

Existing DC Direct Control District (Bylaw 1D2016)

BYLAW NUMBER 1D2016

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2014-0023)**

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 deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS 11TH DAY OF JANUARY, 2016.

READ A SECOND TIME, AS AMENDED, THIS 11TH DAY OF JANUARY, 2016.

READ A THIRD TIME, AS AMENDED, THIS 11TH DAY OF JANUARY, 2016.



MAYOR
SIGNED THIS 29TH DAY OF JANUARY, 2016.

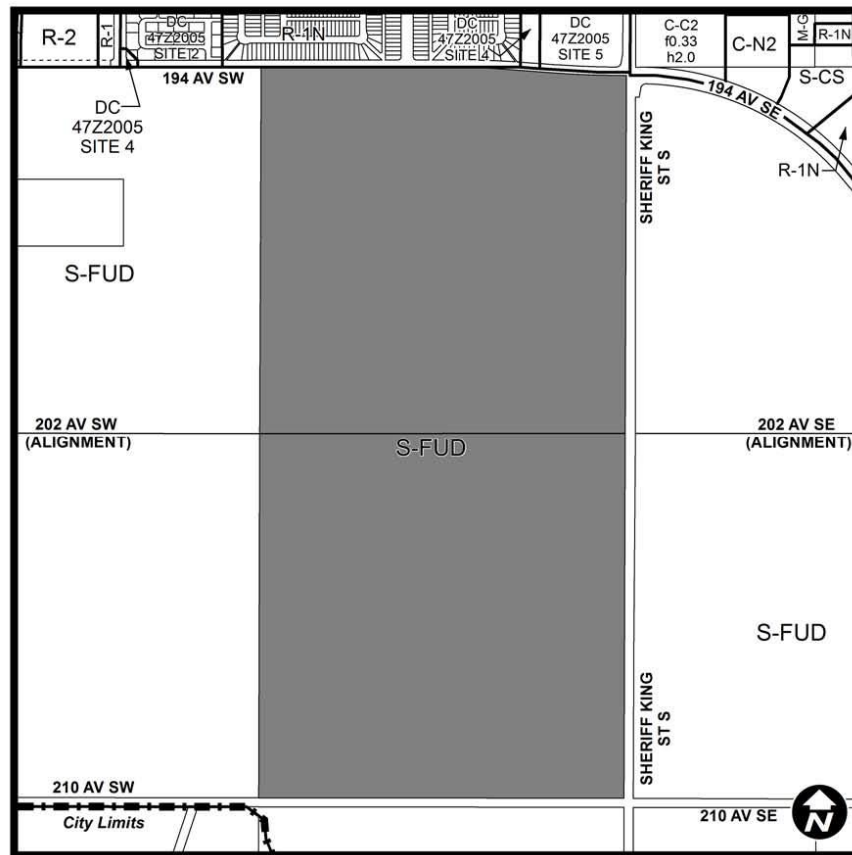


ACTING CITY CLERK
SIGNED THIS 29TH DAY OF JANUARY, 2016.

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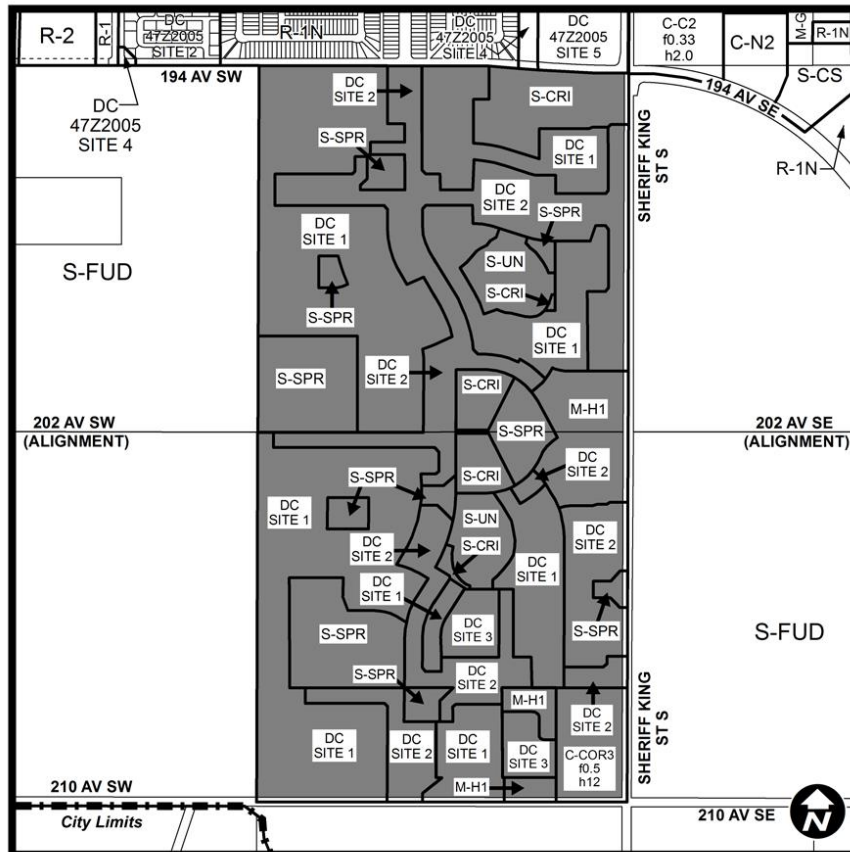
SCHEDULE A



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SCHEDULE B



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DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to accommodate residential development in the form of **Single Detached Dwellings**, with the option for **Secondary Suites**, **Semi-detached Dwellings**, **Rowhouse Buildings**, and **Back-to-Back Rowhouses**.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Part 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, 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, a "*parcel*"
 - (a) means the aggregate of one or more areas of land 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,
 - (a) "Live Work Unit" 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 Unit** 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;
 - (iii) that must be contained within a **Rowhouse Building**;
 - (b) "Back-to-Back Rowhouse" means a *building* that contains four or more **Dwelling Units** located side-by-side and fronting on a *street* where:
 - (i) each **Dwelling Unit** is attached at the rear and on at least one side to another **Dwelling Unit**;
 - (ii) each **Dwelling Unit** is located on an individual *parcel*;

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- (iii) each **Dwelling Unit** has a separate direct entry from *grade* adjacent to a *street*; and
- (iv) no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**.

SITE 1

(17.43 hectares ± (43.07 acres ±))

Application

6 The provisions of Sections 7 through 22 apply to Site 1 only.

Permitted Uses

7 The following *uses* are *permitted uses* in this Direct Control District:

- (a) Accessory Residential Building;
- (b) Home Based Child Care – Class 1;
- (c) Home Occupation – Class 1;
- (d) Park;
- (e) Protective and Emergency Services;
- (f) Rowhouse Building;
- (g) Secondary Suite;
- (h) Semi-detached Dwelling;
- (i) Sign – Class A;
- (j) Single Detached Dwelling; and
- (k) Utilities.

Discretionary Uses

8 The following *uses* are *discretionary uses* in this Direct Control District:

- (a) Addiction Treatment;
- (b) Assisted Living;
- (c) Backyard Suite;
- (d) Bed and Breakfast;
- (e) Community Entrance Feature;
- (f) Custodial Care;
- (g) Home Based Child Care – Class 2;
- (h) Home Occupation – Class 2;
- (i) Place of Worship – Small;
- (j) Power Generation Facility – Small;
- (k) Residential Care;
- (l) Sign – Class B;
- (m) Sign – Class C;
- (n) Temporary Residential Sales Centre; and
- (o) Utility Building.

Bylaw 1P2007 District Rules

9 (1) Unless otherwise specified, the rules of the Residential Low Density Multiple Dwelling (R-2M) District of Bylaw 1P2007 apply to **Semi-detached Dwellings** and **Rowhouse Building** in this Direct Control District.

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- (2) Unless otherwise specified, the rules of the Residential-One Dwelling (R-1s) District of Bylaw 1P2007 apply to all other *uses* in this Direct Control District.

Number of Main Residential Buildings on a Parcel

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

Density

- 11 There is no provision for minimum or maximum density on a *parcel* containing a **Rowhouse Building**.

Laned Parcel

- 12 Each *parcel* with a width of less than 5.0 metres containing one **Dwelling Unit** of a **Rowhouse Building** must:

- (a) share a *property line* with a *lane* that provides vehicle access; and
- (b) not have direct vehicle access to a *street*.

Parcel Width

- 13 (1) The minimum *parcel width* for a **Single Detached Dwelling** is:
- (a) 9.0 metres for a *laneless parcel*;
 - (b) 8.0 metres for a *laned parcel*;
 - (c) 11.0 metres for a *parcel* containing a **Secondary Suite**; and
 - (d) 13.0 metres for a *parcel* containing a **Backyard Suite**.
- (2) The minimum *parcel width* for each *parcel* containing one **Dwelling Unit** of a **Semi-detached Dwelling** is:
- (a) 7.2 metres for a *corner parcel*; and
 - (b) 6.0 metres in all other cases.
- (3) The minimum *parcel width* for each *parcel* containing one **Dwelling Unit** of a **Rowhouse Building** is:
- (a) 4.5 metres for a *corner parcel*; and
 - (b) 3.3 metres in all other cases.

Parcel Depth

- 14 (1) Unless otherwise referenced in subsection (2) or (3), the minimum *parcel depth* is 18.5 metres.
- (2) The minimum *parcel depth* for a *laneless parcel* containing a **Single Detached Dwelling** is 26.0 metres.
- (3) The minimum *parcel depth* for a *parcel* containing a **Secondary Suite** is 26.0 metres.

Parcel Area

- 15 (1) The minimum *parcel area* for each *parcel* containing a **Single Detached**

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Dwelling is:

- (a) 208.0 square metres for a *laneless parcel*;
 - (b) 148.0 square metres for a *laned parcel*;
 - (c) 286.0 square metres for a *parcel* containing a **Secondary Suite** or a **Backyard Suite** that is located in the same *building* as a detached *private garage*; and
 - (d) 338.0 square metres for a *parcel* containing a **Backyard Suite** that is not located in the same *building* as a detached *private garage*.
- (2) The minimum *parcel area* for each *parcel* containing one unit of a **Semi-detached Dwelling** is 111.0 square metres.
 - (3) The minimum *parcel area* for each *parcel* containing one unit of a **Rowhouse Building** is 62.0 square metres.

Parcel Coverage

- 16 (1) The maximum *parcel coverage* for each *parcel* containing a **Single Detached Dwelling** is:
- (a) 55.0 per cent of the area of a *laneless parcel*; and
 - (b) 70.0 per cent of the area of a *laned parcel*.
- (2) The maximum *parcel coverage* for each *parcel* containing one **Dwelling Unit** of a **Semi-detached Dwelling** or a **Rowhouse Building** is 90.0 per cent of the area of the *parcel*.
 - (3) The maximum *parcel coverage* referenced in subsection (1) and (2) must be reduced by 21.0 square metres for each required *motor vehicle parking stall* that is not located in a *private garage*.

Private Garages

- 17 Where the *parcel* width is 11.6 metres or less, the maximum width of a front drive *private garage* door plus 0.45 metres must not be more than two thirds (2/3) of the width of the total front facade of the *main residential building*. Where multiple *private garage* doors are provided, the wall area between the garage doors must be considered part of the cumulative *private garage* door width.

Building Setback from Front Property Line

- 18 (1) The minimum *building setback* from a *front property line* is 1.5 metres for
- (a) a porch;
 - (b) a balcony;
 - (c) a column; or
 - (d) a post.
- (2) In all other cases, the minimum *building setback* from a *front property line* is:

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- (a) 2.0 metres for a *laned parcel*; and
- (b) 3.0 metres for a *laneless parcel*.

Building Setback from Rear Property Line

19 (1) The minimum **building setback** from a **rear property line** is:

- (a) 0.6 metres for a *laned parcel*; and
 - (b) 7.0 metres for a *laneless parcel*.
- (2) Notwithstanding section 338(4) of Bylaw 1P2007, when an attached **private garage** has a **balcony** or **deck**, the minimum setback from a **rear property line** for a **balcony** or **deck** is 0.6 metres.

Building Setback from Side Property Line

20 (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) Unless otherwise reference in subsection (1), (3), (4) or (5), the minimum **building setback** from any **side property line** is 1.2 metres.
- (3) 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** located within 3.0 metres of:
 - (a) the back of a public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (4) Eaves may project a maximum of 0.6 metres into any **side setback area**.
- (5) For **parcels** of less than 13.0 metres in width, the **building setback** required may be reduced to 0.6 metres where:
 - (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.
 - (c) Notwithstanding (4), eaves may project a maximum of 0.45 metres into the side setback area.

Amenity Space

- 21 (1) Unless otherwise referenced in subsection (4), a **porch**, **balcony**, **deck** or **patio** must not be located in the **setback area**.
- (2) Each **Dwelling Unit** of a **Semi-detached Dwelling** or a **Rowhouse Building** on a **laned parcel** must have a **private amenity space**:
- (a) provided for the private use of the occupants of the **Dwelling Unit**;

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- (b) that has a minimum area of 7.0 square metres with no dimension less than 2.0 metres; and
- (c) in the form of a *porch, balcony, deck, patio* or *landscaped area*.
- (3) Where a *patio* is located within 4.0 metres of a *side property line* of a *parcel* containing a **Dwelling Unit** of a **Semi-detached Dwelling** or a **Rowhouse Building**, it must be *screened*.
- (4) A *patio* may be located in the *front setback area* or in a *setback area* on the *street* side of a *corner parcel* containing a **Dwelling Unit** of a **Semi-detached Dwelling** or a **Rowhouse Building**.
- (5) Section 340(1) and (2) of Bylaw 1P2007 shall not apply to *balconies*.

Building Height

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

SITE 2

(5.03 hectares ± (12.43 acres ±))

Application

- 23 The provisions of Sections 24 through 40 apply to Site 2 only.

Permitted Uses

- 24 The following *uses* are *permitted uses* in this Direct Control District:

- (a) Accessory Residential Building;
- (b) Home Based Child Care – Class 1;
- (c) Home Occupation – Class 1;
- (d) Park;
- (e) Protective and Emergency Services;
- (f) Rowhouse Building;
- (g) Semi-detached Dwelling;
- (h) Sign – Class A; and
- (i) Utilities.

Discretionary Uses

- 25 The following *uses* are *discretionary uses* in this Direct Control District:

- (a) Addiction Treatment;
- (b) Assisted Living;
- (c) Bed and Breakfast;
- (d) Community Entrance Feature;
- (e) Custodial Care;
- (f) Home Based Child Care – Class 2;
- (g) Home Occupation – Class 2;
- (h) Live Work Unit;
- (i) Place of Worship – Small;
- (j) Power Generation Facility – Small;
- (k) Residential Care;

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- (l) Sign – Class B;
- (m) Sign – Class C;
- (n) Temporary Residential Sales Centre; and
- (o) Utility Building.

Bylaw 1P2007 District Rules

- 26 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

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

Density

- 28 There is no provision for minimum or maximum *density* on a *parcel* containing a Rowhouse Building.

Laned Parcel

- 29 (1) All *parcels* must share a *property line* with a *lane* that provides vehicle access.
- (2) A driveway must not have direct access to a *street*.

Parcel Width

- 30 (1) The minimum *parcel width* for each *parcel* containing one Dwelling Unit of a Semi-detached Dwelling is:
- (a) 7.2 metres for a *corner parcel*; and
 - (b) 6.0 metres in all other cases.
- (2) The minimum *parcel width* for a *parcel* containing one Dwelling Unit of a Rowhouse Building is:
- (a) 4.5 metres for a *corner parcel*; and
 - (b) 3.3 metres in all other cases.

Parcel Depth

- 31 The minimum *parcel depth* is 18.5 metres.

Parcel Area

- 32 The minimum *parcel area* is:
- (a) 111.0 square metres for each *parcel* containing one Dwelling Unit of a Semi-detached Dwelling; and
 - (b) 62.0 square metres for each *parcel* containing one Dwelling Unit of a Rowhouse Building.

Parcel Coverage

- 33 (1) The maximum *parcel coverage* is 90 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

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located in a *private garage*.

Building Setback from Front Property Line

- 34 (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:
- (a) 2.0 metres for a *laned parcel*; and
 - (b) 3.0 metres for a *laneless parcel*.

Building Setback from Rear Property Line

- 35 (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 setback from a *rear property line* for a *balcony* or *deck* is 0.6 metres

Building Setback from Side Property Line

- 36 (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, with the exception of subsection (3), provided there is no portion of a *building* located within 3.0 metres of:
- (a) the back of the public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (3) Eaves may project a maximum of 0.6 metres into any *side setback area*.
- (4) For *parcels* of less than 12.2 metres in width, the *building setback* required in subsection (5) may be reduced to 0.6 metres where:
- (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.
 - (c) Notwithstanding (3), eaves may project a maximum of 0.45 meters into the *side setback area*.
- (5) In all other cases, the minimum *building setback* from any *side property line* is 1.2 metres.

Amenity Space

- 37 (1) Unless otherwise referenced in subsection (4), a *porch*, *balcony*, *deck* or *patio* must not be located in any *setback area*.

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- (2) Each **Dwelling Unit** must have a private *amenity space*:
- (a) provided for the private use of the occupants of the **Dwelling Unit**;
 - (b) that has a minimum area of 7.0 square metres with no dimension less than 2.0 metres; and
 - (c) 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* and/or in a *setback area* on the *street* side of a *corner parcel*.
- (5) Section 340(1) and (2) of Bylaw 1P2007 shall not apply to *balconies*.

Building Height

38 The maximum *building height* is 13.0 metres.

Live Work Units

- 39 (1) A Live Work Unit:
- (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 Unit**, working at the residence where the *use* is located; and
- (2) The minimum number of *motor vehicle parking stalls* for a **Live Work Unit** is a combined total of 2.0 *motor vehicle parking stalls* for the **Dwelling Unit** and the **Live Work Unit**.

Private Garage

40 A *private garage* may only be allowed at the rear of a **Dwelling Unit**.

SITE 3

(0.92 hectares ± (2.27 acres ±))

Application

41 The provisions of Sections 42 through 54 apply to Site 3 only.

Permitted Uses

42 The following *uses* are *permitted uses* in this Direct Control District:

- (a) **Accessory Residential Building;**
- (b) **Home Based Child Care – Class 1;**
- (c) **Home Occupation – Class 1;**
- (d) **Park;**
- (e) **Protective and Emergency Services;**
- (f) **Back-to-Back Rowhouse;**

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- (g) Sign – Class A; and
- (h) Utilities.

Discretionary Uses

43 The following *uses* are *discretionary uses* in this Direct Control District:

- (a) Addiction Treatment;
- (b) Assisted Living;
- (c) Bed and Breakfast;
- (d) Community Entrance Feature;
- (e) Custodial Care;
- (f) Home Based Child Care – Class 2;
- (g) Home Occupation – Class 2;
- (h) Place of Worship – Small;
- (i) Power Generation Facility – Small;
- (j) Residential Care;
- (k) Sign – Class B;
- (l) Sign – Class C;
- (m) Temporary Residential Sales Centre; and
- (n) Utility Building.

Bylaw 1P2007 District Rules

44 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

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

Laneless Parcel

46 *Parcels* must not share a *property line* with a *lane*.

Parcel Width

- 47 (1) Unless otherwise referenced in subsection (2), the minimum *parcel width* for each *parcel* containing one *Dwelling Unit* of a *Back-to-Back Rowhouse* is 5.0 metres.
- (2) The minimum *parcel width* for each *parcel* containing one *Dwelling Unit* of a *Back-to-Back Rowhouse* that lies *adjacent* to *streets* on two or more sides is 6.2 metres.

Parcel Area

48 The minimum *parcel* area is 70.0 square metres.

Parcel Coverage

49 The maximum *parcel coverage* is 91.0 per cent of the area of the *parcel*, which must be reduced by 21.0 metres for each required *motor vehicle parking stall* that is not located in a *private garage*.

Building Setback from Front Property Line

50 (1) The minimum *building setback* from a *front property line* for a *porch* or *balcony* is 1.5 metres.

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- (2) In all other cases, the minimum **building setback** from a **front property line** is 2.0 metres.

Building Setback from Rear and Side Property Lines

- 51 (1) There is no requirement for a **building setback** from a **rear property line** or **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, with the exception of subsection (3), provided there is no portion of a **building** located within 3.0 metres of:
- (a) the back of the public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (3) Eaves may project a maximum of 0.6 metres into any **side setback area**.

Amenity Space

- 52 (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) provided for the private use of the occupants of the Dwelling Unit;
 - (b) that has a minimum area of 7.0 square metres with no dimension less than 2.0 metres; and
 - (c) 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 **deck** or **patio** may be located between a **building** and a **property line** shared with a **street**.
- (5) Section 340(1) and (2) of Bylaw 1P2007 does not apply to **balconies**.

Building Height

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

Parking

- 54 (1) The minimum number of **motor vehicle parking stalls** required for a Back-to-Back Rowhouse is 1.0 stall.
- (2) A Back-to-Back Rowhouse does not require **bicycle parking stalls – class 1**.

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