

A Framework for a Renewed Land Use Bylaw and Outline for New Districts

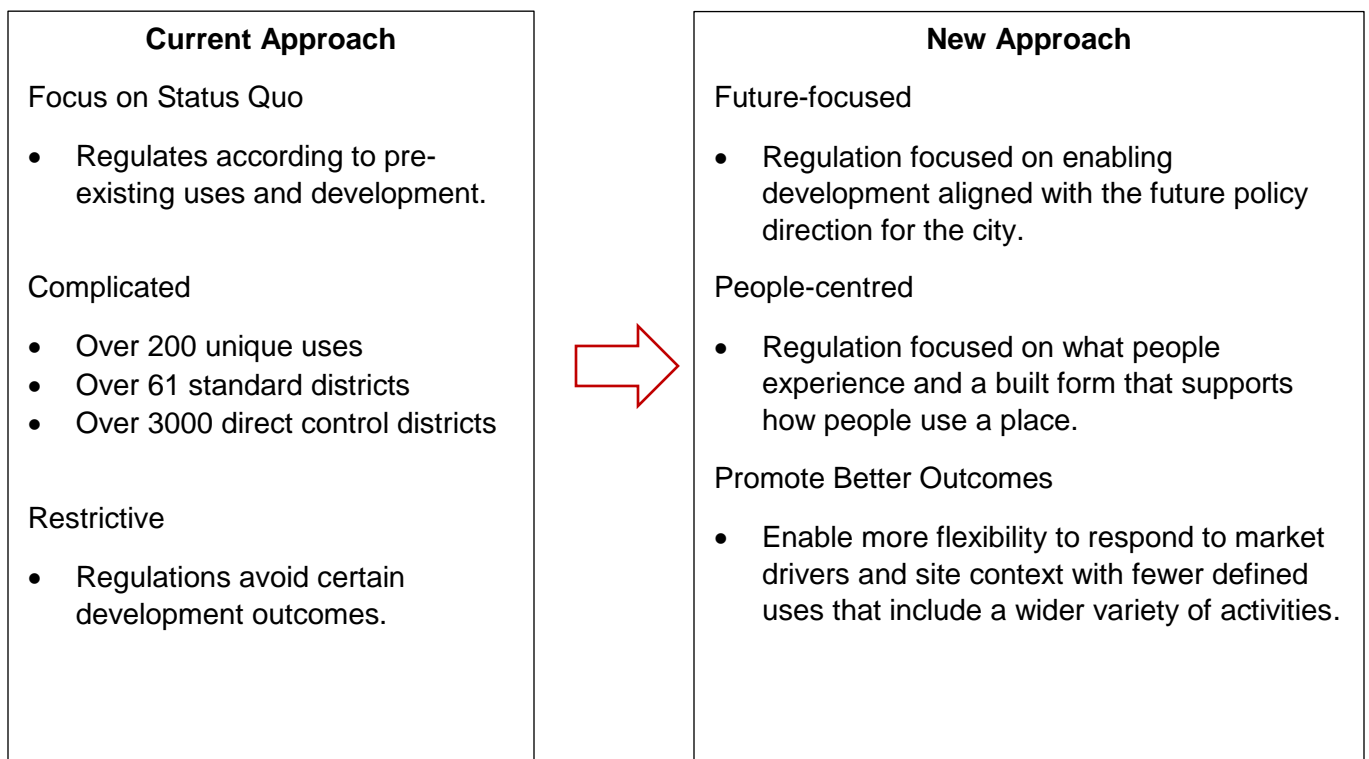
A. Why a new framework?

Over the past ten years, numerous engagements regarding Land Use Bylaw 1P2007 (the Bylaw) have been completed. Generally, feedback focused on the following issues:

- Unclear relationship between the *Municipal Development Plan* and the Bylaw.
- Misalignment between desired policy objectives of the *Municipal Development Plan* and the implementation tools (districts and rules) in the Bylaw.
- Restrictive or inflexible regulations that limit the opportunity for innovation.
- Parking regulations that often negatively impact desired built form outcomes.
- Land use districts that are assigned according to development that is already there instead of assigning districts that enable new development aligned with policy.

The *Guidebook for Great Communities (Guidebook)* and the new multi-community planning approach provide an opportunity to directly link policy with the Bylaw. Using the goals and principles of the *Guidebook*, a renewed Bylaw will be focused on regulating the aspects that impact the experience a person has at street-level (see illustrations 1 & 2 for a visual description).

To achieve people-centred outcomes, a new framework is required to organize how the new districts and rules will be integrated into the Bylaw, without disruption to existing development, while still allowing for additions over time, with the eventual deletion of current districts and rules. The following illustration outlines the main changes from the existing Bylaw approach to a new Bylaw concept:



B. What Guides the framework?

To align with the vision of the Municipal Development Plan, the *Guidebook's* eight goals for great communities form the foundation for the Land Use Bylaw framework. The goals are:

- 1 Promote varied, inclusive and equitable housing options.
- 2 Provide opportunities to access goods, services and amenities close by.
- 3 Offer opportunities to gather and participate in civic, arts, cultural and entertainment activities, in both public and private spaces
- 4 Provide varied and inclusive spaces and facilities for recreation, play and outdoor activities, close by.
- 5 Ensure spaces are designed for everyone, foster a sense of place and are connected together - however a person moves.
- 6 Ensure natural areas, biodiversity and ecological functions are protected, restored, created, and enjoyed.
- 7 Enable and support prosperity through diverse economic opportunities at a variety of scales.
- 8 Support the use of existing streets, services and buildings to reduce the need for new infrastructure.

C. What does this mean in terms of Bylaw changes?

Consideration of these eight goals has led to five major changes proposed to the Bylaw to link policy with regulation while increasing flexibility. Each of the items are detailed and listed below. While each of these five changes helps to implement all eight of the goals, the numbers that follow the text represent the *Guidebook* goals that are most represented through these changes.

1. Outcome-Based Regulations

The Bylaw will have regulations to enable desired built form and development outcomes, rather than regulate the development that is to be avoided.

Regulations will promote a built form and public realm that prioritizes peoples' experiences with less focus on how a building is used by the occupants.

Guidebook goals supported by this change 1 2 3 4 5 6 7 8

The following illustration shows how some of the major changes to the Bylaw will enable the eight outcomes of the *Guidebook*, with the overall principle of putting people first.

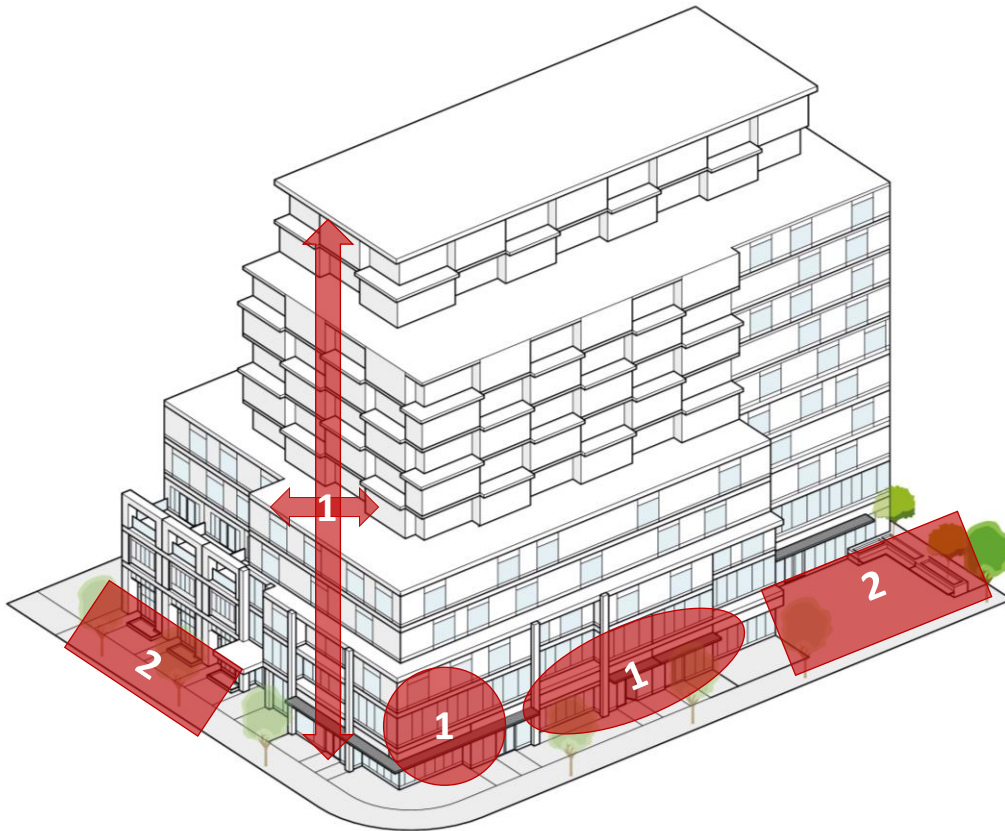


Illustration 1

- 1** Regulations in the areas labeled “1” will focus on the street wall (building face) since this is the area that most affects the experience of a person on the street. Regulating uses and entrance features on the main floor will enable certain activity levels. Upper storeys that are less visible from the ground level will be differentiated to reduce massing to adjacent buildings and addresses sunlight, shadowing and privacy elements, while providing visual interest. Height will be regulated to manage building mass while providing flexibility where buildings are of the appropriate scale.
- 2** Regulations in areas labeled “2” will focus on the relationship of public and private spaces of a development with the people-centred experience in mind. These will be spaces that enable a variety of activities and activity levels while offering places for people to gather.

2. Focus on Built-Form

The Bylaw will focus on the design of buildings and their relationship to the spaces around them to promote development that enhances a person’s experience in that place. Regulations for building frontage, building mass and site design will be used to address how a person at street-level experiences a building.

The Bylaw will be supplemented with visual how-to guides to support people designing new development. The guides will address the design intent of policy reflected in the rules and

highlight different ways to achieve desired design outcomes. Clarifying the intent of a rule will support understanding of the purpose and the value of relaxations. An example of a *Guide* that currently exists is the *Backyard Suites How-to-Guide*, which provides examples and items to consider when building a backyard suite.

Guidebook goals supported by this change



Illustration 2 below shows how by focusing on built-form elements, stakeholders can better understand the desired design outcomes.

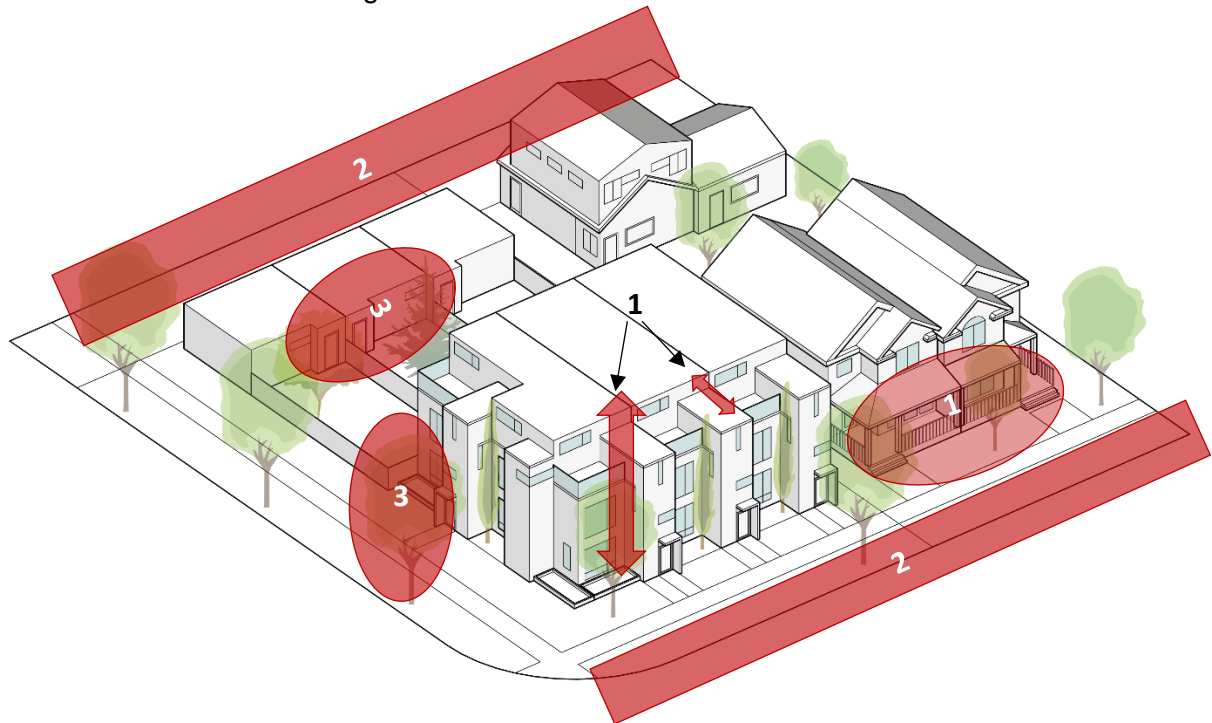


Illustration 2

- 1** Areas labeled “1” provide a sense of the appropriate scale of a proposed low-density district. This enables the development of rowhouses next to other low-density homes, including single-detached homes. The concept is to have two storeys be the building frontage that can come up to a street and with a possible third storey stepped back, to minimize impact on the people-focused experience at street-level. Building frontages would require some connection towards the public area creating a transition from the private to public areas. The regulations for these elements address massing, front porches, setbacks and height.
- 2** Areas labeled “2” provide a continuous area for pedestrian or other low-speed modes of transportation, on a sidewalk by encouraging driveways from lanes, if applicable. By moving parking to the rear of a parcel, where possible, there will be more on-street parking and less sidewalk crossing, thus enabling reduced parking on-site and enhanced mobility. In this case, fewer curb cuts would also enable more soft landscaping in the front benefiting stormwater management and visual appeal. These elements address vehicle loading and storage, parking, drainage, green landscaping and hard landscaping.
- 3** Areas labeled “3” are elements that will be carried over from the current Land Use Bylaw, such as the ability to plant trees anywhere on the property and in a boulevard, if feasible. This change is an enhancement to tree retention and green landscaping.

Current bylaw rules restrict form based on the use – residential, commercial, and industrial. By changing this focus, Administration can begin to have a conversation about the built form elements that impact a person’s experience throughout their community rather than the characteristics that define a use. This allows Administration to address previous concerns around infill development (12 remaining items related to infill) in a people-focused way.

Form elements (height, massing, setbacks, etc.) will be based on the experience, activity level and purpose of an area rather than on individual uses on a site. This will create a holistic, community wide approach, promoting inclusivity, that is designed in a way that meets the needs of residents and visitors. This approach will also allow for a seamless transition between categories, ensuring that as the neighbourhood evolves, the built form compliments the surrounding areas.

3. District Reform

Districts will be developed related to the urban form categories (categories) in the *Guidebook*. This will reduce the number of existing districts and provide a clear line-of-sight between policy and regulation. New districts will be structured to define the purpose, general function and activity level of a site that align with the categories of the *Guidebook*.

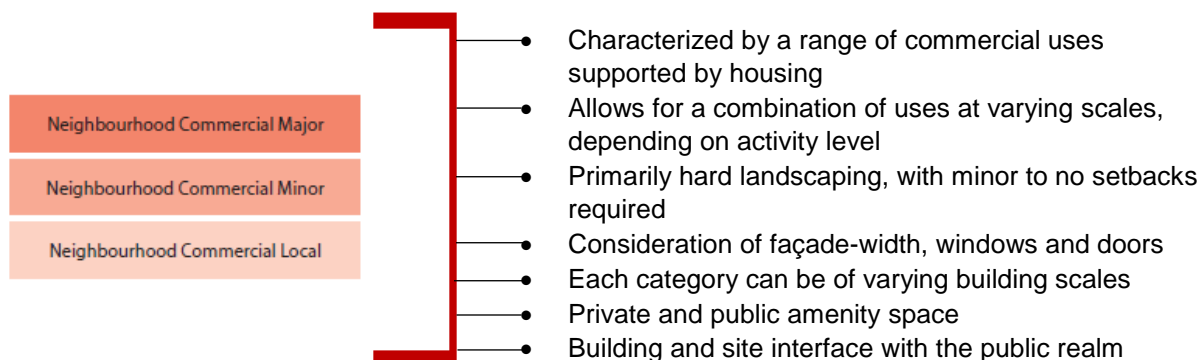
Districts will be crafted to provide a mix of uses and activities within a building that will respond to current and future needs, creating built-in flexibility for a range of permitted and discretionary uses without needing a redesignation (rezoning) and/or a new development permit. Rules can also be customized to incentivize the success of *Guidebook* goals, and will address issues of massing, height, setbacks and other elements, necessary to enable people-focused neighbourhoods. The consideration of unique location aspects will be enabled by district modifiers that turn rules on or off to achieve desired outcomes. Below is a summary of the different considerations that could be addressed through a renewed Bylaw, based on the policies and direction of the *Guidebook*.

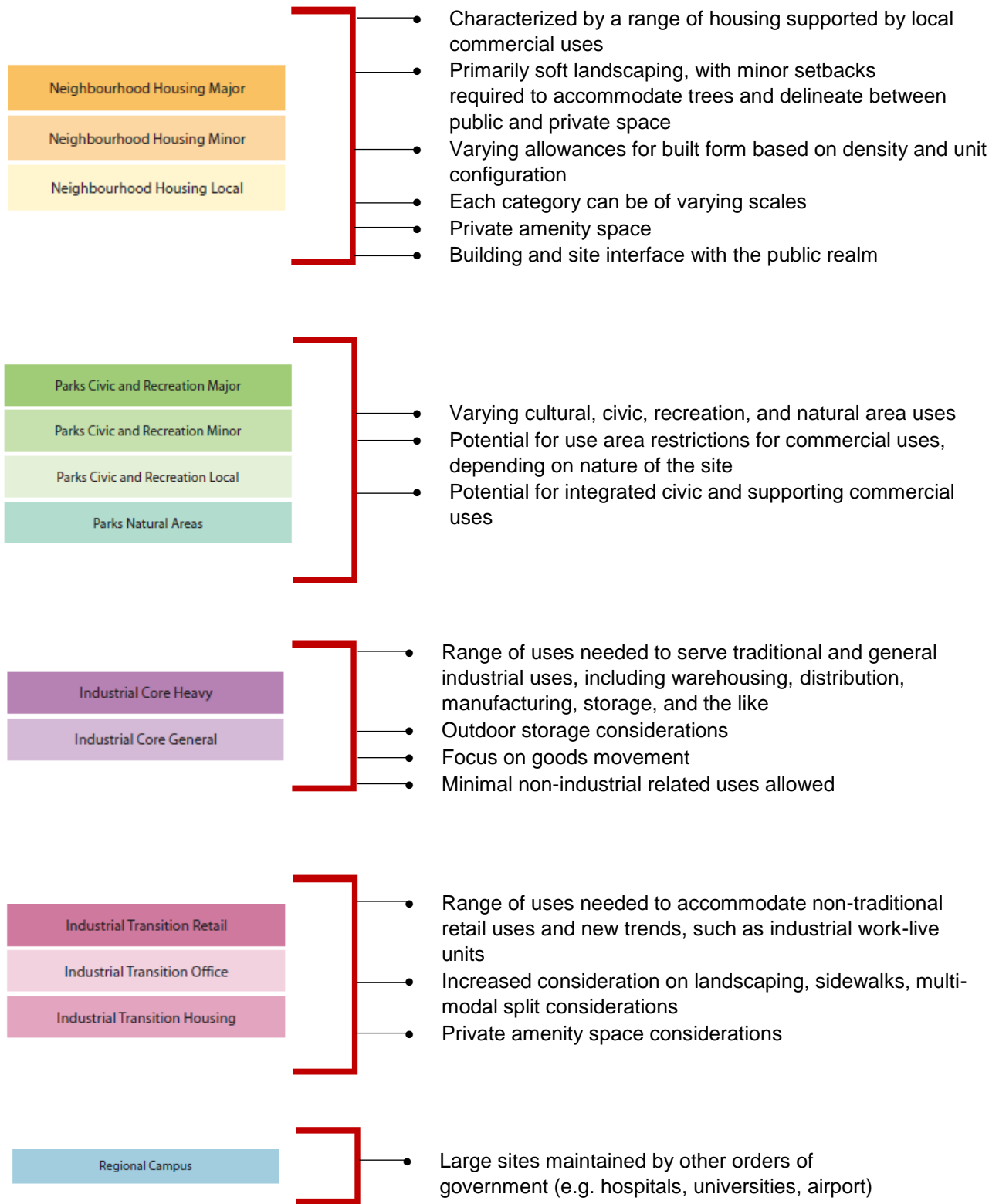
Guidebook goals supported by this change



Urban Form Category

Bylaw Considerations





Policy Modifiers	Bylaw Considerations
Commercial Cluster	<ul style="list-style-type: none"> • Commercial use mix • Size/floor area limit
Active Frontage	<ul style="list-style-type: none"> • Main floor height requirement • Active commercial uses at street level
Commercial Flex	<ul style="list-style-type: none"> • Main floor height requirement • Adaptable façade design
Parks and Open Space Frontage	<ul style="list-style-type: none"> • Transition and integration between the park and private development • Potential for modified setbacks and shared use of space • Interface considerations
Vehicle-Oriented	<ul style="list-style-type: none"> • Vehicle-oriented uses • Access considerations

Scale Modifiers	Bylaw Considerations
Limited	<ul style="list-style-type: none"> • Building mass restrictions • Lot coverage based on number of units, accessibility of units or similar outcome considerations • Grade-access for units
Low	<ul style="list-style-type: none"> • Street wall heights • Step-back requirements
Mid	<ul style="list-style-type: none"> • Screening requirements (mechanical, storage etc.)
High	<ul style="list-style-type: none"> • Massing restrictions
Tall	<ul style="list-style-type: none"> • Transition considerations based on adjacent sites

4. Use Reform

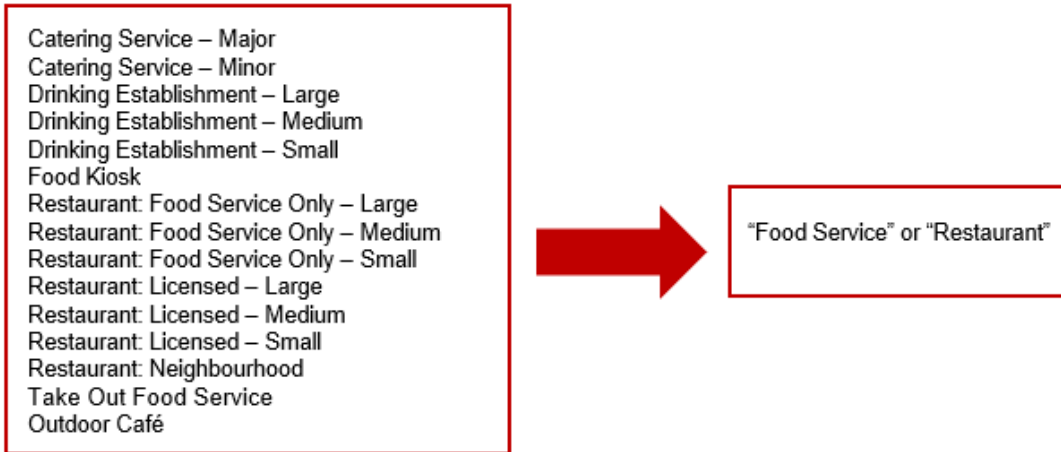
There are over 200 unique and individual uses in the Bylaw, each with its own defining rules. Individualizing uses to this extent makes it cumbersome for people to respond to new opportunities and challenges and result in buildings that may not be able to accommodate uses that were not anticipated. Where use definitions are too specific minor changes require development permit approval, which limits innovation and unique solutions.

The intent is to reduce the number of uses by combining similar activities under a shared definition, reducing the need for a new development permit or redesignation. This provides flexibility for an owner/tenant of a building and responds to the evolving needs of communities.

The table below shows how a number of similar uses could be consolidated into one use:

Guidebook goals supported by this change





5. Parking Reform

Parking requirements are one of the most frequently cited concerns regarding the existing Bylaw. Meeting current on-site parking requirements has a significant impact on the built form and the ability to achieve quality urban design and affordability. Excessive parking regulations limit the viability of development in places where it is encouraged by policy and promotes automobile use. Ensuring that everyone has the ability to obtain their daily needs, regardless of transportation choice, is essential in a new Bylaw.

Parking requirements in the current Bylaw are specific to individual uses and changes as the land use changes, making it difficult to understand and predict. New parking rules will take a more strategic and comprehensive approach, aligned with the *Guidebook*, to consider parking needs based on local mobility options, walkability and proximity to amenities and employment.

Guidebook goals supported by this change

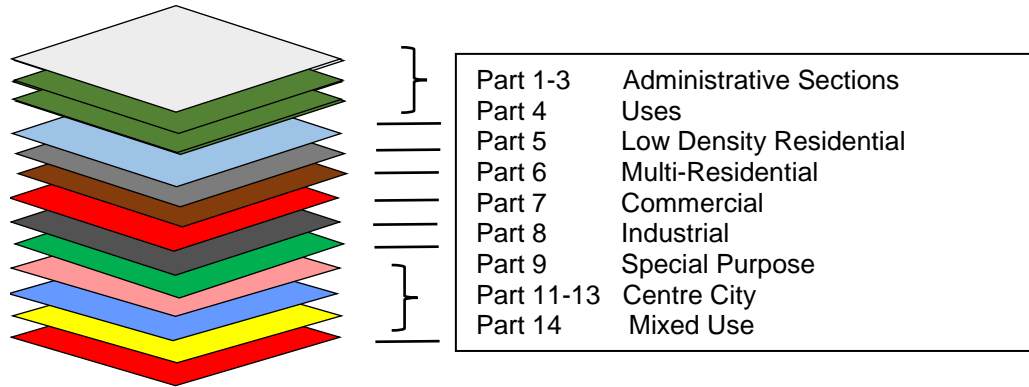


D. Logistics

Given that the new districts in the Bylaw will be implemented through local area plans to ensure a future focused approach, the Bylaw will need to be structured differently in the near future, with the potential to completely change its structure long-term, to seamlessly bridge it with the *Guidebook*. The graphics below help to illustrate the current, future, and long-term structure of the Bylaw.

Current Structure

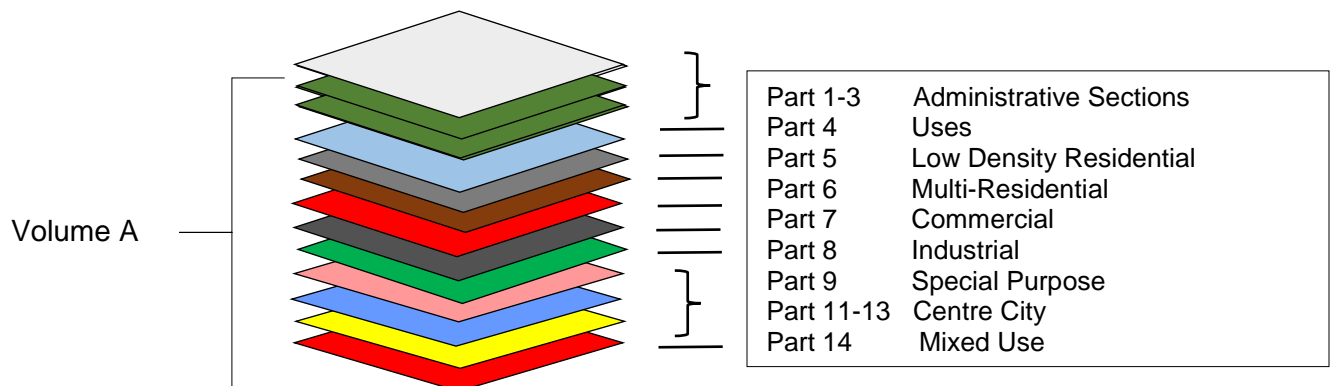
The Bylaw is currently divided into 14 parts, with many sections dependent on the relationship to other parts, making it cumbersome, difficult to understand, and complex.

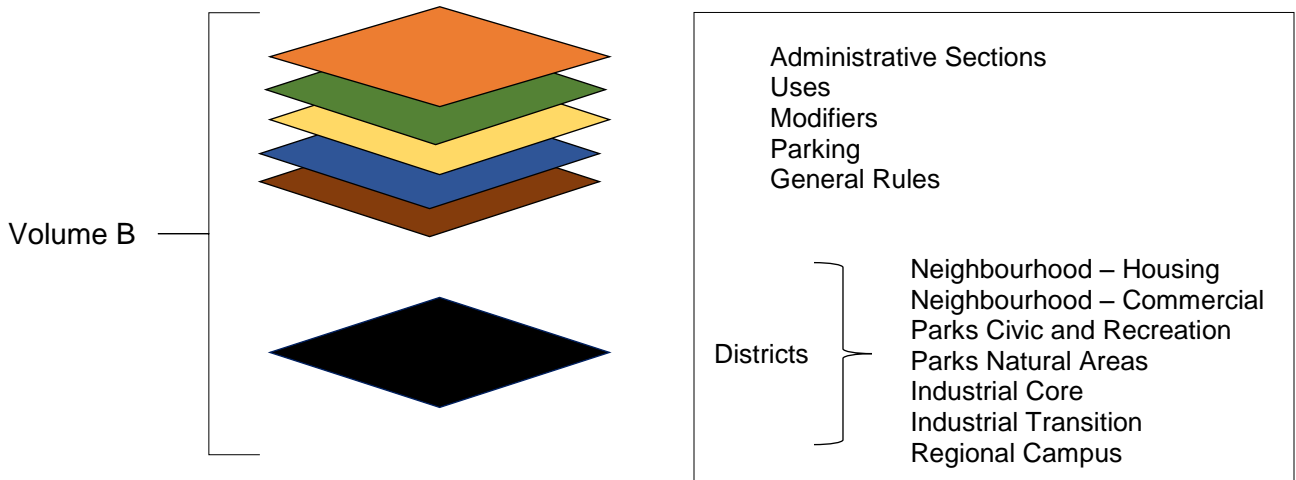


Future structure

The future structure of the Bylaw, beginning in Q1, 2021, with the anticipated adoption of a new Limited Scale Neighbourhood housing district, would require the existing Bylaw to remain (as Volume A), in order to accommodate the areas of the city that haven't undergone redesignations as part of a local area plan process. This will ensure that existing development underway is not caught in a status of non-conformity, and will allow the process of determining the future land use to be truly collaborative with stakeholders.

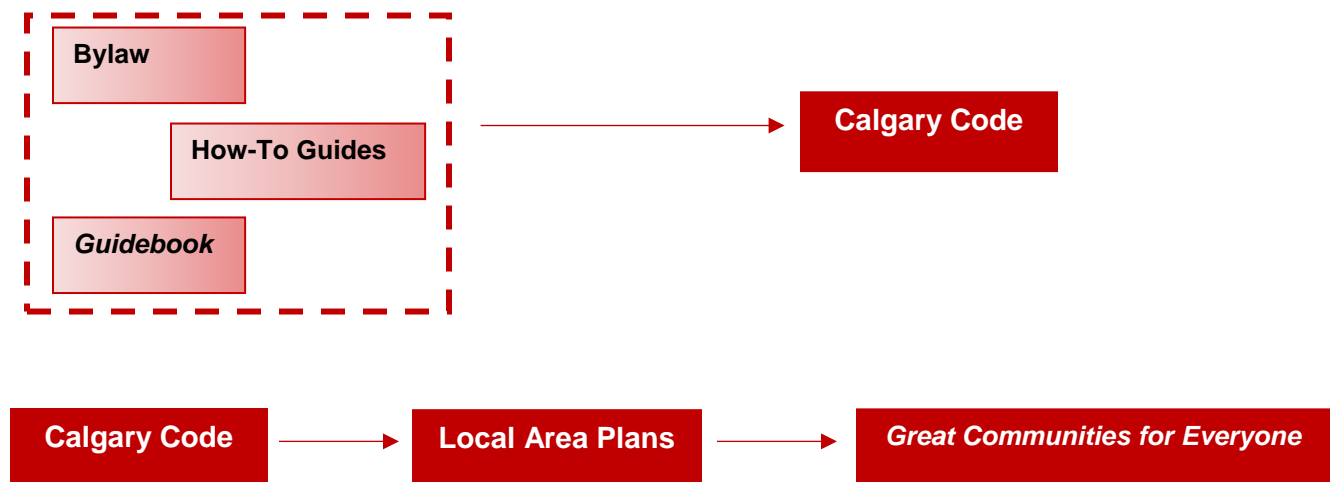
In order to accommodate the new districts, Administration would propose a new Volume B, containing the parts and sections for the new planning system. These new districts would have their own administrative parts, as shown in the illustration below.





Long Term Structure

Over time, as more districts are added to Volume B, and as more local area plans are completed, there will be an opportunity to assess the structure of the Bylaw to be integrated into the *Guidebook*, potentially creating a made-in-Calgary hybrid code (Calgary Code) – a document that combines policy, regulation and guidance (How-To Guides) in one Code. As shown in the graphic below, this new approach will not only allow the local area plans to be the vessel to creating the outcomes for communities, it will allow Administration to contemplate different processes better aligned with the new planning system.



Different conversations with New tools to successfully achieve outcomes