



FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

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Please note that your name and comments will be made publicly available in the Council or Council Committee agenda and minutes. Your e-mail address will not be included in the public record.

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] Evgeny

Last name [required] Zhuromsky

How do you wish to attend?

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] May 6, 2025

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

[required] - max 75 characters Public Hearing on Planning Matters, Proposed Bylaw 44P2025, Item (g)

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



Public Submission

CC 968 (R2024-05)

ATTACHMENT_01_FILENAME

Public Hearing on Planning Matters Submission EZ Apr292025.pdf

ATTACHMENT_02_FILENAME

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

Please see the attached pdf file.

**COMMENTS FOR PUBLIC HEARING ON PLANNING MATTERS – MAY 6, 2025
PROPOSED BYLAW 44P2025, ITEM (G)**

I wish to comment on the proposed bylaw 44P2025, Item (g). I express the strongest opposition to this LUB bylaw Section 39 amendment.

- (g) Amend subsection 39(1)(b)(ii) by adding "filed within the appeal period," after "in the case of an appeal to the **Appeal Body**," and deleting "or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the **Appeal Body**."

Please do not remove the wording about not releasing the Development Permit during a pending appeal at the **Alberta Cour of Appeal**.

This is an essential protection requirement for affected homeowners. The development permit should not be released until the appeal has been fully dealt with the Appeal Body (SDAB) **and** the Alberta Court of Appeal!

The City has not provided a single justification why this is proposed to be removed. This has nothing to do with "textual clarity", the LUB Section 39 language is clear and sufficient.

Stop changing the bylaws that favor for profit property developers and disadvantage and expose affected homeowners. This is unacceptable. Do not vote to pass this amendment!

Regards,

Evgeny Zhuromsky
Ward 11, Windsor Park resident

No justification is provided for the amendment to remove the wording about the Alberta Court of Appeal pending appeal.

7. Textual clarity for notification of decision for development permits

Issue:

The Bylaw does not state that the required advertising for a permitted use development permit that does not meet the rules of the Bylaw can be done online.

The Bylaw references a 21 day "appeal period" however the Municipal Government Act regulates the "appeal period" and is subject to change by the Province. Changes by the Province would require subsequent Bylaw amendments.

Proposed Solution:

Amend the Bylaw to allow permitted use development permits that do not meet the rules of the Bylaw to be advertised online, and remove the reference to the 21 day appeal period.

Land Use Bylaw sections or districts impacted by the amendment:

Part 2, Division 4, section 34, and Part 2, Division 5, section 39

Current LUB Section 30 text

Notification of Decision for Discretionary Use Application

- 39 (1)** After approving a **development permit** application for a **discretionary use**, the **Development Authority** must:
- (a) publish a notice online for the public stating the location and **use** of the **parcel** for which the application has been approved; and
 - (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
 - (i) before the 21 day appeal period referred to in the *Municipal Government Act* has expired; or
 - (ii) in the case of an appeal to the **Appeal Body**, until such time as the appeal has been fully dealt with by the **Appeal Body**, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the **Appeal Body**, or the appeal has been withdrawn or abandoned.

27P2021

83P2018,
46P2019

16P2018

Proposed amendment

- 39 (1)** After approving a **development permit** application for a **discretionary use**, the **Development Authority** must:
- (a) publish a notice online for the public stating the location and **use** of the **parcel** for which the application has been approved; and
 - (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
 - (i) before the ~~21 day~~ appeal period referred to in the **Municipal Government Act** has expired; or
 - (ii) in the case of an appeal to the **Appeal Body**, ~~filed within the appeal period, until such time as the appeal has been fully dealt with by the **Appeal Body**, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the **Appeal Body**,~~ or the appeal has been withdrawn or abandoned.