

BYLAW NUMBER 15P2016

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007**

WHEREAS it is desirable to amend the Land Use Bylaw 1P2007, as amended;

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 City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:
 - (a) Renumber subsection 13(28.1) to 13(28.2).
 - (b) Add a new subsection 13(28.1) as follows:

“(28.1) “carriage house lot” means a small *parcel* containing one **Dwelling Unit in a **Single Detached Dwelling** or **Semi-detached Dwelling** where the *parcel*:**

 - (a) shares a **side property line** or **rear property line** with a **lane**; and
 - (b) is connected to a public **street** using a panhandle with a **front property line** that is between 3.0 metres and 1.5 metres in length.”
 - (c) Delete subsection 13(99)(b) and replace it with the following:

“(b) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N, R-2, R-CG, R-G and R-Gm districts, includes a **bare land unit created under a condominium plan;”**
 - (d) Delete subsection 13(121.1) in its entirety.
 - (e) Delete subsection 138(a)(iii) and replace it with the following:

“(iii) may be attached to a **Backyard Suite on a *parcel* where a **Backyard Suite** is a listed **use** in the applicable land use district;”**
 - (f) Delete subsection 153.1(a) and replace it with the following:

“(a) means a **use that:**

 - (i) contains two or more rooms used or designed to be used as a residence by one or more persons;

- (ii) contains a **kitchen**, living, sleeping and sanitary facilities;
 - (iii) is located in a detached **building** located behind the front façade of the **main residential building**;
 - (iv) may be attached to an **Accessory Residential Building**;
 - (v) is considered part of and secondary to a **Dwelling Unit**;
 - (vi) except as otherwise indicated in subsection (vii) and (viii), must be located on the same **parcel** as a **Contextual Single Detached Dwelling** or a **Single Detached Dwelling**;
 - (vii) in the R-CG District must be located on the same **parcel** as a **Dwelling Unit** in a **Contextual Semi-Detached Dwelling, Contextual Single Detached Dwelling, Rowhouse Building, Semi-Detached Dwelling**, or a **Single Detached Dwelling**; and
 - (viii) in the R-G and R-Gm Districts must be located on the same **parcel** as a **Dwelling Unit** in a **Rowhouse Building, Semi-detached Dwelling** or a **Single Detached Dwelling**;
- (g) Delete subsection 295(a) and replace it with the following:
- “(a) means a **use** that:
- (i) contains two or more rooms used or designed to be used as a residence by one or more persons;
 - (ii) contains a **kitchen**, living, sleeping and sanitary facilities;
 - (iii) is self-contained and located within a **Dwelling Unit**;
 - (iv) is considered part of and secondary to a **Dwelling Unit**;
 - (v) except as otherwise indicated in subsection (vi) and (vii), must be located on the same **parcel** as a **Contextual Single Detached Dwelling** or a **Single Detached Dwelling**;
 - (vi) in the R-CG District must be located on the same **parcel** as a **Dwelling Unit** contained in a **Contextual Semi-Detached Dwelling, Contextual Single Detached Dwelling, Rowhouse Building, Semi-Detached Dwelling**, or a **Single Detached Dwelling**; and
 - (vii) in the R-G and R-Gm Districts must be located on the same **parcel** as a **Dwelling Unit** in a **Rowhouse Building, Semi-detached Dwelling** or a **Single Detached Dwelling**;
- (h) Delete “include” at the beginning of subsection 297(b) and replace it with “contain”.

- (i) Delete subsection 305(a) and replace it with the following:
 “(a) means a **use** where a **building** contains only one **Dwelling Unit** and may contain a **Secondary Suite** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district, but does not include a **Manufactured Home**,”
- (j) Delete subsection 340(1) and replace it with the following:
 “(1) Unless otherwise referenced in this Part, an **open balcony** must not project more than 1.85 metres from the **building** façade to which it is attached.”
- (k) Delete subsection 340(2) and replace it with the following:
 “(2) Unless otherwise referenced in this Part, the floor area of a **recessed** balcony must not exceed 10.0 square metres.”
- (l) Delete subsection 340(4) in its entirety.
- (m) In subsection 347(2) delete the preamble and replace it with the following:
 “(2) Unless otherwise referenced in this Part, a **Contextual Single Detached Dwelling**.”
 And retain subsections 347(2)(a) through (c).
- (n) In subsection 347.1(2) delete the preamble and replace it with the following:
 “(2) Unless otherwise referenced in this Part, a **Contextual Semi-detached Dwelling**.”
 And retain subsections 347.1(2)(a) through (c).
- (o) In subsection 347.3(1) delete the preamble and replace it with the following:
 “(1) To be a **permitted use** in the R-CG District a **Rowhouse Building**.”
 And retain subsections 347.3(1)(a) through (g).
- (p) Delete subsection 347.3(2) in its entirety.
- (q) Add a new section 365.1 as follows:

“Cottage Housing Cluster

- 365.1 (1)** Unless otherwise referenced in subsection (2), the minimum separation distance between **cottage buildings** is 3.0 metres.

- (2) When a **common amenity space – outdoors** is located between two **cottage buildings**, the minimum separation distance between those **buildings** is 6.0 metres.
- (3) Within each **Cottage Housing Cluster** the maximum number of **Dwelling Units** is 25.
- (4) Each **cottage building** must be **adjacent** to the common open space.
- (5) The maximum **gross floor area** of any individual **storey** of a **Dwelling Unit** in a **cottage building** is 100.0 square metres.
- (6) The maximum **gross floor area** of a **Dwelling Unit** in a **cottage building** is 150.0 square metres.
- (7) Each **Dwelling Unit** in a **cottage building** must have a **private amenity space** that:
 - (a) is provided outdoors; and
 - (b) has a minimum area of 12.0 square metres with no dimension less than 1.5 metres.
- (8) For **Dwelling Units** in a **cottage building** that are located on the floor closest to **grade**, a **private amenity space** must be provided in the form of a **patio, porch or deck**.
- (9) For **Dwelling Units** in a **cottage building** that are located entirely above a **private garage**, a **private amenity space** must be provided in the form of a **patio, deck or balcony**.
- (10) Common **outdoor amenity space** required for each **Cottage Housing Cluster** must be provided at **grade**, and
 - (a) have a minimum area of 15.0 square metres per **Dwelling Unit**;
 - (b) have no dimension less than 6.0 metres;
 - (c) must be centrally located in a single contiguous area;
 - (d) have either a **soft surfaced landscaped area** or **hard surfaced landscaped area**;
 - (e) must include a sidewalk to the **street**;
 - (f) must not be used for vehicular access; and
 - (g) must not be located in any **setback area**.
- (11) **Private amenity space** is not to be included in the calculation to determine the required common amenity space in subsection (10).

- (12) Unless otherwise referenced in subsection (13), for a **parcel** containing a **Cottage Housing Cluster** the provisions referenced in sections 334, 335, 336, 337 and 338 do not apply.
- (13) Eaves on a **cottage building** may project a maximum of 0.6 metres into any **setback area**.
- (14) One **Accessory Residential Building** less than 10.0 square metres, not including a **private garage**, may be provided for each **cottage building**.
- (15) For a **parcel** containing a **Cottage Housing Cluster** garbage and waste material must be stored either:
- (a) inside a **building**, or
 - (b) in a garbage container enclosure approved by the **Development Authority** that:
 - (i) must not be located in an **actual front setback area**;
 - (ii) must not be located in an actual side **setback area** on the public **street** side of a **corner parcel**; and
 - (iii) unless specified in subsection (16) must not be located in any **setback area**.
- (16) A garbage container enclosure on a **parcel** containing a **Cottage Housing Cluster** may be located in a **setback area** provided that:
- (a) the wall of the enclosure is constructed of maintenance free materials; and
 - (b) there is no overhang of eaves onto an **adjacent parcel** or **lane**.
- (17) Recycling facilities must be provided for a **Cottage Housing Cluster**.
- (18) **Motor vehicle parking stalls** in a **Cottage Housing Cluster** must not be located between the **common amenity space** and a **cottage building**.
- (19) Unless otherwise referenced in subsection (20) access to **motor vehicle parking stalls** and **private garages** in a **Cottage Housing Cluster** must be from a **lane**.
- (20) For a **Cottage Housing Cluster** located on a **laneless parcel** access from a **street** to **motor vehicle parking stalls** and **private garages** may be provided via a single shared driveway."

(r) Delete sections 531 through 548.2 and replace them with the following:

"Parcel Width

531 The minimum **parcel width** is 7.5 metres for a **parcel** containing a **Duplex Dwelling**.

Façade Width

532 The minimum width of a **street** facing façade of a **unit** is 4.2 metres.

Parcel Area

533 The minimum area of a **parcel** for a **Cottage Housing Cluster** is 760.0 square metres.

Parcel Coverage

534 (1) Unless otherwise referenced in subsection (3), the maximum **parcel coverage** for a **parcel** containing a **Contextual Semi-detached Dwelling, Cottage Housing Cluster, Semi-detached Dwelling or Single Detached Dwelling** is:

- (a) 45.0 per cent of the area of the **parcel** for a **development** with a **density** of less than 40 **units** per hectare;
- (b) 50.0 per cent of the area of the **parcel** for a **development** with a **density** 40 **units** per hectare or greater and less than 50 **units** per hectare; or
- (c) 55.0 per cent of the area of the **parcel** for a **development** with a **density** of 50 **units** per hectare or greater.

(2) Unless otherwise referenced in subsection (3), the maximum cumulative **building coverage** over all the **parcels** subject to a single **development permit** for a **Rowhouse Building** is:

- (a) 45.0 per cent of the area of the **parcels** subject to the single **development permit** for a **development** with a **density** of less than 40 **units** per hectare;
- (b) 50.0 per cent of the area of the **parcels** subject to the single **development permit** for a **development** with a **density** 40 **units** per hectare or greater and less than 50 **units** per hectare;
- (c) 55.0 per cent of the area of the **parcels** subject to the single **development permit** for a **development** with a **density** of 50 **units** per hectare or greater and less than 60 **units** per hectare; or
- (d) 60.0 per cent of the area of the **parcels** subject to a single **development permit** for a **development** with a **density** of 60 **units** per hectare or greater.

- (3) The maximum **parcel coverage** referenced in subsections (1) and (2), must be reduced by:
- (a) 21.0 square metres where one **motor vehicle parking stall** is required on a **parcel** that is not located in a **private garage**; and
 - (b) 19.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage** where more than one **motor vehicle parking stall** is required on a **parcel**.
- (4) For all other **uses**, the maximum **parcel coverage** is 45.0 per cent.

Building Depth

- 535 (1) Unless otherwise referenced in subsection (2) the maximum **building depth** is 65.0 per cent of the **parcel depth** for a **Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling** and a **Single Detached Dwelling**.
- (2) There is no maximum **building depth** for a **Rowhouse Building** located on a **corner parcel**.

Building Setback Areas

- 536 The minimum depth of all **setback areas** must be equal to the minimum **building setbacks** required in sections 537, 538, 539 and 540.

Building Setback from Front Property Line

- 537 (1) For a **Contextual Semi-detached Dwelling, Cottage Housing Cluster, Rowhouse Building, Duplex Dwelling, Semi-detached Dwelling** and a **Single Detached Dwelling**:
- (a) where a **parcel** shares a **property line** with a **parcel** that is designated with a **low density residential district** other than R-CG the minimum **building setback** from a **front property line** is the greater of:
 - (i) the **contextual front setback** less 1.5 metres; or
 - (ii) 3.0 metres.
 - (b) in all other cases the minimum **building setback** from a **front property line** is 3.0 metres.
- (2) For an addition or exterior alteration to a **Duplex Dwelling, Semi-detached Dwelling, or Single Detached Dwelling** which was legally existing or approved prior to the effective date of this Bylaw, the minimum **building setback** from a **front property line** is the lesser of:
- (a) the **contextual front setback** less 1.5 metres to a minimum of 3.0 metres; or
 - (b) the existing **building setback** less 1.5 metres to a minimum of 3.0 metres.

- (3) For all other **uses**, the minimum **building setback** from a **front property line** is 3.0 metres.
- (4) A **porch** may project 1.5 metres into the required minimum **building setback** from a **front property line**.

Block Face Requirements

- 538 (1) A minimum **building setback** of 1.2 metres is required from a **side property line** at least every 60.0 metres along the entire length of a block face.
- (2) Where subsection (1) applies, the **side setback area** must be clear of all air conditioning units, window wells and portions of a **building** measured from **grade** to a height of 2.4 metres.

Building Setback from Side Property Line

- 539 (1) Subject to subsections (3) through (8), the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) Subject to subsections (3) through (9), for a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
 - (b) 3.0 metres on one side of the **parcel** where no provision is made for a **private garage** on the front or side of a **building**.
- (3) For a **Backyard Suite, Contextual Semi-detached Dwelling, Rowhouse Building** or **Semi-detached Dwelling**, there is no requirement for a **building setback** from a **property line** upon which a party wall is located.
- (4) The minimum **building setback** from a **side property line** may be reduced to zero metres where:
- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a 1.2 metre private maintenance easement;
 - (b) the **building setback** is not greater than 0.1 metres from the **side property line** for any portion of a **building** that is recessed 0.6 metres or greater from the front façade or the rear façade of the **building** and is setback less than 1.2 metres from the **side property line**;
 - (c) the wall at the shared **side property line** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; and

- (d) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.

(5) For a **Rowhouse Building, Contextual Semi-detached Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** the minimum **building setback** from a **side property line** may be reduced to zero metres where:

- (a) the **main residential building** on the adjacent **parcel** has a setback of 0.1 metres or less at the shared **side property line** for any portion of the **building** that is recessed 0.6 metres or greater from the front façade or the rear façade of the **building** and is setback less than 1.2 metres from the **side property line**;
- (b) the **building setback** is not greater than 0.1 metres from the **side property line** for any portion of a **building** that is recessed 0.6 metres or greater from the front façade or the rear façade of the **building** and is setback less than 1.2 metres from the **side property line**;
- (c) the wall at the shared **side property line** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; and
- (d) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.

(6) For a **Backyard Suite** the minimum **building setback** from a **side property line** may be reduced to zero metres where:

- (a) the **accessory residential building** or **Backyard Suite** on the adjacent **parcel** has a setback of 0.1 metres or less at the shared **side property line** for any portion of the **building** that is recessed 0.6 metres or greater from the front façade or the rear façade of the **building** and is setback less than 0.6 metres from the **side property line**;
- (b) the **building setback** is not greater than 0.1 metres from the **side property line** for any portion of a **building** that is recessed 0.6 metres or greater from the front façade or the rear façade of the **building** and is setback less than 1.2 metres from the **side property line**;
- (c) the wall at the shared **side property line** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; and

(d) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.

(7) Unless otherwise referenced in subsection (8), 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 subsection 337(3), located within 3.0 metres of:

- (a) the back of the public sidewalk; or
- (b) the curb where there is no public sidewalk.

(8) Where a **corner parcel** shares a **side property line** with a **street** and the **parcel** existed prior to the effective date of this Bylaw, the minimum **building setback** from that **side property line** is 1.2 metres.

(9) The **building setback** from a **side property line** of 3.0 metres required in subsection 2(b) may be reduced to zero metres where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** registers, against both titles, an exclusive private access easement:

- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
- (b) that provides unrestricted vehicle access to the rear of the **parcel**.

Building Setback from Rear Property Line

540 (1) Unless otherwise referenced in subsections (2) or (3) the minimum **building setback** from a **rear property line** is 7.5 metres.

(2) For a **Rowhouse Building** on a **corner parcel**, the minimum **building setback** from a **rear property line** is 1.5 metres.

(3) For a **cottage building** the minimum **building setback** from a **property line** shared with a **lane** is 1.5 metres.

Building Height

541 (1) For a **Contextual Semi-detached Dwelling**, **Duplex Dwelling**, **Semi-detached Dwelling** and a **Single Detached Dwelling**, the maximum **building height** is the greater of:

- (a) 8.6 metres; or
- (b) the **contextual height** plus 1.5 metres, to a maximum of 10.0 metres.

(2) For a **Rowhouse Building**:

- (a) Unless otherwise referenced in subsection (b), the maximum **building height** is 11.0 metres.

- (b) The maximum **building height** within 4.2 metres of a **side property line** that is shared with another **parcel** that is designated with a **low density residential district** other than R-CG is the greater of:
 - (i) 8.6 metres;
 - (ii) the **contextual height** plus 1.5 metres, to a maximum of 10.0 metres; or
 - (iii) the **building height** of the **contextually adjacent building** at the shared **side property line**, to a maximum of 11.0 metres; and
- (c) The maximum area of a horizontal cross section through a **building** at 9.5 metres above average **grade** must not be greater than 75.0 per cent of the maximum area of a horizontal cross section through the **building** between average **grade** and 8.6 metres.
- (3) The maximum **building height** for a **cottage building** is 8.6 metres.
- (4) For all other **uses**, the maximum **building height** is 10.0 metres.

Outdoor Private Amenity Space

542 For a **Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling** and a **Single Detached Dwelling**, each **unit** must have direct access to **private amenity space** that:

- (a) is provided outdoors;
- (b) has a minimum total area of 20.0 square metres;
- (c) may be divided over a maximum of two **amenity spaces** where:
 - (i) one **amenity space** has no dimension less than 3.0 metres; and
 - (ii) the second **amenity space** has a minimum contiguous area of 7.5 square metres with no dimension less than 1.5 metres; and
- (d) is not located in the **actual front setback area**.

Landscaping

543 (1) Trees required by this section:

- (a) may be provided through the planting of new trees or the preservation of existing trees;

- (b) must be provided on a **parcel** within 12 months of issuance of a **development completion permit**;
 - (c) must be maintained on the **parcel** for a minimum of 24 months after issuance of a **development completion permit**;
 - (d) must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association; and
 - (e) are not required to be shown on a plan that is part of an application for **development permit**.
- (2) A minimum of 2.0 trees must be provided for each **unit** of a **Contextual Semi-detached Dwelling, Rowhouse Building or Semi-detached Dwelling**.
- (3) Where a **Single Detached Dwelling** is located on a **parcel** with a **parcel width** less than or equal to 10.0 metres a minimum of 2.0 trees must be provided.
- (4) Where a **Single Detached Dwelling** is located on a **parcel** with a **parcel width** greater than 10.0 metres a minimum of 3.0 trees must be provided.
- (5) A minimum of 1.2 trees per **unit** must be provided for a **Cottage Housing Cluster**.
- (6) The requirement for the provision of 1.0 tree is met where an existing tree is retained or a new tree is planted where:
- (a) a deciduous tree has a minimum **calliper** of 50 millimetres; or
 - (b) a coniferous tree has a minimum height of 2.0 metres.
- (7) The requirement for the provision of 2.0 trees is met where an existing tree is retained or a new tree planted where:
- (a) one deciduous tree has a minimum **calliper** of 85 millimetres; or
 - (b) one coniferous tree is provided that has a minimum height of 4.0 metres.

Balconies

544 (1)

Where a **balcony** is located on the roof of the first or second **storey** of a **Contextual Single Detached Dwelling, Contextual Semi-detached, Rowhouse Building, Single Detached Dwelling or Semi-detached Dwelling** and does not overhang any façade of the **storey** below, the **balcony** may have a maximum **floor area** that equals 30.0 per cent of the horizontal cross section of the **storey** below.

(2) A balcony attached to a **Contextual Single Detached Dwelling**, **Contextual Semi-detached Dwelling**, or **Rowhouse Building** that is a *permitted use*:

- (a) may be located on a side façade of a **building**:
 - (i) where it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
 - (ii) where it is on the **street** side of a **corner parcel**;
- (b) may be located on a rear façade of a **building** where:
 - (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
 - (ii) a privacy wall is provided where the **balcony** is facing a **side property line** shared with a **contextually adjacent building**; and
 - (iii) the privacy wall is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and
- (c) must not have a **balcony** on the rear façade with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**.

Accessory Residential Buildings

545 For a **parcel** containing a **Rowhouse Building** or **Cottage Housing Cluster** the provisions referenced in section 346(4) do not apply to **Accessory Residential Buildings** used as a **private garage**.

Motor Vehicle Parking Stalls

546 (1) The minimum number of **motor vehicle parking stalls** for a **Contextual Semi-detached Dwelling** is 1.0 stall per **Dwelling Unit**.

(2) The minimum number of **motor vehicle parking stalls** for a **Secondary Suite** or **Backyard Suite** is reduced to 0.0 where the floor area of a **Backyard Suite** or **Secondary Suite** is 45.0 square metres or less."

(s) Add a new Part 5: Division 12 as follows:

"PART 5: LOW DENSITY RESIDENTIAL DISTRICTS

Division 12: Residential – Low Density Mixed Housing(R-G)(R-Gm) District

Purpose

547 (1) The Residential – Low Density Mixed Housing District:

- (a) is intended to apply to low density neighbourhoods in master planned communities in suburban greenfield locations in the **Developing Area**;

- (b) accommodates a wide range of low density residential **development** in the form of **Cottage Housing Clusters, Duplex Dwellings, Rowhouse Buildings, Semi-detached Dwellings** and **Single Detached Dwellings** to allow for the mixing of different housing forms and to encourage housing diversity and intensification of a neighbourhood over time;
 - (c) includes **carriage house lots** to facilitate alternative housing forms on **laned parcels**; and
 - (d) accommodates **Secondary Suites** and **Backyard Suites**.
- (2) **Parcels** designated R-Gm:
- (a) accommodate low density attached dwelling **developments** in the form of **Rowhouse Buildings, Semi-detached Dwellings, Duplex Dwellings** and **Cottage Housing Clusters** in locations within master planned communities where attached residential forms are promoted;
 - (b) are not intended to accommodate **Single Detached Dwellings** except where subdivision results in remnant single lots, where **carriage house lots** are added or where **Single Detached Dwellings** are planned comprehensively with a majority of attached dwelling forms.

Permitted Uses

547.1 The following **uses** are **permitted uses** in the Residential –Low Density Mixed Housing District:

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

Discretionary Uses

547.2 The following **uses** are **discretionary uses** in the Residential – Low Density Mixed Housing District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Bed and Breakfast;**
- (d) **Community Entrance Feature;**

- (e) **Cottage Housing Cluster;**
- (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) **Sign – Class E;**
- (o) **Temporary Residential Sales Centre; and**
- (p) **Utility Building.**

Permitted and Discretionary Uses for Parcels Designated R-Gm

547.3 (1) *Parcels* designated R-Gm have the same ~~permitted uses~~ referenced in section 547.1 with the exception of:

- (a) **Single Detached Dwelling.**

(2) *Parcels* designated R-Gm have the same **discretionary uses** referenced in section 547.2 with the additional **discretionary use** of:

- (a) **Single Detached Dwelling.**

Rules

547.4 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Number of Main Residential Buildings on a Parcel

547.5 (1) Unless otherwise referenced in subsection (2) the maximum number of **main residential buildings** on a *parcel* is one.

- (2)** Subsection (1) does not apply to a **Cottage Housing Cluster**.

Parcel Width

547.6 (1) Unless otherwise referenced in subsections (2) and (3) the minimum **parcel width** is 6.0 metres per **Dwelling Unit**.

- (2)** The minimum **parcel width** is 5.0 metres per **Dwelling Unit** for a **laned parcel** containing a **Duplex Dwelling** or a **Rowhouse Building**.
- (3)** There is no minimum **parcel width** for a **Cottage Housing Cluster** or a **carriage house lot**.

Parcel Area

- 547.7 (1)** Except as otherwise referenced in subsections (2) and (3), the minimum area of a **parcel** is 150.0 square metres per **Dwelling Unit**.
- (2)** The area of a **carriage house lot** is:
- (a) a minimum 120.0 square metres per **Dwelling Unit**; and
 - (b) a maximum of 250.0 square metres per **Dwelling Unit**.
- (3)** The minimum area of a **parcel** for a **Cottage Housing Cluster** is 90.0 square metres per **Dwelling Unit**.

Parcel Coverage

- 547.8 (1)** Unless otherwise referenced in subsections (2) and (3), the maximum **parcel coverage** is 60.0 per cent of the area of the **parcel**.
- (2)** Unless otherwise referenced in subsection (3), the maximum **parcel coverage** for a **laned parcel** is 70.0 per cent of the area of the **parcel**.
- (3)** The maximum **parcel coverage** referenced in subsections (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**.

Building Setback Areas

- 547.9** The minimum depth of all **setback areas** must be equal to the minimum **building setbacks** required in sections 547.10, 547.11 and 547.12.

Building Setback from Front Property Line

- 547.10** The minimum **building setback** from a **front property line** is 1.0 metres.

Building Setback from Side Property Line

- 547.11 (1)** Unless otherwise referenced in subsections (4), (5) and (6), for a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.
- (2)** Unless otherwise referenced in subsections (3), (4), (5) and (6), for a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
 - (b) 3.0 metres on one side of the **parcel**, when no provision has been made for a **private garage** on the front or side of a **building**.
- (3)** The **building setback** required in subsection 2(b) may be reduced where the owner of the **parcel** proposed for **development** and the owner of the adjacent **parcel** register, against both titles, an exclusive private access easement:

- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
 - (b) provides unrestricted vehicle access to the rear of the **parcel**.
- (4) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.0 metre.
- (5) For a **parcel** containing a **Single Detached Dwelling** one **building setback** from a **side property line** may be reduced to zero metres where:
- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a minimum 1.5 metre private maintenance easement that provides for:
 - (i) a 0.30 metre eave encroachment easement with the requirement that the eaves must not be closer than 0.90 metres to the eaves on a **building** on an **adjacent parcel**; and
 - (ii) a 0.60 metre footing encroachment easement; and
 - (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.
- (6) For a **Backyard Suite, Rowhouse Building** or **Semi-detached Dwelling** there is no requirement for a **building setback** from the **property line** on which a party wall is located that separates two or more **Dwelling Units** or **Backyard Suites**.

Building Setback from Rear Property Line

- 547.12 (1) Unless otherwise referenced in subsections (2), (3) or (4) the minimum **building setback** from a **rear property line** is 7.5 metres.
- (2) On a **laneless parcel** the minimum **building setback** from a **rear property line** is 5.0 metres where all the required **motor vehicle parking stalls** are provided in a **private garage**.
- (3) The minimum **building setback** from a **rear property line** shared with a **carriage house lot** is 1.2 metres where all the required **motor vehicle parking stalls** are provided in a **private garage**.
- (4) On a **laned parcel** the minimum **building setback** from a **rear property line** shared with a **lane** is 0.6 metres where all the required **motor vehicle parking stalls**:
- (a) are provided in a **private garage**; and
 - (b) have direct, individual access to the **lane**.

- (5) For a **development** subject to subsection (4) the provisions referenced in section 338 regarding projections into the **rear setback area** do not apply.
- (6) For a **development** subject to subsection (4) eaves may project 0.3 metres into the **rear setback area**.

Building Height

- 547.13 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 12.0 metres.
- (2) The maximum **building height** of a **Backyard Suite** on a **laned parcel** is 10.0 metres.

Outdoor Private Amenity Space

- 547.14 (1) Unless otherwise referenced in subsection (2) or (3), for a **Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling** or a **Single Detached Dwelling**, each **unit** must have direct access to **private amenity space** that:
 - (a) is provided outdoors;
 - (b) is not used for vehicle access or as a **motor vehicle parking stall**;
 - (c) is not located in the **building setback** area between the **front property line** and a line parallel to the **front property line** measured at the closest **building setback** from the **front property line**;
 - (d) has a minimum total area of 22.0 square metres; and
 - (e) has no dimension of less than 3.0 metres.
- (2) Unless otherwise referenced in subsection (3), for a **Duplex Dwelling, Rowhouse Building** or a **Semi-detached Dwelling** located on **parcel** designated R-Gm, each **unit** must have direct access to **private amenity space** that:
 - (a) is provided outdoors;
 - (b) is not used for vehicle access or as a **motor vehicle parking stall**;
 - (c) is not located in the **building setback** area between the **front property line** and a line parallel to the **front property line** measured at the closest **building setback** from the **front property line**;
 - (d) has a minimum total area of 15.0 square metres; and
 - (e) has no dimension of less than 2.0 metres.

(3) For a **Semi-detached Dwelling** or a **Single Detached Dwelling** located on **carriage house lot**, each **unit** must have direct access to **private amenity space** that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a **motor vehicle parking stall**;
- (c) has a minimum total area of 15.0 square metres; and
- (d) has no dimension of less than 2.0 metres.

Balconies

547.15 The rules of subsections 340(1) and 340(2) regarding **balcony** size do not apply to a **balcony** located entirely on the roof of the first or second **storey** of the **main residential building** or a **private garage** attached to the **main residential building**.

Driveways

547.16 In addition to the rules regarding driveways in section 341 the combined width of all driveways accessing a **street** must not be wider than the **parcel width** less 3.0 metres."

2. This Bylaw comes into force on 2016 April 22.

READ A FIRST TIME THIS ____ DAY OF _____, 2016.

READ A SECOND TIME THIS ____ DAY OF _____, 2016.

READ A THIRD TIME THIS ____ DAY OF _____, 2016.

MAYOR
SIGNED THIS ____ DAY OF _____, 2016.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2016.