

School of Architecture, Planning and Landscape
PLAN 670
Municipal Planning Law
Winter 2021
Block Week March 15 – March 19, 2021
Monday to Friday
9:00 – 5:00 pm
Instructor: Dr. Judy Stewart

Course Description:

Who should take this course?

The University of Calgary currently does not have a course about municipal planning and development law to help post-secondary students, lawyers, planners, municipal administrators and professionals in other fields to understand the complexities of the current policy and regulatory system. For example, municipal planning and development practice requires knowledge of the interconnectedness of many provincial policies, laws, regulations, codes of practice and best management practice (BMP) guidelines.

Major themes or focus of content and applicability and benefit of course material

There are four themes:

1. The Municipal Government Act and regulations
2. Growth planning and collaboration
3. Applying for a development permit
4. Subdivision applications and environmental reserves

This short course will introduce participants to Alberta's municipal government planning and development law and practice. Participants will learn the processes involved in submitting and reviewing a development permit application and an application for a subdivision approval. Application of the knowledge learned in the theory part of the course will benefit participants who may have to deal with similar issues in a work environment. The scenarios we will work through are currently being addressed by municipalities in the Calgary Metropolitan Area.

As well, recent amendments to the *Municipal Government Act* have introduced new voluntary and mandatory institutional arrangements to manage growth, and develop, maintain and fund intermunicipal services and facilities through intermunicipal planning and collaboration. These new provisions also require land use planning and development practices to comply with a number of provincial regional land use outcomes. How these amendments are being addressed by municipalities in the Calgary Metropolitan Area will be explored

Relationships to professional development

The course is practice oriented. The scenarios we will work collaboratively to resolve will focus on municipal management of private lands within municipal boundaries during periods of rapid population and economic growth in a water scarce social-ecological system, the Calgary Metropolitan Area.

Learning style and teaching approach,

The course will be 100% online through Zoom. Each day of the course will begin with a short subject matter quiz, followed by a theory lecture or presentation of background materials. These materials will be applied in the second part of the day. Before we break for lunch, participants will be introduced to a collaborative working project scenario. Each day, participants will be asked to work in assigned small groups to resolve real life scenarios emerging in municipal planning and development practice in the Calgary Metropolitan Region. Solutions to projects will be presented to the whole group before the day's end. There will be a homework assignment presented in the last 2 hours of each day where students may begin work online with the instructor available. **The final homework assignment that will be based on learnings from day 1-4 must be handed in on Friday, 26 at 4:00 pm for grading and will comprise 40% of the course grade. Therefore attendance and participation in class is mandatory.**

Course materials and software

Participants must bring laptops to each class, and should have downloaded Google Earth Pro and understand how to make PowerPoint presentations. They should also have a USB that they will use to keep notes and assignments and all course related materials downloaded from the Internet. **As a pre-session assignment, each participant must download and briefly review the *Municipal Government Act* and the *Subdivision and Development Regulation* from the Alberta Queen's Printer. Participants will be given a short quiz on day 1 about the layout and purpose of these two pieces of legislation so pre-reading before class is required.**

Additional course materials will be provided by the Faculty of Environmental Design when required.

Performance Measures and Assessment

| | |
|--|------|
| Quizzes x 5 (averaged) | 20% |
| Homework assignments x 3 (averaged) | 20% |
| Presentations and participation x 4 (averaged) | 20% |
| Take home final assignment | 40% |
| Total | 100% |

Municipal Planning and Development Law
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University of Calgary, School of Architecture, Planning and Landscape
March 15-19, 2021
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Course Outline

Day 1: The Municipal Government Act and regulations

- 1.1 Introductions and Quiz
- 1.2 General overview of Municipal Government Act and SDR
Includes general discussion of legislative authority, purposes of municipal government, roles of municipal council, general bylaw passing powers, special bylaw passing powers, and special topics, such as annexation and taxation will be briefly addressed.
- 1.3 General Overview of Part 17: Planning and Development
Each of the topics listed below will be briefly introduced.
 - Definitions
 - Purpose of Part 17
 - Institutional arrangements under Part 17, exemptions from application
 - Statutory plans
 - Land use bylaw
 - Development permits
 - Subdivision approvals
 - Subdivision and Development Regulation
- 1.4 Participant collaborative work project and reporting of solutions. Participants will be asked to address a real life land-use problem in the Calgary Metropolitan Region where knowledge of Part 17 might need to be applied to resolve the issue.
- 1.5 Introduce Day 1 homework assignment

Required reading materials before Day 1:

- *Municipal Government Act and Subdivision and Development Regulation.* Both are available from Alberta Queen's Printer <http://www.qp.alberta.ca/>
- *Understanding Land Use in Alberta*
<https://landuse.alberta.ca/LandUse%20Documents/Understanding%20Land%20Use%20in%20Alberta%20-%202007-04.pdf>
- Links to additional online materials will be provided during class time.

Day 2: Growth planning and collaboration

- 2.1 Quiz – participants hand in Day 1 Assignment for review.
- 2.2 Brief Review of Day 1. Overview of Part 17.1 Growth Management Board provisions
Regional growth management, effect of growth plans, mandated Calgary Metropolitan Region Board, regulations, compliance requirements by participating municipalities, progress to date. If possible, a guest speaker will be invited to share experiences with the new growth board.

- 2.3 Overview of Part 17.2: Intermunicipal Collaboration Frameworks
Mandatory nature, mandatory and discretionary components, regulatory aspect, compliance requirements, enforcement procedures
- 2.4 Participant collaborative work project and reporting on solutions
- 2.5 Day 2 homework assignment – participants will be asked to read an extensive reading list about regional land use planning and plans and answer use their in-class work to answer the question assigned in a 3 page essay.

Required reading materials for homework assignment

Participants should download and review the following provincial government documents

- Alberta Land-use Framework at
<https://landuse.alberta.ca/LandUse%20Documents/Land-use%20Framework%20-%202008-12.pdf>
- Alberta Land Stewardship Act
<http://www.qp.alberta.ca/documents/Acts/A26P8.pdf>
- South Saskatchewan Regional Plan
<https://landuse.alberta.ca/LandUse%20Documents/South%20Saskatchewan%20Regional%20Plan%202014-2024%20-%20February%202017.pdf>
- Compliance certificates for municipalities:
https://landuse.alberta.ca/Forms%20and%20Applications/Compliance%20-%20Declaration%20Form%20for%20Decision%20Making%20Bodies_2014-04-08_PUBLIC.pdf
- Alberta Wetland Policy:
<http://aep.alberta.ca/water/programs-and-services/wetlands/documents/AlbertaWetlandPolicy-Sep2013.pdf>

Required reading materials before Day 2

- Same as for Day 1. Focus on Part 17.1 and Part 17.2
- Links to additional online materials will be provided during class

Day 3: Applying for a development permit

- 3.1 Quiz. Hand in Essay
- 3.2 Brief review of day 2.
Overview of development permit application and review process
- 3.3 Special issues with development permits
- 3.4 Participant collaborative work project and reporting on solutions
- 3.5 Day 3 homework assignment – students will be asked to prepare a development permit application for submission to the development authority in the municipality where they live.

Required reading materials before Day 3

- City of Calgary Interactive Land Use Bylaw: online:
<https://www.calgary.ca/PDA/pd/Pages/Calgary-Land-Use-bylaw-1P2007/Calgary-Land-Use-Bylaw-1P2007.aspx>
- Calgary Land Use Bylaw: Download and review Part 2: Division 3- ‘Development Permits’.

Day 4: Subdivision applications and environmental reserves

- 4.1 Quiz. Hand in homework assignment from Day 3
- 4.2 Brief review of Day 3
Overview of subdivision application
- 4.3 Overview of land dedication requirements and environmental reserves
- 4.4 Participant collaborative work project and reporting on solutions
- 4.5 Day 4 homework assignment –participants will be asked to review a subdivision plan and application currently before the city’s development authority and to answer a number of questions about significant issues that need to be addressed.

Required reading before Day 4

- City of Calgary, ‘Residential Infill Subdivision’, online:
<https://www.calgary.ca/PDA/pd/Pages/Residential-Building-and-Development/Subdivision.aspx>

Day 5: Wrapping Up

- 5.1 Quiz. Hand in Day 4 Assignment
- 5.2 Briefly review Day 4.
Present scenario and purpose of final take home assignment. Q and A.
- 5.3 Participants work independently in class to begin research on final take home assignment.
- 5.4 Presentations of what participants have discovered so far.
- 5.5 Final notes on submitting the final take home assignment.

Required reading before Day 5

To be announced

| Grading Scale | | | | |
|---------------|-------------------|---------------|----------|--|
| Grade | Grade Point Value | 4-Point Range | Percent | Description |
| A+ | 4.00 | 4.00 | 95-100 | Outstanding - evaluated by instructor |
| A | 4.00 | 3.85-4.00 | 90-94.99 | Excellent - superior performance showing comprehensive understanding of the subject matter |
| A- | 3.70 | 3.50-3.84 | 85-89.99 | Very good performance |
| B+ | 3.30 | 3.15-3.49 | 80-84.99 | Good performance |
| B | 3.00 | 2.85-3.14 | 75-79.99 | Satisfactory performance |
| B- | 2.70 | 2.50-2.84 | 70-74.99 | Minimum pass for students in the Faculty of Graduate Studies |

| | | | | |
|----|------|-----------|----------|---|
| C+ | 2.30 | 2.15-2.49 | 65-69.99 | All final grades below B- are indicative of failure at the graduate level and cannot be counted toward Faculty of Graduate Studies course requirements. |
| C | 2.00 | 1.85-2.14 | 60-64.99 | |
| C- | 1.70 | 1.50-1.84 | 55-59.99 | |
| D+ | 1.30 | 1.15-1.49 | 50-54.99 | |
| D | 1.00 | 0.50-1.14 | 45-49.99 | |
| F | 0.00 | 0-0.49 | 0-44.99 | |

A student who receives a "C+" or lower in any one course will be required to withdraw regardless of their grade point average (GPA) unless the program recommends otherwise. If the program permits the student to retake a failed course, the second grade will replace the initial grade in the calculation of the GPA, and both grades will appear on the transcript.

University of Calgary Policies and Supports

COVID-19 PROCEDURE FOR SICK STUDENTS: <https://ucalgary.ca/risk/sites/default/files/Covid-19%20Folder/COVID-19-Procedure-for-Sick-Students.pdf>

ACADEMIC ACCOMMODATION

It is the student's responsibility to request academic accommodations according to the University policies and procedures listed below. The Student Accommodations policy is available at <https://ucalgary.ca/student-services/access/prospective-students/academic-accommodations>.

Students needing an accommodation based on disability or medical concerns should contact Student Accessibility Services (SAS) in accordance with the Procedure for Accommodations for Students with Disabilities (<https://www.ucalgary.ca/policies/files/policies/procedure-for-accommodations-for-students-with-disabilities.pdf>). Students who require an accommodation in relation to their coursework based on a protected ground other than Disability should communicate this need in writing to their Instructor.

SAS will process the request and issue letters of accommodation to instructors. For additional information on support services and accommodations for students with disabilities, visit www.ucalgary.ca/access/.

ACADEMIC MISCONDUCT

Academic Misconduct refers to student behavior which compromises proper assessment of a student's academic activities and includes: cheating; fabrication; falsification; plagiarism;

unauthorized assistance; failure to comply with an instructor's expectations regarding conduct required of students completing academic assessments in their courses; and failure to comply with exam regulations applied by the Registrar.

For information on the Student Academic Misconduct Policy and Procedure please visit:

<https://ucalgary.ca/policies/files/policies/student-academic-misconduct-policy.pdf>

<https://ucalgary.ca/policies/files/policies/student-academic-misconduct-procedure.pdf>

Additional information is available on the Academic Integrity Website

at <https://ucalgary.ca/student-services/student-success/learning/academic-integrity>.

COPYRIGHT LEGISLATION:

All students are required to read the University of Calgary policy on Acceptable Use of Material Protected by Copyright (www.ucalgary.ca/policies/files/policies/acceptable-use-of-material-protected-by-copyright.pdf) and requirements of the copyright act (<https://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>) to ensure they are aware of the consequences of unauthorised sharing of course materials (including instructor notes, electronic versions of textbooks etc.). Students who use material protected by copyright in violation of this policy may be disciplined under the Non-Academic Misconduct Policy (<https://www.ucalgary.ca/pubs/calendar/current/k.html>).

INSTRUCTOR INTELLECTUAL PROPERTY

Course materials created by instructors (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the instructor. These materials may NOT be reproduced, redistributed or copied without the explicit consent of the instructor. The posting of course materials to third party websites such as note-sharing sites without permission is prohibited. Sharing of extracts of these course materials with other students enrolled in the course at the same time may be allowed under fair dealing.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Student information will be collected in accordance with typical (or usual) classroom practice. Students' assignments will be accessible only by the authorized course faculty. Private information related to the individual student is treated with the utmost regard by the faculty at the University of Calgary.

SEXUAL VIOLENCE POLICY

The University recognizes that all members of the University Community should be able to learn, work, teach and live in an environment where they are free from harassment, discrimination, and violence. The University of Calgary's sexual violence policy guides us in how we respond to incidents of sexual violence, including supports available to those who have experienced or witnessed sexual violence, or those who are alleged to have committed sexual violence. It provides clear response procedures and timelines, defines complex concepts, and addresses incidents that occur off-campus in certain circumstances.

Please see the policy available at <https://www.ucalgary.ca/policies/files/policies/sexual-violence-policy.pdf>

UNIVERSITY STUDENT APPEALS OFFICE: If a student has a concern about the course, academic matter, or a grade that they have been assigned, they must first communicate this concern with the instructor. If the concern cannot be resolved with the instructor, the student can proceed with an academic appeal, which normally begins with the Faculty. <https://www.ucalgary.ca/secretariat/student-appeals>

OTHER IMPORTANT INFORMATION

Please visit the Registrar's website at:

<https://www.ucalgary.ca/registrar/registration/course-outlines> for additional important information on the following:

- Wellness and Mental Health Resources
- Student Success
- Student Ombuds Office
- Student Union (SU) Information
- Graduate Students' Association (GSA) Information
- Emergency Evacuation/Assembly Points
- Safewalk