

Citywide Growth Strategy: Aligning the Outline Plan Approval Process for All Growth Management Overlay Areas

RECOMMENDATION(S):

That the Infrastructure and Planning Committee recommend that Council:

Hold a public hearing on 2022 January 11 at the Combined Meeting of Council and give three readings to the proposed Bylaw for the amendments to The New Community Planning Guidebook (Municipal Development Plan: Volume 2, Part 1) (Attachment 2).

HIGHLIGHTS

- The City of Calgary uses outline plans to set out subdivision design and engineering details for new community areas. Currently, two different (and inconsistent) generations of policy exist regarding the ability to approve outline plans in areas with Growth Management Overlays (which are areas without City servicing in place or funded in approved budgets), depending on whether the relevant Area Structure Plan was approved prior to 2013, or afterwards. Outline plans in Growth Management Overlay areas in pre-2013 Area Structure Plans can be approved while those in post-2013 Area Structure Plans cannot. This report details how Administration proposes to address the inconsistency.
- What does this mean to Calgarians? This means a clear and consistent process for outline plan applicants in new community areas, regardless of location or generation of Area Structure Plan.
- Why does this matter? Aligning the policy will support a business-friendly approach for outline plan applications, with the additional benefit of allowing for City endorsement for planning and engineering details that may be informative for the Citywide Growth Strategy: New Communities business case process. Any endorsement of outline plans would be for the technical and planning merits only and would not compel The City to fund capital and operating investments required to initiate land development.
- This alignment would be accomplished by amending Section 4.3.1(d) of the New Community Planning Guidebook (Attachment 2). While the amendment would enable the consistent ability to approve outline plans, the policy would continue to prohibit Council's ability to grant land use redesignation approval, which is considered premature prior to securing City funding for necessary investments. This would require the approval of a business case by Council through the Citywide Growth Strategy: New Communities evaluation.
- Strategic Alignment to Council's Citizen Priorities: A well-run city
- Background and Previous Council Direction is included as Attachment 1.

DISCUSSION

Background

In Calgary, broad citywide planning policies are provided in the Municipal Development Plan. Within Volume 2 of the Municipal Development Plan, the New Community Planning Guidebook provides guidance for new community design, services, amenities, and implementation.

An Area Structure Plan further refines these policies in a local context. When an approved Area Structure Plan is in place, the next step in the application process is the outline plan/land use

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redesignation. This step provides planning and engineering details, as well as manages the subdivision of large areas. Outline plan decisions are made by Calgary Planning Commission, as outline plans are non-statutory and do not come to Council for decision. Land use redesignations, which typically accompany an outline plan, legislatively change the allowable land use and are statutory decisions made by Council. Refer to Attachment 1 for further background and definition of terms.

In 2012, Council approved the use of Growth Management Overlays in order to identify growth related funding gaps in new communities and reinforce the linkage between planning policy and strategic investment and funding. Growth Management Overlay areas are identified in Area Structure Plans as having unresolved and/or unbudgeted required City capital and/or operating investments. Once these investments are added to City budgets via Council approval of a new community business case, Council can then remove the Growth Management Overlay with an Area Structure Plan amendment.

Presently, policy in Area Structure Plans and the New Community Planning Guidebook allows for the submission, but not approval in some cases, of outline plan applications in all areas with Growth Management Overlays. Land use redesignation approval is prohibited in all areas with Growth Management Overlays; however, when it comes to outline plans, there is an inconsistency.

The Issue

Currently, there exists two generations of Area Structure Plans: (1) plans approved by Council in 2013 and earlier and (2) plans approved since 2014 that rely on the New Community Planning Guidebook (PUD2014-0053) for common planning policies.

The first generation of plans are silent on the approval of outline plans in Growth Management Overlay areas. A handful of outline plan applications have been approved by Calgary Planning Commission, which is not known to have caused significant issues.

In the second generation of plans, the New Community Planning Guidebook at first intentionally excluded the submission of outline plans. This was later amended to allow submission as part of a series of changes to The City's strategic growth decision-making process (PFC2017-0480). However, this same clause in the New Community Planning Guidebook explicitly precludes outline plan approval in these Area Structure Plans. This creates the inconsistency with the pre-2013 generation of Area Structure Plans (Attachments 1&3) which has caused confusion for applicants where only some applications can move further into the approval process.

Proposed Resolution and Related Benefits

Resolving this inconsistency can be achieved via an amendment to the New Community Planning Guidebook (Municipal Development Plan: Volume 2, Part 1) to allow all outline plan applications with Growth Management Overlays to seek approval from Calgary Planning Commission (Attachment 2). This allows planning and engineering to proceed in preparation for future development, while reinforcing that land use approvals are premature prior to resolution of growth funding and servicing questions. This may also provide early information for community services facility planning and location.

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There are several benefits to amending the policy in this way:

- Provides a business-friendly, clear, and consistent outline plan approval possibility, for the applicant and Administration. Currently six active applications may be impacted, with more expected; and
- Assuming these applications are likely to be the subject of business cases for City investment during a future new community business case review, with the next decisions made in 2022, the change provides Administration with an increased level of detail that is helpful for informing decisions.

This report also introduces a minor clarification for post-2013 Area Structure Plans to allow small scale or temporary development where there is no change required to existing servicing, without requiring the Growth Management Overlay to first be removed. This enables temporary uses of the land that would not interfere with future comprehensive urban development.

Rationale for Recommendation

By providing the ability to approve outline plans where appropriate and continuing to withhold land use redesignation approval prior to resolution of growth funding and servicing issues, this amendment strikes a balance between facilitating advanced land development planning and engineering, while ensuring approval decisions are not premature from a growth perspective. Administration anticipates reflecting this approach in future Area Structure Plans.

Implementation

Administration will conclude reviews and make recommendations for affected outline plans, and Calgary Planning Commission will begin to see these applications on meeting agendas. Administration will be clearly identifying that conditional approval of the outline plan is valid for five years only and will expire if the associated growth management overlay is not removed. After five years, the plan and supportive studies must be revisited to ensure that current policies and planning and engineering standards are applied to future land development. The land use decision at Council will occur after a business case approval and removal of Growth Management Overlay. The conditions will also reinforce that associated land use redesignation applications would not be approvable by Council until the Growth Management Overlay is removed. Calgary Planning Commission recently approved an outline plan with similar conditions that was located within a pre-2013 Area Structure Plan.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

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

Administration reviewed the proposed amendment with industry stakeholders at a meeting of the New Community Growth Strategy Working Group and communicated out via industry newsletters. Stakeholder letters are included in Attachment 4.

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In accordance with the requirements of the Municipal Government Act, the proposed amendments will require a public hearing. This would occur on 2022 January 11 and will be advertised as required.

Because Calgary Planning Commission is the approving authority for outline plans, Administration will be presenting the proposed amendment to Calgary Planning Commission for their information.

IMPLICATIONS

Social

The ability to approve outline plans prior to removing Growth Management Overlays will provide more certainty that associated new community business cases are demonstrably in alignment with the Municipal Development Plan/Calgary Transportation Plan and other City policies that call for housing choice in vibrant, liveable new communities that support diverse socioeconomic groups.

Environmental

As The City increases action on reducing greenhouse gas emissions and enhancing environmental resilience, outline plans approved prior to Growth Management Overlay removal would provide additional information that an associated business case is in alignment with any climate impact policies and standards applied during the outline plan review.

Economic

The recommended policy change will clarify outline plan review processes for applicants, which should assist in making informed and strategic decisions and investments in future land development.

Service and Financial Implications

No anticipated financial impact

This report has no financial impacts.

RISK

There are three key risks associated with moving forward with the amendment:

1. There is a risk of the approved outline plan becoming out of date if an associated business case is not approved within the 5-year validity timeline. The approach of using conditional approval, as described above, will mitigate this risk.
2. There is a risk of approval of outline plans that do not have broader utility and transportation servicing plans finalized. A comprehensive review process by the Development Applications Review Team to identify and determine if the outline plan is ready to move forward to Calgary Planning Commission will mitigate this risk.
3. There is a risk of raised expectations of near-term land development with an approved outline plan. While the decision by Calgary Planning Commission to approve an outline plan and the decision to fund servicing and remove a Growth Management Overlay by Council are separate decisions on separate matters, the approval of an outline plan may raise pressure on decision makers to fund growth in the area.

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There is a risk associated with not moving forward with the amendment:

1. The identified inconsistency would continue to cause confusion for applicants and Administration. For outline plans in areas where policy limits approval, Administration will be required to recommend refusal regardless of the merits of the outline plan.

ATTACHMENT(S)

1. Attachment 1: Background and Previous Council Direction
2. Attachment 2: Proposed Amendment to the Municipal Development Plan
3. Attachment 3: Map: Ability to Approve Outline Plans in Growth Management Overlay Areas
4. Attachment 4: Stakeholder Letters

Department Circulation

General Manager	Department	Approve/Consult/Inform
Stuart Dalgleish	Planning and Development	Approve