

# Background

## Context

Under the Alberta Traffic Safety Act, street hockey and street play has historically technically been unlawful in Alberta due to pedestrians not being allowed on the roadway for purposes other than crossing. In City Administration's conversations with Alberta Transportation, the Province is aware of the item, but do not have plans to update legislation. The City of Calgary's Bylaws must be consistent with, and cannot supersede, the Alberta Traffic Safety Act.

While technically illegal, there have been no tickets handed out for Street Play by Community Peace Officer's in the three-year period of time studied. Community Peace Officer's that enforce the laws use discretion, education and emphasize safety when it comes to street play. For sports equipment on the roadway, Community Peace Officer's only become involved if sports equipment is left out in a dangerous location on a city street, or its impeding garbage collection or maintenance. There has been one ticket issued, and four items impounded in the three-year time period studied for having sports equipment on the roadway.

There was an increase in the amount of citizen complaints between 2019 (130 complaints) and 2020 (240 complaints) for Sports Equipment on the Street. Administration hypothesizes that the increase was likely due to more youth and adults working and playing at home during the COVID-19 Pandemic.

## Previous Council Direction

In March 2021, Councillor Chahal brought forth the Encouraging Street Play Notice of Motion (PFC2021-0417) which was unanimously approved by Council. The Notice of Motion states:

WHEREAS the COVID-19 pandemic has illustrated the impact of socialization and physical activity on an individual's well-being;

AND WHEREAS the City of Calgary in its COVID-19 response has delivered several programs to enhance the use of public spaces including adaptive streets and bookable firepits;

AND WHEREAS The City of Calgary bylaws and provincial legislation (Traffic Safety Act) currently hinder the use of streets for play;

AND WHEREAS The City of Calgary recognizes the importance of utilizing neighbourhood streets to promote recreational activities that will build community capacity and promote healthy habits;

AND WHEREAS street play, and the social connections derived from play, would enhance communities to the benefit of all Calgarians;

AND WHEREAS many Calgarians, including youth, do not reach minimum fitness targets which makes health issues and complications more likely;

AND WHEREAS according to the 2017 census data, up to 300,000 Calgarians between the ages 5-25 would directly benefit from changes to bylaws and enforcement practices to allow street play.

NOW THEREFORE, BE IT RESOLVED:

1) Council directs Administration to complete a full review to encourage safe street level play including current bylaws and enforcement practices with a report back to the Standing Policy Committee on Transportation and Transit no later than Q1 2022 in alignment with the scheduled Neighbourhood Streets Policy Update, with recommendations and funding sources, including but not limited to:

- a. Review provincial laws and legislation that currently limit The City's ability to encourage safe street level play;
- b. Identify changes necessary to encourage safe street level play;
- c. Include an environmental scan of other municipalities that encourage safe street level play;
- d. Review all safety hazards and risks with proposed recommendations and provide mitigating strategies;

2) Council requests that the Mayor write a letter to the provincial government advocating for the review and implementation of the necessary changes to any laws and/or legislation identified by The City of Calgary that will encourage safe street level play