

Governance Review Summary Report



Calgary Planning Commission Governance Review

JUNE 2024

SUMMARY REPORT

Overview

In 2023, the City of Calgary Planning and Development Services engaged Colliers Project Leaders to conduct an external governance review of the Calgary Planning Commission (CPC). The review process included 44 interviews with individuals engaged with CPC including from political, administrative and community perspectives. Comparator jurisdictions were also examined.

Based on this work, four options were explored for the future of CPC:

1. Make incremental improvements over time;
2. Modernize CPC as a technical review body;
3. Delegate more approval authority to CPC and limit the role of Council in planning matters; and
4. Phase out CPC.

This report recommends, in principle, the second approach: **modernize CPC as a technical review body, with a specific focus on strengthening its purpose, improving governance, and increasing the value-add from the resources invested in CPC.**

To strengthen the purpose of CPC, the role of CPC must be clarified in a collaborative way between those who are directly involved in planning and development at the City of Calgary, with a refocused purpose. This more focused approach can be operationalised through a comprehensive review and rewrite of the bylaw. Improving governance practices can involve changing the composition of CPC as well as ensuring the necessary perspectives and expertise are represented in the group. Finally, to ensure that value is being added, CPC's role should shift and be clarified specific to the types of applications being reviewed.

Recommendations

The Calgary Planning Commission has played a role in the planning process in Calgary for 113 years, a time of remarkable growth and progress producing a highly livable city and desirable place to live.

The purpose of this governance review, informed by interviews with those directly engaged with CPC as well as an examination of CPC in the context of the planning process in other municipalities, is to:

1. Ensure efficiencies and value add from CPC meetings;
2. Provide opportunities to increase value in decision-making processes, particularly for Outline Plans, Land-use Redesignations, and Development Permits; and
3. Explore opportunities to strengthen processes and structure for all interested parties.

Several options and alternatives were considered in producing this review. Options were evaluated against the following questions:

- What is the problem(s) that this option would address?
- What problem(s) would this option not be able to address?
- What would be some of the anticipated improvements of this option compared to CPC as it exists today?
- What would be some of the anticipated challenges of this option compared to CPC as it exists today?
- How many resources would need to be invested in the transition to this option – and is it worth it for the anticipated improvement from the status quo?
- Would shifting to this model reduce or increase conflict between individuals and groups engaged in the planning process?
- What would be different, if anything, about the built form or life in the City of Calgary if this option was implemented compared to today?

Broadly the options considered are expressed here in four categories:

Option 1: Incremental improvements	<p>This option imagines that CPC continues to function in Calgary as it does today, but with a continued effort to incrementally improve the operation of CPC, as has already been underway for some time.</p> <p>Specific areas where relatively straightforward changes could be made include:</p> <ul style="list-style-type: none">• Increasing the diversity of members as a focus in future recruitment processes, with defined targets for gender and cultural diversity on CPC• Increase the number of members on CPC• Moving to an external recruitment process• Improve the definition of the Chair and Vice Chair roles, and adopt a selection process which minimized real or perceived conflicts of interest• Define a process for capturing input from CPC members during discussions for the purpose of sharing with Council; this could include identifying a “scribe” for CPC members to produce more detailed summaries of discussions at CPC meetings, eliminating the need for members to write comments but likely requiring added resources from staff• Continue with process changes which can limit or eliminate time spent on largely routine matters• Continue with consent agenda and evolve the scope over time
Option 2: Refocus CPC as a Technical Review Body	<p>This option imagines making changes to CPC to reorient the purpose, focus and form of CPC as a strictly technical review committee rather than a decision-making body. The definition of what is</p>

“technical” will also need a much stronger and more widely understood definition, ideally including a wider range of expertise.

This scenario could involve a number of important changes, including those mentioned under Option 1 with the addition of

- Changing the role of Council and Administration as voting members on CPC
- Engaging an external recruitment firm to assist with identifying and selecting CPC members, informed by a developed matrix of perspectives and areas of expertise required on CPC – noting that this should be interpreted as being more than just different types of professional expertise, but also ensure a range of perspectives brought forward to decisions by the members themselves with experiential expertise as residents of Calgary
- Adjust decision-making authority, and whether this is aligned with the idea of a technical review body, and this consideration should take place on an ongoing basis as the broader legislative context, planning process, and volume and types of applications being received by the City of Calgary evolve

**Option 3:
Increase
Decision
Authority at
CPC**

Local governments can create bodies with delegated decision-making authority on a focused scope of topics or issues (eg. municipal agencies, boards, and commissions). For CPC, movement in this direction could take many forms. It could mean delegating more decision-making authority to CPC where items do not need to come to Council (or perhaps, only come to

	<p>Council on appeal). Decision making authority could be delegated from City Council altogether and vest it in a new elected version of CPC, more akin to planning commissions in some cities in the United States.</p>
<p>Option 4: Phase out CPC</p>	<p>A final option considered would involve a planned phase out of CPC. This would require a thoughtful redistribution of CPC's current responsibilities and the planning process more broadly.</p> <p>In this scenario, it is likely that applications would go directly to Council (or to a new committee of Council) after review and decision by Administration. The expectations and experience of both the internal staff review as well as the public Council deliberations may need to change.</p> <p>In the long term, this may free up resources which could be redistributed elsewhere.</p>

Recommendations

The City of Calgary, like major cities across Canada, faces major pressures when it comes to planning and development. City building has always been a complex effort, but contemporary challenges – from population growth, to climate change, to the national housing crisis – make this work even more difficult, and important.

This governance review has highlighted a few important findings. First, **CPC has and continues to play an important role in city building in Calgary.** It is a rather unique feature to the planning and development governance process in Calgary, embodying an “all hands on deck” ethos where expertise from the community is engaged to broaden perspectives involved in the decision-making process. CPC, in its current form, has real

authority, as Council has delegated authority to them because of the expertise represented. Eliminating the role of community experts from the planning process would mark a step backwards, not forward; it would make some planning decisions an entirely political rather than expert or community-informed process and would decrease the level of review for important planning decisions. **For this reason, Option 4 to phase out CPC is not being recommended.**

Second, **there is ample opportunity to improve on the operation of CPC to ensure that value is being added.** This is consistent with the decades of CPC's existence where improvements have been made, while inconsistent in timing. This and other work ongoing at the City of Calgary may also make positive improvements for CPC (namely, the remuneration review, the expression of interest across the corporation of the CPC Vice-Chair, and overall improvements to the management of the agenda). CPC is in an era of improvement and should be viewed through the lens of the next evolution of the Commission. The task, then, to evolve over time to meet the challenges of the moment. The City of Calgary owns this process and has significant opportunity to improve it over time. Increasing alignment with the rest of the planning process is a necessary part of this evolution. **For this reason, Option 3 to detach CPC from the City of Calgary Council and larger planning and development processes is not recommended.**

The remaining two options – Option 1 and Option 2 – both imagine a continuation of CPC, including continued interface with Calgary City Council. Option 1 is a more limited possibility, essentially continuing what is already an established practice of making minor changes and improvements over time. Option 2 is a more intentional departure from current practice, taking deliberate steps to redesign the mandate, composition, authority, and other fundamental elements of CPC. Given the number and range of concerns voiced during the interviews, the more ambitious option – Option 2 – seems more appropriate and well suited to address the concerns raised during the interviews.

In sum, **this report recommends a specific variant of Option 2: modernize CPC as a technical review body. with a focus on strengthening its purpose, improving governance, and increasing the value-add from the resources invested in CPC.** We offer three specific recommendations on how to do this.

Recommendation	<p>Reform CPC as a technical review body, with emphasis in three areas:</p> <ol style="list-style-type: none"> 1. Strengthen the purpose of CPC 2. Improve governance 3. Focus on opportunity for higher value add
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Recommendation #1: Strengthen Purpose of CPC

The most important opportunity emerging from this review is to **clarify, strengthen and focus the purpose of CPC** – including the definition of CPC’s role and relationships – and of CPC members.

Today	Future
The role and purpose of CPC is not well understood.	CPC’s role and purpose is clear and concise.

The following **four actions** are recommended as a way of strengthening the purpose and focus of CPC:

- a. Develop a new **Purpose Statement**, beginning with a workshop process focused on defining the role of CPC with as much clarity and precision as possible. This process should first engage those most directly involved with CPC (Administration, followed by City Council, and then opportunity for other interested parties). This work should take place before the drafting of a new bylaw, as a way to inform the content of the bylaw.

- b. Develop a clear definition of **CPC Members' Roles and Responsibilities** to be included in new bylaw, with careful consideration of the unique role of each member. These roles will evolve over time and so too should the definition of roles, requiring regular review and periodic updates. A matrix of expertise and perspectives needed at CPC should be developed as part of this process (see Recommendation 2b).
- c. Undertake a **comprehensive Bylaw Review Process**, to provide a clear and concise expression of the role and responsibilities of CPC as well as relationships to other bodies including Calgary City Council and the Urban Design Review Panel.
- d. Improve **onboarding and training offerings** to CPC members, both at the time of joining CPC and throughout the duration of each members' term. This can ensure CPC members are well supported and equipped to address the large scope and complexity of the work associated with serving on CPC.

Clarifying and building consensus around the role of CPC as a whole, followed by a much better-defined understanding of the role of each CPC member, may address some of the differences in expectations (which leads to differences in evaluation of how CPC functions). Engaging interested parties in this process can build support and understanding. Bylaw changes can then formalize these more precise expectations and operationalize the strengthened purpose.

Recommendation #2: Improve Governance

Governance generally refers to the arrangements and norms associated with making decisions, for the purposes of overseeing a system or organization. When done well, good governance practices bring out the very best in a group: the individual contributions of members are optimized,

and the collective product is maximized. Good government fundamentals such as a strong and shared sense of purpose, well established and agreed upon norms of how to work together, trust and transparency both internally and externally, are all important. When not done well, weak governance practices can create less functional groups and poorer outcomes. Governance is not a fixed state (“good” or “bad”) but instead a continuum where efforts towards continuous improvement are in themselves an expression of good governance.

In addition to a strengthened purpose, CPC would benefit from these **intentional efforts to improve governance practices including recruitment, composition, and operational processes.**

Today	Future
Concerns from CPC members and others about governance matters	Ongoing, intentional efforts to improve governance at CPC

The following three actions are recommended, as an important part of putting the strengthened purpose statement into practice. This should include:

- a. **Review the recruitment process**, with a particular focus on nominations, the selection process, onboarding and training (particularly improved training for members on the appropriate legislative and procedural tools). This work should be aligned to the City of Calgary’s broader efforts to strengthen governance bodies, including the remuneration review.
- b. **Complete a composition review** which includes a focus on equity, diversity and inclusion (EDI), defining expertise needed on CPC, the role of Council and community members, and the potential of adding

a member of the Urban Design Review Panel to CPC for development permits.

- c. Review the **workload and workflow of CPC** once the new bylaw is developed. This will need to involve examining meeting formats, scheduling, procedures and the flow of applications to CPC as a means of addressing current challenges and aligning the operation of CPC to the new bylaw.

Improving the governance practices of CPC will operationalise the strengthened purpose of CPC and ensure that CPC has the needed composition and range of perspectives to make well informed decisions.

Recommendation #3: Add Value

Finally, there are opportunities **for improvements to the value that CPC adds for specific types of applications**. This will require clearer articulation of the authority and processes.

Today	Future
<p>Uneven sense of value added by CPC; in some cases, value is contested</p>	<p>Value of CPC in planning process is well understand; decision making authorities and processes well defined</p>

The following are recommended in terms of level of authority and specific changes with respect to development permits, land-use items (consent), land-use items, Outline Plans and planning policies:

<p>Development Permits (DPs)</p>	<ul style="list-style-type: none"> • Authority: Development Authority
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	<ul style="list-style-type: none">• Current State: Varying value but for most applications it is too late in the process with duplication of comments already shared at UDRP; opportunity to increase value add by changing the process• Opportunity:<ul style="list-style-type: none">○ Update and more clearly define what DPs come to CPC, with continued Administrative discretion for any DP to go to CPC and with refusals going to CPC (noting that not all refusals should go to CPC, as for minor applications this may not be required)○ For larger DPs, create opportunities for early feedback at pre-app stage, such as applicant coming to a closed session to present and to receive feedback○ As part of reporting and discussions on DPs at CPC, more clearly articulate in reports and presentations the steps taken as part of the design review process including UDRP○ Define the rationale for Closed Session and make consideration for the inclusion of the applicant on private applications
Land Use Items (Consent)	<ul style="list-style-type: none">• Authority: Makes Recommendations to Council• Current State: Very little value• Opportunity:

	<ul style="list-style-type: none">○ Create an updated Consent Item listing, including Child Care Service Direct Control Districts and H-GO applications○ Take all low-density residential land use applications directly to Council, saving considerable time for the applicant, administration and CPC
Land Use Items (Planning Items)	<ul style="list-style-type: none">● Authority: Makes Recommendations to Council● Current State: Very little value● Opportunity:<ul style="list-style-type: none">○ Items with an approved Local Area Plan (LAP) could go directly to Council○ Land-use items that have to go to CPC should have a synopsis of the discussion included in Council package○ Consider improvements and clarifications for the Master Plan process
Outline Plans	<ul style="list-style-type: none">● Authority: Approving Authority● Current State: Provides a strong basis for subdivision for the applicant and provides the design of the infrastructure framework for the entire community. Need to develop a more consistent approach and process.● Opportunity:<ul style="list-style-type: none">○ Changes to approved Outline Plans would not require CPC approval, depending on the scope of change

Planning Policies	<ul style="list-style-type: none">○ Limit number of Outline Plans coming to CPC by developing criteria on what Outline Plans should come to CPC○ Create opportunity for early feedback on draft Outline Plans (prior to first detailed review)○ Referrals back could be to Administration, adding Conditions of Approval to be implemented at the Subdivision stage
	<ul style="list-style-type: none">● Authority: Providing Feedback and Comments to Council● Current State: Offers a closed session opportunity for debate, review and consideration from multiple perspectives to offer advice to City Council● Opportunity:<ul style="list-style-type: none">○ Adjust authority to make recommendations to Council