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## ENDORSEMENT STATEMENT ON TRUTH AND RECONCILIATION, ANTI-RACISM, EQUITY, DIVERSITY, INCLUSION AND BELONGING

The purpose of The City of Calgary is to make life better every day. To fully realize our purpose, we are committed to addressing racism and other forms of discrimination within our programs, policies, and services and eliminating barriers that impact the lives of Indigenous, Racialized, and other marginalized people. It is expected that participants will behave respectfully and treat everyone with dignity and respect to allow for conversations free from bias and prejudice.

First name [required] Doug

Last name [required] Roberts

How do you wish to attend? Remotely

You may bring a support person should you require language or translator services. Do you plan on bringing a support person?

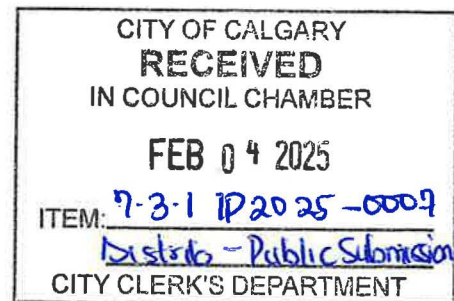
What meeting do you wish to comment on? [required] Council

Date of meeting [required] Feb 4, 2025

What agenda item do you wish to comment on? (Refer to the Council or Committee agenda published [here](#).)

[required] - max 75 characters 7.3.1 Local Area Reconnect IP2025-0007 -- Westbrook Communities LAP

Are you in favour or opposition of the issue? [required] In opposition





**Public Submission**

CC 968 (R2024-05)

ATTACHMENT\_01\_FILENAME

SubmissionToCouncil20250203.pdf

ATTACHMENT\_02\_FILENAME

DP2024-08994 DMAP Plans Submitted 2024-12-30 4223 KB page 14.pdf

Comments - please refrain from providing personal information in this field (maximum 2500 characters)

See attached written submission and DP plan excerpt.

**To: Calgary City Council**

**From: Doug Roberts**

**Re: Local Area Plan Reconnect IP2025-0007 -- Proposed Amendments to Section 2.2.1.6 of the Westbrook Communities Local Area Plan**

**Date: February 3, 2025**

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As background, my experience with urban planning issues in Calgary has included:

- 1) Acting as Chair of the Development Committee for the Richmond/Knob Hill Community Association during the period from 2010 to 2018; and
- 2) Acting as a resident representative for the Community of Glendale on the Working Group for the Westbrook Communities Local Area Plan during the period from 2020 to 2023.

I was generally supportive of the 2024 amendment to make R-CG the base land use district in the low-density residential areas of Calgary's established communities (the "Upzoning Amendment") -- with some caveats.

I did not agree then, and still do not agree now, with City Administration's position that the rowhouse and townhouse forms of development allowed under the R-CG land use district (hereinafter referred to as "RT Developments") are completely compatible with the single detached, semi-detached and duplex forms of development allowed thereunder (hereinafter referred to as "SSD Developments"), at least not on a side-by-side basis. The 60% vs. 45% maximum parcel coverages allowed for those respective categories of developments means that, once onsite parking is provided for (which typically occupies around 13% of the parcel), the maximum footprint of the primary building(s) of an RT Development ( $60\% - 13\% = 47\%$  of the area of the parcel) is approximately 50% larger than the maximum footprint of the primary building of an SSD Development ( $45\% - 13\% = 32\%$  of the area of the parcel). This significant size difference is often not apparent when viewed from the street, as it typically translates into an RT Development's primary building(s) having the same width as, but collectively a 50% or greater total depth than, an adjacent SSD Development. This significantly greater building depth will invariably have materially adverse overshadowing and privacy impacts on an adjacent SSD Development's rear yard/outdoor amenity space, and potentially also its rear-facing windows.

For example, if a parcel is redeveloped on a "permitted use" basis as a Contextual SSD Development, the Land Use Bylaw ("LUB") seeks to protect the privacy of an adjacent

property's rear yard/outdoor amenity space and rear-facing windows by, among other things, providing that any 2<sup>nd</sup> or 3<sup>rd</sup> storey window that faces the adjacent property and is beyond the adjacent home's rear façade must be fully obscured or have a very high bottom sill to prevent overlooking. If the parcel is instead redeveloped on a "discretionary use" basis as a non-Contextual SSD Development, then the neighbour has the ability to ask for, among other things, any such side-facing window to be obscured, reconfigured, relocated or removed entirely to prevent overlooking. As any such side-facing window is unlikely to be a room's only window or the only possible location for a room's window, such request is likely to be honoured, if not by the developer or City Administration, then at least by the Subdivision and Development Appeal Board ("SDAB") on an appeal. However, if that same parcel is instead redeveloped as a 4-unit rowhouse development, the adjacent property's rear yard/outdoor amenity space, and potentially also its rear-facing windows, will be overlooked by the 2<sup>nd</sup> storey (and 3<sup>rd</sup> storey, if any) windows on the rear facades of at least 2 and possibly 3 of those units. The LUB contains no requirement for such rowhouse windows to be obscured, and as they are likely the only windows, and only potential locations for windows, those rear upper storey rooms can have, it is highly unlikely that the developer would agree to cause, or that either City Administration or the SDAB would require, those windows to be obscured, reconfigured, relocated or removed entirely.

As another example of the lack of side-by-side compatibility between RT Developments and SSD Developments, if a block face is redeveloped either entirely as SSD Developments or entirely as RT Developments, then their respective rear yards/outdoor amenity spaces will likely substantially line up with each other, allowing each such space to benefit from reasonable sunlight access, breezes and the visual and other benefits of next door's rear yard trees and landscaping. However, if a block face is redeveloped as a mix of SSD Developments and RT Developments, then the outdoor amenity spaces in the minimum 6.5m gap between the front and rear buildings of a townhouse-style RT Development will end up sandwiched between the rear portions of the adjacent SSD Developments' primary buildings, and an SSD Development's rear yard/outdoor amenity space will end up sandwiched between the rear buildings of the adjacent townhouse-style RT Developments. As a result, none of the rear yards/outdoor amenity spaces will have the benefits referred to above, but rather will each end up hemmed-in on 3 or all 4 sides by 2- or 3-storey walls.

Confirmation of this lack of side-by-side compatibility between RT Developments and SSD Developments can be found in the low-density residential areas of Calgary's new greenfield communities. Although these areas are zoned R-G, and therefore technically have the potential for block faces to be developed as a mix of RT Developments and

SSD Developments, the developers of these new master-planned communities, being smart business people and well acquainted with what new home buyers are looking for, typically eliminate that possibility (at least for the next 50 or so years) by contractually restricting what type of initial development can be built on a parcel on any given block face. Certain block faces will be designated by the developer for a type of RT Development and other block faces will be designated by the developer for a type of SSD Development. A prospective purchaser of a parcel on a block face that has been designated by the developer for, say, single detached homes will invariably find that, despite the parcel's R-G zoning, the home options available to be built on that parcel, and on each of the other parcels on that block face, are limited to a choice of maybe 4 different models offered by each of maybe 3 different builders, all 12 of which models will be single detached homes with essentially the same configuration. Similarly, a builder wishing to build a "spec" rowhouse development in the new community will be directed by the developer to one or more of the block faces that the developer has designated for such developments.

So buyers of new homes in these low-density residential areas of Calgary's new greenfield communities have the comfort of knowing that whatever ends up being built next door will be highly compatible with, and essentially the same as, their new home, at least for the next 50 or so years until those communities begin to redevelop. Established communities, however, do not have the benefit of developers that are able to contractually "master plan" redevelopment to ensure that it takes place in an orderly fashion. This is why I feel it is completely disingenuous for anyone to suggest that the lack of "screaming" from residents of these new greenfield communities should be taken as proof that RT Developments are fully compatible with SSD Developments, and therefore should be allowed anywhere in the low-density residential areas of Calgary's established communities.

Accordingly, unless some sort of controls are applied to help ensure that the redevelopment of the low density residential areas of Calgary's established communities takes place in a reasonably orderly fashion, I am concerned that the new city-wide R-CG zoning put in place by the Upzoning Amendment will cause a cloud of uncertainty to descend over those areas, putting them at a disadvantage relative to new greenfield communities that are not subject to such uncertainty. This would be counterproductive to the laudable objective of having more of the City's future population growth absorbed within these established communities, and less through suburban sprawl.

Fortunately, the need for and importance of such controls was recognized when Calgary's first district Local Area Plans, being the North Hill Communities LAP, the

Westbrook Communities LAP and the Heritage Communities LAP (collectively the "First District LAPs"), were being created by City Administration, in each case working in conjunction with a Working Group comprised of stakeholders from the district. To address the concern, they included such controls in those first District LAPs in the form of planning policies that apply to the Neighbourhood Local, Limited Scale areas in the district. In the Westbrook Communities LAP, being the First District LAP with which I am most familiar, these planning policies are located in Section 2.2.1.6 and include:

- 1) Paragraph b., which provides that "Building forms that contain one or two residential units [ie. SSD Developments, regardless of whether or not they have suites, as the term "residential unit" is defined to refer only to primary units] are supported in Neighbourhood Local, Limited Scale";
- 2) Paragraph c., which provides that "Building forms that contain three or more residential units [ie. RT Developments] should be supported on parcels with rear lanes in the following areas:
  - i. within transit station area Core Zones and Transition Zones;
  - ii. along a street identified as a Main Street or separated by a lane from a parcel along a Main Street;
  - iii. on corner parcels; or
  - iv. adjacent to or separated by a road or lane from a school, park or open space greater than 0.4 hectares; and
- 3) Paragraph d., which provides that "Building forms that contain three or more residential units in Neighbourhood Local, Limited Scale [ie. RT Developments] should be designed to complement the surrounding context and consider the impacts of massing, lot coverage and setbacks on the following:
  - i. access to sunlight and shade on adjacent parcels; and
  - ii. protection of existing, healthy trees or landscaping on the parcel, where appropriate".

As is evident from these planning policies, even though the creation and approval of the First District LAPs pre-dated City Council's approval the Upzoning Amendment, there was no question that they were drafted in a forward-looking manner that reflected an expectation that the Upzoning Amendment, or something along the lines of the Upzoning Amendment, would soon be approved. In essence, the subsequent approval of the Upzoning Amendment brought the zoning of the low-density residential areas of Calgary's established communities into alignment with the First

District LAPs' "Neighbourhood Local" Urban Form Category and "Limited" Scale Modifier, being the category/modifier assigned to the bulk of those areas.

Imagine my surprise, and considerable frustration, when I then attended last September's "Reconnect: Westbrook Communities Local Area Plan" session to:

- 1) find that City Administration was proposing to entirely remove the Neighbourhood Local, Limited Scale policies in Section 2.2.1.6 from the Westbrook Communities LAP, as well as the corresponding policies from the other First District LAPs (collectively the "NLLS Policies"); and
- 2) be told that they were required to remove the NLLS Policies as a result of Council direction arising from the Upzoning Amendment.

I then visited the City's "Rezoning for Housing" webpage to find the referenced Council direction requiring the NLLS Policies to be removed. However, the only potentially relevant Council directions I was able to find there were the following:

"3. Updating Local Area Plan Sequencing Direct Administration to sequence the completion of Local Area Plans in the developed areas of the city by:

- a. Identifying the areas with the most demand based on the number of applications; and
- b. Prioritizing these areas in the sequencing of future Local Area Plans."

...

"5. Re-engaging on Updates to Approved Local Area Plans Direct Administration to review all plans already completed as part of the current Local Area Planning program, and engage with affected communities, to determine whether any amendments to the Local Area Plans are warranted as a result of the proposed rezoning, and report back to Infrastructure and Planning Committee with an interim update no later than 2025 Q1."

Neither of the above Council directions in any way directed the removal of the NLLS Policies from the First District LAPs. Further, I see no reason why the removal of the NLLS Policies is warranted as a result of the rezoning of the City's previous R-C1 and R-C2 areas to the R-CG land use district, as:

- 1) the "Neighbourhood Local" urban form category and the "Limited" scale modifier found in the First District LAPs, as well as the NLLS Policies themselves, were all

drafted in anticipation of, and specifically designed to accommodate, the elimination of the old R-C1 and R-C2 land use districts;

- 2) the rezoning from R-C1 and R-C2 to the R-CG land use district simply brought the zoning of the low-density residential areas of Calgary's established communities into alignment with the First District LAPs' "Neighbourhood Local" urban form category and "Limited" scale modifier, being the category/modifier assigned to the bulk of those areas; and
- 3) the mere fact that the NLLS Policies indicate that RT Developments, being developments with 3 or more units, may not be appropriate on some parcels, even though the R-CG land use district that now applies to those parcels would otherwise allow such developments, in no way necessitates or justifies the removal of the NLLS Policies, as:
  - a) Council direction arising from the Upzoning Amendment was simply that RT Developments be allowed in all communities, and the NLLS Policies in no way preclude that as they merely give guidance as to where within a given community they should be supported;
  - b) it has always been necessary for any proposed discretionary use development on a parcel to comply with BOTH the requirements of the parcel's land use district (except to the extent that relaxations are granted) AND the requirements of any planning policies that apply to that parcel;
  - c) the First District LAPs and the City's various other local area plans contain numerous other examples of planning policies that impose limits on proposed developments that go beyond those imposed by the applicable land use district, including, for example:
    - i) Westbrook Communities LAP Section 2.2.1.1.b., which provides that in Neighbourhood Commercial and Neighbourhood Flex areas "Vehicle-oriented uses are discouraged: i. in areas of high pedestrian activity; ii. within transit station areas; or, iii. where the use interferes with access to cycling infrastructure", even though vehicle-oriented uses would otherwise be allowed on a parcel in those areas under the applicable land use district; and
    - ii) Westbrook Communities LAP Section 2.2.1.5.c., which provides that "Commercial uses in Neighbourhood Connector areas should be small format and designed to mitigate impacts on adjacent residential uses", even though

larger format commercial uses would otherwise be allowed on a parcel in those areas under the applicable land use district; and

- d) the WCLAP contains various other planning policies which are comparable to some of the NLLS Policies, yet are not proposed for removal and therefore are presumably considered appropriate, including, for example:
  - i) Westbrook Communities LAP Section 2.2.1.4.c., which provides that "Development in Neighbourhood Connector and Neighbourhood Local areas should: i. consider the local built form context; ii. be oriented towards the street; iii. consider shadowing impacts on neighbouring properties; and, iv. provide access to off-street parking and loading areas from the lane, where possible"; and
  - ii) Westbrook Communities LAP Section 2.2.1.5.d., which provides that "Non-residential development in Neighbourhood Connector should: i. provide a built form and scale that considers the surrounding residential context; and, ii. mitigate impacts, such as noise and vehicle circulation, on adjacent residential uses".

Accordingly, I strongly urge Council to:

- 1) reject City Administration's proposed removal of the NLLS Policies from the Westbrook Communities LAP and the other First District LAPs; and
- 2) direct City Administration to include similar NLLS Policies in all future district LAPs,

to help ensure that the low density residential areas of Calgary's established communities redevelop in a reasonably orderly fashion and remain attractive to prospective home buyers.

Thank you.

Doug Roberts  
Glendale

LEGAL ADDRESS:

LOTS 14  
BLOCK 24  
PLAN 2002 GS

CIVIC ADDRESS:

4512 19th Ave SW, Calgary, AB

LOT AREA: 768.9 SQ.M.

Coverage: Dwelling buildings : 339.17 SQ.M.

GARAGE : 96.23 SQ.M.

Bike storage: 10 SQ.M.

TOTAL : 445.4 SQ.M. (58%)

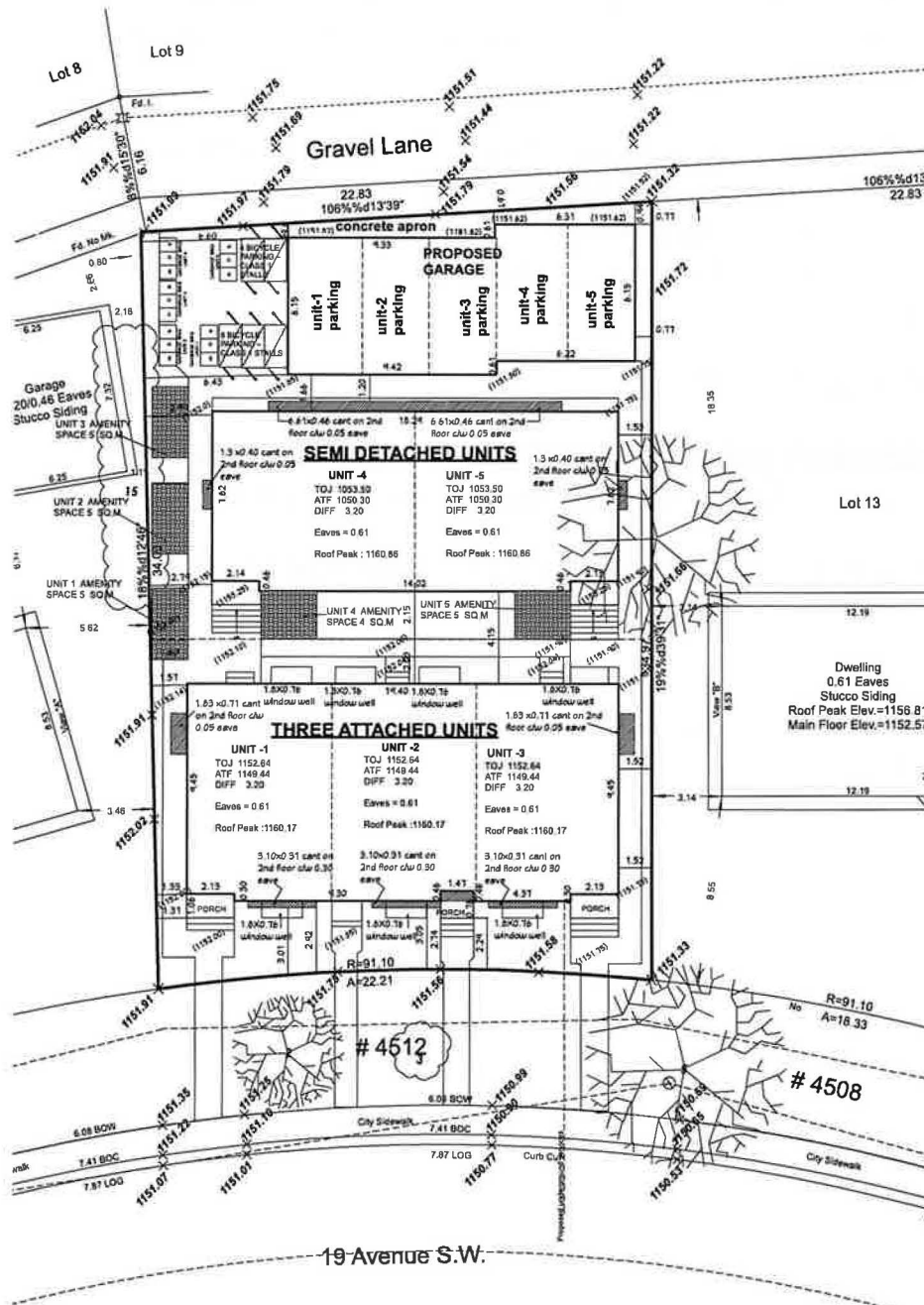
MAXIMUM DENSITY 75 UNIT PER HECTARE

0.076 X 75 = 5.7

TOTAL ALLOWED UNITS = 5

PROPOSED UNITS = 5

Tree No.	Tree Type	Trunk Dia.	Canopy Dia.	Height	
1	Bush	---	3.00	2.00	TO BE REMOVE
2	Deciduous	0.30	5.00	7.00	TO REMAIN
3	Bush	---	2.50	2.50	TO REMAIN
4	Coniferous	0.50	6.00	12.00	TO BE REMOVE
5	Deciduous	0.50	9.00	10.00	TO REMAIN
6	Coniferous	0.50	6.00	12.00	TO BE REMOVE
7	Coniferous	0.40	6.00	10.00	TO BE REMOVE
8	Deciduous	0.40	9.00	9.00	TO REMAIN
9	Deciduous	0.40	7.00	6.00	TO BE REMOVE
10	Deciduous	0.20	4.00	4.50	TO BE REMOVE
11	Deciduous	0.60	10.00	11.00	TO REMAIN
12	Coniferous	0.40	6.00	10.00	TO BE REMOVE
13	Deciduous	0.30	6.00	6.00	TO REMAIN
14	Bush	---	3.00	1.50	TO BE REMOVE
15	Bush	---	2.50	3.00	TO REMAIN



DRAWING SCALE  
1 : 200

DRAWN ON  
12/14/2024

PLOT PLAN

4512 19th Ave SW  
Calgary, AB

ARCHITECTURE INC.  
Tel: 587.418.5721

