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MISCELLANEOUS – SPORTS RAMPS ON PRIVATE RESIDENTIAL PROPERTIES CITY WIDE

EXECUTIVE SUMMARY

On 2015 June 29, Council directed Administration to engage with Calgarians regarding changes to regulations that would enable sports ramps on private property.

Engagement on sports ramps started with Council's 2015 June 29 Notice of Motion and continued with Community Association and Federation of Calgary Communities consultation on potential bylaw wording and a guide for parents and children. The proposed Land Use Bylaw amendments incorporate comments received from engagement and consultation in order to respond to Council's 2016 June 20 direction.

The proposed amendments create new rules for skateboard and sports ramps in the back yards of low and multi-residential private properties. The proposed rules for size and location will mitigate potential visual impacts. A development permit exemption is also proposed for sports ramps that meet the rules at a back yard scale. The impacts of noise are addressed by the Community Standards Bylaw, which recently added sports ramps to the list of activities and devices prohibited after 10 p.m.

APPENDIX I highlights Council's endorsed regulatory solutions with a summary of the proposed amending bylaw. The proposed Land Use Bylaw amendments are in APPENDIX II. A Draft Guide to Skateboard and Sports Ramps is in APPENDIX III. Three letters of support are in APPENDIX IV.

PREVIOUS COUNCIL DIRECTION

On 2016 July 04, Council gave third reading to amended noise provisions of Community Standards Bylaw 5M2004 (CPS2016-0229). The amendments respond to representative survey results indicating that citizens are comfortable with residential sports ramps, assuming noise would be restricted at night. The impacts of sport ramp noise were addressed by adding sports ramps to the list of activities and devices prohibited at night. Therefore, sports ramps may be used from 7 a.m. to 10 p.m. weekdays and 9 a.m. to 10 p.m. weekends. They must also comply with sound limits for day-time and night-time.

On 2016 June 20, Council considered the findings of sports ramp engagement over the past year, and directed Administration to prepare amendments to Land Use Bylaw 1P2007 that implement the proposed regulation solutions as set out in Attachment 2 to CPS2016-0229 (see APPENDIX I, for Council's direction), and return to Calgary Planning Commission no later than 2016 Q3. This report responds to Council's direction for Land Use Bylaw amendments.

On 2015 June 29, Council approved Councillor Woolley's Notice of Motion 2015-14, directing Administration to engage with Calgarians on:

- i. Confirmation that proposed maximum dimension of 1.5 metres high by 5 metres wide by 6 metres long allowed for sports ramps on private property is appropriate;
- ii. Confirmation that sports ramps within the allowable size should be exempt from the requirements of a Development Permit; and

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iii. Confirmation that proposed new amendments to the Community Standards Bylaw, as part of its comprehensive review, will address excessive noise related to sports ramp activities.

Based on the engagement, propose amendments to:

- i. The Land Use Bylaw, including but not limited to, sections 344 (7) and 564 (7); and
- ii. The Community Standards Bylaw, in order to address excessive and intermittent noise related to sports ramp activities.

ADMINISTRATION RECOMMENDATIONS

2016 September 22

That Calgary Planning Commission recommends **APPROVAL** of the proposed amendments to the Land Use Bylaw 1P2007.

REASON(S) FOR RECOMMENDATION:

Administration developed the Land Use Bylaw amendments following engagement that included a representative citizen survey, open houses, and meetings with sports user groups. Feedback indicates support for sports ramps on private residential properties with appropriate regulation. Letters of support are attached in APPENDIX IV.

The proposed Land Use Bylaw amendments respond to Council's direction in APPENDIX I and establish that a consistent standard across properties must be met in order to qualify for a development permit exemption. The proposed amendments will enable home based physical activity and entertainment for children and youth while minimizing impacts on neighbouring properties. The proposed maximum envelope size and minimum distance from the side and rear property lines address concerns about placement on the lot and visual impacts.

Noise-related concerns are addressed and mitigated through the existing Community Standards Bylaw provisions. The recent amendment approved in 2016 July, added sports ramps to the list of activities and devices prohibited after 10 p.m.

Council approved the Skateboard Amenities Strategy in 2011 to provide access to recreational amenities at the community level. The proposed Land Use Bylaw amendments align with this strategy to complement the city-wide development of skateparks at the community level by facilitating smaller scale back yard ramp sport participation and responding to parent concerns by making an 'at home' environment possible.

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ADMINISTRATIONS RECOMMENDATIONS TO CALGARY PLANNING COMMISSION:

Recommend that Council **ADOPT**, by bylaw, the proposed amendments to Land Use Bylaw 1P2007 (APPENDIX II).

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DISCRIPTION OF AMENDMENTS

BACKGROUND

In June 2015, Council directed Administration to engage with Calgarians on sports ramps. Over the last year, a comprehensive engagement process was conducted, including a representative telephone survey, online survey, open houses and other stakeholder consultation. Communication with internal and external stakeholders, including Community Associations focused on:

- whether a proposed maximum size of 1.5 metres high by 5 metres wide by 6 metres long is appropriate;
- a Development Permit exemption for sports ramps within the allowable size; and
- confirmation that proposed amendments to the Community Standards Bylaw, as part of its comprehensive review, will address excessive noise related to sport ramp activities.

A sports ramps online survey and open houses were promoted to the public from 2015 October 19 to 2015 November 18. Feedback received indicated the proposed maximum size envelope was appropriate and is at a scale that will not visually impact neighbours. The representative telephone survey results indicated that most citizens are comfortable with sports ramps on residential properties, if regulated.

Based on engagement results, regulation amendments were proposed for the Land Use Bylaw and Community Standards Bylaw. In June 2016, the Standing Policy Committee on Community and Protective Services considered Community Standards Bylaw amendments and a framework for Land Use Bylaw amendments. Council approved amendments to the noise provisions of the Community Standards Bylaw and directed Administration to prepare Land Use Bylaw amendments to implement the proposed regulations (See APPENDIX I). This report responds to this direction.

PROPOSED LAND USE BYLAW AMENDMENT

The amendments shown in APPENDIX II change the current definition of skateboard ramp to add an inclusive reference to scooters, clarify that ramps are above grade and that they do not include at-grade surfaces such as soil, grass, wood or concrete.

Two new sections are added to the general rules for low density residential and multi-residential districts. All skateboard and sports ramps must be located in the back yard, a minimum of 1.2 metres from side and rear property lines. Sports ramps must not be attached to a deck, fence or building such as a shed, house or garage. These general rule sections also include a maximum envelope dimension of 1.5 metres high by 5.0 metres wide by 6.0 metres long. The envelope dimension was previously endorsed through city-wide engagement and will be lower than a typical 2.0 metre high fence. More than one structure may be contained within the maximum envelope dimensions. Safety railings, if desired, may extend beyond the maximum envelope provided they are not used as skateable or bikeable surfaces. There is a minimum

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1.2 metre 'good neighbour' separation from side and rear property lines for all skateboard and sports ramp structures and any safety railings. Development permits are not required if back yard skateboard and sports ramps meet the rules.

In the low density residential districts, skateboard and sports ramp structures are not included in parcel coverage. Most are anticipated to be mobile and temporary in nature. In the multi-residential districts, skateboard and sports ramp structures may be included in the calculation of landscaped area, hard or soft surfaced area or common amenity space. This means that a development could treat sports ramps as a feature similar to a hot tub or pool.

In the Flood Fringe or Overland Flow areas, sports ramps do not need to meet building design requirements for flood hazard areas. This is the same treatment as fences, gates and decks in these areas.

If a relaxation from the proposed rules is proposed, the Development Authority must consider the tests for relaxations to determine if the variation would unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment of value of neighbouring properties. The development permit process is required for relaxations. There is an opportunity for affected neighbours to appeal to the Subdivision and Development Appeal Board.

LAND USE BYLAW CONSULTATION AND GUIDE

Consultation for the proposed amendments focused on technical wording and input from Community Association representatives. Internal and external stakeholders were also consulted. In response to feedback, Administration amended the proposed bylaw for clarity and inclusion of other wheeled sports.

To help parents and children understand the Land Use Bylaw rules, maintain good relations with neighbours and provide links to noise reduction tips, A Guide to Skateboard and Sports Ramps (APPENDIX III) was prepared.

Letters of support are contained in APPENDIX IV.

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<u>APPENDIX I</u>

COUNCIL'S DIRECTION AND RESPONSE WITH REFERENCES TO PROPOSED AMENDING BYLAW (APPENDIX II)

LAND USE BYLAW CHANGES IN RESPONSE	References to Proposed Amending Bylaw (Appendix II) (letters correspond to sections in Amending Bylaw)	 (b) Skateboard and sports ramps in the Low and Multi-Residential Districts do not require a development permit if they meet the rules of the bylaw. (e) and (h) New sections added to the general rules for Low Density Residential Districts and Multi-Residential Districts. Subsection (1) requires all sports ramp structures within a 1.5 m high x 5 m wide x 6 m long envelope. Subsection (2) clarifies that more than one structure may be contained within the maximum envelope. Subsection (4) excludes safety railings from the maximum envelope size. Subsection (7) clarifies that height is measured from grade. 	(e) and (h) New sections added to the general rules for Low Density Residential Districts and Multi-Residential Districts. Subsections (8) and (9) create a 1.2 metre no build area next to side and rear property lines.	(e) and (h) Subsection (6) locates sports ramp structures between the rear of the main residential building and the rear property line.	No amendments proposed. If a sports ramp does not comply with all of the applicable requirements and rules of the Bylaw, the Development Authority must evaluate if the proposed development would unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring (section 31). When evaluating the impacts of granting a relaxation, the Development Authority may require the applicant to conform to a higher standard than required by the bylaw in order to off-set any impacts (section 33).
COUNCIL'S DIRECTION	CPS2016-0229 Proposed Regulation Solutions – Attachment 2	No Development Permit required for sports ramps if they meet the rules for size envelope (1.5 m high x 5 m wide x 6 m long) and location. Safety railings are allowed.	 Setbacks required from side and rear property lines to reduce potential overlooking and safety issues related to falling from ramp structures. Structures must not be within 1.2 metres of a rear property line, or minimum building setbacks from the side property 	3. Structures must be located in rear yard.	Discretionary relaxations are required for any variation from the rules. Standard advertisement requirements apply for any relaxations. Development Permits are processed and reviewed on a case-by-case basis and are circulated to Ward Councillor and Community Association, if requested.

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APPENDIX II

PROPOSED AMENDMENTS TO LAND USE BYLAW 1P2007

- 1. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:
 - (a) Delete and replace the text in Section 13(130) with:
 - "(130) "skateboard and sports ramp" means structure(s) that provide a surface upon which an individual may use or operate a skateboard, bicycle, scooter, roller skates or other similar devices. Skateboard and sports ramp structures may include re-purposed furniture or other skateable or bikeable above grade surfaces, but does not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete."
 - (b) Add a new subsection to section 25 as follows:
 - "(e.1) the construction of skateboard and sports ramps located in the Districts contained within Part 5: Low Density Residential Districts, or Part 6: Multi-Residential Districts:"
 - (c) Delete and replace the text in Section 60(2) with:
 - "(2) The rules regarding *building* design referenced in subsection (1) do not apply to:
 - (a) an addition that does not increase the *gross floor area* of the *building* by more than 10.0 per cent of the *gross floor area* legally existing as of June 09, 2014; and
 - (b) a fence, gate, deck, landing, patio, skateboard and sports ramp, air conditioning unit, satellite dish, hot tub, above ground private swimming pool, and an Accessory Residential Building."
 - (d) Delete and replace the text in Section 61(2) with:
 - "(2) The rules regarding *building* design referenced in subsection (1) do not apply to:
 - (a) an addition that does not increase the *gross floor area* of the *building* by more than 10.0 per cent of the *gross floor area* legally existing as of June 09, 2014; and

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- (b) a fence, gate, deck, landing, patio, skateboard and sports ramp, air conditioning unit, satellite dish, hot tub, above ground private swimming pool, and an Accessory Residential Building."
- (e) Add a new section 343.2 as follows:

"343.2 "Skateboard and Sports Ramps"

- (1) All **skateboard and sports ramp** structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.
- (2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).
- (3) The maximum envelope dimensions referenced in subsection (1) do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.
- (4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.
- (5) There must only be one **skateboard and sports ramp** envelope per **parcel**.
- (6) All **skateboard and sports ramp** structures must be located between the rear façade of the **main residential building** and the **rear property line**.
- (7) The height of a **skateboard and sports ramp** at any point is measured from **grade**.
- (8) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **side property line**.
- (9) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **rear property line**.
- (10) Skateboard and sports ramp structures must not be included in parcel coverage.

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- (11) A skateboard and sports ramp must not be attached to a deck, another structure, fence, or building such as, but not limited to, a main residential building, Backyard Suite or Accessory Residential Building."
- (f) Delete subsection 344(7) in its entirety.
- (g) Amend subsection 344(8) to bold the first instance of "parcel".
- (h) Add a new section 571.2 as follows:

"571.2 "Skateboard and Sports Ramps"

- (1) All **skateboard and sports ramp** structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.
- (2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).
- (3) The maximum envelope dimensions do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.
- (4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.
- (5) There must only be one **skateboard and sports ramp** envelope per **parcel**.
- (6) All **skateboard and sports ramps** structures must be located between the rear façade of the **main residential building** and the **rear property line**.
- (7) The height of a **skateboard and sports ramp** at any point is measured from **grade**.
- (8) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **side property line**.
- (9) All **skateboard and sports ramp** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a **rear property line**.

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- (10) A skateboard and sports ramp must not be attached to a deck, another structure, fence, or building such as, but not limited to, a main residential building, Backyard Suite or Accessory Residential Building.
- (11) Notwithstanding sections 550, 551, and 557, skateboard and sports ramps may be included in the calculation of landscaped area, hard surfaced landscape area, soft surfaced landscaped area or common amenity space."
- (i) Delete subsection 564(7) in its entirety.
- 2. This Bylaw comes into force on 2016 November 21.

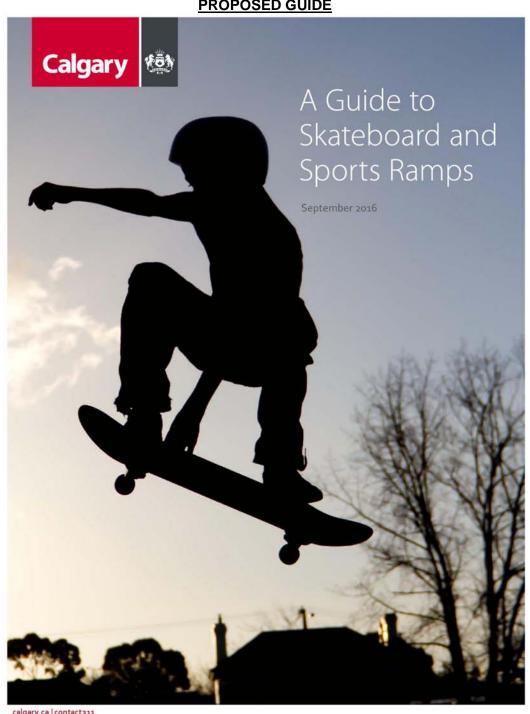
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APPENDIX III

PROPOSED GUIDE



calgary.ca | contact311

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Overview



Things to consider

This guide will help you understand:

- · The rules for skateboard and sports ramps; and
- · How to maintain relationships with your neighbours.

This guide contains links:



- · To the Land Use Bylaw 1P2007 for rules; and
- To the Community Standards Bylaw for noise standards and tips for reducing noise.

Questions?

· Call (403) 268-5311; we are here to help.

What are sports ramps?

Skateboard and sports ramps:

- Are structures or combinations of structures that are used to provide a surface upon which an individual may use or operate a skateboard, bicycle, scooter, roller skates or other similar devices.
- Can come in many different sizes, shapes and materials.
- Can be non-fixed and movable.
- May include re-purposed furniture, or other structures that have useable, skateable or bikeable surfaces.

In the case of any discrepancy between anything in this guide and Land Use Bylaw 1P2007, the provisions of Land Use Bylaw 1P2007 prevails. This guide may not accurately reflect all amendments to Bylaw 1P2007. Nothing herein relieves any person from complying with any federal or provincial law or regulation, bylaws, or any requirements of any lawful permit, order or licence. The examples shown in this guide are illustrative only. The guide does not, and is not intended to replace Bylaw 1P2007. The wording of Bylaw 1P2007 will form the basis of review for all development permit applications. This guide does not bind council, the development authority, subdivision authority or the subdivision and development appeal board. Updates and changes to this guide may occur at the sole discretion of The City of Calgary, Planning and Development. It is the sole responsibility of the user of this guide to ensure that they have the most current version of the guide, which is available online at calgary.ca

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Where can you build?

What land use district are you in?

- To find out what Land Use District you live in visit:
 https://maps.calgary.ca/MyProperty/.

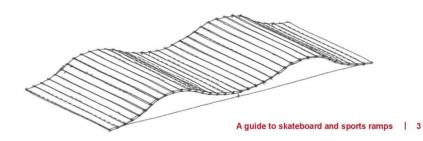
 If your land use district starts with an "R" or an "M", backyard skateboard and sports ramps are allowed. You must live in a Low Density Residential or Multi-Residential District.
- Higher density areas of the Centre City like the downtown do not have access to back yard ramps.

Is a permit required?

 Skateboard and sports ramps built in low-density residential or multiresidential districts do not require a development permit if the structures meet the rules of the Land Use Bylaw.



- Above grade structures must be located:
 - In residential back yards (between the rear facade of the main residential building and the rear property line);
 - Further than 1.2 metres from the side and rear property lines; and
 - Away from any fence, deck, and accessory residential building like a shed or garage.
- Ramps cannot be attached to a deck, other structure, building or fence.
- Some parcels will not be large enough to build up to the maximum allowable envelope size (see page 4).
- If you want to build a structure that is larger than the maximum allowable envelope size (see page 4), you will need a development permit.



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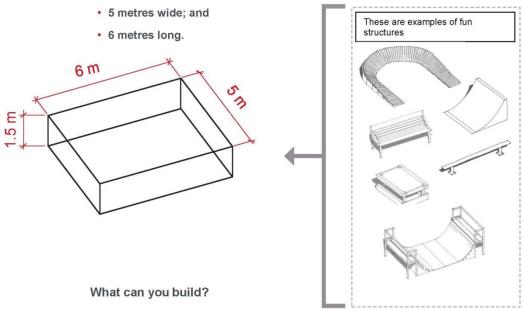
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What is maximum Size?



Does it fit within the maximum allowable envelope size?

- The envelope is an invisible box with a specific height, width and length into which all the skateboard and sports ramp structures must be contained. The maximum allowable envelope size dimensions are:
- . 1.5 metres high (height is measured from grade);



- · Any fun structures that fit in the envelope!
- · One envelope is allowed per parcel.
- You might build something smaller than the maximum allowable envelope size.

Safety railings:

- Safety railings can be located outside the maximum allowable envelope size, but must not be skateable or bikeable.
- 4 | A guide to skateboard and sports ramps

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Skateboard and Sports Ramp Examples

Bird's eye view of house and dirt BMX track ramps
Side Property
Line

Rear Property
Line

No Build Area

1.2m

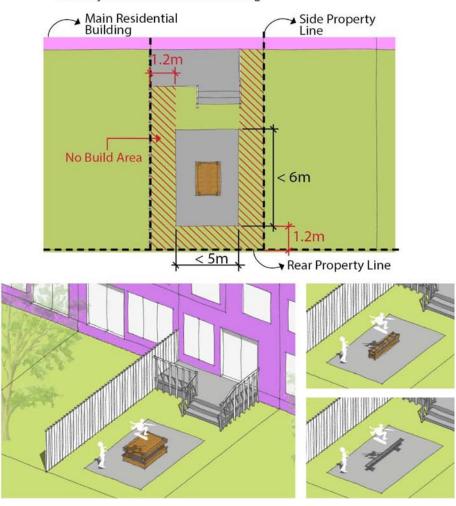
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Skateboard and Sports Ramp Examples

Bird's eye view of townhouse dwelling



6 A guide to skateboard and sports ramps

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Skateboard and Sports Ramp Examples

Bird's eye view of multi-residential apartment

Side Property Line

Rear Property Line

1.2m

1.2m

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Tips



Being a good neighbour

What you can do to be a good neighbour?

- · Talk to your neighbours.
- If you are building on a multi-residential parcel, you may need permission from the landlord, property manager or a condominium board, before you start to build.
- Follow these noise-reducing tips when building or retrofitting your ramp: http://www.calgary.ca/CSPS/ABS/Documents/Bylaws-by-topic/SportRampTips.pdf
- Follow the rules in the Community Standards Bylaw, which sets sound limits for day-time and night-time, and prohibits certain activities after 10 p.m. including the use of sports ramps. To review bylaw requirements, please visit: http://www.calgary.ca/CSPS/ABS/Pages/Bylaws-bytopic/Noise.aspx
- The Calgary Association of Skateboarding Enthusiasts says "To ensure a smooth ride and to mitigate noise:
 - Use high quality sanded plywood, Skatelite, or a similar material for the ramp surface;
 - ✓ The seams on the surface should be as tight as possible. Have precise
 connections and use shims to ensure the seams meet with little or no cracks;
 and
 - Place long flathead wood screws every foot or less on the surface to secure the surface to the base."
- Respect the size and setback rules; always refer to the Land Use Bylaw.
 See Sections (to come) of the Land Use Bylaw by visiting:

http://www.calgary.ca/PDA/pd/Pages/Calgary-Land-Use-bylaw-1P2007/ Calgary-Land-Use-Bylaw-1P2007.aspx

Always prioritize safety for yourself and others.



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APPENDIX IV

LETTERS OF SUPPORT

August 29, 2016



Ms. Kim Hartley Land Use Bylaw & Policy The City of Calgary P.O Box 2100, Station M Calgary, AB T2P 2M5

Via email – Kim.Hartley@calgary.ca

Dear Ms. Hartley:

Re: Skateboard and Sports Ramps Guide

Thank you for the opportunity for the Calgary Association of Skateboarding Enthusiasts (CASE) to be involved in the development of a guide for building skateboard and sports ramps. We support the recommendations contained in the guide. They will help Calgarians who choose to build ramps do so in a manner that is respectful to their neighbors and also provide some direction and help to these who have not built one before.

The City of Calgary's Skateboarding Amenities Strategy along with the Sports Ramp Bylaw are a great benefit to Calgarians. They work together to provide spaces for skateboarders and users of all wheeled sports to enjoy the activity in a safe, friendly, and fun manner. We appreciate the ability to be involved in the creation and implementation of the strategy and bylaw and thank the City of Calgary for their forward thinking and proactive work on this initiative.

Yours Truly,

Paul Derksen Board Chair CASE 403-472-7434

www.calgaryskateboarding.com

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September 12, 2016

Vermin Scooter Shop 6418 1A St. SW Calgary, AB T2H 0G6

Kim Hartley, MCIP Senior Planner, Land Use Bylaw & Policy, Planning Strategy, Calgary Growth Strategies, Planning & Development

Via Email - Kim.Hartley@calgary.ca

Dear Ms. Hartley

Regarding the Sports Ramp Bylaw

Thank you for the opportunity to provide input during the Sports Ramp Bylaw consultation process. As a company that interacts daily with Freestyle Scooter Riders, a large and growing group that will benefit greatly from the increased ability to utilize ramps and other obstacles that are the focus of this bylaw, we have heard much positive feedback regarding the recommendations that will hopefully lead to the adoption of this bylaw. We sell a line of ramps and rails and have received a lot of positive firsthand user feedback as to the opportunity to use sport ramps on private property.

The proposed maximum size of the equipment and the boundaries that can be utilized for sports ramps is reasonable and well laid out. I am sure many households will appreciate the choices they will now have.

Thanks again for all you efforts.

David Grant Vermin Scooter Shop info@verminscooters.com

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September 13th, 2016

The City of Calgary Planning and Development P.O. Box 2100, Station "M" Calgary, Alberta T2P 2M5

To Kim Hartley,

Re: Sport Ramps on Private Residential Properties NM 2015-14

The Federation of Calgary Communities would like to express our support for the proposed changes to the Land Use Bylaw regarding sport ramps on private residential properties. Sport and sport facilities are one of the many means available in our communities that support a healthy and social lifestyle in youth as it supports fun and play.

While sport ramps can be a challenging issue in some of our communities, we commend the City of Calgary on the engagement activities pursued during the development of the proposed changes and for their efforts to actively include resident feedback in the sport ramp guide. We hope the effort that was used to engage residents on this topic can be a template for future city projects.

We look forward to collaborating again with the City.

Sincerely,

Carrie Yap, B.A., MSc. Urban Design Urban Planner

Suite 301, 1609 – 14th Street SW Calgary, Alberta T3C 1E4

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