

PROPOSED

CPC2019-1375
ATTACHMENT 3

BYLAW NUMBER 260D2019

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0249/CPC2019-1375)**

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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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.

Defined Uses

- 4 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**:
 - (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.

Permitted Uses

- 5 The *permitted uses* of the Residential – Low Density Mixed Housing (R-Gm) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

- 6 The *discretionary uses* of the Residential – Low Density Mixed Housing (R-Gm) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District, with the addition of:

- (a) **Live Work**.

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Residential – Low Density Mixed Housing (R-Gm) District of Bylaw 1P2007 apply in this Direct Control District.

Vehicle Access

- 8 (1) All vehicle access to a *parcel* must be from a *lane*.
- (2) A *driveway* must not have direct access to a *street*.
- (3) A *private garage* may only be allowed at the rear of a *unit*.

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Parcel Width

- 9 (1) The minimum *parcel width* for each *parcel* containing one *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 *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

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

Parcel Area

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

Parcel Coverage

- 12 (1) 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 from Front Property Line

- 13 (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **front property line** is 2.0 metres.
- (2) The minimum **building setback** from a **front property line** is 1.5 metres for a:
- (a) **porch**;
 - (b) **balcony**;
 - (c) column; or
 - (d) post.

Building Setback from Rear Property Line

- 14 (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.

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Building Setback from Side Property Line

- 15 (1) Unless otherwise referenced in subsection (2), (3) or (4), the minimum **building setback** from any **side property line** is 1.2 metres.
- (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 a 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 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;
 - (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located; and
 - (c) Notwithstanding subsection (3), eaves may project a maximum of 0.45 metres into the **side setback area**.

Outdoor Private Amenity Space

- 16 (1) 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**.
- (2) 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**.

Development in Setback Area

- 17 (1) Unless otherwise referenced in subsection (2), a **porch, balcony, deck or patio** must not be located in any **setback area**.
- (2) A **patio** may be located in the **front setback area** and in a **setback area** on the street side of a **corner parcel**.
- (3) Section 340(1) and (2) of Bylaw 1P2007 do not apply to **balconies**.

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Building Height

18 The maximum *building height* is 13.0 metres.

Rules for Live Work

- 19 (1) **Live Work** must not exceed 50.0 per cent of the *gross floor area* of the **Dwelling Unit**.
- (2) **Live Work** may have two persons, other than a resident of the **Live Work**, working at the residence where the *use* is located.
- (3) **Live Work** requires 1.0 *motor vehicle parking stalls*.
- (4) **Live Work** requires 1.0 *bicycle parking stall – class 1*, or *bicycle parking stall – class 2*.

Relaxations

20 The *Development Authority* may relax the rules contained in this Direct Control District Bylaw in accordance with sections 31 and 36 of Bylaw 1P2007.