

Re: Item 7.3.1 - July 21, 2026 Public Hearing – Repeal of Blanket Rezoning Exemptions

Dear Mayor Farkas and Members of Council,

My name is Jo Anne Atkins and I representing the Varsity Community Association. We support the assessment of Guy Buchanan and others who do not believe that only approved development permit applications for rowhouses should retain R-CG zoning.

There are properties in Varsity identified as exempt from reverting to their previous zoning that do not meet the exemption criteria. The details are addressed in our letter submitted the morning of July 21.

Further, R-C2 should be added as a land use district for applications for semi-detached dwellings to prevent applicants from switching to a permitted rowhouse development permit after August 4, 2026. A change from semi-detached to rowhouse should require a public hearing to rezone from R-C2 to R-CG.

It is critically important these issues be remedied as there will be a significant impact on affected neighbours.

It is essential that properties that do not meet the exemption criteria revert to their previous zoning. The reason for this is that rowhouses under R-CG after August 4, 2026 will be a permitted use instead of a discretionary use. This is a huge issue.

Permitted uses preclude any input from affected residents. They don't allow for discretion on the part of file managers as they must be approved if they meet the rules regardless of the context. Neighbours and CA's are not notified of applications. Rowhouses are not like garages; they can have a profound impact on nearby homes and communities.

Permitted uses cannot be appealed to the Subdivision and Development Appeal Board. With a permitted use there is no incentive for the developer to work with the neighbours and community association to implement mitigation measures. This was the reason many councillors argued strongly during the blanket rezoning public hearing that rowhouses should be a discretionary use if blanket rezoning was approved.

The key here is that a rowhouse DP application after August 4 will no longer be a discretionary use. The appeal process is eliminated and affected residents lose the ability to have any input into the zoning or development permit.

By repealing blanket rezoning Council acknowledged that citizens should have the ability to argue the merits of R-CG zoning before Council. If properties keep R-CG zoning as the result of an error, this would be a serious injustice.

We had expressed concern in our March 16, 2026 submission about the vague wording of the exemption criteria in the letter mailed to Calgarians. When I raised this issue with a representative from the City I was advised that the intention was that only development permit applications for rowhouses or townhouses under R-CG submitted prior to first reading would result in a property retaining the R-CG zoning.

With respect to applications for semi-detached dwellings, the Implement Plan states:

“Semi-detached Dwelling is a listed use in a limited number of Land Use Bylaw 1P2007 districts. Parcels with active applications for, or approvals of, a semi-detached dwelling will be exempt from redesignation where semi-detached dwelling is not a use.”

It makes sense that if a parcel was R-C1 previously, it would not return to that zoning but it doesn't make sense it would stay R-CG. The appropriate zoning is R-C2 and this is easy to accommodate on the land use maps.

By allowing these parcels to retain R-CG zoning, it enables a developer to cancel an application for a semi-detached dwelling and submit a new application for a rowhouse. Since rowhouses will be permitted uses after August 4, this circumvents the public hearing process for a rezoning in order to achieve R-CG zoning to allow a rowhouse and eliminates the possibility of an appeal to SDAB. There is a substantial difference between a semi-detached dwelling and a rowhouse.

This amendment should be possible without re-advertising as it is a lesser and “included” land use district within the R-CG which was advertised. It is merely a technical map correction which is something Council is permitted to do at the conclusion of the public hearing. If Council decides the bylaw cannot be amended without re-advertising, these parcels should be included in a future bylaw as R-C2.

Development permit applications for other uses such as backyard suites or home occupations should not result in a parcel retaining R-CG zoning. They are permits that are unrelated to the repeal of blanket rezoning. All parcels with development permit applications for anything other than a rowhouse or townhouse or cottage cluster should revert back to their original zoning.

I want to specifically address parcel #5 in my submission at 132 Varsity Estates Place. This is a very controversial development proposal that really needs to be reviewed by Council at a public hearing. The evidence is very strong that this site is not appropriate for a rowhouse. It does not meet Council's exemption criteria and should be added to Bylaw 28P2026 to revert back to R-C1.

If this parcel is allowed to keep R-CG zoning the result would be devastating to these neighbours as it would allow a future permitted use application for a rowhouse without a hearing or appeal.

Retaining R-CG zoning would allow the developer to exploit an error at the expense of the affected neighbours and circumvent a fair process that ensures public input.

The current development permit application on this site is linked to an LOC application will be automatically cancelled if the land use redesignation fails.

There is no application for a rowhouse under R-CG on this parcel. The developer has confirmed that the proposed rowhouse cannot be built under R-CG rules and the file manager has confirmed that the development permit is linked to the land use redesignation. He stated in May 2026:

As per my email correspondence to you on July 10, 2025, "An applicant can submit a development permit application at any point after a land use amendment has been submitted. In the case of 132 Varsity Estates Place NW, the DP2025-05349 is 'linked' to LOC2025-0141 and will be reviewed against H-GO district rules. Please note, this is done at the applicant's own risk because there is no guarantee that the LOC2025-0141 will be approved. But it is the applicant's prerogative to do so."

If the redesignation is turned down, this would require a new development permit under R-CG which would be after the April 8 deadline.

The same is true for 4607 Valiant Drive NW for which the H-GO rezoning application was turned down by the previous Council (which is saying something) and where the development permit application for a rowhouse has been cancelled.

For both of these parcels, it is essential they be added to Bylaw 28P2026 in order to revert to their previous zonings.

In conclusion we **are requesting changes to the land use districts identified for:**

4619 Virginia Drive NW - Revert to R-C2 to reflect DP application for semi-detached
5019 Vienna Drive NW - Revert to R-C2 to reflect DP application for semi-detached
4607 Valiant Drive NW – Revert back to R-C2 (does not meet exemption criteria)
132 Varsity Estates Place NW – Revert back to R-C1 (does not meet exemption criteria)

Recommendations:

- 1. Due to the lack of public consultation, the confusion caused by the City's mail-out, and the errors that have been discovered in the maps in the bylaws, we would recommend voting on Bylaw 27P2026 be tabled until the fall for further review.**
- 2. Only parcels with approved and released development permits prior to August 4, 2026 should have the R-CG land use designation grandfathered. All other parcels should revert to their zoning prior to blanket rezoning on August 4, 2024.**
- 3. If Recommendation #2 does not pass, only parcels with development permit applications for rowhouses, townhouses, and cottage clusters submitted prior to April 8, 2026 should retain R-CG zoning after August 4, 2026. Should a development permit not be released, the parcel should then revert to its previous zoning.**
- 4. Parcels with development permit applications for any other land use should revert back to their previous zoning, except for semi-detached or duplex dwellings which should revert to R-C2 zoning if the previous land use district was R-C1 (or equivalent land use district allowing one dwelling unit).**
- 5. If a development permit is abandoned, cancelled, or overturned at SDAB, the parcel should revert to its zoning prior to August 4, 2024. There should be no deadline for this to occur.**