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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

EXECUTIVE SUMMARY

The Livingston Stage 1A Land Use Amendment covers an area of 69.8 hectares (172.5 acres) to the northeast of Centre Street and 144 Avenue NE, adjacent to the Major Activity Centre and Urban Corridor identified in the Keystone Hills Area Structure Plan. The proposal is anticipated to accommodate up to 1,500 units including single and semi-detached, rowhouses and apartments. The area also contains a combined school and Resident's Association site with sports fields, tennis courts a playground and seating areas for passive recreation.

The Land Use Amendment also requires an amendment to the Keystone Hills Area Structure Plan to remove a portion of the Growth Management Overlay.

PREVIOUS COUNCIL DIRECTION

No.

ADMINISTRATION RECOMMENDATION(S)

2014 August 28

That Calgary Planning Commission recommends **APPROVAL** of the proposed Policy Amendment and Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 31P2014 and 112D2014; and

- 1. **ADOPT** the proposed amendments to the Keystone Hills Area Structure Plan, in accordance with Administration's recommendation; and
- 2. Give first reading to the proposed Bylaw 31P2014; and
- 3. **WITHHOLD** second and third readings pending the completion of the financing and funding proposal, including the execution of a Construction and Financing Agreement, in accordance with Administration's recommendation.
- 4. **ADOPT** the proposed redesignation of 69.8 hectares ± (172.8 acres ±) located at 300 and 500 144 Avenue NE (portion of SW 1/4 Section 3-26-1-5; Portion of SE 1/4 Section 3-26-1-5; Portion of NW 1/4 Section 3-26-1-5) from Special Purpose Future Urban Development **to** Multi-Residential Low Profile (M-1d60) District, Multi-Residential Low Profile (M-1d100) District, Residential Low Density Multiple Dwelling (R-2M) District, Special Purpose City and Regional Infrastructure (S-CRI) District, Special Purpose Recreation (S-R) District, Special Purpose School, Park and

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MAP 3NN

Community Reserve (S-SPR) District and DC Direct Control District to accommodate a range of low-density residential forms, in accordance with Administration's recommendation; and

- 5. Give first reading to the proposed Bylaw 112D2014; and
- 6. **WITHHOLD** second and third readings pending the completion of the financing and funding proposal, including the execution of a Construction and Financing Agreement, in accordance with Administration's recommendation.
- 7. Recommend that Council direct Administration to work with the FCC and the Applicant, Brookfield Residential, to use this application as a pilot project to explore how CA sites can be incorporated into RA sites to achieve economies of scale, eliminate duplication of devices and provide opportunities for self-sustainability for CA's.

REASON(S) FOR RECOMMENDATION:

Administration recommends APPROVAL of the proposed Policy Amendment and Land Use Amendment based on the following rationale:

- The proposal meets the policies of the Keystone Hills Area Structure Plan including the following:
 - Functional neighbourhood design
 - Block-based transportation network
 - Integrated green spaces network
 - Diversity of housing types
- The application includes a DC land use that accommodates the integration of a range of ground-oriented housing types. This district is intended to improve the diversity of housing throughout the neighbourhood and allow an easier transition to more intense forms over time.

ATTACHMENTS

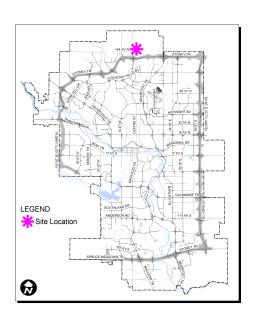
- 1. Proposed Bylaw 31P2014
- 2. Proposed Bylaw 112D2014

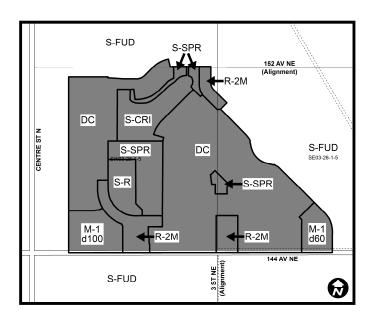
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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

LOCATION MAPS







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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

- 1. Recommend that Council **ADOPT**, by bylaw, the proposed amendment to the Keystone Hills Area Structure Plan (APPENDIX II).
- 2. Give first reading to the proposed Bylaw; and
- 3. **WITHHOLD** second and third readings pending the completion of the financing and funding proposal, including the execution of a Construction and Financing Agreement.

Moved by: R. Wright

Absent: Ms. Wade and Mr. Honsberger left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting. Carried: 4-1

Opposed: P. Battistella

- 4. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 69.8 hectares ± (172.8 acres ±) located at 300 and 500 144 Avenue NE (portion of SW 1/4 Section 3-26-1-5; Portion of SE 1/4 Section 3-26-1-5; Portion of NW 1/4 Section 3-26-1-5) from Special Purpose Future Urban Development **to** Multi-Residential Low Profile (M-1d60) District, Multi-Residential Low Profile (M-1d100) District, Residential Low Density Multiple Dwelling (R-2M) District, Special Purpose City and Regional Infrastructure (S-CRI) District, Special Purpose Recreation (S-R) District, Special Purpose School, Park and Community Reserve (S-SPR) District and DC Direct Control District to accommodate a range of low-density residential forms (APPENDIX III).
- 5. Give first reading to the proposed Bylaw; and
- 6. **WITHHOLD** second and third readings pending the completion of the financing and funding proposal, including the execution of a Construction and Financing Agreement.

Moved by: R. Wright

Absent: Ms. Wade and Mr. Honsberger left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting. Carried: 4-1

Opposed: P. Battistella

Reason for Opposition from Mr. Battistella:

• Site sits in isolation, and given the limits set by the transportation infrastructure, could be for a significant amount of time. Not providing for development of complete community development of MAC lands first would make more sense.

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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

- Density on west adjacent to MAC could be significantly higher given its proximity to future high density development and future LRT station.
- Unsolved infrastructure issues such as utilities and fire suppression should be solved prior to approving plan. How do we densities are appropriate without these issues resolved?
- Approving a plan out of order of the City's growth priorities raises the question as to why set these priorities. What are the unintended consequences that may result, that impact the rest of Keystone and the other higher priority areas? What limits does this choice make on other priorities especially from a finance perspective?
- Connectivity to the MAC and the LRT station could be enhanced by providing for it in a more direct manner.

MOTION:

Recommend that Council direct Administration to work with the FCC and the Applicant, Brookfield Residential, to use this application as a pilot project to explore how CA sites can be incorporated into RA sites to achieve economies of scale, eliminate duplication of devices and provide opportunities for self-sustainability for CA's.

Moved by: J. Gondek Carried: 5 – 0

Absent: Ms. Wade and

Mr. Honsberger left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

2014 August 28

MOTION: The Calgary Planning Commission **TABLED** Item 14 (LOC2013-0028)

until after the Dinner Recess.

Moved by: J. Gondek Carried: 5 – 0

Absent: Ms. Wade and

Mr. Honsberger left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

The Calgary Planning Commission LIFTED FROM THE TABLE Item 14

(LOC2013-0028)

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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

<u>Applicant</u>: <u>Landowner</u>:

Brown & Associates Planning Group Carma Ltd

Planning Evaluation Content	*Issue	Page
Density	NI	-
Is a density increase being proposed.	No	5
Land Use Districts		
Are the changes being proposed housekeeping or simple bylaw amendment.	No	5
Legislation and Policy		
Does the application comply with policy direction and legislation.	No	5
Transportation Networks		
Do different or specific mobility considerations impact this site	No	5
Utilities & Servicing		
Is the site in an area under current servicing review and/or has major infrastructure (water, sewer, storm and emergency response) concerns.	No	5
Environmental Issues		_
Other considerations eg. sour gas or contaminated sites	No	5
Growth Management		
Is there growth management direction for this site. Does the recommendation create capital budget impacts or concerns.	Yes	6
Public Engagement	NI	0
Were major comments received from the circulation	No	6

^{*}Issue - Yes, No or Resolved

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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

PLANNING EVALUATION

SITE CONTEXT

The subject site is the first portion of land from the Keystone Hills Area Structure Plan to come forward under an Outline Plan / Land Use Amendment application. As such, it is also the first portion of a new community to be planned under the policies of the Municipal Development Plan and Calgary Transportation Plan.

The site is composed of gently rolling topography that has been used for farming and grazing. The proposed development comprises the majority of a single neighbourhood (the remainder is composed of the portion of the future Urban Corridor, east of Centre Street).

LAND USE DISTRICTS

The land use districts proposed include Multi-Residential – Low profile (M-1d100 and M-1d60) District, Residential – Low Density Multiple Dwelling (R-2M) District and a DC Direct Control District intended to accommodate a diversity of low density, ground-oriented residential development including Rowhouses, Single Detached Dwellings, Semi-detached Dwellings, Duplex Dwellings and accessory Dwelling Units. The DC district will allow the community to intensify over time, as market conditions dictate, without the requirement for further land use amendments. Overall, the anticipated density of this phase of development is 21.7 units per hectare (8.8 units per acre). Development along the adjacent Urban Corridor will increase the overall density of this neighbourhood significantly.

LEGISLATION & POLICY

The Municipal Development Plan, Calgary Transportation Plan and the Keystone Hills Area Structure Plan are the main policy documents that guide development on the subject site. The proposal for Livingston Stage 1A generally complies with the policies found in these documents.

TRANSPORTATION NETWORKS

Administration has worked with the applicant to ensure a transportation network that provides an adequate level of connectivity for pedestrians, cyclists, transit and private automobiles. The combination of limited block sizes, pathways and park space ensure pedestrians and cyclists enjoy the highest level of connectivity within the neighbourhood.

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UTILITIES & SERVICING

From a technical perspective, the utilities and services can be provided to and within the subject area to City standards. However, the area does not currently have access to the required leading infrastructure. This shortcoming is the subject of ongoing discussions between the applicant and the City's Growth Management team.

ENVIRONMENTAL ISSUES

The Environmental Site Assessment conducted by Stantec (2011) indicates that there are no issues that prevent the Land Use Amendment / Outline Plan from being approved.

ENVIRONMENTAL SUSTAINABILITY

No special design features of note

GROWTH MANAGEMENT

As per C2013-0057 New Area Structure Plan Process Att4 (APPENDIX IV), the Growth Management Overlay (GMO) removal process was developed to precede the Land Use Amendment process. However, Council directed Administration on 2012 October 15 to "work with the East Keystone Landowners to evaluate and refine the Keystone East Alternate Financing Proposal, as a demonstration case for applying and implementing the Principles and Guidelines for Financing and Funding, prior to or in conjunction with the land use approvals."; therefore, the land use/ASP amendment and financing/funding processes are proceeding concurrently. The mechanism to advance the financing and funding for the GMO removal area is still underway and will go through the Priorities and Finance Committee and then to Council for a decision. Until that time, Administration supports giving first reading to both the Land Use Amendment and Keystone Hills ASP Amendment, shown on the Growth Management Overlay Map, APPENDIX II. The GMO removal area will be subject to the following conditions until the required funds are approved as part of the City's budget or through another funding mechanism as these costs are not being addressed as part of the East Keystone Hills ASP Proposal:

- 1. The required transportation upgrades are not funded at this time, a 1400 unit capacity exists for all of the Keystone Hills ASP.
- 2. The required fire station is not funded at this time, therefore occupancy permits north of 144 Avenue NE will be issued upon approval by The Calgary Fire Department.

CALGARY PLANNING COMMISSION REPORT TO COUNCIL 2014 AUGUST 28 ISC: UNRESTRICTED CPC2014-123 LOC2013-0028 Page 9 of 21

POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

PUBLIC ENGAGEMENT

Because this proposal is for the initial phase of a new community, there is no community association in place. The application was circulated to adjacent land owners and no objections were received.

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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

APPENDIX I

APPLICANT'S SUBMISSION

Livingston, Brookfield's first new community in North Calgary, is a very unique opportunity for Brookfield to build a community with both a Major Activity Centre (MAC) and Urban Corridor at its heart. Brookfield's vision is to create a cohesive development of 1400 acres that integrates unique residential neighborhoods with vibrant urban spaces while respecting the natural heritage of the land in Keystone Hills. Livingston is a fresh and innovative approach to community building. As per the attached exhibit, features of its first stage include:

- Diversity of housing and a new land use district that provides for flexibility, varied streetscape and future intensification,
- A traditional block pattern that respects topography, encourages all modes of transportation and provides numerous connections to the Urban Corridor, Major Activity Centre and neighboring communities in Keystone Hills,
- An open space network integrated within a larger comprehensive system of environmental open space, joint use sites, green corridor and a potential innovative stormwater network;
- A community and neighborhood focal point that combines the resident's association, school site and central amenity space, specifically located within the first phases of development to service and complete the community earlier in its lifecycle;
- A fiscally responsible plan that aligns with new policy direction of the Municipal Development Plan and the Growth Management Framework,
- A diversity of residential supply to provide for a timely continuation of land supply in the North Sector.

Urban Corridor and Major Activity Centre: The Urban Corridor and the Major Activity Centre are envisioned as pedestrian-oriented urban areas with an emphasis on public realm. These areas will contain the most intense uses, concentrated and focused to support future LRT stations. A collaborative special study between the City and the developers for the Major Activity Centre and Urban Corridor is currently underway.

Neighborhoods: Livingston will feature a collection of integrated, unique neighborhoods that provide variety in form and intensity. Stage 1a is 69.9 ha (172.8 acres) and will comprise one neighborhood within the community of Livingston. The focal point of Livingston Stage 1a Neighborhood is the joint Resident's Association, Central Amenity Space and School site. The neighborhood is located adjacent to the Major Activity Centre and Urban Corridor. In keeping with the TOD guidelines, transition from higher intensity uses within the Urban Corridor and the Major Activity Centre is proposed at the edges of the neighborhood, inclusive of the neighborhood in Stage 1a.

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MAP 3NN

Density, Housing Mix and DC Bylaw: Stage 1a will include a range of housing types ranging from single-detached, semi-detached dwellings to row houses. Multi-family in a variety of forms, from street oriented townhouses to low-rise apartments, will also be provided in the plan area. The projected minimum density for this application is 8.7 units per acre not including the adjacent Urban Corridor. The neighborhood projected density will increase significantly upon development of higher intensity uses in the Urban Corridor. To accommodate diversity within low density housing types in response to the market, and provide flexibility for future intensification, a Direct Control District is proposed. The DC district will also promote a varied and interesting streetscape by allowing a diversity of housing types on the same block.

Connected Block Pattern: A connected block pattern, which respects and responds to the existing topography and natural features is fundamental to the design of Livingston. Designed with best efforts to maintain existing high points as landmark features, the road pattern provides multiple direct linkages, connecting the neighborhoods with the Urban Corridor and the Major Activity Centre, as well as the surrounding future neighborhoods in Keystone Hills. The Centre Street corridor will be designed as the heart and seam in Keystone Hills, connecting the east and west neighborhoods, instead of treating it as a boundary condition. Livingston Stage 1a is the first step in this connective pattern.

Open Space: An innovative approach for open space and stormwater management will be explored through the design of Livingston. The open space network will radiate from a central location within the community. It will incorporate environmental open space, joint use sites, the green corridor and stormwater infrastructure to create an integrated system that respects predevelopment conditions. High points will provide landmark features with view sheds to the community and linkages to the surrounding open space network, within the community and adjacent communities.

Amenity Site: A key feature in Livingston Stage 1a is the proposed Residents Association/ Amenity site to serve the residents of Livingston and surrounding communities. This site will be a major focal point within the neighborhood. Strategically located in the first stage of development, this site provides a unique opportunity towards creation of a complete community early in the development. Brookfield has engaged with the Calgary Board of Education to explore innovative ways to partner on this initiative.

This partnership will promote opportunities for public school facilities in the earlier stages of Livingston through integration with the amenity site. This site is a hub of activity, as it provides a school site, residents' association and neighborhood amenity site concentrated in one central location.

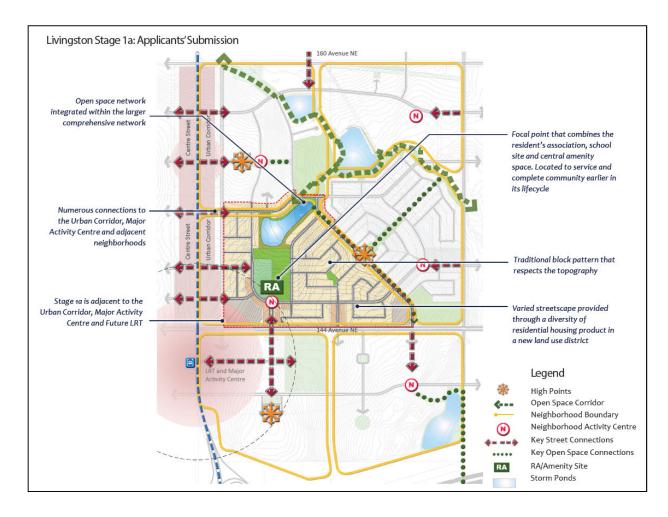
Growth Management: Keystone Hills scored 2.99 on City's Prioritization List based on MDP Alignment, higher than any other new growth area. Livingston Stage 1a will provide housing supply in one of the fastest growing sectors in Calgary. On October 15, 2012, Council directed that East Keystone Alternate Financing proposal be used as a demonstration case for applying

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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

and implementing the principles and guidelines developed by the Growth Management Team. The Funding and Financing proposal was approved in principle by Council in June 2014 and associated Growth Management Overlay removal area presented. The submission addresses servicing, infrastructure improvements, funding and financing for municipal services of major offsite infrastructure as per the requirements set out by the Growth Management Team. Work continues on this concurrently with the outline plan/land use application, per the Keystone Hills ASP and the process set out by the City.



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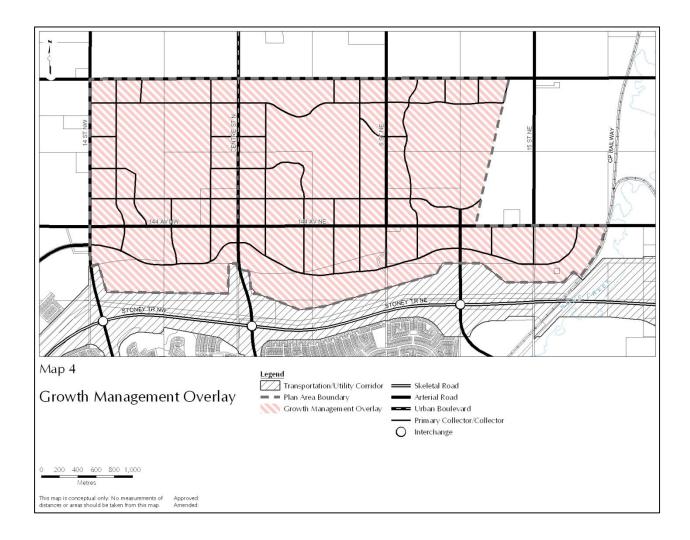
MAP 3NN

APPENDIX II

PROPOSED AMENDMENTS TO THE KEYSTONE HILLS AREA STRUCTURE PLAN

(a) Delete the existing Map 4 entitled "Growth Management Overlay" and insert the revised Map 4 entitled "Growth Management Overlay" as follows;

Existing Map 4: Growth Management Overlay

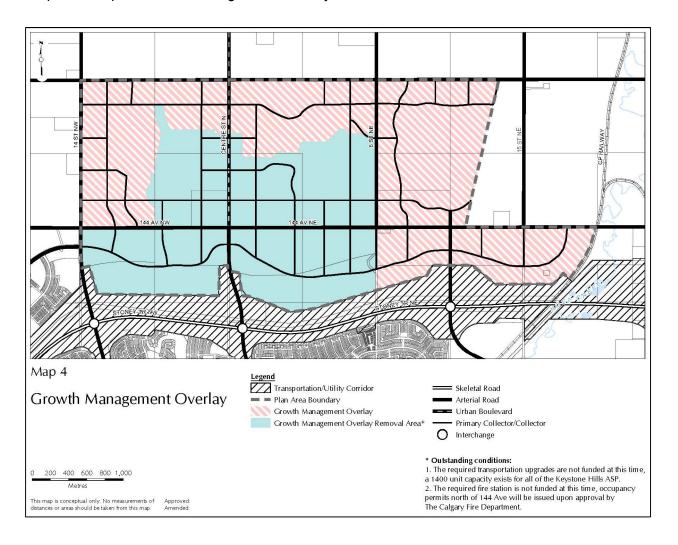


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MAP 3NN

Proposed Map 4: Growth Management Overlay



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MAP 3NN

APPENDIX III PROPOSED DIRECT CONTROL GUIDELINES

30.0 hectares ± (74.2 acres ±)

Purpose

The Direct Control District is intended to accommodate a diversity of low density residential *development* in the form of **Rowhouses**, **Single Detached Dwellings**, **Semi-detached Dwellings**, **Duplex Dwellings** and accessory **Dwelling Units** in the *Developing Area*. The Direct Control District is intended as a flexible alternative to the R-1, R-1N and R-2 Districts in order to allow a greater integration of housing types and to allow intensification of the neighbourhood over time.

Compliance with Bylaw 1P2007

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

Reference to Bylaw 1P2007

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

Permitted Uses

- 4 (1) The following **uses** are **permitted uses** in the Direct Control District:
 - (a) Accessory Residential Building;
 - (b) **Duplex Dwelling**;
 - (c) Home Based Child Care Class 1;
 - (d) Home Occupation Class 1;
 - (e) Park;
 - (f) Protective and Emergency Service;
 - (g) Secondary Suite;
 - (h) Secondary Suite Detached Garage;
 - (i) Secondary Suite Detached Garden;
 - (j) Semi-detached Dwelling;
 - (k) Sign Class A;
 - (I) Single Detached Dwelling; and
 - (m) Utilities.

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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

(2) A **Rowhouse** is a *permitted use* in the Direct Control District where it is located on a *laned parcel*.

Discretionary Uses

- The following **uses** are **discretionary uses** in the Direct Control District:
 - (a) Addiction Treatment:
 - (b) Assisted Living;
 - (c) **Bed and Breakfast**;
 - (d) Community Entrance Feature;
 - (e) Custodial Care;
 - (f) Home Based Child Care Class 2:
 - (g) Home Occupation Class 2;
 - (h) Place of Worship Small:
 - (i) Power Generation Facility Small;
 - (j) Residential Care;
 - (k) Sign Class B;
 - (I) Sign Class C;
 - (m) Sign Class E;
 - (n) Temporary Residential Sales Centre; and
 - (o) Utility Building.
 - (2) A **Rowhouse** is a **discretionary use** in the Direct Control District where it is located on a **laneless parcel**.

Rules

- 6 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

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

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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

MAP 3NN

Density

The maximum *density* for a *parcel* designated with this Direct Control District is 50 *units* per hectare for **Rowhouses**.

Parcel Width

- **9** The minimum *parcel width* is:
 - (a) 7.5 metres for a *parcel* containing a **Single Detached Dwelling**;
 - (b) 9.0 metres for a *parcel* containing a **Secondary Suite Detached Garage** or **Secondary Suite Detached Garden**;
 - (c) 13.0 metres for a *parcel* containing a **Duplex Dwellings**;
 - (d) 13.0 metres for a parcel containing a Semi-detached Dwelling, and if a parcel containing a Semi-detached Dwelling is subsequently subdivided, a minimum parcel width of 6.0 metres must be provided for each Dwelling Unit; and
 - (e) 5.0 metres for an individual *parcel* containing a **Dwelling Unit** in a **Rowhouse**.

Parcel Area

- 10 The minimum area of a *parcel* is:
 - (a) 233.0 square metres for a *parcel* containing a **Single Detached Dwelling**;
 - (b) 330.0 square metres for a *parcel* containing a **Duplex Dwelling**;
 - (c) 330.0 square metres for a *parcel* containing a **Secondary Suite**, **Secondary Suite Detached Garage** or **Secondary Suite Detached Garden**:
 - (d) 330.0 square metres for a parcel containing a Semi-detached Dwelling, and if a parcel containing a Semi-detached Dwelling is subsequently subdivided, a minimum area of 160.0 square metres must be provided for each Dwelling Unit; and
 - (e) 160.0 square metres for a *parcel* containing an individual **Dwelling** Unit in a Rowhouse.

Parcel Coverage

11 (1) Unless otherwise referenced in subsections (2), (3), (4), (5) or (6), the maximum *parcel coverage* is 50.0 per cent of the area of the *parcel*.

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- (2) Unless otherwise referenced in subsection (6), the maximum *parcel coverage* for a **Single Detached Dwelling** is 45.0 per cent of the area of the *parcel* where the *parcel* area is greater than 400.0 square metres.
- (3) Unless otherwise referenced in subsection (6), the maximum *parcel coverage* for a **Single Detached Dwelling** is 60.0 per cent of the *area* of the *parcel* where the *parcel* area is less than 300.0 square metres.
- (4) Unless otherwise referenced in subsection (6), the maximum *parcel coverage* for a **Duplex Dwelling** or **Semi-detached Dwelling** is 60.0 per cent of the *parcel* where the *parcel* area is less than 600.0 square metres.
- (5) Unless otherwise referenced in subsection (6), the maximum cumulative building coverage for a Rowhouse building over all the parcels subject to a single development permit is 60.0 per cent of the area of the subject parcels.
- (6) The maximum *parcel coverage* referenced in subsections (1), (2), (3), (4) and (5), 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

The depth of all **setback areas** must be equal to the minimum **building setback** required by sections 13, 14 and 15.

Building Setback from Front Property Line

- 13 The minimum **building setback** from a **front property line** is:
 - (a) 2.0 metres for a *laned parcel*; and
 - (b) 3.0 metres for a *laneless parcel*.

Building Setback from Side Property Line

- 14 (1) For a *laned parcel*, the minimum *building setback* from any *side property line* is 1.2 metres.
 - (2) For a *parcel* with a **Rowhouse** 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**.
 - (3) 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*.

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POLICY AMENDMENT AND LAND USE AMENDMENT RESIDUAL SUB-AREA 03W (WARD 3) NORTHEAST OF CENTRE STREET & 144 AVENUE NE BYLAW 31P2014 AND 112D2014

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- (4) The *building setback* required in subsection 3(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*.
- (5) For a *corner parcel*, the minimum *building setback* from a *side property line* shared with a *street* is 1.2 metres, provided there is no portion of a *building*, except for a projection allowed in section 337(3) of Bylaw 1P2007, located within 3.0 metres of:
 - (a) the back of the public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (6) 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.

Building Setback from Rear Property Line

15 The minimum *building setback* from a *rear property line* is 7.5 metres.

Building Height

- 16 (1) Unless otherwise referenced in subsections (2) and (3), the maximum *building height* is 10.0 metres for a **Single Detached Dwelling**.
 - (2) The maximum *building height* is 11.0 metres for **Single Detached Dwellings** where:
 - (a) the area of the **parcel** is equal to or greater than 400.0 square metres; and

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- (b) the *parcel width* is equal to or greater than 10.0 metres.
- (3) The maximum *building height* is 12.0 metres for **Single Detached Dwellings** where the *parcel width* is equal to or greater than 15.0 metres.
- (4) The maximum *building height* for **Duplex Dwellings** and **Semi-detached Dwellings** is 11.0 metres.
- (5) The maximum *building height* for a **Rowhouse** is 12.0 metres.
- (6) The maximum *building height* for all other *uses* is 10.0 metres

Motor Vehicle Parking Stalls

- 17 (1) The minimum number of *motor vehicle parking stalls* for a **Duplex Dwelling**, **Semi-detached Dwelling** and **Single Detached Dwelling** is 2.0 stalls where:
 - (a) the parcel width is less than 9.0 metres; or
 - (b) the area of the parcel is less than 270.0 square metres.
 - (2) In all other cases, the rules of Bylaw 1P2007 apply

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APPENDIX IV GROWTH MANAGEMENT PROCESS

