

BYLAW NUMBER 24P2014

**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) Delete subsection 13(45) and replace it with the following:

“(45) “cottage building” means a residential *building* located within a Cottage Housing Cluster that is restricted in size and contains one, two or three Dwelling Units.”
 - (b) Delete subsection 13(48) and replace it with the following:

“(48) “density” means the number of Dwelling Units and Live Work Units on a *parcel*, expressed in *units* per hectare or in *units* per *parcel*, but does not include Secondary Suites or Backyard Suites.”
 - (c) Delete subsection 13(89) and replace it with the following:

“(89) “main residential building” means a *building* containing one or more Dwelling Units but does not include a Backyard Suite.”
 - (d) 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 and R-CG districts, includes a *bare land unit* created under a condominium plan;”
 - (e) Delete subsection 13(121.1) and replace it with the following:

“(121.1) “rooftop terrace” means a horizontal platform that is located on top of a *building* or a portion of a *building*, is intended for use as an outdoor *amenity space*, is located above the first *storey* and may project from a façade of the *building*, but does not project beyond any façade of the *building*.”

- (f) Delete subsection 13(121.2) and replace it with the following:

“(121.2) “rotor’s arc” means the largest circumferential path travelled by a **blade.**”

- (g) Add a new subsection 13(121.3) as follows:

“(121.3) “scramble parking” means a parking area where the **motor vehicle parking stalls** are not assigned to individual users or vehicles and where access is available to vehicles for periods no longer than four hours at a time.”

- (h) Delete subsections 27(2)(a) and (a.1) and replace it with the following:

“(a) Backyard Suite;

(a.1) Drinking Establishment – Large in the CC-EIR or the CC-ET districts;

(a.2) Drinking Establishment – Medium in the C-C1, C-COR1, C-COR2, CC-X or CC-COR districts;”

- (i) Delete subsections 27(2)(i) and (i.1)

- (j) Delete subsection 57(1) and replace it with the following:

“57 (1) No new **buildings** or other new structures are allowed in the **floodway**, except for the replacement of existing **Accessory Residential Buildings, Backyard Suites, Duplex Dwellings, Secondary Suites, Semi-detached Dwellings and Single Detached Dwellings** on the same **building** footprint.”

- (k) Delete subsection 122(3)(a) and replace it with the following:

“(a) a Backyard Suite, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling or Single Detached Dwelling; and”

- (l) In subsection 122(7) delete **“Rowhouse”** and replace it with **“Rowhouse Building.”**

- (m) Add a new subsection 134.1(6) as follows:

“(6) In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following **uses** are deemed to be the **Backyard Suite use:**

- (a) **Secondary Suite – Detached Garage;** and
- (b) **Secondary Suite – Detached Garden.”**

(n) Delete subsection 138(a) and replace it with the following:

“(a) means a **use** where a **building**:

- (i) accommodates a **use** that is subordinate to the main residential **use** on a **parcel**;
- (ii) is not attached to a **main residential building** except where the attachment is entirely below **grade** or directly below a **patio**; and
- (iii) may be below or attached to a **Backyard Suite** on a **parcel** where a **Backyard Suite** is a listed **use** in the applicable land use district;”

(o) Add a new section 153.1 as follows:

“153.1 “Backyard Suite”

(a) means a **use**:

- (i) that contains two or more rooms used or designed to be used as a residence by one or more persons;
- (ii) that contains a **kitchen**, living, sleeping and sanitary facilities;
- (iii) that is secondary to the main residential **use** on the **parcel**;
- (iv) that is located in a detached **building** located behind the front façade of the **main residential building**; and
- (v) that may be located in the same **building** as a detached **private garage**;

(b) is a **use** within the Residential Group in Schedule A to this Bylaw;

(c) requires a minimum of 1.0 **motor vehicle parking stalls** for a **Backyard Suite** with a floor area equal to or greater than 45.0 square metres, not including areas covered by stairways and **landings**; and

(d) does not require **bicycle parking stalls – class 1 or class 2.**”

(p) Delete subsection 170.2(a) and replace it with the following:

“(a) means a **use** where a **building** :

- (i) contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof;
- (ii) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district; and
- (iii) meets all of the rules specified for the **use** in a district;

(q) Delete subsection 171(a) and replace it with the following:

“(a) means a **use** where a **building** contains one **Dwelling Unit** that:

- (i) meets all of the rules specified for the **use** in a district; and
- (ii) may contain a **Secondary Suite** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district;”

(r) Delete subsection 175 and replace it with the following:

“175 **“Cottage Housing Cluster**

- (a) means a **use**.
 - (i) that is a grouping of **cottage buildings** around an open space; and
 - (ii) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) that has a minimum of four **cottage buildings**;
- (d) that has a maximum of twelve **cottage buildings**;
- (e) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit** with a floor area equal to or greater than 45.0 square metres, not including areas covered by stairways;
- (f) requires a minimum of 0.15 **visitor parking stalls** per **Dwelling Unit**; and
- (g) does not require **bicycle parking stalls – class 1 or class 2.**”

- (s) In subsection 239(c) delete “**Rowhouse**” and replace it with “**Rowhouse Building.**”
- (t) In subsection 240(c) delete “**Rowhouse**” and replace it with “**Rowhouse Building.**”

- (u) Delete section 287 and replace it with the following:

“287 “Rowhouse Building”

- (a) means a **use** where a **building**:
 - (i) contains three or more **Dwelling Units**, located side by side and separated by common party walls extending from foundation to roof;
 - (ii) where one façade of each **Dwelling Unit** directly faces a public **street**;
 - (iii) where no intervening **building** is located between the **street** facing façade of each **Dwelling Unit** and the **adjacent** public **street**;
 - (iv) where each **Dwelling Unit** has a separate direct entry from **grade** to an **adjacent** public sidewalk or an **adjacent** public **street**;
 - (v) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**; and
 - (vi) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2.**”

- (v) Delete subsections 295(a) and (c) and replace it with the following:

- “(a) means a **use**:
 - (i) that contains two or more rooms used or designed to be used as a residence by one or more persons;

- (ii) that contains a **kitchen**, living, sleeping and sanitary facilities;
- (iii) that is self-contained and located within a **Dwelling Unit**; and
- (iv) that is secondary to the main residential **use** on the **parcel**;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** for a **Secondary Suite** with a floor area of more than 45.0 square metres, not including areas covered by stairways and **landings**; and
- (w) Delete section 295.1 "Secondary Suite – Detached Garage"
- (x) Delete section 295.2 "Secondary Suite – Detached Garden"
- (y) Delete section 297 and replace it with the following:

"297 "Semi-detached Dwelling"

- (a) means a **use** where a **building** contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof;
- (b) may include a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district;
- (c) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2.**"
- (z) Delete subsection 305(a) and replace it with the following:
 - "(a) means a **use** where a **building** contains only one **Dwelling Unit** and may include 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**;"
- (aa) In subsections 319(a)(iv); 339(3); and 340(3) delete "**Rowhouse**" and replace it with "**Rowhouse Building**."
- (bb) Add a new subsection 340(4) as follows:
 - "(4) A rooftop terrace** may be located on the roof of a **Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, Rowhouse**

Building, Single Detached Dwelling and Semi-detached Dwelling
where:

- (a) it is located in a **Residential – Grade-Oriented Infill (R-CG) District**;
- (b) it is located on the roof of the first or second **storey**;
- (c) it faces the **street** for a **Contextual Single Detached Dwelling** or a **Contextual Semi-detached Dwelling**; and
- (d) the area of the **rooftop terrace** is 30 per cent or less of the floor area of the **storey** below.”

(cc) Delete subsection 346(2) and replace it with the following:

“(2) An Accessory Residential Building must not be used as a Dwelling Unit, unless a Backyard Suite has been approved.”

(dd) Add a new section 347.3 as follows:

“Permitted use Rowhouse Building

347.3 (1) To be a permitted use a Rowhouse Building:

- (a) must have façade articulation for each **Dwelling Unit**, by including:
 - (i) a portion of a **street** facing façade of each **unit** recessed behind or projecting forward from the remainder of the **street** facing façade of that **unit**, with the projecting or recessed portion having a minimum dimension of:
 - (A) 2.0 metres in width;
 - (B) 0.3 metres in depth; and
 - (C) 2.4 metres in height; or
 - (ii) a **porch** that projects from a **street** facing façade a minimum dimension of:
 - (A) 2.0 metres in width; and
 - (B) 1.2 metres in depth;
- (b) must have the main floor located above **grade** adjacent to the **building** to a maximum of 1.20 metres above **grade** for **street** facing façades;
- (c) located on a **corner parcel** must have an exterior entrance which is visible from each **street** side of the **corner parcel**;

- (d) must not have an attached **private garage**;
- (e) must have a **motor vehicle parking stall** or **private garage** for each **Dwelling Unit** with direct, individual access to a **lane**;
- (f) must not have windows on an exposed side façade of a **unit** that are located beyond the rear façade of a **contextually adjacent building** on an adjoining **parcel** unless:
 - (i) the window is located below the second **storey**;
 - (ii) the glass in the window is entirely obscured;
 - (iii) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; or
 - (iv) the façade that contains the window is setback a minimum of 4.2 metres from the **side property line**;
- (g) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres; and
- (h) must not have an entrance to a **basement** except where:
 - (i) the entrance is located on the same façade as the at-grade entrance to a **walkout basement**; or
 - (ii) the entrance provides access to a **Secondary Suite**.

(2) A Rowhouse Building that is a permitted use:

- (a) may have a **balcony** located on a side façade where:
 - (i) it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
 - (ii) it is on the **street** side of a **corner parcel**;
- (b) may have a **balcony** located on a rear façade where:
 - (i) it does not form part of an exposed 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 **contextual 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;
- (c) must not have a **balcony** with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**; and
- (d) may have a **rooftop terrace** where it faces a public **street**.
- (3) Unless otherwise referenced in subsection (4) the maximum **building depth** of a **Rowhouse Building** that is a **permitted use** is the greater of:
 - (a) 60.0 per cent of the **parcel depth**; or
 - (b) the **contextual building depth average**.
- (4) There is no maximum **building depth** for a **Rowhouse Building** located on a **corner parcel**.
- (ee) Delete section 351 and replace it with the following:

“Secondary Suite

351 (1) For a **Secondary Suite** the minimum **building setback** from a **property line**, must be equal to or greater than the minimum **building setback** from a **property line** for the **main residential building**.

(2) The maximum floor area of a **Secondary Suite**, excluding any area covered by stairways and **landings**, is 70.0 square metres:

 - (a) in the R-C1Ls, R-C1s, R-C1N, R-1s and R-1N Districts; or
 - (b) when located on a **parcel** with a **parcel width** less than 13.0 metres

(3) The maximum floor area of a **Secondary Suite** may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.

(4) A **Secondary Suite** must have a **private amenity space** that:

 - (a) is located outdoors;
 - (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres; and

- (c) is shown on a plan approved by the **Development Authority.**

(ff) Delete section 351.1.

(gg) Delete section 352 and replace it with the following:

“Backyard Suite

- 352 (1)** For a **Backyard Suite**, the minimum **building setback** from a **rear property line** is:
- (a) 1.5 metres for any portion of the **building** used as a **Backyard Suite**; and
 - (b) 0.6 metres for any portion of the **building** used as a **private garage**.
- (2)** Unless otherwise specified in the district, for a **Backyard Suite**, the minimum **building setback** from a **side property line** is 1.2 metres for any portion of the **building** used as a **Backyard Suite**.
- (3)** A minimum separation of 3.0 metres is required between the closest façade of the **main residential building** to the closest façade of a **Backyard Suite**.
- (4)** The maximum **building height** for a **Backyard Suite** is 7.5 metres.
- (5)** The maximum floor area of a **Backyard Suite**, excluding any area covered by stairways and **landings**, is 75.0 square metres.
- (6)** The maximum floor area of a **Backyard Suite** may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.
- (7)** A **Backyard Suite** must have a **private amenity space** that:
- (a) is located outdoors;
 - (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres; and
 - (c) is shown on a plan approved by the **Development Authority.**

(hh) Delete section 353.

(ii) Delete section 354 and replace it with the following:

“Accessory Suite – Density

354 (1) There must not be more than one **Secondary Suite** or **Backyard Suite** located on a **parcel**.

(2) A **Secondary Suite** and a **Backyard Suite** must not be located on the same **parcel**.”

(jj) Delete section 356.

(kk) Delete section 361 and replace it with the following:

“Building Height on a Corner Parcel

361 In addition to the rules of sections 360 (2) and (3), for a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling and Single Detached Dwelling** located on a **corner parcel**, no portion of a **building** facing a **street** may exceed the maximum **building height** for the District when measured vertically at any point from **grade** adjacent to the **building**.”

(ll) Delete subsection 366(2) and replace it with the following:

“(2) Parcels designated R-C1Ls are intended to accommodate a **Secondary Suite** or **Backyard Suite** on the same **parcel** as a **Single Detached Dwelling**.”

(mm) Delete subsection 369(2) and replace it with the following:

“(2) Parcels designated R-C1Ls have the same **discretionary uses** referenced in section 368 with the additional **discretionary uses** of:

(a) Backyard Suite.”

(nn) Add a new section 371.1 as follows:

“Parcels Containing Suites

371.1 A **Secondary Suite** or **Backyard Suite** may only be contained on a **parcel** also containing a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**.”

(oo) Delete subsection 384(2) and replace it with the following:

“(2) Parcels designated R-C1s are intended to accommodate a **Secondary Suite** or **Backyard Suite** on the same **parcel** as a **Single Detached Dwelling**.”

(pp) Delete subsection 387(2) and replace it with the following:

“(2) **Parcels** designated R-C1s have the same **discretionary uses** referenced in section 386 with the additional **discretionary uses** of:

(a) **Backyard Suite.**”

(qq) Add a new section 389.1 as follows:

“**Parcels Containing Suites**

389.1 A **Secondary Suite** or **Backyard Suite** may only be contained on a **parcel** also containing a **Contextual Single Detached Dwelling** or **Single Detached Dwelling.**”

(rr) Add a new subsection 406(a.2) as follows:

“(a.2) **Backyard Suite;**”

(ss) Delete subsections 406(h.2) and 406(h.3).

(tt) Add a new section 408.1 as follows:

“**Parcels Containing Suites**

408.1 A **Secondary Suite** or **Backyard Suite** may only be contained on a **parcel** also containing a **Contextual Single Detached Dwelling** or **Single Detached Dwelling.**”

(uu) Delete subsection 409(1)(c) and replace it with the following:

“(c) 13.0 metres for a **parcel** containing a **Backyard Suite.**”

(vv) Delete subsection 410(2) and replace it with the following:

“(2) The minimum **parcel depth** for a **parcel** containing a **Backyard Suite** is 30.0 metres.”

(ww) Delete subsection 411(2) and replace it with the following:

“(2) The minimum area of a **parcel** containing a **Backyard Suite** is 400.0 square metres.”

(xx) Add a new subsection 426(1)(a.2) as follows:

“(a.2) **Backyard Suite;**”

(yy) Delete subsection 426(1)(j.1) and 426(1)(j.2).

(zz) Add a new section 428.1 as follows:

"Parcels Containing Suites

428.1 A **Secondary Suite** or **Backyard Suite** may only be contained on a **parcel** also containing a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**."

(aaa) Delete subsection 429(c) and replace it with the following:

"(c) 13.0 metres for a **parcel** containing a **Backyard Suite**; and"

(bbb) Delete subsection 430(2) and replace it with the following:

"(2) The minimum **parcel depth** for a **parcel** containing a **Backyard Suite** is 30.0 metres."

(ccc) Delete subsection 431(c) and replace it with the following:

"(c) 400.0 square metres for a **parcel** containing a **Backyard Suite**; and"

(ddd) Delete subsection 444(2) and replace it with the following:

"(2) ~~Parcels~~ designated R-1s are intended to accommodate a **Secondary Suite** or **Backyard Suite** on the same **parcel** as a **Single Detached Dwelling**."

(eee) Delete subsection 447(2) and replace it with the following:

"(2) ~~Parcels~~ designated R-1s have the same **discretionary uses** referenced in section 446 with the additional **discretionary uses** of:

(a) **Backyard Suite**."

(fff) Add a new section 449.1 as follows:

"Parcels Containing Suites

449.1 A **Secondary Suite** or **Backyard Suite** may only be contained on a **parcel** also containing a **Single Detached Dwelling**."

(ggg) Delete subsections 450(2) and 450(3) and replace them with the following:

"(2) The minimum **parcel width** for a **parcel** containing a **Secondary Suite** or **Backyard Suite** is 11.0 metres."

(hhh) Delete subsections 452(2) and 452(3) and replace them with the following:

“(2) The minimum area of a *parcel* containing a **Backyard Suite** is 330.0 square metres.”

(iii) Add a new subsection 461(a.2) as follows:

“(a.2) **Backyard Suite**,”

(jjj) Delete subsections 461(h.2) and 461(h.3).

(kkk) Add a new section 463.1 as follows:

“Parcels Containing Suites

463.1 A **Secondary Suite** or **Backyard Suite** may only be contained on a *parcel* also containing a **Single Detached Dwelling**.”

(III) Delete subsection 464(1)(c) and replace it with the following:

“(c) 13.0 metres for a *parcel* containing a **Backyard Suite**.”

(mmm) Delete subsection 465(2) and replace it with the following:

“(2) The minimum *parcel depth* for a *parcel* containing a **Backyard Suite** is 30.0 metres.”

(nnn) Delete subsection 466(2) and replace it with the following:

“(2) The minimum area of a *parcel* containing a **Backyard Suite** is 400.0 square metres.”

(ooo) Add a new subsection 476(a.2) as follows:

“(a.2) **Backyard Suite**,”

(ppp) Delete subsection 476(i.1) and 476(i.2).

(qqq) Add a new section 478.1 as follows:

“Parcels Containing Suites

478.1 A **Secondary Suite** or **Backyard Suite** may only be contained on a *parcel* also containing a **Single Detached Dwelling**.”

(rrr) Delete subsection 479(c) and replace it with the following:

“(c) 13.0 metres for a **parcel** containing a **Backyard Suite**; and”

(sss) Delete subsection 480(2) and replace it with the following:

“(2) The minimum **parcel depth** for a **parcel** containing a **Backyard Suite** is 30.0 metres.”

(ttt) Delete subsection 481(c) and replace it with the following:

“(c) 400.0 square metres for a **parcel** containing a **Backyard Suite**; and”

(uuu) In section 489 delete “**Rowhouses**” and replace it with “**Rowhouse Building**.”

(vvv) Delete subsection 490(f) and replace it with the following:

“(f) **Rowhouse Building**,”

(www) Add a new subsection 491(2)(a.2) as follows:

“(a.2) **Backyard Suite**,”

(xxx) Delete subsection 491(2)(i.1) and 491(2)(i.2).

(yyy) In subsection 493(a) and section 504 delete “**Rowhouses**” and replace it with “**Rowhouse Building**.”

(zzz) Add a new section 493.1 as follows:

“Parcels Containing Suites

493.1 A **Secondary Suite** or **Backyard Suite** may only be contained on a **parcel** also containing a **Single Detached Dwelling**.”

(aaaa) In subsections 494(e), 496(e), 497(1)(c), 500(4) and section 501 delete “**Rowhouse**” and replace it with “**Rowhouse Building**”.

(bbbb) Delete subsection 494(c) and replace it with the following:

“(c) 13.0 metres for a **parcel** containing a **Backyard Suite**,”

(cccc) Delete subsection 495(2) and replace it with the following:

“(2) The minimum **parcel depth** for a **parcel** containing a **Backyard Suite** is 30.0 metres.”

(dddd) Delete subsection 496(c) and replace it with the following:

“(c) 400.0 square metres for a *parcel* containing a **Backyard Suite**,”

(eeee) Delete Division 11 of Part 5 in its entirety and replace it with the following:

“Division 11: Residential – Grade-Oriented Infill (R-CG) District

Purpose

525 The Residential – Grade-Oriented Infill District is intended to accommodate existing residential ~~development~~ and grade-oriented redevelopment in the form of **Rowhouses, Duplex Dwellings, Semi-detached Dwellings** and **Cottage Housing Clusters** in the **Developed Area**.

Permitted Uses

526 (1) The following ~~uses~~ are **permitted uses** in the Residential – Grade-Oriented Infill District:

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

(2) A **Rowhouse Building** is a **permitted use** in the Residential – Grade-Oriented Infill District where a **Rowhouse Building** complies with all the rules in the district for that **use** and where a **Rowhouse Building** complies with the rules of section 347.3.

Discretionary Uses

527 (1) A **Rowhouse Building** is a **discretionary use** in the Residential – Grade-Oriented Infill District where a **Rowhouse Building** does not comply with all the rules in the district for that **use** or where a **Rowhouse Building** does not comply with the rules of section 347.3.

(2) The following **uses** are **discretionary uses** in the Residential – Grade-Oriented Infill District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Backyard Suite;**

- (d) **Bed and Breakfast;**
- (e) **Community Entrance Feature;**
- (f) **Cottage Housing Cluster;**
- (g) **Custodial Care;**
- (h) **Duplex Dwelling;**
- (i) **Home Based Child Care – Class 2;**
- (j) **Home Occupation – Class 2;**
- (k) **Place of Worship – Small;**
- (l) **Power Generation Facility – Small;**
- (m) **Residential Care;**
- (n) **Semi-detached Dwelling;**
- (o) **Sign – Class B;**
- (p) **Sign – Class C;**
- (q) **Sign – Class E;**
- (r) **Single Detached Dwelling;**
- (s) **Temporary Residential Sales Centre; and**
- (t) **Utility Building.**

Rules

528 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.

Density

529 The maximum density for **parcels** designated R-CG District is **75 units** per hectare.

Number of Main Residential Buildings on a Parcel

- 530**
- (1) Unless otherwise referenced in subsection (2) the maximum number of **main residential buildings** on a **parcel** is one.
 - (2) There is no maximum number of **main residential buildings** on a **parcel** that contains a **Cottage Housing Cluster**.

Parcels Containing Suites

531 A **Secondary Suite** or **Backyard Suite** may only be contained on a **parcel** also containing a **Contextual Semi-Detached Dwelling**, **Contextual Single Detached Dwelling**, **Rowhouse Building**, **Semi-Detached Dwelling** or **Single Detached Dwelling**.

Parcel Width

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

Façade Width

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

Parcel Area

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

Parcel Coverage

- 535 (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 **parcel** with a **density** of less than 40 **units** per hectare;
- (b) 50.0 per cent of the area of the **parcel** for a **parcel** 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 **parcel** 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 a 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 a 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 a 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 subsection (1), 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

- 536 (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

- 537 The minimum depth of all **setback areas** must be equal to the minimum **building setback** required in sections 537.1, 537.2, 537.3 and 537.4.

Building Setback from Front Property Line

- 537.1 (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) unless otherwise stated in subsection (a), 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

- 537.2 (1) A **side setback area** with a minimum depth of 1.2 metres must be provided at a minimum interval of 60.0 metres along the entire length of a block face.
- (2) The **side setback area** in subsection (1) 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

- 537.3 (1) Subject to subsections (3) through (9), for a **laned parcel**, 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** when 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 section 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, a 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

- 537.4 (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 Housing Cluster** the minimum **building setback** from a **property line** shared with a **lane** is 1.5 metres for a **cottage building**.

Projections into Setback Areas

- 537.5 (1)** For a **parcel** containing a **Cottage Housing Cluster** the provisions referenced in sections 334, 335, 336, 337 and 338 do not apply.
- (2)** Eaves may project a maximum of 0.6 metres into any **setback area**.

Building Height

- 538 (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.

Cottage Building Separation

- 539 (1) Unless otherwise referenced in subsection (2), the minimum separation distance between all **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.

Orientation and Number of Cottage Buildings

- 540 (1) Within each **Cottage Housing Cluster**, only one **cottage building** may provide a maximum of three (3) **Dwelling Units**.
- (2) Each **cottage building** must be **adjacent** to the common open space.

Cottage Building Dwelling Unit Size

- 541 (1) The maximum **gross floor area** of the first **storey** of a **Dwelling Unit** in a **cottage building** is 82.0 square metres.
- (2) The maximum **gross floor area** that may be located above the first **storey** of a **Dwelling Unit** in a **cottage building** is 70.0 per cent of the **gross floor area** of the first **storey**.

Outdoor Private Amenity Space

542 (1) 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**.

(2) Each **Dwelling Unit** in a **Cottage Building** must have an **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.

(3) For **Dwelling Units** in a **cottage building** that are located on the main floor closest to **grade**, a **private amenity space** must be provided in the form of a **patio, porch** or **deck**.

(4) 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**.

Cottage Housing Cluster Common Amenity Space

543 (1) Common **outdoor amenity space** required for each **Cottage Housing Cluster** must be provided at **grade**, and:

- (a) have a minimum area of 20.0 square metres per **Dwelling Unit**;

- (b) have no dimension less than 6.0 metres;
- (c) is centrally located in a single contiguous area;
- (d) have either a **soft surfaced landscaped area** or **hard surfaced landscaped area**;
- (e) includes a sidewalk to the **street**;
- (f) is not used for vehicular access; and
- (g) is not located in any **setback area**.

- (2) **Private amenity space** is not to be included in the calculation to determine the required common amenity space.

Landscaping

- 544 (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.

Accessory Residential Buildings

- 545 (1) One **Accessory Residential Building** less than 10.0 square metres, not including a **private garage**, may be provided for each **cottage building**.
- (2) For a **parcel** containing a **Rowhouse Building** or **Cottage Housing Cluster** the provisions referenced in subsection 346(4) do not apply to **Accessory Residential Buildings** used as a **private garage**.

Garbage

- 546 (1) 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 (3) must not be located in any **setback area**.

(2) A garbage container enclosure 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**.

Recycling Facilities

547 Recycling facilities must be provided for a **Cottage Housing Cluster**.

Motor Vehicle Parking Stalls

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

548.1 (1) **Motor vehicle parking stalls** in a **Cottage Housing Cluster** must not be located between the **common amenity space** and a **cottage building**.

(2) Unless otherwise referenced in subsection (3) access to **motor vehicle parking stalls** and **private garages** in a **Cottage Housing Cluster** must be from a **lane** and **private garages** must be located **adjacent** to a **lane**.

(3) 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.

(ffff) Delete section 573 and replace it with the following:

“Single Detached, Semi-Detached, Duplex Dwellings and Secondary Suites

573 Any of the following uses must comply with the rules of the R-CG District that apply to such **development**:

- (a) **Accessory Residential Building** that is not combined with a **Multi-Residential Development**;
- (b) **Backyard Suite**
- (c) **Duplex Dwelling**;

- (d) **Secondary Suite;**
- (e) **Semi-detached Dwelling; or**
- (f) **Single Detached Dwelling.”**

(gggg) Add new subsections 578(1)(b.1), 588(1)(b.1) and 597(1)(b.1) as follows:

“(b.1) **Backyard Suite;”**

(hhhh) Delete subsections 578(1)(n.1), 578(1)(n.2), 588(1)(n.2), ~~588(1)(n.3)~~, 597(1)(n.2) and 597(1)(n.3).

(iiii) Delete subsections 637(2)(a), 648(2)(a), 659(2)(a), ~~670(2)(a)~~ and 680(2)(a) and replace it with the following:

“(a) **Backyard Suite;”**

(jjjj) Add a new subsections 637(2)(a.1), ~~648(2)(a.1)~~, ~~659(2)(a.1)~~, 670(2)(a.1) and 680(2)(a.1) as follows:

“(a.1) **Duplex Dwelling;”**

(kkkk) Delete subsections ~~637(2)(c)~~, ~~637(2)(d)~~, ~~648(2)(c)~~, ~~648(2)(d)~~, ~~659(2)(c)~~, ~~659(2)(d)~~, ~~670(2)(c)~~, ~~670(2)(d)~~, ~~680(2)(c)~~ and 680(2)(d).

(llll) Delete section 1120.1 and replace it with the following:

“**Single Detached, Semi-Detached, Duplex Dwellings and Secondary Suites**

1120.1 Any of the following uses must comply with the rules of the R-CG District that apply to such **development**:

- (a) **Accessory Residential Building** that is not combined with a **Multi-Residential Development;**
- (b) **Backyard Suite**
- (c) **Duplex Dwelling;**
- (d) **Secondary Suite;**
- (e) **Semi-detached Dwelling; or**
- (f) **Single Detached Dwelling.”**

(mmmm) Delete subsections 1124(4)(a) and 1134(6)(a) and replace it with the following:

“(a) **Backyard Suite;”**

(nnnn) Add new subsections 1124(4)(a.1) and 1134(6)(a.1) as follows:

“(a.1) **Duplex Dwelling;”**

(oooo) Delete subsections 1124(4)(c), 1124(4)(d), 1134(6)(c) and 1134(6)(d).

(pppp) Amend the Residential Group of Schedule A to delete “Cottage Building” and replace it with “Cottage Housing Cluster.”

(qqqq) Amend the Residential Group of Schedule A to delete “Rowhouse” and replace it with “Rowhouse Building.”

(rrrr) Amend the Residential Group of Schedule A to delete “Secondary Suite – Detached Garage” and “Secondary Suite – Detached Garden” and replace it with “Backyard Suite.”

2. This Bylaw comes into force on 2014 September 22.

READ A FIRST TIME THIS ____ DAY OF _____, 2014.

READ A SECOND TIME THIS ____ DAY OF _____, 2014.

READ A THIRD TIME THIS ____ DAY OF _____, 2014.

MAYOR
SIGNED THIS ____ DAY OF _____, 2014.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2014.