

Calgary Metropolitan Region Board
Updated Agenda – January 15, 2021

9:30-12:30

Go-To Meeting/Call-In

Meetings are recorded and live-streamed

		PAGE
1. Call to Order & Opening Remarks	Sheard	
2. Adoption of Agenda <i>For Decision: Motion to adopt and/or revise the agenda</i>	All	
3. Review and Approve Minutes (Attachment) <i>For Decision: Motion that the Board review and approve the Minutes of the December 18, 2020 meeting</i>	All	3
4. COVID Update (Verbal) <i>For Information: Motion to receive for information a COVID update from the Government of Alberta</i>	Beesley	
5. Growth & Servicing Plan Project Update (Attachment) <i>For Information: Motion that the Board receive for information an update on the progress of the Growth & Servicing Plans</i>	HDRC	8
6. Tables of Content for Growth & Servicing Plans (Attachment) <i>For Discussion: That the Board provide feedback on and receive for information the tables of content for the Growth and Servicing Plans</i>	HDRC/Copping	10
7. Environmentally Responsible Land Use Policy (Attachment) <i>For Discussion: That the Board provide feedback on and receive for information the Environmentally Responsible Land Use section of the Growth and Servicing Plans</i>	HDRC	36
8. Economic Wellbeing Policy (Attachment) <i>For Discussion: That the Board provide feedback on and receive for information the Economic Wellbeing section of the Growth and Servicing Plans</i>	HDRC	46
9. Impact of Growth Plan on Statutory Plan Amendments (Attachment) <i>For Information: Motion that the Board receive for information legal advice regarding the effect of the Growth Plan on grandfathered statutory plans</i>	Copping/ Tipman	51

10. Reserve Funds Policy (Attachment) Copping **58**
For Decision: Motion that the Board approve the Proposed Reserve Funds Policy
- Closed Session**
Pursuant to Section 16 of FOIP Act
11. Growth Management & the Efficient Use of Land Policy (Attachment) HDRC
For Discussion: That the Board provide feedback on and receive for information the Growth Management & the Efficient Use of Land section of the Growth and Servicing Plans
Attachment to be circulated separately next week
- Resume Open Session**
12. Roundtable
i. Letter to new Minister of Municipal Affairs (Attachment) Copping **61a**
ii. Audit Progress Update (Verbal) Copping
13. Next Meeting: Friday January 29, 2021
14. Adjournment Sheard

Upcoming Meetings:

Land Use & Servicing Committee	Thursday Jan 21- 9:30 AM	GoTo Meeting
Board Meeting	Friday Jan 29 – 9:30 AM	GoTo Meeting
Governance Committee	Friday February 5 – 9:30 AM	GoTo Meeting
Advocacy Committee	TBD	GoTo Meeting

Delegates in Attendance:

Mayor Peter Brown – City of Airdrie
Mayor Naheed Nenshi – City of Calgary
Mayor Marshall Chalmers – City of Chestermere
Mayor Jeff Genung – Town of Cochrane
Reeve Suzanne Oel – Foothills County
Mayor Craig Snodgrass – Town of High River
Mayor Bill Robertson – Town of Okotoks
Reeve Dan Henn – Rocky View County
Mayor Pat Fule – Town of Strathmore
Reeve Amber Link – Wheatland County

Monte Krueger, Municipal Affairs
Dale Beesley, Municipal Affairs

CMRB Administration:

Chris Sheard, Chair
Jordon Copping, Chief Officer
Liisa Tipman, Project Manager–Land Use
Jaime Graves, Project Manager–Intermunicipal Servicing
Shelley Armeneau, Office Manager
JP Leclair, GIS Analyst

1. Call to Order & Opening Comments

Called to order at 9:30 AM.

2. Approval of Agenda

M 2020-113

Moved by Mayor Brown **Seconded by** Mayor Fule, accepted by Chair.

Motion: That the Board approve the agenda of the December 18, 2020 meeting.

Motions carried unanimously.

3. Approval of Minutes

M 2020-114

Moved by Mayor Genung **Seconded by** Mayor Robertson, accepted by Chair.

Motion: That the Board approve the Minutes of the November 20, 2020 meeting.

Motion carried unanimously.

4. Growth & Servicing Plan Update

Steve Power reviewed the update. Mayor Nenshi suggested that both February Board meetings are kept on the schedule in the event more time is needed for councils to approve.

M 2020-115

Moved by Mayor Nenshi **Seconded by** Mayor Brown, accepted by Chair

Motion: That the Board receive for information an update on the Growth & Servicing Plan.

Motion carried unanimously.

5. Public Engagement Update

Anne Harding provided an update on public engagement and noted that the next What We Heard Summary from workshop #5 would be coming forward in January.

M 2020-116

Moved by Mayor Brown **Seconded by** Reeve Link, accepted by Chair.

Motion: That the Board receive for information an update on public engagement for the Growth & Servicing Plan.

Motion carried unanimously.

6. Workshop #4 What We Heard Summary

Steve Power reviewed this item and noted that things have changed substantially since the report was generated in October, and that the Board is approving the summary as it was at that point in time.

M 2020-117

Moved by Reeve Link **Seconded by** Mayor Fule, accepted by Chair.

Motion: That the Board approve the Workshop #4 What We Heard Summary Report.

Motion carried unanimously.

7. 2021 Budget

The 2021 budget was recommended by the Governance Committee and brought forward to the Board for approval. Members asked questions about the contingency, office lease, and capital expenditures. After discussion and a suggestion by the City of Calgary, the following motion arising was made:

M 2020-118

Motion Arising

Moved by Mayor Robertson **Seconded by** Mayor Brown accepted by Chair.

Motion: That the Board approve the proposed 2021 budget and receive for information the forecasted 2022 and 2023 budgets.

Motion carried.

8. Transition to Growth & Servicing Plan REF

Members discussed the legal ramifications of the timing of transitioning from the Interim Growth Plan to the Growth Plan which will be presented to the Minister of Municipal Affairs for approval March 1, 2021. The item will continue to be discussed at upcoming TAG meetings.

M 2020-119

Moved by Mayor Genung **Seconded by** Reeve Link, accepted by Chair.

Motion: That the Board receive information about the transition to the Growth & Servicing Plan and the Regional Evaluation Framework.

Motion carried unanimously.

9. Posting Recorded CMRB Meetings

M 2020-120

Moved by Mayor Brown **Seconded by** Reeve Henn, accepted by Chair.

Motion: That the Board direct Administration to post all recorded meetings with the appropriate technology, starting with the March 20, 2020 Board meeting.

Motion carried unanimously.

10. Bill 48, Proposed Changes to MGA

M 2020-121

Moved by Mayor Genung **Seconded by** Mayor Brown, accepted by Chair.

Motion: That the Board receive for information an update on changes to the Municipal Government Act, Part 17.1 as presented in Bill 48, Red Tape Reduction Implementation Act.

Motion carried unanimously.

11. Letter from Honourable Tracy Allard

Jordon Copping reviewed this item and recommended that members respond to Minister Allard's letter as they see fit from their individual municipalities, rather than attempting to provide a consolidated response by CMRB. Members agreed to respond separately by the January 15, 2021 deadline as set out by Municipal Affairs.

Moved by Mayor Brown **Seconded by** Reeve Link, accepted by Chair.

M 2020-122

Motion: That the Board receive for information a letter from Honourable Tracy Allard regarding ICF & Recreation.

Motion carried unanimously.

12. Roundtable

- i. **COVID Update:** Dale Beesley from Municipal Affairs provided an update on community care teams, financial supports and vaccine roll-out.
- ii. **EMS Dispatch:** Jordon Copping brought this item forward to close the loop on previous discussions.
- iii. **Resuming In-person Meetings:** At a previous Board meeting CMRB Administration committed to bring this item back at the December meeting. However, due to the increasing risks associated with COVID-19, all CMRB meetings will continue to be held virtually until further notice.
- iv. **Timeframe for development of Growth & Servicing Plan:** The City of Airdrie requested the Board discuss the current state of the plan and issues around meeting the deadline of March 1, 2021.
Comments included:
 - o Frustration with late circulation of documents by the consultant, leaving little time for staff and elected to properly vet and review the information prior to meetings.
 - o Policies coming forward to Committees and TAG are not reflective of administration's input.
 - o Criticism for the lack of substantive items relating to the Plan coming forward to this Board meeting for review.
 - o A suggestion was made to reach out to Minister Allard requesting an additional extension of the deadline to complete the Plan.
 - o An option was proposed to request CMRB Administration to identify items which could be potentially set aside for future discussion/decision (ex. flood mapping) in order to meet the March 2021 deadline.
 - o Members asked the Municipal Affairs representative to comment on the possibility of an additional extension. Dale Beesley indicated there is unlikely an opening for discussion to further extend the deadline for the Plan. A significant amount of good work has been completed to date, and although he respects the complexities of issues, he encouraged members to work to the deadline of March 1, 2021.
 - o The Chair closed the discussion by accepting the suggestions provided and directing members to focus on what must be done to satisfy the requirements of the Plan and not get bogged down in the ancillary things that are slowing down the process.

13. Closed Session

The Board moved into a closed session at 12:00 PM and returned to open session at 1:30 PM.

Motion Arising A:

M 2020-123

Moved by Mayor Genung **Seconded by** Mayor Robertson, accepted by Chair.

Motion: That the Board grant authority to the Vice-Chair of the Board and the Chief Officer to finalize negotiations with the preferred candidate for Independent Board Chair and, when those negotiations are complete, to announce the successful candidate.

Motion carried unanimously.

Motion Arising B:

M 2020-124

Moved by Mayor Chalmers **Seconded by** Mayor Fule, accepted by Chair.

Motion: That the Board extend the current Board Chair's contract to March 1, 2021.

Mayor Robertson put forward a friendly amendment which was accepted:

Motion: That the Board extend the current Board Chair's contract to February 28, 2021.

Motion carried unanimously.

14. Next Meeting

Friday January 15, 2020

15. Adjournment

The Chair declared the meeting adjourned at 1:42 PM.

CMRB Chair, Christopher Sheard

Agenda Item	5
Submitted to	Board
Purpose	For Information
Subject	Growth & Servicing Plan Update
Meeting Date	January 15, 2021
<i>Motion that the Board receive for information an update on the progress of the Growth & Servicing Plans</i>	
<p>Summary</p> <ul style="list-style-type: none"> HDR Calthorpe has provided a Growth & Servicing Plan project update for the information of the Board. The update includes a summary of progress and work completed to date. 	
<p>Attachments</p> <ul style="list-style-type: none"> Growth and Servicing Plan Update, HDR Calthorpe 	

CMRB Board Update

Meeting Date: Friday, January 15, 2021

Recent Progress

Policy Development

- Drafts of all policies now complete
- Foundational Policy: Growth Management and Efficient Use of Land
 - o Significant simplification of the policy to be more descriptive/qualitative
 - o Additional flexibility built in
 - o TAG/Elected Workshop January 8 to reach consensus on as much as possible and refer outstanding issue to Committee for decisions
- Other policies in various states of review

Engagement

- Complete
- Final What We Heard Report to Committee

Report

- Outlines complete
- Preliminary consolidated draft of Growth Plan for internal editing developed
- Preliminary internal Servicing Plan report

Upcoming Tasks

Policy Development

- Finalization of all policies and consolidation into a single document

Report

- Draft consolidated Growth Plan report for Committee information (content only) – implementation chapter to be completed
- Preliminary Servicing Plan
- Ongoing completion of maps and graphics

Agenda Item 5 Attachment

Agenda Item	6 REVISED
Submitted to	Board
Purpose	For Discussion
Subject	Tables of Content for the Growth and Servicing Plans
Meeting Date	January 15, 2021
<i>That the Board provide feedback on and receive for information the tables of content for the Growth and Servicing Plans</i>	
<p>Summary</p> <ul style="list-style-type: none"> • HDR Calthorpe has brought forward the draft annotated tables of contents for the Growth Plan and Plans. These tables of content were circulated to the Land Use TAG on December 23, 2020 for information and to the Committee as part of the January 8, 2021 workshop materials. • At the December 2020 Board meeting, the timeline for delivery of the Growth and Servicing Plans was discussed. To meet the March 1, 2021 deadline, a suggestion was made to consider removing elements of the Growth and Servicing Plans that are not strictly requirements found in the <i>Calgary Metropolitan Region Board Regulation</i>. • The Regulation provides a list of requirements that must be included in the Growth and Servicing Plans. The Regulation has been included as part of this agenda item for the convenience of the Board. • The Growth Plan includes specific requirements that must be in the Plan. The Servicing Plan must support the Growth Plan. The Regulation lists items that MAY be included in the Servicing Plan. • The draft tables of content provided as part of this agenda item include highlighted portions which indicate areas that are required by the Regulation. • CMRB Administration requests feedback from the Board on the draft tables of content, including if proposed elements of the plan that are not requirements of the Regulation should be removed. 	
<p>Attachments</p> <ul style="list-style-type: none"> • Growth Plan annotated table of contents • Servicing Plan annotated table of contents • <i>Calgary Metropolitan Region Board Regulation</i> 	

Background

HDR|Calthorpe is in the process of building draft Growth and Servicing Plan documents. As part of this process, individual policies are being compiled together into document sections that align with the draft tables of content provided as attachments to this agenda item.

The table of content for the Growth Plan is guided by the six focus areas developed by the Board through workshops and reviewed by the public as part of the Phase 1 of public engagement. These include:

- Growth Management and the Efficient Use of Land
- Economic Wellbeing
- Environmentally Responsible Land Use
- Water Stewardship
- Urban-Rural Differences
- Shared Services Optimization

Board Discussion

CMRB Administration seeks feedback from the Board on the following:

- a. General feedback and discussion on the tables of content.
- b. Specific discussion on the elements of the Growth and Servicing Plans presented in the tables of content that are not required to be included in the Growth and Servicing Plans by the *Calgary Metropolitan Region Board Regulation*. Does the Board wish to see these elements remain in the Plans?

At the December 2020 Board meeting, the timeline for delivery of the Growth and Servicing Plan to the Province was discussed. To accommodate the March 1, 2021 deadline, a suggestion was made to consider removing elements of the Growth and Servicing Plans that are not strictly requirements found in the Regulation.

The sections/parts of the Growth and Servicing Plans **that are required** by Regulation to be included in the documents are highlighted in yellow in the attached tables of content. The Regulation has also been provided as an attachment. The requirements for the Growth and Servicing Plans included in the Regulation can be found on pages 6-7 of the Regulation for the Growth Plan and page 9 for the Servicing Plan.

Recommendation

That the Board provide feedback on and receive for information the tables of content for the Growth and Servicing Plans.

Calgary Metropolitan Region

Growth Plan

DRAFT REPORT OUTLINE



Agenda Item 6i Attachment

1.Introduction

- General introduction to the Growth Plan
- Objectives from Regulation

Overview of the Calgary Metropolitan Region Board and Growth Plan

- History of CMRB
- Values from previous messaging

Regulatory Framework

- Review of the CMRB Regulation and CMRB mandate
- Growth Plan regulatory requirements
- Hierarchy of statutory plans
- Relationship to the South Saskatchewan Regional Plan
- Statutory plan relationship to the Growth Plan

Growth Plan Process

- Growth Plan background and development process
- Connection to Interim Growth Plan

Community and Stakeholder Involvement

- External Technical Advisory Group
- Overview of public engagement processes
- Indigenous communities
- Summary of findings

2.Regional Growth Direction

Regional Context

- General description of the Region
- History of regional planning in the CMR
- Brief profiles of each member municipality

Population and Employment Growth Forecasts

- Summary of Rennie report
- Applied Management report, focusing on future drivers of growth in the region

Regional Growth Patterns

- Housing trends and future housing demand (relationship to Population and Employment forecasts) – historic trends, household sizes, future demand
- Planned and developed land in the region – including currently approved ASPs/ARPs

Regional Placetypes

- Introduction to the concept of placetypes, including regional examples
- Descriptions of placetype characteristics

Scenarios for Growth

- Overview of the scenario analysis process and the three scenarios initially assessed
- Summary of scenario analysis and comparison
- Summary and descriptions of the analysis findings and relative benefits of each scenario
- “Synthesis Scenario” description, rationale and benefits relative to Business-as-Usual

Growth Plan Goals, Directions and Priorities

- Growth Plan Goals and Directions

3. Regional Policies

(note: highlighted policies are required under CMRB Regulation)

Growth Management and the Efficient Use of Land

- Applicability to approved ASPs and ARPs
- Formal placetype definitions
- Reference to benefits intended to be generated
- Introduction of Joint Planning Areas
- Rural growth opportunities

Note: This policy addresses the CMRB Regulation requirement for policy with respect to New Settlement Areas and Intensification of Existing Settlement Areas, as well some components of Coordination of infrastructure planning and development among the participating municipalities. It also addresses the requirement for identification of growth areas, land supply for residential, commercial and industrial purposes, density of development. Population and employment projections are also reiterated here, although covered in greater detail in Section 2.

Economic Wellbeing

- State this is not a focus of the Growth Plan, but there is a growth connection to Economic Wellbeing that reflects the competitiveness of the region
- Relationships to statutory plans, regional transportation planning

Environmentally Responsible Land Use

- Flood Prone Areas
 - Board objectives
 - Short- and medium-term actions
 - Definitions
- Environmentally Sensitive Areas
 - ASP/ARP requirements
 - MDP/IDP requirements
 - Regional ESA maps and future databases
- Climate Change
 - Linkage back to benefits in Growth Management and the Efficient Use of Land section
 - Policy regarding MDPs

Shared Services Optimization

- This section will be brief in the Growth Plan, with details provided in the Servicing Plan
- Emphasis in the Growth Plan will be on identification of corridors that are a requirement under the Regulation

- Also addresses coordination of infrastructure planning and development among the participating municipalities

- Mobility Corridors
- Transmission and Utility Corridors
- Intermunicipal Transit
- Planning for Servicing in Joint Planning Areas
- Broadband Internet
- Recreation Corridors and Facilities

Celebrating Rural/Urban Differences

- Agriculture Economy
 - Establish relationship to Economic Wellbeing
 - Requirements for MDPs
- Preservation of Agriculture Land
 - Brief policy, sufficient to address CMRB regulation requirements

Water Stewardship

- Like Shared Services Optimization, this section will be brief in the Growth Plan, with most detail residing in the Servicing Plan
- Watershed Protection
 - Relationship to the South Saskatchewan Regional Plan
 - Follow-up actions at a regional level and advocacy around SSRP updates
- Stormwater Management
 - Reference to intermunicipal cooperation
 - Recommendations on alignment with AEP and Alberta Health processes/guidelines
- Water Efficiency
 - Encouragement of water efficiency targets for future developments
- Collaboration and Governance
 - Identification of potential sub-regional governance structures
 - Continuation of Water Table and advancement of the Water Road Map

4. Implementation

- Most will be a summary of policies, recommendations and actions outlined in the policy chapter, with some indication of priority

Existing MDPs and ASPs

- “Grandfathering” clauses
- Requirements for amendments to ASPs
- Treatment of Existing MDPs
- Requirements for new MDPs

Implementation Mechanisms

- REF Process

Growth Plan Amendment and Updates

Monitoring

- Details on how Placetypes will be monitored and tracked over time to show regional movement towards the preferred placetypes. This will be assisted by a “Guide to Evaluating and Determining Placetypes in Your Municipality” document found in the Appendix.

Future Initiatives

- List of items, topics, Plan directions that may/should come forward in future iterations of the Growth Plan

Glossary of Terms

- Definitions for terms raised in the Growth Plan report

Appendices

- Engagement Summary
- List of MDP Requirements (*consolidated from policies in the Growth Plan for ease of reference and use by Municipalities*)
- List of ASP Requirements (*consolidated from policies in the Growth Plan for ease of reference and use by Municipalities*)
- Forecast of Regional Growth Background Information & Methodology
- Guide to evaluating and determining Placetypes in your municipality

Calgary Metropolitan Region

Servicing Plan

DRAFT REPORT OUTLINE



Agenda Item 6ii Attachment

1. Introduction

- General introduction to the Servicing Plan

Regulatory Framework

- Relationship to the Growth Plan
- Objectives and requirements of the Regulation
- Relationship to Statutory Plans (will be similar to Growth Plan)

Servicing Plan Process

- Servicing Plan background and development process (similar to Growth Plan, but focused on the servicing elements)
- TAG and External TAG involvement

2. Transportation and Transit

JPA Context Plans

- Road and highway networks
- Higher-order transit corridors
- Transit-readiness strategies

Regional Transportation and Transit Master Plan

- Regional transit corridors and connections
- Regional transit service delivery and timing
- Regional goods movement corridors
- Regional approach to active transportation
- Timing for Regional Transportation and Transit Master Plan

3. Water, Wastewater and Stormwater

Watershed Protection

- Relationship to the SSRP
- Advocacy for future watershed-based planning
- Support of Government of Alberta initiatives
- Upstream reservoirs

Stormwater Management

- Sub-regional cooperation within and around Joint Planning Areas
- Monitoring, review and updating of provincial stormwater guidelines
- Relationship to broader watershed protection

Water Efficiency and Services

- Planning for provision of services to currently unserved areas of Joint Planning Areas
- Establishment of water efficiency targets for new developments in urban municipalities and Joint Planning Areas

Governance and Collaboration

- Investigation of water governance structures, within Joint Planning Areas and/or at a broader regional scale
- Continued advancement of the Water Road Map
- Continued forum for intermunicipal collaboration (similar to the Water Table), including relevant external stakeholders

3. Implementation

- Most will be a summary of recommendations and actions outlined in the previous two chapters, with some indication of priority

Other Services

- Mention of other regional servicing (eg., emergency services, solid waste, etc) not included in this Servicing Plan

Servicing Plan Amendment and Updates

- Connection to Growth Plan updates
- Alignment with JPA Context Plans
- Timing and regulatory provisions for updates

Glossary of Terms

- Definitions for terms raised in the Growth Plan report

Appendices

- Summary of JPA requirements

Preliminary Draft



Province of Alberta

MUNICIPAL GOVERNMENT ACT

**CALGARY METROPOLITAN
REGION BOARD REGULATION**

Alberta Regulation 190/2017

Extract

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Agenda Item 6iii Attachment

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(no amdt)

ALBERTA REGULATION 190/2017

Municipal Government Act

**CALGARY METROPOLITAN
REGION BOARD REGULATION**

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Schedule

Definitions

1 In this Regulation,

- (a) “Act” means the *Municipal Government Act*;
- (b) “Board” means the Calgary Metropolitan Region Board established by section 2;
- (c) “Calgary Metropolitan Region” means the lands lying within the boundaries of the participating municipalities;
- (d) “Framework” means the Regional Evaluation Framework, including any amendments to the Framework, approved by the Minister under section 12;
- (e) “Growth Plan” means an integrated growth management plan for the Calgary Metropolitan Region, including any amendments to that plan, approved by the Minister under section 708.1 of the Act;
- (f) “Minister” means the Minister responsible for the Act;
- (g) “participating municipality” means a municipality listed in the Schedule;
- (h) “recreation corridor” means a corridor with varying width where one or more trail recreation activities occur;
- (i) “representative” means a person appointed by a participating municipality under section 708.04 of the Act or designated under section 2(4) of this Regulation;
- (j) “Servicing Plan” means a plan to provide services referred to in section 16 on a regional basis;
- (k) “statutory plan” means
 - (i) a statutory plan as defined in section 616(dd) of the Act, or

- (ii) an amendment to a statutory plan referred to in subclause (i).

Part 1

Calgary Metropolitan Region Board

Establishment of Board

2(1) The Calgary Metropolitan Region Board is established in accordance with section 708.02(1.1) of the Act.

(2) Each participating municipality may appoint a person to act in the representative's place in the event of the representative's temporary absence or temporary inability to act.

(3) A representative appointed under section 708.04 of the Act and subsection 2(2) must be a councillor of the participating municipality that is appointing the representative.

(4) Until a participating municipality appoints a representative under section 708.04 of the Act, the chief elected official of the participating municipality is designated as that municipality's representative.

(5) If the representative of a participating municipality is unable to attend a meeting of the Board, the Board, on the request of the participating municipality, may provide for an alternative method of representation for the participating municipality at that meeting.

(6) Representatives appointed under section 708.04 of the Act are expected to represent the perspectives of their respective municipality during Board deliberations, but have a duty to act in the best interests of the Board when taking actions or making decisions.

Mandate of Board

3(1) The Board shall

- (a) strive towards consensus regarding matters before the Board,
- (b) promote the long term sustainability of the Calgary Metropolitan Region,
- (c) ensure environmentally responsible land-use planning, growth management and efficient use of land,
- (d) develop policies regarding the coordination of regional infrastructure investment and service delivery,

- (e) promote the economic well-being and competitiveness of the Calgary Metropolitan Region,
 - (f) develop policies outlining how the Board shall engage the public on the Growth Plan and the Servicing Plan, and
 - (g) be limited in its mandate and role to those powers given to the Board under the Act and this Regulation.
- (2)** In fulfilling its mandate, the Board shall further
- (a) prepare a Growth Plan,
 - (b) prepare a Servicing Plan,
 - (c) advise and make recommendations to the Minister regarding the implementation of the Growth Plan and the Servicing Plan,
 - (d) facilitate the resolution of issues arising from the preparation and implementation of the Growth Plan and the Servicing Plan, and
 - (e) develop and implement policies for the sharing of costs for regional projects of the Calgary Metropolitan Region.

Chair of Board

- 4(1)** Representatives appointed under section 708.04 of the Act or designated by section 2(4) shall elect from among them a Chair of the Board.
- (2)** Despite subsection (1), the Minister may by order appoint an interim Chair of the Board.
- (3)** If the Minister appoints an interim Chair, the term of the Chair elected under subsection (1) commences on the day after the expiry of the term of the interim Chair.
- (4)** The interim Chair does not have voting rights.
- (5)** The representatives appointed under section 708.04 of the Act or designated by section 2(4) may appoint a Chair that is not a representative appointed under section 708.04 of the Act or designated by section 2(4) in accordance with policies established by the Board.
- (6)** A Chair appointed under section 4(5) does not have voting rights.

Voting rights of representatives

5(1) Subject to section 708.03(2) of the Act and section 4(4) and (6) of this Regulation, each representative has one vote.

(2) If a decision of the Board is to be made by a vote, the decision must be supported by not fewer than 2/3 of the representatives from participating municipalities that collectively have at least 2/3 of the population in the Calgary Metropolitan Region.

(3) Subject to section 2(5), if a representative is not present for a vote of the Board, or abstains from voting, the representative is deemed to have voted in the affirmative.

Power and duties of Board

6 The Board may

- (a) develop policies allowing for the participation of non-members,
- (b) requisition participating municipalities for operating costs related to the operations of the Board, and
- (c) carry out any other functions and duties as the Minister directs.

Part 2

Preparation of Calgary Metropolitan Region Growth Plan

Preparation of Growth Plan

7(1) The Board shall, within 3 years from the coming into force of this Regulation, prepare and submit to the Minister a proposed Calgary Metropolitan Region Growth Plan.

(2) The Board shall review the Growth Plan every 10 years, or earlier as determined by the Board, unless otherwise ordered by the Minister under section 708.24(2) of the Act.

Objectives of Growth Plan

8 The objectives of the Growth Plan are

- (a) to promote an integrated and strategic approach to planning for future growth in the Calgary Metropolitan Region,
- (b) to identify the overall development pattern and key future infrastructure investments that would

- (i) best complement existing infrastructure, services and land uses in the Calgary Metropolitan Region,
 - (ii) best complement the desired scale of development and community visions across the Calgary Metropolitan Region,
 - (iii) best address efficient and cost effective growth and development, and
 - (iv) maximize benefits to the Calgary Metropolitan Region,
- (c) to coordinate decisions in the Calgary Metropolitan Region to sustain economic growth and ensure strong communities and a healthy environment, and
 - (d) to promote the social, environmental and economic well-being and competitiveness of the Calgary Metropolitan Region.

Contents of Growth Plan

9(1) Except as otherwise specified by the Minister, a proposed Growth Plan must contain a comprehensive, integrated regional land-use plan for the Calgary Metropolitan Region that includes the following:

- (a) population and employment projections;
- (b) the identification of
 - (i) growth areas,
 - (ii) land supply for residential, commercial and industrial purposes,
 - (iii) agricultural lands,
 - (iv) density of development,
 - (v) the development and location of infrastructure, and
 - (vi) corridors for recreation, transportation, energy transmission, utilities and intermunicipal transit;
- (c) policies regarding the planning for corridors for recreation, transportation, energy transmission, utilities and intermunicipal transit;
- (d) policies regarding environmentally sensitive areas;

- (e) policies regarding the coordination of infrastructure planning and development among the participating municipalities;
- (f) policies that address new settlement areas;
- (g) policies that address the intensification of existing settlement areas;
- (h) policies regarding the conservation of agricultural lands;
- (i) specific actions to be taken by the participating municipalities to implement the Growth Plan.

(2) In preparing a proposed Growth Plan, the Board may also have regard to any matter relating to the physical, social or economic development of the Calgary Metropolitan Region.

Limitation of Plan

10 Despite anything to the contrary in this Regulation, the Growth Plan is of no effect to the extent it directs the Government of Alberta to expend funds, to commit to funding arrangements or to undertake particular actions or adopt particular policies or programs.

Part 3 Approval of Statutory Plans

Application of Part

11 This Part applies to a statutory plan only after a Regional Evaluation Framework is approved by the Minister under section 12.

Regional Evaluation Framework

12(1) The Board shall prepare and submit to the Minister a Regional Evaluation Framework containing

- (a) criteria to be used to determine whether a statutory plan must be submitted for approval under section 13(1),
- (b) procedures for submitting statutory plans for approval under section 13(1), and
- (c) the criteria and procedures to be followed by the Board for the objective evaluation and approval of statutory plans in relation to the Growth Plan and the Servicing Plan.

- (2) The Minister may, by order, approve, reject or amend a Framework.
- (3) The Framework has no effect until it is approved by the Minister.
- (4) If the Board fails to provide a Framework, the Minister may, by order, establish a Framework.
- (5) Subject to subsections (3) and (4), if the Minister establishes or approves a Framework, the Minister shall provide a copy of it to each participating municipality.
- (6) The Framework is not a regulation within the meaning of the *Regulations Act*.

Approval of statutory plan

- 13(1)** Statutory plans to be adopted by a participating municipality that meet the criteria set out in the Framework must be submitted to the Board for approval.
- (2) In accordance with the Framework, the Board may approve or reject a statutory plan.
- (3) A statutory plan referred to in subsection (1) has no effect unless it is approved by the Board under subsection (2).
- (4) Subject to an appeal or dispute resolution mechanism established under section 708.23(1) of the Act or as otherwise provided in the Framework, a participating municipality has no right to a hearing before the Board in respect of its approval or rejection of a statutory plan.
- (5) Subject to section 708.23(1) of the Act, a decision of the Board under this section is final and not subject to appeal.
- (6) This section applies only to statutory plans to be adopted by a participating municipality after the establishment of the Framework.

Part 4 Preparation of Calgary Metropolitan Region Servicing Plan

Servicing Plan

- 14(1)** The Board shall, within 3 years of the establishment of the Board, prepare a Metropolitan Region Servicing Plan for the Calgary Metropolitan Region and file a copy with the Minister.

- (2) The Board shall review the Servicing Plan every 5 years.

Objectives of Servicing Plan

15 The objectives of the Servicing Plan are as follows:

- (a) to identify the services required to support the goals of, and to implement, the Growth Plan;
- (b) to support the optimization of shared services to enhance use of ratepayer dollars;
- (c) to facilitate orderly, economical and environmentally responsible growth in the Calgary Metropolitan Region.

Contents of Servicing Plan

16 The Servicing Plan must

- (a) list the servicing required to support the development outlined in the Growth Plan, which may include
 - (i) transportation, including regional transit,
 - (ii) water, waste water and storm water,
 - (iii) solid waste,
 - (iv) emergency services, and
 - (v) any other services, identified by the board which benefit residents in more than one of the municipalities that are parties to the Servicing Plan,
- (b) for services to be provided on an intermunicipal basis, outline how each service will be
 - (i) intermunicipally delivered, including which municipality will lead delivery of the service, and
 - (ii) intermunicipally funded,
- (c) set the timeframe for implementing services to be provided on an intermunicipal basis,
- (d) contain any other matters necessary to support the growth plan, and
- (e) contain any other matter the Minister considers appropriate.

Part 5 General Matters

Transitional

17 Sections 708.13 and 708.14 of the Act do not apply to statutory plans adopted, bylaws made, resolutions passed or municipal agreements entered into by a participating municipality before the coming into force of this Regulation.

Regulation review

18 This Regulation shall be reviewed every 5 years.

Coming into force

19 This Regulation comes into force on January 1, 2018.

Schedule Participating Municipalities

- (a) City of Airdrie;
- (b) City of Calgary;
- (c) City of Chestermere;
- (d) Town of Cochrane;
- (e) Town of High River;
- (f) Town of Okotoks;
- (g) Town of Strathmore;
- (h) Rocky View County;
- (i) Municipal District of Foothills;
- (j) That portion of Wheatland County described as follows:

Starting at the southeast corner of section 21, township 23, range 24; Then westerly until the southwestern corner of section 19, township 23, range 26; Then northerly until the northwestern corner of section 31, township 24, range 26; Then easterly until the northeastern corner of section 33, township 24, range 24; Then southerly to the point of commencement. All west of the fourth meridian

Approximate area: 87 000 acres

Includes all of:

Township 23, Range 24
Sections 28-33, 19-21

Township 23, Range 25
Sections 19-36

Township 23, Range 26
Sections 19-36

Township 24, Range 24
Sections 4-9, 16-21, 28-33

Township 24, Range 25
All sections

Township 24, Range 26
All sections

All west of the fourth meridian

Agenda Item	7
Submitted to	Board
Purpose	For Discussion
Subject	Environmentally Responsible Land Use
Meeting Date	January 15, 2021
<p><i>That the Board provide feedback on and receive for information the Environmentally Responsible Land Use section of the Growth and Servicing Plans</i></p>	
<p>Summary</p> <ul style="list-style-type: none"> • Environmentally Responsible Land Use is a section of the Growth Plan that includes policies for environmentally sensitive areas, flood prone areas, and climate change. • The policies for environmentally sensitive areas and flood prone areas are supported by background information which received extensive review by Land Use TAG (LU TAG) and the Land Use and Servicing Committee and was approved by the Board. • The draft Growth Plan policies for environmentally sensitive areas and flood prone areas were reviewed by LU TAG and Committee. At the December Committee meeting, the flood prone areas policies were approved in principle. Environmentally sensitive land use policies were referred back for further work. • HDR C has updated the policies in consideration of all feedback provided. • There may be some changes to policy language as the Growth and Servicing Plan documents come together. 	
<p>Attachments</p> <ul style="list-style-type: none"> • Draft Environmentally Responsible Land Use policy section of the Growth and Servicing Plans 	

Background

HDR|Calthorpe is in the process of building draft Growth and Servicing Plan documents. As part of this process, individual policies are being compiled together into document

sections. Draft table of contents for both documents have been provided as part of Agenda Item 6 of this agenda package.

The Environmentally Responsible Land Use section of the Growth Plan brings together policies for environmentally sensitive areas, flood prone areas, and climate change. The policies for environmentally sensitive areas and flood prone areas were reviewed by the Land Use and Servicing Committee at the December 2020 meeting.

At the December Committee meeting, the flood prone areas policies were approved in principle. The environmentally responsible land use policies were referred back to LU TAG for further work and refinement. The policies contained in the Environmentally Responsible Land Use section of the Growth Plan provided in this agenda item have been updated in consideration of all feedback provided. A comment tracking log was circulated to Committee and LU TAG members as part of the materials provided via email for the January 8, 2021 workshop.

Next Steps

The draft Growth and Servicing Plan documents will be reviewed by TAGs, Committee and the Board once compiled. The full Growth Plan and Servicing Plan documents must be ready for circulation to individual municipal councils by February 5th, 2021 to give each municipality 2 weeks to review the document prior to Board review on February 19, 2021.

Recommendation

That the Board provide feedback on and receive for information the Environmentally Responsible Land Use section of the Growth and Servicing Plans.

DRAFT Environmentally Responsible Land Use

Natural systems play an important role in the region, and the CMR recognizes that it is important to plan growth in a manner that protects and enhances the natural environment and systems. Reducing the footprint of new development as described through the approach to Growth Management and Efficient Use of Land is an important component of protecting natural systems. Environmentally responsible land use means growing in a manner that protects these important natural resources, such as environmentally sensitive areas, while doing our part to limit our impact on the climate, and building in a manner that protects the future well-being of the region from a wide range of hazards, such as floods.

The CMR recognizes its responsibility to reduce its impact on the climate, while preparing for the impacts of climate change and other natural and man-made hazards. Steps to create a more sustainable and resilient region will help protect our communities and create a more stable foundation for the region to prosper now and into the future. The Growth Plan seeks to help reduce our impact on the environment; achieving reductions in emissions, land consumption, impervious cover, and water demand.

CMR Goals	Growth Plan Objectives
The Calgary Metropolitan Region recognizes the important role of natural systems in the Region.	<ul style="list-style-type: none"> • Increase awareness and understanding of natural and sensitive areas through ESA mapping. • Protect currently unprotected natural systems of regional significance and preserve the function of regionally significant natural systems. • Acknowledge the importance of natural floodplains through responsible growth.
The Calgary Metropolitan Region is a leader in sustainable regional planning, which minimizes the impacts of development on our land, water and air.	<ul style="list-style-type: none"> • Plan responsibly in flood prone areas through sensitive development and flood mitigation. • Reduce the Region's impact on the environment and climate through proper and efficient land use planning, including the use measurable targets to reduce impacts on land, water and air. • Increase the environmental, economic, and social resiliency of our region.

Agenda Item 7 Attachment

Polices associated with environmentally responsible land use are closely related to the Growth Plan and Servicing Plan policies for water stewardship, and should be considered together. The polices associated with Environmentally Responsible Land Use reflect the following key policies:

1. Flood policy is highly influenced by Provincial Flood Hazard mapping and the CMRB has a desire for application of a higher standard for Flood Hazard mapping.
2. Assessment of environmentally sensitive areas is complex, and requires consideration at the watershed, regional, local and site level. The Regional approach to environmentally sensitive areas will need to be integrated with other scales of planning.

Flood Prone Areas

The Calgary Metropolitan Region has flood prone areas and has historically experienced significant flood events. Many member municipalities have responded to this critical challenge through policy and new regulations, reflecting local context and hydrological conditions.

Municipalities in the Region have committed to building flood resilience to protect lives and property. For example, CMRB members strongly suggest changing the design flood standard to 1:200 years, or a 0.5% flood. The Region's watersheds are large, interconnected systems. Flood resilience is best approached at multiple scales (watershed, community, property) and from multiple perspectives (upstream/downstream). Regional responses will require ongoing coordination with watershed-level planning (e.g. SSRP) and at the community and property-level with municipalities and developers.

The Province of Alberta recently released updated flood hazard and inundation mapping for some areas of the Region. As further mapping is released, actions approved by the Board to advance the development of flood prone policy beyond adoption of the Growth Plan include:

- Request the Government of Alberta take a leadership role in developing policy for flood prone areas;
- Engage with the Province and member municipalities to understand modifications to the Provincial Floodway Development Regulation;
- Update the policies of the Growth Plan to reflect the Flood Development Regulation (if required);

Key Issues and Influences:

- Major recent floods had significant impacts to many communities within the CMR;
- Riverine flooding is the topic of this policy area;
- This policy does not consider the effects of overland flooding and stormwater management;
- Developing regional flood policy for the entire area of the CMR is complex as the Province is currently updating their Flood Hazard Area mapping; and
- The Board has indicated a desire to adopt a higher design standard than the current provincially defined standard.

The CMRB objectives, as approved by the Board, related to Flood Prone Areas are:

- Prioritize public safety;
- Mitigate risk to public, municipalities, businesses, park spaces, living assets and other property/lands;
- Over time and with appropriate inputs, examine how flood resilience might be achieved among CMR municipalities;
- Educate the public and other development stakeholders on the risks of development in flood prone areas;
- Maintain essential ecosystem functions of flood areas; and
- Minimum design standard of 1:200, or 0.5% probability flood.

Over time, through ongoing monitoring of regulatory changes, updates to flood hazard mapping and statutory plan approvals under the Growth Plan, the CMRB may consider developing a more comprehensive approach to Flood Prone Area policy. Potential new policy measures could include, but are not limited to:

- Flood fringe development controls
- Meander belt management
- Stepping Back from the Water / environmental reserve setbacks

POLICIES

- 1.1 No development shall be permitted within a provincially identified floodway, with the exception of uses with no permanent buildings, such as agriculture, natural areas, outdoor

recreation, parks, roads, bridges, utilities, aggregate extraction, and flood mitigation infrastructure.

- 1.2 Development in provincially identified flood fringe areas shall include flood protection measures to mitigate risk at the 1:100 year flood event level.
- 1.3 New area structure plans must include protection measures to mitigate risk in provincially identified flood inundation areas at the 1:200 year flood event level.
- 1.4 After updated provincial flood hazard mapping is finalized, the CMRB shall work with the Province of Alberta and member municipalities to investigate changing the provincial definition of the flood hazard area to the 1:200 year level, including an assessment of the impacts to Alberta's Disaster Relief Program and private insurance.

Environmentally Sensitive Areas

Environmentally Sensitive Areas (ESAs) are key landscape features, providing important ecosystem services to municipalities at regional and local scales. These cherished and often irreplaceable natural places are worthy of retention and special care to maintain water quality, provide flood mitigation, retain natural habitats and diverse landscapes, and preserve other valued ecosystem functions and services.

In addition to protecting ESAs, members should also adopt best practices for environmentally sensitive land development and planning, including the use of low impact development and efficient land use principles, the use of appropriate setbacks from water and natural areas, and stormwater and watershed best management practices.

Key Issues and Influences:

- Natural areas, and in particular ESAs provide important ecosystem services, and their health has been threatened by recent development trends and practices.
- Existing mapping data is quite varied across the CMR, and the existing location and extent of some ESAs are unknown, limiting the ability to protect them.
- Protecting certain types of ESAs will benefit other policy areas, including flooding and recreation.

POLICIES

The policies associated with environmentally sensitive areas (ESAs) establishes a consistent framework and approach for identifying, analyzing and planning near ESAs..

1. Area Structure Plans and Area Redevelopment Plans shall address *Environmentally Sensitive Areas* through the following means:

- (a) Undertake a desktop-based *environmental screening* to identify *Environmentally Sensitive Areas* on-site and within 100 metres of the site boundary;
 - (b) The *environmental screening* shall include a map of all identified *Environmentally Sensitive Areas*;
 - (c) If an *Environmentally Sensitive Area* is located on or within 100 metres of the site, the proponent/municipality must conduct an *environmental study*; and
 - (d) An *environmental study* shall identify the potential impacts of the proposed development on the identified *Environmentally Sensitive Area(s)* and recommend mitigation measures to protect it.
2. Municipal Development Plans and Intermunicipal Development Plans shall:
 - a. include map(s) of regional *Environmentally Sensitive Areas* that have existing documentation and mapping within areas designated for future growth.
 - b. Include a shared definition of *Environmentally Sensitive Areas* as defined in the Regional Growth Plan.
 3. The CMRB shall compile the municipally identified *environmentally sensitive areas* into a common database for the Region.

Climate Change

Climate change policies sets direction for municipalities in the Region to collectively take action on climate change.

1. Municipal Development Plans shall address climate change resiliency, which will include:
 - a. A plan to reduce municipal greenhouse gas reduction and water consumption; and
 - b. A plan to identify and mitigate risks due to climate change, including economic changes impacted by climate change.

Definitions

Climate Change - The long-term shift in weather conditions measured by changes in temperature, precipitation, wind, snow cover, and other indicators.

Design Flood – The current design standard in Alberta is the 1% flood, defined as a flood whose magnitude has a 1% chance of being equalled or exceeded in any year.

Ecosystem Services - The following are examples of ecosystem services, the benefits that come from healthy functioning ecosystems and the biodiversity found in them:

- food, fiber, fresh water (“provisioning” services)
- flood control, water and air purification (“regulating” services)
- spiritual, recreational, cultural benefits (“cultural” services)
- nutrient cycling, soil formation (“supporting” services)

Environmental Screening – An environmental screening is a desktop study to identify the presence of Environmentally Sensitive Areas using the following criteria:

- (a) Areas maintaining the provision of water quality and quantity and providing protection against drought and flooding events;
- (b) Areas providing habitat for identified local species of interest, designated species of conservation concern (SCC), or identified focal species groups.;
- (c) Areas providing rare, unique, or biologically diverse ecosystems or unique landforms;
- (d) Areas contributing to other important ecosystem functions or services at regional or local scales.

Environmental Study – A detailed study and review of the effects of a proposed development on identified Environmentally Sensitive Areas, that anticipates, interprets and evaluates impacts and identifies mitigation measures to avoid, minimize or compensate for these impacts.

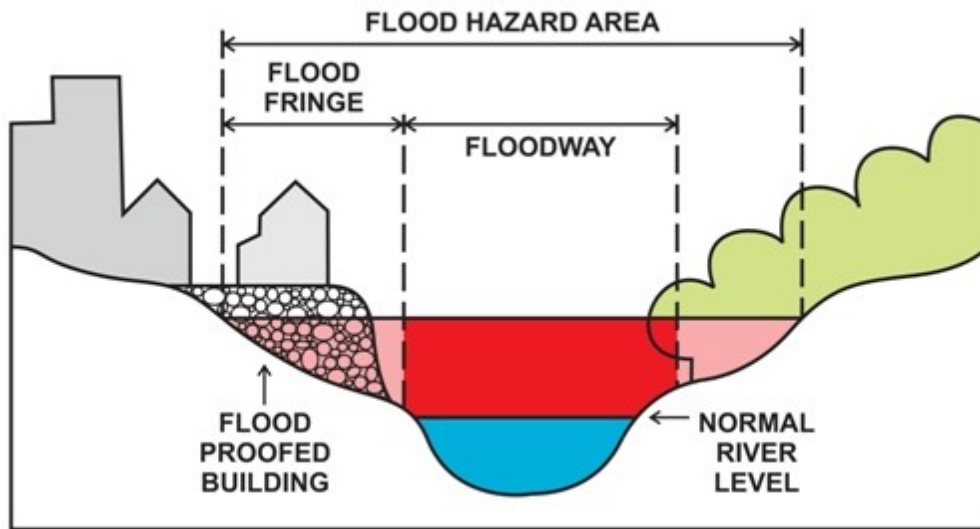
Environmentally Sensitive Areas - Environmentally Sensitive Areas are key natural components of the regional landscape, providing essential ecosystem functions and services. They include areas that:

- Maintain the provision of water quality and quantity and provide protection against drought and flood events. Includes water courses, water bodies, and riparian areas;
- Provide habitat for identified local species of interest, designated species of conservation concern (SCC), or identified focal species groups;
- Provide rare, unique, or biologically diverse ecosystems or unique landforms;

- Contribute to other important ecosystem functions or services at the local scale; and
- Include Provincial Environmentally Significant Areas.

Flood Fringe – The portion of the flood hazard area outside of the floodway. Water in the flood fringe is generally shallower and flows more slowly than in the floodway. New development in the flood fringe may be permitted in some communities and should be flood-protected.

Flood Hazard Area – The flood hazard area is the area of land that will be flooded during the design flood event under encroached conditions. Once this area is defined, the flood hazard area is typically divided into two zones, the floodway and the flood fringe.



Source: Government of Alberta, www.alberta.ca/flood-hazard-mapping.aspx

Flood Inundation Maps: identify land areas on a map which would be inundated by water given a series of river flows, not just the 'design flood' flow. Flood inundation maps are created by hydraulic modelling using, among other data, historical precipitation information to simulate runoff and resulting river flows showing those areas which are overwhelmed by water. They are used for emergency preparedness and emergency response planning. The flood inundation map for a design flood flow informs the development of a flood hazard area map.

Flood Hazard Area Maps show where the floodway and flood fringe would be located, if flow in the river reached the design flood flow. Flood hazard area maps are used for long range planning and are used to make land use decisions, among other uses.

Floodway – The portion of the flood hazard area where flows are deepest, fastest and most destructive. The floodway typically includes the main channel of a stream and a portion of the adjacent overbank area.

Flood Prone Areas – Includes the flood hazard area as defined by the Government of Alberta's flood hazard maps and other areas affected by riverine flooding greater than the design flood as defined by member municipalities in respect of their local context.

Greenfield Areas: An area for future growth located outside of the built-up area.

Regional Environmentally Sensitive Areas – Regional Environmentally Sensitive Areas are defined as areas that:

- Provide the environmental benefits of Environmentally Sensitive Areas beyond one municipality's geographic area;
- Contribute to other important ecosystem functions or services at the regional scale. and
- Include Provincial Environmentally Significant Areas.

Agenda Item	8
Submitted to	Board
Purpose	For Discussion
Subject	Economic Wellbeing
Meeting Date	January 15, 2021
<i>That the Board provide feedback on and receive for information the Economic Wellbeing section of the Growth and Servicing Plans</i>	
<p>Summary</p> <ul style="list-style-type: none"> • Economic Wellbeing is a section of the Growth Plan that includes policies related to planning for economic wellbeing in Municipal Development Plans and guidance for regional transportation planning. • Preliminary policies for economic wellbeing were reviewed at the December 2020 Land Use and Servicing Committee. The flood prone areas policies were approved in principle. • HDR C has updated some specific language for the economic wellbeing policies based on some input from Land Use TAG (LU TAG). • There may be some changes to policy language as the Growth and Servicing Plan documents come together. 	
<p>Attachments</p> <ul style="list-style-type: none"> • Economic Wellbeing section of the Growth and Servicing Plans 	

Background

HDR|Calthorpe is in the process of building draft Growth and Servicing Plan documents. As part of this process, individual policies are being compiled together into document sections. Draft table of contents for both documents have been provided as part of Agenda Item 6 of this agenda package.

The Economic Wellbeing Section of the Growth Plan brings together policies related to planning for economic wellbeing in Municipal Development Plans and guidance for regional transportation planning. The policies for economic wellbeing were reviewed by the Land Use and Servicing Committee at the December 2020 meeting. The policies were approved in principle.

As part of bringing the document together, policy updates have been made consideration of further LU TAG input since the presentation of the policies to Committee:

- A short introduction to each policy was added to create consistency with other policies.
- Policy 1.1 includes changes requested by Committee around servicing and a line has been added around workforce access to jobs.
- Policy 1.2 includes changes to policy wording based on suggestions from LU TAG members to add clarity and precision to the policy.

A comment tracking log was circulated to Committee and LU TAG members as part of the materials provided via email for the January 8, 2021 workshop.

Next Steps

The draft Growth and Servicing Plan documents will be reviewed by TAGs, Committee and the Board once compiled. The full Growth Plan and Servicing Plan documents must be ready for circulation to individual municipal councils by February 5th, 2021 to give each municipality 2 weeks to review the document prior to Board review on February 19, 2021.

Recommendation

That the Board provide feedback on and receive for information the Economic Wellbeing section of the Growth and Servicing Plans.

DRAFT Economic Wellbeing

The significant growth in the CMR economy in recent decades has been largely driven by the energy sector. The City of Calgary is the Canadian headquarters of many oil and gas companies, with two-thirds of Calgary’s 118 head offices focused in the energy and oilfield services sector. The sector offers employment throughout the CMR, yet its dominance has caused instability with periods of high and low growth, often referred to as boom and bust periods. The region has struggled with downsizing and layoffs during the most recent and ongoing downturn that began in 2013.

Despite the past reliance on energy and the associated ups and downs of the market, Calgary’s economy is diversifying. Over the next three years it is anticipated that there will be an increase in employment across all sectors. According to the Regional Employment Forecast, it is anticipated there will be over 500,000 additional jobs under a status-quo scenario to support the next million regional population. It is estimated that the largest jobs growth will be in healthcare and social assistance; professional, scientific and technical services; construction; retail trade; and transportation and warehousing. According to Calgary Economic Development, agribusiness is also among the key sectors for growth in Calgary and the region. Together, these industries are expected to make up approximately 50% of total job growth.

The CMR can work together to form a clear vision of an equitable, diversified and resilient present and future regional economy. The Economic Wellbeing policies encourage this collaboration that will promote resilience and risk management, efficiency and cost effectiveness, as well as enhancing quality of life. Improving the efficiency of land use by increasing the regional transportation coordination and accessibility of businesses and providing suitable land for emerging sectors throughout the CMR will help achieve these core considerations. A focus on regional economic wellbeing with the help of efficient land use and economic development strategies will guide the CMR’s use of their varying resources, community characteristics and employment opportunities to develop, retain and attract talent.

CMR Goals	Growth Plan Objectives
<p>The Calgary Metropolitan Region is a globally recognized economy, attracting the best and brightest in a variety of economic sectors to support regional prosperity and a high quality of life.</p>	<ul style="list-style-type: none"> • Diversify the economy in the Calgary Metropolitan Region, supported by creating more resilient, efficient, and livable communities. • Enable transit, walking and cycling to work, contributing to attracting and retaining workforce. • Provide an effective transportation network, assuring efficient transportation of goods to market. • Ensure adequate suitable land for emerging market demand, providing capacity for economic growth.

<p>The Calgary Metropolitan Region has a strong and unified approach to regional economic growth.</p>	<ul style="list-style-type: none"> • Build on the strengths of all member municipalities to create a plan for economic growth in the region. • Collaborate among municipalities and with industry partners.
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Although economic development planning is not a component of the Growth Plan, there is an important connection between economic wellbeing and land use and servicing that will influence the Region’s economic competitiveness. The connections include:

1. The ability to attract the talent necessary to serve the future economy will in part be dependent on quality of life in the Region.
2. A sufficient supply of employment land with efficient access to markets will help support economic growth in the Region.

A coordinated approach to economic development should align with the Growth Plan policies and potentially inform future updates to the Growth Plan. Industry partners should be involved in developing the coordinated regional approach.

Policies

1. Municipal Development Plans

An adequate supply of land that is appropriately serviced and accessible for the type of employment being served is essential to attracting jobs to the region that will support economic diversification and competitiveness. Municipal Development Plans can provide guidance on the availability and suitability of land to support future economic growth, reflecting job forecasts for the municipality.

1.1 Municipal Development Plans shall:

- (a) Confirm an adequate supply of available land for employment;
- (b) Include policies to focus employment growth in Infill and Redevelopment, Mixed Use Centres, and Employment Centres, with employment in other areas primarily oriented to servicing the local community;
- (c) Seek to provide workforce access to jobs ;
- (d) Identify how employment will be concentrated in areas that can be serviced by transit immediately, or in the future;
- (e) Identify where and how employment land use will be intensified; and
- (f) Promote the co-location of land uses in industrial areas that support the function and efficiency of industry

2. Regional Transportation Planning Support for Economic Wellbeing

Access to an employment base and to markets are among many the many factors employers consider when choosing a location. Future regional transportation planning is considered in more detail in policies and actions related to Shared Services Optimization. The policies below are related to how regional transportation planning initiatives can support the economic wellbeing of the Region.

2.1 Regional transportation plans should:

- (a) Identify strategies to minimize the effects of commuter congestion on important goods movement and trade routes;
- (b) Identify a network of priority routes for regional goods movement, linking key hubs such as intermodal facilities and the Calgary International Airport with an emphasis on reliability.
- (c) Protect the integrity of major goods movement routes should be protected by coordinating adjacent land use planning with the provision of adequate truck accessibility.

Agenda Item	9
Submitted to	Board
Purpose	For Information
Subject	Effect of Growth Plan on Pre-Existing Statutory Plans
Meeting Date	January 15, 2021
<p><i>That the Board receive for information legal advice regarding the effect of the Growth Plan on pre-existing statutory plans</i></p>	
<p>Summary</p> <ul style="list-style-type: none"> • Section 708.14(1) of the MGA provides that a participating municipality must amend every statutory plan and bylaw to conform with a growth plan no later than the date specified by the growth management board. Statutory plans approved prior to the establishment of the CMRB on January 1, 2018 are pre-existing and remain in full force and effect. This is often referred to “grandfathering.” • CMRB Administration has sought a legal opinion about the potential effect of the Growth Plan on grandfathered statutory plans when amendments are proposed. • Statutory plan amendments may be reviewed for compliance with the Growth Plan pursuant to the Regional Evaluation Framework (REF) and may be required to conform with the Growth Plan to the extent they do not comply. • In some cases, if an amendment is required to a grandfathered statutory plan conform with the Growth Plan, the result could be an effective downzoning. In other words, the general land use pattern identified in the Growth Plan for a certain area could be different than the density or general land use pattern that was identified in a grandfathered statutory plan. • Ms. Janice Agrios of Kennedy Agrios LLP provided the following opinion: <i>As long as a municipality is acting for a valid planning purpose, then there are no legal consequences that arise from a requirement that amendments to a pre-existing statutory plan conform with the Growth Plan, even if the result is an effective downzoning.</i> • Ms. Agrios’s full opinion has been provided as an attachment. 	
<p>Attachments</p> <ul style="list-style-type: none"> • Legal opinion on the effect of the Growth Plan on pre-existing statutory plans 	

1. Background

CMRB Administration has sought a legal opinion about the effect of the growth plan on pre-existing (“grandfathered”) statutory plans when those plans are proposed for amendment through the Regional Evaluation Framework (REF). These amendments are required to align with the Growth Plan to the extent they do not comply. In some cases, aligning with the Growth Plan may result in an effective downzoning of land in the statutory plan area. CMRB Administration has investigated the potential legal consequences of an effective downzoning.

2. Statutory Plan Amendments

Section 708.13 of the MGA notes that “Despite any other enactment, but subject to section 708.14(5), a growth plan prevails in the event of a conflict or inconsistency between the growth plan and a statutory plan, bylaw, resolution or municipal agreement of a participating municipality”. So, although all statutory plans remain in full force and effect with the establishment of the growth management board, they must also align with the Growth Plan, once approved.

Grandfathered Area Structure Plans (ASPs) and Area Redevelopment Plans (ARPs), as well as ASPs and ARPs approved under the IGP, will remain in full force and effect and will not be subject to the REF process unless they are the subject of a regionally significant amendment.

If a regionally significant amendment is proposed, a grandfathered statutory plan will be reviewed for compliance with the Growth Plan through the Regional Evaluation Framework (REF), either in whole or in part depending on the requirements of the REF. Under the IREF, the CMRB is only reviewing the portions of the plan that are being amended; however, this approach may be modified once the policies of the Growth Plan are known.

Ms. Janice Agrios of Kennedy Agrios LLP has provided an opinion about the legal consequences of grandfathered plan amendments that may result in an effective downzoning of land within a grandfathered statutory plan that is the subject of a REF application. She has provided the following opinion: *“As long as a municipality is acting for a valid planning purpose, then there are no legal consequences that arise from a requirement that amendments to a pre-existing statutory plan conform with the Growth Plan, even if the result is an effective downzoning.”*

Her full opinion is provided as an attachment to this Agenda Item.

3. Administration Recommendation

At present, CMRB Administration does not have a recommendation for the Board. Administration is raising this issue to ensure all member municipalities are aware of the effects of the Growth Plan on statutory plan amendments.

MEMORANDUM

To: Jordon Copping
Chief Officer
Calgary Metropolitan Region Board
("CMRB")
via email

From: Janice A. Agrios, QC
Kennedy Agrios LLP
780.969.6911

Date: December 17, 2020

Subject: Pre-existing Statutory Plans

File: 76186-2

A. INTRODUCTION

Statutory plans approved prior to the establishment of the CMRB on January 1, 2018 remain in full force and effect. If, however, an amendment is sought to a pre-existing statutory plan (sometimes referred to as a "grandfathered" statutory plan), then the amendment may be reviewed for compliance with the Growth Plan pursuant to the Regional Evaluation Framework ("REF") and may be required to conform with the Growth Plan. In some cases, if an amendment is required to conform with the Growth Plan, the result could be an effective downzoning. You have asked for my opinion as to the legal consequences where requiring an amendment to a pre-existing statutory plan to conform with the Growth Plan results in an effective downzoning.

B. SUMMARY OF CONCLUSION

As long as a municipality is acting for a valid planning purpose, then there are no legal consequences that arise from a requirement that amendments to a pre-existing statutory plan conform with the Growth Plan, even if the result is an effective downzoning.

C. RELEVANT FACTS

1. The Calgary Metropolitan Region Board Regulation, Alberta Regulation 190/2017 (the "Regulation") provides that statutory plans approved prior to January 1, 2018 remain in full force and effect.
2. If an amendment to a pre-existing statutory plan is sought, then the amendment may require review and approval for consistency with the Growth Plan pursuant to the REF.
3. In short, as long as a pre-existing statutory plan is not amended, then there is no requirement that it be reviewed for consistency with the Growth Plan. If,

however, a pre-existing statutory plan is amended, then the amendment may be reviewed through the REF for consistency with the Growth Plan.

D. RELEVANT LEGISLATION

1. Municipal Government Act (“MGA”)

Actions must conform with Growth Plan

708.12(1) Despite any other enactment, no participating municipality shall take any of the following actions that conflict or are inconsistent with a growth plan: ...

(b) adopt a statutory plan;

Plan prevails

708.13 Despite any other enactment, but subject to section 708.14(5), a growth plan prevails in the event of a conflict or inconsistency between the growth plan and a statutory plan, bylaw, resolution or municipal agreement of a participating municipality.

Conformity with Growth Plan

708.14(1) The council of a participating municipality must amend every statutory plan and bylaw as necessary to conform with a growth plan no later than the date specified by the growth management board.

(2) If the council of a participating municipality fails to amend a statutory plan or bylaw in accordance with subsection (1), the statutory plan or bylaw is deemed to be invalid to the extent that it conflicts or is inconsistent with a growth plan. ...

(5) Except as otherwise provided in the regulation establishing the growth management board of which the participating municipality is a member, section 708.13 and this section apply to statutory plans adopted, bylaws made, resolutions passed and municipal agreements entered into before or after the coming into force of that regulation.

Effect of regulation on existing statutory plans

708.16 For greater certainty, except as provided in this Part and Part 17, all statutory plans of a participating municipality that are in effect on the coming into force of the regulation establishing the growth management board of which the participating municipality is a member remain in full force and effect.

Compensation

621(1) Except as provided in this Part and in section 28 of the *Historical Resources Act*, nothing in this Part [17] or the regulations or bylaws under this Part gives a person a right to compensation.

2. Regulation

Regional Evaluation Framework

12(1) The board shall prepare and submit to the minister a regional evaluation framework containing

- (a) criteria to be used to determine whether a statutory plan must be submitted for approval under section 13(1),
- (b) procedures for submitting statutory plans for approval under section 13(1), and
- (c) the criteria and procedures to be followed by the board for the objective evaluation and approval of statutory plans in relation to the growth plan and the servicing plan.

Approval of statutory plan

13(1) Statutory plans to be adopted by a participating municipality that meet the criteria set out in the framework must be submitted to the board for approval.

(2) In accordance with the framework, the board may approve or reject a statutory plan.

(3) A statutory plan referred to in subsection (1) has no effect unless it is approved by the board under subsection (2).

Transitional

17 Sections 708.13 and 708.14 of the act do not apply to statutory plans adopted, bylaws made, resolutions passed or municipal agreements entered into by a participating municipality before the coming into force of this regulation.

E. DISCUSSION

Section 708.14(1) of the MGA provides that a participating municipality must amend every statutory plan and bylaw to conform with a growth plan no later than the date specified by the growth management board. Section 708.14(5) of the MGA provides that except as otherwise provided in the regulation establishing the growth management board, Section 708.14 of the MGA applies to statutory plans adopted, bylaws made,

resolutions passed and municipal agreements entered into before or after the coming into force of the regulation establishing the growth management board. Section 708.16 of the MGA provides that all existing statutory plans remain in full force and effect.

Section 17 of the Regulation provides for the exception contemplated in Section 708.14(5) of the MGA. It states that Sections 708.13 and 708.14 of the MGA do not apply to statutory plans adopted, bylaws made, resolutions passed or municipal agreements entered into by a participating municipality before the coming into force of the Regulation. Therefore, pre-existing statutory plans remain in full force and effect and are exempt from the requirement in Section 708.14(1) of the MGA that they must be amended to conform with the Growth Plan.

However, as set out above, if a pre-existing statutory plan is amended, then the amendment may be reviewed for compliance with the Growth Plan pursuant to the REF and may be required to conform with the Growth Plan. In some cases, requiring an amendment to comply with the Growth Plan could result in “downzoning” (loss of potential uses, loss of density or similar reductions in development potential). The question is whether such a downzoning could provide grounds for a legal challenge or damages against the municipality.

In general, there is nothing inherent about a downzoning that would be grounds for a legal challenge and no compensation is payable for a downzoning. Municipalities have the legislative power to rezone land and amend statutory plans. A municipality’s authority to rezone or amend statutory plans cannot be fettered. In this regard, there is a long line of cases that state that it is within a municipality’s authority to impose “development freezes”¹ or even “downzone” as long as it is in the exercise of a valid planning purpose and that a municipality cannot be liable for doing so. This reasoning has been applied even in a case where the municipality entered into a contract to leave a particular zoning in place and to be liable for damages in the event that the zoning was changed. In that case, the Court rejected a claim for damages for a downzoning on the basis that a municipal council does not have the authority to fetter the ability of a future council to exercise its legislative power to rezone property².

The most recent Alberta case dealing with downzoning is *Neufeld v County of Mountain View*, 2016 ABQB 676. In that case, a developer acquired land with the intention to develop it for commercial, industrial, recreation and residential purposes. The County had made it clear that its intention was to greatly increase density targets and build services in the area to encourage growth and development. In furtherance of this objective, the County passed an ASP that increased proposed residential density in the area as well as a concept plan. The County then passed an MDP, which also addressed increased density for the area. The developer received approval for re-designation and subdivision of part of its property. The County subsequently adopted a new MDP that reduced residential density and added servicing requirements. The

¹ *Hartel Holdings Co. Ltd. v City of Calgary*, 1984 Canlii 137 (SCC)

² *Pacific National Investments Ltd. v Victoria (City)*, 2000 SCC 64, at paras. 65 to 74

County further amended the ASP and repealed the concept plan. The Court dismissed the developer's claim for damages. In doing so, the Court held that the municipality can change land use planning bylaws in good faith even where those changes impact a developer's ability to complete planned development.

Section 621 of the MGA provides further protection to municipalities:

621(1) Except as provided in this Part and in section 28 of the Historical Resources Act, nothing in this Part or the regulations or bylaws under this Part gives a person a right to compensation.

Section 621 of the MGA applies to powers under Part 17 of the MGA, which deals with municipal authority over land use matters. As such, Section 621 of the MGA makes it clear that municipalities cannot be required to compensate owners or developers for the valid exercise of their planning authority.

In short, as long as a municipality is acting based on valid planning reasons, developers and owners do not have any recourse for planning decisions, such as amendments to statutory plans, even where those amendments result in a downzoning by restricting or limiting the development potential of a property. In general, the key is that the downzoning have a legitimate planning reason. If it is targeted at a stopping a particular development for other non-planning purposes (such as to prefer one business over another) or to depress the value of the property in anticipation of the municipality acquiring it, then the decision could be set aside or the municipality could be liable in damages. In my opinion, compliance with a regional plan, such as the Growth Plan, is a valid planning purpose so requiring an amendment to a pre-existing statutory plan to comply with the Growth Plan would not give rise to a claim by the developer or owner of the property.

Janice A. Agrios, QC
JAA/th

Agenda Item	10
Submitted to	Board
Purpose	For Decision
Subject	Reserve Funds Policy
Meeting Date	January 15, 2021
<i>That the Board approve the Reserve Funds Policy</i>	
<p>Background</p> <ul style="list-style-type: none"> • The CMRB is funded by the Government of Alberta through the Alberta Community Partnership (ACP) grant program. • The Government of Alberta has begun a staged funding reduction to Growth Management Boards in the province to 50% of 2019 funding levels, from \$2M to \$1M annually. • The CMRB was gifted \$1.8M from the Calgary Regional Partnership which provides a cushion against the reduced funding in upcoming years. • The CMRB has the authority to create administrative policy and procedure to govern its operations. • At the October 22 Governance Committee meeting feedback was provided to CMRB Administration, which was incorporated and brought forward to the November 26 meeting for discussion. • The Governance Committee recommended approval of the Reserve Funds Policy to the Board at the December 17 meeting. 	
<p>Attachments</p> <ul style="list-style-type: none"> • Proposed Reserve Funds Policy 	

1. Introduction

The CMRB is nearing the completion of the mandated drafting of the Growth and Servicing Plans. Future discussions will determine efforts of the CMRB in 2021 and beyond.

The proposed budget, and in particular the line item for “Regional Initiatives” contains flexibility to support the efforts of the Board. This work may include examining: regional water sharing mechanisms, regional economic development and/or any other initiatives as determined by the Board.

At the October 22 Governance Committee meeting the following feedback was provided to CMRB Administration:

- a) Develop a multi-year forecast in order to have a better understanding of the longer-term impacts to the reserve funds and the level of provincial funding;
- b) As part of the budgeting process to engage the Board in a strategic discussion to establish priorities for 2021; and
- c) That the Board develop guidance or principles on how to use the reserve fund.

This feedback was incorporated and brought forward to the November 26 meeting for discussion. The Governance Committee recommended approval of the Reserve Funds Policy to the Board at the December 17 meeting.

1.1 Funding Summary

Funded Activity	Grant Total
2017/18 CMRB Start-up and Core Administration	\$2,070,000
	(\$1,500,000 + \$570,000 (CRP Surplus))
2019/20 CMRB Core Administration	\$2,000,000
2020/21 CMRB Core Administration	\$1,750,000
Total CMRB Core Administration Approved Funding	\$5,820,000
 Future Estimated Funding	
2021/22 CMRB Core Administration Costs*	\$1,500,000
2022/23 CMRB Core Administration Costs*	\$1,000,000
2023/24 CMRB Core Administration Costs*	\$1,000,000
	* Estimates – subject to Minister Approval

1.2 CMRB Account Balances at November 18, 2020

Current Account~	\$1,115,000.00
GIC~	\$1,932,000.00
Total~	\$3,047,000.00

2. Background

The Department of Municipal Affairs has expressed a viewpoint that Growth Management Boards benefits both the provincial government and the municipal governments and, due to this joint benefit, both orders of government should be responsible for funding these Boards.

Based on a very preliminary three-year budget, the CMRB current reserves will be drawn down to approximately \$50,000 by December 31, 2023.

Sound financial practices require a certain level of reserves to be able to cover financial obligations in the event of the disruption of funds.

Current best practice suggests that a not-for-profit should have between three to six months of operating costs held in reserves, and that an absolute minimum level of reserve should be one month of operating costs.

3. Policy Rationale

The CMRB is a unique organization with an average of roughly 40% of budgeted expenses for Budgets 2019 – 2021 attributed to consultants. The other 60% of the Budget is core operating expenses.

CMRB contracts allow the CMRB to terminate contracted work without notice, owing only the balance for work completed to the contractor. As such, contractor expenses can be terminated with relative ease.

Core expenses include the following expenses: Staffing, Lease, Office Operation, Meeting and Travel costs.

The rationale for the proposed policy rests on the fact that contracted work can be stopped and restarted rather easily and at minimal cost to the organization whereas core expenses are more fundamental to the operation of the organization. As such, the policy proposes that the reserve fund be kept at a level equivalent to, or greater than, **6 months of a two-year average of budgeted core expenses** consisting of the current year and the upcoming budget year. The minimum reserve level would become part of the budget approval process and budget documents.

If this policy rationale is accepted, the minimum level for reserve funds in 2021 would be set as below:

2019 Budgeted Core Operating Expenses	\$1,223,000
<u>2020 Budgeted Core Operating Expenses</u>	<u>\$1,210,000</u>
Average	\$1,216,500
2020 Reserve Fund Minimum	\$608,250

4. Recommendation

That the Board approve the Reserve Funds Policy.

Proposed Reserve Funds Policy

Policy Purpose

The Reserve Funds Policy ensures that the Calgary Metropolitan Region Board retains enough reserves in its accounts to fund core operating expenses for a six month period.

Scope

This policy applies to all CMRB budgeting and banking activities.

Policy

The Calgary Metropolitan Region Board shall, in each budget year, determine a reserve fund minimum, below which reserves funds are not allowed to fall. The reserve fund minimum will represent six (6) months of the average of budgeted core operating expenses for the current fiscal year and the upcoming fiscal year.

Core expenses are Staffing, Lease, Office Operation, Meeting and Travel Expenses.

The reserve fund minimum shall be calculated as follows:

Fifty (50) percent of the Average of Current Fiscal Year Budgeted Core Expenses and Upcoming Fiscal Year Budgeted Core Expenses.

This figure will be reported in budget documents for review by the Governance Committee and approval by Board.

January 15, 2021

Honourable Ric McIver
Minister of Municipal Affairs
#132 Legislature Building
10800 - 97 Avenue NW
Edmonton, AB
Canada T5K 2B6

DRAFT

Dear Minister McIver,

I am writing on behalf of the Calgary Metropolitan Region Board (CMRB) to congratulate you on your appointment as Minister of Municipal Affairs. Public service is one of the highest callings and I thank you for your service to your constituents, and to all Albertans, in the years to come.

I would also like to take this opportunity to share with you that after a competitive recruitment process, Greg Clark, former Member of the Legislative Assembly of Alberta, was unanimously selected as the CMRB's next Independent Board Chair. I have agreed to stay on until February 28th, 2021, to help Mr. Clark with the transition.

The Board is embarking on an exciting program of work and is interested in meeting with you to discuss issues. The Board is interested in your thoughts on how your department and the CMRB can work together to strengthen the Calgary Metropolitan Region.

CMRB staff will be reaching out to your office to schedule a meeting at your earliest convenience.

Sincerely,

Chris Sheard
Chair
Calgary Metropolitan Region Board

Agenda Item 12i