

## ENVIRONMENTAL OPEN SPACE POLICIES PROGRESS REPORT

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### EXECUTIVE SUMMARY

Environmental Open Space (EOS) was introduced as policy in the Council-approved *Open Space Plan* (CPS2002-42). EOS provides policy direction for lands that have been inventoried and are considered to be environmentally significant. The Council-adopted *Municipal Development Plan* (MDP) directs Administration to, “give the highest priority to the protection of environmentally-significant areas in the allocation of land use”. Council further adopted EOS as policy into the MDP *New Community Planning Guidebook* in 2014. In 2014 February, Council directed Administration to clarify EOS policies in consultation with stakeholders. This report provides a progress update and a request to develop and carry out a work program with stakeholders to clarify EOS policies and refine the relevant technical components.

### ADMINISTRATION RECOMMENDATION(S)

That the Standing Policy Committee on Planning and Urban Development recommends that Council:

1. Receive for information this progress report on Administration’s initial steps to clarifying policies around Environmental Open Space.
2. Direct Administration to develop and carry out a work program with stakeholders to review and clarify Environmental Open Space policies and refine relevant technical components and report back on scope and progress by 2015 February.

### RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2014 OCTOBER 31:

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That the Administration Recommendations contained in Report PUD2014-0864 be approved.

### PREVIOUS COUNCIL DIRECTION / POLICY

On 2014 February 10, Council approved PUD2014-0053 with the following recommendations: “6. Direct Administration, in consultation with stakeholders, to bring forward through the SPC on Planning and Urban Development to Council, amendments to the New Community Planning Guidebook on an ongoing basis, as required, in accordance with the Land Use Planning and Policy recommendation; Such Amendments to include, but not be limited to: ...(b) Clarifying policies around environmental open space; and 7. Direct Administration, to bring forward through the SPC on Planning and Urban Development to Council, amendments to the New Community Planning Guidebook through the developer-funded ASP’s in conjunction with reporting on that process no later than 2014 October 31.”

### BACKGROUND

Environmental Open Space (EOS, *Open Space Plan*, *Open Space Policies C*) was introduced as policy in the 2003 Council-approved *Open Space Plan* (CPS2002-42). EOS gives policy direction to conserve or develop lands of environmental significance – ecological, historical and related recreational significance.

Historically, Parks has identified (mapped) areas of environmental significance, along with associated policy direction, in Council-approved Area Structure Plans (ASP). These areas have been mapped on the ASP Land Use Map, as well as a stand-alone map further distinguishing

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the areas (e.g., wetland, ravine, escarpment, etc.). Policy accompanies the mapped areas to give direction on how to conserve or direct development in these areas. Although Parks has been consistent in identifying and providing policy direction for lands of environmental significance, the use of terminology that identified these areas has been inconsistent. For example, areas have been given terms Environmentally Significant Area, Wetlands Area, Escarpments, Open Space, etc.

In 2009 Council adopted the *Municipal Development Plan* which gave explicit direction that, “All land use and transportation planning and development should seek to conserve and protect ecosystems...” (2.6(a)). Further, MDP policy requires that the highest priority be given “to the protection of environmentally-significant areas in the allocation of land use” (2.6.4(a)).

The *Keystone Hills Area Structure Plan* (2012) was the first residential ASP to be initiated after Council adopted the MDP. *Keystone*, with explicit direction from Council via the MDP, provided the opportunity for Parks to be consistent in the terminology used for identifying and prescribing conservation policies.

For ASPs completed after the effective date of the MDP in 2010, EOS policy would meet the following objectives:

- a) Provide policy consistency for ASPs
- b) Respond to MDP direction; and
- c) Not introduce new policy at the ASP level of planning, but rather provide local area policy context based on the broad policies previously approved or adopted by Council (e.g. The *Open Space Plan* and the MDP).

After having been applied in several ASPs following the effective date of the MDP, it was determined that EOS policy required revisions in order to increase clarity around the intent of the policies and related technical and legislative components. That direction came from Council in 2014 February.

To date, the review of EOS policy to increase clarity has involved research on the legislative/regulatory stipulations, technical/scientific requirements, neighbourhood design intentions, as well as stakeholder engagement and input.

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

Further to Council’s direction to clarify EOS policy, this report provides an analysis of two components of EOS policy:

1. Parks’ preliminary work to clarify and revise EOS policies in the *New Community Planning Guidebook* (Section 3.4.2); and
2. Chart a work program to review and further clarify EOS policies and to refine relevant technical components.

#### 1. Parks’ preliminary work to clarify EOS policies

The preliminary review of EOS policy has four key components:

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- a) Review of existing municipal, provincial and federal guidelines, legislation and policies to ensure EOS has appropriate legal alignment. Applicable legislative requirements are being identified;
- b) Evaluation of relevant Calgary Planning Commission and Council decisions to identify gaps in both the policy and application. Reasons for gaps in application of EOS policy are being identified;
- c) Stakeholder engagement to identify any policy clarity, further gaps or necessary next steps. The work program will be aligned with corporate guidelines to establish a stakeholder engagement process; and
- d) Initiate work on some of the technical elements that support EOS. Parks has advanced changes to the *Habitat Restoration Project Framework* and started a review of the *Biophysical Impact Assessment Framework*.

### *Key messages from preliminary engagement*

- a) Clarity is lacking on what decisions relative to EOS should be made at the ASP stage, as it relates to the process of mapping EOS and identifying which landscape features should be shown on the ASP Land Use Concept map;
- b) There is confusion that EOS equals environmental reserve rather than broader landscape conservation requirements and multiple objectives of the MDP;
- c) There is a lack of consistency in the definitions used to identify EOS landscape features, e.g., the MGA refers to “swamp,” “gully,” “ravine,” “coulee” and “natural drainage feature” but these are not defined in the MGA; and
- d) Clarity is lacking on what degree of accuracy conservation features are mapped in the ASP Land Use Concept map versus at time of Outline Plan application.

Administration initiated a stakeholder engagement process, seeking feedback from various parties on the preliminary work. It was through this process that the above key messages were established along with some issues that would clarify the Environmental Open Space policies in the New Community Planning Guidebook. The engagement highlighted the need for further discussion with stakeholders, outlined in the work program discussed below.

## **2. Chart a work program to implement EOS policies and refine relevant technical components**

A work program will refine the technical components of EOS policy. The outline of the work program is:

- 1. Provide a science-based guideline for identifying lands of conservation value and associated definitions;
- 2. Provide a science-based tool for protecting, acquiring and/or designating lands of conservation value; and
- 3. Develop and implement a communications strategy to advance land conservation practices.

In alignment with corporate guidelines and initiatives Parks will develop the work program through literature research and stakeholder engagement input. Parks will report back to Council on the detailed work program in 2015 February.

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### **Stakeholder Engagement, Research and Communication**

To date, engagement has focused on identifying clarity issues from the stakeholder perspective and exploring some potential solutions. Further scoping will occur in Parks' work program.

Parks will work with stakeholders across The City, industry, community associations, non-government organizations, academia and other government agencies that will adhere to corporate requirements on project chartering and engagement. For each initiative, alignment with Council priority will be identified, key results will be scoped and deliverables will be outlined.

### **Strategic Alignment**

The revision to EOS policies will align with legislative requirements, the MDP and Council priorities.

### **Social, Environmental, Economic (External)**

Parks will adhere to Council policies to align with adopted triple bottom line policies, incorporating the social, environmental and economic aspects of identifying and protecting lands of conservation value.

### **Financial Capacity**

#### **Current and Future Operating Budget:**

The EOS work program will be part of Parks operating budget and completed through internal resources.

#### **Current and Future Capital Budget:**

While conserving land will affect areas for which The City will typically take future ownership, the work program will not have direct impacts to The City's capital budget.

### **Risk Assessment**

A lack of policy clarity and implementation strategies could pose serious risks in the successful implementation of the MDP and Council priorities. The EOS work program is designed to alleviate such risks. More specifically, risk is mitigated by open and transparent engagement strategies that are aligned with corporate guidelines.

### **REASON(S) FOR RECOMMENDATION(S):**

Administration has worked closely with stakeholders on clarifying EOS policies. The engagement process was fundamental in identifying issues where the EOS policies are unclear, while highlighting the need for further stakeholder discussions and the development of the work program which clarifies policy amendments to Council. Administration recommends this report be received for information, and that a work program is developed in conjunction with stakeholders, and brought back to the Council Standing Policy Committee on Planning and Urban Development by 2015 February.

### **ATTACHMENT(S)**

NA