP for abandoned calls. We reviewed a sample of abandoned calls and for five calls (out of the 66) there was no history/evidence of call back in the CTI log. We recommended C9-1-1 design and implement a process to ensure timely follow up on all abandoned calls (Recommendation 2).

3.2 Risk of significant errors in relaying critical information

C9-1-1 utilizes the following KPIs to monitor the risk:

- 2.1.5a - 95 % of PSAP to Police 9-1-1 transfer time within 30 seconds.
(The transfer time, which is defined as the interval between when PSAP receives the call to when the call is transferred to Police – see Appendix).
- 2.2.1 - 90% quality rating for Police calls
(The quality rating on a stratified random sample of calls).
- 2.4.1 - 90% of Police first responders satisfied with the service provided.
(The percentage of responders that report they are satisfied with their overall C9-1-1 experience.)

We reviewed the KPI calculation methodology and confirmed that the calculations completely and accurately captured information in-line with the KPI definition. We reviewed the 2015 and 2016 Performance Reports presented to the Board of Governors, and confirmed that the performance of the KPIs 2.2.1 and 2.4.1 met or exceeded the target in 2015 and 2016.

However, the performance of the KPI 2.1.5a was below the target in 2015 and 2016 (87% and 88% respectively). C9-1-1 will be implementing future changes including revised staffing plan and process changes as a result of the AHS transition, which would significantly impact the call handling process, and associated KPIs. Section 4.1 has further details regarding C9-1-1 initiatives and our recommendation to mitigate the risk of missing Police call handling KPI targets.

The following is a summary of key controls testing related to the above KPIs:

3.2.1 Standard Operating Procedures

C9-1-1 uses Standard Operating Procedures (SOPs) to communicate roles and responsibilities to employees and to ensure consistency in call evaluation process by providing instruction on call taking and evaluation. The SOPs are made available to staff through Policy and Procedure Management (PPM) system.

Once an SOP is rolled out, employees are required to acknowledge that they have reviewed the SOP. Training on all SOPs is provided to new employees. However, further SOP training where a new SOP is rolled out or significant amendments are made to an existing SOP are provided on an ad-hoc basis as C9-1-1 does not have criteria to define training requirements for new or revised SOPs. We recommended that C9-1-1 establish a process to define training criteria to increase the SOPs value as a training tool (Recommendation 3).

C9-1-1's policy is to review all SOPs every three years. At the time of the audit, 13% of Police function SOPs (12 of 89) had not been reviewed/updated within the three year timeframe. C9-1-1 is working to hire a dedicated resource to ensure that accurate, up-to-date SOPs are maintained. Additionally, given the numbers of SOPs, we recommended using a risk-based process to enhance efficiency of the SOPs review process (Recommendation 4).

3.2.2 Protocol Cards

C9-1-1 uses detailed protocol cards to ensure consistency and efficiency of the calls evaluation process. We observed that the cards are readily available to staff and the ECOs consistently evaluate calls by following the standard questions as outlined in the protocol cards. We tested a sample of 12 Police 9-1-1 protocol cards, and all cards in our sample were updated within C9-1-1's three year revision policy.

3.2.3 Quality Improvement Process

C9-1-1 uses an established Quality Improvement (QI) process to identify and address non-compliance with call handling protocols. Monthly, a sample of calls taken by ECOs are assessed by QI specialists against protocol card criteria. Monthly summary reports of assessment results are distributed to C9-1-1 management and the Board of Governors. Individual instances of non-compliance are followed up on by the relevant supervisor. Any trends in non-compliance identified are considered by C9-1-1 management for incorporation into ECO training. The QI process is designed effectively to support consistency of call handling and therefore mitigate the risk of errors in relaying critical information.

3.2.4 Monitoring of Call Transfers

Calls requiring Police assistance are transferred to Police ECOs by PSAP's ECOs. C9-1-1 utilizes two manual controls to ensure call transfer is complete and timely. Firstly, ECLs conduct real time monitoring of calls in the transfer queue. If the number of calls in the queue increases (which increases the risk that calls are not being addressed in a timely manner), leads take steps to adjust staffing levels (for example putting non-emergency calls on hold) to minimize the queue. Secondly, C9-1-1 utilizes a Supervised Call Transfer SOP which directs that during the transfer of the call, PSAP ECOs stay on the line to ensure that communication with the caller is established, and that key information is relayed such as caller location. The design of these controls is effective to mitigate the risk that call transfer is incomplete or delayed.

3.2.5 System Call Location

ANI (Automatic Number Identification) and ALI (Automatic Location Identification) details are used as a system control to create a CAD event (i.e. caller's and incident details) and to provide caller's details to the dispatch function. We confirmed that ANI/ALI information is recorded and used consistently by C9-1-1 to generate CAD event for dispatch function.

3.2.6 CAD Masks

We tested that C9-1-1's CAD system's address field only accepts a valid Alberta address – a system control known as a CAD mask. However, the telephone number field has no restriction to prevent any invalid manual entry such as incomplete phone number or letters. C9-1-1's SOP for answering incoming calls requires ECOs to verbally confirm and verify phone numbers for every call to mitigate the risk of manual entry of an invalid phone number. Procedural controls are effectively designed to prevent invalid address or phone number entries in the CAD.

4.0 Observations and Recommendations

4.1 Staffing Levels

C9-1-1 identified additional staffing growth positions in their 2015-18 Action Plan to maintain service levels as Calgary's population grows and assist in increasing service levels when there is an unexpected surge in calls. However, resourcing remains as an identified concern in addressing service levels. C9-1-1's KPI #2.1.2 states that 95% of the Police 9-1-1 calls should be answered within 15 seconds. This target was not met in 2015 and 2016 (year-end performance of 93% and 94% respectively).

C9-1-1 recognizes the risk to Calgarians created by these missed targets, and is developing mitigating strategies, including;

- Developing a revised staffing plan following AHS transition by the end of Q2 2017; and
- Investigating options to reconfigure the call answering process, such as considering changing the first point of answer to Police 9-1-1.

Our audit testing confirmed the risk through evaluating the accuracy of the KPI calculation. Our audit testing also confirmed that while C9-1-1 uses a staffing calculator (Erlang C Calculator, commonly used by call centers to calculate a baseline number of staff required to meet service levels) to prepare staffing models, numbers of staff available to receive Police 9-1-1 calls fall short of those levels set through the Erlang calculator. Police 9-1-1 call handling is impacted by staffing shortages to a greater degree than PSAP call handling.

Our testing identified additional associated factors/trends that could further impact call answer times and thus increase the risk to the public's safety. In 2016 the average number of sickness and absence days per employee was 14.9 compared to a 2018 target of 8 days (an increase of 2.5 days from 2015's 12.4 days per employee). Overtime increased by 54% from 2015 to 2016. Total average call duration for Police 9-1-1 calls (time spent on incoming calls plus clerical/wrap up time) has increased over time (9.3 minutes in 2012 to 11.7 minutes in 2016). The clerical time/wrap up time represents roughly half amount of total average call duration. If these trends continue into 2017, call answer times for Police 9-1-1 calls may fall further.

While we support the mitigation strategies underway, due to current resource limitations and the complexity of proposed process changes, these strategies will take time to be fully implemented. C9-1-1 should also consider approaches which address the risk in the short term.

C9-1-1 implemented health and wellness initiatives in 2016, and are considering further workforce wellness initiatives to support sickness and absence. An additional short term initiative C9-1-1 could consider is cross training additional staff to allow them to work in Police 9-1-1 as well as in PSAP. During 2016, PSAP targets have been met, and staffing levels are closer to the Erlang model than in Police 9-1-1. Currently, only eight PSAP and Police 9-1-1 ECOs out of 237.5 9-1-1 Services employees are cross-trained. Reviewing the call processes for handling Police 9-1-1 calls may identify potential process changes that could reduce call duration, allowing staff to handle greater call volumes during a shift.

Recommendation 1

Alongside on-going long-term mitigation strategies, the Deputy Commander should investigate additional short term initiatives to minimize the risk of not meeting Police 9-1-1 KPI targets, which could include:

- Exploration of additional workforce wellness initiatives;
- Analyzing the possibility of cross training additional staff to rebalance staffing between PSAP and Police 9-1-1 teams; and
- Investigate process changes to maintain or reduce Police 9-1-1 call duration.

Management Response

Agree.

Action Plan	Responsibility
<p>1. Wellness Initiatives and Cross Training A Psychological Health and Safety program has been implemented in 2016 to assist employees with managing the stressful nature of work. It is anticipated that the long term impact of this program will improve sickness and absence time. C911 will continue to implement further workforce wellness initiatives and cross training of additional staff, as outlined below:</p> <p>1.1. Exploration of additional workforce wellness initiatives:</p> <ul style="list-style-type: none"> • Managers receive daily S&A reports and verbally follow up with employees who have been off sick and have overtime booked; • When appropriate cancel overtime shifts to ensure employee wellness and ability to attend regular scheduled shifts; • Renovate quiet rooms to enhance utilization and wellness associated with the rooms; and • Host family nights for existing employee's families to enhance understanding of work stress as it relates to home life and teach strategies. <p>1.2. Cross training additional staff to rebalance staffing between PSAP and Police 9-1-1 teams:</p> <ul style="list-style-type: none"> • Eight Fire/Medical on call staff and three full time staff began cross training class on June 19; • A second class is planned for Sept. 2017 pending General Manager approval; and • Current crossed trained employees will have the majority of their shifts scheduled on the Police function. 	<p><u>Lead</u>: Deputy Commander of 9-1-1 Services</p> <p><u>Support</u>: General Manager</p> <p><u>Commitment Date</u>: December 15, 2017</p>

Action Plan	Responsibility
<p>2. Investigate process changes to maintain or reduce Police 9-1-1 call duration</p> <ul style="list-style-type: none">• Calgary 9-1-1 has agreement with CPS to disconnect from callers during the day on business 9-1-1 hang-up calls; and• Identify work processes that have increased call duration to identify possible efficiencies.	

4.2 Abandoned Calls

There is no oversight control in place to ensure that expected call backs occur. Non-performance of a call back increases the risk of delayed or insufficient emergency assistance which could ultimately jeopardize the safety and welfare of citizens.

C9-1-1's SOP for abandoned calls states that ECOs should treat all abandoned calls as emergency calls according to established procedures until or unless it can be determined that there is no emergency. Abandoned calls (an emergency phone call that has disconnected before the call can be answered by an ECO) are tracked in real time through a CTI. The CTI log saves the call history and allows the ECOs to follow up on abandoned calls. Once the follow up on an abandoned call is completed, call details are saved in the CTI log.

For five calls out of sample of 66 abandoned calls (7.5%) that were reviewed, there was no history/evidence of call back in the CTI log. There is no control currently in place to allow C9-1-1 to confirm that all abandoned calls have been called back by utilizing the CTI or through manual call backs.

Recommendation 2

The Deputy Commander –Technical Services design and implement a process to provide reasonable assurance that all abandoned calls receive call back within an appropriate and specified time frame.

Management Response

Agree.

Action Plan	Responsibility
<p>Part1: Process Review CTI is being decommissioned in 2018. C9-1-1 has implemented a new ANIALI management system (Komutel) that will track and manage abandoned calls.</p> <p>Implementing an automated abandoned call management study Q3 2017. Komutel will immediately send text message to abandoned wireless calls. ECOs will continue process of manual call-back. ECOs will track disposition of each call in Komutel, to produce report with recommendations for the Board of Governors for possible automation of call backs.</p> <p>Evaluate whether a standard exists for timelines to service abandoned calls.</p> <p>Part2: Design and Implementation of the Process: Subject to Board of Governors approval, design and implement a process to ensure that all abandoned calls meet the abandoned call timelines standard identified through the call management study.</p>	<p><u>Lead:</u> Deputy Commander Technical Services</p> <p><u>Support:</u> N/A</p> <p><u>Commitment Dates:</u> Part 1: June 29, 2018 Part 2: December 28, 2018</p>

4.3 SOP Training

C9-1-1 does not have criteria to define training requirements for new or revised SOPs. C9-1-1 has a formal Business Continuity Plan consisting of 6 SOPs to support C9-1-1 in responding to an unexpected increase in call volume or to a business continuity event. However, formal training has not been developed or provided to all impacted staff on a new Business Continuity SOP (Business Continuity Strategies).

This SOP provides critical guidance to implement mitigating strategies against various types of risks that could impact the health, safety and security of citizens and employees during a business continuity interruption, such as:

- Percentage reduction in baseline staff levels; including pandemic and labor action risks;
- Facility access risks;
- Percentage increase in call volumes; and
- Medical, Fire and Police resource overload.

ISO 9001(the International Quality Management Standard) recommends developing employees' knowledge and skills through training in order to ensure service consistency. SOPs are an important tool used by C9-1-1 to assist in providing a consistent GOS and to reduce risks such as disruption to call handling.

New employees are required to read all existing relevant SOPs. All employees are required to acknowledge through Policies and Procedure Management (PPM) system that they have

reviewed newly distributed SOPs, but there are no criteria to define SOP training needs for new or revised SOPs – for example to determine whether all staff, given the importance of a new SOP or SOP changes, should receive training either electronically or in person. Formal SOPs training is conducted on ad-hoc basis.

Absence of training criteria increases the risk of ineffective delivery of critical instructions, such as business continuity strategies, which may result in extended business disruption and associated potential impact on emergency response times.

Recommendation 3

The Learning and Development Manager establish criteria to outline SOPs training needs for staff, including:

- Establishing a process to determine training participants based on the importance of a new SOP or SOP changes; and
- Identifying appropriate training methods (electronically or in person) given the importance of a new SOP or SOP changes.

Management Response

Agree.

Action Plan	Responsibility
<p>Part 1:</p> <p>Process Review</p> <p>Assessment criteria and impact categories for SOPs defined. This will also include identification of the different communication/training options available:</p> <ul style="list-style-type: none"> • Communication process and assessment criteria reviewed with Operational Effectiveness Team and approved by Executive • Pilot go live • Review period– Note: Whether there is enough opportunity to thoroughly review the process will be dependent on the number of SOP changes made during this period. <p>Part 2:</p> <p>Process Adjustments and Roll Out</p> <ul style="list-style-type: none"> • Adjustments made to process based on pilot phase feedback • Roll out of process following adjustments. 	<p><u>Lead:</u> Learning & Development Manager</p> <p><u>Support:</u> Operational Effectiveness Team</p> <p><u>Commitment Dates:</u> Part 1: June 29, 2018 Part 2: December 14, 2018</p>

4.4 SOP Update Process

C9-1-1 SOPs are not effectively reviewed within the three year guideline to ensure they remain relevant and support expected staff operation knowledge requirements. Outdated SOPs could jeopardize the effectiveness of 9-1-1 Services.

C9-1-1's Policy Review Guidelines states that "C 9-1-1's policies shall be reviewed every three years, from date of last approval, to ensure they are current and support Calgary 9-1-1's vision." ISO 9001 (International Quality Management Standard) also recommends to develop a comprehensive system to ensure that all policies and procedures are continually reviewed and updated.

In total, at the time of the audit, the Police call handling function had 89 published SOPs, of which 87% had been updated within the three year timeframe. Of a sample of 12 SOPs that we reviewed, three (CAD Event Entry, Police Reports and Missing Person, 25%) had not been updated within the three year timeframe as per the C9-1-1 Policy Review Guidance. The current SOP revision process contains multiple (up to four) review cycles and associated approval levels which impact the timeliness of the update process, and create additional burden on C9-1-1 resources which are typically needed to prioritize call handling. The review process for these three SOPs has been in progress for between 6-24 months.

SOPs provide step by step call handling/evaluation guidance and instructions regarding all aspects of C9-1-1 operations, and are a critical tool to assist with consistency of services. Absence of updated and detailed instructions to perform functions poses the risks of inconsistent practices and declining levels service delivery. Inefficient processes also utilize valuable staff resources.

During 2016, a C9-1-1 internal resource was assigned to focus on updating SOPs, and by the end of 2016, 65% of all C9-1-1 SOPs had been updated within the three year timeframe. The resource has since returned to their base position, and C9-1-1 is awaiting approval to externally post a position to recruit a full time Policy Coordinator. We see an additional opportunity to utilize a risk-based approach in reassessing the priority and frequency of review of SOPs.

Recommendation 4

The Manager of Reporting and Compliance consider a risk-based approach to further streamline the SOPs review and update process, including the consideration of:

- Identifying critical SOPs and non-critical SOPs (through a risk-based approach) and assigning individual revision frequency for each category to mitigate resource constraints; and
- Identifying non-value added components of the SOPs revision process by using value stream mapping or other process management tools, and reduce or eliminate non-value added components as necessary.

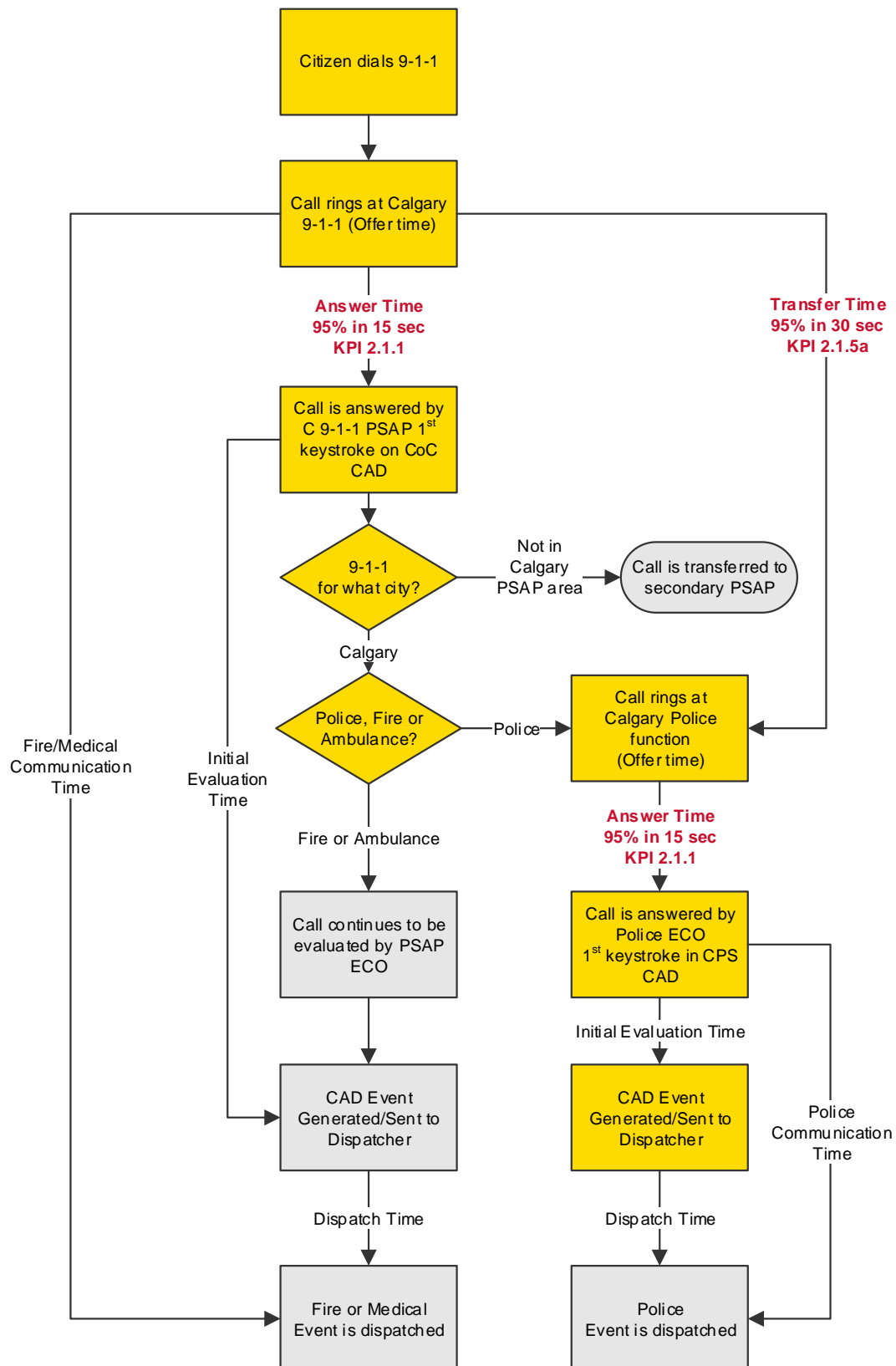
Management Response

Agree.

Action Plan	Responsibility
<p>Part 1: Dedicated Resource Work on the recommendations can commence with the hiring of a Policy Coordinator. Currently finalizing Policy Coordinator posting. Once approval is received, will commence the competition process.</p> <p>Part 2: Process Improvement Once hired, the Policy Coordinator will have an objective of implementing a risk-based approach to updating SOPs, including the following steps:</p> <ul style="list-style-type: none"> • Create a risk-based matrix and garner Executive approval on the methodology. Populate the matrix with existing SOPs. • Create a value mapping process and garner Executive approval on the methodology. 	<p><u>Lead</u>: Manager of Reporting and Compliance</p> <p><u>Support</u>: HR Advisor & Finance</p> <p><u>Commitment Dates</u>: Part 1: December 15, 2017 Part 2: June 28, 2019</p>

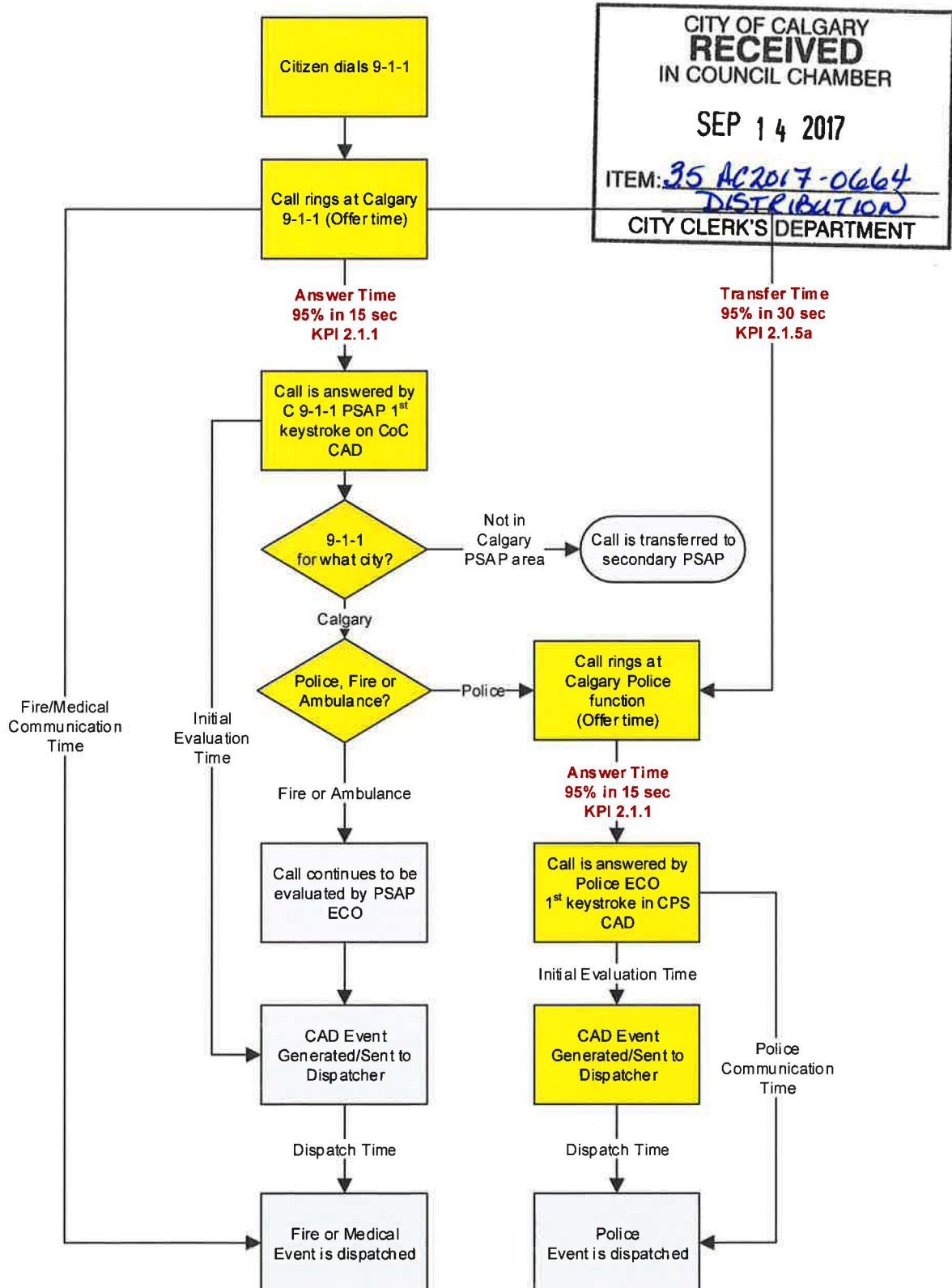
Appendix: C9-1-1 High Level Process Map, with Overlay KPIs Indicated

Process map created by C9-1-1 staff: reflects call handling processes prior to AHS Transition



Appendix: C9-1-1 High Level Process Map, with Overlay KPIs Indicated

Process map created by C9-1-1 staff: reflects call handling processes prior to AHS Transition



Impact of Suspending Public Art Projects

EXECUTIVE SUMMARY

Administration has suspended all Requests for Proposal (RFPs) for new public art design, as per Council's direction with NM2017-32 (Amendments to the Corporate Public Art Policy). Attachment 1 contains the 2017 September 11 confirmed Council minutes regarding NM2017-32. Council requested this report which includes the impact of suspending projects until Q2 2018.

Council unanimously agreed that the direction to suspend further RFPs was not meant to include the Southeast 17th Avenue Transitway which was deemed a "significant project currently underway." After assessing the impact of suspending all RFPs between September 15, 2017 and April 1, 2018, Administration has determined that there are two projects Council may consider to fall into the same category as the Southeast 17th Ave Transitway. This report and its attachments provide information on these projects as well as a further eight that have been suspended (Attachment 2). It also provides information on the 20 public art projects that were already contracted prior to September 15, 2017 and are currently being completed (Attachment 3).

ADMINISTRATION RECOMMENDATIONS:

That Council:

1. Receive for information this report on the impact of suspending all new public art projects scheduled for RFP until Q2 2018; and
2. Direct Administration on whether to suspend the RFPs for the following two significant projects currently underway:
 - Anderson Pedestrian Bridge; and
 - 112th Ave Road Widening

PREVIOUS COUNCIL DIRECTION / POLICY

On 2017 September 11, NM2017-32 was adopted, and Council directed Administration to "immediately suspend further Requests for Proposal (RFP) regarding new public art design as of September 15, 2017" to which the following amendment was added and approved "not meant to include significant projects currently underway, including but not limited to the Southeast 17th Avenue Transitway Project."

NM2017-32 also directed Administration to "report back directly to Council no later than November 2017 on the impact of suspending all new public art projects scheduled for RFP until Q2 2018."

BACKGROUND

The Public Art Policy (CPS2003-95) was implemented by Council in 2004 "to pursue the integration of public art in the cultural fabric of Calgary, recognizing public art as a vital ingredient in Calgary's on-going development as a great, creative city." The Public Art Policy requires that all eligible City of Calgary capital projects allocate a percentage of costs to the creation of public art. Specifically, the Policy states:

Impact of Suspending Public Art Projects

“the percentage for Public Art allocation will be calculated on portions of the eligible project capital costs over \$1 million using a sliding scale with two break points:

- 1% for the portion up to \$50 million; and*
- 0.5% for the portion over \$50 million.*
- The allocation from each capital project will be capped at \$4 million.*

Eligible capital projects include all upgrade (U), growth (G), and service (S) budget items over \$1 million. Ineligible costs include land purchase, rolling stock, portable equipment (furniture, computers, etc.), and maintenance (M) budgets.

When planning an upgrade (U), growth (G) or service (S) capital project that exceeds \$1 million, City of Calgary Departments will identify and prorate the allocation for public art based on all restricted and unrestricted funds to the capital project budget.”

Further, the Policy states that there are three considerations related to the expenditure of the ‘percent for public art’ allocation:

- 1. The restricted public art allocation will reside with the initiating Department as part of the overall capital project for development of public art on the capital project site;*
- 2. The Departments will transfer a portion of the unrestricted public art allocation to the Public Art Reserve;*
- 3. Administration may choose to pool a portion of the unrestricted public art allocation for use at more publicly accessible sites or combine the restricted and unrestricted public art allocation not transferred to the Public Art Reserve for development of public art on the capital project site.*

In adherence with the Policy, Departments had 20 public art works attached to capital projects contracted and underway prior to September 15, 2017. Most will be installed by the end of 2018. A list of these projects is attached for information (Attachment 3).

In order to follow Council’s direction to immediately suspend further Requests for Proposal (RFP) regarding new public art design and to report back on the impact of suspending such RFPs until Q2 2018, Administration had to assess the number and type of eligible capital projects that would be affected.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

In accordance with the Capital Action Plan 2014-2018 approved by Council, there were 11 capital projects eligible for public art due to go out for RFP between September 15, 2017 and April 1, 2018. Investigation was conducted into each of these projects to determine the potential impact of delaying the public art portion of the project for the six months between September 2017 and April 2018. Prompted by the amendment to the motion that suspension was “not meant to include significant projects currently underway, including but not limited to the Southeast 17th Avenue Transitway Project”, Administration considered how best to determine “significant projects currently underway”.

As a result, Administration decided to review each project through the lens of the triple bottom line with considerations given to economic, social, and environmental impacts.

Impact of Suspending Public Art Projects

Economic considerations included the following: delays to the overall capital project, of which the public art was 1%; restrictions on funding sources; and increased costs of the overall capital project. Captured by the “Social” lens were considerations of community expectations as understood through community engagement. Environmental considerations were important for projects near the watershed and in parklands.

As a result of this investigation it was determined that Council should be made aware of the impact on delaying two projects. Administration concluded that RFPs could be suspended on the other eight scheduled public art projects until the end of Q1 without significant impacts. However, should these projects be delayed any further, the impact would have to be re-assessed (Attachment 2).

Stakeholder Engagement, Research and Communication

Individual project managers assigned to capital projects were asked to provide information on the state of each of the projects. The relevant Business Unit Directors and ALT were then provided with the information and asked to provide input. The conclusion was that, in addition to the 17th Ave SE BRT project already approved by Council, the following two projects, currently underway, would be adversely impacted by the delay until Q2 of an RFP for Public Art design:

- Anderson Pedestrian Bridge: An agreement with the Province explicitly states that all project costs need to be submitted by FAC (Facility Acceptance Certificate), or November 2018 in this case. The allocation for Public Art (\$50,000) would need to be spent by then, or else be forfeited. The RFP would be focused on TsuuT'ina Nation artists, who are expecting that opportunities are forthcoming based on earlier community engagement.
- 112th Ave Widening: \$75,000 of the funds must be spent before end of 2018 or will be forfeited. RFP will be for integrated artwork to help stabilize the slope and reduce maintenance, in support of the naturalization program and in alignment with the biodiversity strategy.

Strategic Alignment

In 2016 Council approved spending on capital infrastructure projects to help revitalize the economy. Accordingly, City Departments, when planning an upgrade (U), growth (G) or service (S) capital project that exceeds \$1 million, have identified and prorated the allocation for public art based on all restricted and unrestricted funds to the capital project budget.

The current process for developing public art works begins with the development of a project plan which is based on the capital project to which the art will be connected. The RFP calls for artists to respond to the project plan and to conduct their own community engagement.

Recognizing that there are 20 art projects that had been tendered and contracted in accordance with current Council approved policy and process and would, therefore continue to completion, Council directed Administration to suspend all new public art projects scheduled for RFP. This provides Administration the time to re-visit the public art process and report back to Council with recommendations on a new process in Q1 of 2018.

Impact of Suspending Public Art Projects

Social, Environmental, Economic (External)

Social

Community engagement has been undertaken, both by the capital team responsible for the whole capital project and by the public art team in order to determine community interest in particular projects. Community Associations and Business Improvement Associations have reached out to their communities to provide input on these projects and have indicated their desire for art to be included in the capital projects. In the case of Anderson Bridge, the T'suu Tina Nation has also been engaged in the hope that artists from there will want to participate in the development of public art adjacent to their community.

Environmental

Many projects, particularly those capital projects involving UEP and Parks, seek to integrate artists into the design teams that are addressing environmental challenges. Biodiversity and naturalization are guiding concerns for the slope stabilization project at 112th Ave.

Economic

Capital project budgets are put together from a variety of sources and some of the funds connected to these projects have restrictions imposed from outside stakeholders.

Financial Capacity

Current and Future Operating Budget:

No impact to current operating budget.

Current and Future Capital Budget:

If the RFPs for the public art integrated into these two capital projects are delayed, \$125,000 in committed funds would be lost.

Risk Assessment

The suspension of further Requests for Proposal regarding new public art design until Q2 2018 poses the following risks: delaying the completion of the project increases the costs of project management; the opportunity to integrate an artist onto the design team early in the process, thereby enabling more effective integration of the art with the whole project, is lost; opportunities to provide employment for artists and the trades with whom they work will be delayed; ongoing delays increase the potential for corporate reputational risk due to unmet community expectations.

REASONS FOR RECOMMENDATIONS:

Administration was asked to provide information to Council on the impact of suspending further RFPs for public art design until Q2 2018. Administration has analysed each of these projects against economic, social, and environmental criteria similar to those by which Council determined that the Southeast 17th Transitway was a significant project currently underway. Further direction from Council is required on two projects: Anderson Pedestrian Bridge and the 112th Ave Road Widening.

ATTACHMENT(S)

1. Confirmed Council Minutes re: NM2017-32 (Amendments to the Corporate Public Art Policy)
2. Analysis: Suspended Public Art Projects that have not gone to RFP
3. Public Art Projects Contracted Prior to September 15, 2017 (Currently Underway)

14.1.6 AMENDMENTS TO THE CORPORATE PUBLIC ART POLICY (COUNCILLORS CHU, KEATING, COLLEY-URQUHART, CHABOT, DEMONG, SUTHERLAND, MAGLIOCCA, JONES, AND MAYOR NENSHI), NM2017-32

Note: This Item was dealt with immediately after Item 14.1.4, Notice of Motion, NM2017-30.

DISTRIBUTION

At the request of Councillor Farrell and with the concurrence of the Mayor, the Acting City Clerk distributed copies of a document entitled "Report back on the status of direction outlined in the 2014 Notice of Motion on Public Art", with respect to Notice of Motion, NM2017-32.

DISTRIBUTION

At the request of Councillor Chabot and with the concurrence of the Mayor, the Acting City Clerk distributed copies of a letter from Alison Karim-McSwiney, International Avenue Business Revitalization Zone, with respect to Notice of Motion, NM2017-32.

CHANGE TIME OF SCHEDULED RECESS, Moved by Councillor Keating, Seconded by Councillor Magliocca, that pursuant to Section 91(3) of the Procedure Bylaw 44M2006, as amended, the scheduled time of recess be changed in order that Council may complete Item 14.1.6, Notice of Motion, NM2017-32, prior to the afternoon recess.

CARRIED

AMENDMENT, Moved by Councillor Chabot, Seconded by Councillor Carra, that Notice of Motion, NM2017-32 be amended on the Now Therefore Be It Resolved paragraph, Item number1, by adding the following text at the end of the sentence:

"not meant to include significant projects currently underway, including but not limited to the Southeast 17th Avenue Transitway project."

CARRIED

ADOPT, AS AMENDED, Moved by Councillor Chu, Seconded by Councillor Keating, that Councillors Chu, Keating, Colley-Urquhart, Chabot, Demong, Sutherland, Magliocca, Jones, and Mayor Nenshi's Motion, NM2017-32 be adopted, in part, **as amended**, as follows:

NOW THEREFORE BE IT RESOLVED THAT:

1. Administration immediately suspend further Requests For Proposals (RFPs) regarding new Public Art design as of Sept. 15, 2017, **not meant to include significant projects currently underway, including but not limited to the Southeast 17th Avenue Transitway project.**
2. Administration report back directly to Council no later than November 2017 on the impact of suspending all new public art projects scheduled for RFP until Q2 2018.

3. Administration be directed to report back to Council through the Standing Policy Committee on Community and Protective Services in Q1 2018 with a progress update and again in Q2 2018 with recommendations on a new process including the following:
 - a. Best practices around fully engaging the public with the public policies, practices and The Public Art Policy Management Framework.
 - c. How to accommodate concept submissions from artists that foster and enhance local, regional, national, and culturally appropriate artists.
 - d. How Council can be briefed on short-listed submissions by the Public Art Board, and how in turn the public can be engaged for their feedback.
 - e. Who will make the selection of a successful candidate and how it will be communicated back to the public and to Council.
 - f. When and how the suspension of the Corporate Public Art Policy should be lifted.
 - g. Report back on the progress of the implementation of Notice of Motion, NOM2013-34.**

CARRIED

ADOPT, Moved by Councillor Chu, Seconded by Councillor Keating, that Councillors Chu, Keating, Colley-Urquhart, Chabot, Demong, Sutherland, Magliocca, Jones, and Mayor Nenshi's Motion, NM2017-32 be adopted, in part, as follows:

NOW THEREFORE BE IT RESOLVED THAT:

3. Administration be directed to report back to Council through the Standing Policy Committee on Community and Protective Services in Q1 2018 with a progress update and again in Q2 2018 with recommendations on a new process including the following:
 - b. Mechanisms for the prioritization and allocation of tax dollars for art funding during economic downturns and Council engagement.

Opposed: D. Farrell

CARRIED

Analysis: Suspended Public Art Projects that have not gone to RFP

Project Name	Business Unit	Ward	Public Art Budget	Known Impacts (Economic/Social/Environmental)
Significant Impacts - Council direction to proceed				
17 Avenue SE BRT	Transportation Infrastructure	10	\$ 608,000.00	Community Engagement: Community relationships strained. Council direction to proceed with this project as per community request and desire for public art.
Significant Impacts - seeking Council direction				
Anderson Pedestrian Bridge	Transportation Infrastructure	11	\$ 182,000.00	Economic: Agreement with the Province explicitly states that all project costs need to be submitted by FAC (Facility Acceptance Certificate), or Nov 2018 in this case. We would need to spend that portion (~50K) by then, or else forfeit that amount. Community Engagement: Met with TsuuT'ina Nation artists to identify project potential. Community expectation is that opportunities for artists are forthcoming.
112th Ave Road Widening	Transportation Infrastructure / Parks	2	\$ 220,000.00	Economic: Parks has agreed to fund ~ \$75,000 for materials to stabilize the slope at the site, funds must be spent before end of 2018 or will be forfeited. Environmental: The naturalization program will aid in reduced maintenance, align with the biodiversity strategy and help stabilize the bank.
Total budget for proceeding with these public art projects:			\$ 402,000.00	
Other Projects Underway - can be delayed until Q2 without causing significant impacts				
Phase 1 Main Streets Projects including: Marda Loop, 1st Ave NE, 17th Ave SW (37th-Crowchild), 37th St SW, 16th Ave NW/Montgomery	Urban Strategies	Various	No designated public art budget due to integrated approach - funding is drawn from a variety of sources	Economic: If the public art is done as a separate process, there will be duplication of engagement efforts and city staff time, making the cost higher both from a capital cost and staff time perspective. Projects will proceed with public art component removed until further Council direction. Community Engagement: Through Phase 1 of the Main Streets Program engagement, done between November 2014 and May 2015, citizens expressed their views on what they want these corridors to be and public art was an important factor for the community. With a delay until Q2 2018 the ability to get an artist on the design team from the beginning will be lost, reducing the artist's ability to influence the overall design.
5th St Underpass	Centre City	7	\$ 600,000.00	Economic: If the public art is done as a separate process, there will be duplication of engagement efforts and city staff time, making the cost higher both from a capital cost and staff time perspective. Project will proceed with public art component removed until further Council direction.
9th Ave Bridge	Transportation Infrastructure	9	\$ 99,000.00	Community Engagement: Project is connected to 9th Avenue Mainstreets and the extensive public engagement for the capital project has included public art.
Inglewood Wildlands (4 project opportunities identified)	UEP	9	\$ 1,650,000.00	Economic: Budget has been allocated for the current budget cycle. Community Engagement: Significant community engagement has taken place with the Inglewood Wildlands Society and includes other projects in the area eg. Inglewood Bird Sanctuary Lagoon Inlet which could lose support if Bend in the Bow initiatives were not to go forward.
Elbow Island Temporary Projects/Programming	UEP	8	\$ 350,000.00	Environmental: Some project timelines will be dictated by "fish windows" ie. when work can be done in the river which may lead to lost opportunities for several local artists to highlight the island, flood mitigation, fish habitat, and natural environment park.
Genesis Centre - Wishing Well	Recreation	5	\$ 180,000.00	Social: High profile / media interest. Engineers have come up with a solution to the earlier issues caused by the reflective surface and, once that alteration has been completed, Genesis Centre would like it back.

Project Name	Business Unit	Ward	Public Art Budget	Known Impacts (Economic/Social/Environmental)
South West Ring Road Pedestrian Underpass (2)	Transportation Infrastructure	11	\$ 625,000.00	Community Engagement: Met with TsuuT'ina Nation artists to identify project potential. Community expectation that opportunities are forthcoming to provide art for the underpasses.
Rotary Park Lion	Transportation Infrastructure/ Parks	7	\$ 300,000.00	Social: High profile / community desire for this installation to occur. Council directed project.
Total budget for delayed public art projects:			<u>\$ 3,804,000.00</u>	

Public Art Projects Contracted prior to September 15, 2017 (Currently Underway) *

**Status updates as of November 1, 2017*

Community Services

Calgary Recreation

1. Canyon Meadows Aquatic Fitness Centre: Mural Installation December 2017. Fabrication in process.
2. Rocky Ridge Recreational Facility: Sculpture installation (Part 2 of 2) March 2018. Fabrication in progress. Concept on website. Public tours of facility commencing December 2017 and facility opening planned for February 2018, potential for Public Art to be involved.
3. Seton Recreation Facility: Sculpture Installation July/August 2018. Fabrication in progress. Concept on website.

Calgary Fire

4. Fire Station 1: Banners installation December 2017. Fabrication in progress.
5. Fire Headquarters: Mural Installation June 2018. Concept in development. Engagement with Fire Department retirees planned for April 2018 at the Firefighters Museum, for feedback on public art concept.

Civic Partners

6. Calgary Film Centre: Sculpture Installation November 2017. Fabrication in progress.
7. New Central Library: Sculpture Installation July/Aug 2018. Fabrication in progress.

Transportation

Transit

8. Rundle LRT Station: Artist designed benches, installation November 2017. Fabrication in progress.
9. North & South Crosstown BRT: Artworks from the Public Art Collection screened onto shelter glass. Installation begins December 2017. Fabrication in progress.

Transportation Infrastructure

10. 61 Avenue Chinook Greenway: Artist designed bike rack installation November 2017. Fabrication in progress. Concept on website.
11. 162 and Macleod Trail Interchange: Artist designed towers and wall piece that match railings. Installation (Part 2 of 2) December 2017. Concept on website.
12. Bowfort Road and Trans Canada Interchange: Earthworks installation (Part 2 of 2) April/May 2018. Detailed design in progress. Concept on website.
13. 12 Street Bridge: Sculpture installation June 2018. Detailed design in progress. Concept on website. Celebration of the new bridge planned for December 2017, potential for Public Art to be involved.

Canada Lands Company

14. Flanders Interchange: Public Art Installation September/October 2018. Contracting in progress. Concept to be developed. Partnership with Canada Lands Company. Community open house engagement session planned for late November at the Military Museums, to inform public art concept.

Urban Strategies

15. West Eau Claire Park: Integrated artwork (markers in the pathway). Construction/Fabrication/Installation in progress. Completion scheduled for December 2017 (Park opening July 2018).
16. Centre City Bridge Banners: Installation January 2018.
17. 4 Street Underpass: Integrated artwork (moving light display). Installation April/May 2018. Construction has begun.

Utilities and Environmental Protection

18. Manhole Covers: *Concept release and start of production January 2018*. In detailed design.
19. East Bowmont Park: *Integrated artwork (artist designed water features). Construction/ Installation in progress*. Complete December 2017 (Park opening scheduled for April 2018).
20. Elbow Island Park: *Integrated artwork (artist designed stairway and seating). Installation July/August 2018*. Concept development in progress. Community information bulletins on the capital project to be released November and December 2017. On-going engagement with the community to inform concepts for permanent public art.
21. Laycock Park: *Integrated artwork (vanishing pond). Construction/Installation July/August 2018*. Capital project community open house November 14, potential for Public Art to be involved.

Additional Public Art Projects & Community Programming

- Open Spaces Exhibition Windows on Centre St. LRT Station: *Installations December 2017, March, June, and September 2018*.
- Social Practice Project: *Transit and Billboard posters. Installations May-June 2018*. Project involves on-going community engagement and participation.
- Indigenous Artists in Residence: *January/February 2018 public presentations*.
- Watershed+ Artists in Residence:
 - Broken City Lab - *November 2017 public call for photos and stories about citizens' relationship with the river*.
 - Peter Von Tiesenhausen - *January 2018 public exhibition of sound work*.
 - Stokley Towles - *January 2018 multiple public performances*.
 - Tim Knowles - *May 2018 research and community engagement for the Inglewood Bird Sanctuary Lagoon Inlet Capital Project*.
 - Steve Gurysh - *May 2018 exhibition of artworks in clay/3-D printing*.
 - Becky Shaw - *May – Sept 2018 public engagement (workshops) involving artist designed geophones*.

Major Conservation Projects of artworks in the Public Art Collection

(noted here as their removal will be obvious to the public who use these stations)

- Telus Spark: *Relocation/installation of Sundial November 2017*. Conservation in progress.
- Canyon Meadows LRT Station: *Replacement December 2017*. Conservation in progress.
- McKnight/Westwinds LRT Station: *Replacement April 2018*. Conservation in progress.
- Rotary Park: *Installation of Centre Street Lion May/June 2018*. Conservation complete.

Revisions for Proposed 2018 Council Calendar

EXECUTIVE SUMMARY

In accordance with Section 193(1) of the *Municipal Government Act*, Council establishes its Council meeting schedule for the upcoming year at its annual Organizational meeting. Council directed Administration to schedule Committee meetings in an order similar to the 2018 January schedule and to return to Council on 2017 November 13 with a revised calendar for Council's consideration. This report presents revised dates from February 01 to December 31, 2018 for Council's consideration. All Members of Council must be in attendance in order to adopt the 2018 Council Calendar.

ADMINISTRATION RECOMMENDATIONS:

That Council:

1. Adopt meeting dates from February 01 to December 31, 2018 as set out on Attachment 1 for inclusion in the 2018 Council Calendar; and
2. Direct that the Wholly-Owned Subsidiaries' Annual Shareholder Meetings in 2018 be scheduled as set out on Attachment 1.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2017 October 30 Organizational meeting of Council, Recommendation 1 contained in Report C2017-1076 was adopted, following amendment. Council gave direction to Administration to incorporate principles such as uniformity in scheduling the Committee meetings, which would be similar to how the 2018 January schedule was structured and to return to Council on 2017 November 13.

BACKGROUND

Council Calendars adopted in recent years were uniform in the sense that Council meetings were primarily scheduled on Mondays, Standing Policy Committee (SPC) meetings were primarily scheduled on Wednesdays, and Standing Specialized Committee (SSC) meetings were primarily scheduled on Thursdays. Prior to the 2018 calendar proposal, less emphasis was placed on ensuring that SPC and SSC reports were scheduled to minimize the amount of time that passed before they were placed on an upcoming Council agenda. Another scheduling 'standard' in past calendars was that Council meetings were primarily scheduled three times per month (one Regular, one Strategic and one Combined meeting).

At the 2017 October 30 Organizational meeting of Council, Members of Council requested that the general order and sequence of the 2018 proposed Council Calendar mirror the order of the 2018 Calendar for the month of January. The attached calendar achieves this.

Revisions for Proposed 2018 Council Calendar

INVESTIGATION: ALTERNATIVES AND ANALYSIS

In order to mimic the general order and sequence of meetings contained in 2018 January, and to add a sense of uniformity within a single meeting type, the following revisions were made to the 2018 calendar proposed at the 2017 October 30th Organizational meeting of Council.

Public Hearing Council Meetings

There are eleven Public Hearing Council meetings scheduled, every month except August. Public Hearing Council meetings are scheduled for Mondays at 9:30 a.m. and the following Tuesday, if required, with a reconvene time of 1:00 p.m., with one exception. To accommodate the Thanksgiving Monday holiday, the October Public Hearing Council meeting is scheduled to begin on Tuesday, 2018 October 09. There is not a second meeting day scheduled to accommodate any unfinished business.

Regular Council Meetings

There are eleven Regular Council meetings scheduled, every month except August. Regular Council meetings are scheduled for Mondays at 9:30 a.m. and the following Tuesdays are left free of other meetings in the event that Council needs to reconvene for unfinished items (at 1:00 p.m. as in past years). All Regular Council meetings are scheduled on Mondays, after the monthly Public Hearing Council meeting.

The meetings are scheduled to capture all reports coming from the Administration, the SPCs, and to the extent possible, the SSCs. This will minimize the length of time before SPC and SSC reports are forwarded for Council consideration.

Strategic Council Meetings

A Strategic Council meeting is a form of Regular Council meeting. They are strategic planning sessions for Council that are typically comprised of reports directly from Administration and specifically the Intergovernmental and Corporate Strategy (ICS) group.

There are ten Strategic Council meetings, every month except August and November. To improve uniformity, one date was moved from April 09 to April 25, so that each Strategic meeting is always scheduled on a Wednesday, and all except two are scheduled on the Wednesday following a Regular Council meeting.

Standing Policy Committee (SPC) Meetings

To minimize the length of time before SPC reports are forwarded for Council consideration, all the SPC meetings will take place within the same week, on the first full work week of the month. The typical order in which they have been scheduled is as follows: SPC on Planning and Urban Development, Monday; SPC on Community and Protective Services, Wednesday; SPC on Transportation and Transit, Thursday; and the SPC on Utilities and Corporate Services, Friday.

There are eleven Regular SPC on Planning and Urban Development meetings scheduled, every month except August. Most are scheduled on Mondays at 9:30 a.m., with two exceptions. The SPC on Planning and Urban Development following Stampede is scheduled to begin on 2018 July 16, at 1:00 p.m. The SPC on Planning and Urban Development following Labour Day has been moved to Tuesday, September 04 at 9:30 a.m., with the Priorities and Finance Committee being scheduled for the same day in the afternoon.

There are eleven Regular SPC on Community and Protective Services meetings scheduled, every month except August. To improve uniformity, most are scheduled on Wednesdays at 9:30

Revisions for Proposed 2018 Council Calendar

a.m. One Special SPC on Community and Protective Services meeting has also been scheduled and occurs on Tuesday, April 03.

There are eleven Regular SPC on Transportation and Transit meetings scheduled, every month except August. To improve uniformity, most are scheduled on Thursdays at 9:30 a.m.

There are eleven Regular SPC on Utilities and Corporate Services meetings scheduled, every month except August. To improve uniformity, all are scheduled on Fridays at 9:30 a.m.

Standing Specialized Committee (SSC) Meetings

There are fourteen Priorities and Finance Committee (PFC) meetings; eleven meetings each of Intergovernmental Affairs Committee and Gas, Power and Telecommunications Committee, and eight Audit Committee meetings scheduled.

PFC is scheduled in the same week as the Standing Policy Committees. Most are scheduled on Tuesdays at 9:30 a.m. with three exceptions. The Priorities and Finance Committee meeting following Labour Day will begin at 1:00 p.m. to accommodate a doubling up with an SPC on Planning and Urban Development meeting. The second PFC meeting in March and in June fall on a Thursday.

The remaining SSC meetings are scheduled for the week immediately following the week of SPC and PFC meetings. The SSC meetings week begins on the Wednesday following the Public Hearing meeting of Council. The order of the Committee meetings is as follows: Intergovernmental Affairs on Wednesday, Gas, Power and Telecommunications on Thursday, and Audit Committee on Friday (if a meeting is scheduled that month).

Cannabis Legislation: Council and Committee Requirements

With anticipated changes to Federal cannabis legislation, a Special Council meeting and several Special SPC meetings are being dedicated to examine impacts to The City. The dates of those Special meetings are; February 21 at 9:30 a.m. a Special SPC on Planning and Urban Development, April 03 at 9:30 a.m. a Special SPC on Community and Protective Services, April 04 at 1:00 p.m. a Special SPC on Transportation and Transit, and April 05 at 9:30 a.m. a Special Combined Council Meeting, which can carry over to Friday April 06 if required.

Stakeholder Engagement, Research and Communication

Additional engagement in the preparation of this report consists primarily of verbal feedback from Members of Council on the 2018 calendar first proposed at the 2017 October 30th Organizational meeting of Council.

Strategic Alignment

This report aligns with Council's priority of a well-run city: "Calgary's government is open, responsive, accountable and transparent, delivering excellent services at a fair price. We work with our government partners to ensure we have the tools we need" (*Action Plan 2015-2018*). Adoption by Council of regularly scheduled Council meetings on specified dates, times and places satisfies the legislated requirement for notice in accordance with Section 193 of the *Municipal Government Act*.

Revisions for Proposed 2018 Council Calendar

Social, Environmental, Economic (External)

No social, environmental or external implications have been identified related to the recommendations in this report.

Financial Capacity

Current and Future Operating Budget:

There are no direct operating budget implications for this report.

Current and Future Capital Budget:

There are no direct capital budget implications for this report.

Risk Assessment

In accordance with Section 193(1) of the *Municipal Government Act*, all Members of Council must be in attendance in order to adopt the Council Calendar.

REASON FOR RECOMMENDATION:










Adoption and publication of a Council meeting schedule for the upcoming year ensures an efficient and transparent notification process which meets legislated requirement for notice.

ATTACHMENT(S)











1. Revised February – December 2018 Council Calendar proposal











2018

Council, Standing Policy Committees (SPC) and Standing Specialized Committee Meetings Dates














January 2018						
Su	Mo	Tu	We	Th	Fr	Sa
		2	3	4	5	6
7	8	9	10	11	12	13
14						20
21	PH/P	PH/P	24			27
28		30	SC			

(The calendar for the month of January was approved by Council at the 2017 October 30 Organizational Meeting of Council)











February 2018						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4						10
11	PH/P	PH/P	14			17
18		20		22	23	24
25		27	SC			

March 2018						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4						10
11	PH/P	PH/P	14		16	17
18		20	SC			24
25		26	27	28	29	












CBE and CCSD – School spring break March 26 – April 06














April 2018						
Su	Mo	Tu	We	Th	Fr	Sa
	2				6	7
8						14
15	PH/P	PH/P	18			21
22		24	SC	26	27	28
29		30				

*Scheduled for 1:00 p.m.


May 2018						
Su	Mo	Tu	We	Th	Fr	Sa
						5
6	PH/P	PH/P	9			12
13		15	16	17		19
20		22	23	24	25	26
27		29	SC*	31		









*Scheduled for the morning only FCM Conference: Halifax- May 31-June 3

June 2018						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3						9
10	PH/P	PH/P	13			16
17	18	19	20	21		23
24		26	SC			30












July 2018						
Su	Mo	Tu	We	Th	Fr	Sa
1		3	SC	5	6	7
8	9					14
15						21
22	PH/P	PH/P	25			28
29		31				















*PUD: 1:00 PM Start Calgary Stampede July 06-July 15










August 2018						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5		7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September 2018						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2						8
9	PH/P	PH/P	12			15
16	17	18	SC	20	21	22
23		25	26	27	28	29
30						

AUMA Convention – Red Deer September 26 - 28



October 2018						
Su	Mo	Tu	We	Th	Fr	Sa
						6
7		PH/P	10			13
14		16	SC	18	19	20
21		23	24	25	26	27
28	29		31			

November 2018						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4						10
	PH/P	PH/P	14			17
18		20	21	22	23	24
25						

December 2018						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2						8
9	PH/P	PH/P	12		14	15
16		18	SC	20	21	22
23	24			27	28	29
30	31					

Unless otherwise noted all meetings begin at 9:30 a.m.

COUNCIL:


-  Regular Council Meeting 11 Meetings. Day 1, 9:30 a.m. start; Day 2, 1:00 p.m., if necessary (11 -22 Days)
- PH/P Public Hearing Council Meeting – 11 Meetings (22 Days)
- C* Combined Meeting of Council – 1 Meetings (2 Days)
- SC Strategic Council Meeting – 11 Meetings (11 Days)
-  One Calgary Operating and Capital Budget Plan

STANDING POLICY COMMITTEES

– 11 Meetings for Each SPC

-  SPC on Planning & Urban Development
-  SPC on Community & Protective Services
-  SPC on Transportation & Transit
-  SPC on Utilities & Corporate Services

Special SPC on CPS Meeting:

-  Civic Partners – 1 Meeting

STANDING SPECIALIZED COMMITTEES

-  Priorities and Finance Committee – 14 Meetings
-  Intergovernmental Affairs Committee – 11 Meetings
-  Gas, Power & Telecommunications Committee -11 Meetings
-  Audit Committee – 8 Meetings
-  Days with a morning and afternoon meeting scheduled

SEPARATE COVER INSERT

ITEM #9.2.3.

“OLYMPIC UPDATE REPORT, C2017-1162”

**AND ATTACHMENTS, WILL BE DELIVERED BY SEPARATE COVER
LATER TODAY
PLEASE INSERT HERE**

OLYMPIC BID UPDATE

EXECUTIVE SUMMARY

This report provides Council an update on whether it is prudent for The City to submit a bid to host the 2026 Olympic and Paralympic Winter Games (2026 OPWG). The Calgary Bid Exploration Committee (CBEC) reported to Council on 2017 July 24, that it was feasible for Calgary to host the 2026 Games but that more work was required to determine whether it was prudent to do so, as noted in their recommendations and verbal report to Council.

As part of the continuing work associated with CBEC's final report, and as directed by Council, Administration has moved forward with the Invitation Phase of the Olympic Bid, now identified as the Dialogue Stage by the International Olympic Committee (IOC). This work is being conducted by a project team consisting of members of Administration and consultants (the City Project Team) and its work includes determining if a bid for the 2026 OPWG can meet the five Principles endorsed by Council (the five Principles).

In September, Administration advised Council that the IOC would not release the Host City Contract (HCC) between the IOC and the host city for the 2026 OPWG until July 2018. Administration had anticipated that it would deliver its analysis of the five Principles to Council at that time and then Council would decide whether or not to proceed with the formation of a formal Bid Corporation (BidCo).

As part of the ongoing research and work, The City's Project team has recently become aware of several key changes to the IOC's 2026 Candidature Process which impact The City's decision-making process, timelines and budget. The most significant change is the requirement that candidate cities submit their formal bid book and agree on core Guarantees to the IOC by January 2019. This means that the bid book must be substantially completed by late 2018. Therefore, if Calgary is going to proceed with a competitive bid, The City will need to begin the formation of a BidCo in early Q1 2018. The bid corporation will need to conduct a significant amount of work prior to Administration receiving the Host City Contract in July 2018 while addressing the Council endorsed five Principles.

These changes to the bid process indicate that Administration's current sequential work plan needs to be revised to accommodate multiple streams of work. In summary, the City Project team will continue to complete the following using current funding, as endorsed by Council 2017 August 2 (C2017-0616):

- analysis of the five Principles and report to Council by July 2018;
- ongoing discussions with the provincial and federal governments about formally participating in a BidCo.

Additional funding will be required as The City will now need to act as the de facto BidCo and complete the following work, until a formal BidCo is in formed:

- commence the work required to remain competitive in the process;
- bid design and development towards a bid book;
- formation of a bid corporation in early 2018 to take over the work of the bid; and
- transition that work to a formal BidCo.

OLYMPIC BID UPDATE

Council had authorized Administration to use the remaining \$1.5 million of CBEC's budget to conduct its analysis of the five Principles. The additional work summarized above will require additional funds in the order of \$2.0 million; however, the exact amount requires further investigation and refinement. Administration will return to Council 2017 November 20 with a formal funding request. The amount to be requested excludes the funds that will be required for the operation of the bid committee itself, funding for which will need to be negotiated with the other orders of government, the Canadian Olympic Committee and private sector sponsors.

Administration has prepared the following report identifying off-ramps throughout the Dialogue Stage, as well as the opportunities and risks attributed to pursuing the next phase following the release of the new process and timelines from the IOC.

ADMINISTRATION RECOMMENDATION(S)

That Council:

1. Receive this report for information.
2. Direct Administration to report back to Council 2017 November 20, with a formal funding request to deliver on the additional work required for the Dialogue Stage.

PREVIOUS COUNCIL DIRECTION / POLICY

See Attachment 1 Previous Council Direction.

BACKGROUND

On 2017 August 2, Council received Administration's Evaluation Summary and directed The City of Calgary to not move forward with a bid for the 2026 OPWG unless five Principles could be satisfied (C2017-0616, Attachment 4). Council further directed Administration to close out the Exploration Stage and to lead the Invitation Phase (now referred to as the Dialogue Stage) internally and to utilize the remaining funds appropriated to CBEC for this work. A workplan, governance structure and associated timeline was provided to members of Council in 2017 September.

On 2017 September 29, IOC released the "Candidature Process Olympic Winter Games 2026" document which provides an outline for a new candidature process that aligns with IOC's Agenda 2020 reforms. While Agenda 2020 is intended to result in cost savings for interested host cities; the new candidature process has substantial implications to City timelines and deliverables. On 2017 October 17 the IOC further released the "Candidature Questionnaire Olympic Winter Games 2026". This document is where interested cities will populate their games vision, concept, experience and delivery. A BidCo should be in place to oversee the development and finalisation of the bid components. The BidCo would see membership from all key stakeholders, including but not limited to Canadian Olympic Committee, The Town of Canmore, The Government of Alberta, The Government of Canada and The City of Calgary. The Candidature Questionnaire also includes a list of the guarantees; however, it is anticipated by Administration that these guarantees will not be finalized until the release of the Host City Contract, which the IOC is targeting to release by 2018 July.

OLYMPIC BID UPDATE

The deadline for an interested city to enter the Dialogue Stage process has been extended to 2018 March 31. In 2018 October, the IOC will invite interested cities with hosting capacity, which have participated in the Dialogue Stage, to participate in the Candidature Stage. The deadline to submit a bid book to the IOC, has however been accelerated to early in 2019 from what Administration previously assumed to be mid 2019. See attachment 2 Dialogue Stage – Revised Timelines. The funding required for the complete development of the bid book and Candidature Stage requirements is estimated to be in the order of \$25-30 million (inclusive of costs already incurred). It is expected the funding for the work would be shared by the key stakeholders of the BidCo, however the ultimate funding model for this work and source of funding for The City of Calgary's share has not been determined.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Throughout the Bid Exploration phase and now into the Dialogue Stage, The City of Calgary has continued to review the associated risk versus the benefits in its investigation on whether or not to pursue a 2026 OPWG bid.

Since the September update to members of Council, significant timeline changes have transpired that suggest Administration revisit the workplan and its resourcing if The City of Calgary is truly to be a successful candidate city. Most notably, this includes the need to advance bid design and development along with initiating the inception of a BidCo to meet the accelerated timelines; this work is in addition to delivering on the 2017 September Workplan shared with members of Council to address certainty around the five Principles.

Prior to the creation of a BidCo, Council approval will be sought to endorse both the funding model between the key stakeholders and funding source for The City of Calgary's share. The total cost for this is estimated to be between \$25-30 million, inclusive of the funds previously allocated and potentially approved through this report. The variance is a result of the IOC's suggestion that the costs of bidding should be reduced through their new processes, however these reductions are not clear to the Project Team at this point in time and the costs are also entirely dependent on the future competitive landscape.

With the changes to the IOC process in mind, Administration also desires to update Council on other evolving aspects where work has been advanced. These areas include; the potential Preliminary Rationale for Hosting, Financial Picture, Stakeholder Interest and the Competitive Landscape.

Preliminary Rationale for Hosting: An initial draft vision, mission, benefits and legacy statements are taking shape. Attachment 3 Preliminary Rationale for Hosting, provides some of potential benefits of hosting the OPWG 2026.

Financial Picture: Administration has continued to refine both the operating budget and capital investment for sport and media facilities. Overall, the financial picture is evolving to maximise both the physical and non-physical legacy opportunities; however, all 5 principles still need to be addressed. Administration will conduct a similar process for the media and athletes villages / housing component of the bid. Direct conversations with the IOC are scheduled to commence 2018 January to further identify opportunities for cost savings.

OLYMPIC BID UPDATE

Stakeholder Interest: Conversations are occurring with other orders of government, impacted municipalities and the Canadian Olympic Committee (COC). Interest exists with all key parties to be kept apprised of the project status. While funding remains a top concern, Administration has not been advised by other orders of government to not proceed at this juncture.

Competitive Landscape: The competitive landscape is changing; a strong contender has dropped out of the process while some new cities are suggesting they could join. The competitive landscape is summarised below:

- Innsbruck, Austria is not proceeding due to referendum results from 2017 October.
- Sion, Switzerland is participating in the Dialogue Stage, but will need to abide by numerous referendum results at national and local levels.
- Stockholm, Sweden has also participated in the Dialogue Stage to date, but it is unclear if they will proceed.
- Sapporo, Japan; Telemark, Norway; and 3 Cities in the USA (Reno, Salt Lake, Tahoe) are considering joining the Dialogue Stage, but some experts believe that all but Norway are targeting 2030.
- Paris 2024 and LA 2028 were awarded together in 2017 September, a first for the IOC, which suggests that while the IOC's focus is on one good candidate for 2026, a dual award for 2026 and 2030 from the 2026 competition is possible.

While the five Principles will be addressed through the work streams contained within Administration's Workplan (Attachment 4), an update specific to each of the Principles is provided below.

Five Principles:

1. *Capital Cost Funding Model:* Ongoing conversations occurring with Sport Canada and submission of their business case is pending development of a vision and supporting legacy plans. At the provincial level, brief conversations have occurred with the Premier's Office and the Ministry of Culture & Tourism. More detailed conversations are anticipated to occur prior to the end of November.
2. *Security Model:* Administration believes CBEC's proposed security plan is sound and results in reduced security costs. Funding for this aspect of games hosting will be addressed concurrently with the work for Principle 1.
3. *Operating Costs:* IOC has indicated numerous times they can reduce the operational costs for games hosting. Direct meetings with the IOC are currently being scheduled in Calgary for mid-January 2018.
4. *Financial Structure:* Administration is revisiting the Master Facilities Plan as prepared by CBEC through a lens to reduce operating and capital expenditures. This work along with that of Principle 1 will determine what may ultimately be required in terms of financial support from the City and associated debt capacity implications.
5. *Financial Guarantees:* These will be further investigated with the IOC beginning in 2018 January, final clarity will not be realized until the release of the Host City Contract in 2018 July.

OLYMPIC BID UPDATE

While clarity around the five Principles remains unresolved and many unknowns within the overall bid process exist, there have been indications from the IOC and the changes to the competitive landscape that suggest that the five Principles could be satisfied and that Calgary could mount a successful bid for the 2026 OPWG. However, due to the revised 2026 Candidature Process an increased investment is required to ensure that Calgary can mount a competitive bid should Council choose to proceed. Without that investment, it will not be possible to proceed with a competitive bid.

The revised timelines, and work plan are detailed in the following attachments: Attachment 2 Dialogue Stage – Revised Timelines and Attachment 4 Dialogue Stage – Revised Work Plan.

Stakeholder Engagement, Research and Communication

Public appetite for a project of this magnitude is of great interest to all orders of government. As such, a key area of the workplan includes developing communications, citizen engagement, stakeholder relations and government relations plans. Administration continues to work with The City's Intergovernmental and Corporate Strategies (ICS) and Customer Service & Communications (CSC) teams to complete this work.

Strategic Alignment

The Municipal Development Plan, Calgary Transportation Plan, existing Area Structure Plans, Infrastructure Investment Plans and the Triple Bottom Line will continue to be used during the Dialogue Stage to ensure alignment at the municipal level. These documents will also continue to guide the initial OPWG 2026 vision, mission, benefits and legacy plans to help shape Calgary's future and meet the needs of Calgarians from now to 2026 and beyond.

Social, Environmental, Economic (External)

Extensive community consultation has been built into The City's existing plans and policies. The 2026 OPWG Bid Exploration utilized these strategic plans as a foundation and as a result citizen's social, environmental and economic priorities will be reflected in the initial draft OPWG 2026 vision, mission, benefits and legacy plans. Should Calgary choose to proceed to the Candidature Stage, these plans will be further refined by a BidCo and other key stakeholders prior to their inclusion in a formal bid book.

Financial Capacity

Current and Future Operating Budget:

As endorsed by Council (C2017-0616) in 2017 August, the remaining Bid Exploration funds will be applied to the Dialogue Stage. With the accelerated timelines and further clarity on required deliverables from the IOC, Administration needs to further investigate the amount of funds required to ensure adequate resources are available to accomplish all deliverables up until the IOC release of the Host City Contract (HCC) in Q3 2018. Administration will complete the financial assessment and return to Council 2017 November 20 with a formal funding request in the order of \$2.0 million. Should City Council choose to end the project at any time, any unused funds would be returned to the appropriate funding source.

Current and Future Capital Budget:

No capital budget impacts for the Dialogue Stage as a result of this report.

OLYMPIC BID UPDATE

Risk Assessment

As discussed above, Administration continues to review risk to ensure it falls within an acceptable range to The City, while the opportunity and benefits are growing. Although the near-term financial risk would increase slightly with the request for additional funds, Administration believes the additional investment will result in further clarity for the purposes of addressing the five Principles.

Furthermore, The City can end the process at any point during the Dialogue Stage if it is determined the Principles cannot be adequately addressed, or it is found there is no viable ability or value in progressing to the Candidature Stage.

REASON(S) FOR RECOMMENDATION(S):

The intent of this report is to provide members of Council with a project update given much has transpired since the last update in 2017 September.

On 2017 November 20 Administration will be requesting Council support for an increased level of commitment to the Dialogue Stage of the bid process as a response to the accelerated timelines and further detail received on IOC deliverables. Administration has revised the timelines, work plan, and is conducting a thorough investigation into the additional funding required.

Based on the work ahead, Administration will require an increase to operating budget program #426 to ensure Administration can respond to the increased demands of the Candidature Stage and ensure this pace can be sustained to accomplish project deliverables until the International Olympic Committee releases the 2026 Host City Contract. Administration will return to Council 2017 November 20 with a formal funding request once the financial implications have been fully investigated.

The guarantees and the information contained within the Host City Contract will address key components of the five Principles endorsed by Council (C2017-0616, Attachment 4), making this milestone a critical off-ramp if required. Armed with this information, City Council and all orders of government can make a confident determination whether to proceed or not with a bid. The additional investment will ensure that should Council decide to proceed with a bid, The City of Calgary is strongly positioned for a successful Candidature Stage. Alternatively, should Council and other orders of government decide not to proceed, the decision will be made with the utmost due diligence.

ATTACHMENT(S)

1. Previous Council Direction
2. Dialogue Stage – Revised Timelines
3. Preliminary Rationale for Hosting
4. Dialogue Stage – Revised Work Plan

Previous Council Direction

On 2017 September, Council received a memo outlining Administration's workplan, governance and timelines for the IOC Invitation Phase, now referred to as the Dialogue Stage.

On 2017 July 31 (C2017-0616), Council supported Administration's recommendation that The City transition from an Exploration Phase to an Invitation Phase, and address the Council endorsed five Principles (C2017-0616, Attachment 4).

On 2017 July 24 (C2017-0599), CBEC presented their recommendations regarding the Olympic Bid Exploration to Council for information.

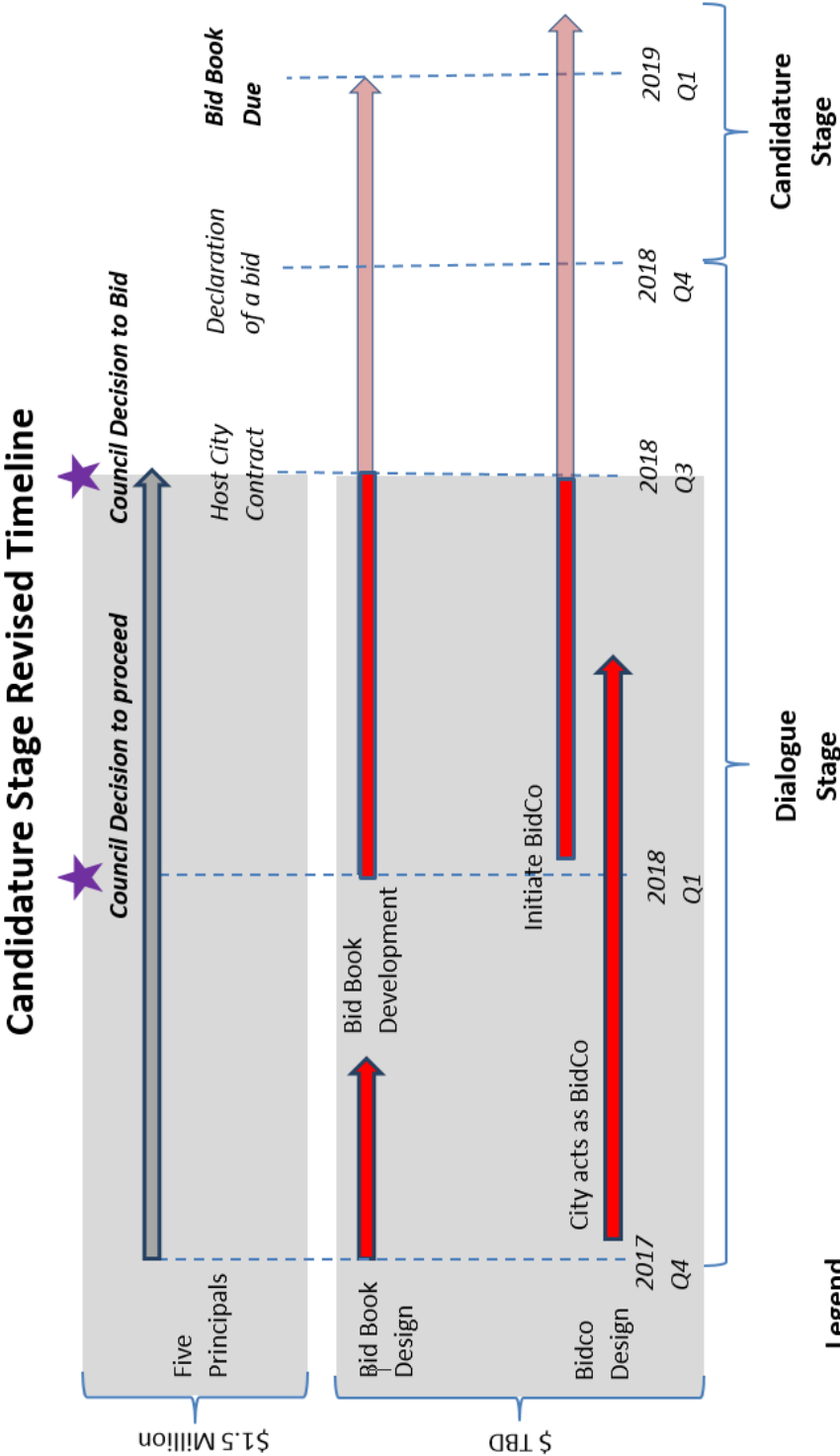
On 2017 June 19 (C2017-0541), Administration and CBEC provided Council with a report that provided an update on the Olympic Bid Exploration work CBEC and Administration had done to date. Council received this report for information.

On 2017 January 23 (C2017-0097), Council endorsed Administration's Feasibility Assessment, gave authority to the General Manager of Community Services and the Deputy City Manager to make content changes, unless they are material in nature, and received for information Administration's project governance structure and CBEC's updates including a refined funding agreement and CBEC's report delivery milestones.

On 2016 October 3 (C2016-0810), Council adopted Administration's recommendations: 1) that The City of Calgary assume a controlling interest in CBEC; 2) Authorize the General Manager, Community Services to exercise all the powers and voting rights of The City as a shareholder of Calgary Bid Exploration Committee when such action is required subject to the General Manager; and 3) Authorize the Mayor to execute on behalf of The City all company resolutions and related documents, including a unanimous members' agreement, required to establish the appropriate shareholder and governance structure of Calgary Bid Exploration Committee.

On 2016 September 26 (C2016-0738), Council adopted the amended deliverables, milestones and timelines and authorized the General Manager, Community Services to make such further amendments to the deliverables, milestones and timelines as he deems required once the same have been discussed with the Board of Directors for the Calgary Bid Exploration Committee.

On 2016 June 20 (C2016-0537), Council approved "CSTA Update" which endorsed a Bid Exploration for the 2026 OPWG. Council approved the formation and funding for BIDEXCO (\$4.7 million for BIDEXCO work and \$0.3 million for Administration support), for the purpose of carrying out the bid exploration to determine a recommendation regarding the notice of intent to bid for the 2026 OPWG and the General Manager of Community Services has the authority to negotiate and execute the Funding Agreement.



★ Key Decision Points/Off-ramp

In addition to off ramps highlighted above, Administration will update Council if it becomes apparent that any of the Council endorsed principle cannot be achieved.

Preliminary Rationale for Hosting

Hosting the Olympic and Paralympic Winter Games (OPWG) in Calgary 2026 represents an opportunity for Calgary, Alberta and Canada to accelerate the achievement of our shared civic, provincial and national goals within five key pillars:

- 1. Economic Opportunity:** Purposeful Diversification, Job Creation and Building Reputation
- 2. Community Development:** Building Community Together
- 3. Cultural Enrichment:** Celebrating Our Heritage and Embracing Diversity
- 4. Social Development:** Community Pride and Social Advancement
- 5. Sport Development:** Enhancing Our Legacy and Sport Leadership

The City of Calgary's Administrative Leadership Team (ALT) has clearly established the following long-term priorities for hosting the Olympic and Paralympic Games to enhance Calgary's hosting legacies throughout the bid process regardless of the outcome of the Olympic and Paralympic Games (OPWG) bid.

- Calgary's Winter Sport City status and sport infrastructure is maintained
- Economic sustainability
- Value of Calgary's brand is increased
- Opportunities for civic participation for all are created

The overall goal throughout the OPWG bid process is to pro-actively advance these priorities and establish meaningful legacies during each phase of advancement that enhance our well-earned reputation as a winter sport city, generate on-going economic impact, bolster Calgary's brand internationally and create sport, cultural, Indigenous, volunteer and participation opportunities for all Calgarians.

The following is a summary of the preliminary rationale for hosting for the OPWG 2026.

1: Economic Opportunity – Purposeful Diversification and Job Creation

Hosting the OPWG could potentially provide Calgary and Alberta with an opportunity to reinforce its global reputation, attract new investment to the region resulting in long term jobs, retain and develop creative talent, and promote long-term tourism growth while purposefully diversifying its economy for years to come.

#2: Community Development – Building Community Together

Hosting the OPWG could potentially accelerate the development of both city and regional infrastructure that improves citizens' quality of life such as affordable housing and accessible sport facilities.

Preliminary Rationale for Hosting

#3: Cultural Enrichment – Celebrating Our Heritage and Embracing Diversity

Hosting the OPWG could potentially celebrate Calgary and Alberta's heritage and the diversity of ethnic backgrounds, religions and lifestyles within Calgary and Alberta while creating meaningful opportunities to partner with and highlight the uniqueness of our indigenous cultures. As new Calgarians are welcomed to the city, and our population grows more diverse, we see sport serving as a meaningful way to foster inclusivity and build relationships that establish lasting roots in a new community.

#4: Social Development – Community Pride and Social Advancement

Hosting the OPWG could potentially increase the sense of belonging in the community through widespread participation opportunities as volunteers, suppliers, employees, contractors and spectators offering all Albertans a shared experience that will define our future, together.

#5: Sport Development – Enhancing Our Legacy and Sport Leadership

Hosting the OPWG could potentially re-affirm Calgary and Alberta's commitment to build capacity within both the amateur and high-performance sport systems, and to continue to enhance Alberta's reputation as one of the great sport discovery, development and excellence training centres in the world.

Revised Work Plan

1.VISION	2.Government Relations		3. COC/ IOC WORK		4. Analysis and Recommendation		5. NEW - Bid Development
	Key Stakeholders	Government Processes	COC/IOC	Financials	CITY RISK	ANALYSIS	
The vision and rationale for proceeding with bidding and hosting is developed and supported by key stakeholders.	Key stakeholders are engaged in the Invitation Phase and support Council's decision to proceed with a bid or not.	All orders of government have determined their ability to support a bid in principle.	Better understand the Host City Contract, financial requirements and potential opportunities.	The financial viability of bidding and hosting the 2026 OPWG is refined from a City perspective.	The key risks for the invitation phase are managed, with consideration for potential risks in ensuing phases.	Review all finding throughout the Invitation phase which includes the work related to the five Principles to determine whether to proceed to the bid phase.	NEW – Develop the IOC bid book and complete all related activities to be assumed by a bid corporation until one is in place and mobilised.
1. Vision 2. Investigate 2a. Tourism Strategy 2b. Economic Strategy 2c. Invitation/Bid Phase, return on investment 3. Public Engagement	1. Federal Government 2.Province 3.Indigenous and Metis 4. Bow Valley	1. Federal Government (Sport Canada) process i.e. Approval in Principle 2. Provincial Government process i.e. Approval in Principle 3. Develop a funding formula	1. COC dialogue/ opportunities 2. IOC dialogue/ opportunities	1. Review CBEC's proposed capital and operating costs with the IOC	1. Legal 1a. Review bid requirements, including bid board structures 2.Financial 2a. City's fiscal capacity 3.Reputational	1. Review findings/ information against the five principles (C2017-0616 Att.4) 2. Review conditions from other orders of government. 3. Review Calgary's chance of winning 4. Key considerations include financial viability, risk management, stakeholders support and commitment and IOC requirements.	1. Refine and update CBEC from a City perspective. 2. Develop the bid book with key stakeholders. <ul style="list-style-type: none">• Event overview• Athlete, delegate and participant experience• Venues concept• Transportation, Security, Accommodation, Essential Services, Work force planning 3. Develop the BidCo.
	Principles #1 and #2 are covered here		Principles #3 and #5 are covered here		Principles #4 is covered here		

DESIGNATION OF GLENWOOD MANOR AS A MUNICIPAL HISTORIC RESOURCE

EXECUTIVE SUMMARY

Glenwood Manor is proposed for designation as a Municipal Historic Resource under Section 26 of the Alberta Historical Resources Act, after being requested by the property owner.

Designation offers legal protection to an evaluated historic resource, preserving it for the future and making the owners eligible for financial assistance in maintaining the property through existing Municipal and Provincial incentive programs.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Planning and Urban Development recommends that Council give three readings to the proposed bylaw to designate Glenwood Manor as a Municipal Historic Resource.

RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2017 SEPTEMBER 13:

That Council give three readings to Bylaw 43M2017.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2008 February 4 Combined Meeting of Council, through LPT2007-64, Council adopted the Calgary Heritage Strategy. The approved content of the Strategy states that significant historic resources “can and should be protected through designation bylaws”.

BACKGROUND

Conserving historic buildings through legal protection is an internationally recognized best-practice in heritage planning, and is supported by the Calgary Heritage Strategy and Calgary Municipal Development Plan. Legal protection in Alberta is achieved through designating sites as Municipal and/or Provincial Historic Resources, enabled by the Alberta Historical Resources Act. The subject of this report concerns Municipal-level designation.

Prior to being designated, a property must be included on Calgary’s Inventory of Evaluated Historic Resources, a growing list of significant local heritage sites. The Inventory is maintained by the Calgary Heritage Authority, a Council-appointed advisory board comprised of members of the public, which evaluates potential Inventory sites and advises Council on heritage-related matters. Properties suggested for inclusion on the Inventory are researched and evaluated according to the Calgary Historic Resource Evaluation System. To date, there are 839 sites on the Inventory of Evaluated Historic Resources, including 70 sites that have been demolished.

As part of the designation process, the Alberta Historical Resources Act (Section 28[1]) specifies that Municipalities must compensate property owners for any decreased economic value related to designation. To avoid incurring this cost, City of Calgary Heritage Planning only moves to designate sites as Municipal Historic Resources if the property owner consents and waives any compensation associated with the Act, or if Council has otherwise directed the designation.

DESIGNATION OF GLENWOOD MANOR AS A MUNICIPAL HISTORIC RESOURCE

Property owners may choose to designate for a variety of reasons, including an interest in preservation. Additionally, a variety of incentives for designation are offered at the Municipal and Provincial level, including heritage conservation grant programs, and incentives through the planning approvals process.

The City of Calgary operates a heritage conservation grant program, offering matching funds for projects to restore, preserve or rehabilitate character-defining elements of a privately-owned, designated historic resource. The grant program is funded through an existing reserve receiving \$225,000 per year from the Planning & Development budget. Currently 59 of the 769 existing sites on the Inventory are eligible to apply for grant funding through this program. Applicants can apply for up to 50% of a conservation project cost, once every five years. Total grants received cannot exceed 15% of the assessed value of the property, determined at the time of application, for a period of 15 years. Additional information is included in Financial Capacity of this report, and full terms and conditions are available through www.calgary.ca/heritage.

Alberta Culture and Tourism operates a Provincial-level grant program, providing matching funds to owners of historic sites under terms and conditions established by the Alberta Historical Resources Foundation (available online through www.culturetourism.alberta.ca). The designation of a property as a Municipal Historic Resource qualifies a property owner to apply for up to \$50,000 per year in Provincial matching funds, as opposed to a one-time grant of \$5000 available to non-designated sites.

It is unknown when, or if, a property owner will apply for incentives. Administration provides owners with information about all applicable incentive programs for their properties, and does not guarantee grant funds prior to approving a funding application. Furthermore, owners are made aware that both grant programs are commonly fully-subscribed, and funds may not be available at the time of application.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Glenwood Manor is being proposed for designation as a Municipal Historic Resource. The property was first added to the Inventory of Evaluated Historic Resources in 1995, and has been determined as a property of “City Wide” significance. Using the framework of the Council-approved Historic Resource Evaluation System, the heritage value of Glenwood Manor includes:

- Person Value – being associated with notable Calgarians who resided there, including oil tycoon Samuel Nickle, City Councillors Pansy Pue and Elaine Husband, Industrial Coordinator of Calgary Power Ltd., Captain E.H. Parsons, and notable entrepreneur Lou Doll all lived in Glenwood Manor.
- Style Value – as a prominent and excellent example of eclectic Georgian Revival architecture with unique Spanish and Arts and Crafts influence.
- Symbolic Value – representing the wealth and success in Calgary during the late 1920s through its high-quality construction and details.

The property owners have requested designation of the property as a Municipal Historic Resource to protect the property in perpetuity and to make the property eligible for conservation grant funding from the City of Calgary *Historic Resource Conservation Grant Program*.

DESIGNATION OF GLENWOOD MANOR AS A MUNICIPAL HISTORIC RESOURCE

Glenwood Manor has been designated as a Provincial Historic Resource since 1997, with existing access to grants at the Provincial level through the Alberta Historical Resources Foundation.

Designation of Glenwood Manor at the Municipal level offers an additional layer of protection to a significant Historic Resource, and provides the owners with access to another funding source when making repairs and rehabilitations as required. Beyond its existing status as a Provincial Historic Resource, Municipal Designation grants Administration a decision-making role in future changes and conservation, working alongside Provincial Conservation Advisors. 17 sites on Calgary's Heritage Inventory have both Municipal and Provincial protection.

The proposed bylaw (Attachment 1) identifies the elements of the property that contribute to its heritage value and must be treated appropriately in any future changes or conservation work.

Stakeholder Engagement, Research and Communication

The owner of Glenwood Manor requested Municipal Historic Resource designation 2016 December 19.

Per the Alberta Historical Resources Act, a 'Notice of Intention' to designate the property must be issued to the property owner sixty (60) days prior to passage of a designation bylaw by Council (anticipated Council decision on 2017 November 13). A notice was issued 2017 August 22 via registered mail, with a postage receipt indicating delivery 2017 August 24.

All twelve condominium owners of Glenwood Manor reviewed the proposed designation bylaw throughout spring 2017, and have expressed in writing that they are in agreement with it being presented to the SPC on Planning and Urban Development, and Council (Attachment 2).

The Calgary Heritage Authority has expressed support of this proposed designation as outlined in Attachment 3 to this report.

Strategic Alignment

Council priorities outlined in The City's *2015 – 2018 Action Plan* include the fostering of "A city of inspiring neighbourhoods". Historic resources are an integral component of such neighbourhoods and their retention contributes to the diversity and character of their surroundings.

The City of Calgary *Municipal Development Plan* supports the conservation and protection of Calgary's historic resources. The plan identifies historic preservation as part of good city building and community identity, and encourages property owners to conserve Calgary's historic resources.

The City of Calgary *2020 Sustainability Direction* includes an objective for Calgary to become a "diverse and socially inclusive city that respects its heritage and the arts," as well as a strategy to "support the preservation of Calgary's historic resources".

The City's *Calgary Heritage Strategy* (2008) recommends that identified historic resources should be protected by designation bylaws, when possible, to ensure their preservation. This

DESIGNATION OF GLENWOOD MANOR AS A MUNICIPAL HISTORIC RESOURCE

protection prevents demolition, provides appropriate management of physical interventions and is critical to ensuring effective management of historic resources.

Social, Environmental, Economic (External)

Social

Historic resources connect us to our past, our future, and to each other. They provide places of learning and places of understanding for all Canadians. Historic resources are integral to the identity of our community and help to strengthen its distinctiveness. Historic resources add to the beauty, character and visual interest of our urban environment, which contribute to the city's liveability and are sources of community pride.

Environmental

The preservation of historic places capitalizes on their embodied energy. Re-using existing resources requires a much smaller expenditure of materials and energy than demolishing and reconstructing a city's building stock.

Economic (External)

Historic resources add character and visual interest to a streetscape, increasing the attractiveness of the area to investors. Designation of historic resources ensures these attributes are protected, and the resulting certainty promotes high-quality investment. Additionally, tourists and residents are attracted to areas with historic resources.

Financial Capacity

Current and Future Operating Budget:

Designation of Glenwood Manor will have no operating budget implications for The City of Calgary.

Designation will make the property eligible to apply to The City of Calgary's Heritage Conservation Grant Program, funded through an existing reserve administered by Heritage Planning, which receives \$225,000 per year from the Planning & Development budget. Until 2022, \$85,000 of this total is allocated to an existing grant agreement with the Lougheed Building (FCS2004-20, approved 2004 March 22). The unsubscribed balance is available to eligible applicants on a 'first-come/first-serve' basis. Designated heritage resources may apply to the grant program once every five years (as needed), for matching funds up to 50% of a conservation project cost. Total grants received cannot exceed 15% of the assessed value of the property, determined at the time of application, for a period of 15 years. As of the writing of this report, the grant program reserve is close to being fully subscribed. Applicants may still submit grant requests at any time, which will be held in queue until such time as grant funds become available.

Current and Future Capital Budget:

Designation of Glenwood Manor will have no capital budget implications for The City of Calgary.

Risk Assessment

No risks have been identified in designating Glenwood Manor as a Municipal Historic Resource. The property owner is in agreement with the proposed designation, which does not affect

DESIGNATION OF GLENWOOD MANOR AS A MUNICIPAL HISTORIC RESOURCE

activities in the building or on the property, allows the owner to retain all rights to the individual enjoyment of their property, and does not prevent the property from being sold.

The Heritage Conservation Grant Program risks under-serving historic property owners if reserve funding does not increase in some proportion to the number of designated properties. A lack of available funding may discourage some owners from applying for designation.

REASON(S) FOR RECOMMENDATION(S):

The property is identified on Calgary's Inventory of Evaluated Historic Resources, as a site of 'City-wide Significance' for its Person, Style and Symbolic value, making it eligible for designation as a Municipal Historic Resource.

The owners of the property have formally requested designation. Protecting Calgary's historic resources is an identified objective of The City.

ATTACHMENT(S)

1. Proposed Bylaw 43M2017
2. Bylaw Agreement from Owners
3. Calgary Heritage Authority Letter of Support

BYLAW NUMBER 43M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO DESIGNATE GLENWOOD MANOR
AS A MUNICIPAL HISTORIC RESOURCE**

WHEREAS the *Historical Resources Act*, R.S.A. 2000 c. H-9, as amended (the “Act”) permits The City of Calgary Council (“City Council”) to designate real property as a Municipal Historic Resource whose preservation City Council considers to be in the public interest because of its heritage value;

AND WHEREAS the owners of Glenwood Manor have been given sixty (60) days written notice of the intention to pass this Bylaw in accordance with the *Act*;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as “City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. “Glenwood Manor” comprises a Georgian Revival Apartment Building dating from 1928 and is located at 904 Memorial Dr. N.W., legally described as Condominium Plan 8110119; Units 1-12 as shown on attached Schedule “A”.
3. Glenwood Manor is hereby designated as a Municipal Historic Resource as defined in the *Act*.
4. The heritage value of Glenwood Manor is hereby described in the attached Schedule “B”.
5. The specific elements of Glenwood Manor possessing heritage value are hereby known as the Regulated Portions (the “Regulated Portions”). The Regulated Portions are specifically described or identified in the attached Schedule “C”.

PERMITTED REPAIRS AND REHABILITATION

6. a) The Regulated Portions of Glenwood Manor, as described or identified in Schedule “C” shall not be removed, destroyed, disturbed, altered, rehabilitated, repaired or otherwise permanently changed, other than routine preservation and maintenance work, without prior written approval from City Council, or the person appointed by City Council as the Approving Authority for the purposes of administration of Section 26 of the *Act*. Any alteration, rehabilitation, repair or change to the Regulated Portions must be in accordance with the terms of the Parks Canada 2010 publication Standards and Guidelines for the Conservation of Historic Places in Canada, (the “*Standards and Guidelines*”), as referenced and summarized in the attached Schedule “D”.

PROPOSED BYLAW NUMBER 43M2017

- b) All portions of Glenwood Manor, which are not described or identified as a Regulated Portion in Schedule “C” are hereby known as the Non-regulated Portions (the “Non-regulated Portions”). The Non-regulated Portions are not subject to the Standards and Guidelines and may be rehabilitated, altered or repaired, provided that such rehabilitation, alteration, and repair does not negatively impact the Regulated Portions or adversely affect the historical, contextual or landmark character of the property, and that all the other permits required to do such work have been obtained.

COMPENSATION

7. No compensation pursuant to Section 28 of the *Act* is owing.

EXECUTION OF DOCUMENTS

8. Any employees of The City of Calgary who exercise land use and heritage planning powers and duties are hereby authorized to execute such documents as may be necessary to give effect to this Bylaw.

SCHEDULES

9. The schedules to this Bylaw form a part of it.
10. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

PROPOSED BYLAW NUMBER 43M2017

SCHEDULE "A"



904 Memorial Drive NW



PROPOSED BYLAW NUMBER 43M2017

SCHEDULE “B”

Description:

Glenwood Manor, built in 1928, is a three-storey red-brick clad masonry and concrete apartment building designed in an eclectic style – drawing from the Georgian Revival, and incorporating Spanish and Arts & Crafts influences. The U-shaped plan of the building has maintained 12 units throughout its history, which function present-day as condominiums. Glenwood Manor is located on a prominent corner lot along Memorial Drive in Sunnyside, and is visible from the Peace Bridge.

Heritage Value:

Rich and of high quality, built with the latest amenities of the time – Glenwood Manor is a symbolic reminder of the economic prosperity Calgary enjoyed during the late 1920s. From its opening in 1928, Glenwood Manor established itself as a premier location for Calgary’s emerging upper-middle class, and remains a particularly fine and well-preserved monument to a period of early local success.

Bolstered by a new Imperial Oil refinery, industry consolidation and the opening of the Royalite #4 “Wonder Well” in Turner Valley, Calgary’s budding oil industry found a period of confidence in the 1920s before the onset of the Great Depression. Demand for housing increased, particularly in neighbourhoods with vacant lots from the collapse of the pre-war construction boom (1909-13). Just north of the Bow River, the Boulevard stretch of Sunnyside presented an opportunity to cater to “a newly rich city” with the development of luxury properties offering riverfront views. Glenwood Manor was designed and built by engineer Andrew Murdoch, and was advertised to beneficiaries of success at the time – boasting Fridgidaire, filtered water and the choice of electric or gas cooking (even promising a never-built billiards room in the basement). Despite opening at the onset of the Great Depression, Glenwood Manor catered to professionals and entrepreneurs for decades, before finally suffering lower rent and higher vacancies in the 1970s as Sunnyside fell into decline.

Builder and first owner Andrew Murdoch lived in Glenwood Manor, as did notable Calgarians that contribute to its city-wide heritage value. Future oil magnate Sam Nickle resided there from 1939-41, just prior to his explorations in Turner Valley and following substantial success. Two Aldermen (Councillors) stayed in Glenwood Manor during different eras: Elaine Husband in the 1980s, and Pansy Pue in the late 1960s and early 1970s. Pue additionally served as Provincial Conservative Secretary, and was only the second woman to hold the position of Alderman. Less celebrated but notable in their time, Lou Doll, an entrepreneur of local renown, and Captain E.H. Parsons, Industry Coordinator for Calgary Power Ltd. all lived in Glenwood Manor apartments.

The architectural style of Glenwood Manor is significant city-wide as a Georgian Revival-based expression of eclecticism in Calgary. Along with its sister building, Donegal Mansions, this prominent and well-maintained structure broadcasts the popularity of eclectic styles in the early 20th Century, and the ‘modern’ way that various revival architectures were combined and streamlined for desired effect.

Glenwood Manor’s strong symmetry is characteristic of the Georgian Revival, with window fenestration aligned vertically and horizontally across the front façade. Glenwood is organized in a U-Shaped plan, atypical of the Georgian Revival, but congruent with the symmetry used in that stylization. Red-brick cladding, the simple classical style porticoes found on both wings, and its hipped roof are also consistent with the Georgian Revival. Not uncommonly, the more high-

PROPOSED BYLAW NUMBER 43M2017

style elements of Georgian architecture – dentils, balustrades, pilasters – were omitted in this eclectic building, and there is a clear blending of contemporary influences. The eaves of Glenwood Manor project over the façade in a manner typical of the concurrently popular Prairie style, and the building's roof is clad in metal tile patterned after the then-fashionable Spanish Revival. Detailing for the front entrances and hallways adopts Arts and Crafts motif, with oak and Douglas fir woodwork, and decorative leaded glass. Additionally, three of the exterior walls of Glenwood Manor feature brick panels with inset art stone created by the T.A. Bell Company.

Character Defining Elements:

The exterior character-defining elements of Glenwood Manor include but are not limited to its:

- Corner lot siting with wide and deep front lawn and gardens;
- Two-storey form and massing on a raised basement; u-shaped plan comprised of two self-contained wings with parallel projecting bays and individual porticoes; three mid-height chimneys arranged symmetrically (central and one per wing);
- Masonry and mill construction with textured red-brick cladding in simple stretcher bond on board-formed rusticated concrete foundation; textured red-brick chimneys with recessed caps; cast concrete window sills and lintels;
- Low-pitched hipped roof with deep Prairie style eaves and wood soffits; Spanish galvanized metal roof tiles;
- Rear three-level wood veranda/fire escape with plain balusters; elevator shaft (enclosed within veranda) clad in wooden drop-siding containing a wood-frame elevator car;
- Inlaid cast concrete 'GLENWOOD' plaque centered on front elevation; three decorative brickwork panels with central art stone;
- Symmetrical Georgian Revival fenestration pattern; original four-, six- and eight-over-one hung wood sash windows with storm sashes; second-storey leaded glass window panels in transom configuration (two);
- Iron fence surrounding property on south, east and west edges; textured red-brick fence pillars with concrete base and ornamental concrete caps; and
- Oak entry doors with leaded glass and surrounds; transom lights.

The interior character-defining elements of Glenwood Manor include but are not limited to its:

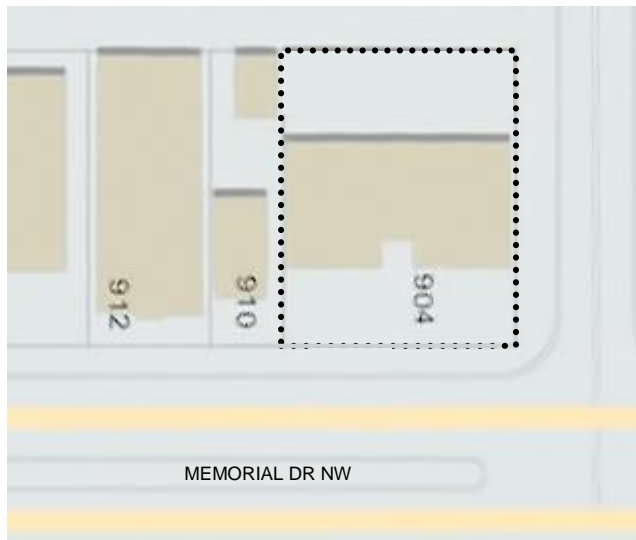
- Woodwork in common areas including oak staircases, balustrades, baluster caps and casings in raised basement and first storey, Douglas fir on second-storey; in-unit wooden detailing including flooring, casings, mantles, built-in living room bookcases with half-height pilasters and decorative arched ceiling beams;
- Unglazed porcelain tile work including 'GLENWOOD' inlay at main entrances and in-unit bathroom tile with border decoration;
- In-unit fireplaces with decorative brick surrounds; and
- Cast-iron radiators; original door and window hardware.

SCHEDULE "C"

REGULATED PORTIONS

1.0 Context, Orientation and Placement

- The placement of the building on the parcel of land as shown in Image #1.1; and
- The 1059.1 square-meters of land which comprises the entire parcel, and specifically its soft-landscaping character including a wide and deep front lawn and gardens.



(Image #1.1 – Building orientation and placement on parcel)

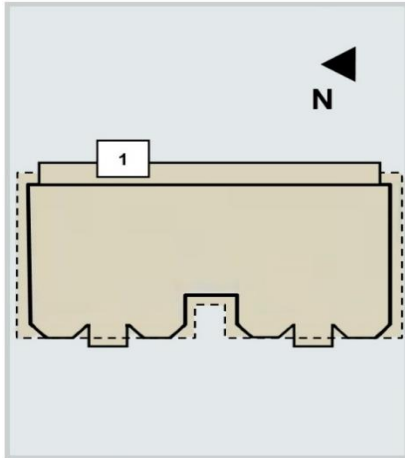
2.0 Exterior

- The two-storey form and massing on a raised basement; u-shaped plan comprised of two self-contained wings with parallel projecting bays and individual porticoes; three mid-height chimneys arranged symmetrically (central and one per wing) (Image #2.1, Images #2.2-2.6);
- The masonry and mill construction with textured red-brick cladding in simple stretcher bond on board-formed rusticated concrete foundation (Image #2.3); textured red-brick chimneys with recessed caps (Image #2.8); cast concrete window sills and lintels;
- Low-pitched hipped roof with deep Prairie style eaves and wood soffits (Image #2.8); Spanish galvanized metal roof tiles (Image #2.2, Image #2.12);
- The inlaid cast concrete 'GLENWOOD' plaque centered on front elevation (Image #2.8); three decorative brickwork panels with central art stone (Image #2.9);
- The symmetrical Georgian Revival fenestration pattern (Image #2.2); original four-, six- and eight-over-one hung wood sash windows with storm sashes (Image #2.7); second-storey leaded glass window panels in transom configuration (two) (Image #2.10);

PROPOSED BYLAW NUMBER 43M2017

- The oak entry doors with leaded glass and surrounds; transom lights (Image #2.11);
- The rear three-level wood veranda/fire escape with plain balusters¹ (Image #2.1, Item 1; Images #2.12-2.13); elevator shaft (enclosed within veranda) clad in wooden drop-siding including a wood-frame elevator car; and
- The iron fence surrounding the property on the south and east borders with textured red-brick fence pillars on concrete bases and ornamental concrete caps (Image #2.15).

¹ Windows and interior configuration of rear veranda/fire escape are non-regulated



(Image #2.1 – Building form of Glenwood Manor, rear veranda/fire escape indicated by the “1”)



(Image #2.2 – South façade of Glenwood Manor)

PROPOSED BYLAW NUMBER 43M2017



(Image #2.3 – East façade of Glenwood Manor)



(Image #2.4 – East and north façades of Glenwood Manor)

PROPOSED BYLAW NUMBER 43M2017



(Image #2.5 – North façade of Glenwood Manor)



(Image #2.6 – North and west façades of Glenwood Manor)

PROPOSED BYLAW NUMBER 43M2017



(Image #2.7 – Red-brick exterior in simple stretcher bond, concrete window sills and lintels and one of three decorative panels)



(Image #2.8 – Centre of u-shaped plan, showing deep eaves and wood soffits, GLENWOOD MANOR inset panel)

PROPOSED BYLAW NUMBER 43M2017



(Image #2.9 – Detail of decorative panel with inset art stone and dark brick surround)



(Image #2.10 – One of two transom window arrangements with leaded glass)

PROPOSED BYLAW NUMBER 43M2017



(Image #2.11 – Entry door and surround with transom configuration and leaded glass)



(Image #2.12 – North and east elevations, showing rear veranda/fire escape and galvanized Spanish metal roof tile)

PROPOSED BYLAW NUMBER 43M2017



(Image #2.13 – Present form of rear veranda/fire escape showing plain balusters. Windows and interior configuration non-regulated)



(Image #2.14 – Iron fence with brick support columns)

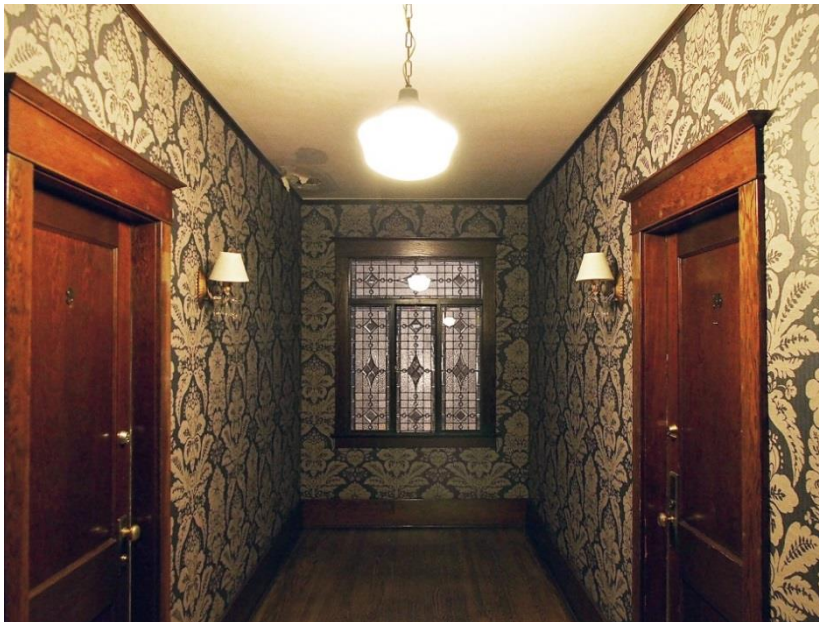
PROPOSED BYLAW NUMBER 43M2017

3.0 Interior

- The oak and fir woodwork in common areas including vestibules, staircases, balustrades, flooring, and casings (oak primarily at entrance and on first-storey; fir in raised basement, and on second-story and attic-level) (Images #3.1-3.4); and
- The unglazed porcelain tile in vestibules with 'GLENWOOD' inlay (Image #3.5).



(Image #3.1 – Common hallway on first-storey, showing typical oak woodwork details)



(Image #3.2 – Common hallway on second-storey, showing typical fir woodwork details, and oak flooring)

PROPOSED BYLAW NUMBER 43M2017



(Image #3.3 – Typical oak detailing on newel post and door casing)



(Image #3.4 – Typical fir detailing on newel post and door casing)



(Image #3.5 – Example of decorative 'GLENWOOD' tile work)

SCHEDULE “D”

The primary purpose of the Standards and Guidelines is to provide guidance to achieve sound conservation practice. They are used to assess proposed changes to designated Municipal Historical Resources and form the basis for review and assessment for the approved rehabilitation program.

The Standards and Guidelines were developed by Parks Canada and were formally adopted by The City of Calgary in 2005. They provide a philosophical consistency for project work; and while neither technical nor case-specific, they provide the framework for making essential decisions about those features of a historic place, which should be maintained and cannot be altered.

The *Standards* listed below and the referenced *Guidelines* shall apply to the Regulated Portions and any rehabilitation or maintenance work undertaken with respect to them at any time.

The Standards

Definitions of the terms in italics below are set forth in the Introduction of the Standards and Guidelines. In the event of a conflict between the italicized terms below and those in the Standards and Guidelines, the latter shall take precedence. The Standards are not presented in a sequential or hierarchical order, and as such, equal consideration should be given to each. All Standards for any given type of treatment must therefore be applied simultaneously to a project.

General Standards (all projects)

1. Conserve the *heritage value* of a *historic place*. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not move a part of a *historic place* if its current location is a *character-defining element*.
2. Conserve changes to a *historic place* which, over time, have become *character-defining elements* in their own right.
3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other *historic places* or other properties or by combining features of the same property that never coexisted.
5. Find a use for a *historic place* that requires minimal or no change to its *character defining elements*.
6. Protect and, if necessary, stabilize a *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any *intervention*. Respect *heritage value* when undertaking an *intervention*.
8. Maintain *character-defining elements* on an ongoing basis. Repair *character-defining elements* by reinforcing their materials using recognized conservation methods. Replace in

PROPOSED

BYLAW NUMBER 43M2017

kind any extensively deteriorated or missing parts of *character-defining elements*, where there are surviving prototypes.

9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible and identifiable upon close inspection and document any *intervention* for future reference.

Additional Standards Relating to Rehabilitation

10. Repair rather than replace *character-defining elements*. Where *character-defining elements* are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
11. Conserve the *heritage value* and *character-defining elements* when creating any new additions to a *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the *historic place*.
12. Create any new additions or related new construction so that the essential form and integrity of a *historic place* will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

13. Repair rather than replace *character-defining elements* from the restoration period. Where *character-defining elements* are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

Guidelines

The full text of the *Standards and Guidelines* is available online through www.historicplaces.ca, or from:

Parks Canada National Office
25 Eddy Street
Gatineau, Quebec K1A 0M5

Combined Bylaw Agreements from Owners

#9.3.1
PUD2017-0657
ATTACHMENT 2

Special Resolution of the Owners:

Condominium Plan no. 8110119 passed effective this _____ day of June, A.D. 2017.

Owner of Unit 1

Unit Factor No. 779

Asa an Owner of the above noted Unit being part of Condominium Plan No. 8110119, I HEREBY CAST MY VOTE as a Special Resolution giving full authority to adopt the attached proposed By-Laws as By-Laws of Owners Condominium Plan No. 8110119, I acknowledge that the attached By-Laws shall come into force on the date on which they are registered pursuant to the Land Titles Act.

DENISE LONGPRE' WADE

Name of Owner (Printed)

D Longpre Wade

Signature

CHRISTOPHER J. WADE

Name of Owner (Printed)

CJ Wade

Signature



Date 4 May 2017

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 2

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

Katharine Collins

Name of Owner (Printed)

K Collins

Signature

Sean Collins

Name of Owner (Printed)

Se Collins

Signature



Date April 30, 2017

(908) Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 3

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

Dan Stante

Name of Owner (Printed)

[Signature]

Signature

Morgan Stante

Name of Owner (Printed)

[Signature]

Signature



Date 2-MAY-2017

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 4

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

ALEXANDER MUNRO

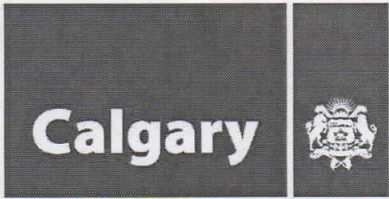
Name of Owner (Printed)



Signature

Name of Owner (Printed)

Signature



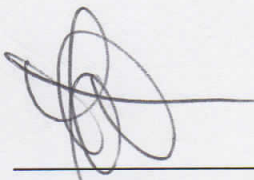
Date April 27, 2017

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 5

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

CAREY ARNETT

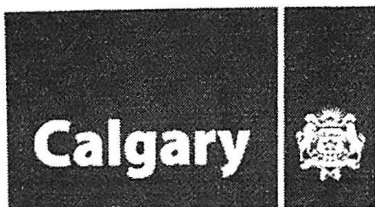
Name of Owner (Printed)



Signature

Name of Owner (Printed)

Signature



Date JUNE 15/17

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 6

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

Kelly Geslaman

Name of Owner (Printed)

Signature

Name of Owner (Printed)

Signature



Date April 27/17

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 7

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

Ann Levey
Name of Owner (Printed)

[Signature]
Signature

Name of Owner (Printed)

Signature



Date 26/04/17

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 8

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

DERIATEMAN

Name of Owner (Printed)

Signature

Name of Owner (Printed)

Signature



Date April 27/17

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 9

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

Douglas Rix

Name of Owner (Printed)

Douglas Rix

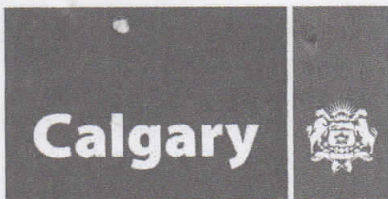
Signature

Deborah Ferguson

Name of Owner (Printed)

Deborah Ferguson

Signature



Date April 27, 2017

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 10

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

CAREY ARNETT

Name of Owner (Printed)

A handwritten signature in blue ink, consisting of a large, stylized 'C' and 'A' followed by a horizontal line.

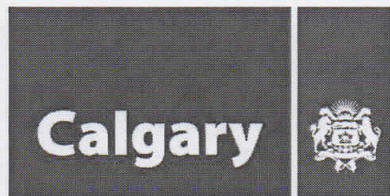
Signature

JAMES SOMERVILLE

Name of Owner (Printed)

A handwritten signature in blue ink, consisting of a stylized 'J' and 'S' followed by a horizontal line.

Signature



Date APRIL 27 / 17

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 11

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

SAND STANTE

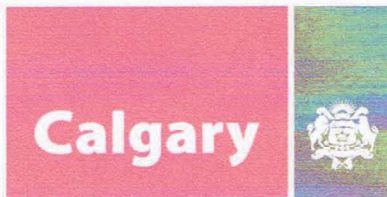
Name of Owner (Printed)

Signature

minette Stante

Name of Owner (Printed)

Signature



Date MAY 20 2017

Glenwood Manor
904 Memorial Drive N.W.
Plan 8110119
Unit 12

As an owner at the indicated address and requesting party of municipal designation, I hereby declare that, having read the proposed *City of Calgary Bylaw to Designate Glenwood Manor as a Municipal Historic Resource*, I am in agreement with its content being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

Stephen Massicotte

Name of Owner (Printed)

Stephen Massicotte

Signature

Name of Owner (Printed)

Signature



August 17, 2017

Dear Members of Planning & Urban Development:

Re: Designation of Glenwood Manor as a Municipal Historic Resource

The Calgary Heritage Authority (CHA), in accordance with its role to advise Council and Administration on heritage matters in the City of Calgary, would like to take this opportunity to support the designation of the Glenwood Manor located in Sunnyside as a Municipal Historic Resource.

The Glenwood Manor listed on the CHA *Inventory of Evaluated Historic Resources* as a City Wide Historic Resource.

Glenwood Manor, built in 1928, is a three-storey red-brick clad masonry and concrete apartment building designed in an eclectic style - drawing from the Georgian Revival, and incorporating Spanish and Arts & Crafts influences. The u-shaped plan of the building has maintained 12 units throughout its history, which function present-day as condominiums (1981 conversion). Glenwood Manor is located on a prominent corner lot along Memorial Drive in Sunnyside, and is visible from the Peace Bridge.

Thank-you for your thoughtful consideration on this matter, should you or your staff require more information please contact our executive director, Josh Traptow at josh@calgaryheritageauthority.com.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Heard".

Pam Heard
Chair, Calgary Heritage Authority



CALGARY HERITAGE AUTHORITY, P.O. Box 75065 CAMBRIAN, CALGARY, AB T2K 6J8
INFO@CALGARYHERITAGEAUTHORITY.COM | WWW.CALGARYHERITAGEAUTHORITY.COM

DESIGNATION OF THE ARNELL BLOCK AND THE SMITH (COZZUBBO) RESIDENCE AS A MUNICIPAL HISTORIC RESOURCE

EXECUTIVE SUMMARY

The Arnell Block and the Smith (Cozzubbo) Residence are proposed for designation as Municipal Historic Resources under Section 26 of the Alberta Historical Resources Act.

In 2015, the Arnell Block and Smith (Cozzubbo) Residence were protected by an agreement between the City of Calgary and the property owner, contingent on the passage of land use re-designation bylaw 32D2015. As a condition of the agreement, the owner acknowledged that a future designation bylaw would be brought before Council at the discretion of the City of Calgary. Administration is now seeking to fulfil a condition of the existing agreement, and designate these two sites as Municipal Historic Resources.

Designation offers legal protection to an evaluated historic resource, preserving it for the future and making the owner eligible for financial assistance in maintaining the property through existing Municipal and Provincial incentive programs.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Planning and Urban Development recommends that Council give three readings to the proposed bylaw to designate the Arnell Block and the Smith (Cozzubbo) Residence as Municipal Historic Resources.

RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2017 SEPTEMBER 13:

That Council give three readings to Bylaw 44M2017.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2008 February 4 Combined Meeting of Council, through LPT2007-64, Council adopted the Calgary Heritage Strategy. The approved content of the Strategy states that significant historic resources “can and should be protected through designation bylaws”.

At the 2015 March 9 Combined Meeting of Council, bylaw 32D2015 was passed (CPC2015-034). This made effective a protection agreement between the City of Calgary and the owner of the Arnell Block and the Smith (Cozzubbo) Residence, executed 2015 March 3.

BACKGROUND

Existing Protection Agreement

The Arnell Block and the Smith (Cozzubbo) Residence – commonly known as the ‘Kensington Starbucks’, and ‘Kensington Pub’ – are two adjacent Edwardian brick structures built in 1911. These sites were listed on the Inventory of Evaluated Historic Resources in 2014-2015 as sites of ‘Community Significance’.

In 2015, the owner of the Arnell Block and the Smith (Cozzubbo) Residence sought land use re-designation of a different, nearby grouping of properties along Memorial Drive (1134-1160

DESIGNATION OF THE ARNELL BLOCK AND THE SMITH (COZZUBBO) RESIDENCE AS A MUNICIPAL HISTORIC RESOURCE

Memorial DR NW). The proposed re-designation for those Memorial Drive sites was from M-CGd72 to a Direct Control district to facilitate additional development on that land. In negotiations with Administration, the owner offered designation of the Arnell Block and the Smith (Cozzubbo) Residence (on Kensington Road), to offset the impact of increased development along Memorial Drive on the overall historic fabric of Hillhurst.

As it is not possible to guarantee approval of land use re-designations in advance of Calgary Planning Commission and Council, situations of this kind require a provisional mechanism for protecting the interests of both parties. The City of Calgary seeks assurance that the resources will receive heritage designation, and the property owner does not wish to accept legal protection of a property prior to land use approval.

To resolve this issue, both parties entered an agreement specifying that the two historic properties in Kensington would be brought before Council for designation as a Municipal Historic Resource contingent on approval of the land use re-designation along Memorial Drive NW (the agreement also protected the sites in the period before a designation bylaw could be brought before Council). Calgary Planning Commission recommended (CPC2015-034) that Council give first and second readings to the land use re-designation bylaws, but:

“WITHHOLD third reading pending the Municipal Historic Designation of the two heritage buildings, or until any other *appropriate mechanism (executed agreement)* is in place to ensure such designation will be executed.” (Emphasis)

Following Calgary Planning Commission, an agreement was executed between the owner and the City of Calgary to fulfil this recommendation and protect the Arnell Block and the Smith (Cozzubbo) Residence – becoming effective on the condition that Council approved land use re-designation bylaw 32D2015. Following Council's approval of this bylaws 2015 March 9, the agreement has effective, with acknowledgement in the agreement that a future designation bylaw will be brought before Council.

With the land use re-designation completed, and bylaw 32D2015 passed, Administration is now seeking to bring the designation bylaw forward to the SPC on Planning and Urban Development, and Council.

General Information on Designation Bylaws and Heritage Grant Programs

Conserving historic buildings through legal protection is an internationally recognized best-practice in heritage planning, and is supported by the Calgary Heritage Strategy and Calgary Municipal Development Plan. Legal protection in Alberta is achieved through designating sites as Municipal and/or Provincial Historic Resources, enabled by the Alberta Historical Resources Act.

As part of the designation process, the Alberta Historical Resources Act (Section 28[1]) specifies that Municipalities must compensate property owners for any decreased economic value related to designation. To avoid incurring this cost, Administration only moves to

DESIGNATION OF THE ARNELL BLOCK AND THE SMITH (COZZUBBO) RESIDENCE AS A MUNICIPAL HISTORIC RESOURCE

designate sites as Municipal Historic Resources if the property owner consents and waives any compensation associated with the Act, or if Council has otherwise directed the designation.

Prior to being designated, a property must be included on Calgary's Inventory of Evaluated Historic Resources, a growing list of significant local heritage sites. The Inventory is maintained by the Calgary Heritage Authority, a Council-appointed advisory board comprised of members of the public, which evaluates potential Inventory sites and advises Council on heritage-related matters. Properties suggested for inclusion on the Inventory are researched and evaluated according to the Calgary Historic Resource Evaluation System. To date, there are 839 sites on the Inventory of Evaluated Historic Resources, including 70 sites that have been demolished. Property owners may choose to designate for a variety of reasons, including an interest in preservation. Additionally, a variety of incentives for designation are offered at the Municipal and Provincial level, including heritage conservation grant programs, and incentives through the planning approvals process.

The City of Calgary operates a heritage conservation grant program, offering matching funds for projects to restore, preserve or rehabilitate character-defining elements of a privately-owned, designated historic resource. The grant program is funded through an existing reserve receiving \$225,000 per year from the Planning & Development budget. Currently 59 of the 769 existing sites on the Inventory are eligible to apply for grant funding through this program. Applicants can apply for up to 50% of a project cost, once every five years. Total grants received cannot exceed 15% of the assessed value of the property, determined at the time of application, for a period of 15 years. Additional information is included in Financial Capacity of this report, and full terms and conditions are available through www.calgary.ca/heritage.

Alberta Culture and Tourism operates a Provincial-level grant program, providing matching funds to owners of historic sites under terms and conditions established by the Alberta Historical Resources Foundation (available online through www.culturetourism.alberta.ca). The designation of a property as a Municipal Historic Resource qualifies a property owner to apply for up to \$50,000 per year in Provincial matching funds, as opposed to a one-time grant of \$5000 available to non-designated sites.

It is unknown when, or if, a property owner will apply for incentives. Administration provides owners with information about all applicable incentive programs for their properties, and does not guarantee grant funds prior to approving a funding application. Furthermore, owners are made aware that both grant programs are commonly fully-subscribed, and funds may not be available at the time of application.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The Arnell Block and the Smith (Cozzubbo) Residence are being proposed for designation as Municipal Historic Resources. The two adjacent sites (on the same land parcel) were added to the Inventory of Evaluated Historic Resources in 2014-15 by the Calgary Heritage Authority, after being determined as properties of "Community" significance. Using the framework of the Council-approved Historic Resource Evaluation System, the heritage value of the Arnell Block and the Smith (Cozzubbo) Residence includes:

DESIGNATION OF THE ARNELL BLOCK AND THE SMITH (COZZUBBO) RESIDENCE AS A MUNICIPAL HISTORIC RESOURCE

Arnell Block

- Activity value – with early commercial functions as a grocery store and café that formed an integral part of the commercial retail character of Hillhurst's two main shopping streets.
- Style value – characteristic of the Edwardian Commercial-style architecture once common in Hillhurst.
- Symbolic value – representing the early development of Hillhurst, and recalling the high-street character of Kensington Road resulting from its role as a streetcar route from 1909-1950.

Smith (Cozzubbo) Residence

- Symbolic value – representing the early development of Hillhurst as a distinctly working-class suburb with modest but attractive houses such as the Smith (Cozzubbo) Residence.
- Style value – as a high-quality example of Edwardian Cottage-style architecture with an uncommon brick veneer exterior. While modest in size, the brick veneer exterior gives the cottage a high quality finish.
- Landmark value – being part of the well-known and highly prominent Kensington Pub, a neighbourhood institution, as well as its placement near the busy intersection of Kensington Rd and 10A St. NW.

The property owner has consented through an existing agreement with the City of Calgary to a bylaw being brought before Council to designate the two sites as Municipal Historic Resources. Designation would formalize protection for the properties, and make them eligible for conservation grant funding from the City of Calgary *Historic Resource Conservation Grant Program*, and the Alberta Historical Resources Foundation *Heritage Preservation Partnership Program*.

Specific to this agreement, the owner received a benefit of increased density at the 1134-1160 Memorial Dr NW development site (LOC2013-0063) in exchange, in part, for consenting to protect the Arnell Block and the Smith (Cozzubbo) Residence as Municipal Historic Resources at the discretion of Council. If a density transfer incentive program is introduced in the Hillhurst / Sunnyside community in the future, these two historic resources will be precluded from transferring unused density.

The proposed bylaw (Attachment 1) identifies the elements of the two sites that contribute to their heritage value and must be treated appropriately in any future changes or conservation work.

Stakeholder Engagement, Research and Communication

A legal agreement between the City of Calgary and the owners of the Arnell Block and the Smith (Cozzubbo) Residence was executed 2015 March 3, stating "The Owners expressly agree that the designating bylaw will be presented to City Council at The City's discretion."

DESIGNATION OF THE ARNELL BLOCK AND THE SMITH (COZZUBBO) RESIDENCE AS A MUNICIPAL HISTORIC RESOURCE

Per the Alberta Historical Resources Act, a 'Notice of Intention' to designate the property must be issued to the property owner sixty (60) days prior to passage of a designation bylaw by Council (anticipated Council decision 2017 November 13). A notice was hand-delivered 2017 September 1, with the owner signing to confirm delivery.

The owner of the Arnell Block and the Smith (Cozzubbo) Residence has reviewed the proposed designation bylaw and expressed in writing that they are in agreement with it being presented at the SPC on Planning and Urban Development, and Council, as referenced in Attachment 2. The Calgary Heritage Authority has expressed support for this proposed designation as outlined in Attachment 3 to this report.

Strategic Alignment

Council priorities outlined in The City's *2015 – 2018 Action Plan* include the fostering of "A city of inspiring neighbourhoods". Historic resources are an integral component of such neighbourhoods and their retention contributes to the diversity and character of their surroundings.

The City of Calgary *Municipal Development Plan* supports the conservation and protection of Calgary's historic resources. The plan identifies historic preservation as part of good city building and community identity, and encourages property owners to conserve Calgary's historic resources.

The City of Calgary *2020 Sustainability Direction* includes an objective for Calgary to become a "diverse and socially inclusive city that respects its heritage and the arts," as well as a strategy to "support the preservation of Calgary's historic resources".

The City's *Calgary Heritage Strategy* (2008) recommends that identified historic resources should be protected by designation bylaws, when possible, to ensure their preservation. This protection prevents demolition, provides appropriate management of physical interventions and is critical to ensuring effective management of historic resources.

Social, Environmental, Economic (External)

Social

Historic resources connect us to our past, our future, and to each other. They provide places of learning and places of understanding for all Canadians. Historic resources are integral to the identity of our community and help to strengthen its distinctiveness. Historic resources add to the beauty, character and visual interest of our urban environment, which contribute to the city's liveability and are sources of community pride.

Environmental

The preservation of historic places capitalizes on their embodied energy. Re-using existing resources requires a much smaller expenditure of materials and energy than demolishing and reconstructing a city's building stock.

Economic (External)

DESIGNATION OF THE ARNELL BLOCK AND THE SMITH (COZZUBBO) RESIDENCE AS A MUNICIPAL HISTORIC RESOURCE

Historic resources add character and visual interest to a streetscape, increasing the attractiveness of the area to investors. Designation of historic resources ensures these attributes are protected, and the resulting certainty promotes high-quality investment. Additionally, tourists and residents are attracted to areas with historic resources.

Financial Capacity

Current and Future Operating Budget:

Designation of the Arnell Block and the Smith (Cozzubbo) Residence will have no operating budget implications for The City of Calgary.

Designation will make the properties eligible to apply to the City of Calgary's Heritage Conservation Grant Program, funded through an existing reserve administered by Heritage Planning, which receives \$225,000 per year from the Planning & Development budget. Until 2022, \$85,000 of this total is allocated to an existing grant agreement with the Lougheed Building (FCS2004-20, approved 2004 March 22). The unsubscribed balance is available to eligible applicants on a 'first-come/first-serve' basis. Designated heritage resources may apply to the grant program once every five years (as needed), for matching funds up to 50% of a conservation project cost. Total grants received cannot exceed 15% of the assessed value of a property, determined at the time of application, for a period of 15 years. As of the writing of this report, the grant program reserve is close to being fully subscribed. Applicants may still submit grant requests at any time, which will be held in queue until such time as grant funds become available.

Current and Future Capital Budget:

Designation of the Arnell Block and the Smith (Cozzubbo) Residence will have no capital budget implications for The City of Calgary.

Risk Assessment

No risks have been identified in designating the Arnell Block and the Smith (Cozzubbo) Residence as Municipal Historic Resources. The property owner has previously consented to a designation bylaw being brought before Council, which does not affect activities in the buildings or on the property, allows the owner to retain all rights to the individual enjoyment of their property, and does not prevent the property from being sold.

The Heritage Conservation Grant Program risks under-serving historic property owners if reserve funding does not increase in some proportion to the number of designated properties. A lack of available funding may discourage some owners from applying for designation.

REASON(S) FOR RECOMMENDATION(S):

The properties are identified on Calgary's Inventory of Evaluated Historic Resources as sites of 'Community Significance' for Activity, Landmark, Style and Symbolic value, making the Arnell Block and the Smith (Cozzubbo) Residence eligible for designation as Municipal Historic Resources.

**DESIGNATION OF THE ARNELL BLOCK AND THE SMITH (COZZUBBO) RESIDENCE AS
A MUNICIPAL HISTORIC RESOURCE**

Discretion to bring a designation bylaw before Council is provided in an existing agreement between the property owner and the City of Calgary. Protecting Calgary's historic resources is an identified objective of The City.

ATTACHMENT(S)

1. Proposed Bylaw 44M2017
2. Bylaw Agreement from Owner
3. Calgary Heritage Authority Letter of Support

BYLAW NUMBER 44M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO DESIGNATE THE ARNELL BLOCK AND
THE SMITH (COZZUBBO) RESIDENCE
AS MUNICIPAL HISTORIC RESOURCES**

WHEREAS the *Historical Resources Act*, R.S.A. 2000 c. H-9, as amended (the “Act”) permits The City of Calgary Council (“City Council”) to designate real property as a Municipal Historic Resource whose preservation City Council considers to be in the public interest because of its heritage value;

AND WHEREAS the owners of the Arnell Block and the Smith (Cozzubbo) Residence have been given sixty (60) days written notice of the intention to pass this Bylaw in accordance with the *Act*;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as “City of Calgary Bylaw to Designate the Arnell Block and the Smith (Cozzubbo) Residence as Municipal Historic Resources”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The “Arnell Block and the Smith (Cozzubbo) Residence” as shown on attached Schedule “A” comprises:

The Arnell Block:

- a) A two-storey, red-brick, Commercial-style building dating from 1911;
- b) Located with a parcel address of 1126 Kensington Road NW, and a building address of 1122 Kensington Road NW, and legally described as Plan 5609J; Block D; Lots 5-10 EXCEPTING THEREOUT ALL MINES AND MINERALS (OUT OF LOTS 7, 8, AND 9); and

The Smith (Cozzubbo) Residence:

- a) A one-storey, red-brick, Edwardian cottage-style building dating from 1911;
- b) Located with a parcel address of 1126 Kensington Road NW, and a building address of 207 10A Street NW, and legally described as Plan 5609J; Block D; Lots 5-10 EXCEPTING THEREOUT ALL MINES AND MINERALS (OUT OF LOTS 7, 8, AND 9).

PROPOSED

BYLAW NUMBER 44M2017

3. The Arnell Block and the Smith (Cozzubbo) Residence are hereby designated as Municipal Historic Resources as defined in the *Act*.
4. The heritage value of the Arnell Block and the Smith (Cozzubbo) Residence are hereby described in the attached Schedule “B”.
5. The specific elements of the Arnell Block and the Smith (Cozzubbo) Residence possessing heritage value are hereby known as the Regulated Portions (the “Regulated Portions”). The Regulated Portions are specifically described or identified in the attached Schedule “C”.

PERMITTED REPAIRS AND REHABILITATION

6. a) The Regulated Portions of the Arnell Block and the Smith (Cozzubbo) Residence, as described or identified in Schedule “C” shall not be removed, destroyed, disturbed, altered, rehabilitated, repaired or otherwise permanently changed, other than routine preservation and maintenance work, without prior written approval from City Council, or the person appointed by City Council as the Approving Authority for the purposes of administration of Section 26 of the *Act*. Any alteration, rehabilitation, repair or change to the Regulated Portions must be in accordance with the terms of the Parks Canada 2010 publication Standards and Guidelines for the Conservation of Historic Places in Canada, (the “Standards and Guidelines”), as referenced and summarized in the attached Schedule “D”.
- b) All portions of the Arnell Block and the Smith (Cozzubbo) Residence, which are not described or identified as a Regulated Portion in Schedule “C” are hereby known as the Non-regulated Portions (the “Non-regulated Portions”). The Non-regulated Portions are not subject to the Standards and Guidelines and may be rehabilitated, altered or repaired, provided that such rehabilitation, alteration, and repair does not negatively impact the Regulated Portions or adversely affect the historical, contextual or landmark character of the property, and that all other permits required to do such work have been obtained.

COMPENSATION

7. No compensation pursuant to Section 28 of the *Act* is owing.

EXECUTION OF DOCUMENTS

8. Any employees of The City of Calgary who exercise land use and heritage planning powers and duties are hereby authorized to execute such documents as may be necessary to give effect to this Bylaw.

SCHEDULES

9. The schedules to this Bylaw form a part of it.

PROPOSED BYLAW NUMBER 44M2017

10. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

PROPOSED BYLAW NUMBER 44M2017

SCHEDULE "A"



Arnell Block and Smith (Cozzubbo) Residence



SCHEDULE "B"

ARNELL (SMITH) BLOCK

Description

The Smith Block, later known as the Hillhurst Block and Arnell Block, is a two-story, red-brick, Edwardian Commercial-style building located prominently on the corner of Kensington Road and 10A Street NW in the community of Hillhurst, Calgary.

Heritage Value

The Smith Block stands as a reminder of the early development phase of Hillhurst which began with the construction of the Louise Bridge built in 1906, (replaced in 1921) and the annexation of Hillhurst to the city in 1907. In 1911 Englishman John Smith built this mixed-use commercial building, along with a red-brick Edwardian cottage and a third, 1.5-storey, wood-frame structure directly to the north of the commercial building.

The Smith Block also recalls the early high-street character of Kensington Road, resulting from the street's role as a streetcar route from 1909-50. The Smith Block is an integral part of the nearby stock of other early commercial and institutional buildings including the Carscallen (1911), Hayden (1912), Irwin (1912) Blocks, the King George Masonic Hall (1926) & the Plaza Theatre (1928).

The commercial activities of the Smith Block contributed to the character of Hillhurst's commercial core. The businesses operating out of the Smith Block's divided commercial ground floor initially included a grocery from 1911-1914, and a real estate office from 1911-13. Subsequently, the building housed the Self-Serve Grocery Store and the Hillhurst Confectionary and Ice Cream Parlour, both owned by Salvatore and Rossaria Cozzubbo- among the first Italian immigrants in what was otherwise a largely British community. The ice cream parlour operated from 1921 until into the 1940's and subsequent businesses replacing the grocery store included a cobbler and a meat shop. By virtue of such commercial activity, it would have been an area retail focal point within this immigrant working-class community of labourers, mechanics, carpenters and others.

The Smith Block is representative of the Edwardian Commercial-style architecture in Hillhurst. It features a red-brick exterior, a wraparound storefront with large display windows and cornice and simple, straightforward proportions and detailing. Originally a recessed entry allowed access into each of the ground floor's commercial units, although the entry is now partially enclosed. The interior of the building is notable for its elaborately embossed tin ceilings and cornices on the ground floor.

Character-Defining Elements

The character-defining elements of the Smith Block include but are not limited to its:

- Two-storey rectangle form;
- Flat roof with straight brick parapets and cornice;
- Red-brick-clad façades;
- Wraparound storefront with symmetrical large plate-glass display, recessed entry and secondary cornice;
- Fenestration with arched windows (symmetrical on second floor);
- Elaborately embossed tin ceiling and cornices on ground floor interior; and
- Placement of the building on the property with no front set back.

SMITH (COZZUBBO) RESIDENCE

Description

The Smith (Cozzubbo) Residence, built in 1911, is a one-storey, red-brick, Edwardian Cottage-style building located at 207 10 A St NW; it is part of the larger parcel of 1126 Kensington Rd NW. The building now forms the northerly part of the Kensington Pub.

Heritage Value

The red-brick Smith (Cozzubbo) Residence was built in 1911 for John Smith, an English immigrant who, in the same year, also developed the two-storey, red-brick Smith (Arnell) Block on Kensington Road immediately to the south. Also in 1911 on the same lot between these two buildings, Smith constructed a third building, a one-and-one-half storey wood-frame residence, which later became a duplex and now forms part of the Kensington Pub. Smith died in 1911 though his widow Alma retained the property until 1922 and occupied the wood-frame residence between the two brick buildings.

The heritage value of the Smith (Cozzubbo) Residence stems from its Edwardian Cottage-style architecture, of which it is a high-quality example. The cottage-style residence is distinguished by its red-brick exterior (over a wood frame), diminutive scale, hipped roof, and symmetrical appearance. The red-brick finish of the cottage is uncommon in the community, distinguishing it from most houses in the area which were completely wood construction. While modest in size, the brick veneer exterior imbues the cottage with a high quality of finish.

Built just four years after the settlement of Hillhurst was annexed to become part of Calgary, the Smith (Cozzubbo) Residence also represents the early development phase of the community. The area was a distinctly working-class suburb comprising residents hailing from elsewhere in English-speaking Canada, or the British Isles that built and occupied modest but attractive houses, such as the Smith Residence. Early occupants of the house included carpenters, a teamster, salesmen and a tailor, all of British descent thus reflecting the community's early demographics. In 1924 the property was purchased by Salvatore and Rossaria Cozzubbo, who operated the Hillhurst Confectionery and Ice Cream Parlour in the Smith (Arnell) Block. Mrs. Cozzubbo occupied the house until 1952, twenty years after the death of her husband in 1932.

The house today is a landmark in the community being part of the well-known and highly prominent Kensington Pub, a neighbourhood institution. The balance of the Kensington Pub is the 1911 wood-frame residence (duplex) also built by John Smith. Although that portion of the pub features a highly-distinctive and attractive mock-Tudor style exterior on a historic building those finishes are not historic and date to only the 1990s. The house has a high level of visibility and prominence due to this association with the Kensington Pub and because of its placement near the busy commercial intersection of Kensington Rd and 10A St. NW.

Character-Defining Elements

The character-defining elements of the Smith (Cozzubbo) Residence include but are not limited to its:

- One-storey, rectangular form with hipped roof;
- Wood-frame construction with red-brick veneer exterior cladding;
- Symmetrical fenestration with segmental-arch window and doorway openings;
- Original placement on the property with no setback.

PROPOSED BYLAW NUMBER 44M2017

SCHEDULE "C"

REGULATED PORTIONS

1.0 South Façade – Arnell Block

1.1

- a) The red-brick façade (Photos 1.1, 1.2);
- b) The second-storey fenestration with segmental-arched windows (Photos 1.1, 1.2);
- c) First-storey storefront elements comprising the large display-window openings, central recessed entry bay and its pressed-metal ceiling, and the pressed-metal storefront cornice (Photos 1.1, 1.2, 1.3, 1.4).



(Photo 1.1: Oblique view of the south (and east) façade)

PROPOSED BYLAW NUMBER 44M2017



(Photo 1.2: 1985 photo showing south façade, including the historical appearance of the storefront, the corbelled roofline cornice, and brick window sills— courtesy Province of Alberta Heritage Survey Program 11-138 1985 P1)



(Photo 1.3: A portion of the pressed-metal storefront cornice)



(Photo 1.4: A portion of the pressed metal ceiling in the central recessed entry bay)

2.0 East Façade – Arnell Block

2.1

- a) The red-brick façade (Photos 2.1, 2.2);
- b) The first- and second-storey fenestration with segmental-arched windows (Photos 2.1, 2.2);
- c) A wraparound portion of the first-storey storefront comprising a long and narrow display-window opening and the pressed-metal storefront cornice (Photos 2.1, 2.2).



(Photo 2.1: East façade)



(Photo 2.2: 1985 photo showing an oblique view of the east façade – courtesy Province of Alberta Heritage Survey Program 11-138 1985 P2)

3.0 North Façade – Arnell Block

3.1

- a) The red-brick façade (Photo 3.1);
- b) The second-storey fenestration with segmental-arched windows (Photo 3.1).



(Photo 3.1: North façade, oblique view)

4.0 West Façade – Arnell Block

4.1

- a) The red-brick façade (Photo 4.1);



(Photo 4.1: West façade)

5.0 Interior Elements – Arnell Block

5.1

- a) The pressed-metal ceiling (and cornice mouldings) of the first-storey interior (Photo 5.1).



(Photo 5.1: Example of the pressed metal ceiling and cornice mouldings of the first-storey interior)

6.0 Form, Scale and Massing – Arnell Block

6.1

- a) The two-storey, flat roof, and rectangular form, scale and massing of the building.

7.0 Structural Integrity and Framework – Arnell Block

7.1

- a) The solid brick construction of the building's outer walls and original internal structural integrity and framework of the building (regulated with intent to preclude façadism).

PROPOSED BYLAW NUMBER 44M2017

8.0 East Façade – Smith (Cozzubbo) Residence

8.1

- a) The red-brick façade (above and not including the foundation) (Photo 8.1);
- b) The fenestration comprising segmental-arched windows and central doorway (Photo 8.1).



(Photo 8.1: East façade)

9.0 North Façade – Smith (Cozzubbo) Residence

9.1

- a) The red-brick façade (above and not including the foundation) (Photo 9.1);
- b) The fenestration comprising segmental-arched windows and central doorway (Photo 9.1).



(Photo 9.1: North façade)

10.0 Interior – Smith (Cozzubbo) Residence

10.1

- a) The westerly brick wall and its two segmental arched openings (formerly the exterior West façade wall) (Photos 10.1, 10.2).



(Photo 10.1: The westerly brick wall – formerly the exterior west façade)



(Photo 10.2: The westerly brick wall – formerly the exterior west façade)

11.0 Form, Scale and Massing – Smith (Cozzubbo) Residence

11.1

- a) The one-storey, hipped roof (east, north and west slopes – south slope is not extant), and rectangular form, scale and massing of the building (Photos 8.1, 9.1).

12.0 Contextual Elements - Arnell Block and Smith (Cozzubbo) Residence

12.1

- a) The undeveloped air space directly above the Arnell Block and the Smith (Cozzubbo) Residence (Photos 1.1, 8.1);
- b) The current (original) location of the Arnell Block and the Smith (Cozzubbo) Residence (see Schedule “A”).

SCHEDULE "D"

The primary purpose of the Standards and Guidelines is to provide guidance to achieve sound conservation practice. They are used to assess proposed changes to designated Municipal Historical Resources and form the basis for review and assessment for the approved rehabilitation program.

The Standards and Guidelines were developed by Parks Canada and were formally adopted by The City of Calgary in 2005. They provide a philosophical consistency for project work; and while neither technical nor case-specific, they provide the framework for making essential decisions about those features of a historic place, which should be maintained and cannot be altered.

The *Standards* listed below and the referenced *Guidelines* shall apply to the Regulated Portions and any rehabilitation or maintenance work undertaken with respect to them at any time.

The Standards

Definitions of the terms in italics below are set forth in the Introduction of the Standards and Guidelines. In the event of a conflict between the italicized terms below and those in the Standards and Guidelines, the latter shall take precedence. The Standards are not presented in a sequential or hierarchical order, and as such, equal consideration should be given to each. All Standards for any given type of treatment must therefore be applied simultaneously to a project.

General Standards (all projects)

1. Conserve the *heritage value* of a *historic place*. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not move a part of a *historic place* if its current location is a *character-defining element*.
2. Conserve changes to a *historic place* which, over time, have become *character-defining elements* in their own right.
3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other *historic places* or other properties or by combining features of the same property that never coexisted.
5. Find a use for a *historic place* that requires minimal or no change to its *character defining elements*.
6. Protect and, if necessary, stabilize a *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any *intervention*. Respect *heritage value* when undertaking an *intervention*.
8. Maintain *character-defining elements* on an ongoing basis. Repair *character-defining elements* by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of *character-defining elements*, where there are surviving prototypes.

9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible and identifiable upon close inspection and document any *intervention* for future reference.

Additional Standards Relating to Rehabilitation

10. Repair rather than replace *character-defining elements*. Where *character-defining elements* are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
11. Conserve the *heritage value* and *character-defining elements* when creating any new additions to a *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the *historic place*.
12. Create any new additions or related new construction so that the essential form and integrity of a *historic place* will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

13. Repair rather than replace *character-defining elements* from the restoration period. Where *character-defining elements* are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

Guidelines

The full text of the *Standards and Guidelines* is available online through www.historicplaces.ca, or from:

Parks Canada National Office
25 Eddy Street
Gatineau, Quebec K1A 0M5



September 1, 2017

DC Investments Inc.
300 1130 Kensington RD NW
Calgary, Alberta T2N 3P3

As owner of the Arnell Block and the Smith (Cozzubbo) Residence, and having expressly agreed to a Designating Bylaw being presented to City Council, I hereby declare that, having read the proposed *Bylaw to Designate The Arnell Block and the Smith (Cozzubbo) Residence as Municipal Historic Resources*, I understand its content, and am in agreement with it being presented at the Standing Policy Committee on Planning & Urban Development, and City Council.

Jennifer Dobbin

Name of Owner or Authorized
Representative (Printed)

J. Dobbin
Signature

Name of Owner or Authorized
Representative (Printed)

Signature



August 17, 2017

Dear Members of Planning & Urban Development:

Re: Designation of Smith (Cozzubbo) Residence as a Municipal Historic Resource

The Calgary Heritage Authority (CHA), in accordance with its role to advise Council and Administration on heritage matters in the City of Calgary, would like to take this opportunity to support the designation of the Smith (Cozzubbo) Residence located in Kensington as a Municipal Historic Resource.

The Smith (Cozzubbo) Residence listed on the CHA *Inventory of Evaluated Historic Resources* as a Community Historic Resource.

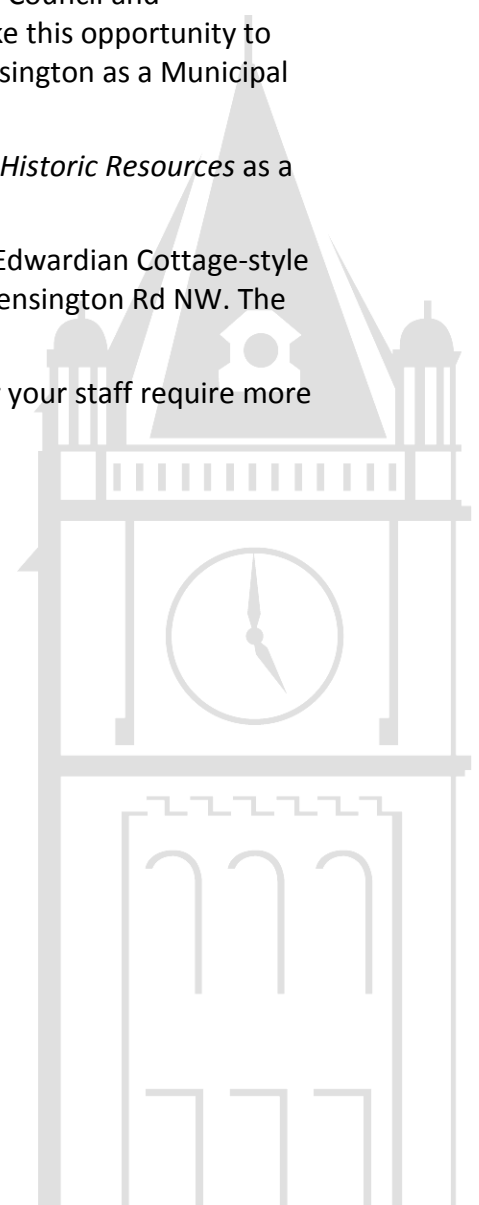
The Smith (Cozzubbo) Residence, built in 1911, is a one-storey, red-brick, Edwardian Cottage-style building located at 207 10 A St NW; it is part of the larger parcel of 1126 Kensington Rd NW. The building now forms the northerly part of the Kensington Pub.

Thank-you for your thoughtful consideration on this matter, should you or your staff require more information please contact our executive director, Josh Traptow at josh@calgaryheritageauthority.com.

Sincerely,

A handwritten signature in black ink that reads "P. Heard".

Pam Heard
Chair, Calgary Heritage Authority



CALGARY HERITAGE AUTHORITY, P.O. Box 75065 CAMBRIAN, CALGARY, AB T2K 6J8
INFO@CALGARYHERITAGEAUTHORITY.COM | WWW.CALGARYHERITAGEAUTHORITY.COM



August 17, 2017

Dear Members of Planning & Urban Development:

Re: Designation of Smith Block as a Municipal Historic Resource

The Calgary Heritage Authority (CHA), in accordance with its role to advise Council and Administration on heritage matters in the City of Calgary, would like to take this opportunity to support the designation of the Smith Block located in Kensington as a Municipal Historic Resource.

The Smith Block listed on the CHA *Inventory of Evaluated Historic Resources* as a Community Historic Resource.

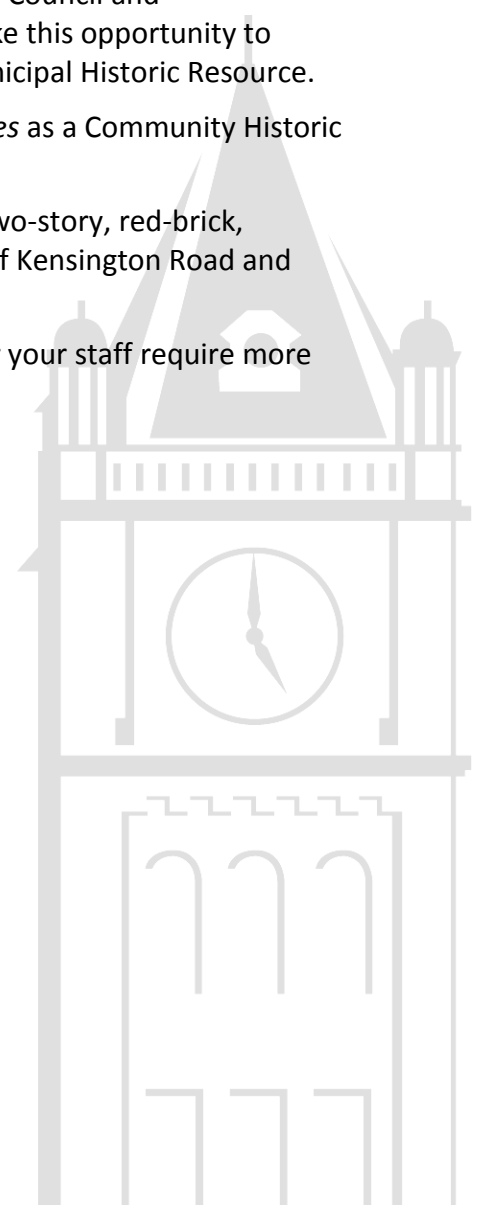
The Smith Block, later known as the Hillhurst Block and Arnell Block, is a two-story, red-brick, Edwardian Commercial-style building located prominently on the corner of Kensington Road and 10A Street NW in the community of Hillhurst, Calgary.

Thank-you for your thoughtful consideration on this matter, should you or your staff require more information please contact our executive director, Josh Traptow at josh@calgaryheritageauthority.com.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Heard", is written over a light grey rectangular background.

Pam Heard
Chair, Calgary Heritage Authority



CALGARY HERITAGE AUTHORITY, P.O. Box 75065 CAMBRIAN, CALGARY, AB T2K 6J8
INFO@CALGARYHERITAGEAUTHORITY.COM | WWW.CALGARYHERITAGEAUTHORITY.COM

DESIGNATION OF THE KING EDWARD SCHOOL AS A MUNICIPAL HISTORIC RESOURCE

EXECUTIVE SUMMARY

The King Edward School is proposed for designation as a Municipal Historic Resource under Section 26 of the Alberta Historical Resources Act.

In 2013, the King Edward School was protected by an agreement between the City of Calgary and the property owner as a component of the cSPACE King Edward project, contingent on the passage of land use re-designation bylaws 18D2013 and 19D2013. As a condition of the agreement, the owner acknowledged that a future designation bylaw would be brought before Council at the discretion of the City of Calgary. The property was also being subdivided as part of the overall development plan, and a proposed designation bylaw was intentionally delayed until after subdivision, to avoid requiring amendment to the bylaw. With subdivision complete, Administration is now seeking to fulfil a condition of the existing agreement, and designate this site as a Municipal Historic Resource.

Designation offers legal protection to an evaluated historic resource, preserving it for the future and making the owner eligible for financial assistance in maintaining the property through existing Municipal and Provincial incentive programs.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Planning and Urban Development recommends that Council give three readings to the proposed bylaw to designate the King Edward School as a Municipal Historic Resource.

RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2017 SEPTEMBER 13:

That Council give three readings to Bylaw 42M2017.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2008 February 4 Combined Meeting of Council, through LPT2007-64, Council adopted the Calgary Heritage Strategy. The approved content of the Strategy states that significant historic resources “can and should be protected through designation bylaws”.

At the 2013 February 11 Combined Meeting of Council, bylaws 18D2013 and 19D2013 were passed (CPC2013-017). This made effective a protection agreement between the City of Calgary and the owner of the King Edward School, executed 2013 February 7.

BACKGROUND

Existing Protection Agreement

The King Edward School, a pre-WWI sandstone school built 1912-1913 was first listed on the Inventory of Evaluated Historic Resources in 2001, and has been determined as a site of ‘City Wide Significance’.

DESIGNATION OF THE KING EDWARD SCHOOL AS A MUNICIPAL HISTORIC RESOURCE

In 2013, the property owner of the King Edward School sought land use re-designation of the site as part of the 'cSPACE' project, to accommodate additional development on the site including residential units, and adaptive re-use and additions to the heritage building. In negotiations with Administration, the owner offered designation of the historic resource to offset the impacts of increased development potential on the historic school building.

As it is not possible to guarantee approval of land use re-designations in advance of Calgary Planning Commission and Council, situations of this kind require a provisional mechanism for protecting the interests of both parties. The City of Calgary seeks assurance that the resource will receive heritage designation, and the property owner does not wish to accept legal protection of a property prior to land use approval.

To resolve this issue, both parties entered an agreement specifying that the property would be brought before Council for designation as a Municipal Historic Resource, contingent on approval of the land use re-designation (the agreement also protected the site in the period before a designation bylaw could be brought before Council). Calgary Planning Commission recommended (CPC2013-017) that Council give first and second readings to the land use re-designation bylaws, but:

"WITHHOLD third reading pending Municipal Historic Designation of the site or until *any other appropriate mechanism* to ensure such designation is in place, in accordance with the Corporate Planning Applications Group recommendation." (Emphasis)

Following Calgary Planning Commission, an agreement was executed between the owner and the City of Calgary to fulfil this recommendation and protect the King Edward School – becoming effective on the condition that Council approved land use re-designation bylaws 18D2013 and 19D2013. Following Council's approval of these bylaws 2013 February 11, the agreement has been effective, with acknowledgement in the agreement that a future designation bylaw will be brought before Council.

Development of a designation bylaw for the King Edward School was postponed by Administration pending subdivision as part of the 'cSPACE' development. Designation bylaws reference the legal description of a property, and a bylaw passed prior to subdivision would have required amendment at Council once the subdivision was completed. With subdivision completed, Administration is now seeking to bring the designation bylaw forward to the SPC on Planning & Urban Development, and Council.

General Information on Designation Bylaws and Heritage Grant Programs

Conserving historic buildings through legal protection is an internationally recognized best-practice in heritage planning, and is supported by the Calgary Heritage Strategy and Calgary Municipal Development Plan. Legal protection in Alberta is achieved through designating sites as Municipal and/or Provincial Historic Resources, enabled by the Alberta Historical Resources Act.

DESIGNATION OF THE KING EDWARD SCHOOL AS A MUNICIPAL HISTORIC RESOURCE

As part of the designation process, the Alberta Historical Resources Act (Section 28[1]) specifies that Municipalities must compensate property owners for any decreased economic value related to designation. To avoid incurring this cost, Administration only moves to designate sites as Municipal Historic Resources if the property owner consents and waives any compensation associated with the Act, or if Council has otherwise directed the designation.

Prior to being designated, a property must be included on Calgary's Inventory of Evaluated Historic Resources, a growing list of significant local heritage sites. The Inventory is maintained by the Calgary Heritage Authority, a Council-appointed advisory board comprised of members of the public, which evaluates potential Inventory sites and advises Council on heritage-related matters. Properties suggested for inclusion on the Inventory are researched and evaluated according to the Calgary Historic Resource Evaluation System. To date, there are 839 sites on the Inventory of Evaluated Historic Resources, including 70 sites that have been demolished.

Property owners may choose to designate for a variety of reasons, including an interest in preservation. Additionally, a variety of incentives for designation are offered at the Municipal and Provincial level, including heritage conservation grant programs, and incentives through the planning approvals process.

The City of Calgary operates a heritage conservation grant program, offering matching funds for projects to restore, preserve or rehabilitate character-defining elements of a privately-owned, designated historic resource. The grant program is funded through an existing reserve receiving \$225,000 per year from the Planning & Development budget. Currently 59 of the 769 existing sites on the Inventory are eligible to apply for grant funding through this program. Applicants can apply for up to 50% of a conservation project cost, once every five years. Total grants received cannot exceed 15% of the assessed value of the property, determined at the time of application, for a period of 15 years. Additional information is included in Financial Capacity of this report, and full terms and conditions are available through www.calgary.ca/heritage.

Alberta Culture and Tourism operates a Provincial-level grant program, providing matching funds to owners of historic sites under terms and conditions established by the Alberta Historical Resources Foundation (available online through www.culturetourism.alberta.ca). The designation of a property as a Municipal Historic Resource qualifies a property owner to apply for up to \$50,000 per year in Provincial matching funds, as opposed to a one-time grant of \$5000 available to non-designated sites.

It is unknown when, or if, a property owner will apply for incentives. Administration provides owners with information about all applicable incentive programs for their properties, and does not guarantee grant funds prior to approving a funding application. Furthermore, owners are made aware that both grant programs are commonly fully-subscribed, and funds may not be available at the time of application.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The King Edward School is being proposed for designation as a Municipal Historic Resource. The site was added to the Inventory of Evaluated Historic Resources in 2001 by the Calgary Heritage Authority, and has been determined as a property of 'City Wide Significance'. Using

DESIGNATION OF THE KING EDWARD SCHOOL AS A MUNICIPAL HISTORIC RESOURCE

the framework of the Historic Resource Evaluation System, the heritage value of the King Edward School includes:

- Symbolic value – representing Calgary’s increasing maturity and prosperity during the 1909-1913 boom, during which the city expanded into the suburb of South Calgary.
- Style value – as a characteristic example of the Free Classical sandstone schools built in Calgary before the First World War.
- Activity value – for its continuous role in education for nearly a century.
- Person value – associated with its first principal William Aberhart, later Premier of Alberta.
- Construction value – showcasing the wide-use of local sandstone among significant buildings in Calgary from the late 1800s to WWI.
- Landmark value – being a substantial feature in the community of South Calgary, establishing the dominant character of the area.

The property owner has consented through an existing agreement with the City of Calgary to a bylaw being brought before Council to designate the site as a Municipal Historic Resource. Designation would formalize protection for the property, and make it eligible for conservation grant funding from the City of Calgary *Historic Resource Conservation Grant Program*, and the Alberta Historical Resources Foundation *Heritage Preservation Partnership Program*.

The proposed bylaw (Attachment 1) identifies the elements of the property that contribute to its heritage value and must be treated appropriately in any future changes or conservation work.

Stakeholder Engagement, Research and Communication

An agreement between the City of Calgary and the owners of the King Edward School was executed 2013 February 7, stating “The Owners expressly agree that the Designating Bylaw will be presented to City Council at The City’s discretion.”

Per the Alberta Historical Resources Act, a ‘Notice of Intention’ to designate the property must be issued to the property owner sixty (60) days prior to passage of a designation bylaw by Council (anticipated Council decision on 2017 November 13). A notice will be issued 2017 September 11 or earlier, to be received by 2017 September 14.

The Calgary Heritage Authority has expressed support of this proposed designation as outlined in Attachment 2 to this report.

Strategic Alignment

Council priorities outlined in The City’s *2015 – 2018 Action Plan* include the fostering of “A city of inspiring neighbourhoods”. Historic resources are an integral component of such neighbourhoods and their retention contributes to the diversity and character of their surroundings.

The City of Calgary *Municipal Development Plan* supports the conservation and protection of Calgary’s historic resources. The plan identifies historic preservation as part of good city building and community identity, and encourages property owners to conserve Calgary’s historic resources.

DESIGNATION OF THE KING EDWARD SCHOOL AS A MUNICIPAL HISTORIC RESOURCE

The City of Calgary *2020 Sustainability Direction* includes an objective for Calgary to become a “diverse and socially inclusive city that respects its heritage and the arts,” as well as a strategy to “support the preservation of Calgary’s historic resources”.

The City’s *Calgary Heritage Strategy* (2008) recommends that identified historic resources should be protected by designation bylaws, when possible, to ensure their preservation. This protection prevents demolition, provides appropriate management of physical interventions and is critical to ensuring effective management of historic resources.

Social, Environmental, Economic (External)

Social

Historic resources connect us to our past, our future, and to each other. They provide places of learning and places of understanding for all Canadians. Historic resources are integral to the identity of our community and help to strengthen its distinctiveness. Historic resources add to the beauty, character and visual interest of our urban environment, which contribute to the city’s liveability and are sources of community pride.

Environmental

The preservation of historic places capitalizes on their embodied energy. Re-using existing resources requires a much smaller expenditure of materials and energy than demolishing and reconstructing a city’s building stock.

Economic (External)

Historic Resources add character and visual interest to a streetscape, increasing the attractiveness of the area to investors. Designation of historic resources ensures these attributes are protected, and the resulting certainty promotes high-quality investment. Additionally, tourists and residents are attracted to areas with historic resources.

Financial Capacity

Current and Future Operating Budget:

Designation of the King Edward School will have no operating budget implications for The City of Calgary.

Designation will make the property eligible to apply to The City of Calgary’s Heritage Conservation Grant Program, funded through an existing reserve administered by Heritage Planning, which receives \$225,000 per year from the Planning & Development budget. Until 2022, \$85,000 of this total is allocated to an existing grant agreement with the Lougheed Building (FCS2004-20, approved 2004 March 22). The unsubscribed balance is available to eligible applicants on a ‘first-come/first-serve’ basis. Designated heritage resources may apply to the grant program once every five years (as needed), for matching funds up to 50% of a conservation project cost. Total grants received cannot exceed 15% of the assessed value of a property, determined at the time of application, for a period of 15 years. As of the writing of this report, the grant program reserve is close to being fully subscribed. Applicants may still submit grant requests at any time, which will be held in queue until such time as grant funds become available.

DESIGNATION OF THE KING EDWARD SCHOOL AS A MUNICIPAL HISTORIC RESOURCE

Current and Future Capital Budget:

Designation of the King Edward School will have no capital budget implications for The City of Calgary.

Risk Assessment

No risks have been identified in designating the King Edward School as a Municipal Historic Resource. The property owner has previously consented to a designation bylaw being brought before Council, which does not affect activities in the building or on the property, allows the owner to retain all rights to the individual enjoyment of their property, and does not prevent the property from being sold.

The Heritage Conservation Grant Program risks under-serving historic property owners if reserve funding does not increase in some proportion to the number of designated properties. A lack of available funding may discourage some owners from applying for designation.

REASON(S) FOR RECOMMENDATION(S):

The property is identified on Calgary's Inventory of Evaluated Historic Resources as a site of 'City Wide Significance' for its Activity, Construction, Landmark, Person, Style and Symbolic value, making it eligible for designation as a Municipal Historic Resource.

Discretion to bring a designation bylaw before Council is provided in an existing agreement between the property owner and The City of Calgary. Protecting Calgary's historic resources is an identified objective of The City.

ATTACHMENT(S)

1. Proposed Bylaw 42M2017
2. Calgary Heritage Authority Letter of Support

BYLAW NUMBER 42M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO DESIGNATE THE KING EDWARD SCHOOL
AS A MUNICIPAL HISTORIC RESOURCE**

WHEREAS the *Historical Resources Act*, R.S.A. 2000 c. H-9, as amended (the “*Act*”) permits The City of Calgary Council (“City Council”) to designate real property as a Municipal Historic Resource whose preservation City Council considers to be in the public interest because of its heritage value;

AND WHEREAS the owners of the King Edward School have been given sixty (60) days written notice of the intention to pass this Bylaw in accordance with the *Act*;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as “City of Calgary Bylaw to Designate the King Edward School as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The “King Edward School” comprises a three-storey Queen Anne Revival style sandstone school built in 1912-13 and is located at 1721 29 Ave S.W., legally described as PLAN 1612680; BLOCK 30; LOT 47 EXCEPTING THEREOUT ALL MINES AND MINERALS as shown on attached Schedule “A”.
3. The King Edward School is hereby designated as a Municipal Historic Resource as defined in the *Act*.
4. The heritage value of the King Edward School is hereby described in the attached Schedule “B”.
5. The specific elements of the King Edward School possessing heritage value are hereby known as the Regulated Portions (the “Regulated Portions”). The Regulated Portions are specifically described or identified in the attached Schedule “C”.

PERMITTED REPAIRS AND REHABILITATION

6. a) The Regulated Portions of the King Edward School, as described or identified in Schedule “C” shall not be removed, destroyed, disturbed, altered, rehabilitated, repaired or otherwise permanently changed, other than routine preservation and maintenance work, without prior written approval from City Council, or the person appointed by City Council as the Approving Authority for the purposes of administration of Section 26 of the *Act*. Any alteration, rehabilitation, repair or change to the Regulated Portions must be in accordance with the terms of the Parks Canada 2010 publication Standards and Guidelines for the Conservation of Historic Places in Canada, (the “*Standards and Guidelines*”), as referenced and summarized in the attached Schedule “D”.

PROPOSED BYLAW NUMBER 42M2017

- b) All portions of the King Edward School, which are not described or identified as a Regulated Portion in Schedule "C" are hereby known as the Non-regulated Portions (the "Non-regulated Portions"). The Non-regulated Portions are not subject to the Standards and Guidelines and may be rehabilitated, altered or repaired, provided that such rehabilitation, alteration, and repair does not negatively impact the Regulated Portions or adversely affect the historical, contextual or landmark character of the property, and that all other permits required to do such work have been obtained.

COMPENSATION

7. No compensation pursuant to Section 28 of the *Act* is owing.

EXECUTION OF DOCUMENTS

8. Any employees of The City of Calgary who exercise land use and heritage planning powers and duties are hereby authorized to execute such documents as may be necessary to give effect to this Bylaw.

SCHEDULES

9. The schedules to this Bylaw form a part of it.
10. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

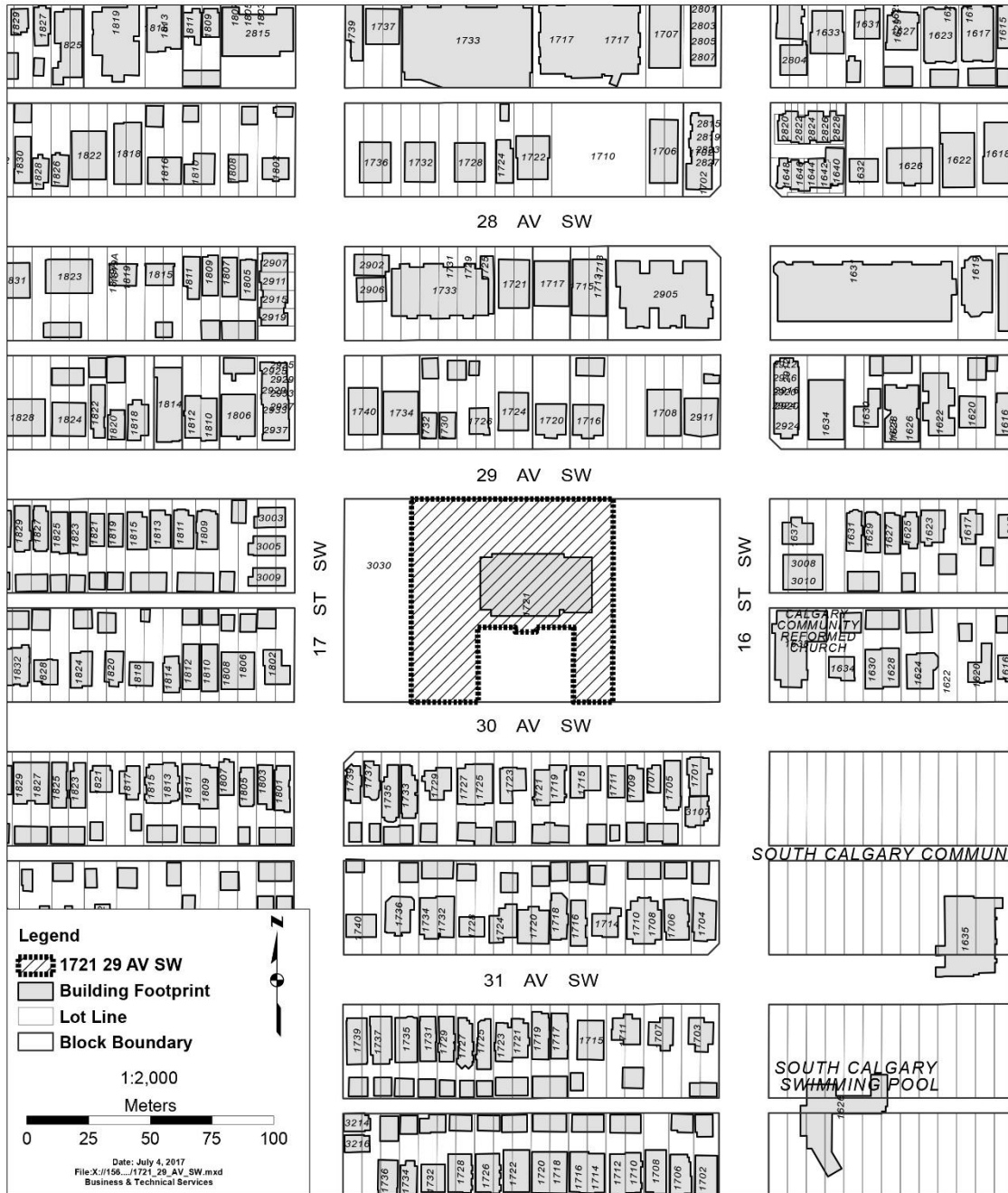
CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

PROPOSED BYLAW NUMBER 42M2017

SCHEDULE "A"



1721 29 AV SW



PROPOSED BYLAW NUMBER 42M2017

SCHEDULE “B”

Description

The King Edward School is a three-story sandstone structure built in 1912-1913. Its simplified Free Classical detailing includes an arched front entrance with Doric columns, a hipped roof with a large central cupola, and adjacent wings on either side featuring uniform rows of windows. The school is set on a prominent hilltop site in the residential community of South Calgary.

Heritage Value

King Edward School has heritage value as a typical example of the Free Classical style of sandstone schools constructed in Calgary prior to the First World War. Designed by Hugh McClelland, then Calgary's superintendent of school construction, King Edward School is a larger variation of the plan prepared for King George, Ramsay and Sunalta schools. The Free Classical style is expressed in the school's arched front entrance framed by smoothly finished sandstone voussoirs, Doric columns, and an entablature with '1912 KING EDWARD SCHOOL' inscription. The hipped roof features a pressed metal cornice and pediments, a large central cupola with flagpole, and a smaller cupola on the east wing. Originally symmetrical in appearance, the sandstone façade is defined by uniform rows of windows, which reinforce the overall restrained classical detailing of the structure.

King Edward School has further heritage value as a symbol of Calgary's increasing maturity and prosperity during the 1909-1913 real estate boom. The city began expanding southwest into the suburb of South Calgary after it was annexed in 1907. While the community developed slowly until the early 1950s, the substantial scale of King Edward School suggests the city's optimistic outlook at the time of its construction. Meanwhile, the use of choice building materials, including Paskapoo sandstone from the nearby Oliver Brothers quarry, reflects Calgary's growing sophistication and permanence just prior to the First World War.

Used for nearly a century by the Calgary Board of Education, King Edward School also has activity value associated with its role in education. It was one of some 20 sandstone schools built in Calgary between 1892 and 1920 to service a growing student population. The first principal from 1913 to 1915 was William Aberhart, later the Social Credit Premier of Alberta, which further contributes to the building's heritage significance. King Edward School housed both elementary grades and the South Calgary High School from 1918 to 1929. In 1931 it became the first school in Calgary to trial an intermediate (Junior High School) model, which was widely adopted in other schools by 1934.

In addition to its predominant use for education, the King Edward School also played an important community role. Military officers occupied the top floor of the building during the First World War, and the school's older male students received cadet training well into the interwar period. The building was often used as a venue for community dances and socials until the mid-1930s, and it became a temporary wartime location for the Calgary Normal School between 1940 and 1945. The Calgary Board of Education closed King Edward School in 2001 and, after briefly leasing it to the francophone school board, declared the building surplus in 2006.

Finally, the King Edward School has landmark value within the neighbourhood of South Calgary. Constructed on a hilltop site, the school stands out as a substantial structure that establishes the dominant character of the area. While South Calgary has evolved from a sparsely settled community into a dynamic inner city neighbourhood, the school remains a conspicuous and familiar structure within the area.

Character-Defining Elements

The exterior character-defining elements of the King Edward School include but are not limited to its:

- Sandstone façade cladding consisting of rock-faced sandstone laid in regular courses, with two inlaid plaques in sculptural relief on west façade;
- Fenestration throughout, including nine-pane, wooden-sash windows with three-pane transom lights; and six-pane, wooden-sash windows with two-pane transom lights;

PROPOSED BYLAW NUMBER 42M2017

- One-storey porch on south façade with rounded-arch, central entrance framed by smoothly finished sandstone voussoirs, engaged classical columns and entablature with '1912 KING EDWARD SCHOOL' inscription;
- Straight-flight main entrance steps with squared, paneled sandstone newels and closed balustrades;
- Secondary entrance porch of the west wing, north façade, with smoothly finished sandstone cladding and two doorway openings; the 'BOYS' inscription above the doors;
- Compound hipped roof with two wood-frame cupolas, each with louvered rounded-arch openings, polygonal bell-cast roofs, flagpole and a finial;
- Pressed metal cornice with brackets and block-modillion detailing; raked pressed-metal block-modillion cornices forming north and south façade pediments;
- Stone chimney (NE corner of three-storey portion of building);

The interior character-defining elements of the King Edward School include but are not limited to its:

- Classroom and corridor finishes throughout, including blackboards with casings, wood baseboards, chair rails, picture rails, and door casings;
- Decorative plaster features of the original auditorium comprising moulded ceiling beam brackets;
- Main entrance consisting of the porch interior with smoothly finished sandstone ashlar walls with dark mortar joints; and inner foyer; foyer features and finishes including the straight-flight stairs with slate treads and risers; white unglazed porcelain tile flooring with red Greek-key-pattern border; inner and outer foyer oak doorway assemblies with compound transom and fanlights; inner doorway containing paneled, oak, double doors with glazing; and

Side entrance ('BOYS' entrance - west wing) features and finishes comprising an inner and outer foyer; outer foyer with ashlar, sandstone walls with dark mortar-joints; wall between inner and outer foyer containing two doorway openings each surmounted by an interior window; decorative plaster inner-foyer ceiling arch; arched stairway opening; and enclosed straight-flight staircases.

PROPOSED BYLAW NUMBER 42M2017

SCHEDULE "C"

REGULATED PORTIONS

1.0 South Façade

The following elements are regulated:

- The sandstone façade cladding consisting of rock-faced sandstone laid in regular courses (Photo 1.2);
- The fenestration (window pattern); nine-pane, wooden-sash windows with 3-pane transom lights; and six-pane, wooden-sash windows with 2-pane transom lights. (Photos 1.2, 1.4, 1.5);
- The one-storey porch with a rounded-arch, central entrance framed by smoothly finished sandstone voussoirs, engaged classical columns and entablature with "1912 KING EDWARD SCHOOL" inscription (Photo 1.3); and
- Straight-flight entrance steps with squared, paneled sandstone newels and closed balustrades (Photo 1.3).



(Photo 1.1: South Façade – 1914 view showing original appearance)

PROPOSED BYLAW NUMBER 42M2017



(Photo 1.2: South Façade – contemporary additions/alterations are not regulated)



(Photo 1.3: South Façade – detail view of the main entrance porch)

PROPOSED BYLAW NUMBER 42M2017



(Photo 1.4: An example of the wooden-sash, nine-pane windows with three-pane transom lights)



(Photo 1.5: An example of the wooden-sash, six-pane windows with two-pane transom lights)

2.0 West Façade

The following elements are regulated:

- The sandstone façade cladding consisting of rock-faced sandstone laid in regular courses (contemporary addition and associated elements are not regulated) (Photo 2.2); and
- The two inlaid plaques in sculptural relief (Photos 2.2-2.4).



(Photo 2.1: West façade, showing contemporary addition under construction)



(Photo 2.2: Oblique view of west façade, under construction)



(Photo 2.3: West Façade, prior to construction of contemporary addition)



(Photo 2.4: Inlaid plaque on original west façade in sculptural relief, now concealed from exterior by contemporary addition)

PROPOSED BYLAW NUMBER 42M2017

3.0 North Façade

The following elements are regulated:

- The sandstone façade cladding consisting of rock-faced sandstone laid in regular courses (Photos 3.1, 3.2);
- The fenestration (window pattern); the profile of nine-pane, wooden-sash windows with three-pane transom lights (excluding the basement windows), and six-pane wooden-sash windows with two-pane transom lights (Photo 3.1, 1.4, 1.5); and
- The secondary entrance porch of the west wing with smoothly finished sandstone cladding and two doorway openings (originally open, but now enclosed); the “BOYS” inscription above the doors (Photo 3.3, 3.4).



(Photo 3.1: North Façade - new construction on the north façade, and west façade contemporary addition are not regulated)



(Photo 3.2: North Façade – detail view of the secondary 'BOYS' entrance porch)



(Photo 3.3: North Façade – detail view of 'BOYS' entrance porch)



(Photo 3.4: North Façade – detail view of 'BOYS' entrance inscription)

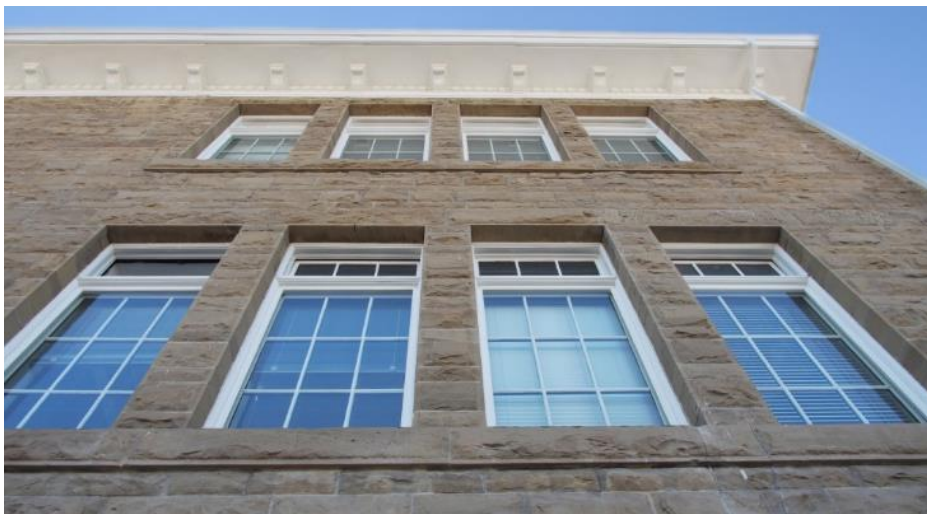
4.0 East Façade

The following elements are regulated:

- The sandstone façade cladding consisting of rock-faced sandstone laid in regular courses (Photo 4.1, 4.2); and
- The fenestration (window pattern); the profile of nine-pane wooden-sash windows with three-pane transom lights. (Photo 4.1, 4.2, 1.4, 1.5).



(Photo 4.1: East façade of the King Edward School)



(Photo 4.2: East façade – detail view of fenestration and windows on right side)

PROPOSED BYLAW NUMBER 42M2017

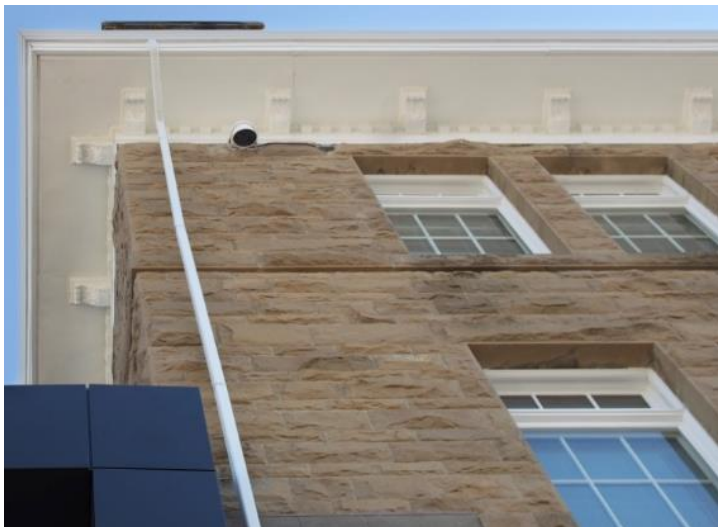
5.0 Roof Elements

The following elements are regulated:

- Compound hipped roof (Photos 1.2, 3.1);
- The two wood-frame cupolas each with louvered rounded-arch openings, polygonal bell-cast roofs, flagpole and finial (Photo 5.1);
- Pressed-metal cornice with brackets and block-modillion detailing; raked pressed-metal block-modillion cornices forming north and south façade pediments (Photo 5.2); and
- Stone chimney (relocated to northeast corner of the building) (Photos 3.1, 4.1).



(Photo 5.1: Roof elements – detail view showing the two extant cupolas)



(Photo 5.2: Roof elements – detail view showing a portion of the pressed-metal cornice)

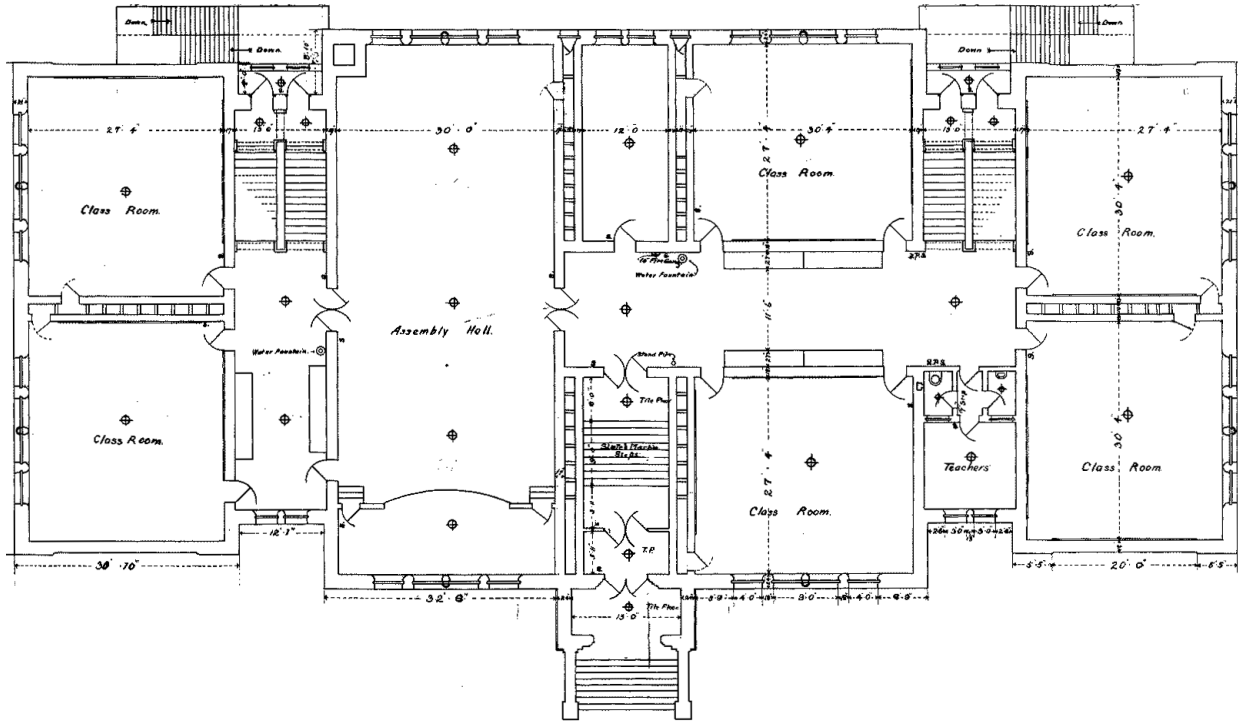
6.0 Interior Elements

6.1 First floor

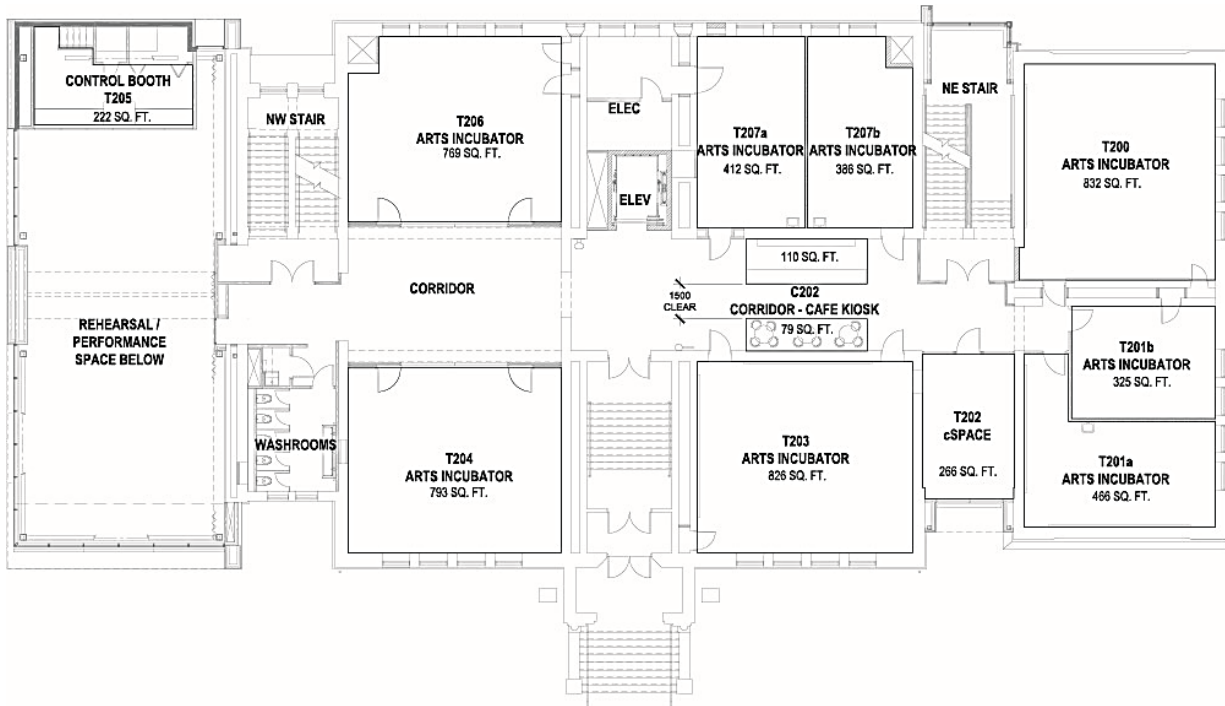
The following elements are regulated:

- Those features of the original floor plan / configuration that are also extant in the rehabilitation plan / configuration (Compare Images 6.1.01 & 6.1.0.2);
- Classroom and corridor finishes throughout including backboards with casings, wood baseboards, chair rails, picture rails, and door casings (Photos 6.1.03, 6.1.04, 6.1.05, 6.1.06, 6.1.07, 6.2.3);
- Decorative plaster features of the original auditorium comprising moulded ceiling beam brackets (Photo 6.1.05);
- Main entrance consisting of the porch interior (originally open) with smoothly finished sandstone ashlar walls with dark mortar joints; an inner foyer; foyer features and finishes including the straight-flight stairs with slate treads and risers; white unglazed porcelain tile flooring with red Greek-key-pattern border; inner and outer foyer oak doorway assemblies with compound transom and fanlights; inner doorway containing panelled, oak, double doors with glazing; (Photos 6.1.08, 6.1.09); and
- Side entrance ('BOYS' entrance - west wing) features and finishes comprising an inner and outer foyer; outer foyer with ashlar, sandstone walls with dark mortar-joints; wall between inner and outer foyer containing two doorway openings each surmounted by an interior window; decorative plaster inner-foyer ceiling arch; arched stairway opening; enclosed straight-flight staircases (Photos 6.1.10, 6.1.11).

PROPOSED BYLAW NUMBER 42M2017



(Image 6.1.01: First Floor – original plans)



(Image 6.1.02: First floor – rehabilitation plans)

PROPOSED BYLAW NUMBER 42M2017



(Photo 6.1.03: An example of classroom detailing/ finishes)



(Photo 6.1.04: View of tenant spaces from gallery, showing original woodwork, and contemporary materials)

PROPOSED BYLAW NUMBER 42M2017



(Photo 6.1.05: First Floor – former auditorium space showing plaster ceiling beams and decorative brackets)



(Photo 6.1.06: An example of door casings common throughout the building)



(Photo 6.1.07: An example of a paneled and glazed door and door casings common throughout the building)

PROPOSED BYLAW NUMBER 42M2017



(Photo 6.1.08: First Floor – Main entrance foyer showing patterned porcelain flooring and interior doorway assembly with transom lights and fanlights)



(Photo 6.1.09: First Floor - Main entrance porch and foyer showing ashlar sandstone wall finishes)



(Photo 6.1.10: First Floor – 'BOYS' side entrance stairwell showing finishes and features)



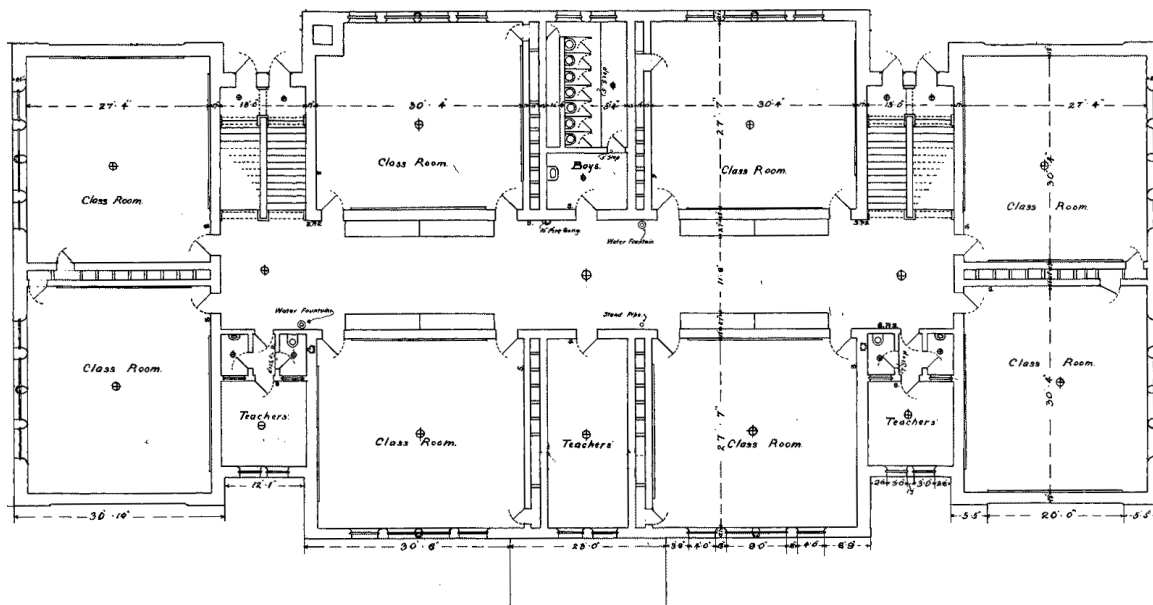
(Photo 6.1.11: First Floor - 'BOYS' side entrance showing outer foyer ashlar sandstone wall finish)

BYLAW NUMBER 42M2017

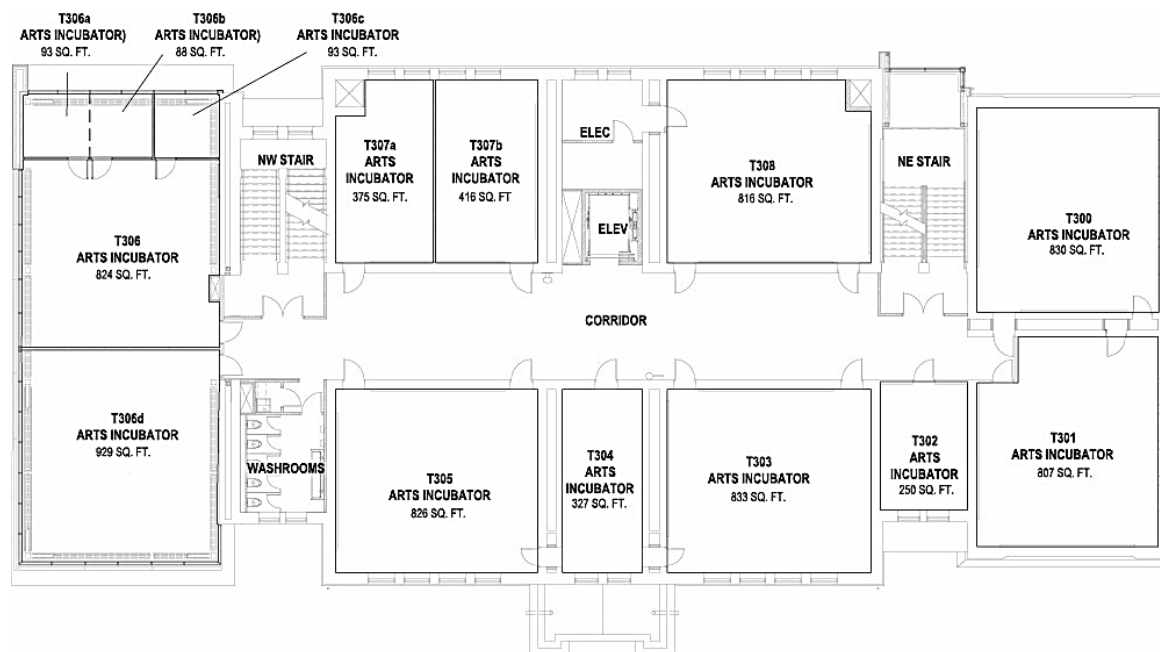
6.2 Second floor

The following elements are regulated:

- Those features of the original floor plan / configuration that are also extant in the rehabilitation plan / configuration (Compare Images 6.2.1 & 6.2.2); and
- Classroom and corridor finishes throughout including backboards with casings, wood baseboards, chair rails, picture rails, and door casings (Photos 6.1.03, 6.1.04, 6.1.05, 6.1.06, 6.1.07, 6.2.3, 6.2.4).



(Image 6.2.1: Second Floor – original plans)

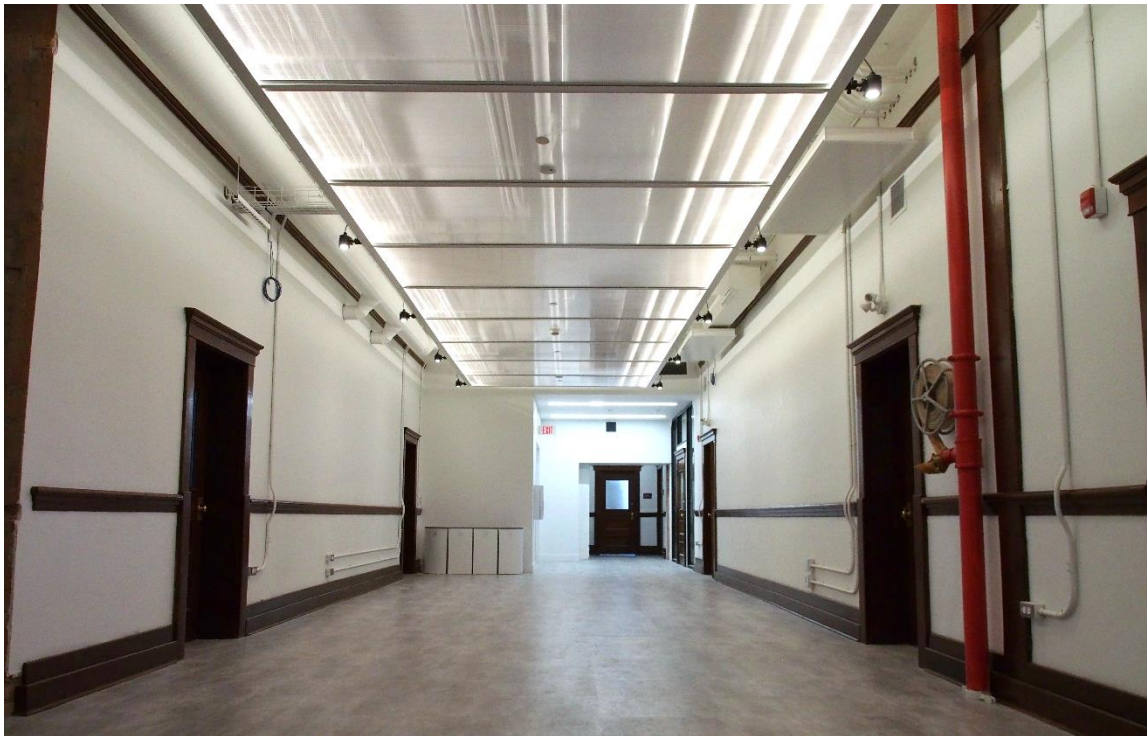


(Image 6.2.2: Second Floor – rehabilitation plans)

PROPOSED BYLAW NUMBER 42M2017



(Photo 6.2.3: An example of an upper floor corridor showing features and finishes)



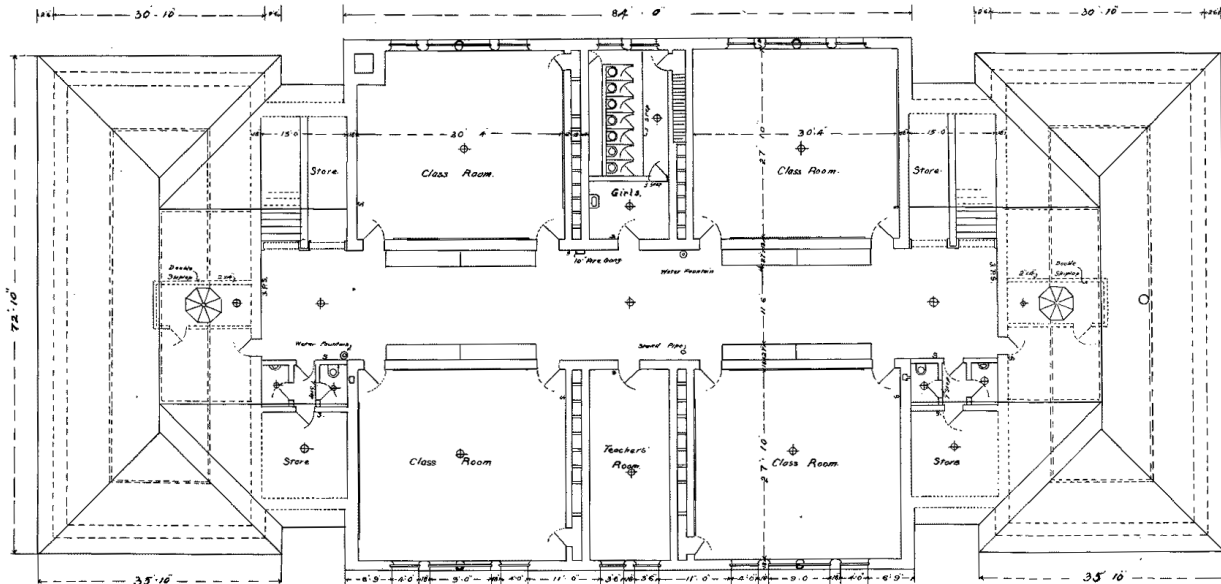
(Photo 6.2.4: An example of an upper floor corridor showing features and finishes)

PROPOSED BYLAW NUMBER 42M2017

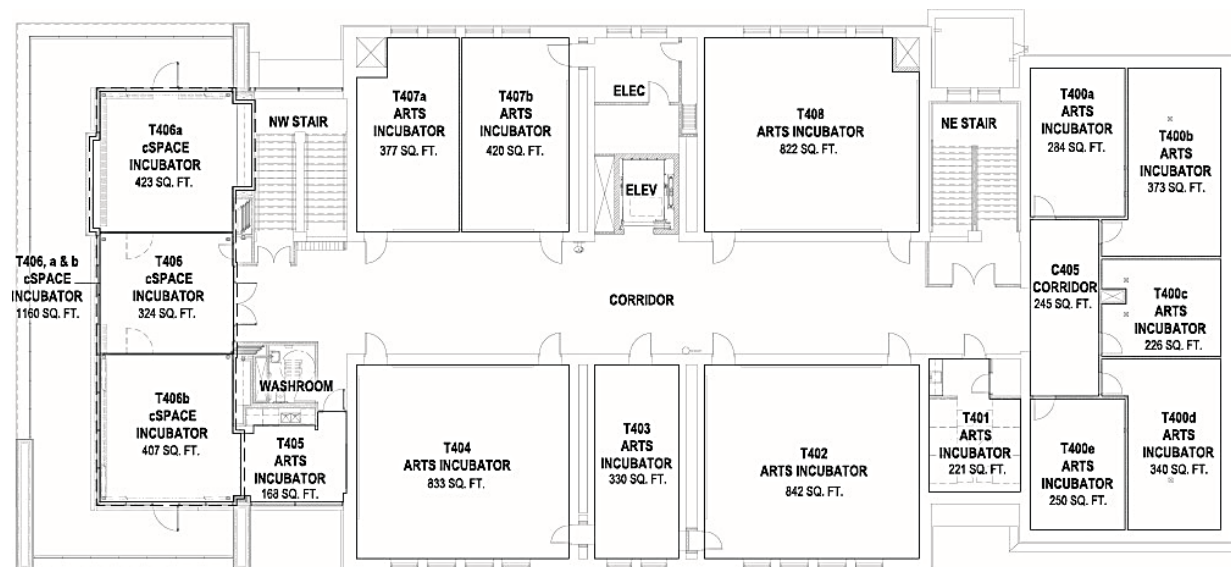
6.3 Third Floor

The following elements are regulated:

- Those features of the original floor plan / configuration that are also extant in the rehabilitation plan / configuration (compare Images 6.3.1 & 6.3.2); and
- Classroom and corridor finishes throughout including backboards with casings, wood baseboards, chair rails, picture rails, and door casings (Photos 6.1.03, 6.1.04, 6.1.05, 6.1.06, 6.1.07, 6.2.3).



(Image 6.3.1: Third Floor – original plans)



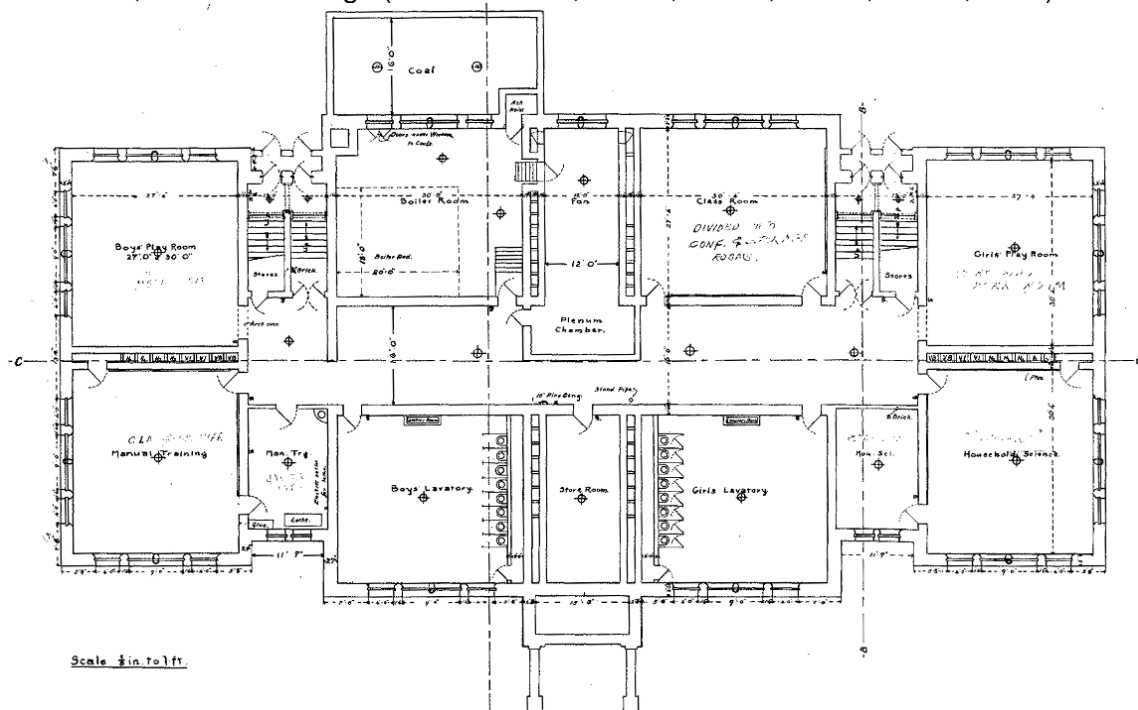
(Image 6.3.2: Third Floor – rehabilitation plans)

BYLAW NUMBER 42M2017

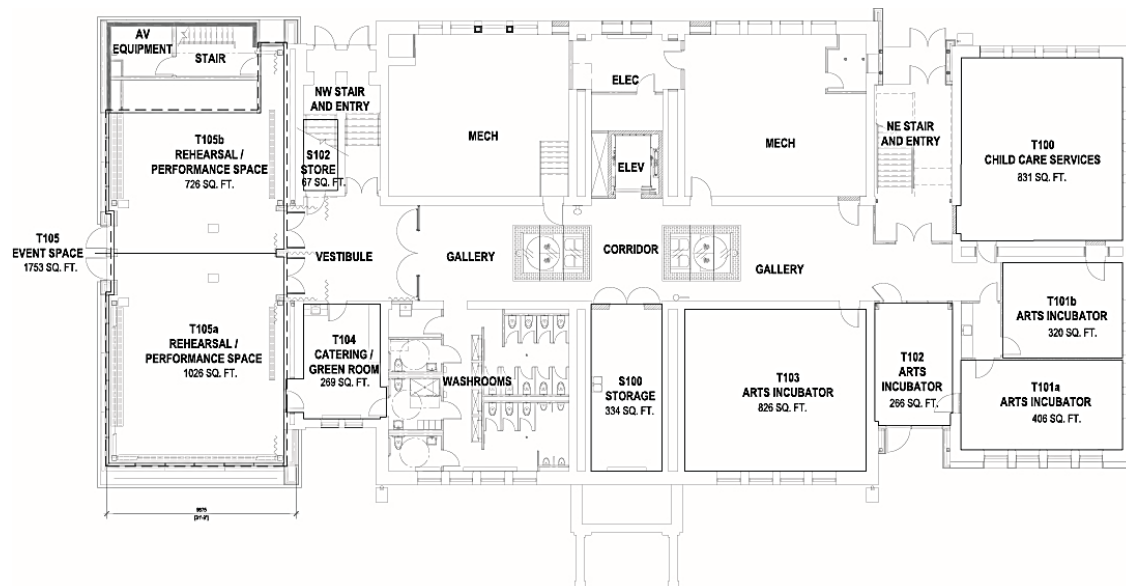
6.4 Basement

The following elements are regulated:

- Those features of the original floor plan / configuration that are also extant in the rehabilitation plan / configuration (compare Images 6.4.1 & 6.4.2); and
- Finishes throughout including backboards with casings, wood baseboards, chair rails, picture rails, and door casings (Photos 6.1.03, 6.1.04, 6.1.05, 6.1.06, 6.1.07, 6.2.3).



(Image 6.4.1: Basement – original plans)



(Image 6.4.2: Basement – rehabilitation plans)

7.0 Land

The Land is regulated as follows:

Any development of any portion of the property (as shown on attached Schedule "A") shall be undertaken in a manner that does not negatively impact the Regulated Portions of the King Edward School or its landmark character.

SCHEDULE “D”

The primary purpose of the Standards and Guidelines is to provide guidance to achieve sound conservation practice. They are used to assess proposed changes to designated Municipal Historical Resources and form the basis for review and assessment for the approved rehabilitation program.

The Standards and Guidelines were developed by Parks Canada and were formally adopted by The City of Calgary in 2005. They provide a philosophical consistency for project work; and while neither technical nor case-specific, they provide the framework for making essential decisions about those features of a historic place, which should be maintained and cannot be altered.

The *Standards* listed below and the referenced *Guidelines* shall apply to the Regulated Portions and any rehabilitation or maintenance work undertaken with respect to them at any time.

The Standards

Definitions of the terms in italics below are set forth in the Introduction of the Standards and Guidelines. In the event of a conflict between the italicized terms below and those in the Standards and Guidelines, the latter shall take precedence. The Standards are not presented in a sequential or hierarchical order, and as such, equal consideration should be given to each. All Standards for any given type of treatment must therefore be applied simultaneously to a project.

General Standards (all projects)

1. Conserve the *heritage value* of a *historic place*. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not move a part of a *historic place* if its current location is a *character-defining element*.
2. Conserve changes to a *historic place* which, over time, have become *character-defining elements* in their own right.
3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other *historic places* or other properties or by combining features of the same property that never coexisted.
5. Find a use for a *historic place* that requires minimal or no change to its *character defining elements*.
6. Protect and, if necessary, stabilize a *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any *intervention*. Respect *heritage value* when undertaking an *intervention*.
8. Maintain *character-defining elements* on an ongoing basis. Repair *character-defining elements* by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of *character-defining elements*, where there are surviving prototypes.

PROPOSED

BYLAW NUMBER 42M2017

9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible and identifiable upon close inspection and document any *intervention* for future reference.

Additional Standards Relating to Rehabilitation

10. Repair rather than replace *character-defining elements*. Where *character-defining elements* are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
11. Conserve the *heritage value* and *character-defining elements* when creating any new additions to a *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the *historic place*.
12. Create any new additions or related new construction so that the essential form and integrity of a *historic place* will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

13. Repair rather than replace *character-defining elements* from the restoration period. Where *character-defining elements* are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

Guidelines

The full text of the *Standards and Guidelines* is available online through www.historicplaces.ca, or from:

Parks Canada National Office
25 Eddy Street
Gatineau, Quebec K1A 0M5



August 17, 2017

Dear Members of Planning & Urban Development:

Re: Designation of King Edward School as a Municipal Historic Resource

The Calgary Heritage Authority (CHA), in accordance with its role to advise Council and Administration on heritage matters in the City of Calgary, would like to take this opportunity to support the designation of King Edward School located in South Calgary as a Municipal Historic Resource.

The King Edward School is listed on the CHA *Inventory of Evaluated Historic Resources* as a City Wide Historic Resource.

The King Edward School is a three-story sandstone structure built in 1912-1913. Its simplified Free Classical detailing includes an arched front entrance with Doric columns, a hipped roof with a large central cupola, and adjacent wings on either side featuring uniform rows of windows. The school is set on a prominent hilltop site in the residential community of South Calgary.

Thank-you for your thoughtful consideration on this matter, should you or your staff require more information please contact our executive director, Josh Traptow at josh@calgaryheritageauthority.com.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Heard", is written over a light grey rectangular background.

Pam Heard
Chair, Calgary Heritage Authority



CALGARY HERITAGE AUTHORITY, P.O. Box 75065 CAMBRIAN, CALGARY, AB T2K 6J8
INFO@CALGARYHERITAGEAUTHORITY.COM | WWW.CALGARYHERITAGEAUTHORITY.COM

BUSINESS IMPROVEMENT AREAS (FORMERLY BUSINESS REVITALIZATION ZONES) - BOARD GOVERNANCE AND LEGISLATIVE CHANGES

EXECUTIVE SUMMARY

In 2015 December City Clerk's Office identified a misalignment between The City's bylaws establishing the Business Improvement Areas (BIA), and the BIAs' practices for the Council appointment of their board members. Council directed Administration to align The City's BIA bylaws, and the BIAs' current practices, with provincial legislative requirements.

Council passed bylaw amendments for six of the 11 BIAs on 2016 November 28. Four BIA boards, whose bylaws required amendments, requested additional time to consider the necessary changes. This report presents the proposed bylaw amendments for three of these BIAs. The remaining bylaw amendment for the Marda Loop Business Revitalization Zone (BRZ) is presented in a separate report, CPS2017-0650, for it includes a boundary change. A summary of the proposed amendments for each BIA can be found in Attachment 1.

Administration therefore recommends that Council give three readings to the proposed bylaws to amend three of The City's BIA Bylaws (Attachments 2-4).

ADMINISTRATION RECOMMENDATIONS

That the SPC on Community and Protective Services recommend that Council:

1. Give three readings to the proposed Bylaw to amend the Calgary Downtown Association Bylaw 33M88 (Attachment 2);
2. Give three readings to the proposed Bylaw to amend the 17th Avenue Retail & Entertainment District Bylaw 39M84 (Attachment 3); and
3. Give three readings to the proposed Bylaw to amend the Inglewood Business Revitalization Zone Bylaw 7M88 (Attachment 4).

RECOMMENDATION OF THE SPC ON COMMUNITY AND PROTECTIVE SERVICES, DATED 2017 SEPTEMBER 06:

That Council:

1. Give three readings to the proposed **Bylaw 38M2017** to amend the Calgary Downtown Association Bylaw 33M88 (Attachment 2);
2. Give three readings to the proposed **Bylaw 39M2017** to amend the 17th Avenue Retail & Entertainment District Bylaw 39M84 (Attachment 3); and
3. Give three readings to the proposed **Bylaw 36M2017** to amend the Inglewood Business Revitalization Zone Bylaw 7M88 (Attachment 4).

BUSINESS IMPROVEMENT AREAS (FORMERLY BUSINESS REVITALIZATION ZONES) - BOARD GOVERNANCE AND LEGISLATIVE CHANGES

PREVIOUS COUNCIL DIRECTION / POLICY

On 2016 November 28 Council adopted CPS2016-0826 'Business Revitalization Zones – Board Governance and Legislative Changes,' and passed amendments for six of the BIA bylaws to align them with provincial legislative requirements and the BIAs' practices. An additional amendment was made to the Calgary Downtown Association BIA to increase the number of board members that Council could appoint to its board.

On 2015 December 14 Council adopted C2015-0953 'Business Revitalization Zones - Board Appointments,' which identified a misalignment between The City of Calgary BRZ bylaws, the *Business Revitalization Zone Regulation*, AR 377/1994 (the *BRZ Regulation*) in effect at that time, and some of the BIAs' practices respecting the appointment of their board members by Council.

In response, the following motion was carried at the 2015 December 14 Meeting of Council: "MOTION ARISING, Moved by Councillor Woolley, Seconded by Councillor Chabot, with respect to Report C2015-0953, that Council direct Administration to work with the BRZs to review alignment between the BRZ Bylaws that Council has passed and the Business Revitalization Zones' governance documents."

BACKGROUND

In 1983 June the Government of Alberta amended the *Municipal Government Act* (MGA) to allow municipalities to enact bylaws to establish BIAs (formerly known as BRZs). Business owners within a defined area are required to pay an additional tax. The BIA tax enables the business owners to collectively fund activities to promote and improve the economic vitality of their area for the purposes set out in the MGA. The bylaw to establish a BIA also establishes a board to govern the BIA.

A BIA's board members are appointed by Council under the terms of The City's bylaw that established the BIA. The board operates as a non-profit corporation and is subject to provincial legislation governing BIAs. The BIAs and their boards are regulated by sections 51 and 52 of the current MGA and the *Business Improvement Area Regulation*, AR 93/2016 (the *BIA Regulation*) (Attachment 5).

The earliest Calgary bylaw establishing a BIA was passed in 1984 and the most recent bylaw was passed in 2015. These bylaws were enacted under different versions of the MGA and, since 1995, under different Regulations. Therefore, The City bylaws establishing the BIAs are not consistent, and some do not comply with the requirements in the current MGA, the now expired *BRZ Regulation*, or the current *BIA Regulation*. This has resulted in a misalignment between The City's BIA bylaws, provincial legislation and some of the BIAs' practices regarding board appointments.

Additionally, effective 2016 July 1, the Province amended the legislation to change the "business revitalization zone" designation to "business improvement area". Some BIAs have requested name changes to adopt the "business improvement area" designation.

BUSINESS IMPROVEMENT AREAS (FORMERLY BUSINESS REVITALIZATION ZONES) - BOARD GOVERNANCE AND LEGISLATIVE CHANGES

The proposed bylaw amendments align the BIAs' practices concerning the appointment of their boards with The City's BIA bylaws, ensure that the bylaws are consistent with the legislative requirements, and update the bylaws to include the BIA designation.

Given the number of amendments required for Bylaw 52M84, the proposed amending bylaw repeals and replaces Bylaw 52M84.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The City's BIA bylaws, and the applicable provincial legislation regulating BIAs, were reviewed to identify the amendments required to comply with the current legislative requirements for a BIA bylaw (e.g., specifying the number of board members, their terms of office, and the method of filling board vacancies). Administration consulted with the BIA boards to identify their practices for board appointments, and to identify the bylaw amendments required to align their board governance practices with their City bylaw. The BIAs were also asked whether they wished to change their names to include the "business improvement area" designation. The BIA boards support the proposed bylaw amendments.

Overview of the Proposed City of Calgary Bylaw Changes

The proposed amendments concern the following BIAs whose bylaws were not amended on 2016 November 28:

- Calgary Downtown Association;
- 17th Avenue Retail & Entertainment District
- Inglewood BRZ; and,
- Marda Loop BRZ.

However, the bylaw amendments for the Marda Loop Business Revitalization Zone are presented in a separate report because the board requested a boundary change, and the *BIA Regulation* requires Council to give the affected BIA taxpayers the opportunity to speak to the boundary change before second reading of the bylaw.

Stakeholder Engagement, Research and Communication

Collaboration is critical to maintaining effective, mutually beneficial relationships. Administration worked directly with each BIA to identify and understand the amendments required for their respective City Bylaws.

Strategic Alignment

Municipal support for BIA growth and development aligns with *Action Plan 2015-2018* and the associated Council Priorities of creating "A Prosperous City" whereby Calgary is, "...a place where there is opportunity for all, and the best place in Canada to start and grow a business," and "A City of Inspiring Neighbourhoods" where "every Calgarian lives in a safe, mixed and just neighbourhood, and has the opportunity to participate in civic life". In addition, the Council-approved *Business Revitalization Zone (BRZ) 2015-2018 Business Plan* identifies the growth of BIAs as an important outcome of the implementation of the Plan.

BUSINESS IMPROVEMENT AREAS (FORMERLY BUSINESS REVITALIZATION ZONES) - BOARD GOVERNANCE AND LEGISLATIVE CHANGES

Social, Environmental, Economic (External)

Social

BIAs are key partners in creating a safe and appealing community to attract and retain visitors and residents to their areas. Businesses within BIAs provide a range of services to help create complete communities. They serve an important role in placemaking through the intentional design of areas that foster positive social interaction.

Environmental

In addition to beautifying and improving their areas, BIAs promote active modes of transportation within their boundaries. Further, BIAs make environmental sustainability a priority through their support of recycling at their festivals and through innovative community development programs.

Economic (External)

BIAs create opportunities to promote Calgary as a great place to visit, live, meet, work, play and study. They play an important role in supporting economic activity and community revitalization. BIAs make a significant contribution to Calgary's economic well-being by helping to nurture the growth and development of business in the city and by improving the quality of life for those living and working in the area of the BIAs. In shaping a dynamic business environment, BIAs attract visitors and residents alike to their vibrant business districts.

Financial Capacity

Current and Future Operating Budget:

There are no operating budget implications associated with this report.

Current and Future Capital Budget:

There are no capital budget implications as a result of this report.

Risk Assessment

Amending The City's BIA bylaws to align with the current provincial legislation and the BIAs' practices for board appointments by Council enables The City and the BIA boards to comply with the legislative framework under which BIA boards operate. This is an important mitigation of risk; compliance with the legislative requirements ensures that the proposed bylaw amendments are validly enacted.

Further, presenting the amendments to the Marda Loop BIA's bylaw in a separate report will ensure that the taxpayers affected by the proposed boundary change will be given an opportunity to speak to the boundary change before the proposed bylaw receives second reading. This is required by section 8(1)(b) of the *BIA Regulation*.

Future changes to the BIA legislation were considered such as the MGA amendments that have not yet been proclaimed, and the forthcoming changes to the *BIA Regulation*. They do not impact the proposed bylaw amendments.

**BUSINESS IMPROVEMENT AREAS (FORMERLY BUSINESS REVITALIZATION ZONES) -
BOARD GOVERNANCE AND LEGISLATIVE CHANGES**

REASON FOR RECOMMENDATIONS:

Amendments to The City's BIA bylaws are required to align these bylaws with current provincial legislative requirements, and the BIAs' practices respecting Council appointment of their boards, in order to improve BIA board governance.

ATTACHMENTS

1. Overview of Business Improvement Area Bylaw Amendments
2. Proposed **Bylaw 38M2017** Amending the Calgary Downtown Association (A Business Revitalization Zone) Bylaw 33M88
3. Proposed **Bylaw 39M2017** Amending the 17th Avenue Retail & Entertainment District Business Revitalization Zone Bylaw 39M84
4. Proposed **Bylaw 36M2017** Amending the Inglewood Business Revitalization Zone Bylaw 7M88
5. Excerpts from the Current Municipal Government Act and the *Business Improvement Area Regulation*, AR 93/2016

Overview of Business Improvement Areas Bylaw Amendments

Business Revitalization Zone (BRZ)/Business Improvement Area (BIA)	Bylaw Number	Timeframe for Changes	Summary of Proposed Changes
Marda Loop BRZ	52M84	2017 Addressed in CPS2017-0650 'Change to the Boundary and Change in Name of the Marda Loop Business Revitalization Zone'	<ul style="list-style-type: none"> ▪ Legislative alignment ▪ Boundary change ▪ Change to BIA designation ▪ Housekeeping changes and corrections ▪ Name Change to 'Marda Loop Business Improvement Area'
Calgary Downtown Association	33M88	2017	<ul style="list-style-type: none"> ▪ Legislative alignment ▪ Change to BIA designation ▪ Housekeeping changes and corrections
17 th Avenue Retail & Entertainment District	39M84	2017	<ul style="list-style-type: none"> ▪ Legislative alignment ▪ Change to BIA designation ▪ Housekeeping changes and corrections
Inglewood BRZ	7M88	2017	<ul style="list-style-type: none"> ▪ Legislative alignment ▪ Change to BIA designation ▪ Housekeeping changes and corrections ▪ Name change to 'Inglewood Business Improvement Area'

BYLAW NUMBER 38M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO CONTINUE
THE CALGARY DOWNTOWN ASSOCIATION
(A BUSINESS REVITALIZATION ZONE)
AS THE CALGARY DOWNTOWN ASSOCIATION
BUSINESS IMPROVEMENT AREA**

WHEREAS Council, by Bylaw Number 33M88, as amended, established The Calgary Downtown Association (A Business Revitalization Zone) (hereafter “BRZ”);

AND WHEREAS the Board of the Business Revitalization Zone has requested that the name of the BRZ be changed to the “Calgary Downtown Association” Business Improvement Area;

AND WHEREAS Council has considered Report CPS2017-0647 and considers it desirable to repeal Bylaw 33M88, as amended and to continue The Calgary Downtown Association (A Business Revitalization Zone) under a revised bylaw that aligns with the Municipal Government Act, R.S.A. 2000, c. M 26, as amended, and the Business Improvement Area Regulation, Alta. Reg. 93/2016;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Calgary Downtown Association (A Business Revitalization Zone) established by Bylaw 33M88, as amended, is hereby continued as the “Calgary Downtown Association” Business Improvement Area.
2. This Bylaw may be cited as the “Calgary Downtown Association Business Improvement Area Bylaw”.
3. In this Bylaw the phrase “Business Improvement Area” may be referred to as “BIA”.

Establishment of BIA

4. The Business Improvement Area in the City of Calgary, established as a Business Revitalization Zone under Bylaw 33M88, encompasses the area outlined on Schedule “A” attached to this Bylaw which schedule forms a part of this Bylaw.

Name of BIA

5. The name of the Business Improvement Area is the “Calgary Downtown Association”.

Purposes

6. The purposes for which the BIA was established are the following:

PROPOSED

BYLAW NUMBER 38M2017

- (a) improving, beautifying and maintaining property in the BIA;
- (b) developing, improving and maintaining public parking within or adjacent to the BIA; and
- (c) promoting the BIA as a business or shopping area.

Establishment of the Board

- 7. (1) The Board of the Calgary Downtown Association is a non-profit corporation pursuant to s. 51 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, and s. 16 of the Business Improvement Area Regulation, Alta. Reg. 93/2016 (hereinafter referred to as “the Board”).
- (2) The Board shall consist of a maximum of 12 members.

Appointment of Members

- 8. (1) Members of the Board shall be appointed by resolution of Council.
- (2) The Board must consist of individuals who have been nominated by one or more taxpayers in the BIA as defined in s. 1(e) of the Business Improvement Area Regulation, Alta. Reg. 93/2016.

Term of Office

- 9. (1) Members of the Board shall be appointed for 3 year terms.
- (2) Notwithstanding subsection (1), Council may appoint a member of the Board for a term that is less than 3 years.
- (3) Each member of the Board shall remain in office until:
 - (a) the member resigns,
 - (b) the revocation of the member’s appointment by Council following the recommendation of the Board, or
 - (c) the member’s term of office expires,whichever comes first.

Vacancy

- 10. When a vacancy occurs on the Board, the Board may appoint an individual to fill that office until the next annual meeting of the taxpayers in the BIA. Such interim appointments shall not require the further approval of Council.

PROPOSED

BYLAW NUMBER 38M2017

In Force

11. Bylaw 33M88 is repealed.
12. This Bylaw shall come into force on the day it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

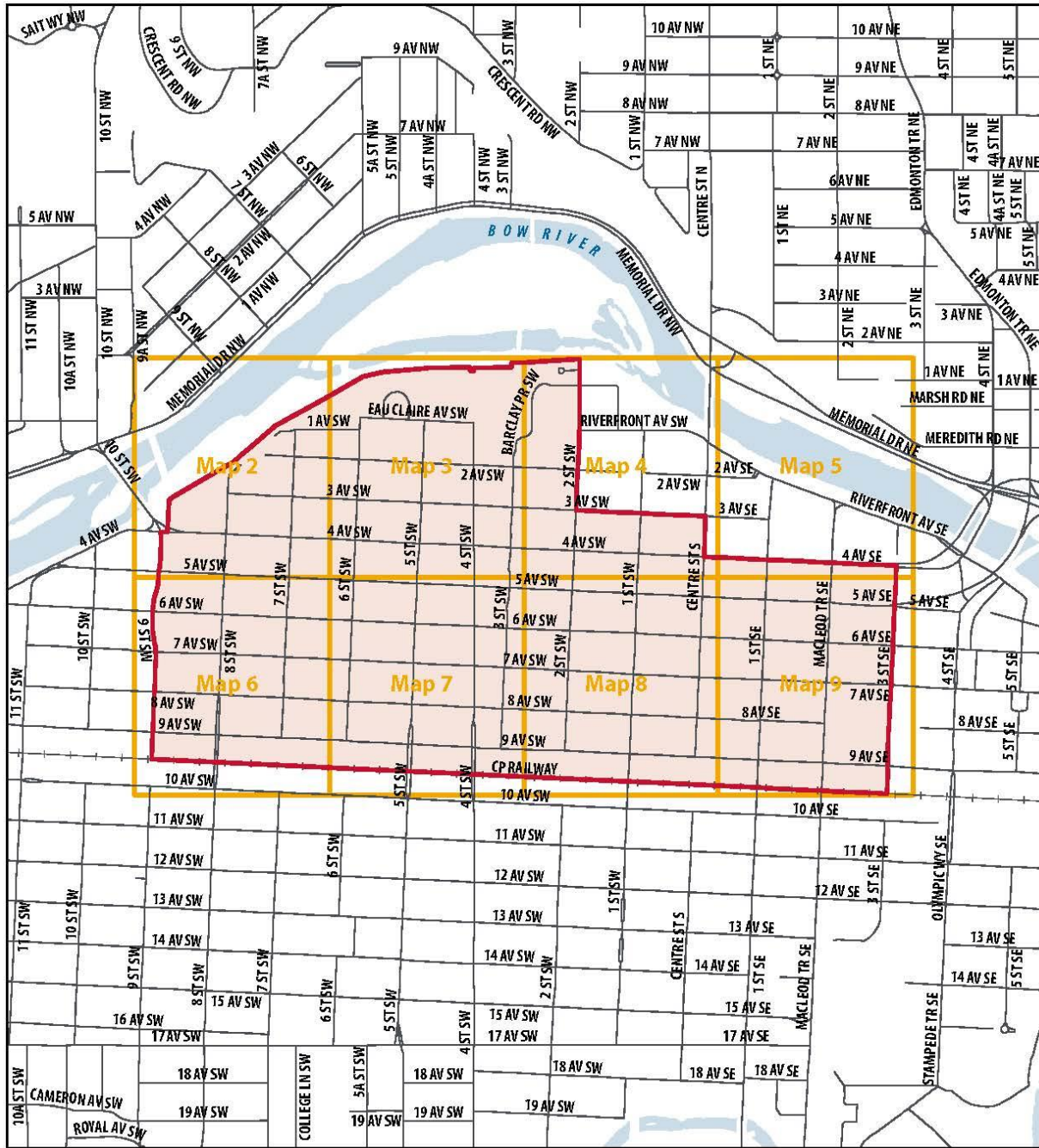
MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

PROPOSED

BYLAW NUMBER 38M2017

SCHEDULE "A"



Calgary Downtown Association

Business Improvement Area

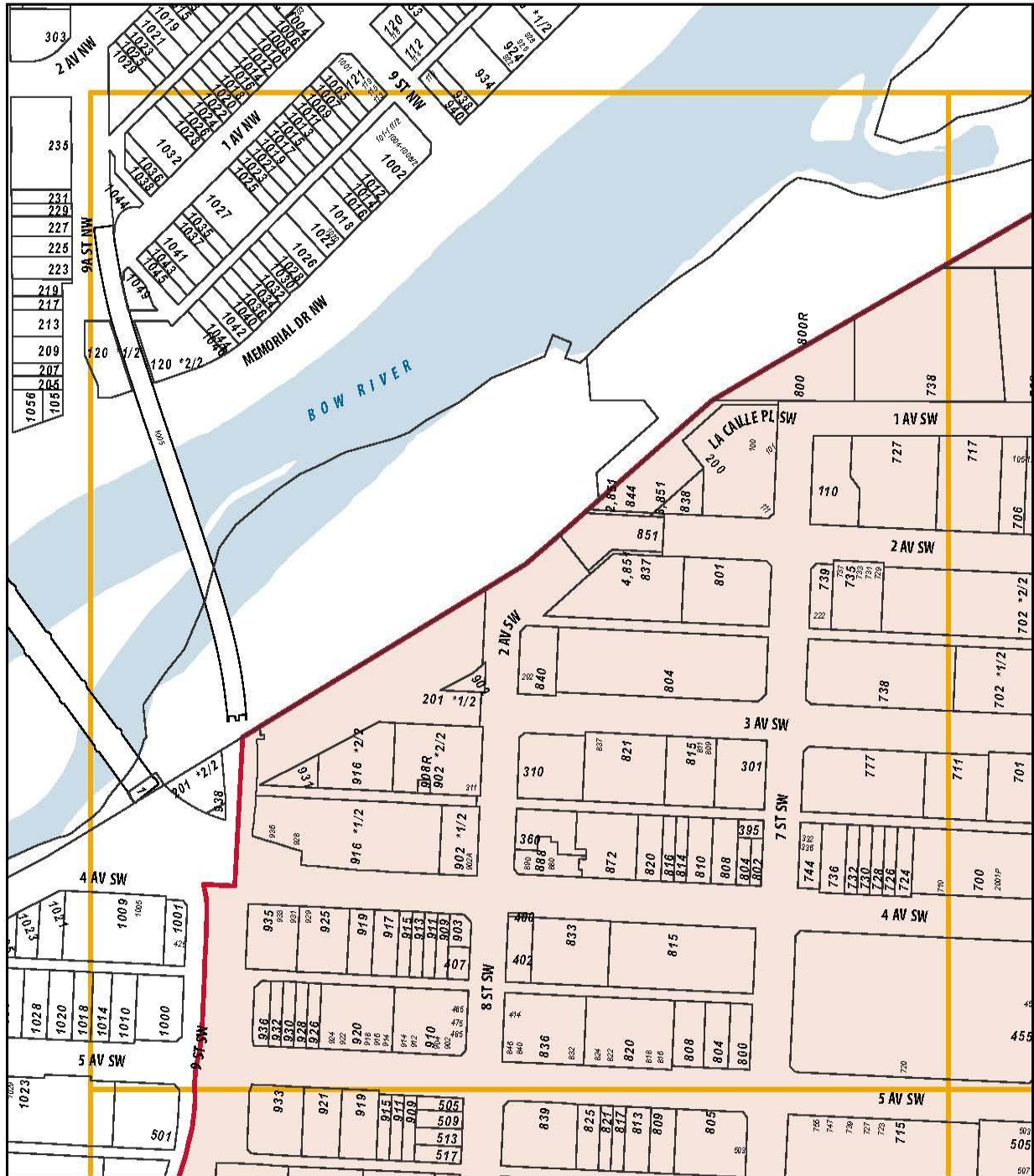
Legend

Calgary Downtown Association
Business Improvement Area

Map 1 - Overview

PROPOSED

BYLAW NUMBER 38M2017



Calgary Downtown Association

Business Improvement Area

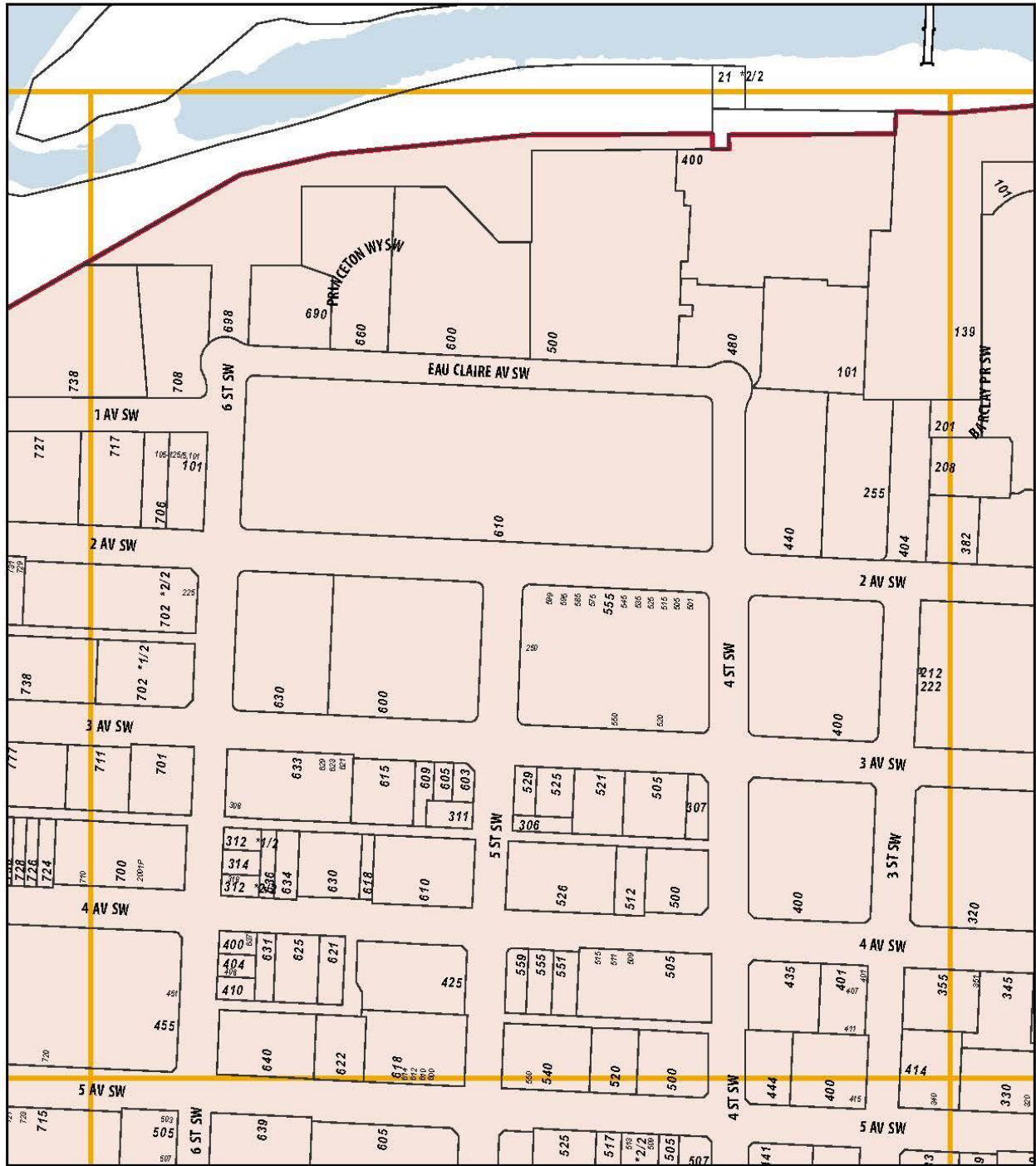
Map 2 - Detail

Legend

- Calgary Downtown Association Business Improvement Area

PROPOSED

BYLAW NUMBER 38M2017



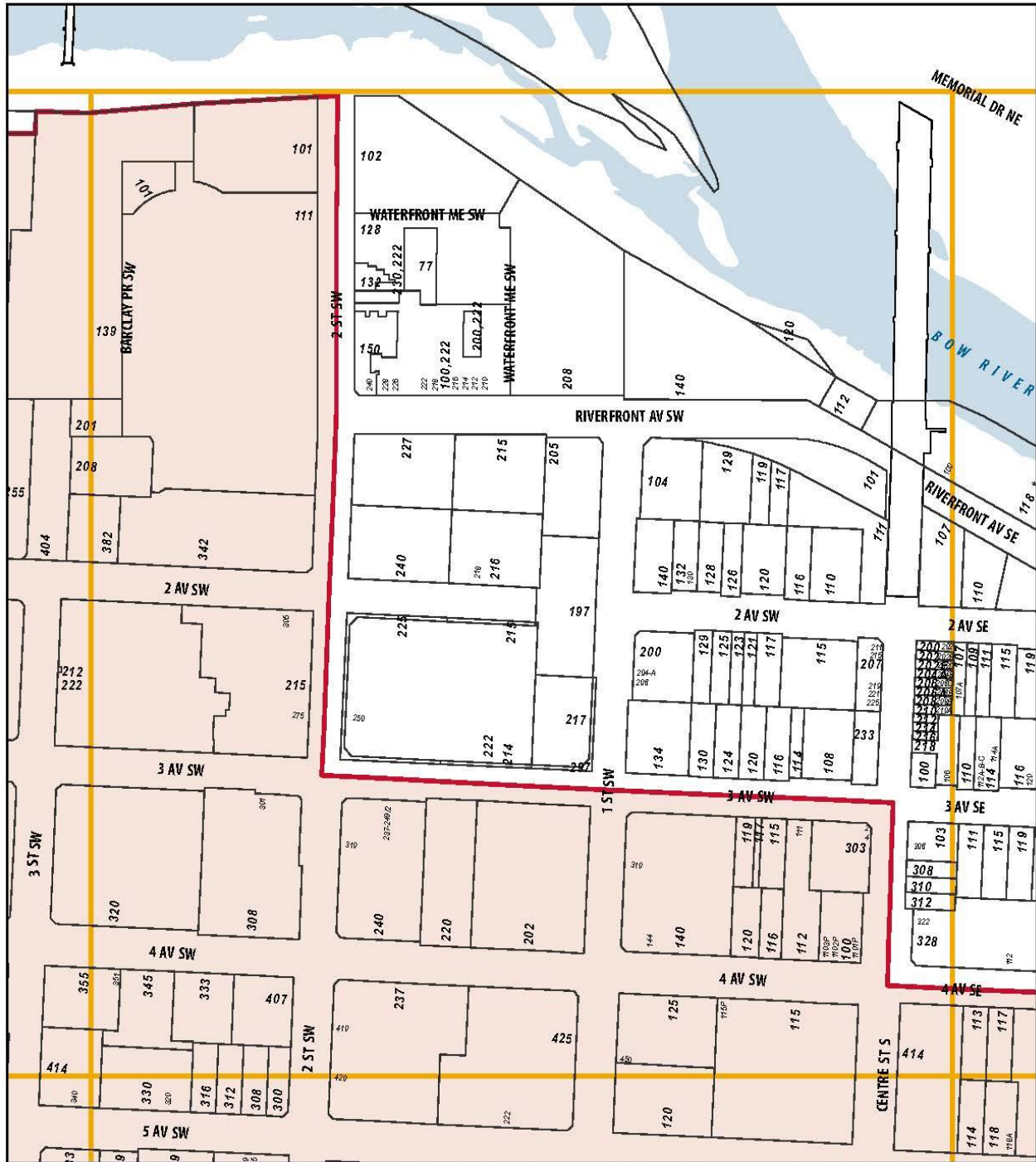
Calgary Downtown Association

Business Improvement Area

Map 3 - Detail

Legend

Calgary Downtown Association Business Improvement Area



Calgary Downtown Association

Business Improvement Area

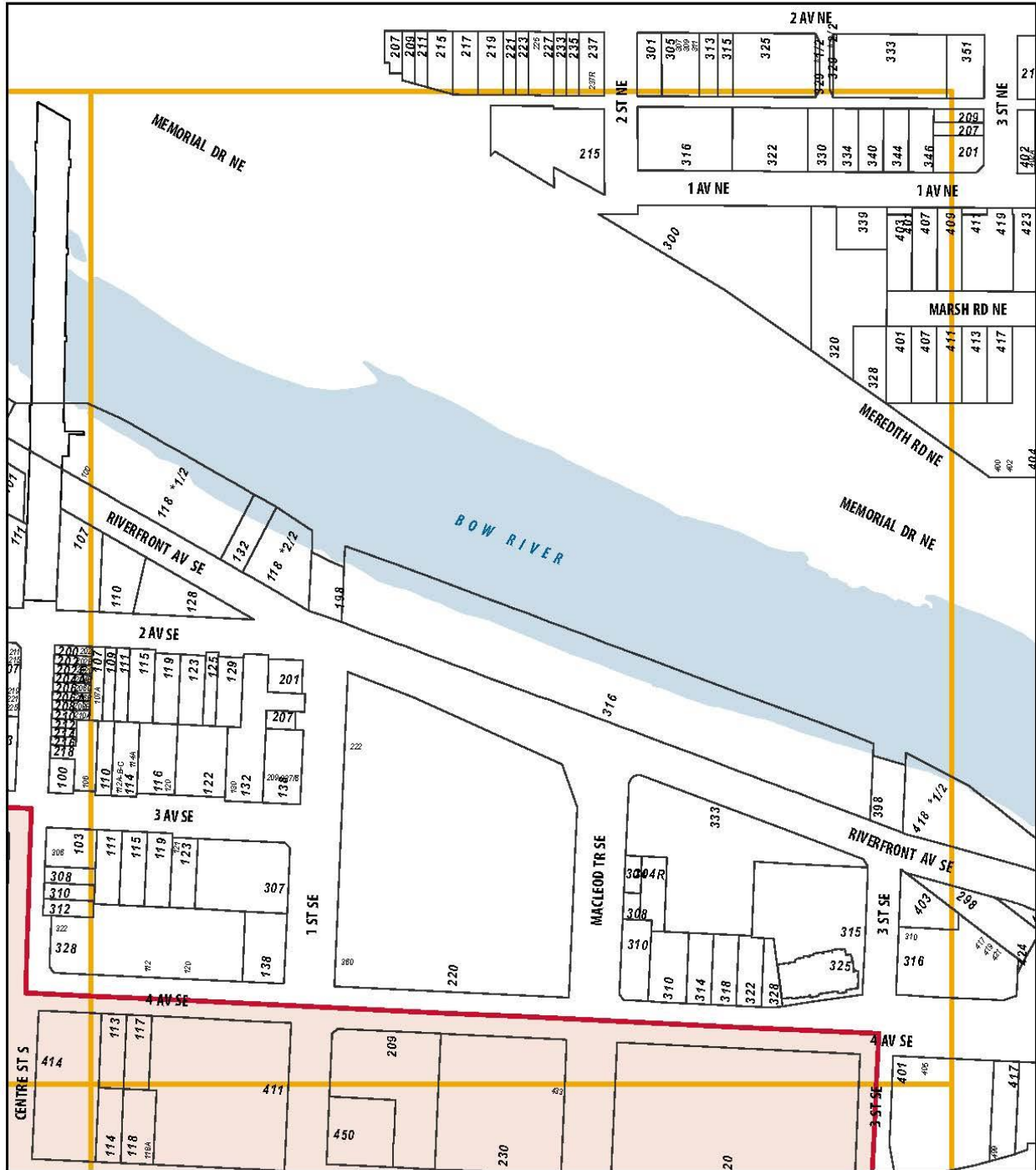
Map 4 - Detail

Legend

- Calgary Downtown Association Business Improvement Area

PROPOSED

BYLAW NUMBER 38M2017




Calgary Downtown Association

Business Improvement Area

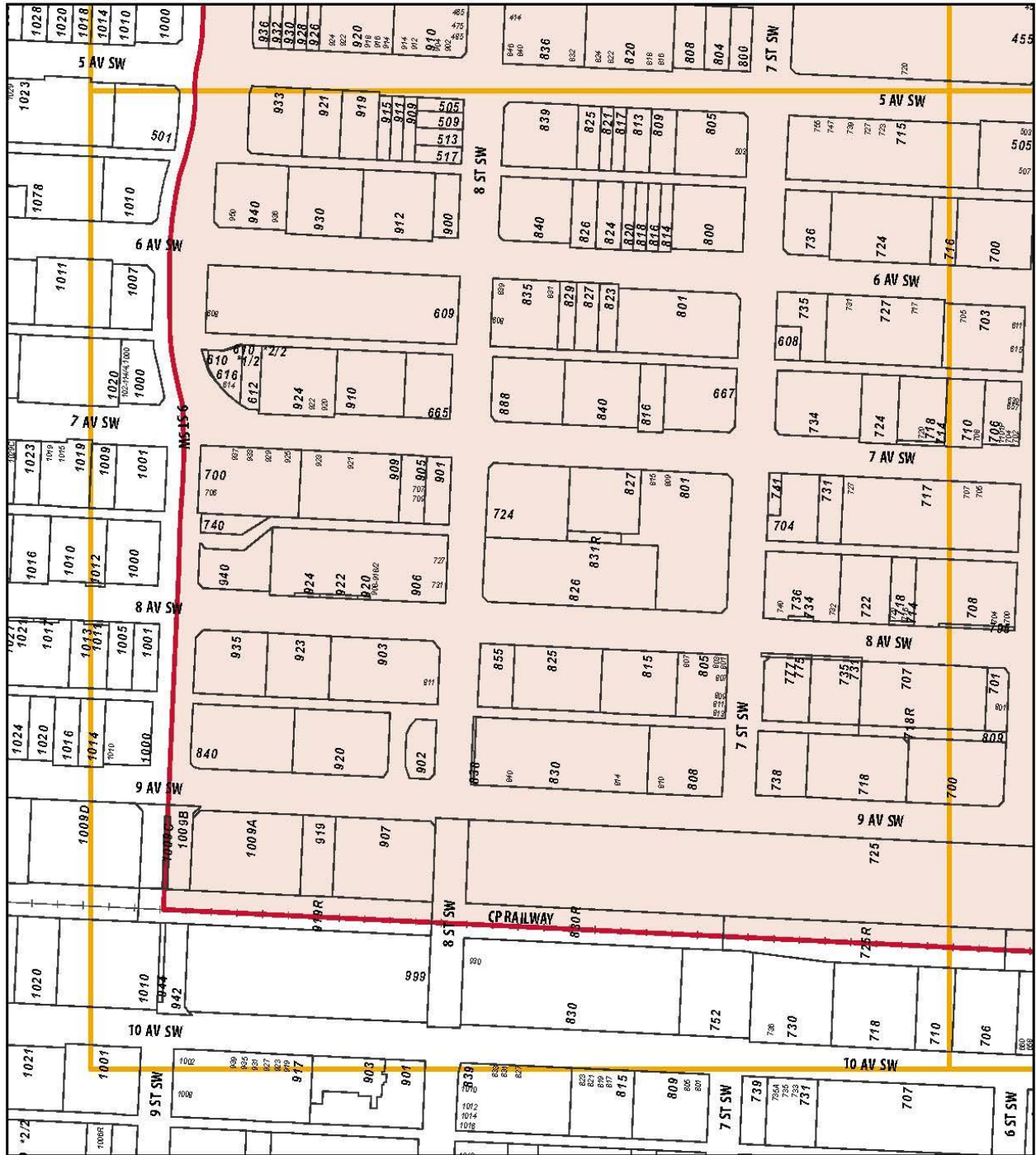
Map 5 - Detail

Legend

-  Calgary Downtown Association Business Improvement Area

PROPOSED

BYLAW NUMBER 38M2017



Calgary Downtown Association

Business Improvement Area

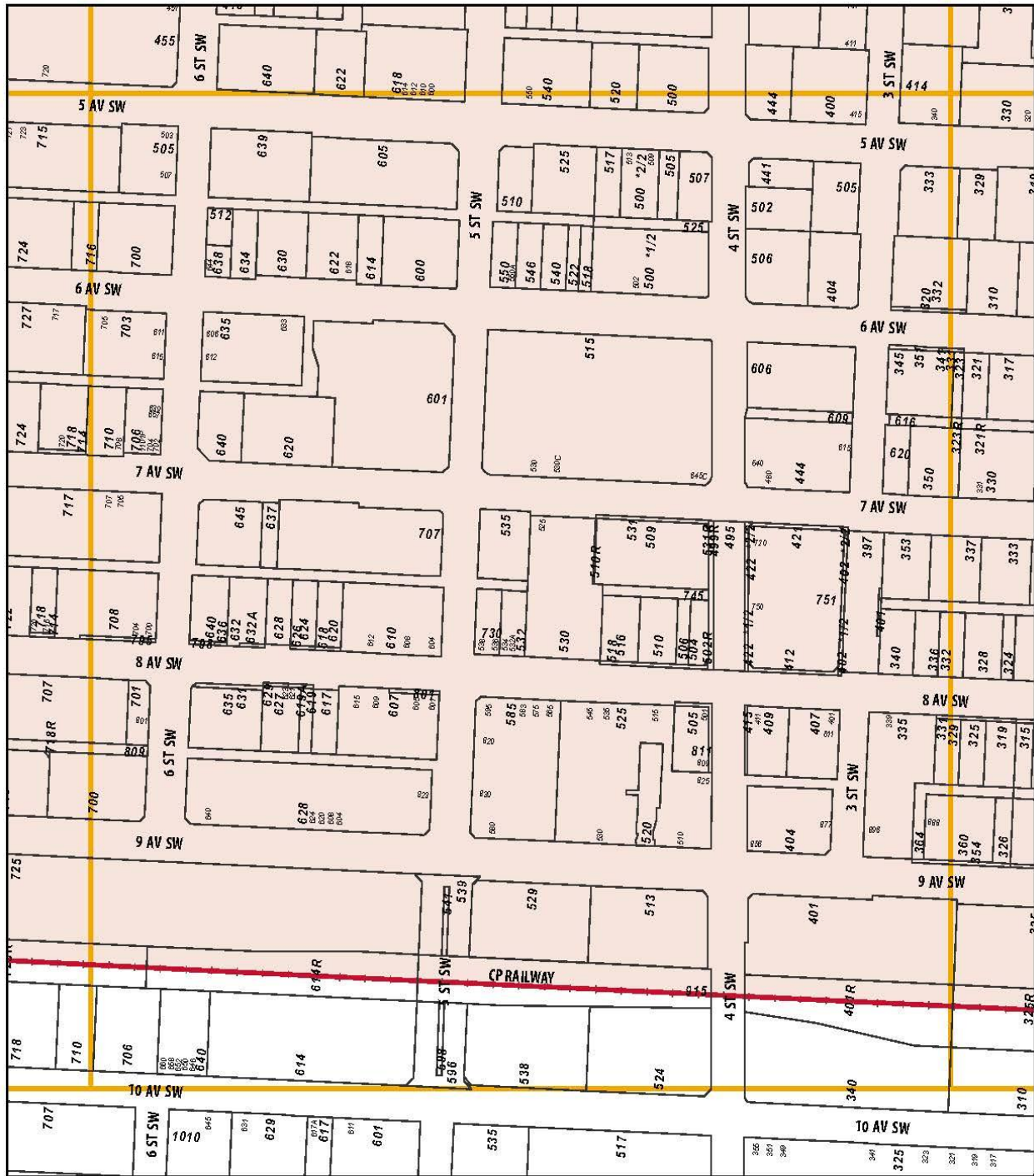
Map 6 - Detail

Legend

- Calgary Downtown Association Business Improvement Area

PROPOSED

BYLAW NUMBER 38M2017



Calgary Downtown Association Business Improvement Area

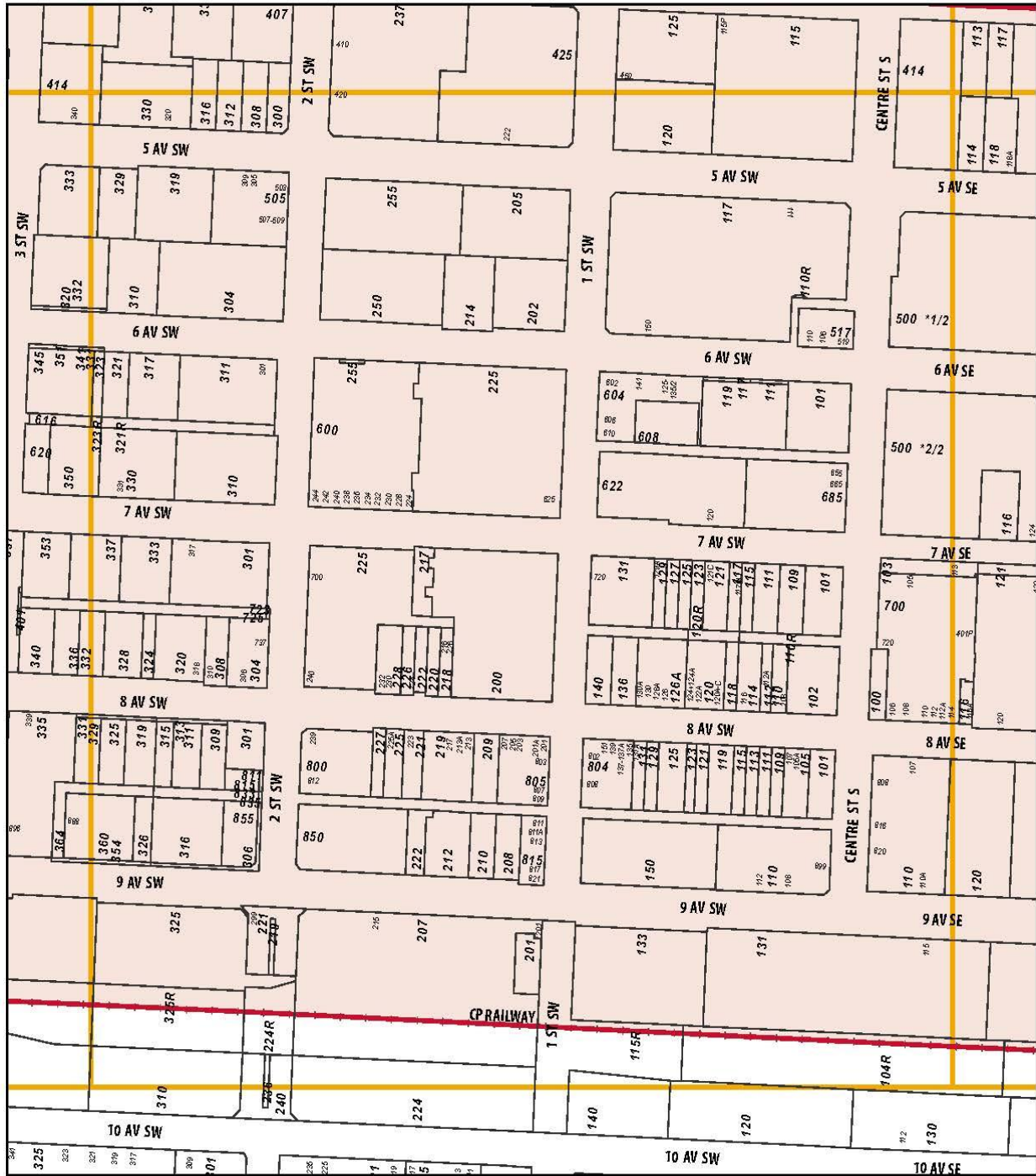
Map 7 - Detail

Legend

- Calgary Downtown Association Business Improvement Area

PROPOSED

BYLAW NUMBER 38M2017

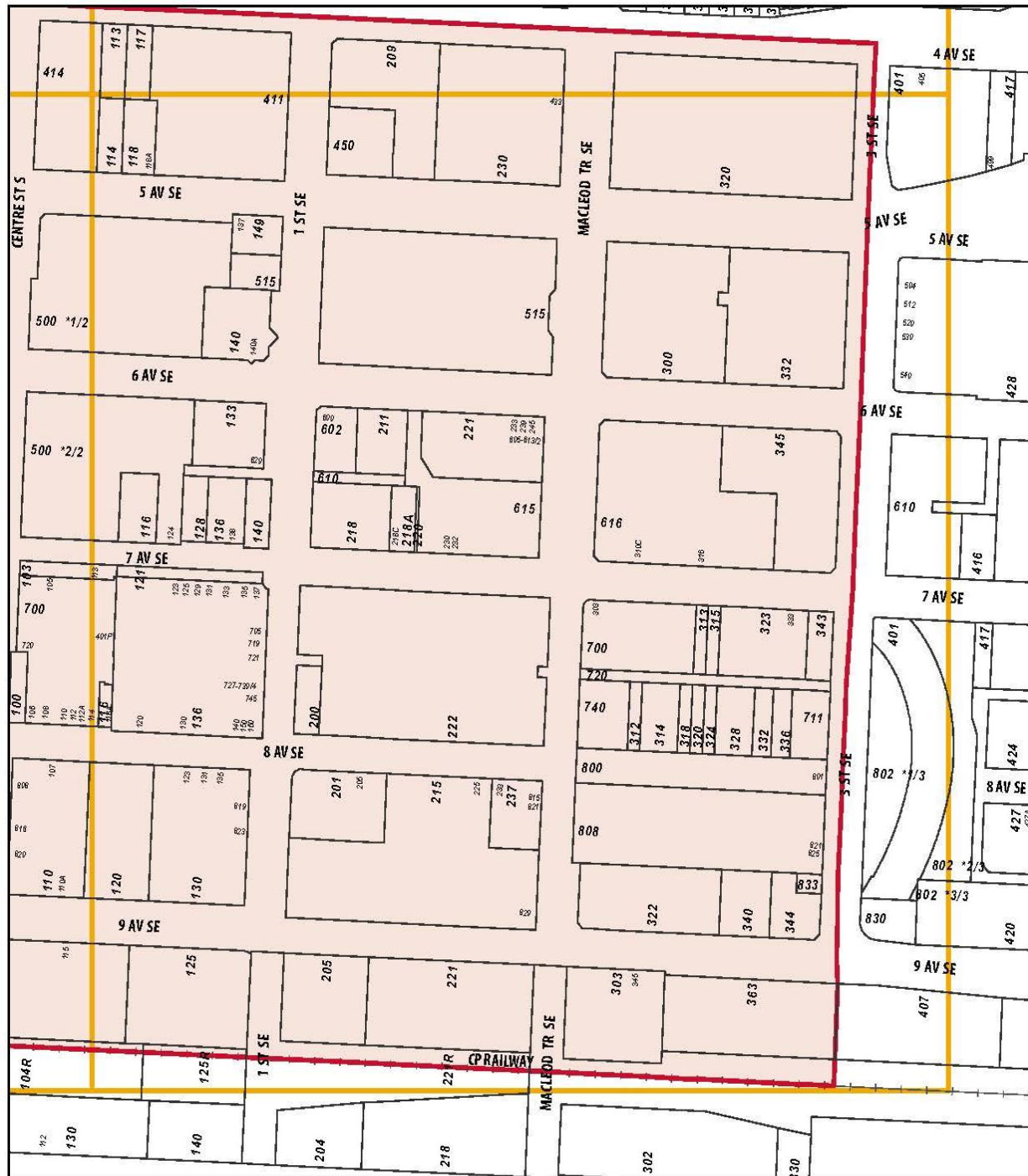


Calgary Downtown Association Business Improvement Area

Map 8 - Detail

Legend

- Calgary Downtown Association Business Improvement Area



Calgary Downtown Association

Business Improvement Area

Map 9 - Detail

Legend

- Calgary Downtown Association Business Improvement Area

BYLAW NUMBER 39M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO CONTINUE THE 17TH AVENUE
RETAIL & ENTERTAINMENT DISTRICT
BUSINESS REVITALIZATION ZONE
AS THE 17TH AVENUE
RETAIL & ENTERTAINMENT DISTRICT
BUSINESS IMPROVEMENT AREA**

WHEREAS Council, by Bylaw Number 39M84, as amended, established the 17th Avenue Retail & Entertainment District Business Revitalization Zone ("BRZ");

AND WHEREAS the Board of the Business Revitalization Zone has requested that the name of the BRZ be changed to the "17th Avenue Retail & Entertainment District" Business Improvement Area;

AND WHEREAS Council has considered Report CPS2017-0647 and considers it desirable to repeal Bylaw 39M84, as amended and to continue the 17th Avenue Retail & Entertainment District Business Revitalization Zone under a revised bylaw that aligns with the Municipal Government Act, R.S.A. 2000, c. M 26, as amended, and the Business Improvement Area Regulation, Alta. Reg. 93/2016;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The 17th Avenue Retail & Entertainment District Business Revitalization Zone established by Bylaw 39M84, as amended, is hereby continued as the "17th Avenue Retail & Entertainment District" Business Improvement Area.
2. This Bylaw may be cited as the "17th Avenue Retail & Entertainment District Business Improvement Area Bylaw".
3. In this Bylaw the phrase "Business Improvement Area" may be referred to as "BIA".

Establishment of BIA

4. The Business Improvement Area in the City of Calgary, established as a Business Revitalization Zone under Bylaw 39M84, encompasses the area outlined on Schedule "A" attached to this Bylaw which schedule forms a part of this Bylaw.

Name of BIA

5. The name of the Business Improvement Area is the "17th Avenue Retail & Entertainment District" Business Improvement Area.

Purposes

6. The purposes for which the BIA was established are the following:
- (a) improving, beautifying and maintaining property in the BIA;
 - (b) developing, improving and maintaining public parking within or adjacent to the BIA; and
 - (c) promoting the BIA as a business or shopping area.

Establishment of the Board

7. (1) The Board of the 17th Avenue Retail & Entertainment District BIA is a non-profit corporation pursuant to s. 51 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, and s. 16 of the Business Improvement Area Regulation, Alta. Reg. 93/2016 (hereinafter referred to as “the Board”).
- (2) The Board shall consist of a maximum of 10 members.

Appointment of Members

8. (1) Members of the Board shall be appointed by resolution of Council.
- (2) The Board must consist of individuals who have been nominated by one or more taxpayers in the BIA as defined in s. 1(e) of the Business Improvement Area Regulation, Alta. Reg. 93/2016.

Term of Office

9. (1) Members of the Board shall be appointed for 2 year terms.
- (2) Notwithstanding subsection (1), Council may appoint a member of the Board for a term that is less than 2 years.
- (3) Each member of the Board shall remain in office until:
- (a) the member resigns,
 - (b) the revocation of the member’s appointment by Council following the recommendation of the Board, or
 - (c) the member’s term of office expires,
- whichever comes first.

Vacancy

10. When a vacancy occurs on the Board, the Board may appoint an individual to fill that office for the remainder of the former member’s term or until the next annual meeting of the taxpayers in the BIA. Such interim appointments shall not require the further approval of Council.

PROPOSED

BYLAW NUMBER 39M2017

PROPOSED

BYLAW NUMBER 39M2017

In Force

11. Bylaw 39M84 is repealed.
12. This Bylaw shall come into force on the day it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR

SIGNED THIS ____ DAY OF _____, 2017.

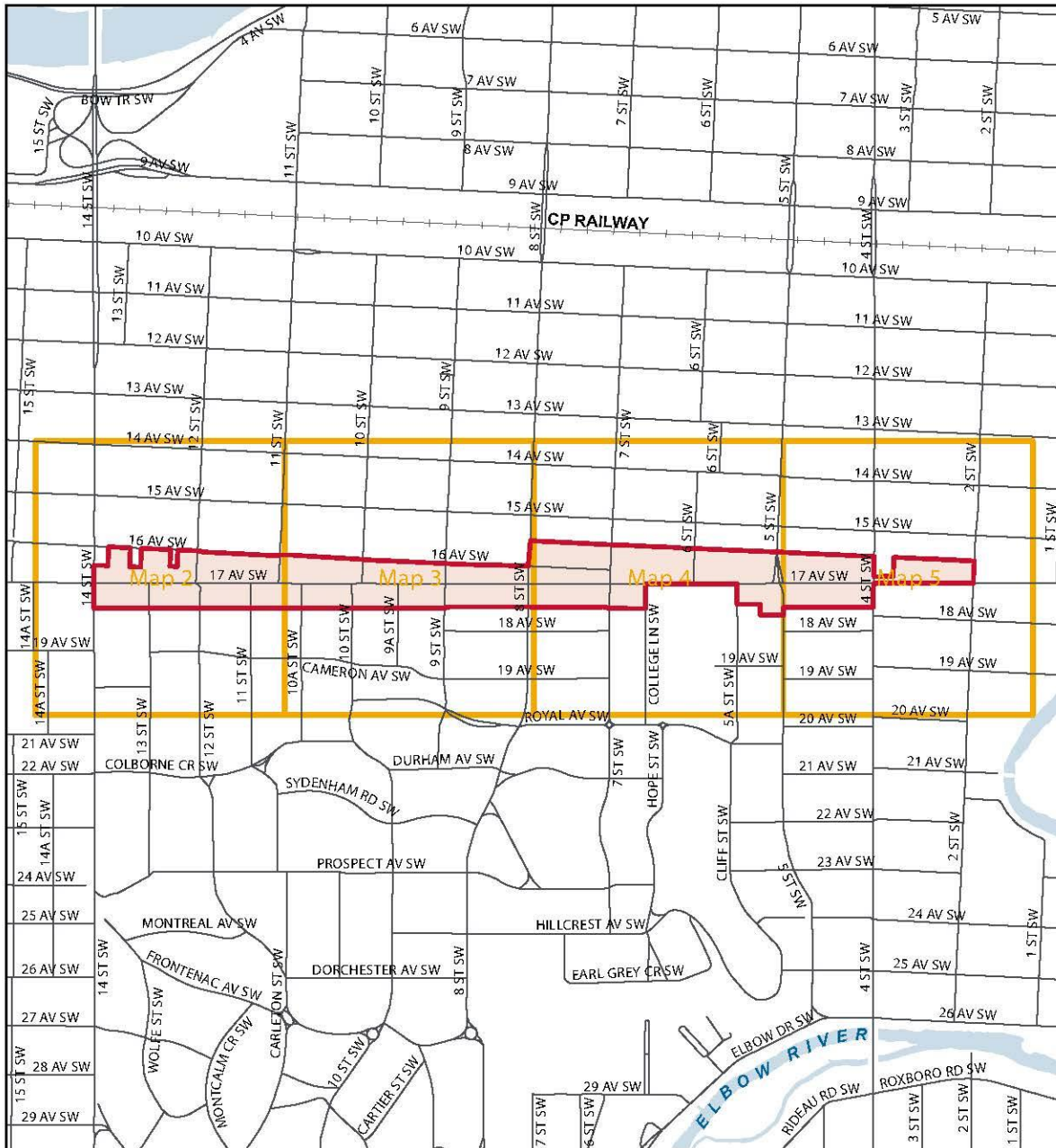
CITY CLERK

SIGNED THIS ____ DAY OF _____, 2017.

PROPOSED

BYLAW NUMBER 39M2017


SCHEDULE "A"



17th Avenue Retail & Entertainment District

Business Improvement Area

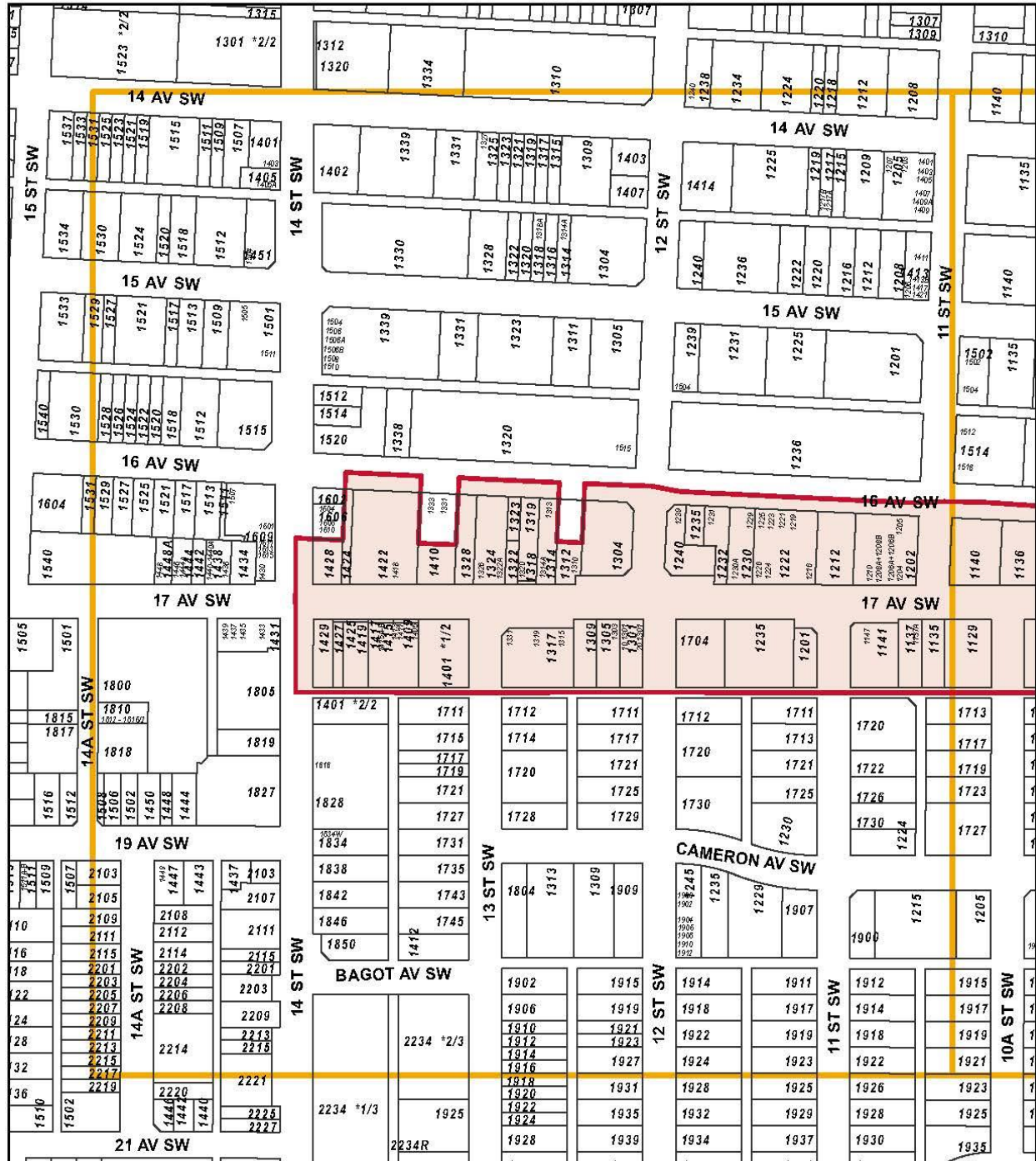
Legend

 17th Avenue Retail & Entertainment District Business Improvement Area

Map 1 - Overview

PROPOSED

BYLAW NUMBER 39M2017



17th Avenue Retail & Entertainment District

Business Improvement Area

Map 2 - Detail

Legend

17th Avenue Retail & Entertainment District
Business Improvement Area

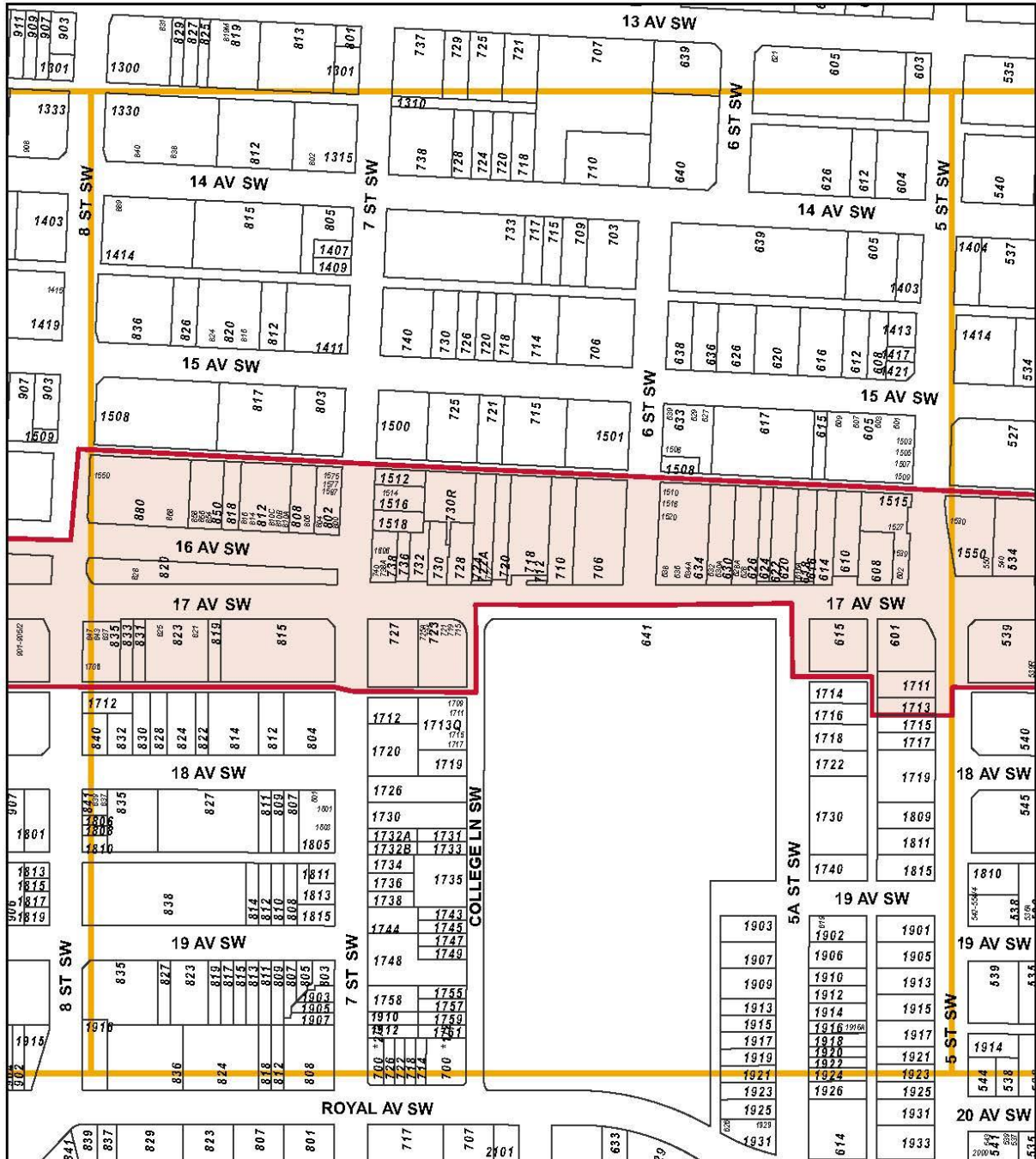
BYLAW NUMBER 39M2017

Legend

 17th Avenue Retail & Entertainment District
Business Improvement Area

PROPOSED

BYLAW NUMBER 39M2017



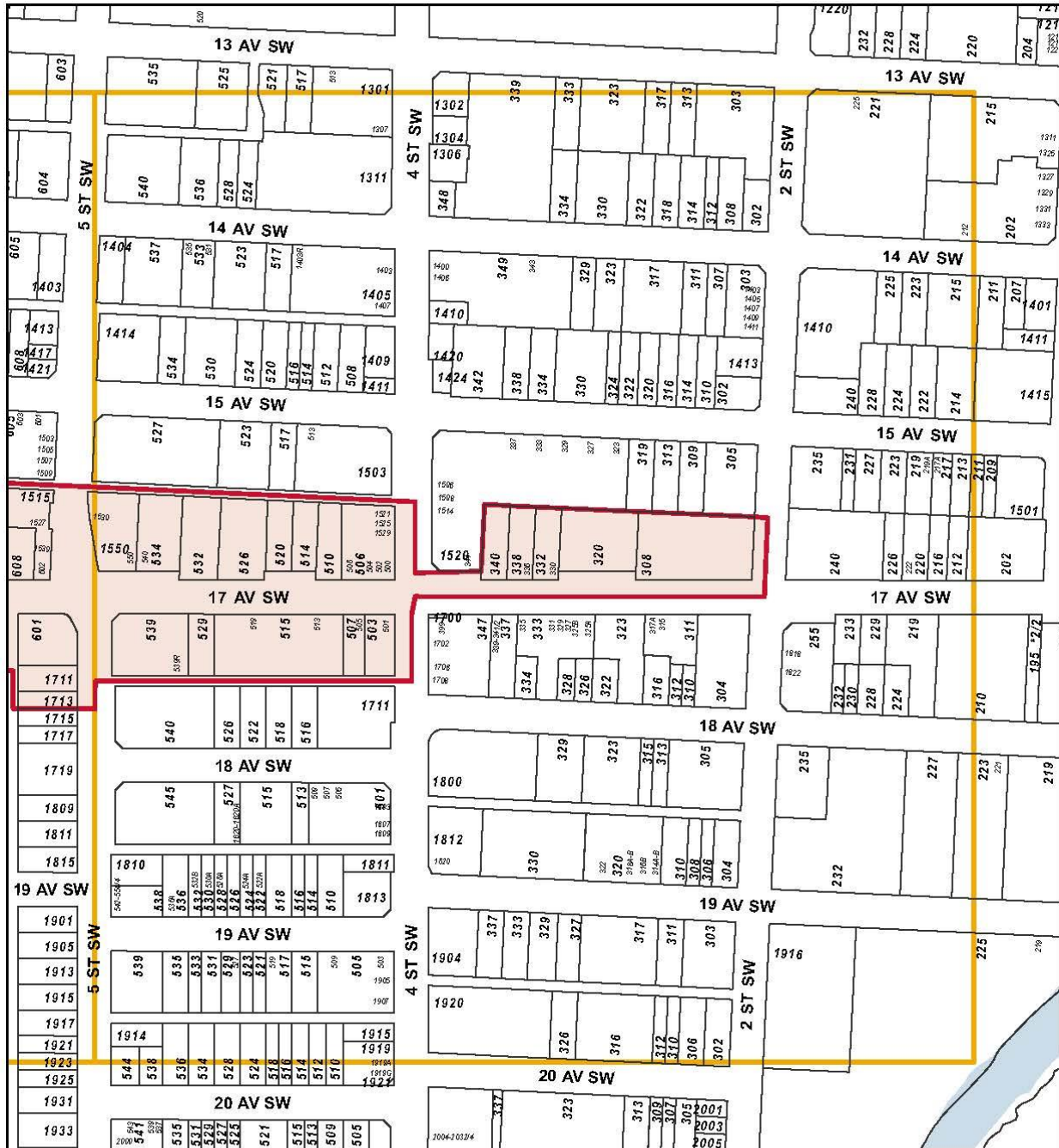
17th Avenue Retail & Entertainment District

Business Improvement Area

Legend

- 17th Avenue Retail & Entertainment District Business Improvement Area

Map 4 - Detail



17th Avenue Retail & Entertainment District

Business Improvement Area

Map 5 - Detail

Legend

- 17th Avenue Retail & Entertainment District Business Improvement Area

BYLAW NUMBER 36M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO CONTINUE THE INGLEWOOD BUSINESS
REVITALIZATION ZONE AS THE INGLEWOOD
BUSINESS IMPROVEMENT AREA**

WHEREAS Council, by Bylaw Number 7M88, as amended, established the Inglewood Business Revitalization Zone ("BRZ");

AND WHEREAS the Board of the Business Revitalization Zone has requested that the name of the BRZ be changed to the "Inglewood Business Improvement Area";

AND WHEREAS Council has considered Report CPS2017-0647 and considers it desirable to repeal Bylaw 7M88, and to continue the Inglewood Business Revitalization Zone under a revised bylaw that aligns with the Municipal Government Act, R.S.A. 2000, c. M 26, as amended, and the Business Improvement Area Regulation, Alta. Reg. 93/2016;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. The Inglewood Business Revitalization Zone established by Bylaw 7M88, as amended, is hereby continued as the "Inglewood Business Improvement Area".
2. This Bylaw may be cited as the "Inglewood Business Improvement Area Bylaw".
3. In this Bylaw the phrase "Business Improvement Area" may be referred to as "BIA".

Establishment of BIA

4. The Business Improvement Area in the City of Calgary, established as a Business Revitalization Zone under Bylaw 7M88, encompasses the area outlined on Schedule "A" attached to this Bylaw which schedule forms a part of this Bylaw.

Name of BIA

5. The name of the Business Improvement Area is the "Inglewood Business Improvement Area".

Purposes

6. The purposes for which the BIA was established are the following:
 - (a) improving, beautifying and maintaining property in the BIA;
 - (b) developing, improving and maintaining public parking within or adjacent to the BIA; and

PROPOSED **BYLAW NUMBER 36M2017**

- (c) promoting the BIA as a business or shopping area.

PROPOSED BYLAW NUMBER 36M2017

Establishment of the Board

7. (1) The Board of the Inglewood Business Improvement Area is a non-profit corporation pursuant to s. 51 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, and s. 16 of the Business Improvement Area Regulation, Alta. Reg. 93/2016 (hereinafter referred to as “the Board”).
- (2) The Board shall consist of a maximum of 10 members.

Appointment of Members

8. (1) Members of the Board shall be appointed by resolution of Council.
- (2) The Board must consist of individuals who have been nominated by one or more taxpayers in the BIA as defined in s. 1(e) of the Business Improvement Area Regulation, Alta. Reg. 93/2016.

Term of Office

9. (1) Members of the Board shall be appointed for 2 year terms.
- (2) Notwithstanding subsection (1), Council may appoint a member of the Board for a term that is less than 2 years.
- (3) Each member of the Board shall remain in office until:
 - (a) the member resigns,
 - (b) the revocation of the member's appointment by Council following the recommendation of the Board, or
 - (c) the member's term of office expires,whichever comes first.

Vacancy

10. (1) When a vacancy occurs on the Board, the Board may:
 - (a) appoint an individual to fill that office until the next annual meeting of the taxpayers in the BIA; or
 - (b) hold a special meeting of the taxpayers to nominate and vote on a replacement to fill that office until the next annual meeting of the taxpayers in the BIA.
- (2) Such interim appointments shall not require the further approval of Council.

PROPOSED BYLAW NUMBER 36M2017

In Force

11. Bylaw 7M88 is repealed.
12. This Bylaw shall come into force on the day it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

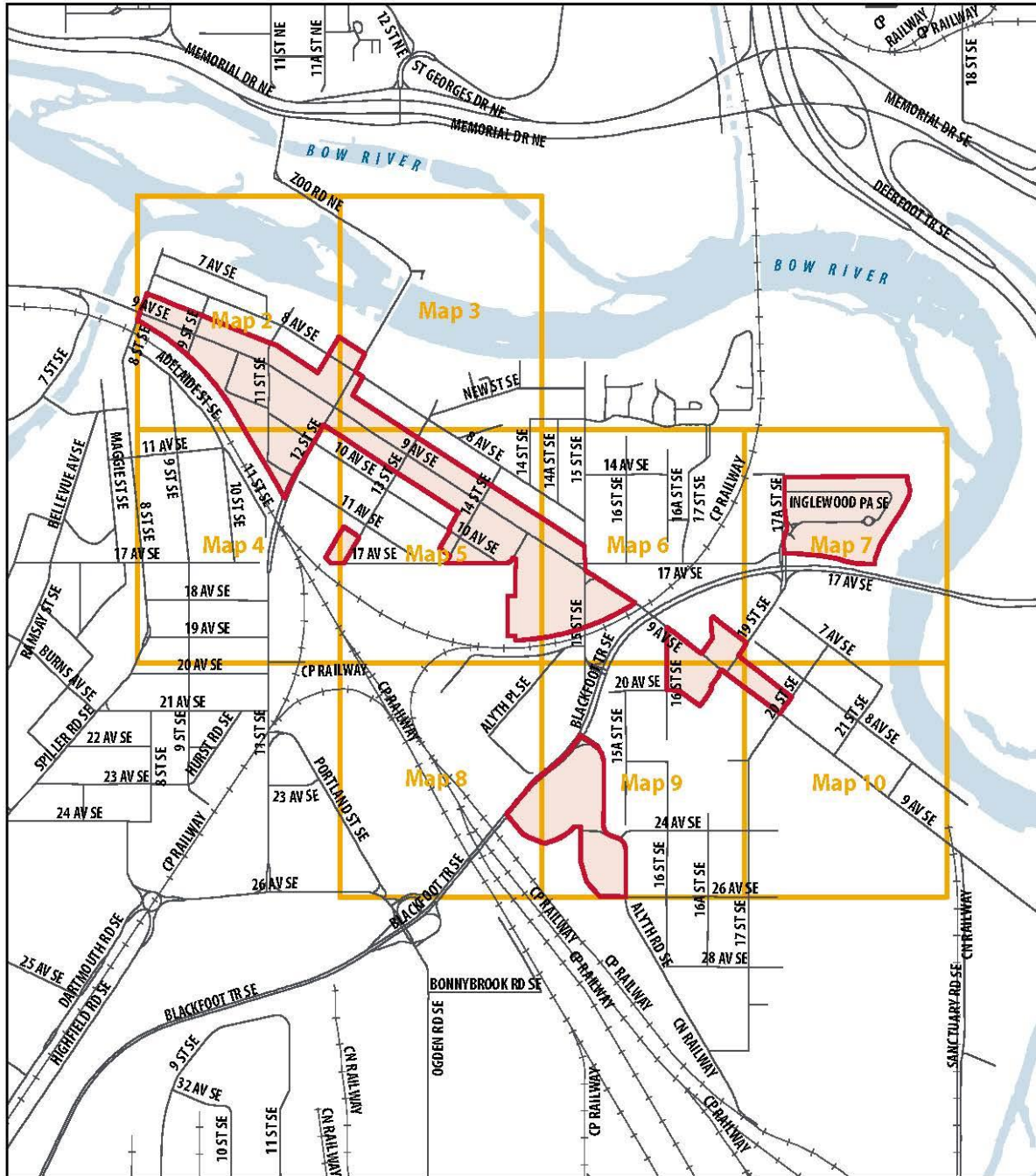
MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

PROPOSED

BYLAW NUMBER 36M2017

SCHEDULE "A"




Inglewood

Business Improvement Area

Map 1 - Overview

Legend

-  Inglewood Business Improvement Area

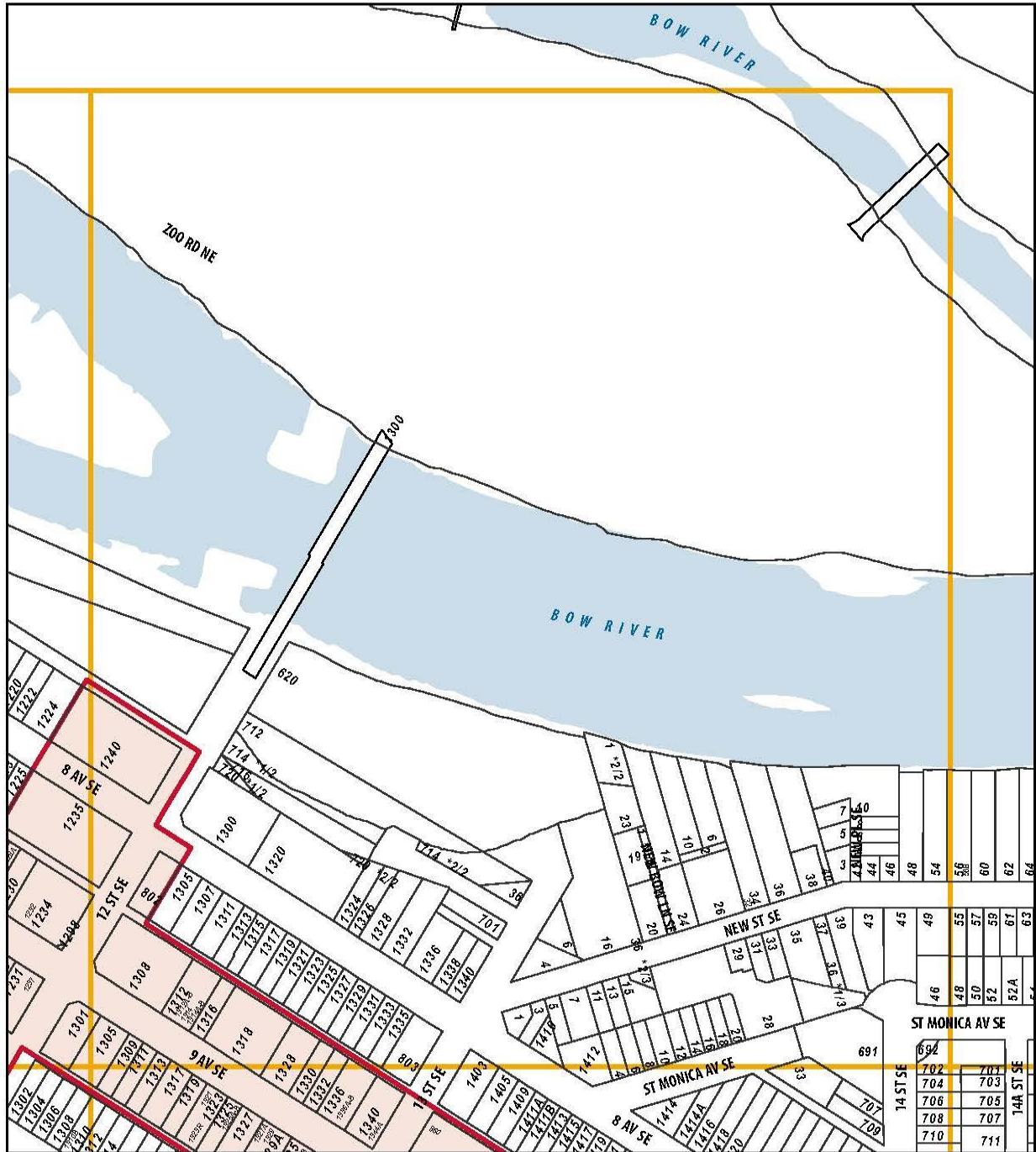
BYLAW NUMBER 36M2017

Business Improvement Area

Legend



Inglewood
Business Improvement Area




Inglewood

Business Improvement Area

Map 3 - Detail

Legend

-  Inglewood Business Improvement Area

PROPOSED

BYLAW NUMBER 36M2017




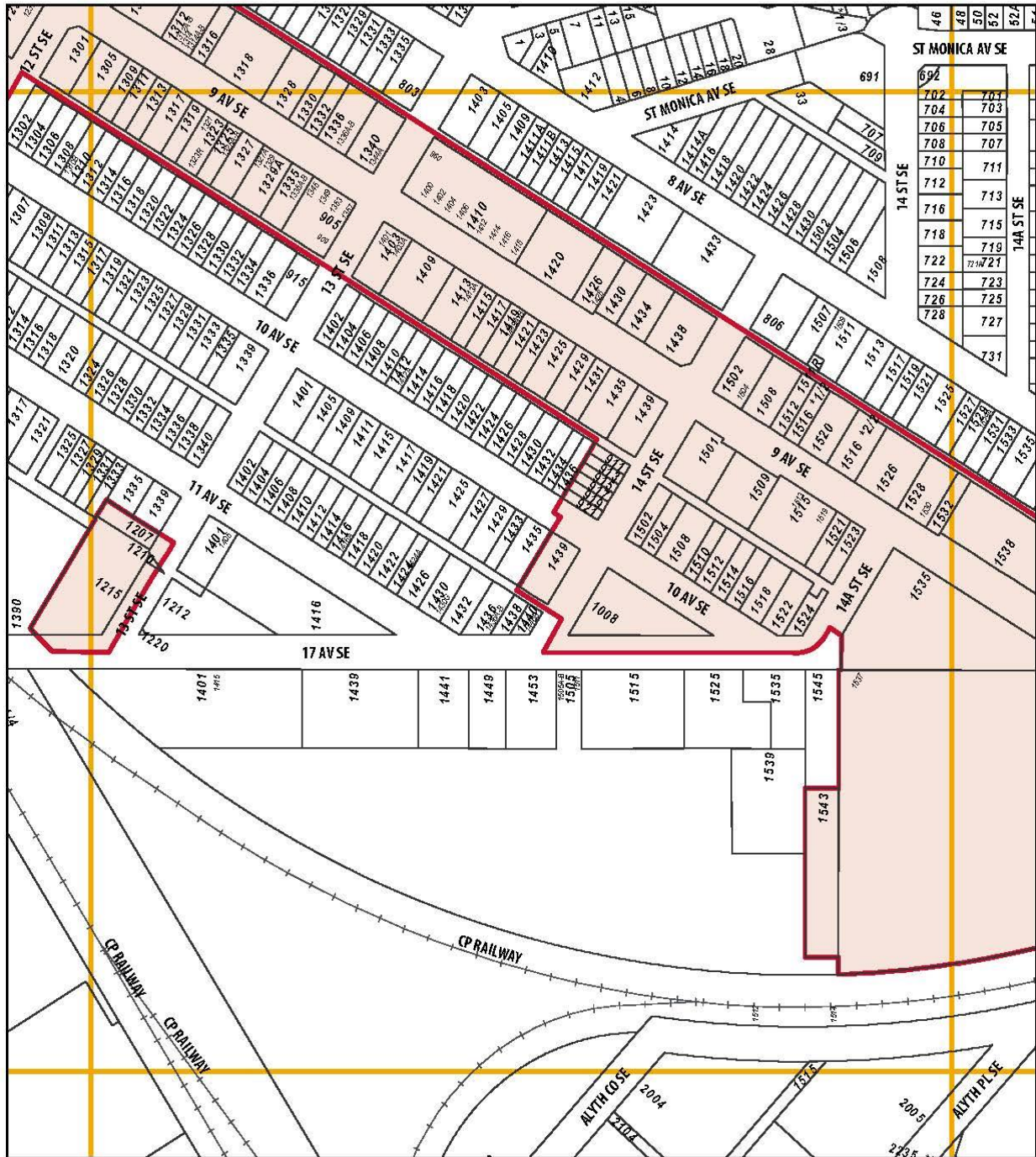
Inglewood

Business Improvement Area

Map 4 - Detail

Legend

-  Inglewood Business Improvement Area



Inglewood

Business Improvement Area

Map 5 - Detail

Legend

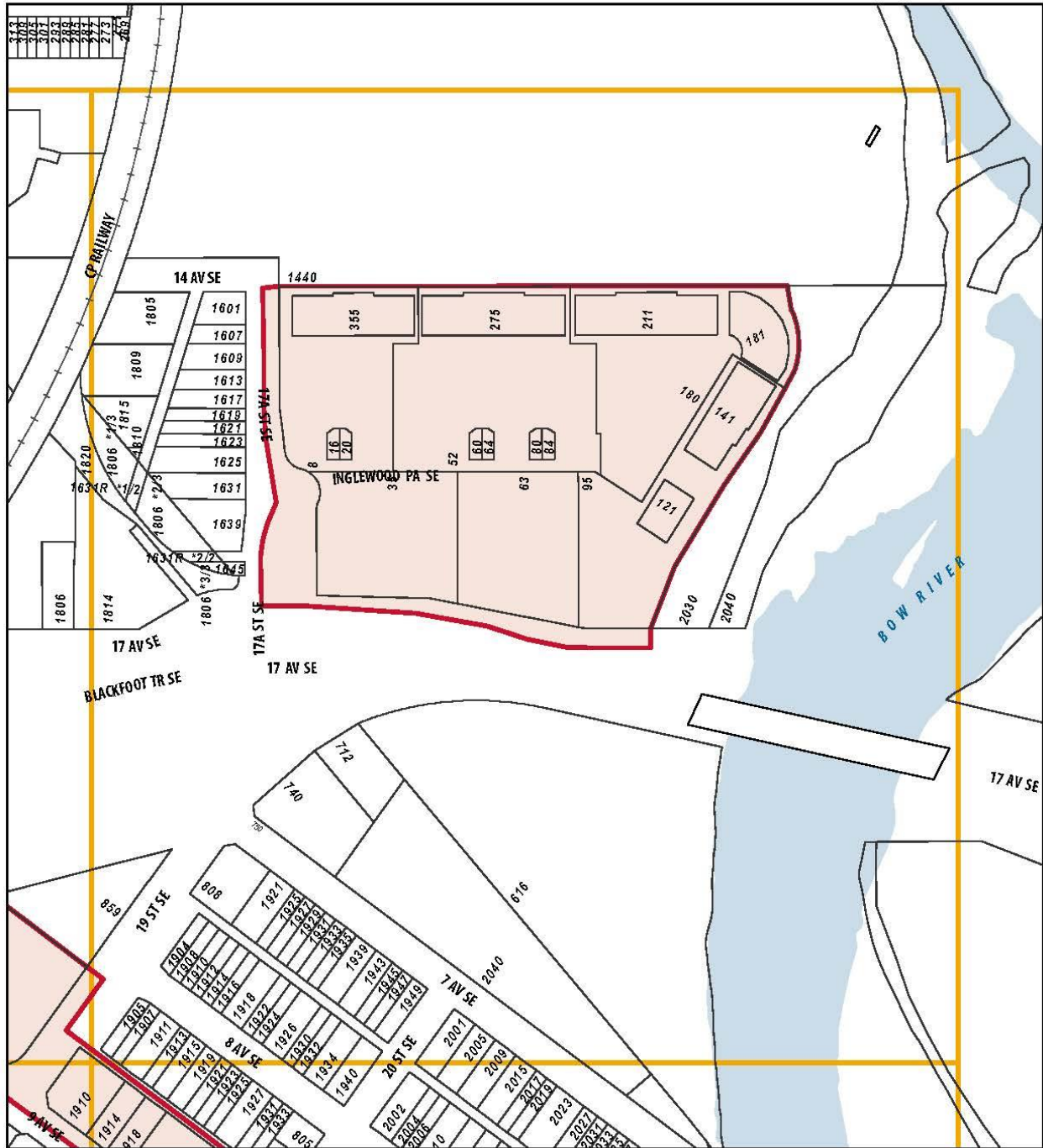
- Inglewood Business Improvement Area

BYLAW NUMBER 36M2017

Business Improvement Area

Legend





Inglewood Business Improvement Area

Map 7 - Detail



Legend

- Inglewood Business Improvement Area

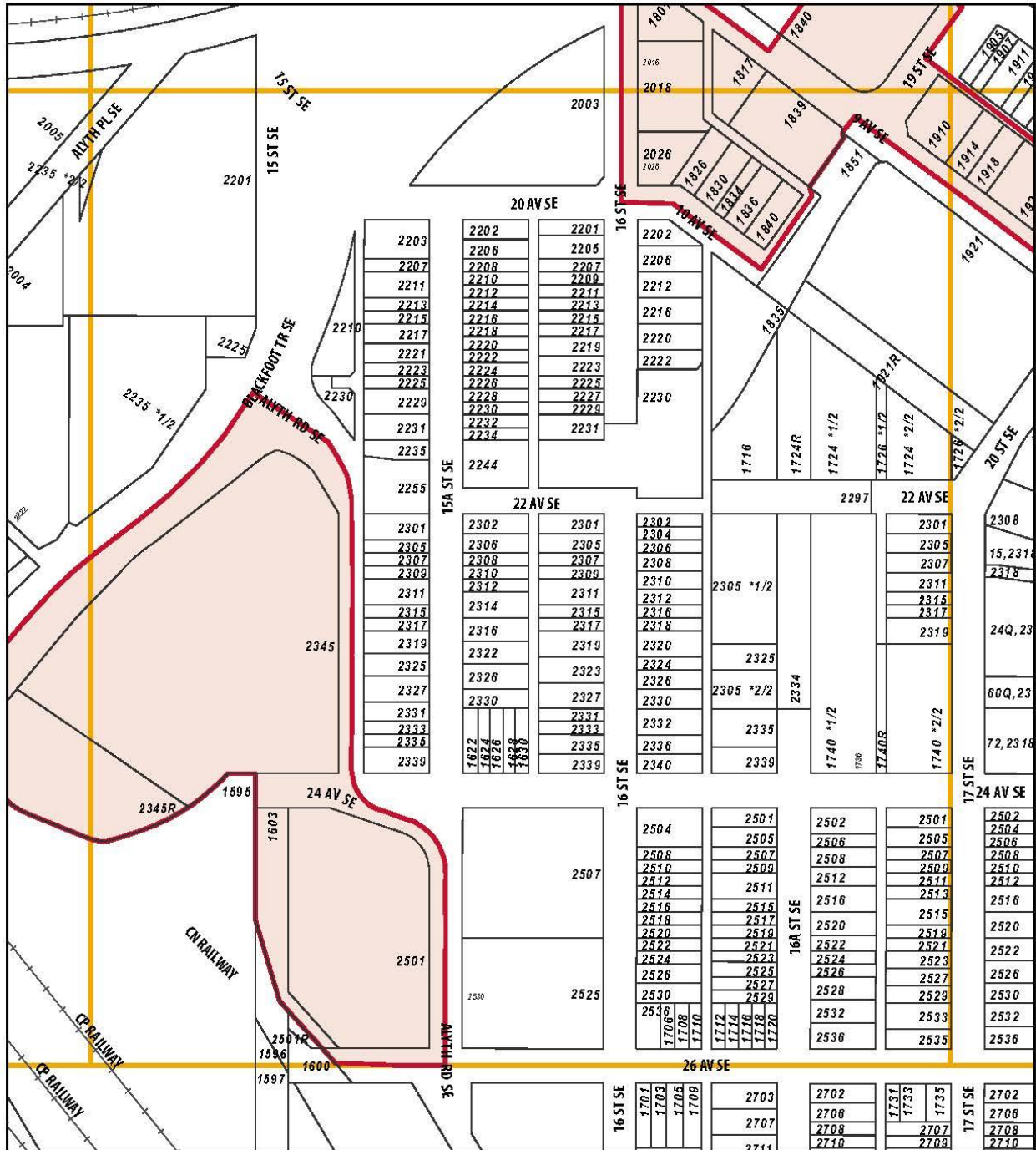


Business Improvement Area

Legend

- 
-  Inglewood
Business Improvement Area

PROPOSED BYLAW NUMBER 36M2017



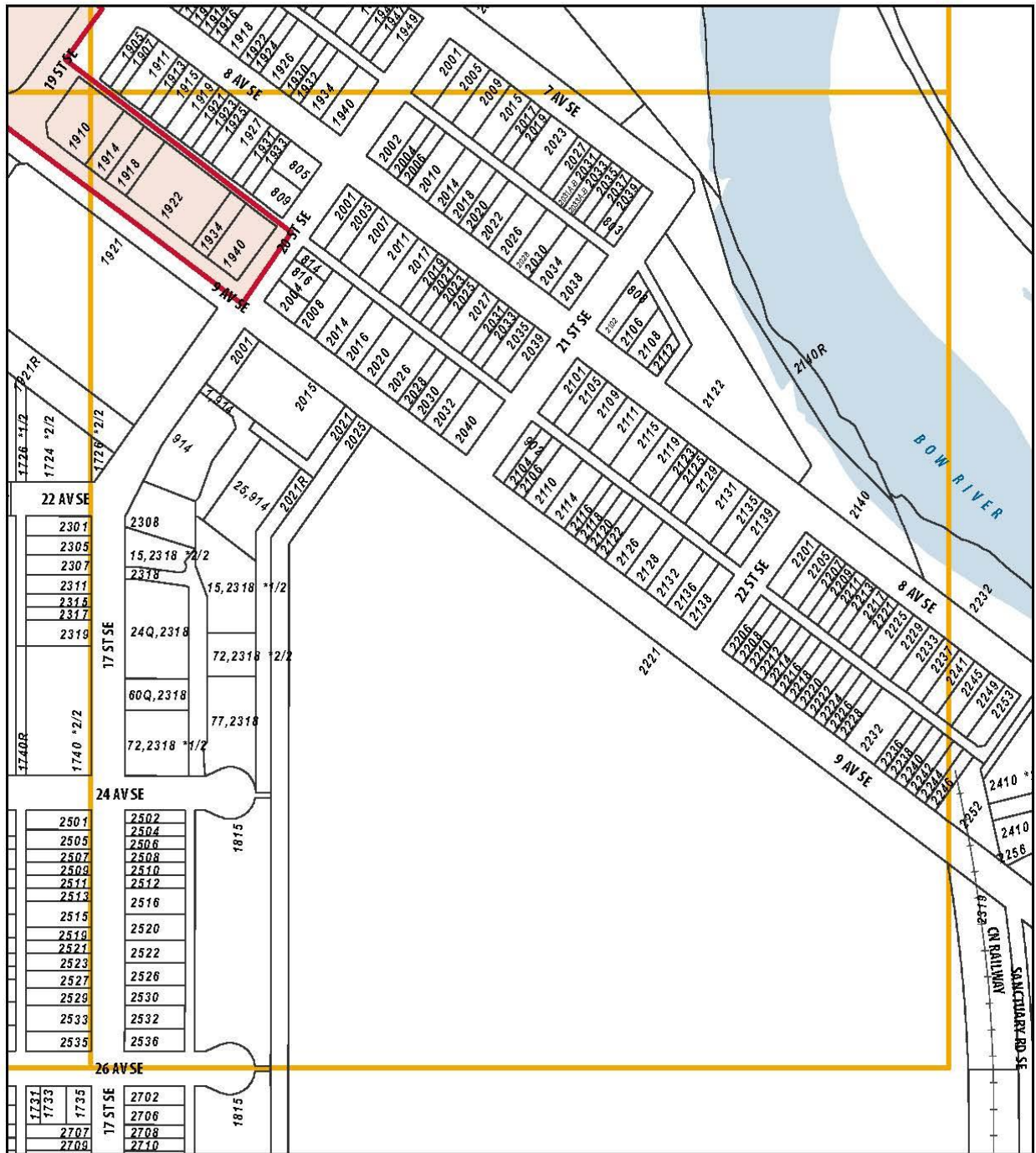
Inglewood Business Improvement Area

Map 9 - Detail

Legend

- Inglewood
- Business Improvement Area

PROPOSED BYLAW NUMBER 36M2017



Inglewood Business Improvement Area

Map 10 - Detail

Legend

- Inglewood Business Improvement Area

Excerpts from the Current Municipal Government Act and the *Business Improvement Area Regulation*, AR 93/2016

SECTIONS 50-53 MUNICIPAL GOVERNMENT ACT, RSA 2000, c M-26
Division 5: Business Improvement Areas

Purpose

50 A council may by bylaw establish a business improvement area for one or more of the following purposes:

- (a) improving, beautifying and maintaining property in the business improvement area;
- (b) developing, improving and maintaining public parking;
- (c) promoting the u as a business or shopping area.

RSA 2000 cM-26 s50;2015 c8 s5

Board

51(1) A business improvement area is governed by a board consisting of members appointed by council under the business improvement area bylaw.

(2) The board is a corporation.

RSA 2000 cM-26 s51;2015 c8 s6

Civil liability of board members

52(1) In this section, “approved budget” means a budget of the board of a business improvement area that has been approved by council.

(2) A member of a board of a business improvement area that makes an expenditure that is not included in an approved budget is liable to the municipality for the expenditure.

(3) If more than one member is liable to the municipality under this section in respect of a particular expenditure, the members are jointly and severally liable to the municipality for the expenditure.

(4) The liability may be enforced by action by

- (a) the municipality, or
- (b) a person who is liable to pay the business improvement area tax imposed in the business improvement area.

RSA 2000 cM-26 s52;2015 c8 s6

Regulations

53 The Minister may make regulations

- (a) respecting the establishment of a business improvement area;
- (b) setting out what must be included in a business improvement area bylaw;
- (c) respecting the appointment, term and renewal of members of the board of a business improvement area;
- (d) respecting the powers and duties of the board and the board’s annual budget;
- (e) respecting the disestablishment of a business improvement area and the dissolution of a board;
- (f) that operate despite Part 8, authorizing a municipality to lend money to a board and to borrow money on behalf of a board;

- (g) establishing restrictions on the municipality providing money to the board.

RSA 2000 cM-26 s53;2015 c8 s7

ALBERTA REGULATION 93/2016

Municipal Government Act

BUSINESS IMPROVEMENT AREA REGULATION

Definitions

1 In this Regulation,

- (a) “board” means the board of a business improvement area;
- (b) “capital property” means a capital property as defined in section 241(c) of the Act;
- (c) “disestablishment” in respect of a business improvement area includes the dissolution of the area’s board;
- (d) “taxable business” means a business in a business improvement area whose operator is a taxpayer;
- (e) “taxpayer” means a person who operates a business and is liable to pay business improvement area tax in respect of that business.

Business improvement area bylaw

5(1) If a sufficient petition is not received, the council may pass a business improvement area bylaw that is based on the request.

(2) A business improvement area bylaw must

- (a) designate an area as a business improvement area,
- (b) designate a name for the area,
- (c) describe the purposes for which the area is established,
- (d) establish a board for the area, and
- (e) specify the number of board members, the term of office of board members and the method of filling vacancies.

Transitional

32(1) In this section, “previous regulation” means the *Business Revitalization Zone Regulation* (AR 377/94).

(2) On the coming into force of this Regulation,

- (a) a business revitalization zone established under the previous regulation is deemed to be a business improvement area established under this Regulation;
- (b) a board of a business revitalization zone established under the previous regulation is deemed to be a board of a business improvement area;
- (c) a business revitalization zone bylaw passed under the previous regulation is deemed to be a business improvement area bylaw passed under this Regulation
- (d) a business revitalization zone tax bylaw passed under the previous regulation is deemed to be a business improvement area tax bylaw passed under this Regulation;
- (e) a business revitalization zone tax rate bylaw passed under the previous regulation is deemed to be a business improvement area tax rate bylaw passed under this Regulation.

Commencement

Coming into force

33 This Regulation comes into force on July 1, 2016.

ESTABLISHMENT OF THE HIPVILLE BUSINESS IMPROVEMENT AREA

EXECUTIVE SUMMARY

City Administration received a request to establish a Business Improvement Area (BIA) in Highland Park. The proposed name for the BIA is HIPville BIA. The request meets the legislative requirements of the *Business Improvement Area Regulation*, AR 93/2016 (*BIA Regulation*). Therefore, Council must consider the request, and decide whether to establish the BIA. Consequently, Administration has prepared this report to assist Council. In addition, should Council decide it is appropriate to establish the BIA, Administration has prepared the proposed wording for a bylaw.

A group of affected businesses owners who do not support the BIA submitted a petition to oppose the establishment of the BIA. However, the petition does not meet the legislative requirements in the *Municipal Government Act*, RSA 2000, c. M-26, as amended (MGA) and the *BIA Regulation*. Therefore, Council may pass a bylaw to establish the proposed BIA.

The businesses in support of the new BIA seek to address the following issues in Highland Park: security and policing; business taxation; upgrades to improve the condition of streets and infrastructure; local economic conditions; and community economic development opportunities.

ADMINISTRATION RECOMMENDATIONS

Administration recommends that the SPC on Community and Protective Services recommend that Council:

1. Consider whether to establish the HIPville Business Improvement Area; and
2. If Council decides to establish the HIPville Business Improvement Area:
 - a. give three readings to a proposed Bylaw to Establish the HIPville Business Improvement Area (Attachment 1); and
 - b. appoint, by resolution, the individuals listed in Attachment 2 as the interim HIPville Business Improvement Area Board until 2017 December 31.

RECOMMENDATION OF THE SPC ON COMMUNITY AND PROTECTIVE SERVICES, DATED 2017 SEPTEMBER 06:

That Council:

1. File the Administration Recommendations contained in Report CPS2017-0648;
2. Give three readings to proposed **Bylaw 40M2017** to establish the HIPville Business Improvement Area;
3. Appoint by resolution, the individuals listed in Attachment 2 as the interim HIPville Business Improvement Area until 2017 December 31; and
4. Direct Administration to continue to work with key stakeholders on the implementation of the HIPville Business Improvement Area.

Opposition to the Recommendation:

Opposed: J. Magliocca

ESTABLISHMENT OF THE HIPVILLE BUSINESS IMPROVEMENT AREA

PREVIOUS COUNCIL DIRECTION / POLICY

On 2014 November 03 Council adopted PFC2014-0760 'Business Revitalization Zones 2015-2018 Business Plan, which identifies the growth of new BIAs (formerly known as BRZs) as a key outcome.

BACKGROUND

In 1983 June the Government of Alberta amended the MGA to enable municipalities to enact a bylaw to establish a BIA. The bylaw establishes a board to govern the BIA, and the board members are appointed by Council. BIA boards operate as non-profit corporations and are subject to provincial legislation. Council's authority to establish a BIA is found in sections 50 to 53 of the MGA and sections 2 to 6 of the *BIA Regulation* (Attachment 3).

BIA operations are funded through a tax paid by all businesses that are assessed for business tax and operate within the BIA. The tax enables the business owners to collectively fund activities to promote and improve the economic vitality of their area for the purposes set out in the MGA. These purposes are to: improve, beautify and maintain property in the zone; develop, improve and maintain public parking; and, promote the zone as a business or shopping area. Calgary currently has 11 BIAs, established between 1984 and 2015.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Request for the Establishment of a HIPville BIA and Required Processes

A request to establish the HIPville BIA was submitted to The City on 2017 March 31. Administration assessed the request for compliance with sections 3(1) and (2) of the *BIA Regulation* which require the request to be signed by at least 25 percent of the businesses that would be liable to pay the BIA tax if the BIA were established. The request included valid signatures from 87 of the 304 businesses (28.6 percent) in the proposed BIA who would be required to pay the BIA tax.

Subsequently, as required by section 3(3) of the *BIA Regulation*, on 2017 April 25 Administration mailed a notice to all of the affected business within the proposed BIA of the request and their right to petition against the establishment of the BIA. The documentation related to the request can be found in Attachment 4.

Petition Objecting to the Establishment of the BIA and Required Processes

A *Petition Against the Establishment of the Highland Industrial Park Business Improvement Area* (the *Petition*) was submitted to the City Clerk's Office on 2017 June 26. Section 226(1) of the MGA requires the Chief Administrative Officer, within 30 days after a petition is filed, to make a declaration to Council on whether a petition is sufficient or insufficient. A petition against the establishment of a BIA is sufficient if it meets the requirements of sections 222 to 226 of the MGA and section 4 of the *BIA Regulation*.

The *Petition* was reviewed to determine whether it met the legislative requirements. On 2017 July 24 the City Manager made a declaration to Council that the *Petition* was insufficient because it did not comply with the mandatory requirements in the MGA. The *Petition* lacked the required affidavit of witness to signatures, and the required signed statement of the representative of the petitioners which must be attached to the *Petition*.

ESTABLISHMENT OF THE HIPVILLE BUSINESS IMPROVEMENT AREA

In addition, section 4 of the *BIA Regulation* requires the *Petition* to be signed by more than 51 percent of the BIA taxpayers in the proposed BIA. Signatures that do not meet the statutory requirements must not be counted. The total number of persons eligible to sign the *Petition* was 304. The minimum number of signatures required by section 4 of the *BIA Regulation* is 153. The *Petition* contained 158 signatures, but 39 signatures were excluded from the count as required by section 225 of the MGA. Therefore, the number of valid signatures was 119 or 39.1 percent. The Declaration of Insufficiency of the *Petition* can be found in Attachment 5.

The *BIA Regulation* sets out the process for businesses to request, and to object to, the establishment of a BIA. Where a valid request has been received by Council, and a sufficient petition has not been received, Council must consider the request and decide whether to establish the BIA. When deciding whether to establish the proposed BIA Council may, but is not required, to take any notice of a petition that is not sufficient.

Stakeholder Engagement, Research and Communication

Administration provided information and assistance to both the organizers of the request to establish the BIA and the organizers of the *Petition*. In addition, both groups were sent an identical letter reporting on the Declaration of Insufficiency of the *Petition* and the next steps in the process (Attachment 6).

Strategic Alignment

Municipal support for BIAs aligns with *Action Plan 2015-2018* and the associated Council Priorities to create “a Prosperous City” whereby Calgary is “...a place where there is opportunity for all, and the best place in Canada to start and grow a business,” and to create “a City of Inspiring Neighbourhoods” where “every Calgarian lives in a safe, mixed and just neighbourhood, and has the opportunity to participate in civic life”.

The BRZ/BIA 2015-2018 Business Plan identifies the growth of new BIAs as a key outcome.

Social, Environmental, Economic (External)

BIAs provide an opportunity to promote Calgary as a great place to visit, live, meet, work, play and study. They play an important role in supporting economic activity and neighbourhood revitalization. BIAs make a significant contribution to Calgary’s economic well-being by helping to nurture the growth and development of business in the city and by improving the quality of life for those living and working in the areas. In shaping a dynamic business environment, BIAs attract visitors and residents alike to their vibrant business areas.

A BIA’s board members are appointed by Council under the terms of The City’s bylaw that established the BIA. The Board is responsible for addressing the needs of the defined area as identified by the business owners that are liable to pay the BIA tax.

Financial Capacity

Current and Future Operating Budget:

There are no operating budget implications associated with this report. The revenue raised as a result of the additional levies paid by ratepayers in the BIA will be transferred directly to the HIPville BIA’s board.

Current and Future Capital Budget

There are no capital budget implications as a result of this report.

ESTABLISHMENT OF THE HIPVILLE BUSINESS IMPROVEMENT AREA

Risk Assessment

The request to establish the proposed BIA and the *Petition* were reviewed for compliance with the MGA and the *BIA Regulation*. The legislation was reviewed to determine Council's obligation to consider the request and Council's authority to pass a bylaw to establish the BIA.

While the request meets the legislative requirements to form a BIA, the lack of consensus among the BIA taxpayers is evidenced by the filing of the *Petition*. Although section 226(3) of the MGA states that Council is not required to take any notice of a petition that is not sufficient, Council may still consider both the support and the opposition to the BIA when deciding whether to pass a bylaw to establish the proposed BIA.

Administration has notified the affected businesses of the meeting where this report will be considered, and advised them of their opportunity to make representations to the SPC. Some of the affected businesses have expressed an interest in communicating their support for, and their objections to, the establishment of the BIA. Public submissions from the affected businesses regarding the proposed BIA may help to clarify the reasons for the lack of consensus in the business community, and whether the lack of consensus will impact the effective operation of the BIA and the board's ability to achieve the stated purposes and benefits of the BIA for the community.

REASONS FOR RECOMMENDATIONS:

The request to establish the HIPville BIA meets the legislative requirements. The *Petition* was not sufficient because it does not meet the legislative requirements. Where a sufficient petition is not received, the *BIA Regulation* requires Council to consider the request and to decide whether to pass a bylaw to establish the proposed BIA.

ATTACHMENTS

1. **Proposed Bylaw 40M2017**
2. Interim HIPville Business Improvement Area Board
3. Excerpts of the Business Improvement Area Enabling Legislation
4. Documents Related to the Request to Establish the HIPville Business Improvement Area
5. Declaration of Insufficiency of the *Petition*
6. Letter Regarding the Declaration of Insufficiency of the *Petition*

BYLAW NUMBER 40M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO ESTABLISH THE
HIPVILLE BUSINESS IMPROVEMENT AREA

WHEREAS a request to establish a Business Improvement Area (“BIA”) in Highland Park has been received, which request has been signed by persons who would be taxpayers if the BIA were established and who represent at least 25 percent of the businesses that would be taxable businesses if a BIA were established;

AND WHEREAS notice of the request was mailed or delivered to every business in the proposed BIA that would be a taxable business if a BIA were established;

AND WHEREAS a petition objecting to the establishment of the BIA was received by Council but declared to be insufficient by the City Manager;

AND WHEREAS Council has approved Report CPS2017-0648 and considers it desirable to establish a Business Improvement Area in Highland Park in accordance with the Business Improvement Area Regulation, Alta. Reg. 93/2016 and sections 50 to 53 and 381 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the “HIPville Business Improvement Area Bylaw”.
2. In this Bylaw the phrase “Business Improvement Area” may be referred to as “BIA”.

Establishment of BIA

3. There is established a Business Improvement Area in the City of Calgary for the area outlined on Schedule “A” attached to this Bylaw, which schedule forms a part of this Bylaw.

Name of BIA

4. The name of the BIA established by this Bylaw shall be the “HIPville Business Improvement Area”.

Purposes

5. The purposes for which the HIPville BIA is established include the following:
 - (a) improving, beautifying and maintaining property in the BIA;

PROPOSED

BYLAW NUMBER 40M2017

- (b) developing, improving and maintaining public parking within or adjacent to the BIA; and
- (c) promoting the BIA as a business or shopping area.

Establishment of the Board

- 6. (1) The Board of the HIPville Business Improvement Area is hereby established as a non-profit corporation pursuant to s. 51 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, and s. 16 of the Business Improvement Area Regulation, Alta. Reg. 93/2016.
- (2) The corporation hereby established shall consist of a board comprised of not less than 3 and not more than 10 members (hereinafter referred to as “the Board”).

Appointment of Board Members

- 7. (1) Members of the Board shall be appointed by resolution of Council,
- (2) The Board must consist of individuals who have been nominated by one or more taxpayers in the BIA as defined in s. 1(e) of the Business Improvement Area Regulation, Alta. Reg. 93/2016.

Term of Office

- 8. (1) Members of the Board shall be appointed for 2 year terms.
- (2) Notwithstanding subsection (1), Council may appoint a member of the Board for a term that is less than 2 years.
- (3) Each member of the Board shall remain in office until:
 - (a) the member resigns,
 - (b) the revocation of the member’s appointment by Council following the recommendation of the Board, or
 - (c) the member’s term of office expires,whichever comes first.

PROPOSED

BYLAW NUMBER 40M2017

Vacancy

9. When a vacancy occurs on the Board, the Board may appoint an individual to fill that office until the next annual meeting of the taxpayers in the BIA. Such interim appointments shall not require the further approval of Council.

In Force

10. This Bylaw shall come into force on the day it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR

SIGNED THIS ____ DAY OF _____, 2017.

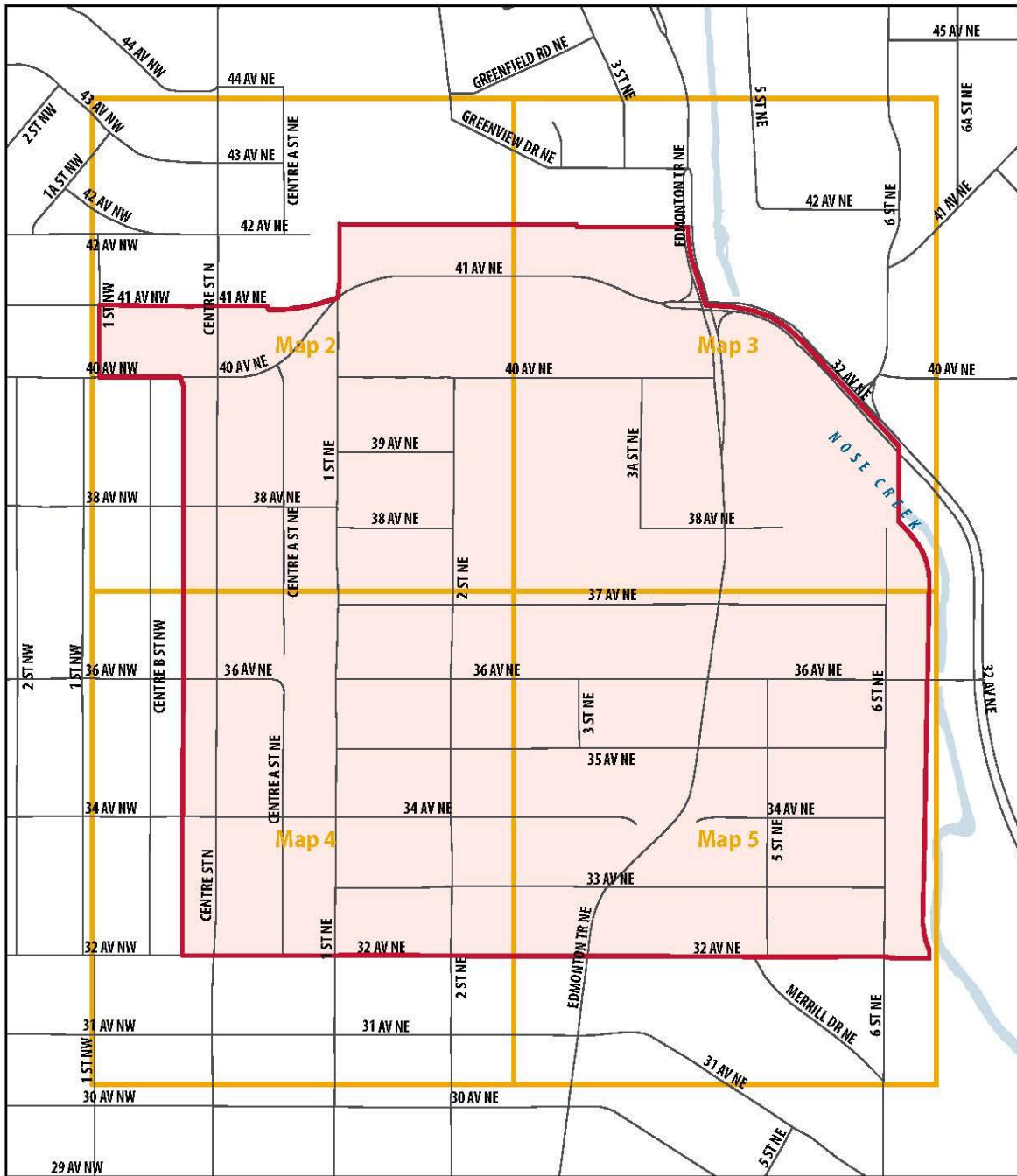
CITY CLERK

SIGNED THIS ____ DAY OF _____, 2017.

PROPOSED

BYLAW NUMBER 40M2017

SCHEDULE "A"



HIPville

Business Improvement Area

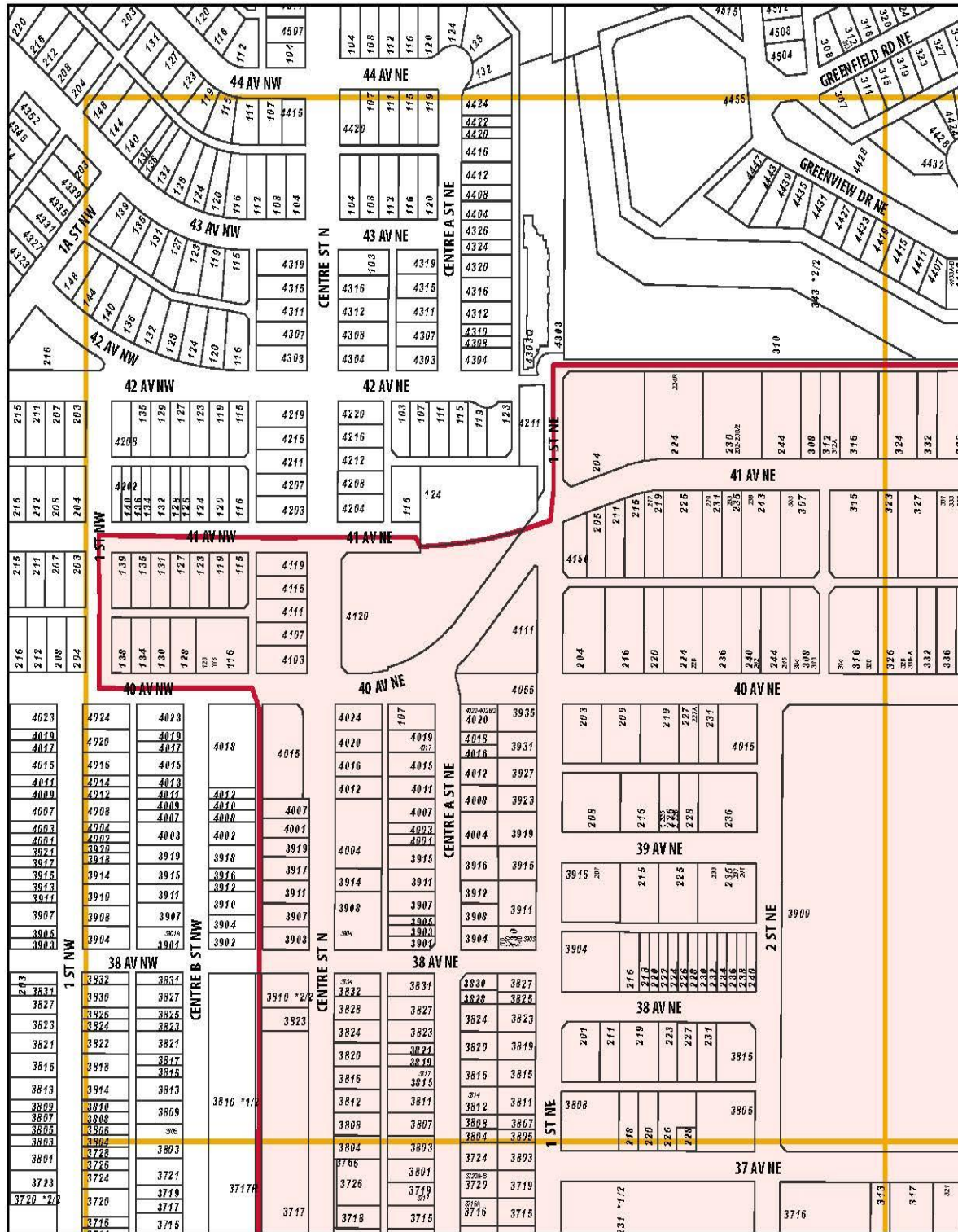
Map 1 - Overview

Legend

-  HIPville
-  Business Improvement Area

PROPOSED

BYLAW NUMBER 40M2017



HIPville

Business Improvement Area

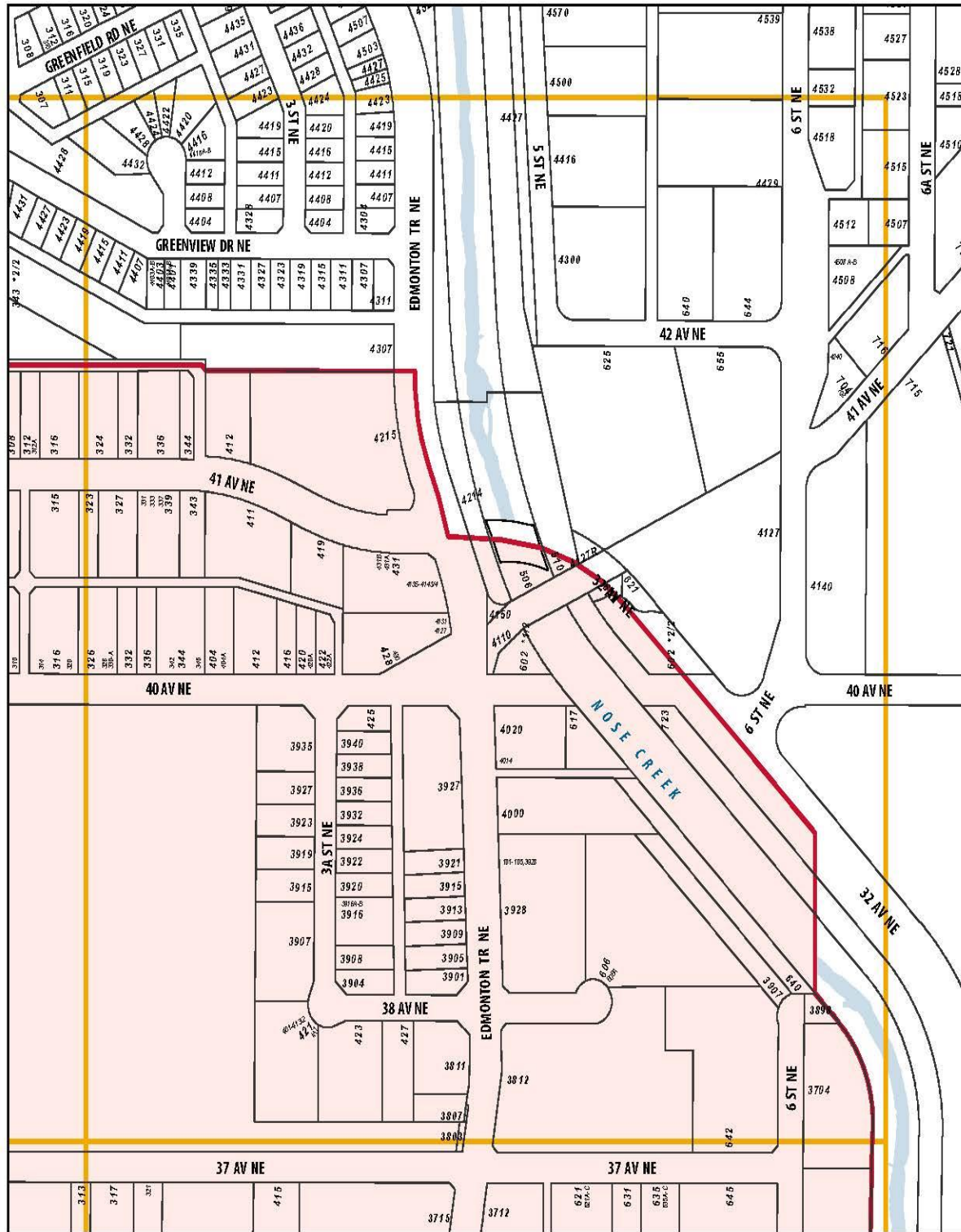
Map 2 - Detail

Legend

- HIPville
- Business Improvement Area

PROPOSED

BYLAW NUMBER 40M2017



HIPville

Business Improvement Area

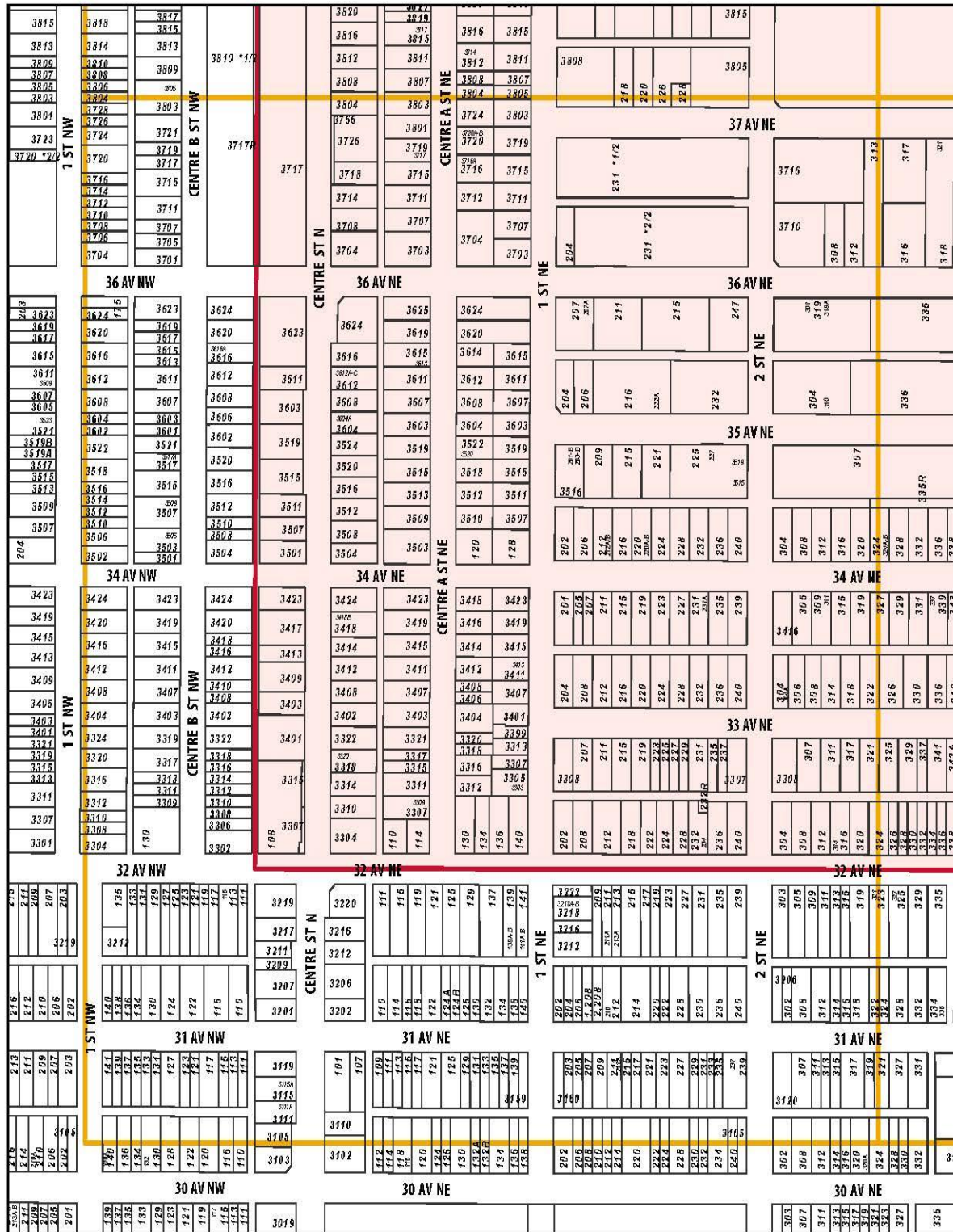
Map 3 - Detail

Legend

- HIPville
- Business Improvement Area

PROPOSED

BYLAW NUMBER 40M2017



HIPville

Business Improvement Area

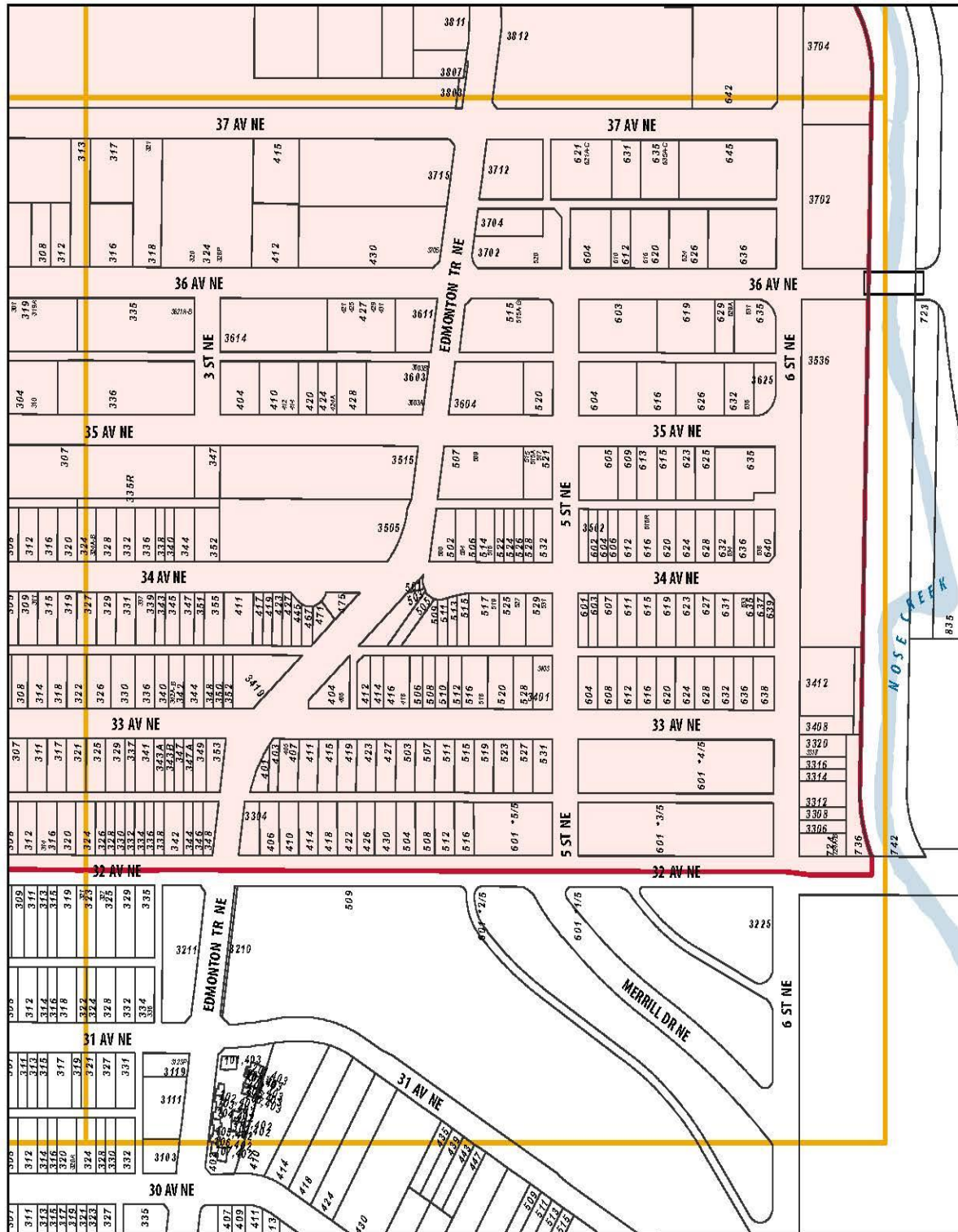
Map 4 - Detail

Legend

- HIPville
- Business Improvement Area

PROPOSED

BYLAW NUMBER 40M2017



HIPville

Business Improvement Area

Map 5 - Detail

Legend

- HIPville
- Business Improvement Area

Interim HIPville Business Improvement Area Board

Name	Business Represented
Dr. Salma Mitha	Kind Care Life
Franca Flaviano	Franca's Italian Specialties
Jay Chapman	British Auto Specialists
Jim Wright	The Wheel Pro's
John Wiehler	Whieler Mechanical
Rick Paquette	Base Electronics Depot
Terry Ohlhauser	North Hill Auto Service

Excerpts of the Business Improvement Area Enabling Legislation

Municipal Government Act, RSA 2000, c M-26, as amended**Division 5
Business Improvement Areas****Purpose**

50 A council may by bylaw establish a business improvement area for one or more of the following purposes:

- (a) improving, beautifying and maintaining property in the business improvement area;
- (b) developing, improving and maintaining public parking;
- (c) promoting the business improvement area as a business or shopping area.

RSA 2000 cM-26 s50;2015 c8 s5

Board

51(1) A business improvement area is governed by a board consisting of members appointed by council under the business improvement area bylaw.

(2) The board is a corporation.

RSA 2000 cM-26 s51;2015 c8 s6

Civil liability of board members

52(1) In this section, “approved budget” means a budget of the board of a business improvement area that has been approved by council.

(2) A member of a board of a business improvement area that makes an expenditure that is not included in an approved budget is liable to the municipality for the expenditure.

(3) If more than one member is liable to the municipality under this section in respect of a particular expenditure, the members are jointly and severally liable to the municipality for the expenditure.

(4) The liability may be enforced by action by

- (a) the municipality, or
- (b) a person who is liable to pay the business improvement area tax imposed in the business improvement area.

RSA 2000 cM-26 s52;2015 c8 s6

Regulations

53 The Minister may make regulations

- (a) respecting the establishment of a business improvement area;
- (b) setting out what must be included in a business improvement area bylaw;
- (c) respecting the appointment, term and renewal of members of the board of a business improvement area;
- (d) respecting the powers and duties of the board and the board’s annual budget;
- (e) respecting the disestablishment of a business improvement area and the dissolution of a board;
- (f) that operate despite Part 8, authorizing a municipality to lend money to a board and to borrow money on behalf of a board;
- (g) establishing restrictions on the municipality providing money to the board.

RSA 2000 cM-26 s53;2015 c8 s7

Part 7 Public Participation

Petitions

Rules for petitions

219 Sections 220 to 226 apply to all petitions to a council and the Minister under this Act, any other enactment or bylaw except to the extent that they are modified by this Act or any other enactment.

1994 cM-26.1 s219

CAO duties

220 When the Minister receives a petition, the Minister must designate a person to carry out the duties of a chief administrative officer with respect to the petition.

1994 cM-26.1 s220

Petition sufficiency requirements

221 A petition is sufficient if it meets the requirements of sections 222 to 226.

1994 cM-26.1 s221

Who can petition

222 Unless otherwise provided in this or any other enactment, only electors of a municipality are eligible to be petitioners.

1994 cM-26.1 s222

Number of petitioners

223(1) A petition must be signed by the required number of petitioners.

(2) If requirements for the minimum number of petitioners are not set out under other provisions of this or any other enactment then, to be sufficient, the petition must be signed,

- (a) in the case of a municipality other than a summer village, by electors of the municipality equal in number to at least 10% of the population, and
- (b) in the case of a summer village, by 10% of the electors of the summer village.

1994 cM-26.1 s223

Other requirements for a petition

224(1) A petition must consist of one or more pages, each of which must contain an identical statement of the purpose of the petition.

(2) The petition must include, for each petitioner,

- (a) the printed surname and printed given names or initials of the petitioner,
- (b) the petitioner's signature,
- (c) the street address of the petitioner or the legal description of the land on which the petitioner lives, and
- (d) the date on which the petitioner signs the petition.

(3) Each signature must be witnessed by an adult person who must

- (a) sign opposite the signature of the petitioner, and
- (b) take an affidavit that to the best of the person's knowledge the signatures witnessed are those of persons entitled to sign the petition.

(4) The petition must have attached to it a signed statement of a person stating that

- (a) the person is the representative of the petitioners, and
- (b) the municipality may direct any inquiries about the petition to the representative.

1994 cM-26.1 s224

Counting petitioners

225(1) A petition must be filed with the chief administrative officer and the chief administrative officer is responsible for determining if the petition is sufficient.

(2) No name may be added to or removed from a petition after it has been filed with the chief administrative officer.

(3) In counting the number of petitioners on a petition there must be excluded the name of a person

- (a) whose signature is not witnessed,
- (b) whose signature appears on a page of the petition that does not have the same purpose statement that is contained on all the other pages of the petition,
- (c) whose printed name is not included or is incorrect,
- (d) whose street address or legal description of land is not included or is incorrect,
- (e) if the date when the person signed the petition is not stated,
- (f) when a petition is restricted to certain persons,
 - (i) who is not one of those persons, or
 - (ii) whose qualification as one of those persons is not, or is incorrectly, described or set out,

or

- (g) who signed the petition more than 60 days before the date on which the petition was filed with the chief administrative officer.

(4) If 5000 or more petitioners are necessary to make a petition sufficient, a chief administrative officer may use a random statistical sampling method with a 95% confidence level to determine the sufficiency of the petition, instead of counting and checking each petitioner.

1994 cM-26.1 s225

Report on sufficiency of petition

226(1) Within 30 days after the date on which a petition is filed, the chief administrative officer must make a declaration to the council or the Minister on whether the petition is sufficient or insufficient.

(2) Repealed 1995 c24 s26.

(3) If a petition is not sufficient, the council or the Minister is not required to take any notice of it.

1994 cM-26.1 s226;1995 c24 s26

ALBERTA REGULATION 93/2016
Municipal Government Act
BUSINESS IMPROVEMENT AREA REGULATION

Definitions

1 In this Regulation,

- (a) “board” means the board of a business improvement area;
- (b) “capital property” means a capital property as defined in section 241(c) of the Act;
- (c) “disestablishment” in respect of a business improvement area includes the dissolution of the area’s board;
- (d) “taxable business” means a business in a business improvement area whose operator is a taxpayer;
- (e) “taxpayer” means a person who operates a business and is liable to pay business improvement area tax in respect of that business.

Establishment

Procedure for establishment

2 A business improvement area may only be established in accordance with this Regulation.

Request for establishment

3(1) The process for establishing a business improvement area begins with a request to council signed by persons who

- (a) would be taxpayers if an area was established, and
- (b) represent at least 25% of the businesses that would be taxable businesses if an area was established.

(2) The request must ask that an area be established and describe the proposed purposes and boundaries of the area.

(3) Within 30 days of receiving a request that meets the requirements of subsections (1) and (2), the municipality must take reasonable steps to ensure that a notice of the request is mailed or delivered to every business in the proposed area that would be a taxable business if an area was established.

Petition objecting to establishment

4(1) Persons who would be taxpayers if a proposed area was established may petition the council objecting to the establishment of the area.

(2) The petition is not sufficient unless

- (a) it is signed by persons referred to in subsection (1) who represent more than 50% of the businesses that would be taxable businesses if the proposed area was established, and

- (b) it is filed with the chief administrative officer within 60 days of the last date on which notice of the request was mailed or delivered.

(3) If the chief administrative officer declares a petition to be sufficient, council may not pass a bylaw establishing a business improvement area set out in the request until 2 years have passed from the day the petition was declared to be sufficient.

Business improvement area bylaw

5(1) If a sufficient petition is not received, the council may pass a business improvement area bylaw that is based on the request.

(2) A business improvement area bylaw must

- (a) designate an area as a business improvement area,
- (b) designate a name for the area,
- (c) describe the purposes for which the area is established,
- (d) establish a board for the area, and
- (e) specify the number of board members, the term of office of board members and the method of filling vacancies.

Non-profit organization

16 A board must apply all income and any profits to promoting the objects of the board and must not pay any dividends to any person.

Transitional

32(1) In this section, “previous regulation” means the *Business Revitalization Zone Regulation* (AR 377/94).

(2) On the coming into force of this Regulation,

- (a) a business revitalization zone established under the previous regulation is deemed to be a business improvement area established under this Regulation;
- (b) a board of a business revitalization zone established under the previous regulation is deemed to be a board of a business improvement area;
- (c) a business revitalization zone bylaw passed under the previous regulation is deemed to be a business improvement area bylaw passed under this Regulation
- (d) a business revitalization zone tax bylaw passed under the previous regulation is deemed to be a business improvement area tax bylaw passed under this Regulation;
- (e) a business revitalization zone tax rate bylaw passed under the previous regulation is deemed to be a business improvement area tax rate bylaw passed under this Regulation.

Commencement

Coming into force

33 This Regulation comes into force on July 1, 2016.

Documents Related to the Request to Establish the HIPville Business Improvement Area



BIA Establishing Committee for the HIPville Business Improvement Area
4143 Edmonton Tr. NE
Calgary, Alberta

March 31, 2017

City Clerk's Office
Ground Floor, Administration Building (Municipal Complex)
313 - 7th Avenue SE
Calgary, Alberta

RECEIVED
2017 MAR 31 PM 3:15
THE CITY OF CALGARY
CITY CLERK'S

ATTN: LORELEI HIGGINS, Business Revitalization Zone Liaison

On behalf of the BIA Establishing Committee representing a consortium of businesses operating in the Highland Industrial Park area, we hereby petition for the establishment of a Business Improvement Area hereafter referred to as the "HIPville Business Improvement Area".

Reason for this Request

The purpose of the HIPville Business Improvement Area is to enable businesses in this community to work together in improving the economic and social interests of the area by-

- Deploying and implementing the BIA/BRZ mandate successes of the Calgary Downtown Association, Kensington, Inglewood, Marda Loop, International Avenue, and other established BIA's and BRZ's.
- Engage city planners, community stakeholders, property owners, business operators and future investors on current and future development related to public parking, transportation, mass

transit, land use and building development, parks and recreation, revitalization, special events, etc.

- Advocating for improved safety, functionality and appearance of public infrastructure (i.e. roads, streetlights, street signs, cleanliness, etc.).
- Working with The City, HIPville business operators, residents and other stakeholders to research and plan economic development, social/ cultural diversity initiatives and environmental renewal.
- Promoting area development and business opportunities in the HIPville district to new entrepreneurs and established businesses that want to grow in a thriving renewal business area.
- Marketing this district as an area to shop locally and centrally for a variety of goods and services offered by local business owners.
- Implementing a community economic development program to promote and enhance the local economy, improve economic prosperity and quality of life for residents and business owners in the area.

Proposed 'HIPville District BRZ' Boundary

The boundaries of the HIPville District Business Revitalization Zone are –

NORTH- Following the 32 Ave NE Connector to Edmonton Trail NE, then up both sides of 41 Ave NE to 41 Ave NW.

EAST- Nose Creek

WEST- South from 41 Ave NW along 1 Street NW to 40 Ave NW, then east and down the lane way dividing Centre B Street NW and Centre Street N.

SOUTH- 32 Avenue (North East and North West).

A map illustrating these boundaries is included in Appendix 'A'

Process of Community Engagement:

On Feb. 23, 2016 a Small Business Summit was held at Tuxedo Community Hall and attended by over 100 members of the local business community, City Councillors Sean Chu, Druh Farrell, Gian-Carlo Carra and the MLA for Calgary Klein, Craig Coolahan.

∴ Issues of concern to local business owners were identified, discussed and prioritized. These issues included 1) Area security and policing, 2) Business taxation, 3) Condition of streets and infrastructure in the area, 4) Local economic conditions and 5) Community economic development. A consensus agreement was made that an organization should be formed to manage these and other issues for the area businesses.

A follow-up meeting was held on Tuesday, June 7, 2016 at Centre Street Church. Small Business Summit Part II: Solutions Slam reviewed three options for incorporating an organization- 1) Volunteer-led model, 2) Co-operative and 3) Business Revitalization Zone. After presentations for each of the three models, local business owners discussed the advantages and disadvantages for each. It was agreed that a BRZ/BIA model presented the most benefits and a decision was made to pursue organization as a Business Improvement Area.

On Jan.11, 2017 an open reception was held at Franca's Italian Specialties on Edmonton Trail to inaugurate the BIA Petition drive. Approximately 75 people were present, including area business owners, City Councillor Sean Chu, and Ms. Lorelei Higgins BRZ Liaison for the City of Calgary.

Notices of these meetings and newsletters are included in Appendix 'B'

Supportive Taxable Businesses

Of the approximately 300 City-identified taxable businesses operating in this district, 92 have signed a declaration indicating their support. This level of support meets or exceeds the 25% requirement for establishing a Business Improvement Area.

These signed sheets are included in Appendix 'C'.

We look forward to your favourable consideration of this BIA request.

Signed:

March 31, 2017 in Calgary, Alberta.

APPENDIX 'A'

Proposed 'HIPville District BRZ' Boundary



APPENDIX 'B'

Process of Community Engagement

SMALL BUSINESS SUMMIT

**GOVERNMENT, BUSINESS, AND
COMMUNITY WORKING TOGETHER**

**TUESDAY, FEBRUARY 23RD
TUXEDO PARK COMMUNITY ASSOCIATION
202-29TH AVE NE
7 PM - 9 PM**

**LEARN ABOUT GOVERNMENT SUPPORTS, EXPLORE
SOLUTIONS TO SURVIVE OUR ECONOMIC DOWNTURN &
THRIVE BEYOND IT**

Craig Coolahan,
MLA Calgary-Klein



Ward 4, Sean Chu
Ward 7, Druh Farrell
Ward 9, Gian-Carlo Carra

KINDLY RSVP TO calgary.klein@assembly.ab.ca



SMALL BUSINESS SUMMIT

PART II: SOLUTIONS SLAM!

TUESDAY, JUNE 7TH

**CENTRE STREET CHURCH
WEST ENTRANCE, 3900 2 ST NE**

7 PM – 9 PM

A showcase of inspiring partnerships that can
help your business grow and thrive!



KINDLY RSVP TO:
tammy@seachangenation.com | 403.831.4503



SMALL BUSINESS SUMMIT

PART II: SOLUTIONS SLAM!

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tammy@seachangenation.com | 403.831.4503



PLEASE FORWARD THIS TO NEIGHBOURING BUSINESSES- WE ONLY HAVE A PARTIAL E-MAIL LIST

January 2017

HIPville Reception Launches BIA Drive



It was a successful reception at Franca's Italian Specialties to launch the petition forming a Business Improvement Area (BIA) in our area. About 50-70 business owners from Highland Industrial Park and Greenview Industrial showed up to sign the petition to form the BIA. As always, the food and hospitality were first class at Franca's. If you haven't tried this great HIPville restaurant...

City Councillor Sean Chu was also on hand to answer questions and talk about the current tax situation (see below). Councillor Chu expressed his support for small business owners and the adverse effects of the tax increase.

The BIA drive involves signing a petition to the City of Calgary to form a Business Improvement Area in Highland Industrial Park to improve services, do marketing for the area (like Merida Loop, Inglewood, etc.) and represent business owners' interests in the success of the area. It is managed by the local business owners who also set the budget. For more information, see the article at the end of this newsletter.

Your support is important for this BIA to be formed. The petition requires 25% of the business owners to sign it. If you would like to sign this petition or have any questions, call Jim Wright (Wheel Pro) directly at 403-708-8190 or by...

What is a Business Improvement Area (BIA)?

Formerly called "Business Revitalization Zones" (BRZ), a Business Improvement Area (BIA) is a self-help program by which businesses in an area can jointly raise and administer funds to improve and promote their businesses.

BRZ roles:

- Enhance the economic development of an area through promotion and marketing.
- After the initial capital investment, BRZ's invest annually in promotion, special events, street maintenance and improvements.
- Work collaboratively with The City in delivery of municipal services in their zones.
- Advocate for policies and practices that support economic vitality in their zones.
- BRZs represent about 20 per cent of all Calgary businesses.
- BRZs provide input on policies to support economic health.
- Successful BRZ's include [Kensington, Inglewood and International Business](#).
- For more information, click [here](#).

PLEASE FORWARD THIS TO NEIGHBOURING BUSINESSES- WE ONLY HAVE A PARTIAL E-MAIL LIST

STAY CONNECTED! We've got a Facebook page to LIKE



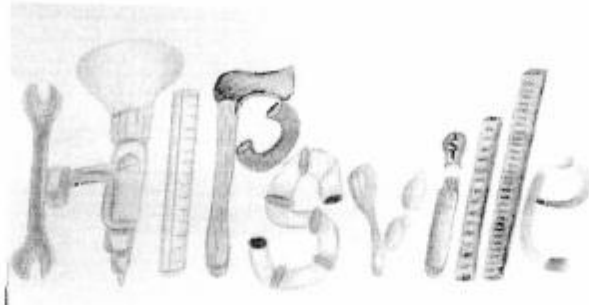
PLEASE FORWARD THIS TO NEIGHBOURS WHO HAVE USED THE ONLY HOME & MAINTENANCE
LIST

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Desktop Mobile

Send a Test Email



March 2017

HIPville BIA Petition Drive- Have you signed up? Do it NOW!

We're halfway through our petition drive to form the HIPville Business Improvement Area. Have you signed up, yet? Area marketing, collective advertising, Ride in Ross, there are many opportunities to increase your business when you're part of a Business Improvement Area. Taxes, property protection, municipal services- there are many issues affecting small businesses in Highland Industrial Park that need to be addressed through a Business Improvement Area.

The BIA drive involves signing a petition to the City of Calgary to form a Business Improvement Area in Highland Industrial Park, to improve services, do marketing for the area (like Marda Loop, Inglewood, etc.) and represent business owners' interests in the success of the area. It is managed by the local business owners who also set the budget. For more information, see the article at the end of this newsletter.

Your support is important for this BIA to be formed. If you would like to sign this petition or have any questions, call Jim Wright (Wheel Pro's) directly at 405-708-8140 or by email.



What is a Business Improvement Area (BIA)?

Formerly called "Business Revitalization Zones" (BRZ), a Business Improvement Area (BIA) is a self-help

Saved

 Continue

Build Images Design

Image
 Text
 Button

Divider
 Spacer
 Social

Video
 More

Layouts

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- BRZs represent about 20 per cent of all Calgary businesses.
- BRZs provide input on policies to support economic health.
- Successful BRZ's include [Automation, High-tech](#) and [International Business](#).
- For more information, click [here](#).

PLEASE FORWARD THIS TO NEIGHBOURING BUSINESSES- WE ONLY HAVE A PARTIAL E-MAIL LIST

STAY CONNECTED- We've got a Facebook page to LIKE

HIPville HQ | 4143 Edmonton Trail NE, Calgary, AB T2E3V5 Canada

[Unsubscribe \(recipient's email\)](#)
[Update Profile | About our service provider](#)
 Sent by jim@wheelpros.ca in collaboration with

Constant Contact
 Try it free today

City of Calgary Numerical Count of Signatures and Threshold Calculation of Request to
Establish the HIPville Business Improvement Area

A numerical breakdown of the signatures counted on the request to establish the HIPville Business Improvement Area (BIA) and threshold calculation is provided below.

Request to Establish the HIPville BIA	
	Number
Signatures on Request	97
Signatures Excluded from Count	10
Signatures Counted	87
25% Threshold Calculation	
Total Number of Potential Ratepayers	304
Total Number of Signatures Counted	87
Percentage of Signatures	28.6%

Declaration of Insufficiency of the *Petition*

Memo

DECLARATION OF THE INSUFFICIENCY OF THE *PETITION AGAINST THE ESTABLISHMENT OF THE HIGHLAND INDUSTRIAL PARK BUSINESS IMPROVEMENT AREA*

I, Jeff Fielding, City Manager of the City of Calgary, am appointed by Council to carry out the powers, duties and functions of the chief administrative officer under the provisions of the Alberta *Municipal Government Act*, R.S.A., 2000, c. M-26 ("the MGA"). Pursuant to Section 226(1) of the MGA I am responsible for determining, and making a declaration, whether any petition received by the City is sufficient or insufficient in accordance with legislative criteria.

On 2017 June 26, a petition entitled the *Petition Against the Establishment of a Highland Park Business Improvement Area* ("the *Petition*") was filed. The petitioners object to the establishment of the proposed Highland Park Business Improvement Area ("the BIA").

The *Petition* was reviewed by the Law Department and Calgary Neighbourhoods for compliance with the requirements of the MGA and the Business Improvement Area Regulation, AR 93/2016 ("the Regulation"). The process followed and the findings of that review are stated below.

DECLARATION

I declare to the Calgary City Council that the *Petition Against the Establishment of a Highland Park Business Improvement Area* is insufficient.

PROCESS TO DETERMINE SUFFICIENCY

In order for the *Petition* to be sufficient, it must meet all of the applicable statutory requirements in the MGA and the Regulation.

The process to assess whether the *Petition* complied with the mandatory statutory requirements in Sections 221 to 225 of the MGA and Sections 4(1) and (2) of the Regulation included the following:

1. a review by the City of Calgary Law Department for compliance with the requirements of the MGA; and,
2. a review by Calgary Neighbourhoods to count the number of valid signatures.

This process included verification of the following:

1. whether the signatories to the *Petition* met the eligibility requirements in Section 4(1) of the *Regulation* and Section 225(f)(3) of the MGA and were eligible to sign the *Petition*;
2. whether the *Petition* included the information required by Section 224(2) of the MGA for each petitioner;
3. whether the signature of each petitioner was witnessed as required by Section 224(3) of the MGA;
4. the number of petitioners (counted in accordance with Section 225 of the MGA); and,
5. whether the number of petitioners met the threshold of 51% required by Section 4(2)(a) of the Regulation.

FINDINGS OF REVIEW

The Law Department identified that the *Petition* failed to meet the requirements in the following sections of the MGA:

1. Section 224(3): *Petition* missing the required affidavit of witness to signatures; and,
2. Section 224(4): *Petition* missing the required signed statement of representative of the petitioners which must be attached to the *Petition*.

Calgary Neighbourhoods identified that the *Petition* failed to obtain the required number of signatures to meet the 51% threshold under Section 4(2)(a) of the Regulation. The total number of persons eligible to sign the petition is 304. The minimum number of signatories for the *Petition* to meet the requirement ins. 4(2)(a) of the Regulation is 153. The number of signatures counted is 119.

In counting the signatures, Calgary Neighbourhoods reviewed the *Petition* to verify that the signatories were eligible under Section 4(1) of the Regulation to sign the *Petition*, and counted the signatures in accordance with Section 225 of the MGA. Calgary Neighbourhoods conducted a line by line review of each signature on the *Petition*, and excluded 39 signatures from the count because the signatures do not meet the statutory requirements. The grounds for exclusion included: duplication of signatures; signatures not witnessed; errors in the printed name of petitioner; the qualifications entitling a person to sign the petition is not, or is incorrectly, described or set out in the *Petition*; and the date when the person signed the *Petition* is not stated.

A numerical breakdown of the signatures counted and threshold calculation is provided below.

Petition	
	Number
Signatures on Petition	158
Signatures Excluded from Count	39
Signatures Counted	119
51% Threshold Calculation	
Total Number of Potential Ratepayers	304
Total Number of Signatures Counted	119
Percentage of Signatures	39.1%

CONCLUSION

Based on the deficiencies identified, I determine the *Petition* does not meet the requirements of Sections 222 to 226 of the MGA, and declare the *Petition* to be insufficient.

Signed at the City of Calgary, in the Province of Alberta, July 24, 2017



JEFF FIELDING, City Manager

Letter Regarding the Declaration of Insufficiency of the Petition



July 31, 2017

Re: Declaration of Insufficiency of the Petition Against the Establishment of the Highland Industrial Park Business Improvement Area and the Process to Establish a BIA

Dear Petition Sponsors and the HIPville BIA Establishing Committee,

On 2017 June 26, a petition entitled the *Petition Against the Establishment of the Highland Industrial Park Business Improvement Area* was submitted to the Office of the City Clerk ("the *Petition*"). Section 226(1) of the Alberta *Municipal Government Act*, R.S.A. 2000, c. M-26 ("the MGA"), requires The City's Chief Administrative Officer to make a declaration to City Council on whether the *Petition* is sufficient or insufficient.

A petition against the establishment of a Business Improvement Area ("BIA") is sufficient (or valid) if it meets the requirements of sections 222 to 226 of the MGA and section 4 of the *Business Improvement Area Regulation*, AR 93/2016 ("the Regulation").

The Chief Administrative Officer has declared the petition to be insufficient because it does not comply with the mandatory statutory requirements in the MGA, namely:

1. section 224(3): *Petition* missing the required affidavit of witness to signatures; and,
2. section 224(4): *Petition* missing the required signed statement of representative of the petitioners which must be attached to the *Petition*.

In addition, section 4 of the Regulation requires the *Petition* to be signed by more than 51% of the BIA taxpayers in the proposed BIA. Section 225 of the MGA states that those signatures that do not meet the statutory requirements must not be counted.

The total number of persons eligible to sign the *Petition* is 304. The minimum number of signatures required by section 4 of the Regulation is 153. The *Petition* contained 158 signatures, but 39 signatures were excluded from the count as required by section 225 of the MGA. Therefore, the number of valid signatures is 119 or 39.1%.

Section 5 of the Regulation states that where a sufficient petition is not received, Council may exercise its authority to pass a business improvement area bylaw to establish the BIA. This is a discretionary decision.

The HIPville BIA Establishing Committee has advised The City of its decision to proceed with the request to establish the proposed HIPville BIA in Highland Park. A report and a proposed bylaw to establish the BIA will be presented to the Standing Policy Committee on Community & Protective Services, and subsequently to Council which will decide whether to pass the proposed bylaw. The report will inform the Standing Policy Committee on Community & Protective Services and Council of the process followed, and will include information about the request to establish the BIA and the *Petition* opposing the establishment of the BIA.



The meeting of the Standing Policy Committee on Community & Protective Services is scheduled for:

Date: 2017 September 6
Time: 9:30a.m.
Location: MUNICIPAL BUILDING- PLAZA LEVEL
Council Chambers
800 Macleod Trail SE, Calgary, AB

Due to the 2017 municipal election, Council will make its decision regarding the proposed HIPville BIA at a meeting of the Combined City Council on one of the two alternate dates below:

Date: 2017 September 11 OR 2017 November 13
Time: 9:30a.m.
Location: MUNICIPAL BUILDING- PLAZA LEVEL
Council Chambers
800 Macleod Trail SE, Calgary, AB

The report on the proposed HIPville BIA will first be presented and discussed at the meeting of the Standing Policy Committee on Community & Protective Services which is open to the public. Any member of the public, including business owners or their representative, may make a presentation to the Standing Policy Committee on Community & Protective Services. Presentations to the Committee must be brief, as each speaker is allotted only five minutes. The Committee is made up of members of Council who may ask questions following each presentation.

Although section 226(3) of the MGA states that Council is not required to take any notice of a petition which has been declared insufficient, Council may still consider the business community's support and opposition to the establishment of the proposed BIA when deciding whether or not to pass the proposed bylaw to establish the BIA. However, Council's decision on the HIPville BIA will not be considered in the public hearing part of the Council meeting where members of the public may make presentations to Council. Therefore, Council will not invite any businesses to make submissions at the Council meeting.

All Council meetings are open to the public and any business owners who wish to attend the Council meeting will need to confirm the date of the Council meeting. For further information, please contact:
Lorelei Higgins
Business Improvement Area Liaison, The City of Calgary
T: 403-476-4180 E: Lorelei.Higgins@calgary.ca

Ms. Higgins can confirm whether the proposed HIPville BIA will be considered at the 2017 September 11 or the 2017 November 13 meeting of Council, provide information on The City of Calgary process to pass the proposed bylaw to establish the BIA, and answer any questions you might have about the procedure for addressing the Standing Policy Committee on Community & Protective Services.



Sincerely,

For 

Katie Black, Director

Calgary Neighbourhoods

T 403-268-5155 | F 403-268-3786 | Mail code #116

CHANGE TO THE BOUNDARY AND CHANGE IN NAME OF THE MARDA LOOP BUSINESS REVITALIZATION ZONE

EXECUTIVE SUMMARY

This report presents amendments to the Marda Loop Business Revitalization Zone Bylaw 52M84 in response to a Council direction to improve the board governance of Business Improvement Areas (formerly known as Business Revitalization Zones), and to change the name and boundary of the Marda Loop Business Revitalization Zone (BRZ).

The bylaw amendments for the Marda Loop BRZ are presented in a separate report because section 8(3) of the *BIA Regulation* requires Council to give the affected businesses the opportunity to speak to the boundary change before the bylaw receives second reading. The bylaw amendments for the remaining three BIAs are presented in CPS2017-0647. An overview of the proposed amendments for the Marda Loop BRZ can be found in Attachment 1.

ADMINISTRATION RECOMMENDATION

That the SPC on Community and Protective Services recommend that Council give three readings to the proposed Bylaw to amend the Marda Loop Business Revitalization Zone Bylaw 52M84 (Attachment 2).

RECOMMENDATION OF THE SPC ON COMMUNITY AND PROTECTIVE SERVICES, DATED 2017 SEPTEMBER 06:

That Council give three readings to proposed Bylaw 37M2017.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2016 November 28 Council adopted CPS2016-0826 'Business Revitalization Zones – Board Governance and Legislative Changes,' and passed amendments for six of the BIA bylaws to align them with provincial legislative requirements and the BIAs' practices.

On 2015 December 14 Council adopted C2015-0953 'Business Revitalization Zones - Board Appointments,' which identified a misalignment between The City of Calgary BRZ bylaws, the *Business Revitalization Zone Regulation*, AR 377/1994 (the *BRZ Regulation*) in effect at that time, and some of the BIAs' practices respecting the appointment of their board members by Council.

In response, the following motion was carried at the 2015 December 14 Meeting of Council: "MOTION ARISING, Moved by Councillor Woolley, Seconded by Councillor Chabot, with respect to Report C2015-0953, that Council direct Administration to work with the Business Revitalization Zones (BRZs) to review alignment between the BRZ Bylaws that Council has passed and the Business Revitalization Zones' governance documents."

BACKGROUND

In 1983 June the Government of Alberta amended the *Municipal Government Act* (MGA) to allow municipalities to enact bylaws to establish BIAs (formerly known as BRZs). Business owners within a defined area are required to pay an additional tax. The BIA tax enables the business owners to collectively fund activities to promote and improve the economic vitality of their area for the purposes set out in the MGA. The bylaw to establish a BIA also establishes a board to govern the BIA.

CHANGE TO THE BOUNDARY AND CHANGE IN NAME OF THE MARDAL LOOP BUSINESS REVITALIZATION ZONE

A BIA's board members are appointed by Council under the terms of The City's bylaw that established the BIA. The board operates as a non-profit corporation and is subject to provincial legislation governing BIAs. The BIAs and their boards are regulated by sections 51 and 52 of the current MGA and the *Business Improvement Area Regulation*, AR 93/2016 (the *BIA Regulation*) (Attachment 3).

The earliest Calgary bylaw establishing a BIA was passed in 1984 and the most recent bylaw was passed in 2015. These bylaws were enacted under different versions of the MGA and, since 1995, under different Regulations. Therefore, The City bylaws establishing the BIAs are not consistent, and some do not comply with the requirements in the current MGA, the now expired *BRZ Regulation*, or the current *BIA Regulation*. This has resulted in a misalignment between The City's BIA bylaws, provincial legislation and some of the BIAs' practices regarding board appointments.

Additionally, effective 2016 July 1, the province amended the legislation to change the "business revitalization zone" designation to "business improvement area". The proposed bylaw amendment aligns the Marda Loop BRZ board's practices concerning the appointment of its board members with its City bylaw, ensures that its City bylaw is consistent with current legislative requirements, and updates the name of the Marda Loop Business Revitalization Zone to include the BIA designation.

In 2015 December City Clerk's Office identified a misalignment between The City's bylaws establishing the Business Improvement Areas (BIA), and the BIA boards' practices regarding the Council appointment of their board members. Council directed Administration to align The City's BIA bylaws, and the BIAs' current practices, with provincial legislative requirements.

Council passed bylaw amendments for six of the 11 BIAs on 2016 November 28. Four BIA boards, including the Marda Loop BRZ's board, requested additional time to consider the necessary changes. This report presents proposed bylaw amendments to improve board governance, expand the boundary of the BRZ, and change the name of the "Marda Loop Business Revitalization Zone" to the "Marda Loop Business Improvement Area".

On 2017 March 28, the board of the Marda Loop BRZ submitted a request for a boundary expansion (Attachment 4). Subsequently, on 2017 June 23, the board submitted a request to change the name of the BRZ to the "Marda Loop Business Improvement Area" (Attachment 5).

Given the number of amendments required for Bylaw 52M84, the proposed amending bylaw repeals and replaces Bylaw 52M84.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The Marda Loop Business Revitalization Zone Bylaw, and the applicable provincial legislation regulating BIAs, were reviewed to identify the changes required for the Marda Loop BRZ's bylaw to comply with the current legislative requirements (e.g., specifying the number of board members, their terms of office, and the method of filling board vacancies). Administration consulted with the Marda Loop BRZ's board to identify its practices for board appointments, and to identify the bylaw amendments required to align its board governance practices with its City bylaw. The board was also asked whether it wished to change the BRZ's name to include the "business improvement area" designation.

CHANGE TO THE BOUNDARY AND CHANGE IN NAME OF THE MARDA LOOP BUSINESS REVITALIZATION ZONE

In response to the board's request to expand the BIA's boundary, Administration reviewed the legislative requirements for a boundary change. Section 8 of the *BIA Regulation* (Attachment 3) requires that:

- (a) the BIA's board consent to a proposed boundary change; and,
- (b) the taxpayers in the BIA, and the people who would be taxpayers under the change in boundaries, must be given an opportunity to make representations to Council regarding the boundary change amendment before the proposed bylaw to amend the boundary receives second reading.

The proposed expansion encompasses two properties: 3450 33 Avenue S.W. (referred to as 1931, 1935 and 1939 33 Avenue S.W. in the request) and 2107 34 Avenue S.W. (Attachment 6). The 3450 33 Avenue S.W. property includes a mixed-use commercial development which is currently under construction. The 2107 34 Avenue S.W. property is in the application phase for the development of a mixed-use commercial development.

The *BIA Regulation* contemplates boundary expansions in a developed area that contains businesses that are already established. However, the *BIA Regulation* does not prohibit a boundary expansion that would include future developments containing new businesses. At this point, there is no business data available associated with either of these properties.

The board's rationale for the boundary expansion is that: "These two adjustments match organic growth in commercial development along our boundary...The adjustments ensure that new commercial developments in the Marda Loop business district can participate in, benefit from, and contribute to the activities of the BIA on the same basis as their established neighbours" (Attachment 4).

Although the BIA Regulation only requires that the affected BIA taxpayers must be given notice of the boundary expansion, and their right to make representations about the boundary change to Council before the bylaw receives second reading, the Marda Loop BRZ's board has consulted with the developers of the sites in order to identify any future tenants, and has agreed to contact any signed commercial tenants for the projects in order to give them the notice provided to the BIA taxpayers.

CHANGE TO THE BOUNDARY AND CHANGE IN NAME OF THE MARDA LOOP BUSINESS REVITALIZATION ZONE

Request for a Change in Boundaries and Change in Name Process Summary

The following outlines the process followed by the board and Administration regarding the name and boundary changes.

1. On 2017 March 28 the Marda Loop BRZ's board, on its own initiative, submitted a request to expand the BRZ's boundary to Administration.
2. On 2017 June 23 the board of the Marda Loop BRZ submitted a request to Administration to change its name to "Marda Loop Business Improvement Area".
3. On 2017 July 29 Administration mailed a notice to the ratepayers in the area containing the information required by section 8(3) of the *BIA Regulation* including a statement that the affected businesses can make representations concerning the proposed boundary change amendments to Council (Attachment 7).
4. On 2017 August 16 Administration sent a letter to the Marda Loop BRZ's board requesting that it continue to work to identify any future tenants of the property (who would be liable to pay the BIA tax) and forward The City's letter to any future tenants of the property that are identified (Attachment 8).

Stakeholder Engagement, Research and Communication

The Marda Loop BRZ has conducted stakeholder engagement activities regarding its proposed boundary change. The Marda Loop BRZ's ratepayers were informed, by both email and mail, of the proposed boundary change prior to the BRZ's AGM. The boundary change was discussed at the AGM and approved unanimously by the members. Additionally, the Marda Loop BRZ's board consulted with the developers of the sites, and has committed to contacting any signed commercial tenants for the project under construction. Although not required, the board also consulted with the Marda Loop Community Association in order to foster full community involvement.

Strategic Alignment

Municipal support for BIAs aligns with *Action Plan 2015-2018* and the associated Council Priorities to create "a Prosperous City" whereby Calgary is "... a place where there is opportunity for all, and the best place in Canada to start and grow a business," and to create "a City of Inspiring Neighbourhoods" where "every Calgarian lives in a safe, mixed and just neighbourhood, and has the opportunity to participate in civic life".

Social, Environmental, Economic (External)

Social

BIAs are key partners in creating safe and appealing neighbourhoods to attract and retain visitors and residents to their zones. Businesses within BIAs provide a range of services to help create complete and inspiring neighbourhoods. They serve an important role in placemaking through the intentional design of areas that foster positive social interaction.

Environmental

In addition to beautifying and improving their areas, BIAs promote active modes of transportation within their geographic areas. Further, BIAs focus on environmental sustainability as a priority through their support of recycling at festivals and innovative community development programs.

CHANGE TO THE BOUNDARY AND CHANGE IN NAME OF THE MARDAL LOOP BUSINESS REVITALIZATION ZONE

Economic (External)

BIAs are an important avenue to promote Calgary as a great place to visit, live, meet, work, play and study. They play an important role in supporting economic activity and neighbourhood revitalization. BIAs make a significant contribution to Calgary's economic well-being by helping to nurture the growth and development of business in the city and by improving the quality of life for those living and working in the areas. In shaping a dynamic business environment, BIAs attract visitors and residents alike to their vibrant business areas.

Financial Capacity

Current and Future Operating Budget:

There are no operating budget implications associated with this report. The revenue raised as a result of the additional levies paid by ratepayers in the BIA will be transferred directly to the Marda Loop BRZ's board.

Current and Future Capital Budget

There are no capital budget implications as a result of this report.

Risk Assessment

Amending The City's bylaw to align with the current provincial legislation, and the practices of the Marda Loop BRZ regarding the Council appointment of its board members, creates compliance with the legislative framework under which BIA boards operate. This is an important mitigation of risk; compliance with the legislative requirements ensures that the proposed bylaw amendments are validly enacted.

Section 8 of the *BIA Regulation* requires that Administration take reasonable steps to ensure that the required notice of the boundary expansion is provided to all affected businesses. The notice must include a statement that the affected businesses have the right to make representations to Council regarding the boundary change before second reading of the bylaw. Administration mailed a notice to all of the Marda Loop BRZ's taxpayers (Attachment 7).

Due to the development status of the parcels of land, that are the subject of the boundary expansion, Administration sent a letter to the Marda Loop BRZ board (Attachment 8) requesting that it identify any future tenants of the property (who would be liable to pay the BIA tax), and forward The City's letter (Attachment 7) to any future tenants of the property identified by the board. This was done as there is currently no business assessment data associated with these properties.

Prior to the proposed bylaw receiving second reading, Council must give all affected businesses the opportunity to make representations to Council regarding the boundary change. This is required by section 8(1) of the *BIA Regulation* to validly enact the bylaw amendment for the boundary change.

Future changes to the BIA legislation were considered such as the MGA amendments that have not yet been proclaimed, and the forthcoming changes to the *BIA Regulation*. They do not impact the proposed bylaw amendments.

**CHANGE TO THE BOUNDARY AND CHANGE IN NAME OF THE MARDA LOOP BUSINESS
REVITALIZATION ZONE**

REASON FOR RECOMMENDATION:

An amendment to the Marda Loop Business Revitalization Zone Bylaw 52M84 is required to change the name and boundary of the BRZ, to align the Bylaw with current provincial legislative requirements, and to align the board's practices regarding Council appointment of its board members with the Bylaw in order to improve board governance.

ATTACHMENTS

1. Overview of the Marda Loop Business Revitalization Zone Bylaw Amendments
2. Proposed Bylaw 37M2017 amending the Marda Loop Business Revitalization Zone Bylaw 52M84
3. Excerpts from the Municipal Government Act and the *Business Improvement Area Regulation*, AR 93/2016
4. Request to Change the Boundary of the Marda Loop Business Revitalization Zone
5. Request to Change the Name of the Marda Loop Business Revitalization Zone
6. Map of the Proposed Changes to the Marda Loop Business Revitalization Zone Boundary
7. Administration Notice of Request to Change the Marda Loop Business Revitalization Zone Boundary
8. Administration Letter to the Marda Loop Business Revitalization Zone Board

Overview of the Marda Loop Business Revitalization Zone Bylaw Amendments

Business Revitalization Zone (BRZ)/Business Improvement Area (BIA)	Bylaw Number	Timeframe for Changes	Summary of Proposed Changes
Marda Loop BRZ	52M84	2017	<ul style="list-style-type: none">▪ Legislative alignment▪ Boundary change▪ Change to BIA designation▪ Housekeeping changes and corrections▪ Name Change to 'Marda Loop Business Improvement Area'

BYLAW NUMBER 37M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO CONTINUE THE MARDA LOOP BUSINESS
REVITALIZATION ZONE AS THE MARDA LOOP
BUSINESS IMPROVEMENT AREA**

WHEREAS Council, by Bylaw Number 52M84, as amended, established the Marda Loop Business Revitalization Zone ("BRZ");

AND WHEREAS the Board of the Marda Loop Business Revitalization Zone has requested that the name of the BRZ be changed to the "Marda Loop Business Improvement Area";

AND WHEREAS the Board of the Marda Loop Business Revitalization Zone has requested a change to the boundaries of the BRZ;

AND WHEREAS a notification has been sent to every taxable business within the existing BRZ in accordance with sections 8(2) and 8(3) of the *Business Improvement Area Regulation*, Alta. Reg. 93/2016 ("Regulation");

AND WHEREAS the municipality has taken reasonable steps to notify any future taxpayers within the expanded boundaries;

AND WHEREAS the taxpayers within the BRZ, and any future taxpayers within the expanded boundaries, have been provided with an opportunity to make representations to Council prior to second reading of the Bylaw in accordance with section 8(1) of the Regulation;

AND WHEREAS Council has considered Report CPS2017-0650 and considers it desirable to repeal Bylaw 52M84, and to continue the Marda Loop Business Revitalization Zone under a revised bylaw that aligns with the Municipal Government Act, R.S.A. 2000, c. M 26, as amended, and the Business Improvement Area Regulation, Alta. Reg. 93/2016;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Marda Loop Business Revitalization Zone established by Bylaw 52M84, as amended, is hereby continued as the "Marda Loop Business Improvement Area".
2. This Bylaw may be cited as the "Marda Loop Business Improvement Area Bylaw".
3. In this Bylaw the phrase "Business Improvement Area" may be referred to as "BIA".

PROPOSED BYLAW NUMBER 37M2017

Establishment of BIA

4. The Business Improvement Area in the City of Calgary, established as a Business Revitalization Zone under Bylaw 52M84, encompasses the area outlined on Schedule “A” attached to this Bylaw which schedule forms a part of this Bylaw.

Name of BIA

5. The name of the Business Improvement Area is the “Marda Loop Business Improvement Area”.

Purposes

6. The purposes for which the BIA was established are the following:
 - (a) improving, beautifying and maintaining property in the BIA;
 - (b) developing, improving and maintaining public parking within or adjacent to the BIA; and
 - (c) promoting the BIA as a business or shopping area.

Establishment of the Board

7.
 - (1) The Board of the Marda Loop Business Improvement Area is a non-profit corporation pursuant to s. 51 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, and s. 16 of the Business Improvement Area Regulation, Alta. Reg. 93/2016 (hereinafter referred to as “the Board”).
 - (2) The Board shall consist of a maximum of 10 members.

Appointment of Members

8.
 - (1) Members of the Board shall be appointed by resolution of Council.
 - (2) The Board must consist of individuals who have been nominated by one or more taxpayers in the BIA as defined in s. 1(e) of the Business Improvement Area Regulation, Alta. Reg. 93/2016.

Term of Office

9.
 - (1) Members of the Board shall be appointed for 2 year terms.
 - (2) Notwithstanding subsection (1), Council may appoint a member of the Board for a term that is less than 2 years.
 - (3) Each member of the Board shall remain in office until:
 - (a) the member resigns,

PROPOSED

BYLAW NUMBER 37M2017

- (b) the revocation of the member's appointment by Council following the recommendation of the Board, or
 - (c) the member's term of office expires,
- whichever comes first.

Vacancy

10. (1) When a vacancy occurs on the Board, the Board may:
- (a) appoint an individual to fill that office until the next annual meeting of the taxpayers in the BIA; or
 - (b) call a special meeting of the taxpayers in the BIA to select an individual to fill that office until the next annual meeting of the taxpayers.
- (2) Such interim appointments shall not require the further approval of Council.

In Force

11. Bylaw 52M84 is repealed.
12. This Bylaw shall come into force on the day it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

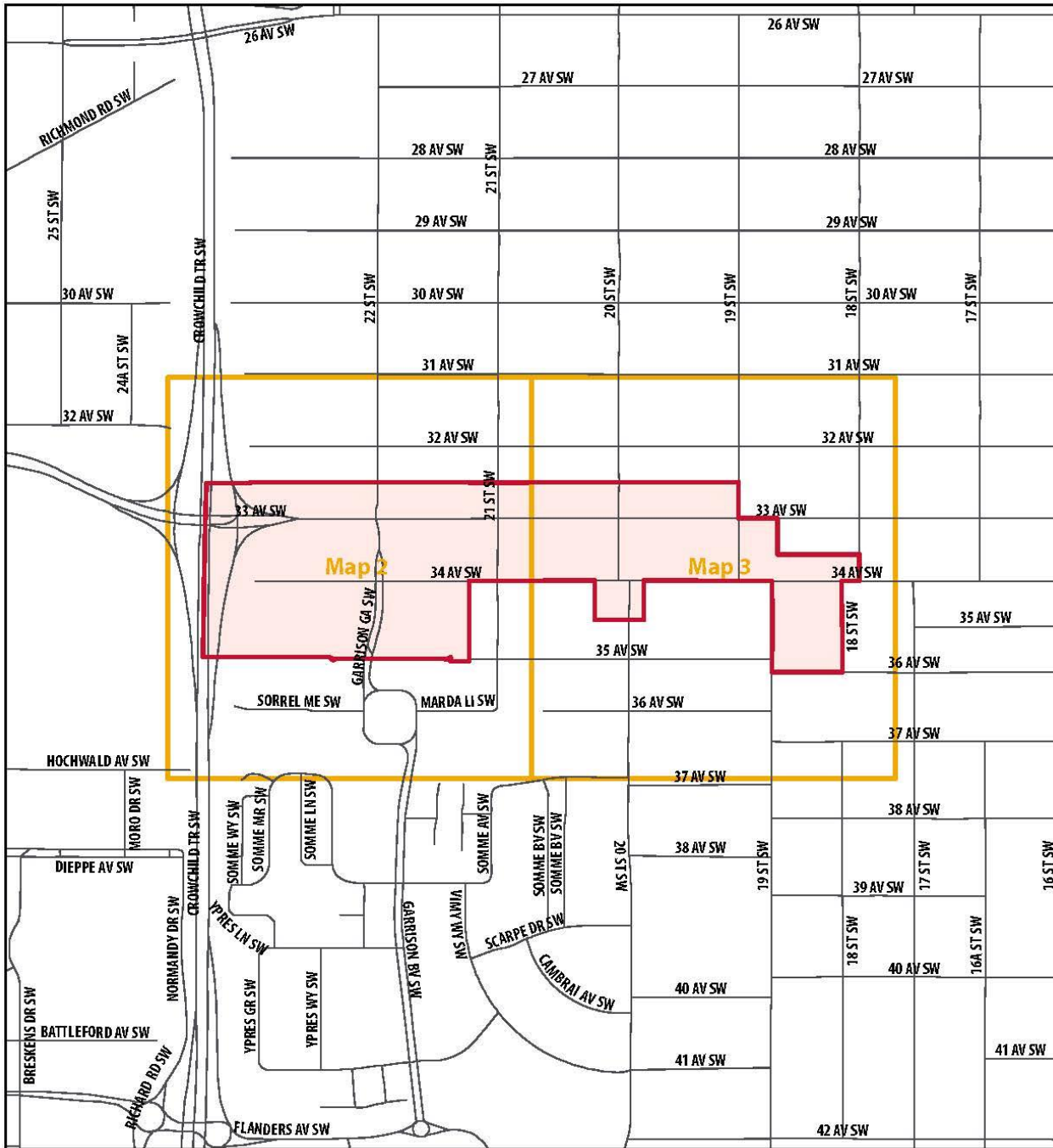
READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

BYLAW NUMBER 37M2017

SCHEDULE "A"



Marda Loop

Business Improvement Area

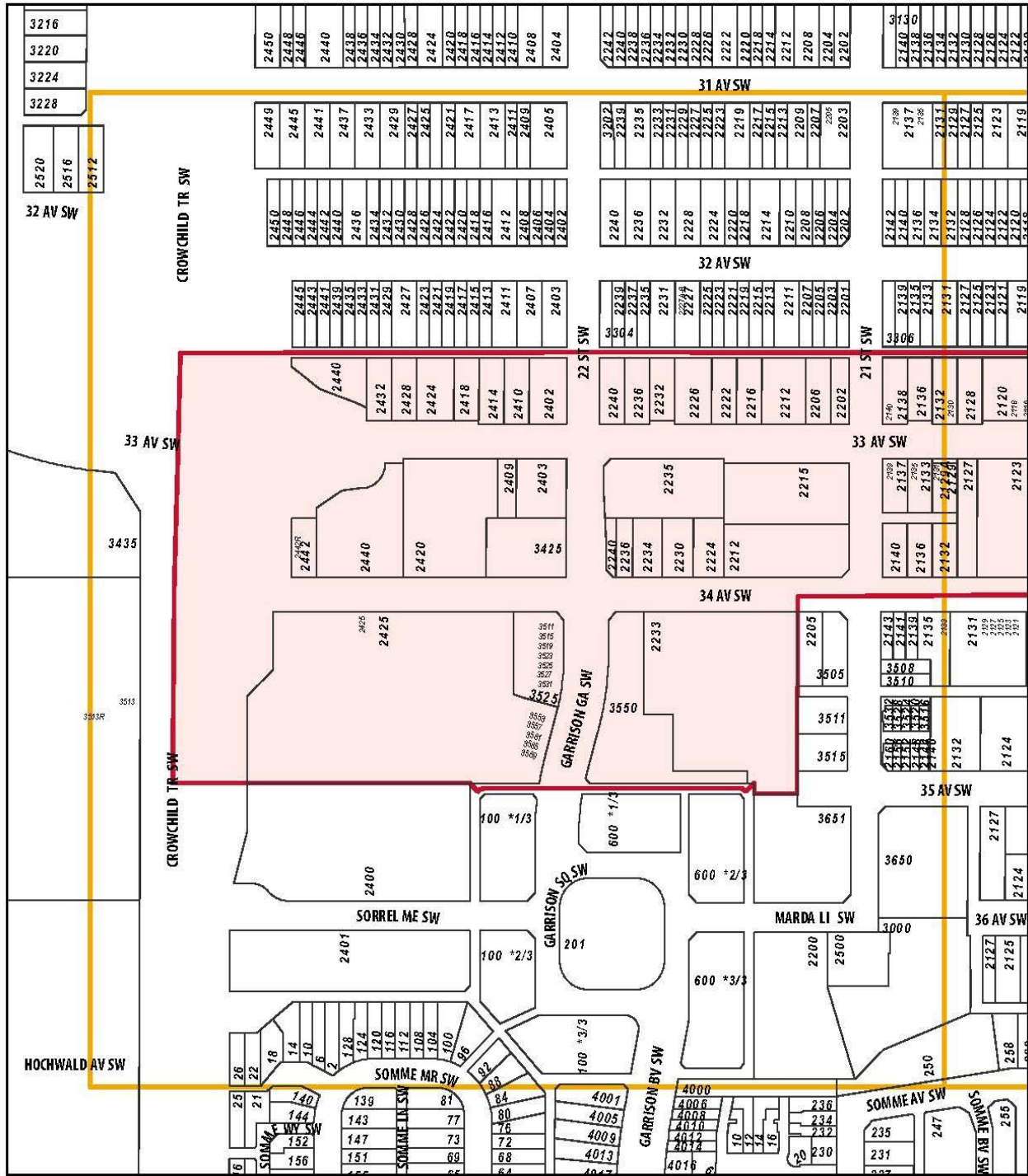
Map 1 - Overview

Legend



PROPOSED

BYLAW NUMBER 37M2017



Marda Loop

Business Improvement Area

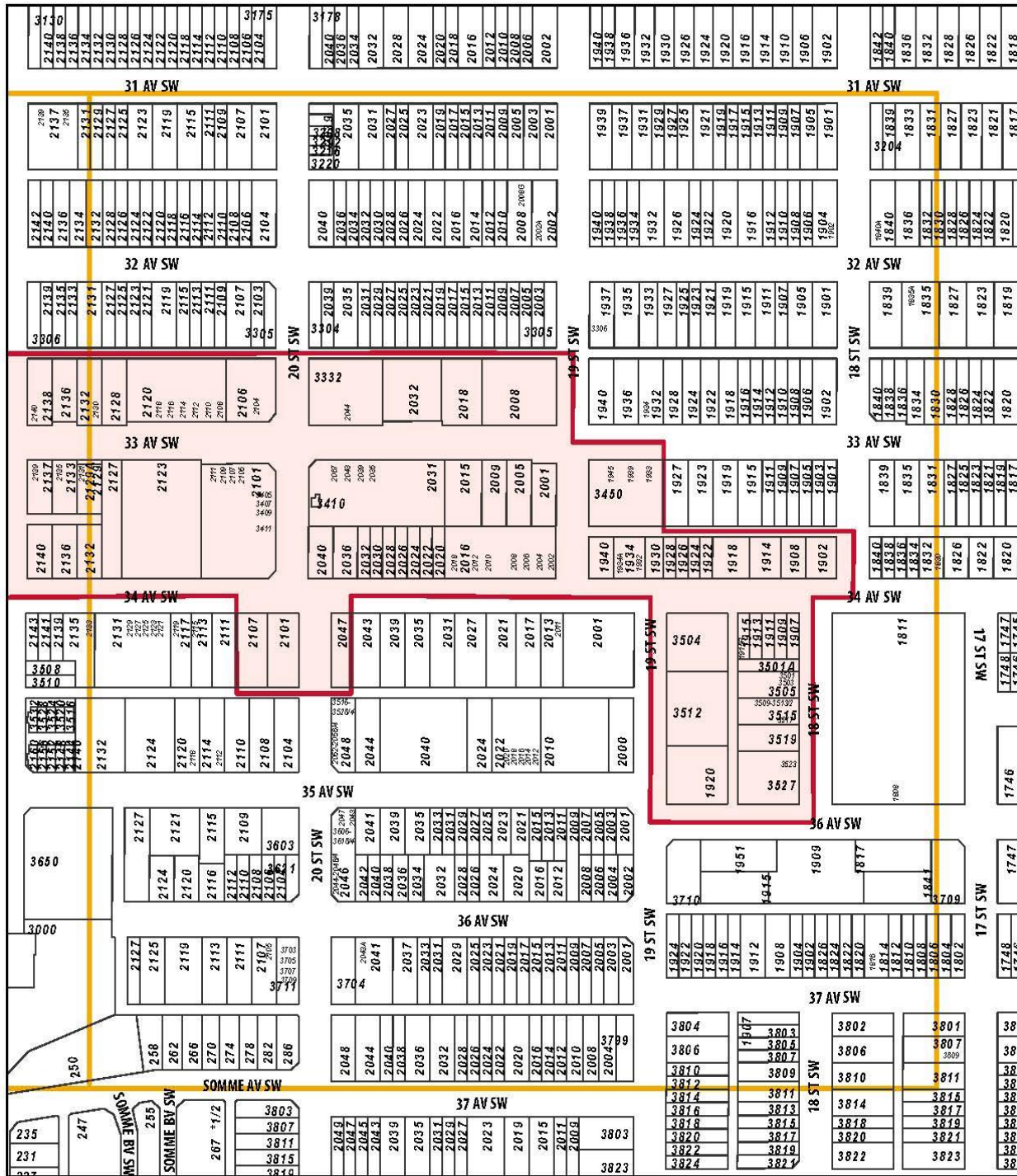
Map 2 - Detail

Legend

- Marda Loop Business Improvement Area

PROPOSED

BYLAW NUMBER 37M2017



Marda Loop Business Improvement Area

Map 3 - Detail

Legend

- Marda Loop
- Business Improvement Area

Excerpts from the Municipal Government Act and the *Business Improvement Area Regulation*, AR 93/2016

SECTIONS 50-53 MUNICIPAL GOVERNMENT ACT, RSA 2000, c M-26
Division 5: Business Improvement Areas

Purpose

50 A council may by bylaw establish a business improvement area for one or more of the following purposes:

- (a) improving, beautifying and maintaining property in the business improvement area;
- (b) developing, improving and maintaining public parking;
- (c) promoting the business improvement area as a business or shopping area.

RSA 2000 cM-26 s50;2015 c8 s5

Board

51(1) A business improvement area is governed by a board consisting of members appointed by council under the business improvement area bylaw.

(2) The board is a corporation.

RSA 2000 cM-26 s51;2015 c8 s6

Civil liability of board members

52(1) In this section, “approved budget” means a budget of the board of a business improvement area that has been approved by council.

(2) A member of a board of a business improvement area that makes an expenditure that is not included in an approved budget is liable to the municipality for the expenditure.

(3) If more than one member is liable to the municipality under this section in respect of a particular expenditure, the members are jointly and severally liable to the municipality for the expenditure.

(4) The liability may be enforced by action by

- (a) the municipality, or
- (b) a person who is liable to pay the business improvement area tax imposed in the business improvement area.

RSA 2000 cM-26 s52;2015 c8 s6

Regulations

53 The Minister may make regulations

- (a) respecting the establishment of a business improvement area;
- (b) setting out what must be included in a business improvement area bylaw;
- (c) respecting the appointment, term and renewal of members of the board of a business improvement area;
- (d) respecting the powers and duties of the board and the board’s annual budget;
- (e) respecting the disestablishment of a business improvement area and the dissolution of a board;
- (f) that operate despite Part 8, authorizing a municipality to lend money to a board and to borrow money on behalf of a board;
- (g) establishing restrictions on the municipality providing money to the board.

RSA 2000 cM-26 s53;2015 c8 s7

ALBERTA REGULATION 93/2016
Municipal Government Act
BUSINESS IMPROVEMENT AREA REGULATION

Definitions

1 In this Regulation,

- (a) “board” means the board of a business improvement area;
- (b) “capital property” means a capital property as defined in section 241(c) of the Act;
- (c) “disestablishment” in respect of a business improvement area includes the dissolution of the area’s board;
- (d) “taxable business” means a business in a business improvement area whose operator is a taxpayer;
- (e) “taxpayer” means a person who operates a business and is liable to pay business improvement area tax in respect of that business.

Establishment

Procedure for establishment

2 A business improvement area may only be established in accordance with this Regulation.

Business improvement area bylaw

5(1) If a sufficient petition is not received, the council may pass a business improvement area bylaw that is based on the request.

(2) A business improvement area bylaw must

- (a) designate an area as a business improvement area,
- (b) designate a name for the area,
- (c) describe the purposes for which the area is established,
- (d) establish a board for the area, and
- (e) specify the number of board members, the term of office of board members and the method of filling vacancies.

Board

6(1) A board established for a business improvement area must consist of individuals nominated by one or more taxpayers in the zone.

(2) A council may also appoint one or more councillors to be members of a board.

(3) A council may only revoke the appointment of a board member who was nominated by a taxpayer if the revocation is recommended by the board.

Change in boundaries

8(1) A council may not pass a proposed bylaw to amend a business improvement area bylaw that changes the boundaries of the area unless, before the proposed bylaw receives second reading,

- (a) the area's board consents to the change in boundaries, and
- (b) taxpayers in the area and people who would be taxpayers under the change in boundaries are provided with an opportunity to make representations concerning the change to council.

(2) Before the proposed bylaw receives second reading, the municipality must take reasonable steps to ensure that a notice that meets the requirements of subsection (3) is mailed or delivered to every taxable business in the area and to every business that would be a taxable business under the change in boundaries.

(3) The notice must set out

- (a) a summary of the proposed bylaw, including a description of the change in boundaries,
- (b) a statement that taxpayers in the area and people who would be taxpayers under the change in boundaries may make representations concerning the proposed bylaw to council, and
- (c) the manner and time period for making those representations.

Non-profit organization

16 A board must apply all income and any profits to promoting the objects of the board and must not pay any dividends to any person.

Transitional

32(1) In this section, "previous regulation" means the *Business Revitalization Zone Regulation* (AR 377/94).

(2) On the coming into force of this Regulation,

- (a) a business revitalization zone established under the previous regulation is deemed to be a business improvement area established under this Regulation;
- (b) a board of a business revitalization zone established under the previous regulation is deemed to be a board of a business improvement area;
- (c) a business revitalization zone bylaw passed under the previous regulation is deemed to be a business improvement area bylaw passed under this Regulation
- (d) a business revitalization zone tax bylaw passed under the previous regulation is deemed to be a business improvement area tax bylaw passed under this Regulation;
- (e) a business revitalization zone tax rate bylaw passed under the previous regulation is deemed to be a business improvement area tax rate bylaw passed under this Regulation.

Commencement

Coming into force

33 This Regulation comes into force on July 1, 2016.

Request to Change the Boundary of the Marda Loop Business Revitalization Zone



March 28, 2017

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

Attn: City Clerk
Lorelei Higgins; Business Improvement Area Liaison

To Whom It May Concern

This letter is to confirm that the Marda Loop BIA is requesting adjustments to the BIA boundary, for approval in 2017. The adjustments are as follows:

- a) To add 1931, 1935 and 1939 33rd Avenue SW to the BIA. This is the Avenue 33 development, a mixed-use project including commercial, that is immediately adjacent to the BIA. This area was recently re-designated and included in the Marda Loop ARP. This boundary adjustment will make the BIA boundary again consistent with commercial development in the Marda Loop business district, and re-align the Marda Loop BIA boundary with the Marda Loop ARP boundary.
- b) To add 2107 34th Avenue SW to the BIA. A recent development application (by Strategic), under review as of this writing, is for a mixed-use building with commercial on this lot and the lot to the east; the latter of which is within the BIA. This adjustment will ensure the whole development is within the BIA boundary, rather than “straddle” the boundary. It is also likely that the Marda Loop ARP boundary will be changed to include this proposed development; again, this adjustment would re-align the Marda Loop BIA boundary with the ARP boundary, and the footprint of the commercial district.

These two adjustments match organic growth in commercial development along our boundary, and concurrent changes to the ARP boundary. The adjustments ensure that new commercial

developments in the Marda Loop business district can participate in, benefit from, and contribute to the activities of the BIA on the same basis as their established neighbours.



The question has been asked: should the BIA should consider a larger expansion? It is our preference to wait until the Main Streets project has completed its work in our area, particularly looking at land use designation, before considering such BIA expansion.

In terms of consultation on the proposed BIA boundary adjustment:

- The entire membership of the Marda Loop BIA was informed of the boundary proposal prior to the recent Annual General Meeting, via mail and email. This agenda item was discussed at the AGM, and approved unanimously by the members present.
- The developers of the sites to be included have been directly consulted.
- While the projects are under construction or proposed, any signed commercial tenants will be contacted if possible.
- The Marda Loop Community Association Board is being consulted.

I have attached:

- Minutes of the Board meeting, March 7, 2016, where adjustment (a), the Avenue 33 site (1931, 1935 and 1939 33rd Avenue SW), was first approved.
- Minutes of the AGM, October 24, 2016, where adjustment (a), was endorsed by the BIA membership.
- Minutes of the Board Meeting of where adjustment (b), 2107 34th Avenue SW, was approved.
- A rough map of the proposed changes.

Further correspondence in support of this boundary change may be forthcoming.

Sincerely,



Bob van Wegen
Executive Director

Request to Change the Name of the Marda Loop Business Revitalization Zone



Marda Loop Business Improvement Area
1638 30th Avenue SW
Calgary, AB.
T2T 1P4

June 23, 2017

Ms. Lorelei Higgins, Business Improvement Area Liaison
The City of Calgary
P.O. Box 2100, Station M
Calgary, AB. T2P 2M5

Re: Marda Loop Business Revitalization Zone Name and Designation Change

Dear Ms. Higgins,

On behalf of the Marda Loop Business Improvement Area Board (BRZ, as per our current enabling bylaw), I am writing to request an amendment to the bylaw establishing our BRZ, in order to change our BRZ's name and replace the "Business Revitalization Zone" designation with "Business Improvement Area".

On October 24, 2016, the Annual General Meeting of the Marda Loop BRZ supported the following motion presented by the Board of Directors:

Change BRZ to BIA

Whereas new provincial regulations that govern Business Revitalization Zones (BRZs) have re-named them Business Improvement Areas (BIAs), which is the common term in the rest of North America; and

Whereas The City of Calgary is aligning with the province and replacing BRZ with BIA in its terminology, and is seeking to make this change in The City's enabling bylaws for all BRZs; and
Whereas the change of our corporate name and related bylaws do not significantly impact the identity and branding of the Marda Loop business area;

Be it resolved that the members of the Marda Loop BRZ Association:

- Change our corporate name from "Marda Loop Business Revitalization Zone Association" to "Marda Loop Business Improvement Area;" and
- In our own Bylaws, replace all instances of "Marda Loop Business Revitalization Zone" and "Marda Loop Business Revitalization Zone Association" with "Marda Loop Business Improvement Area," and replace all instances of the acronym "BRZ" with "BIA"; and

- That the Bylaws, thus amended, be deemed adopted.

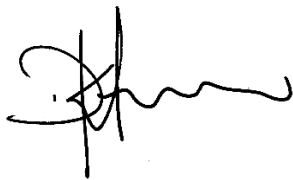
On June 19, 2017, the Board of Directors also passed the following motion:

Regarding the upcoming changes to the Marda Loop Enabling Bylaw: The Board reaffirms that it supports a name change to “Marda Loop Business Improvement Area” in the City of Calgary Enabling Bylaw to match the recent name change in our own internal Bylaws; as per the motion presented by the Board to the Annual General Meeting of October 24, 2016, and unanimously passed at that meeting.

On behalf of the Board, I request that the Marda Loop Business Revitalization Zone Bylaw No. 52M84 (as amended) be amended to reflect this change.

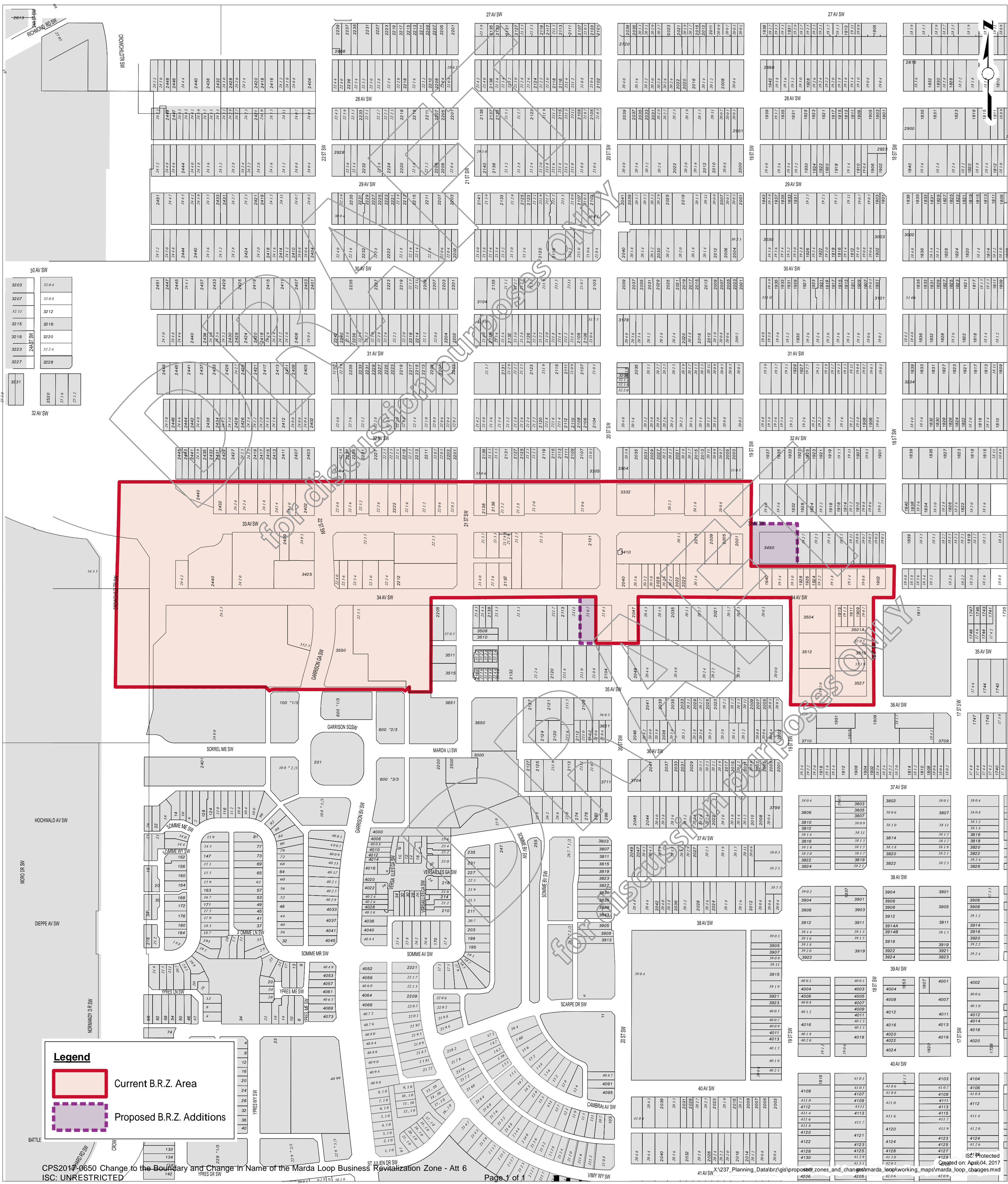
Please find attached copies of our meeting minutes, which show these resolutions.

Sincerely,

A handwritten signature in black ink, appearing to be 'Doug Anderson', with a stylized, flowing script.

Doug Anderson
President

DRAFT
for discussion purposes ONLY



Administration Notice of Request to Change the Marda Loop Business Revitalization Zone
Boundary

July 25, 2017

Dear Business Owner:

Re: Proposed Change to the Boundary of the Marda Loop Business Revitalization Zone (BRZ)

The Board of Directors of the Marda Loop Business Revitalization Zone (BRZ) has requested an amendment to the Marda Loop Business Revitalization Zone Bylaw in order to change the BRZ's boundaries. The proposed bylaw amendment will expand the BRZ's current boundaries to include two parcels: 2107 34 Avenue SW and 3450 19 Street SW. Located within each parcel is a proposed mixed-use development. Please refer to the attached map for additional details.

The City is required to provide notice to all business operators who are affected by this boundary change. This letter is to advise all businesses operators who are located within the current boundary and are liable to pay the BRZ tax (which is now called a Business Improvement Area tax), and all business operators that are located within the proposed boundaries and will be liable to pay the Business Improvement Area tax, about:

1. the boundary changes;
2. the Council meetings at which the bylaw amendment to change the boundary will be considered; and,
3. the right to make representations to Council about the boundary change.

You have been identified as a business that is affected by the boundary change.

The proposed bylaw amendment will first be considered at the Standing Policy Committee on Community & Protective Services where the proposed boundary change will be discussed. Subsequently, it will then be considered at a meeting of City Council where the final decision regarding the proposed boundary expansion will be made and the proposed bylaw amendment to change the boundary may be passed.

The meeting of the Standing Policy Committee on Community & Protective Services is scheduled for:

Date: 2017 September 6
Time: 9:30 a.m.
Location: MUNICIPAL BUILDING - PLAZA LEVEL
Council Chambers
800 Macleod Trail SE, Calgary, AB

Due to the 2017 municipal election, Council will make its decision regarding the proposed boundary change at a meeting of the Combined City Council on one of the two alternate dates below:

Date: 2017 September 11 OR 2017 November 13
Time: 9:30 a.m.
Location: MUNICIPAL BUILDING - PLAZA LEVEL
Council Chambers
800 Macleod Trail SE, Calgary, AB



All business owners who are liable to pay the Business Improvement Area tax within the Marda Loop BRZ's current and proposed boundaries, or their representative, may make a presentation to the Standing Policy Committee on Community & Protective Services where the proposed boundary change will first be discussed, and at the Council meeting to pass the bylaw amendment. Presentations to the Committee and to Council must be brief, as each speaker is allotted only five minutes.

Any business owner, or their representative, who wishes to make representations regarding the BRZ's proposed boundary change at the Council meeting will need to confirm the date of the Council meeting. For further information on the date of the Council meeting or the City's process, please contact:

Lorelei Higgins

Business Improvement Area Liaison, The City of Calgary

T: 403-476-4180 E: Lorelei.Higgins@calgary.ca

Ms. Higgins can confirm whether the boundary change will be considered at the 2017 September 11 or the 2017 November 13 meeting of Council, provide information on the process to amend the boundary, and answer any questions you might have about the procedure for addressing Council or the Standing Policy Committee on Community & Protective Service.

The agendas for all Council and Council Committee meetings can be found online at:

<http://agendaminutes.calgary.ca/sirepub/meetresults.aspx>

Should you have any questions or concerns with respect to the boundary expansion, please contact:

Bob van Wegen

Executive Director, Marda Loop BRZ

T: 403-685-5667 E: bob@visitmardaloop.com

Sincerely,

A handwritten signature in blue ink, appearing to read "Katie Black", written over a light blue circular stamp.

Katie Black, Director

Calgary Neighbourhoods

T 403-268-5155 | F 403-268-3786 | Mailcode #116

Attachment: Map of the Proposed Changes to the Marda Loop Business Revitalization Zone Boundary

Administration Letter to the Marda Loop Business Revitalization Zone Board



August 16, 2017

Re: Requirement that the Marda Loop Business Revitalization Board Provide Notice to all Prospective Tenants in the Properties Within the Proposed BRZ Boundary Expansion

Dear Board Members of the Marda Loop Business Revitalization Zone (BRZ),

On 2017 March 28 the Board requested an amendment to the Marda Loop Business Revitalization Zone Bylaw to change the BRZ's boundaries. The proposed bylaw amendment will expand the BRZ's current boundaries to include two additional parcels: 2107 34 Avenue SW and 3450 19 Street SW. These parcels do not currently contain any businesses that would be liable to pay the Business Improvement Area (BIA) tax (formerly known as the BRZ tax) if the boundaries are expanded. One property will be the subject of a development permit and the other is under construction. However, the boundary change will affect any prospective tenants who would be liable to pay the BIA tax.

On 2017 July 25 The City mailed the attached notice, required by section 8 of the Business Improvement Area Regulation, AR 93/2016 ("the Regulation"), to all affected businesses that are located within the current boundaries and are liable to pay the Business Improvement Area tax. The Regulation requires The City to take reasonable steps to ensure that all people, who would be taxpayers under the change in boundaries, are provided with this notice.

Since your proposed boundary expansion affects prospective tenants of these properties we are requesting that you:

1. identify any prospective tenants of the two properties;
2. mail or deliver the attached letter to all prospective tenants who would be BIA taxpayers under the boundary change;
3. advise The City in writing of all steps you took to identify any prospective tenants; and,
4. provide a list of all persons to whom the attached letter was mailed or delivered.

Please address your response, or any questions relating to this letter to:

Lorelei Higgins

Business Improvement Area Liaison, The City of Calgary

T: 403-476-4180 E: Lorelei.Higgins@calgary.ca

Thank you for your co-operation and assistance in this matter.



Sincerely,

A handwritten signature in blue ink, appearing to read "K. Black", is positioned above the printed name.

A small, stylized blue mark or logo, possibly a second signature or a corporate emblem, is located to the left of the contact information.

Katie Black, Director
Calgary Neighbourhoods
T 403-268-5155 | F 403-268-3786 | Mail code #116

Attachment: Letter to Business Owners Regarding the Proposed Change to the Boundary of the Marda Loop Business Revitalization Zone (BRZ)

cc: Bob van Wegen, Executive Director, Marda Loop Business Revitalization Zone

NOTICE OF MOTION**NM2017-42****SOUTHWEST BUS RAPID TRANSIT (SWBRT) – PHASE 2**

**COUNCILLOR JEROMY FARKAS
COUNCILLOR DIANE COLLEY-URQUHART**

WHEREAS Council directed Administration that the citywide Bus Rapid Transit Program (Capital budget Program 566) is not to exceed the approved budget of \$208 million (source: TT2016-0578 and TT2016-0335);

WHEREAS Administration has advised of a \$170 million operating shortfall in the next fiscal year, and the need to pursue a combination of solutions such as finding workforce savings, revisiting capital expenditures, pursuing reductions, or raising taxes,

WHEREAS the tender for Southwest BRT Phase 2 has not yet been awarded, allowing changes in scope and execution to be performed with no or minimal cost to the City,

WHEREAS Phase 2 of the Southwest BRT is located entirely within Wards 11 and 13, and 64.9% of Ward 11 voters and 89.2% of Ward 13 voters supported candidates who proposed to revisit the project's scope and execution (source: Elections Calgary and Calgarians for BRT);

AND WHEREAS the Southwest BRT project has seen rapidly escalating costs and was designed in 2008 without considering major events and developments such as the Southwest Calgary Ring Road,

NOW THEREFORE BE IT RESOLVED that Administration be directed to:

1. Not award the tender for Phase 2 of the Southwest BRT at this time.
2. Bring forward a comprehensive review and accounting of all costs for the BRT Program to date, including but not limited to land, rolling stock, associated pedestrian infrastructure, and drainage improvements.
3. Provide updated cost benefit analysis to measure the proposed Southwest BRT Phase 2 against alternative transit investments, including but not limited to the 52nd Street BRT and Green Line LRT.
4. Report back directly to Council no later than December 2017.

Councillor Farkas	Councillor Colley-Urquhart
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THE CITY OF CALGARY
TABULATION OF BYLAW(s)
TO BE PRESENTED TO COUNCIL ON
MONDAY, 2017 NOVEMBER 13

BYLAW 305D2017
BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE
LAND USE BYLAW 1P2007 (LAND USE AMENDMENT
LOC2017-0009)

Second Reading, as amended,
Third Reading, as amended.

NOTE: Second and Third Reading were withheld on 2017 November 06 to allow Administration to prepare amendments to Bylaw 305D2017 as directed by Council. The amendments have been prepared as directed and are attached to this tabulation. The proposed amendments must be introduced and voted on prior to Second Reading of Bylaw 305D2017.

Background: The public hearing and first Reading of Bylaw 305D2017 was held on 2017 November 06.

Ineligible to Vote: Councillor Carra

Excerpt from the Minutes of the Regular Public Hearing Meeting of Council, held 2017 November 06:

“That Council:

1. Give 1st reading to Bylaw 305D2017; and
2. Refer 2nd and 3rd Reading of Bylaw 305D2017 to the 2017 November 13 meeting of Council and direct Administration to return with an Amendment to Bylaw 305D2017 with a new Direct Control district that limits the number of units to 5, including secondary suites and limits the height to RC-2 guidelines.

ROLL CALL VOTE:

CARRIED”

Attachments:

For: Councillor Keating, Councillor Chahal, Councillor Chu, Councillor Farkas, Councillor Farrell, Councillor Gondek, Councillor Jones, Mayor Nenshi

Against: Councillor Magliocca, Councillor Sutherland, Councillor Woolley, Councillor Colley-Urquhart, Councillor Davison, Councillor Demong

1. Proposed Bylaw 305D2017
2. Proposed Amendments to Bylaw 305D2017

PROPOSED

BYLAW NUMBER 305D2017

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (LAND USE AMENDMENT LOC2017-0009) *****

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS 6TH DAY OF NOVEMBER, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

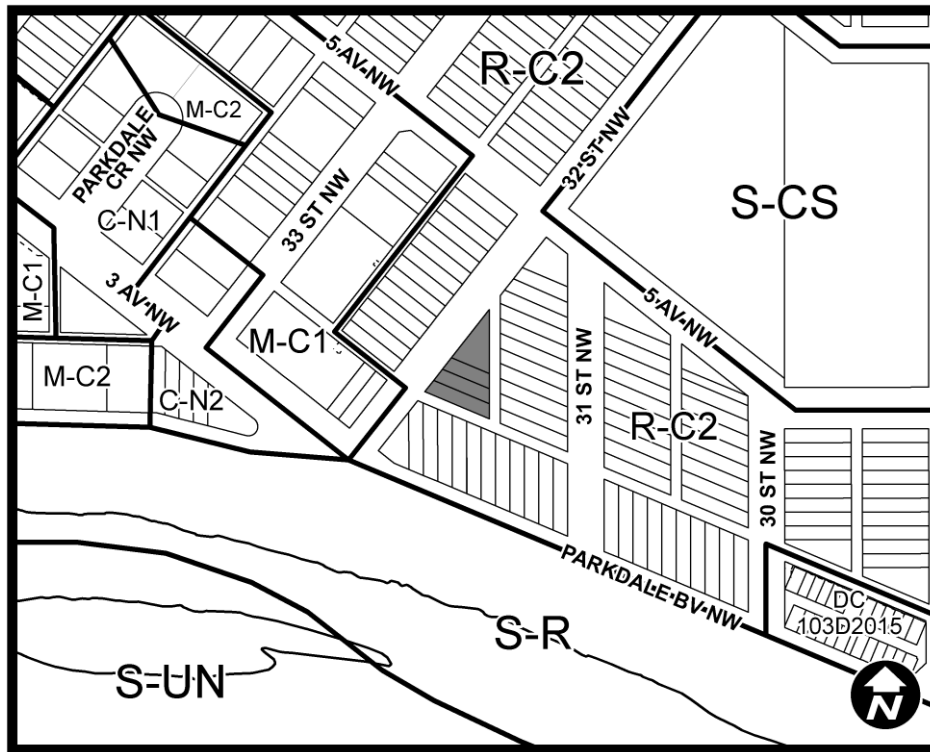
MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

PROPOSED

AMENDMENT LOC2017-0009
BYLAW NUMBER 305D2017

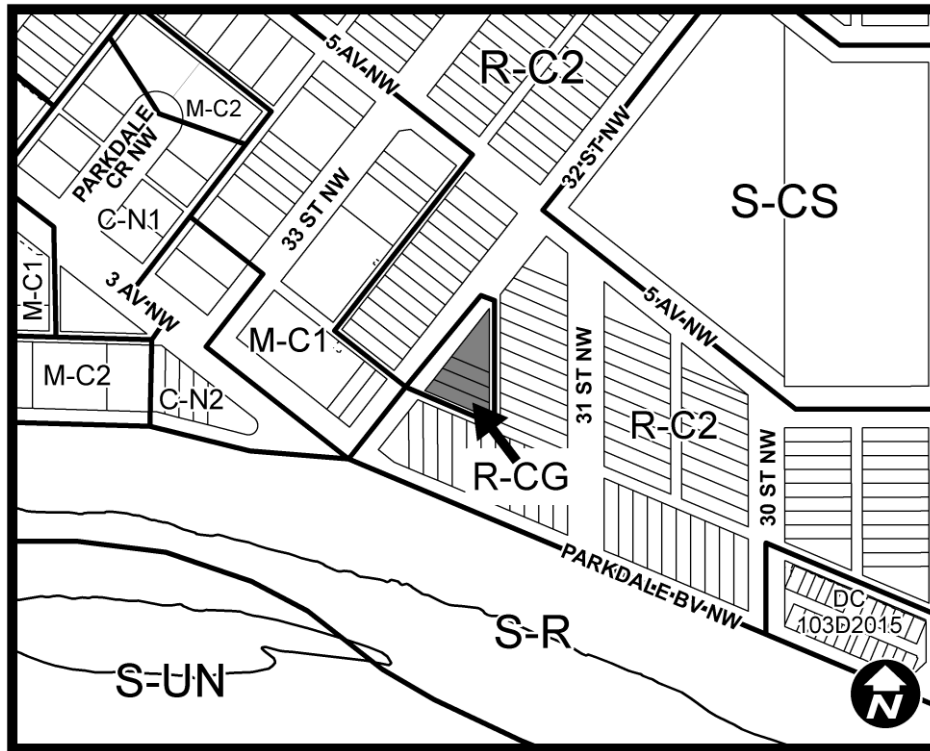
SCHEDULE A



PROPOSED

AMENDMENT LOC2017-0009
BYLAW NUMBER 305D2017

SCHEDULE B

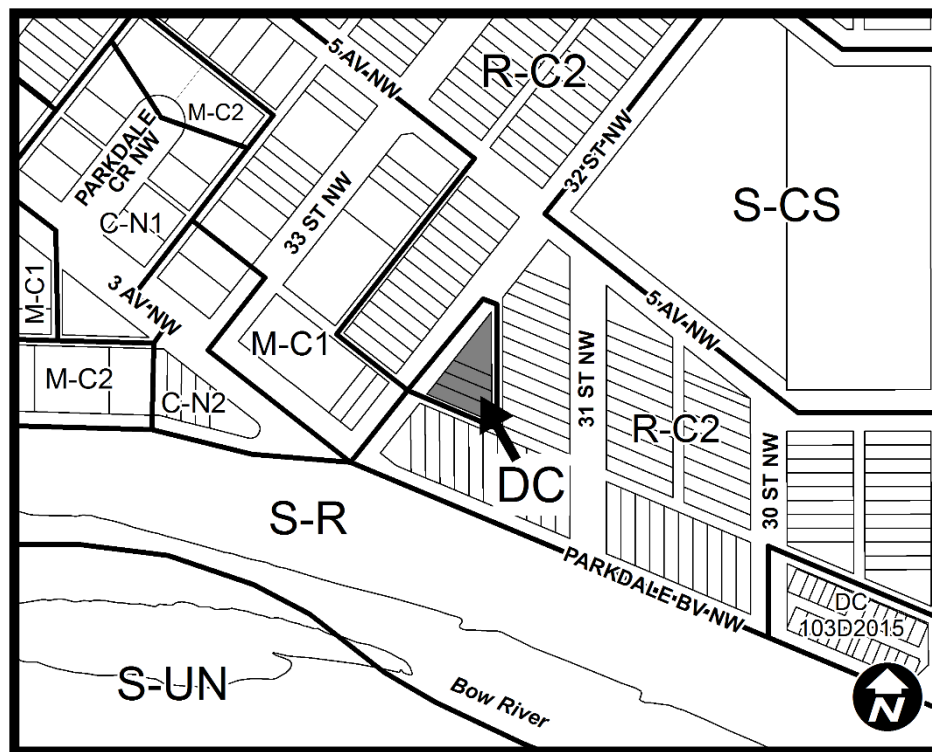


Legal instructions for Council:

Introduce the following proposed amendment prior to Second Reading of Bylaw 305D2017:

1. MOVE that Bylaw 305D2017 be amended by replacing the existing Schedule B with a new Schedule B, attached below:

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) provide for **building heights** that are contextually sensitive to the surrounding low density residential **development**;
 - (b) establish a maximum **density** for the site; and
 - (c) remove **Secondary Suite** and **Backyard Suites** as allowable **uses**.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Permitted Uses

- 4 The **permitted uses** of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the exclusion of:

- (a) **Secondary Suite.**

Discretionary Uses

- 5 The **discretionary uses** of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:

- (a) **Backyard Suite.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 apply in this Direct Control District.

Density

- 7 The maximum **density** is 50 **units** per hectare.

Building Height

- 8 (1) For a **Contextual Semi-detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and a **Single Detached Dwelling**, the maximum **building height** is the greater of:

- (a) 8.6 metres; or
- (b) the **contextual height** plus 1.5 metres, to a maximum of 10.0 metres.

- (2) For a **Rowhouse Building**:

- (a) Unless otherwise referenced in subsection (b) and (c), the maximum **building height** is 10.0 metres.
- (b) The maximum **building height** within 4.2 metres of a **side property line**, that is shared with another **parcel** that is designated with a **low density residential district** other than R-CG is the greater of:
- (i) 8.6 metres;
- (ii) The **contextual height** plus 1.5 metres, to a maximum of 10.0 metres; or

- (iii) The **building height** of the **contextually adjacent building** at the shared **side property line**, to a maximum of 10.0 metres.
 - (c) The maximum area of a horizontal cross section through a **building** at 9.5 metres above average **grade** must not be greater than 75.0 per cent of the maximum area of a horizontal cross section through the **building** between average **grade** and 8.6 metres.
 - (d) The **building height** of a **Rowhouse Building** must be calculated by applying the provisions of section 360 and 361 of Bylaw 1P2007.
- (3) The maximum **building height** for a **cottage building** is 8.6 metres.
- (4) For all other **uses**, the maximum **building height** is 10.0 metres.