

# Background

The Joint Use Agreement (JUA), signed in 1985, is between the Calgary Board of Education (CBE), the Calgary Catholic School District (CCSD), and The City of Calgary (The City), regarding the joint allocation, use, planning and development, and maintenance of municipal reserve, open space, and school sites.

## Context

Scope and Authority of the JUA stems from the Municipal Government Act, sections 666(1) to (4) and 670, which require the owner of a parcel of land that is the subject of a proposed subdivision to provide up to 10 percent of their developable land for municipal reserve, open space, or education purposes, and the allocation of those lands to be made pursuant to an agreement.

A separate agreement is currently in place between The City and the Conseil scolaire Franco-Sud (FrancoSud).

The JUC consists of one representative from the CBE, one representative from the CCSD, and two representatives from The City (Community Planning and Calgary Parks). This committee operates on a consensus model.

The JUC is the body charged with monitoring and implementing the responsibilities under the JUA.

Under the JUA, the Reserve Fund is administered by the JUC, and managed by The City of Calgary Treasury as a Trust Account. All land purchases for school sites, parks and open space require authorization by Council. Under the JUA, the Reserve Fund is held in trust by the three parties. The assets of the Reserve Fund consist of:

- money in place of reserve land;
- proceeds from the disposal of reserve land; and
- interest earned by, and accruing to, the Reserve Fund.

## Previous Council Direction

On 2016 June 20, Council adopted Councillor Pincott's motion that the Committee Recommendations contained in the Joint Use Agreement and Joint Use Coordinating Committee Update, PUD2016-0364, be approved, directing a change in the formal reporting period to Council of the Joint Use Reserve Fund to every year by the following May.

On 2012 March 12, Council adopted Alderman Pincott's motion that the Intergovernmental Affairs Committee Recommendations contained in Report IGA2012-10 be adopted, as follows:

"That Council:

1. Receive this report for information; and
2. Approve a change in the formal reporting to Council, to treat the Joint Use Reserve Fund as though it were a City Reserve, with a formal review and report every three years."

The Joint Use Agreement between the Calgary Board of Education, the Calgary Catholic School District

and The City was executed on 1985 March 04. Section 9.2.1.7 of the agreement states: The Joint Use Coordinating Committee shall “Report annually on the status of the Reserve Fund to all three parties”.

On 1985 February 18, Council approved L85-07, Joint Use Agreement, and authorized the officers of The City of Calgary (The City) to execute the proposed agreement.

### Timeline

