

A Rationale for Making the Calgary Transportation Plan a Statutory Document – 2020 August

The Calgary Transportation Plan (CTP) is a City of Calgary strategic policy plan, developed over the time period 2006-2009 in conjunction with the Municipal Development Plan (MDP). Taken together, the MDP and CTP establish a vision and policy direction for Calgary's future development. The plans were approved together by City Council in 2009. However, the MDP was approved by bylaw following a public hearing under the authority of the Alberta Municipal Government Act (MGA) as a 'statutory plan'. The Calgary Transportation Plan was not adopted by Bylaw as a statutory plan under the MGA. Rather, it was approved as a policy of Council. Statutory plans under the MGA are legally binding on development decision makers; other plans approved by council do not have the same legally binding nature. This difference in status between the two documents has, in practice, contributed to inconsistent application of CTP policies on the part of City Administration and successful appeals of development decisions at the Subdivision and Development Appeal Board (SDAB).

The Next 20 Project Team proposes re-positioning the CTP as a statutory document for the following reasons.

1. The original and enduring intention for the MDP and CTP plans was integration and equal treatment in application to subdivision and development matters, in recognition of the strength of interconnection between land use and transportation factors as it relates to urban development outcomes. Pursuing statutory status for the CTP at this time accomplishes this task.
2. To provide greater clarity to The City's subdivision and development authorities, to their designates, and to decision appeal bodies (e.g. SDAB) with respect to determining the conformance of subdivision and development decisions with the MDP and CTP. Pursuing statutory status for the CTP at this time reduces uncertainty for all parties on a go-forward basis.
3. To maximize the benefits of the "Compact" future growth scenario for Calgary approved by City Council in conjunction with the MDP and CTP vision. Our projected cost savings depends on the effective application of the Plans. As well, the potential value to The City and its citizens is tied to the overall effectiveness of the application of the Plans. If the Plans are not of equal status, their application is not equally as effective or beneficial.
4. Although a wholesale integration and reorganization of the MDP and CTP into a single, unified document is precluded by the current scope of the Next 20 Project, a path for achieving statutory plan status on the CTP has been established as feasible by The City's Law Department.

The Next 20 Project Team is of the opinion that the net benefits that would result from achieving statutory plan status for the CTP merit a recommendation for action now. Statutory status will be proposed at the time of approval by Council by way of inclusion of the CTP in the MDP as an additional volume.