

Planning & Development Services Report to
Public Hearing Meeting of Council
2025 September 09

ISC: UNRESTRICTED
C2025-0704

Land Use Bylaw Amendments – Appeal Period and Notification of Decisions

PURPOSE

This report proposes amendments to Land Use Bylaw 1P2007 (the Bylaw) to ensure alignment with the required appeal period in the Municipal Government Act and clarify the advertising process for notification of decisions on development permits.

PREVIOUS COUNCIL DIRECTION

On 2025 June 24, Council adopted Notice of Motion EC2025-0649, after amendment, which directed Administration to bring forward Land Use Bylaw amendments to:

1. Remove the redundant reference to the number of days (21) in the development permit appeal period since the number of days for an appeal is referenced in the Municipal Government Act; and
2. Clarify the existing practice of advertising permitted use with relaxation development permits online.

Additional background information is included in Attachment 1.

RECOMMENDATION(S):

That Council give three readings to **Proposed Bylaw 58P2025**, amendments to the Land Use Bylaw 1P2007 (Attachment 2).

GENERAL MANAGER COMMENTS

General Manager Debra Hamilton concurs with this report. The proposed recommendations address feedback and support efficiencies in the approvals process for Calgarians.

HIGHLIGHTS

- Proposes to remove redundant language to ensure the Land Use Bylaw continually aligns with the appeal period outlined in the Municipal Government Act.
- Update the notification of decision section for permitted use development permits to clarify current business practice of advertising decisions online.
- The proposed amendments were informed by monitoring feedback from development applications and engaging with City staff.

DISCUSSION

Land Use Bylaw 1P2007 is periodically amended to address recurring issues and support its continued functionality. The following proposed amendments are an opportunity to improve planning application reviews. A redline version of the proposed amendments is provided in Attachment 3.

Reference to 21 Day Appeal Period

Appeals in respect of decisions on development permits are governed by the Municipal Government Act (the Act). The Act defines in detail the period in which a notice of appeal to an

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appeal body can be filed after a decision has been made on a development permit. This appeal period is presently 21 days, and the Act defines when this period begins and ends.

The proposed amendments remove the reference to “21 day” in the Land Use Bylaw to ensure there is no conflict between the Bylaw and the Act and adds “to the appeal body” to clarify which appeal period is being referenced in the Act.

This amendment adds clarity that The City does not determine the appeal period and removes the need to amend the Bylaw in the future to align with any changes to the Act in respect to the appeal period are made by the Province. This amendment does not change the ability to appeal, the process to file an appeal, or the current number of days of the appeal period.

Notification of Decision

In 2018, Land Use Bylaw 1P2007 was amended to stop printing development permit decision notifications in the newspaper and instead use more cost effective and efficient alternative ways of notification. In 2019, the Bylaw was amended to require these notices be published online, however, at the time, the amendment only captured discretionary use development permits and not permitted use permits. This report clarifies that development permits for a permitted use with relaxation can also to be published online in alignment with the process for discretionary use permits. Development permit decision notices are found online at www.calgary.ca/publicnotices and developmentmap.calgary.ca.

Implementation

If approved, an effective date of 2025 October 9 is recommended to allow for public and applicant communication, staff training, and changes to application intake software and business processes.

EXTERNAL ENGAGEMENT AND COMMUNICATION

- | | |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken | <input type="checkbox"/> Dialogue with interested parties was undertaken |
| <input type="checkbox"/> Public/interested parties were informed | <input checked="" type="checkbox"/> Public communication or engagement was not required |

Previous engagement with the public, building and development industry, and internal departments was completed as part of IP2025-0251 (background in Attachment 1) and is outlined below. No further engagement was undertaken to support this Notice of Motion.

Communication Overview – External Interested Parties

Administration worked with key external parties including the Federation of Calgary Communities, Building Industry and Land Development Association (BILD) – Calgary Region and the Calgary Inner City Builders Association to keep them informed, answer questions and help them understand the proposed changes and how they may affect their members. Two information sessions were held in Q1 2025, and a third was hosted by the Federation of Calgary Communities and The City prior to the 2025 May 6 public hearing for interested Community Association members.

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Communication Overview – Public

The Land Use Bylaw webpage was updated on 2025 February 28 to include a summary of the proposed amendments, frequently asked questions, and the project timeline.

Calgary Planning Commission (CPC) Closed Session

A closed session workshop with Calgary Planning Commission was held on 2025 February 27. The workshop focused on providing a technical review of the proposed amendments. There was general support for the proposed amendments and the feedback provided was used to finalize the proposed amendments.

IMPLICATIONS

Social

Clarifying the current business practice of online notifications creates consistency in the Bylaw. Online notifications are more accessible and reach a wide variety of Calgarians which will support a more equitable, diverse, inclusive and accessible planning process.

Environmental

These amendments ensure online notification business practice can continue maintaining The City's efforts to reduce paper waste.

Economic

Online notifications continue to promote fiscal responsibility by reducing newspaper advertising expenses and streamlining the advertising process.

Service and Financial Implications

No anticipated financial impact

These amendments save operating costs as Administration will not have to bring future amendments to the Bylaw to reflect future changes to the Act.

RISK

Not removing the reference to "21 day" risks the having the Bylaw conflict with the Municipal Government Act if changes were made to the required appeal period. This would create confusion for the public on when an appeal could be filed. The risk of not updating the permitted use with relaxation notification section is that the Bylaw will continue to not align with current business practice and be misleading on where to find notification of decisions.

ATTACHMENT(S)

1. Background and Previous Council Direction
2. Proposed Bylaw 58P2025
3. Proposed Amendments to Land Use Bylaw 1P2007 Redline Copy
4. Presentation

Department Circulation

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General Manager/Director	Department	Approve/Consult/Inform
Debra Hamilton	Planning and Development Services	Approve
Kathy Davies Murphy	City and Regional Planning	Approve
Teresa Goldstein	Community Planning	Inform

Author: Dane Morris, City and Regional Planning