

March 31, 2025

VIA EMAIL

The City of Calgary
800 Macleod Trl SE
Calgary, AB T2G 2M3

Attention: The Mayor and Council

Dear Sirs/Madams:

Re: Chinook Local Area Plan

I write further to the Chinook Local Area Plan (the "Chinook LAP") which is set to come before Council on April 8, 2025. While I will acknowledge there are parts of the Chinook LAP which make sense, I encourage you to either:

- (1) Reject to passing the Chinook LAP in its entirety;
- (2) Amend the proposed Chinook LAP as it pertains to "Neighbourhood Local"; or
- (3) Refer the Chinook LAP back to Administration, with direction, as to the required consultation in respect of Neighbourhood Local.

1. Background

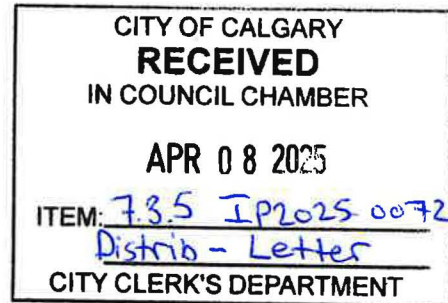
Until July 2024, I sat as the Director of Development, Elboya on the Elboya Britannia Community Association (the "EBCA") and sat as a community association member on the Chinook LAP Working Group. While I no longer sit on the EBCA, I continue to reside in Elboya, along with my husband and young son.

Before addressing my submissions in detail, after the lead up to the blanket upzoning hearing ("Blanket Upzoning") where we had significant community involvement and interest (meetings attended by >199 residents and a 25-person committee), I note that there may be a sense of apathy amongst my neighbours, not only from the close to two year process we have engaged in in respect of upzoning and the local area plan, but a sense of frustration that resident involvement in broad policy hearings may be pointless and that certain planning decisions are a fait accompli.

Accordingly, even if you do not see my neighbours before Council (who are similarly to me, working parents of young children), know that they remain concerned about redevelopment in our neighbourhood.

2. Blanket Upzoning versus the Chinook LAP

Through my time on the EBCA, I was intimately involved in our communities' response to the proposed Blanket Upzoning. Through that, I listened to many hours of presentations, and discussion from Council.

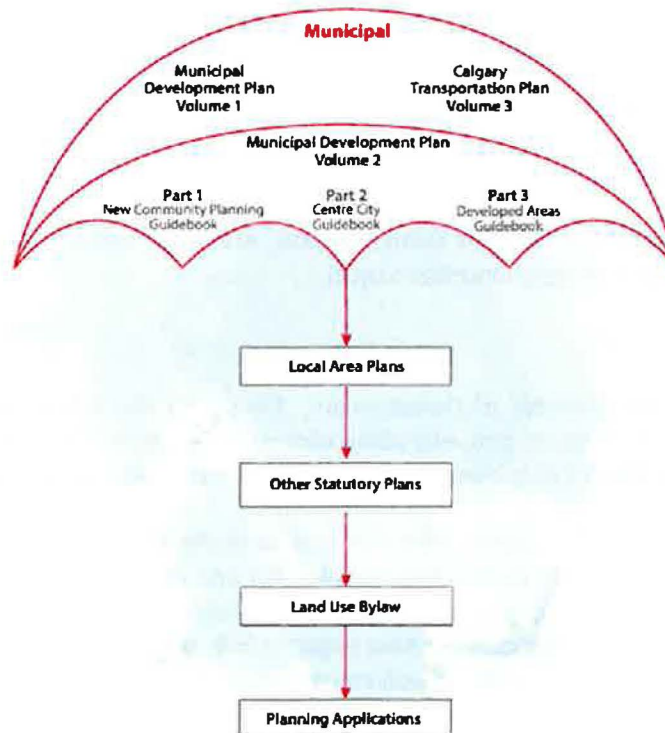


One matter that struck me was in respect of the discussion on issues associated with Blanket Upzoning, such as context (which is a valid planning consideration). There was much discussion throughout the hearing that these issues could be addressed at the development permit stage, through administration and appeals to the Calgary Subdivision and Development Appeal Board (the "SDAB").

This was thought to be a trade off: developers can avoid the application for a land use change, but context specific issues can be addressed during the development permit process. The local area plans were said to be the vehicle for this review. However, the Chinook LAP, as currently drafted, provides no guidance to Administration or the SDAB, except that townhouses and rowhouses are appropriate anywhere. This effectively diminishes any ability for Administration, community members and the Board to address whether a proposed development is appropriate for the site.

3. The Chinook LAP versus the LUB

It likely goes without saying that there is a planning hierarchy in Alberta. A visual representation of this planning hierarchy is below:



As you can see, the MDP is a higher level planning document than a local area plan (also known as an area redevelopment plan), which sits higher than the land use bylaw. Accordingly, within a land use bylaw, even a certain type of development is allowed, the higher level statutory plans will inform whether the development (discretionary) is appropriate for the site.

During the Chinook LAP working group process, we were told throughout that any consultation on Neighbourhood Local was deferred until after the conclusion of the Blanket Upzoning hearing. Upon its

conclusion, we were then told there would be no consultation with respect to Neighbourhood Local, as Council provided direction in respect of the local area plans when passing Blanket Upzoning.

With the greatest respect to Administration, the passing of Blanket Upzoning does not equate to a mandate to not consult in respect of Neighbourhood Local or that Council sought to have townhouses and rowhouses appropriate on all lots within Neighbourhood Local. In fact, the comments I note above show that Council wanted to ensure there was specific direction regarding context so that issues could be addressed during the development permit phase. One must only remember the emotionally evoking presentation of Ms. Popowich to see why it is important to have community context as a planning consideration, with direction to Administration and the SDAB regarding same.

Further, we recently saw a rejection by Council of a proposal to align the Heritage, Westbrook and North Hill LAPs with Blanket Upzoning, providing further confirmation that Council's direction is in fact to not have the Neighbourhood Local policy within LAPs in complete alignment with Blanket Upzoning.

Accordingly, the following addresses three proposed options for Council to consider on April 8, 2025:

4. Suggested Council Options

(a) Rejection of the Chinook LAP

From a starting point, Council could, of course, vote against the passing of the Chinook LAP, and I would encourage you to do so as currently drafted. The policy which I, along with my neighbours, care about the most is "Neighbourhood Local". As currently drafted, townhouses and rowhouses are supported on any lot, with minimal reference to community context (2.2.1.4, Neighbourhood Connector and Neighbourhood Local):

- c.** 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 parks: **and**,
 - iv.** provide access to off-street parking and loading areas from the lane.

I note the reference to "should" which is more permissive than "must", and may provide discretion to both Administration and the SDAB that there was not a clear mandate on the consideration of these matters. Further, with respect to policies within Neighbourhood Local, it is scant:

2.2.1.6 Neighbourhood Local

Neighbourhood Local areas are characterized by a range of housing types and home-based businesses. Neighbourhood Local areas have developed in a variety of ways with characteristics that shape how these areas change and grow, including when the community was built, existing heritage assets, established development pattern and access to parks, open space and other amenities. The public space may include features such as landscaped boulevards and public street trees.

Policy

Site, Building, and Landscape Design

- a. Multi-Residential development is only supported in the Neighbourhood Local, Limited Scale areas in a grade-oriented form.

Accordingly, as currently drafted, there are minimal policies within Neighbourhood Local that help guide re-development in our neighbourhoods, besides 'build anything [townhouses/rowhouses], anywhere'.

For these reasons, if there are no amendments to the Chinook LAP, the Chinook LAP should be rejected outright.

(b) Proposed Amendments to the Chinook LAP

In the alternative, Council could propose amendments to the Chinook LAP.

The Heritage, Westbrook and North Hill LAPs were recently before Council for amendment to essentially mirror them to the draft Chinook LAP. This was rejected, with Council voting to retain the currently approved version. Accordingly, at minimum, the Chinook LAP should be informed by the policies within these in-force LAPs:

Policy

- a. Secondary suites are supported where already allowed by the existing land use designation and are not considered a unit in the following policies.
- b. Building forms that contain one or two residential units are supported in the Neighbourhood Local, Limited Scale area.
- c. Building forms that contain three or more residential units should be supported on parcels with rear lanes in any one or more of the following areas:
 - i. Within Transition Zones in transit station areas;
 - ii. On corner parcels; and,
 - iii. Adjacent to or separated by a road or lane from a school, park or open space greater than 0.5 hectare in size with no dimension less than 25 metres.
- d. Building forms that contain three or more residential units in Neighbourhood Local, Limited Scale 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.

The above example is taken from the policies on Neighbourhood Local within the Heritage LAP. The shocking lack of policy guidance within the Chinook LAP is obvious when you compare to the Heritage

LAP. Accordingly, I suggest that within the Chinook LAP, you delete policy 2.2.1.6(a), and replace it with policies (a) through (d) from the Heritage LAP, with the following amendments:

- c. Building forms that contain three or more residential units in Neighbourhood Local, Limited Scale **must be** designed to complement the surrounding context....

In my view, including the Heritage LAP language (as modified above), still addresses the City's densification and redevelopment goals by supporting duplexes throughout our policy area, and will allow higher density rowhouses and townhouses where the context allows it.

(c) Refer Back to Administration

In the further alternative, you could refer the Chinook LAP back to Administration so that they can properly consult on the Neighbourhood Local area, with direction from Council that the Chinook LAP does not need to mirror Blanket Upzoning. This will ensure consistency with the requirement within the MDP that consultation of communities occur.

5. Conclusion

In my view, there are three options before Council: (1) reject the Chinook LAP outright; (2) amend the Chinook LAP to provide more guidance to Administration and the Board regarding appropriateness of development; or (3) refer the Chinook LAP back to Administration. In my view, option (2) is likely the most appropriate.

I would be pleased to discuss this issue further, and answer any questions you may have during the Public Hearing on April 8, 2025.

Yours sincerely,



Samantha E. Stokes
SS/ss