

March 1, 2020

Community Associations of Developed Calgary

RE: Draft Guidebook for Great Communities ("The Guidebook")

Ref: our letter November 1, 2019

Dear Councillors,

In our November 1, 2019 letter we asked members of the SPC for Planning and Urban Development to delay approval of the Guidebook in order to build awareness among residents of Calgary and to involve residents in effective engagement sessions.

We would like to give feedback on the "awareness" campaign amongst Calgarians and how effectively "the vision and intent of the Guidebook" has been communicated within Calgary communities.

As mentioned in our previous letter, we support the Guidebook in general and its implementation through the Local Area Plans.

However, the policies it proposes for houses and duplexes remain ambiguous and uncertain. The March 2020 Revision of the Guidebook does little to make it clearer.

The following are our three main concerns:

- 1) the lack of effective communication regarding the CHANGES to our policies for urban planning and the impending bylaw for "low density residential";
- 2) the ambiguity of language used in the Guidebook, which has not allowed for effective engagement with and about these policies as Chairs of Planning Committees, Councillors and residents *disagree* on the interpretation of the policies in the Guidebook;
- 3) the design of the Guidebook as a tool for adding density and a diversity of building forms to ALL of Developed Calgary conflicts with the goals of the Municipal Government Act, (section 617), which states: "[the] goals of planning and development provisions" [are] "to maintain and improve the quality of the physical environment...without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest."

We are concerned by our discussions with planners, who constantly refer to the policies in the Guidebook as being adopted throughout North America and they use the phrase 'Best Practice' to justify them. **We have studied the zoning bylaws and zoning maps for 15 cities** including Toronto, Ottawa, Portland, Seattle, Vancouver, Miami, Minneapolis, Hamilton, Halifax and **we can't find any city that has consolidated the low density districts (R-1, R-2, townhousing) as Calgary planners suggest to do.**

1. Lack of Awareness among Calgarians about Proposed Changes

We are still concerned with the approach that has been used to build awareness. Considering the significant impact that the Guidebook for Great Communities will have on established areas, awareness alone is not a sufficient standard by which the City needs to measure its interaction with residents of affected areas.

The Guidebook for Great Communities will lay the foundation for how established areas of the city will develop for years to come. As such, and above all else, this means we need to get the Guidebook right. Getting it right isn't about a small group of people deciding "what is right" for the residents of established areas. Getting it right means effectively engaging with residents to ensure their needs, expectations and concerns are identified and incorporated into the thinking that goes into the Guidebook. As the City has yet to undertake a meaningful engagement process, this objective has not yet been achieved.

City planners, when participating in sessions facilitated and hosted by the Federation of Calgary Communities, have told us, as members of Community Associations, that we are learning about the "**Next Generation Planning System**," which will change how Calgary is planned and developed. Other Calgarians, however, going to installations at the Central Public Library, the Home & Garden Shows, or the Home Renovation Shows have not received the same message. **Members of the public have not been told of impending changes to policies or that a new Land Use Bylaw is coming that will affect them.**

The installation at the Central Library was hard to find. Library staff didn't know about it and it wasn't listed on the events calendar at the entrance. People passing through the library had to come up the stairs from the main entrance and turn to the right, to enter a section closed off by posters and temporary walls.

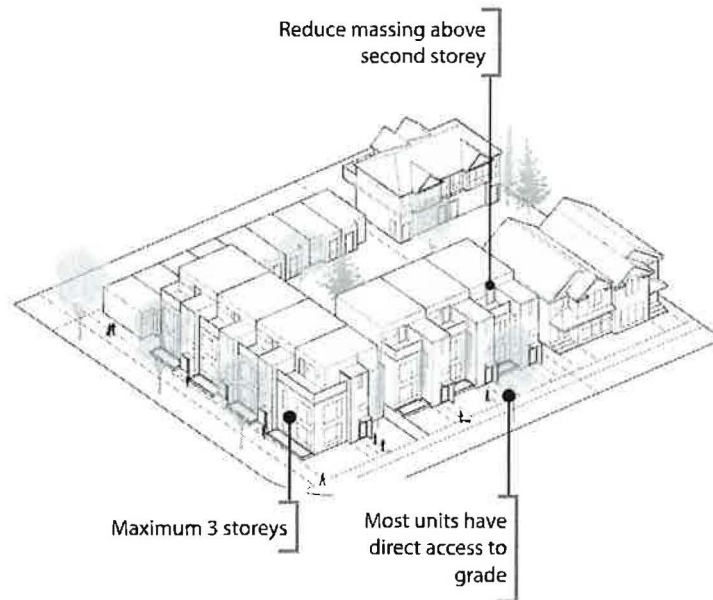
The displays at the Central Public Library contained colourful posters with excerpts from the Guidebook that asked participants to write answers on recipe cards or post-its to questions such as: What is your favourite amenity? How do you imagine your Community in 30 years? Do you bike or drive a car to work? What type of dwelling do you live in? Information was collected from the public. The public, however, learned nothing about the City's purposes or plans. **Nowhere was there a mention of changes to planning policies or impending changes to the Land Use Bylaw.** A copy of the Guidebook for Great Communities was laying on a table. If someone were to stand there and read the Guidebook, they might learn that some sort of change is afoot, but otherwise, there was no text or diagram that suggested Councillors are voting on a tool for "Next Generation Planning" in the City of Calgary.

The public engagement sessions of the draft North Hill plans held on November 28th and November 30th are another example of **a missed opportunity for "building awareness among Calgarians about the changes being proposed."** Very few residents came to these public open house sessions. No more than 10 to 20 residents were in the room at one time.



In the graphic above, which was displayed at the session to view the draft North Hill plan, the suggestion is made that there will be green spaces and parks on a streetscape that has four-storey and ten-storey buildings. The scale of the buildings is skewed because some structures are set back considerably from the street with green space in front, whereas other buildings are brought forward, some with a strip of grass, others directly abutting the sidewalk. Nowhere in Calgary or in planning documents, have we seen buildings with vastly different setbacks. The graphic skews the interpretation of building height (scale), while also suggesting that the Guidebook's implementation could lead to main streets that look like this: a supermarket and an apartment building next to a park, next to a school, with no parked cars, lots of pedestrians and only two cars and a bus passing on what looks to be a main street.

Another poster shown at the information session for the North Hill draft plans shows this illustration for "limited scale" housing:



This graphic shows the lowest scale of housing. Notably, it shows no green space between buildings. Less than the 30% of the buildings have soft landscaping in front; there are no side yards and certainly no parks. It is a residential streetscape that pushes structures up and back to maximize lot coverage.

Conspicuously absent from the communication materials at the Central Public Library and the North Hill sessions was any mention of current districts, the differences between current R-1, R-2, R-CG, and M-CG designations, or the current rules in the Bylaw for lot coverage and maximum height. It is impossible for residents to evaluate policy or bylaw changes if they are given no information about how the rules for development will differ before and after the introduction of Next Generation Planning.

2. Ambiguous Language in The Guidebook

Calgarians who seek to understand the changes to the City of Calgary's planning system can read and reread the Guidebook, only to "discover" in conversations with other citizens, architects, Chairs of Planning Committees and urban planners, that they have either "misunderstood" or "not captured" all the facts. The Guidebook is far too ambiguous to be evaluated, understood or consistently applied.

For example, in Chapter 3, on the policies for the "building forms" to go into a Community's Local Area Plan, there are some surprising revelations of which even Calgarians "informed" of the new policies have limited understanding:

- "Housing Local" – is a building form related to a category that is actually "mixed-use"; it allows for a mix of residential and commercial activity. This is the **most residential** policy in the Guidebook. However, it is "residential at **various scales**," and it "**may support commercial uses**." Residents do not know what type of commercial activities may be allowed in parts of their neighbourhoods. At a Home Show one resident was asked, wouldn't it be great to have a local brewery in your neighbourhood? The resident didn't think so.
- We have learned in re-reading the Guidebook that commercial activity is allowed across ALL categories of building form, both residential and commercial. **The parking required to support local commercial is not even addressed** - parking is essential for small local businesses to survive.
- The "scale modifier" or building height modifier is another policy that has received much discussion. Rereading the Guidebook reveals that the "**Housing Local**" category **could be six, ten or more storeys high**. The scale modifier is applied separately to any building form, making it possible for an established community to have a mix of three-storey, six-storey or ten-storey buildings. Any scale is possible.
- Development Policy 3.9 (confusingly misnumbered 2.9 in the March 2020 version) states: "**The use of discretion to allow relaxations** to Land Use Bylaw regulations or alternative solutions to City standards **should be encouraged** where the proposed solution better implements outcomes consistent with the goals of the Guidebook and the vision and objectives of the MDP."
- Development Policy 3.9 also allows for: "The use of discretion to allow relaxations to support incremental improvements." Again, **the file manager is given the discretion to ignore the Bylaw and decide whether or not to approve a development based on their own interpretation of the principles set out in the Guidebook**. Calgarians expect City bylaws to set reliable rules about how property will be used – they will be profoundly unsettled to learn that planners can overrule those rules.

- Appendix 2 (“Local Area Plan Chapter 2: Enabling Growth”) permits local area plans to be **modified for certain local contexts**. “Scale categories may be adjusted to specify a number of storeys due to site constraints, local context.”
- The ambiguity continues in the drafted policies for the North Hill plan. For example, “Celebrate, care for, and **where appropriate**, protect the heritage of the North Hill Communities.” **How does “where appropriate” give communities any sense of assurance for the protection of their heritage?**

The language of the Guidebook is ambiguous and the application of these policies is so “loose” that we wonder what “planning tools” are actually assuring the result of “good planning?” This Guidebook does not further the goals of the Municipal Development Plan, to “[r]einforce **the stability of Calgary’s neighbourhoods and ensure housing quality and vitality of its residential areas**” (section 2.2.5).

The Guidebook is a tool for “**blanket densification**” in the City of Calgary. It provides **no limit** on the number of units to be added to a building form. It allows for a **mix of commercial and residential use** on lots formerly restricted to single-family homes. It lays the foundation for a new Bylaw that could allow **substantial increases in lot coverage and volume of built structures**. This Guidebook signals “deregulation,” which may harm existing communities and may destabilize the real estate market.

Approval of this document would spell an extraordinary delegation of power and responsibility away from elected Councillors to unelected urban planners, who will make decisions at their discretion.

We believe that if the policies of the Guidebook get approved in the current state and applied in the creation of “area plans,” a likely result will be **the emergence of private ordering schemes** (Rosedale, for example, recently voted to adopt “restrictive covenants”). Developers of “new neighbourhoods” already create building schemes that give home buyers some certainty about the future of their neighbourhoods. The current land use bylaw gives home buyers **certainty about what building forms and what uses will be permitted in their neighbourhoods**. **The Guidebook will take away this stability.**

3. Consultation Provisions of the Municipal Government Act & “the Public Interest” of Communities

In conversations about the language in the Guidebook and the method used to communicate these policies to Calgarians, individual citizens and developers have referred to the process as approving policies BY STEALTH and BY EXHAUSTION. Calgarians are not aware of the changes proposed by “Next Generation Planning.” By exhaustion, we are referring to **the speed at which changes in planning documents** are released for us to consider. The last section of this letter looks at the Municipal Government Act (MGA) and the evasion of consultation provisions detailed in the MGA.

Just in the last couple of weeks, the City has moved to change the Municipal Development Plan (MDP) to reduce its incompatibility with the Guidebook. On February 20th, changes to the MDP were announced that include **removing the phrase “low density.”** Sections 2.1, 2.2, and 2.3 **had wording removed that supported specific density types**. The public was given one month to consider the changes; the last feedback session was scheduled for yesterday, the day

before the Guidebook is considered for approval at PUD. This timeline makes a farce of consultation: Calgarians cannot plausibly be expected to evaluate changes to the MDP, provide comments on them, and **evaluate a new edition of the Guidebook (released Feb.28th) mere days before the discussion of the Guidebook at PUD.** It is our perception that this timeline is either deliberately designed to defeat efforts to understand or impede it or else Council and its drafters believe no one is paying attention. Or both.

Given the scale of change with “Next Generation Planning” in the City of Calgary, it behooves the City to make an extraordinary effort to get the public’s attention and to be absolutely transparent in their communication materials.

The City’s own statistics make it clear that blanket densification is not needed to achieve the growth goals of Calgary’s Municipal Development Plan. The City’s website entitled “Calgary is Growing” indicates that by 2039, 70,500 more housing units will be needed in the “developed areas” of the City in order to reach MDP goals. “Up to 57,200 housing units could be developed without rezoning any land. In addition, if we were to develop the lands that Council has already approved for multi-unit development in the Local Area Plans, we could add 62,700 units, providing us with 120,000 units, when the MDP says we only need 70,500! If we were to add the legalization of secondary suites to this equation, which Council approved in 2018 for all low-density districts, then we can explain why blanket densification is not needed to achieve MDP goals.

If there is no need for blanket densification to achieve the goals of the MDP, then the policies set out in the Guidebook directly conflict with serving the “public interest” of communities. Section 617 of the Municipal Government Act states that the goals of the planning and development provisions are “to maintain and improve the quality of the physical environment ... without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.” **Destabilizing communities is not in the public interest.**

Communities need policies and planning tools in the Guidebook that can be used to create contextually sensitive development in their area plans. We should be seeing architectural and landscaping guidelines that allow development to be sensitive to context. We should be seeing an urban form (or category of policy) that allows for residential use only and a scale that is tied to a strictly residential use for neighbourhoods. We don’t need or want to make all communities look the same in Calgary.

A final comment on deregulation. IF the City of Calgary approves these policies in their current state, we are providing an environment with such LOOSE constraints that we might get poor quality buildings built. Developers in Vancouver are watching what is going on in Calgary right now. The changes to Calgary’s planning system could provide an “opportunity” to build without the constraints they know in their home city. Both residents of Calgary and developers in Calgary are telling urban planners and now our Councillors that **we need more restrictions in these policies and planning tools** to assure the stability of our communities and protect their integrity. Please listen.

In Conclusion:

The Municipal Development Plan, the Guidebook, local area plans and revisions to the Land Use Bylaw will significantly change the rules and processes for adding new developments to

Calgary. The Guidebook is a key link in the chain. We should take the time and effort to ensure that all Calgarians know about it and have the opportunity to voice their opinions.

We believe that the Guidebook must ***NOT*** be approved until these ambiguities are clarified and effective outreach has been undertaken.

Signatories include the following Community Associations: * Wards ¹ 3, 4, 7, 8, 9, 11

Brentwood CA	Houndsfield Heights - Briar Hill CA
Cambrian Heights CA	Elboya Heights Britannia CA
Inglewood CA	Scarboro CA
Elbow Park CA	Mayfair Bel-Aire CA
University Heights CA	Hillhurst Sunnyside CA
Banff Trail CA	Meadowlark Park CA
Northern Hills CA	Triwood CA

Rutland Park CA
Scenic Acres CA

Montgomery CA