

Phase 2 Background

Infill development in existing communities is different than new development in the new communities, in the sense that existing context plays a significant role in defining the character of a community. Knowing the goals of the Calgary Municipal Development Plan, including the accommodation of a significant portion of the future population within developed communities, Administration is cognizant to not discourage redevelopment with overly prescriptive rules that make development more difficult or less attractive, while still ensuring that the elements that make these communities so desirable are not lost with redevelopment. Balancing community desires with market demands are often the competing forces behind desires for rule changes. The topics that require attention, identified by Council, are:

1. Eave and peak height differentiation;
2. Massing;
3. Front porches;
4. Subterranean structures extending beyond above-grade footprints;
5. Hardscape coverage;
6. Green landscaping;
7. Tree retention in the Demolition Permit, Development Permit, and Building Permit stages;
8. Drainage;
9. Non-conforming/non-standard lots;
10. Materials;
11. Vehicle loading and storage; and
12. Setbacks.

Why can these topics not be solved with Bylaw amendments?

Discussions with stakeholders over the past seven months have indicated that the underlying issue with infill development isn't about the specific number related to a rule, but rather about the bigger issue of how infill development compliments the evolving character of a developed community. The reasons for which are as follows:

1. 10 years of amendments have not resolved issues

Since Land Use Bylaw 1P2007 was adopted by Council on 2008 June 1, Administration has reported back to Council several times with individual amendments to the rules for infill development. These include but are not limited to the rules regarding height measurements, parcel width, façade articulation, porches and balconies, permitting process changes, landscaping, and the inclusion of a new infill district. Despite these changes and previous attempts to address concerns, these topics continue to reoccur as a source of contention for one or more stakeholders.

2. The fundamental structure of the Bylaw does not always support policy

The Developed Areas Guidebook (the Guidebook) sets out the planning approach and community framework for Developed Areas. The current structure of the Bylaw does not reflect the building blocks of the Guidebook, making implementation and achievement of our outcomes difficult. Making more individual amendments to the existing Bylaw perpetuates a piecemeal approach.

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3. Topics are interrelated

All of the topics listed in this report are interrelated to one another in a way that makes individual amendments difficult as amendments for one topic may impact other topics in an unanticipated way. For example, height, massing and setbacks often have implications on one another when determining the desired presence of an individual development along a block or how an individual development could impact neighbouring properties. Depending on what the desired presence is and considering the interrelationships of these topics may result in different amendments comparative to taking the approach of reviewing these topics individually. To determine these amendments, Administration would have to engage stakeholders on what the development presence should be and how the interaction of development should occur, rather than engaging on the specific number for how tall a building should be or what percentage of a parcel it should cover.

Hardscaping, green landscaping, and tree retention also work together to determine what is appropriate design and coverage for front yards, side yards and backyards. These topics need to be balanced with individual homeowner preferences and the ability for a homeowner to customize their outdoor amenity space. These topics could also impact setbacks and massing since requirements for landscaping could impact how big/wide a development can be. These rules could impact the development of front porches and the ability to accommodate parking. Further rules to restrict subterranean development could affect landscaping and tree retention, but further restrictions on height and massing above grade may mean that development below grade should be considered differently.

4. Topics may not be appropriately addressed by Bylaw changes

Community character is an example of something that is too subjective to be regulated through a Bylaw rule. Topics like materials, sensitive design features, sound urban design principles, and colour choices are not something that rules can fix without being unduly restrictive. Bylaw rules do not take into context the individual character of a street or community. This information is better suited for an urban design guideline or contained within a Local Area Plan.