

# Background and Previous Council Direction

## Background

The Joint Use and Planning Agreement (JUPA) is a partnership between The City of Calgary (The City), the Calgary Board of Education (CBE), the Calgary Catholic School District (CCSD) and the Conseil Scolaire FrancoSud (FrancoSud). The JUPA provides the tools and guidance required to achieve complete communities. It also outlines the coordinated approach to the allocation, use, planning and development, and maintenance of municipal reserve, open space, and school sites to address the evolving needs of Calgarians.

The JUPA is implemented by the Joint Use Coordinating Committee (JUCC). The JUCC consists of one representative from the CBE, one representative from the CCSD, one representative from FrancoSud and two representatives from The City (Community Planning and Calgary Parks). This committee operates on a consensus model. The JUCC also provides advice to the subdivision authority on Municipal Reserve, Municipal School Reserve and School Reserve for jointly shared sites. They prioritize the allocation of reserve funds in the order of: neighbourhood (elementary) schools and open space community (junior high/middle) schools and open space regional (high) schools, regional recreation facilities and open space.

The previous Joint Use Agreement (JUA), signed in 1985, was between CBE, CCSD, and The City, regarding the joint allocation, use, planning and development, and maintenance of municipal reserve, open space, and school sites. A separate agreement was previously in place between The City and FrancoSud.

The scope and authority of the JUPA stems from sections 666(1) to (4) and 670 of the Municipal Government Act 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.

The JUCC is the body charged with monitoring and implementing the responsibilities under the JUPA.

Under the JUPA, the Reserve Fund is administered by the JUCC 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 JUPA, the Reserve Fund is held in trust by the four 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

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In 2022 October, Council directed Administration to execute the JUPA with the Calgary Board of Education (CBE), Calgary Roman Catholic Separate School District and Southern Francophone Education Region (IP2022-0533).

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**

