

# BRIEFING

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Item # 5.2.1

**Planning & Development Briefing to  
SPC on Planning and Urban Development  
2021 June 02**

**ISC: UNRESTRICTED  
PUD2021-0840**

## Bylaw Setback Reform Update

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### **PURPOSE OF BRIEFING**

The purpose of this briefing is to provide an update on the progress made in support of the direction in the Notice of Motion – Bylaw Setback Reform (PFC2020-0106). The Notice of Motion is intended to support applicant-provided improvements to the public realm within the bylaw setbacks identified in Land Use Bylaw 1P2007.

The Notice of Motion has three general areas of work;

- A. developing criteria for enhanced public realm, introducing a formalized process used by the Corporate Planning Applications Group (CPAG), and clarifying the intent of the bylaw setbacks within Land Use Bylaw 1P2007;
- B. reviewing bylaw setbacks in conjunction with the creation of local area plans, creating cross sections to provide direction and certainty for developers, citizens and Administration; and
- C. ensuring that the renewal of the Land Use Bylaw consider the bylaw setbacks and their alignment with other policy plans, including the Municipal Development Plan and Calgary Transportation Plan.

The work on clarifying the intent of the bylaw setbacks within the Land Use Bylaw is complete. Amendments are being proposed within Land Use Bylaw Amendments to Support Business and Economic Recovery (PUD2021-0649) on the same agenda of the Standing Policy Committee of Planning and Urban Development as this Briefing. Some work has progressed on the formalized process for CPAG. Developing criteria for enhanced public realm and further changes to the CPAG process will be prioritized along with other items on Administration's Workplan. In the future, bylaw setbacks will be reviewed in conjunction with Local Area Plans, which will be effective in terms of providing the appropriate sizing and direction for public realm improvements. Lastly, the bylaw setbacks will be considered in the context of The City of Calgary's policies at the time of the Land Use Bylaw Renewal.

Attachment 1 provides the Notice of Motion directed by Council.

### **SUPPORTING INFORMATION**

#### **A. 1 & 2: [Developing Criteria for Enhanced Public Realm and Formalized Process Used by Corporate Planning Applications Group](#)**

The Corporate Planning Applications Group is an interdepartmental group of staff who review Outline Plan, Subdivision, Land Use Amendment and Development Permit Applications that require a multidisciplinary approach. Internal circulations occur throughout the review process and include relevant specialists within City Administration. The processes for review are continually being improved, internal circulations are now in place for Urban Initiatives, a Division of Calgary Growth Strategies, where applications are in proximity to Main Streets, to ensure proposed developments provide resilient, adaptable and attractive public spaces. As well, City Wide Urban Design, a Division of Community Planning, reviews applications through an urban

design lens, ensuring applications positively shape the public realm and consider the interaction of use, context, climate, and building form. This allows for a thorough review of the public realm to support applicant-provided improvements within bylaw setbacks. Transportation, Parks, and Urban Development representatives ensure a balanced approach is achieved and the objectives of the Municipal Development Plan, Calgary Transportation Plan, local area planning and Complete Streets Guide are supported. Underground encroachments into bylaw setback areas have been supported in the past which can aid in the financial viability of projects.

Further work to draft criteria for applications is still required in order to provide further clarity to applicants and Administration. There are many priorities on Administration's City Planning and Policy Workplan and going forward, further progress on this item will be considered along with the other items of work.

### A. 3: Clarifying the Intent of the Bylaw Setbacks in the Land Use Bylaw

Council directed Administration to clarify the intent of the bylaw setbacks by renaming the Road Rights-of-Way Property Line Setbacks within the Land Use Bylaw 1P2007. Administration has drafted amendments that;

- rename the setbacks to Public Realm Setbacks; and
- include a purpose statement, "To maintain and improve the quality of the physical environment for the overall public interest, the public realm setbacks are intended to accommodate public realm improvements, pedestrian environment improvements, and context specific mobility improvements."

The proposed changes will provide clarity on the intent of the setbacks and create more certainty for developers, citizens and Administration. Context specific mobility improvements include options like bike lanes, transit infrastructure and road widening. The proposed amendments are included in the Land Use Bylaw Amendments to Support Business and Economic Recovery (PUD2021-0649) being considered at the 2021 June 2 meeting of the Standing Policy Committee on Planning and Urban Development.

### B: Reviewing Bylaw Setbacks in conjunction with Local Area Plans

The City of Calgary is undertaking multi-community local area planning to visualize, enable and support growth in Calgary. The North Hill Communities Local Area Plan is the first pilot plan to enact this approach, setting out the future vision for growth and change in nine established inner-city communities surrounding 16 Avenue and Centre Street. The plan includes policy language to support an improved public realm in the bylaw setback areas and provides clarity for future development. Also, language is included to support underground encroachments into the bylaw setbacks along 16 Avenue N where technically feasible. This approach will be replicated, as appropriate, in other local area plans as they are developed to provide further clarity on public realm improvements expected.

Bylaw setbacks will be reviewed at the time of creation of new local area plans with the intent to create cross sections for each bylaw setback street in order to provide direction for redevelopment that occurs along the street.

The North Hill Communities Local Area Plan will be the pilot for this process and is an excellent candidate due to the six bylaw setbacks within the plan area, some of which align with Main Streets and Green Line. The bylaw setbacks within the North Hill Communities Local Area Plan will be addressed post approval of the plan which may result in a minor amendment to the Local Area Plan and an amendment to the Land Use Bylaw. This will allow for the review of the bylaw setbacks to be staggered following the timelines of the local area plan approach. This approach

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will be reassessed once Council has made a decision on the North Hill Communities Local Area Plan. The future application of this work will be reflected as other local area plans proceed.

## C. Renewal of the Land Use Bylaw

The bylaw setbacks will be considered in view of The City of Calgary's policy context at the time of the Land Use Bylaw Renewal. A full review of the bylaw setback table contained in the Land Use Bylaw would be out of scope for the renewal as a more context sensitive approach should be taken to review the table at time of Local Area Plan development.

## **ATTACHMENT(S)**

1. Attachment 1 – Bylaw Setback Reform Notice of Motion (PFC2020-0106)