

PROPOSED

CPC2019-0740
ATTACHMENT 3

BYLAW NUMBER 166D2019

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0028/CPC2019-0740)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by amending that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "A".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

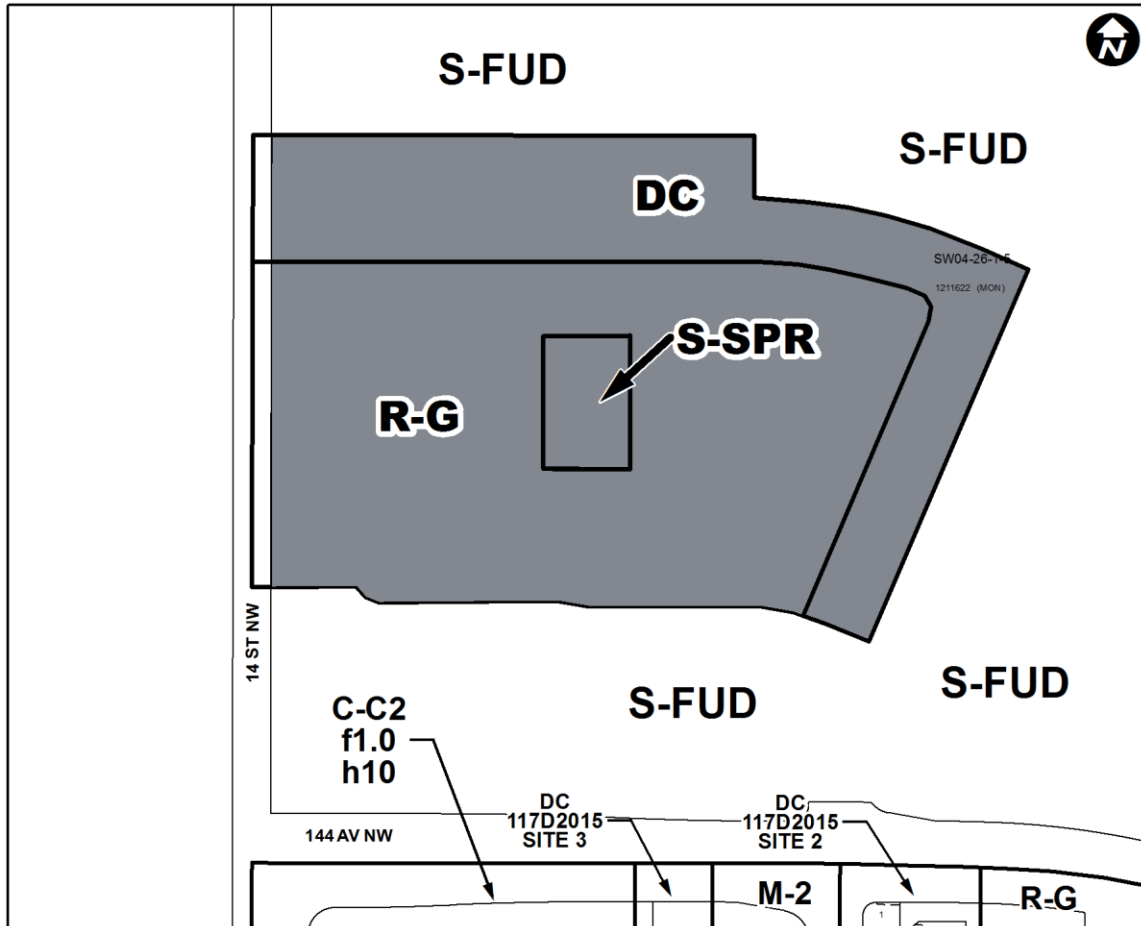
CITY CLERK

SIGNED ON _____

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SCHEDULE A



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) accommodate street-oriented residential development in the form of semi-detached dwellings and rowhouse buildings on small-scale lots with minimal rear yard setbacks, and rear lane access; and
- (b) accommodate Live Work use in rowhouse buildings.

Compliance with Bylaw 1P2007

2 (1) Unless otherwise specified in subsection (2), the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District Bylaw.

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- (2) Section 13 (99) of Bylaw 1P2007 does not apply in this Direct Control District. Where **parcel** is referenced in this Direct Control District, it refers to section 4 of this Direct Control District Bylaw.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definitions

- 4 In this Direct Control District Bylaw, **parcel** means:

- (a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and
- (b) includes a **bare land unit** created under a condominium plan.

Defined Uses

- 5 In this Direct Control District Bylaw:

- (a) “**Live Work**” means a **use**:
 - (i) where a business is operated from a **Dwelling Unit**, by the resident of the **Dwelling Unit**, but does not include a **Home Occupation – Class 1** or **Home Occupation – Class 2**;
 - (ii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work** in this Direct Control District:
 - (A) **Artist’s Studio**;
 - (B) **Counselling Service**;
 - (C) **Office**; and
 - (D) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided; and
 - (iii) that must be contained within a **Rowhouse Building**.

Permitted Uses

- 6 The **permitted uses** of the Residential – Low Density Multiple Dwelling (R-2M) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the exclusion of:

- (a) **Duplex Dwelling**; and
- (b) **Secondary Suite**.

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Discretionary Uses

7 The **discretionary uses** of the Residential – Low Density Multiple Dwelling (R-2M) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District:

- (a) with the addition of:
 - (i) **Live Work.**
- (b) with the exclusion of:
 - (i) **Backyard Suite;**
 - (ii) **Sign – Class D;**
 - (iii) **Sign – Class E;**
 - (iv) **Single Detached Dwelling;** and
 - (v) **Townhouse.**

Bylaw 1P2007 District Rules

8 Unless otherwise specified, the rules of the Residential – Low Density Multiple Dwelling (R-2M) District of Bylaw 1P2007 apply in this Direct Control District.

Number of Main Residential Buildings on a Parcel

9 The maximum number of **main residential buildings** allowed on a **parcel** is one.

Density

10 There is no maximum **density** on a **parcel** containing a **Rowhouse Building**.

Laned Parcel

- 11 (1) All **parcels** must share a **property line** with a **lane** that provides vehicle access.
- (2) All vehicle access to a **parcel** must be from the **lane**.

Parcel Width

12 (1) The minimum **parcel width** for a **parcel** containing one **Dwelling Unit** of a **Semi-detached Dwelling** is:

- (a) 7.2 metres for a **corner parcel**; and
- (b) 6.0 metres for all other cases.

(2) The minimum **parcel width** for an individual **parcel** containing a **Dwelling Unit** in a **Rowhouse Building** is:

- (a) 4.5 metres for a **corner parcel**; and
- (b) 3.3 metres in all other cases.

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Parcel Depth

13 The minimum *parcel depth* is 18.5 metres.

Parcel Area

14 The minimum *parcel* area is:

- (a) 111.0 square metres for a *parcel* containing an individual **Dwelling Unit** of a **Semi-detached Dwelling**; and
- (b) 62.0 metres for a *parcel* containing an individual **Dwelling Unit** in a **Rowhouse Building**.

Parcel Coverage

- 15 (1) Unless otherwise referenced in subsection (2) the maximum *parcel coverage* is 90.0 per cent of the area of the *parcel*.
- (2) The maximum *parcel coverage* referenced in subsection (1), must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.

Building Setback Areas

16 The depth of all **setback areas** must be equal to the minimum **building setback** required in sections 17, 18 and 19.

Building Setback from Front Property Line

- 17 (1) The minimum **building setback** from a **front property line** for a **porch** or **balcony** is 1.5 metres.
- (2) In all other cases, the minimum **building setback** from a **front property line** is 2.0 metres.

Building Setback from Side Property Line

- 18 (1) There is no requirement for a **building setback** from a **side property line** on which a party wall is located that separates two or more **Dwelling Units**.
- (2) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in section 337(3) of Bylaw 1P2007, located within 3.0 metres of:
- (a) the back of the public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (3) For **parcels** less than 12.2 metres in width, the **building setback** from a **side property line** required in subsection (4) may be reduced to 0.6 metres where:

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- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a 1.8 metre exclusive private access easement; and
 - (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.
- (4) In all other cases, the minimum **building setback** from any **side property line** is 1.2 metres.

Building Setback from Rear Property Line

- 19 (1) The minimum **building setback** from a **rear property line** is 0.6 metres.
- (2) Notwithstanding section 338(4) of Bylaw 1P2007, when an attached **private garage** has a **balcony** or **deck**, the minimum **building setback** from a **rear property line** for a **balcony** or **deck** is 0.6 metres.

Building Height

- 20 The maximum **building height** is 13.0 metres.

Amenity Space

- 21 (1) Unless otherwise referenced in subsection (4), a **porch**, **balcony**, **deck** or **patio** must not be located in any **setback area**.
- (2) Each **Dwelling Unit** must have a **private amenity space**:
- (a) that has a minimum area of 7.0 square metres with no dimension less than 2.0 metres; and
 - (b) in the form of a **porch**, **balcony**, **deck** or **patio**.
- (3) Where a **patio** is located within 4.0 metres of a **side property line** of a **parcel** containing a **Dwelling Unit**, it must be **screened**.
- (4) A **patio** may be located in the **front setback area** or in a **side setback area** on the **street** side of a **corner parcel**.

Balconies

- 22 (1) Unless otherwise referenced in this section, a **privacy wall** located on a **balcony**:
- (a) must not exceed 3.0 metres in height when measured from the surface of the **balcony**; and
 - (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.
- (2) A balcony attached to a **Semi-detached Dwelling** or **Rowhouse Building** within 1.2 metres of a party wall must have a solid **privacy wall** that:

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- (a) is a minimum of 2.0 metres in height;
- (b) is a maximum of 3.0 metres in height; and
- (c) extends the full depth of the *balcony*.

Rules for Live Work

23 (1) A Live Work:

- (a) must not exceed 50.0 per cent of the *gross floor area* of the **Dwelling Unit**; and
 - (b) may have two persons, other than a resident of the **Live Work**, working at the residence where the *use* is located.
- (2) The minimum number of *motor vehicle parking stalls* for a **Live Work** is 1.0 *motor vehicle parking stall*.**
- (3) There is no requirement for *bicycle parking stalls – class 1* or *class 2*.**

Private Garage

24 A *private garage* may only be located at the rear of a **Dwelling Unit.**

Relaxations

25 The *Development Authority* may relax the rules contained in Sections 12 through 23 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.