

**CITY OF AIRDRIE
(Municipal Reserve Policy)**

Effective Date: June 17, 2019

Approved By: City Council

Approved On: June 17, 2019

Resolution #: 2019-C-222

PURPOSE:

- to provide consistency in how the City designates land as Municipal Reserve, using its authority under the *Municipal Government Act*
- to provide guidance to best utilize City dedicated land to contribute to the open space target
- to identify and implement best practices to maximize Municipal Reserve dedication that contributes to the larger open space system
- to stipulate the permitted use of Municipal Reserve and configuration of land that would be accepted as credit Municipal Reserve and non-credit Municipal Reserve

SCOPE/APPLICATION

The City recognizes its responsibility to be transparent and consistent in Municipal Reserve land dedication, using its authority under the MGA. The intent of this policy provides guidance to best utilize City dedicated land, provides best practices to maximize Municipal Reserve dedication that contributes to the larger open space system and stipulates the permitted use of Municipal Reserve and configuration of land that would be accepted as credit Municipal Reserve and non-credit Municipal Reserve.

The policy will affect the overall quality of life for residents by ensuring the City appropriately dedicates Municipal Reserve and ensure a range of open spaces to meet the needs of all residents. As per the Municipal Development Plan (MDP), the City has a target to achieve 10 acres of public open space per 1,000 residents. Overall, the more efficient the City is with reserve land, the more opportunity there is to provide a broad range of open spaces for all residents which positively affects the quality of life for all members of the community.

DEFINITIONS:

Buffer – means a strip of land of variable width placed on the landscape and managed in such a way so as to maintain desired biodiversity and provide economic and societal benefits. Buffer can also mean a strip of land used to separate land uses, as the context applies.

Cash-In-Lieu of MR – means money taken in place of Municipal Reserve lands in compliance with the Act.

Conservation Reserve (CR) – means land dedicated as Conservation Reserve by a subdivision authority under the Act. CR must be purchased by a Subdivision Authority in accordance with the *Municipal Government Act* and is intended to protect environmentally significant features such as wildlife corridors, significant tree stands, or other environmentally significant features a municipality chooses to conserve that do not qualify as Environmental Reserve (ER).

Community Services Reserve (CSR) – means lands that may be used by a municipality for purposes such as a public library, a police or fire station, a non-profit day care facility, a non-profit senior citizens' facility, a non-profit special needs facility, a municipal facility providing service directly to the public, and affordable housing.

Deferred Reserve – means land that is obligated to be dedicated as reserve when enacted by a triggering event, pursuant to Section 669(1) of the Act, and generally secured by a Deferred Reserve Caveat.

Environmental Reserve (ER) – means land dedicated as Environmental Reserve by a Subdivision Authority under Section 664 of the *Municipal Government Act*.

Environmental Reserve Easement (ERE) – means land dedicated as Environmental Reserve Easement by a Subdivision Authority under Section 664 of the *Municipal Government Act*.

Environmentally Significant Area (ESA) – means a natural area site that has been inventoried prior to development, and which, because of its features or characteristics, is significant to the municipality from an environmental perspective.

Green Street – means a linear park format with houses fronting onto the park and backing onto a lane.

May – means there is a choice in applying a policy within this document and denotes discretionary compliance or the ability to vary the requirements as presented.

Municipal and School Reserve (MSR) – means land required to be given for municipal and school purposes, pursuant to Section 666 of the Act.

Municipal Government Act ("MGA" or "the Act") – being the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26.1, and amendments thereto.

Municipal Reserve (MR) – means land taken pursuant to Section 666 of the Act by the Subdivision Authority to be used for the following purposes: a public park, a public recreation area, a school, or to separate areas of land that are used for different purposes.

Municipal Reserve Dedication – means the amount of land being dedicated from a development area, pursuant to the maximum rate established by the *Municipal Government Act*.

Non-contributing Park Space – means isolated spaces which have no real connection to the community, nor do they connect with another type of open space. Non-contributing green space includes utility strips, grassed intersections, left-over green space, awkward locations and spaces too small for meaningful public use.

Gross Developable Land – means the total area of a parcel of land, less the land required to be provided as Environmental Reserve and any land made subject to an Environmental Reserve Easement.

Non-Credit MR – means areas of publicly owned land forming part of public open space that does not qualify and form part of the calculation of Municipal Reserve accepted by the municipality.

Open Space – means publicly owned land that includes all land and water areas, either publicly owned or offering public access, that are not covered by structures. Open space includes current parks, natural areas, pathways, roadway greens, land for parks and recreation facilities, golf courses, cemeteries, and other types of alternative use open space.

Optional Amenities – means a non-standard infrastructure development (i.e., ornamental fencing, water features, gazebos, sculptures, entrance features/signs, decorative figures) in a public park or road-right-of-way.

Optional Amenities Agreement (OAA) – means an agreement entered into under the terms of the Optional Amenity Policy, for non-standard infrastructure development (i.e., ornamental fencing, water features, gazebos, sculptures, entrance features/signs, decorative figures) in a public park or road-right-of-way.

Public Utilities – means those systems or works that provide a utility service for public consumption, benefit, convenience or use, as defined by the Act.

Public Utility Lot – means land required to be given for public utilities, as defined by the Act.

Shall – means that the policy is considered mandatory within this document. Nevertheless, where quantities or numerical standards are contained within mandatory

policies, such quantities or standards may be varied so long as the intent of the policy is still achieved and the variation is necessary to address unique circumstances that would render compliance impractical or impossible.

Should – means where “should” is used in a policy, the intent is that the policy is strongly encouraged, but can be varied where unique or unforeseen circumstances provide for courses of action that would satisfy the general intent of the policy.

Stormwater Management Facility (SWMF) – means any facility or facilities associated with the treatment or control of stormwater and includes, but is not limited to, a stormwater wet pond, dry pond or stormwater wetland.

POLICY:

1.0 INTRODUCTION:

1.1 Policy Context

The *Municipal Government Act* (MGA) outlines the requirements and definition of Municipal Reserve (MR) and related land designation for a municipality to take as reserve. The City of Airdrie’s Subdivision Authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of the land parcel to be municipal reserve, school reserve, or municipal and school reserve, or to provide money in place of municipal reserve, school reserve or municipal and school reserve, or a combination of land and money. A municipal reserve may be used for a public park; a public recreation area; school board purposes; to separate areas of land that are used for different purposes.

As per the Airdrie City Plan (MDP), the City of Airdrie has a target to achieve 10 acres of public open space per 1,000 residents. This measure includes Municipal Reserve, Environmental Reserve (ER), and other publicly accessible open space.

This Municipal Reserve policy recognizes the various types of land designations that fall within the realm of public open space. The intent of this policy is to achieve the highest and best use of Municipal Reserve and to achieve the open space targets set by Council. To achieve this, the policy stipulates consistency in dedication, providing best practices to maximize reserve dedication and policy for credited Municipal Reserve and non-credit Municipal Reserve.

2.0 STATUTORY and NON-STATUTORY CONTEXT:

2.1 Plans and Policy

The City has statutory plans such as a Community Area Structure Plan (CASP) and a Neighborhood Structure Plan (NSP), as well as non-statutory plans such as the GPP

that inform the design, development and redevelopment of MR. Concept plans and construction plans must reflect the policies and conditions approved at the CASP and NSP Planning stages. The following table illustrates these relationships:

	Municipal Government Act and other Provincial and Federal legislation			
City wide/larger in scope; multiple functions; partnership	Inter-Municipal Development Plans		AirdrieONE Sustainability Plan Municipal Development Plan	Joint Use Agreements
City wide; all open space	Great Places Plan			
City wide; specific to an issue or aspect of open space. Examples include:	Natural Areas Management Plan	Master Stormwater Drainage Plan	Sports Fields Management Plan	Urban Forestry Management Plan
	Wetland Policy	Municipal Reserve Policy		
Policy for a broad geographic area	Area Redevelopment Plans	Community Area Structure Plans Neighbourhood Structure Plans	Special Studies (12,000 Acres Plan)	
Plans for location/configuration of open space in a specific area (Implementation)	Land Use Amendments Tentative (Subdivision) Plans			
Implementation of policy through development of a specific site or project	Development Permits		Parks Concepts and Landscape Designs	
	Development Agreements (Land Use Bylaw)		(Standard Landscape Guidelines and Specifications)	

2.2 Municipal Government Act

The *Municipal Government Act* contains requirements for and a definition of MR, related land designation and means by which a municipality may take reserve (MR/SR/MSR/cash-in-lieu).

2.3 AirdrieONE

The AirdrieONE Sustainability Plan promotes environmental sustainability by preserving natural systems, including those that extend beyond the city's municipal boundaries. Natural areas along the Nose Creek watershed are particularly valued in this city and are considered to be one of the city's greatest amenities. Efforts to integrate natural areas into the open space system and as green infrastructure in managing stormwater contribute to a natural, green environment.

2.4 Airdrie City Plan (Municipal Development Plan) - 2014

The Airdrie City Plan is the statutory document that sets the policy framework for land use planning for the City of Airdrie and includes policy direction for the development of the City's parks and open spaces. The MDP indicates that MR should only include lands that are a useful recreational amenity. It is particularly important in establishing when and how the most significant source of park space (i.e., reserve land) is to be provided.

Policy Statement #1: All reserve land within the municipality shall be utilized and dedicated as efficiently as possible to both maximize land use and contribute to the overall open space system.

Policy Statement #2: Conveyance land such as a walkway or sidewalk that serves the sole purpose of pedestrian movement should form part of roadways or PULs, and not MR.

Policy Statement #3: As determined by the City, Municipal Reserve shall only be taken as credited when it contributes to the open space system, is aligned with the definition of Municipal Reserve, and is considered useable Municipal Reserve space.

Policy Statement #4: Non-contributing park space shall not be included in Municipal Reserve contribution.

2.5 Great Places Plan (Parks Master Plan) - 2016

The Great Places Plan (GPP) establishes a vision and principles for park development and a concept for open space development. The GPP establishes a typology of open spaces in order to identify the range of open space types that are required for a great city, and utilizes the typology as a tool in assessing Airdrie's existing open space inventory and identifying gaps.

The typologies of open space identified in the GPP include:

- Type A - Natural and Semi-Natural Green Space
- Type B - Historic Resource, Cultural Landscape, or Landmark

- Type C - Neighbourhood Parks, Gardens, and Civic Spaces
- Type D - Joint Use Sites
- Type E - Outdoor Sports and Recreation Facilities
- Type F - Linear Systems, Green Corridors & Other Linkages
- Type G - Campgrounds and Day Use/Picnic Areas
- Type H - Non-Contributing Green Space

Policy Statement #5: The Open Space System shall include a balance of the typologies of open space.

Policy Statement #6: Municipal Reserve purposes, locations and approximate areas shall be identified in the early phases of planning (CASP/NSP).

Policy Statement #7: To utilize Municipal Reserves efficiently, Municipal Reserves shall be developed for four-season and multi-use purposes.

Policy Statement #8: The open space system shall be well-connected through linear systems, local and regional pathways, providing MR credit only in accordance with Policy #2 and Policy #4.

Policy Statement #9: The design of new Municipal Reserve areas and the redevelopment of existing Municipal Reserve areas shall refer to the Great Places Plan and be consistent with its vision, principles and goals for public open space.

2.6 Standard Landscape Guidelines and Specifications

The City of Airdrie *Standard Landscape Guidelines and Standard Specifications for Landscape Construction* is a document created by the Parks Department to provide the following:

- a list of appropriate development activities for each park type;
- concept planning requirements;
- construction approval requirements;
- construction plan requirements;
- requirements for inspections during construction;
- Construction Completion Certificate requirements;
- Final Acceptance Certificate requirements; and
- detailed specifications for landscape construction.

While conforming to the SLGS, it is important that the City's plans and standards for its public spaces complement the landscaping requirements of the Land Use Bylaw (LUB). Fencing around and lighting adjacent to SWMFs, especially where SWMFs also provide for surrounding passive recreational space, is a good example of an interface area

where review under both sets of standards helps to achieve the best possible community objectives.

2.7 Land Use Bylaw (LUB) - 2016

The LUB contains detailed landscaping and screening provisions applicable to all development, including the taking of securities to ensure that landscaping requirements are undertaken. Most City-initiated development within MR land (including parks, utility lots, PULs, etc.) are exempt from requiring a Development Permit. Schools and any other third-party developments within MR or MSR require a Development Permit unless specifically listed under the exemptions found in Section 2.3.2 of the Land Use Bylaw.

The landscaping requirements within LUBs are comparable to the requirements included in the landscape servicing standards and specifications that are directly applicable to public open space.

3.0 Purpose of Reserve

3.1 Permitted Use of Reserve

The uses permitted on Municipal Reserve shall conform to those permitted in the Act. Pursuant to the Act, "Municipal reserve, school reserve or municipal and school reserve may be used by a municipality or school board or by them jointly only for any or all of the following purposes:

- a public park;
- a public recreation area;
- school board purposes; or
- to separate areas of land that are used for different purposes."

3.2 Maximizing Reserve Types

Municipal Reserves are traditionally used as parks and contribute to the open space system, however other reserve types, such as ER, may complement MR areas and be incorporated into the public open space network. Lands being used for stormwater management facilities (area above the pond's high water level), may be utilized for public by incorporating amenities such as trails, pedestrian furniture, and spaces for recreational uses. PUL areas such as walkways may be converted into linear parks and woven into park networks as linkages and otherwise useful recreational spaces. This creates a dual-purpose land parcel and expands the public amenity resource.

With respect to major utility corridors, there are numerous recreational opportunities that can be developed for uses such as passive recreation, walking, community gardens, etc. The City should incorporate any tracts of land that have recreational potential and can be useful into the network of public open space.

Policy Statement #10: Stormwater Management Facilities will be dedicated as Public Utility Lot below the high water line and Municipal Reserve above the high water line.

Policy Statement #11: PUL and right-of-ways, and other areas of the public realm should function and be designed as a dual-system and allow for recreational amenities such as trails and pathways. At the discretion of the City, outdoor recreational areas such as off-leash dog parks may be within a Public Utility Lot.

4.0 Taking and Timing of Municipal Reserve Dedication

Pursuant to the Act, the Subdivision Authority may not require the dedication of Municipal Reserve if:

- one lot is to be created from a quarter section of land;
- land is to be subdivided into 16.0 hectares or more and is to be used only for agricultural purposes;
- the land to be subdivided is 0.8 hectares or less; and reserve land, Environmental Reserve Easement or cash-in-lieu was provided in respect of the land that is the subject of the proposed subdivision pursuant to the *Municipal Government Act*.

A Subdivision Authority is permitted to take a maximum of 10 percent MR dedication in one or more of the following forms in accordance with the Act:

- land;
- cash-in-lieu;
- deferred reserve (i.e., transfer of MR dedication land to and from an alternate location).

The Municipal Reserve requirement should be outlined generally at the Community Area Structure Plan (CASP) stage and defined more specifically at the Neighborhood Structure Plan (NSP) stage. The CASP and NSP should list and delineate the location and approximate area of the reserve parcels if applicable. Reserve dedication will be tracked via subdivision applications based on the requirements set out in the CASP and NSP. At CASP and NSP stage, a density of 30 dwelling units or more per hectare of development land should be identified and dedication of additional 5 percent MR shall be required.

Policy Statement #12: Municipal Reserve dedication shall be calculated as 10% of the entire land parcel less ER, ERE, or CR.

Policy Statement #13: Where Municipal Reserve alone does not meet the open space system target, more emphasis shall be placed on taking Environmental Reserve and Conservation Reserve.

Policy Statement #14: The City should take Municipal Reserve in the form of land in residential areas.

Policy Statement #15: Municipal Reserves may be located adjacent to Environmental Reserve when it supports the balance of open space typology in the open space system.

Policy Statement #16: The City shall retain the right to take up to a maximum of 10 percent of Municipal Reserve or cash-in-lieu within non-residential areas to contribute to the greater community demand, in conjunction with non-residential assessment targets set by Council.

Policy Statement #17: When a proposed subdivision would result in a density of 30 dwelling units or more per hectare of developable land, the Subdivision Authority shall require municipal reserve, school reserve or municipal and school reserve in addition to that required under Section 668 of the Act. The additional reserve land may not exceed the equivalent of 5 percent of developable land.

5.0 Non-credit Municipal Reserve and Optional Amenities

Non-credit MRs are areas of publicly owned land forming part of public open space system that do not qualify and form part of the calculation for total MR owing. Non-credit MR is taken in addition to the 10 percent MR dedication where it is in the City's best interest and the site contributes to the open space system.

Pursuant to the City Optional Amenities Policy, an optional amenity is a non-standard infrastructure development in a public park, located on non-credit MR land or within a road-right-of-way. An optional amenity is allowed within public parks or road-rights-of-way with approval from the Parks Department. An optional amenity adds an aesthetically pleasing amenity to a development, which is beyond the standard amenities within the SLGS.

Policy Statement #18: All approved "green streets" shall be non-credit Municipal Reserve and a minimum width of 15m and adhere to the City specifications for green streets.

Policy Statement #19: Non-credit Municipal Reserves shall only be granted when the reserve is considered an additional benefit to the open space system relative to the additional annual maintenance costs.

Policy Statement #20: The City shall not provide credit for any portion of land that is encumbered by a municipal and /or provincial setback or buffering (e.g. setback from an AER approved oil and gas facilities).

Policy Statement #21: The City shall maintain the non-credit municipal reserve space within defined Optional Amenity Agreement areas, in accordance with the terms of the applicable Optional Amenity Agreements.

Policy Statement #22: Traffic circles and medians shall not be given Municipal Reserve dedication.

Policy Statement #23: All entrance features included in an Optional Amenity Agreements shall be located on non-credit Municipal Reserve.

Policy Statement #24: All approved optional amenities require a signed Optional Amenity Agreement with the City.

6.0 School Sites

Joint use agreements between school boards and the City are essential to identify the roles and responsibilities of both parties as it relates to the development, use and maintenance of school properties. It is essential that the City consider joint use of school sites, and working with school divisions to share sites, as it relates to ensuring public use of green space on traditional school land outside peak student use.

Pursuant to Section 670(1) of the Act, the City will respect and adhere to the latest version of the Reserves Agreement. When reserve land is required to be provided, the Subdivision Authority must specify the amount, type and location of reserve land that is to be provided, regardless of whether money is also required to be provided, and allocate the municipal reserve, school reserve and municipal and school reserve between the municipality and each school board concerned as joint owners or as separate owners;

- a) in accordance with an agreement made between the municipality and the school boards, or
- b) in the absence of an agreement, in accordance with the needs of each of them as those needs are determined by the subdivision authority.

Upon adoption of the Reserve Agreement, the City will pursue amendments to this policy as it relates to the designation and use of school sites.

Policy Statement #25: The City shall pursue joint use agreements with school boards to clarify roles in the development, use and maintenance of school properties and to maximize the ability for the general public to use what is often deemed as school property and therefore inaccessible during off-school hours.

Policy Statement #26: Municipal Reserve shall be dedicated to the City first and where applicable, distributed as Municipal School Reserve.

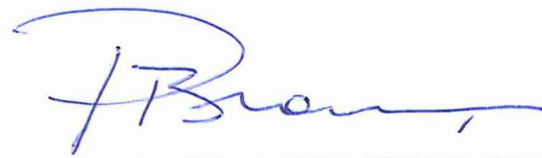
7.0 General Recommendations

Supplementary to the policies contained within this document, there are mechanisms available under the Act for the City to consider assisting in addressing the supply of public land for this rapidly growing community:

1. **Redevelopment Levy:** A municipality, subject to the preparation of an Area Redevelopment Plan (Section 634 of the Act), may pursue the option of imposing a redevelopment levy for several specific purposes, among them acquiring land (where need is demonstrated) for a park, school or for a new or expanded recreational facility.
2. **Off-site Levies:** Off-site levies can be used in the acquisition of land for construction of new community recreation facilities.
3. **Inter-municipal Partnerships:** The City may explore a partnership with Rocky View County to address recreation through the Intermunicipal Collaborative Framework (ICF), as recently mandated in the Act. Under this model, two or more municipalities may impose an inter-municipal levy for the acquisition of land for and construction of new community recreation facilities identified within a benefitting area. There are qualifying preconditions to be able to impose the inter-municipal levy but this is an option the City can explore with Rocky View County.
4. **Land Value Contribution:** *An Act to Strengthen Municipal Government*, Statutes of Alberta 2017, Chapter 13, contemplates a revision to Section 670.2, allowing for a "school benefiting area" to be defined and receive 5% land value contribution. Once fully in effect and when regulations are in place, the City should explore this further.
5. **Open Space Types:** The City should look into ratios for each open space type. While the City presently meets the overall open space system target of 10 acres of open space per 1000 residents, additional ratios or measures may be

appropriate to determine if individual open space demands are being met adequately.

Policy Statement #27: The City should examine and evaluate additional tools and mechanisms to gain the greatest possible benefit from all lands that qualify as open space, as defined within this document.



Mayor



City Clerk

Document Management Control:

Prepared by: Community Growth and Protective Services Director
Owned by: Community Growth and Protective Services
Dated issued: June, 2019
Next review: June, 2021
Version: 1.0