

MISCELLANEOUS – AMENDMENTS TO LAND USE BYLAW
1P2007
CITY WIDE
24P2014

EXECUTIVE SUMMARY

In order to support greater housing choice and reinforce the character, quality and stability of existing residential neighbourhoods the Municipal Development Plan encourages growth and change in low-density residential neighbourhoods to add a diverse mix of ground-oriented housing. The proposed Residential – Grade-Oriented Infill (R-CG) District would facilitate a wide range of ground-oriented housing by allowing rowhouses, semi-detached dwellings, cottage housing and accessory suites. The rules of the District support integration of new housing within existing neighbourhoods allow for innovative site configurations and facilitate evolving redevelopment of a variety housing over time.

This report describes the amendments to Land Use Bylaw (LUB) 1P2007 to add the R-CG District. The proposed amendments to the LUB would:

- replace the Residential – Cottage Housing (R-CH) District with the Residential – Grade-Oriented Infill (R-CG) District;
- amend portions of the general rules for low density residential land use districts contained in part 5;
- amend related use definitions and use rules contained in part 4;
- amend related general definitions contained in part 1;
- update the existing low density residential land use districts contained in part 4 to ensure that the these districts remain consistent following amendments to the general definitions and rules; and
- update parts 7 and 11 to ensure consistency with amended definitions and rules.

This project does not propose any substantive changes to existing low density residential land use districts and no City initiated land use redesignations are proposed with this amendment.

ADMINISTRATION RECOMMENDATION

2014 July 17
2014 June 05

That Calgary Planning Commission recommend **APPROVAL** of the proposed amendments to the Land Use Bylaw 1P2007.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 24P2014; and

1. **ADOPT** the proposed amendments to Land Use Bylaw 1P2007, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 24P2014.

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3. That Council direct Administration in developing or revising policy for established communities (ARP or Corridor Study) to bring forward City initiated redesignations using R-CG as a pilot project, where appropriate.
4. That Council:
 - a. Give consideration to waving land use application fees for R-CG District applications for a period of time (to be determined by Council) in order to test the market acceptance of the R-CG land use; and
 - b. Direct Administration to report back to CPC annually on the number of applications made and the status/outcome of the applications, starting on the second year anniversary of the effective date of the bylaw.

REASON(S) FOR RECOMMENDATION:

Administration recommends that the Calgary Planning Commission recommend approval of the proposed amendments to adopt the Residential – Grade-Oriented Infill (R-CG) District and associated amendments for the following reasons:

- The R-CG District would provide a logical step in unit density and housing scale and form between the Residential – Contextual One/Two Dwelling (R-C2) District and the Multi-Residential-Contextual Grade-Oriented (M-CG) District.
- The R-CG District would include development that is consistent with Municipal Development Plan policies that encourage an increase in the mix of ground-oriented housing in low-density residential neighbourhoods in order to build more complete and resilient communities.
- The R-CG District would facilitate an increase in housing variety in low density residential neighbourhoods by adding a low-density residential district that allows for a broad range of ground-oriented housing with rules and regulations that are appropriate for infill conditions.
- The R-CG District would provide more certainty for communities at the land use redesignation stage because the rules of the district limit the form and scale of housing relative to multi-residential districts.

ATTACHEMENT

1. Proposed Bylaw 24P2014

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed amendments to the Land Use Bylaw 1P2007 (APPENDIX I).

Moved by: R. Wright

Carried: 7 – 0

Comments from Ms. Wade:

- In order to facilitate R-CG take up as per the Industry letter, could The City consider identifying a community that could support changing R-C2 lands to R-CG within an ARP to facilitate housing of this nature which may assist in addressing housing supply in these areas. To rezone individual lots each time may in fact result in little take up.
- Good report!

Comments from Ms. Gondek:

- It would be useful to pursue collaborative pilot projects where The City and a community identify areas for R-CG so this district can be tested in a welcoming environment.
- September 22, 2014 is an aggressive target date to launch this new district. Perhaps a slightly extended timeline would allow Council to properly consider and digest all implications. As an example, the inclusion of secondary suites as permitted use in R 1N districts has triggered the need for relaxation of minimum lot size during applications for land use change. To prevent similar issues with this amendment to the land use bylaw, longer review

2014 July 17

The Calgary Planning Commission **LIFTED THE ITEM FROM THE TABLE.**

MOTION ARISING: Calgary Planning Commission recommends that Administration address the potential disconnect between desired form and accessory suite-density rules, Section 354(1) and (2) of the Land use Bylaw (1P2007), by rewriting the density rules to address parking requirements, rather than blanket restrictions.

Moved by: G.-C. Carra

Carried: 4 – 3

Opposed: M. Wade, R. Wright and S. Keating

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MOTION ARISING: That the City, in developing or revising policy for established communities (ARP or Corridor Study) to bring forward City initiated redesignations using R-CG as a pilot project, where appropriate.

Moved by: R. Wright

Carried: 6 – 1

Opposed: M. Logan

MOTION ARISING: The Calgary Planning Commission recommends that Council:

- a. Give consideration to waving land use application fees for R-CG District applications for a period of time (to be determined by Council) in order to test the market acceptance of the R-CG land use; and
- b. Direct Administration to report back to CPC annually on the number of applications made and the status/outcome of the applications, starting on the second year anniversary of the effective date of the bylaw.

Moved by: R. Honsberger

Carried: 7 – 0

2014 June 05

The Calgary Planning Commission:

1. **RECEIVED FOR INFORMATION** the proposed amendments to Land Use Bylaw 1P2007; and
2. **TABLED** the proposed amendments to Land Use Bylaw 1P2007 to the 2014 July 17 Calgary Planning Commission meeting to allow for further review by CPC Members.

Moved by: J. Gondek

Carried: 5 – 0

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PLANNING EVALUATION

Calgary's neighbourhoods need to be responsive to redevelopment pressures resulting from population growth and the changing needs of Calgarians. As people age, families change and housing prices go up a diversity of housing that works for a variety of household types and sizes is required. Increased housing variety, population growth and infill redevelopment can add vitality and character to existing neighbourhoods. Growing and diverse communities sustain and attract schools, shops and services and are adaptable to demographic and economic change

In order to support greater housing choice and reinforce the character, quality and stability of existing residential neighbourhoods the Municipal Development Plan (MDP) encourages a change in low-density neighbourhoods to increase the mix of ground-oriented housing (Policy 2.2.5 (a)) and supports ground-oriented housing as a key component of complete communities (Policy 2.3.1 (a)). Although inclusive of other ground-oriented housing forms, the MDP specifically lists accessory suites, semi-detached dwellings, townhouses, cottage housing and rowhouses when describing ground-oriented housing.

For the Developed Area the Residential – Contextual One/Two Dwelling (R-C2) District allows development of some ground-oriented housing forms, however the variety of housing is limited to semi-detached dwellings and accessory suites on larger parcels. The Multi-Residential-Contextual Grade-Oriented (M-CG) District provides for development of a variety of low density multi-housing forms, such as rowhouses, however it also permits a variety of multi-residential forms, such as three to four storey apartments that may be considered out-of-scale in low-density neighbourhoods. The R-C2 and M-CG Districts each provide for a specific range of housing appropriate to their purpose; however there is no overlap in housing forms between these districts to provide transition. This lack of overlap between districts results in regulatory conditions that do not encourage redevelopment of a broader mix of ground-oriented housing forms in low density residential neighbourhoods. In addition, the step in density and allowable housing form between R-C2 and M-CG often results in a reluctance to consider redesignation to the M-CG District in low-density residential neighbourhoods.

In the Developing Area of the City the Residential – Low Density Multi-Dwelling (R-2M) District allows townhouses and rowhouses and provides a step between the Residential – One/Two Dwelling (R-2) District and the Multi-Residential – At Grade Housing (M-G) District. The Residential - Grade-Oriented Infill (R-CG) District is proposed to provide a similar step between the R-C2 District and the M-CG District in the Developed Area. (see table in APPENDIX II)

The proposed Residential – Grade-Oriented Infill (R-CG) District would allow for a range of ground-oriented housing including rowhouses, semi-detached dwellings, cottage housing, duplexes and accessory suites and would allow for innovative combinations of these forms on corners and on narrow or irregular parcels. Ground-oriented housing forms maintain a building pattern of form, mass and site design that is compatible in existing low-density residential neighbourhoods where higher intensity development, such as apartment buildings, may not integrate as well.

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The specific mix of ground-oriented housing included in the R-CG District is consistent with the mix of ground-oriented housing supported in the MDP. In addition, the rules and regulations of the district consider the infill context and respond to typical lot, land and development conditions in developed low density residential neighbourhoods. The rules of the District should support the sensitive integration of a wide variety of low density multi-housing, allow for innovative site configurations and facilitate evolving redevelopment of a variety of ground-oriented housing over time.

Key Components of the R-CG District

The regulations and the housing forms proposed in the R-CG District are designed to work with existing lot and block patterns in the Developed Area of the city in order to add housing choices and allow innovative infill redevelopment over time.

Rowhouses

In addition to the residential uses allowed in the R-C2 District, the R-CG District would include Rowhouses and Cottage Housing Clusters in order to introduce a broader variety of housing in the low density residential districts. A Rowhouse Building is defined as a series of three or more houses attached together, side-by-side. Each individual house must face the street and each house must have front door access to grade and to the street. Like a Townhouse, the primary units of a Rowhouse Building cannot be stacked one on top of the other, however, unlike a Townhouse, a Rowhouse Building does not allow rear-facing units, such as back-to-back fourplexes, nor does it allow one main residential building to be located behind another.

Permitted Use Rowhouse

The Rowhouse Building use is permitted in the R-CG District when it meets a specific set of rules that consider the context of the development and where the broader rules of the land use district are met. The permitted use rules limit the use in order to define a consistently acceptable building envelope and design. When it does not meet these rules a Rowhouse Building is a discretionary use. The discretionary process allows the Development Authority to apply discretion when the site context is more complicated, such as on sloping sites, or where the specific design features of a Rowhouse Building would result in a more complicated interaction with surrounding parcels or the street, for example on buildings where attached garages access directly from the street.

Accessory Suites

The proposed Backyard Suite use combines the Secondary Suite-Detached Garage and Secondary Suite-Detached Garden uses into a single use definition. It is not labelled as a “Secondary Suite” because a detached suite on a shared parcel does not fit with the definition of a “secondary suite” in the Alberta Building Code. Combining these two uses into one allows for

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greater versatility of design with the potential for a portion of a Backyard Suite at grade and a portion above a garage facilitating more grade-oriented building design.

The use definitions of a Secondary Suite, Rowhouse Building, Semi-detached Dwelling and Contextual Semi-detached Building have been amended to be consistent with the Alberta Building Code which allows secondary suites within primary dwelling units. The R-CG District would allow Secondary Suites and Backyard Suites in combination with Rowhouse Buildings, Semi-detached Dwellings and Single Detached Dwellings. Existing land districts where these uses are also listed, such as R-C2 and R-C1s, would continue to allow these uses only in combination with Single Detached Dwellings. Because Secondary Suites and Backyard Suites are limited in size and must fit within the restrictions of the primary dwelling unit they are not counted as an independent unit for density.

The parking requirement for small Secondary Suites and Backyard Suites would be removed to reflect a low rate of car ownership for occupants of small rental suites. This would facilitate small Secondary Suites and Backyard Suites on smaller parcels that lack the area required for additional parking.

Site Configuration & Building Envelope

In order to allow a block face to fill in with attached forms of infill housing over time the R-CG District permits houses to be constructed up to the side property line in the following scenarios:

- When a neighbour is willing to grant a maintenance easement agreement; or
- When the neighbouring house is already built to the shared property line.

Parcel width and parcel area are flexible in the R-CG District due to the varied side yard setbacks. The façade width minimums, coupled with coverage maximums effectively regulate parcel area and width requirements for developments where these dimensions are not specified.

Building depth is limited to 65 percent of parcel depth as a standard rule in the R-CG District in order to maintain a low density pattern of a usable backyard space.

Height rules for Rowhouse Buildings would allow for some additional height in the middle of the building, but maintain the contextual height rules for the parts of the building directly adjacent to low density districts. Reduced floor area for third storeys would likely set a third storey back from front and/or rear facades and therefore reduce building mass. The height rules for Single and Semi-detached Dwellings are the same as R-C2.

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Corner Parcels

Corner parcels benefit from streets on both the front and side elevations. The R-CG District would allow Rowhouse Buildings located on corner parcels to be built up to the rear property line. This would encourage innovative site configurations that face houses onto both front and side streets. Housing that faces both streets enhances the residential appearance of side streets, slows traffic on side streets and enhances pedestrian safety and experience on adjacent sidewalks. District rules for building coverage and amenity space regulate development on corner parcels to ensure that appropriate yard space is still provided for Rowhouse Buildings on corner parcels.

Parcel Coverage

The lot coverage maximums in the R-CG District allow more building coverage as unit density on a parcel increases in order to compensate for reduced parcel areas that result from smaller side yards. This ensures that a liveable and marketable floor area is feasible on smaller parcels.

Since all of the housing forms in the R-CG District must be street-facing and ground-oriented, higher unit density correlates with reduced side yard setbacks. The interaction of the density and coverage rules in the R-CG District result in higher coverage housing forms with backyard depths that are equivalent to that of a similar sized detached house on a narrow lot.

Yards and Landscaping

The R-CG District requires private outdoor amenity space for all types of housing. This reinforces a pattern of usable private back yard space in low density residential neighbourhoods. Amenity space rules are complimentary to the building depth rules and parcel coverage rules of the R-CG District.

The R-CG District requires that trees be planted or retained for all new developments. In the R-C1 and R-C2 Districts these rules only apply to Contextual Single Detached Dwellings and Contextual Semi-detached Dwellings.

To differentiate a patio located on the roof from a balcony the “rooftop terrace” term is proposed to be added to the LUB. A rooftop terrace is a patio located on the roof of the first or second storey of a building. The area of a rooftop terrace is limited in size and interacts with the floor area restrictions for a third storey in order to encourage combined indoor and outdoor living spaces on first or second storey rooftops. Permitted use rules for a rooftop terrace require that the terrace face the street. A rooftop terrace that faces a rear yard may be considered through the discretionary process where potential privacy issues can be managed by the Development Authority.

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Multi-Residential Reversion Rule

Single Detached Dwellings, Semi-detached Dwellings, Duplexes and Secondary Suites are listed discretionary uses in all the multi-residential land use districts that apply to the Developed Area. These low density uses are not the intended development forms in these districts, however it is recognized that there may be circumstances where low density housing forms are appropriate on multi-residential parcels. Because the rules of the multi-residential districts were not designed to regulate low-density development forms the LUB currently requires that low density development on multi-residential parcels be regulated by the rules of the R-C2 District. The R-CG District is a low density residential district that has been developed to provide a step between the R-C2 District and the multi-residential districts. For this reason the R-CG District would be the most appropriate district to regulate low density housing forms on multi-residential parcels. The proposed LUB amendments would require that low density development on multi-residential parcels be regulated by the rules of the R-CG District instead of the R-C2 District.

**Architectural Testing
(APPENDIX V)**

Robert Pashuk Architecture was hired to complete architectural testing of the R-CG District in order to examine whether the rules of the District were clear and whether the resulting development forms were consistent with the purpose of the District. Based on feedback from the architectural testing the District rules were amended or clarified to achieve results that are more consistent with the goal and purpose of District.

Architectural testing was completed for a variety of scenarios using three different typical blocks in the Developed Areas. The architectural testing focused primarily on the Rowhouse Building form since there are many examples of Semi-detached Dwellings already developed in the City and the rules for Cottage Housing Clusters were previously tested when the R-CH District was created.

In general the R-CG District has been found to allow a high degree of flexibility within a building envelope that is compatible with current low-density redevelopment. The rules facilitate an appropriate infill building form on parcels with typical lot dimensions for Developed Area communities. The testing indicates that the R-CG District should result in infill appropriate development of Rowhouse Buildings, Semi-detached Dwellings and accessory suites and that the rules of the District are flexible enough to encourage a variety of housing forms and sizes.

Risks

The amendments to the Land Use Bylaw to adopt the R-CG District are designed to facilitate increased potential for redevelopment of a variety of ground-oriented housing forms in low density residential neighbourhoods. These amendments would add a land use district to the Land Use Bylaw, however no associated land use redesignation or policy amendments are

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proposed within the scope of this project. If adopted, the R-CG District would be applied through site specific land use amendments or local area policy. The following risks with this method of implementation have been identified:

- That there will be little uptake of the R-CG District because the land use amendment process is perceived to be too significant a barrier considering the additional time, cost and uncertainty associated with the process;
- That there will be a significant interest in the R-CG District resulting in a high number of owner initiated land use amendment applications in advance of policy that guides the redesignation to R-CG. This may result in inconsistent redesignation practices and additional strains on administrative resources that are already managing a high number of land use amendment applications;
- That existing local area policy has not anticipated the mix of development forms allowed in the R-CG District which may result in additional barriers to adopting the district and an additional strain on policy resources; and
- That the permitted use options in the R-CG District may be preferable over higher density multi-residential development resulting in applications for the R-CG District in locations where a multi-residential district would be preferable.

A greater diversity of ground-oriented housing is considered desirable by communities and industry and is consistent with Council's policy priorities. The R-CG District is designed to allow for redevelopment of a variety of ground-oriented housing forms, with a focus on rules that create incentives for rowhouse and cottage housing forms. The primary risk if the R-CG District is not adopted is that the current LUB rules will not facilitate certain types of ground-oriented redevelopment and we will therefore miss the opportunity to encourage development of housing forms that are encouraged by policy and supported by stakeholders. A lack of specific support for ground-oriented infill housing in the LUB could limit the potential for housing diversity in low density residential neighbourhoods and result in neighbourhoods that are less resilient and that lack the capacity to support commercial and public services.

**PUBLIC ENGAGEMENT
Community Engagement
(APPENDIX III)**

Through the federation of Calgary Communities newsletter, released in 2013 December and 2014 January, Community Associations were notified about the proposal to amend the Land Use Bylaw to add the R-CG District. Two meetings were held with Community Association representatives, the first on 2013 December 10 and the second on 2014 February 11. Representatives from the following community associations attended one or both of these meetings: Bankview CA; Capitol Hill CA; Chinook Park, Kelvin Grove and Eagle Ridge CA; Renfrew CA; Richmond Knob Hill CA; Rosedale CA; and Triwood CA

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In addition to the general meetings, Administration attended a meeting of the Parkdale Community Association Planning and Development Committee on 2014 April 8. Representatives from the Bowness Community Association, the Rutland Community Association and Killarney Glengarry Community Association contacted Administration separately to ask questions or provide comments.

The following Community Associations provided feedback regarding the R-CG District: Capitol Hill CA; Renfrew CA; Richmond Knob Hill CA; Killarney Glengarry CA and the Rutland Community Association.

Community Associations were generally supportive of the variety of housing forms allowed in R-CG and generally supported the R-CG District as a step between the R-C2 and M-CG Districts. Letters submitted by Community Associations and a table of concerns and suggestions is provided in APPENDIX III.

**Industry Engagement
(APPENDIX IV)**

Administration worked with members of the Land Use Bylaw Stakeholders' group and the Inner City Builders Advisory Council (ICBAC) of the Canadian Home Builders Association (CHBA) to ensure that the rules of the R-CG District would encourage ground-oriented infill development that is consistent with the goals of the MDP. Administration met with members of ICBAC on January 14, March 11 and March 21 of 2014.

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APPENDIX I

AMENDMENTS TO LAND USE BYLAW 1P2007

1. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended:
 - (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**.”

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- (f) Add a new subsection 13(121.2) as follows:
- “(121.2) “rotor’s arc” means the largest circumferential path travelled by a blade.”**
- (g) Delete subsection 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;”
- (h) Delete subsection 27(2)(i) and (i.1)
- (i) 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, Semi-detached Dwellings** and **Single Detached Dwellings** on the same *building* footprint.”**
- (j) 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, Semi-detached Dwelling** or **Single Detached Dwelling**; and”**
- (k) In subsection 122(7) delete “**Rowhouse**” and replace it with “**Rowhouse Building.**”
- (l) 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**

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(b) **Secondary Suite – Detached Garden.”**

(m) 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;”

(n) 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

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- (d) does not require ***bicycle parking stalls – class 1 or class 2.***
- (o) 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;”
- (p) 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;”
- (q) 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***;

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

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- (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**.”
- (u) 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**;
 - (b) 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”
- (v) Delete section 295.1 “Secondary Suite – Detached Garage”
- (w) Delete section 295.2 “Secondary Suite – Detached Garden”
- (x) 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;

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- (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.**
- (y) 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**;
- (z) In subsections 319(a)(iv); 339(3); and 340(3) delete “**Rowhouse**” and replace it with “**Rowhouse Building**.”
- (aa) 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.”

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- (bb) 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.”

- (cc) 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

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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

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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**."

- (dd) 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.

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- (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**.
- (ee) Delete section 351.1.
- (ff) 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.

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- (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**.”
- (gg) Delete section 353.
- (hh) 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*.”
- (ii) Delete section 356.
- (jj) 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*.”

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(kk) 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**.”

(ll) 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.**”

(mm) 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**.”

(nn) 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**.”

(oo) 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.**”

(pp) 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**.”

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

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“(a.2) **Backyard Suite**,”

(rr) Delete subsection 406(h.2) and 406(h.3).

(ss) 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**.”

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

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

(uu) 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.”

(vv) 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.”

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

“(a.2) **Backyard Suite**,”

(xx) Delete subsection 426(1)(j.2) and 426(1)(j.3).

(yy) 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**.”

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

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

(aaa) 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.”

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

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

(ccc) 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**.”

(ddd) 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**.”

(eee) 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**.”

(fff) Delete subsections 450(2) and 450(3) and replace it with the following:

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

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(ggg) Delete subsections 452(2) and 452(3) and replace it with the following:

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

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

“(a.2) **Backyard Suite**,”

(iii) Delete subsections 461(h.2) and 406(h.3).

(jjj) 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**.”

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

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

(lll) 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.”

(mmm) 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.”

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

“(a.2) **Backyard Suite**,”

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

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(ppp) 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.**”

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

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

(rrr) 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.”

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

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

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

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

“(f) **Rowhouse Building;**”

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

“(a.2) **Backyard Suite;**”

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

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

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(yyy) 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**."

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

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

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

(bbbb) 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."

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

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

(dddd) 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;**

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- (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.

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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**.

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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;

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- (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.

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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.

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- (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

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- (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**;

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- (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**.

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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.

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- (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**.

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- (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

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- (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:

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- (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:

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- (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 section 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:

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- (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.”

(eeee) 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**;

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

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

“(b.1) **Backyard Suite;**”

(gggg) 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).

(hhhh) 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;**”

(iiii) 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;**”

(jjjj) 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).

(kkkk) 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.”**

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

“(a) **Backyard Suite,**”

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

“(a.1) **Duplex Dwelling,**”

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

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

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

(qqqq) 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.

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APPENDIX II

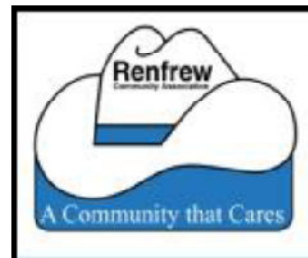
SUMMARY OF USES LISTED IN THE LOW TO MID DENSITY LAND USE DISTRICTS INCLUDING THE PROPOSED <i>RESIDENTIAL - GRADE ORIENTED INFILL (R-CG) DISTRICT</i>							
		R-C1	R-C1s	R-C2	R-CG	M-CG	M-C1
Single-Detached Narrow lot single Semi-Detached Duplex Fourplex Rowhouse Townhouse Stacked Townhouse Apartment Cottage Housing Secondary Suite Backyard Suite Live Work Unit		Yes	Yes	Yes	Yes	Yes, revert to R-CG rules	
		No	No	Yes	Yes	Yes, revert to R-CG rules	
		No	No	Yes	Yes	Yes, revert to R-CG rules	
		No	No	Yes	Yes	Yes, revert to R-CG rules	
		No	No	No	No	Yes	Yes
		No	No	No	Yes	Yes	Yes
		No	No	No	No	Yes	Yes
		No	No	No	No	Yes	Yes
		No	No	No	Yes	No	No
		No	Yes	Yes	Yes	Yes, revert to R-CG rules	
		No	Yes	Yes	Yes	Yes, revert to R-CG rules	
		No	No	No	No	Yes	Yes
Maximum Height		Contextual 8.6 to 10.0 metres	Contextual 8.6 to 10.0 metres	Contextual 8.6 to 10.0 metres	Contextual edge: 8.6 to 10.0 metres Middle: up to 11.0 metres	12.0 metres	14.0 metres
Setbacks	Front	Contextual plus 1.5 m	Contextual plus 1.5 m	Contextual plus 1.5 m	3.0 metres or Contextual plus 1.5 m	Contextual	Contextual
	Side	1.2 metres	1.2 metres	1.2 metres	Zero to 1.2 metres	1.2 metres	Zero to 1.2 metres
	Rear	7.5 metres	7.5 metres	7.5 metres	7.5 (1.5 on corner lots)	1.2 metres	1.2 metres
Lot Coverage		45%	45%	45%	45-60%	60%	60%
Density		30 uph	50 uph	50 uph	75 uph	111 uph	148 uph
Landscaping		tree requirements for contextual uses only			trees required for all uses	40% required; 1 tree + 2 shrubs/45 sq m	
Parking		1 to 2 stalls per unit			1 stall per unit	1 to 1.15 stalls per unit	

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APPENDIX III

Community Comment	Administration Response
Clarification is required about where the R-CG District is considered appropriate. This would be helpful to promote the district in select locations and to prevent “insensitive” spot redesignations in others.	The R-CG District would be appropriate where existing policy supports a rowhouse form. Ongoing policy projects may identify locations that are broadly appropriate for the housing forms allowed in the R-CG District.
Some housing forms for mobility restricted individuals might be missing.	Cottage housing and secondary suites may have some application for mobility restricted housing options. The M-CG District offers many stacked housing options.
The R-CG District should be more specific to rowhouse and cottage housing forms.	The purpose of the R-CG District is to allow for a variety of ground-oriented housing forms.
The need for a new ground-oriented infill district is unclear since M-CG, M-C1 and M-C2 Districts in some communities are underdeveloped.	The R-CG District would not replace M-CG, M-C1 and M-C2 and would be appropriate in locations where these districts are considered out of scale.
Consider reducing the requirement for front yard setbacks for Rowhouse Buildings. This is consistent with the rowhouse form and would increase the area provided for back yards.	Some front yard space allows for viable street trees and street side landscaping. Building depth and amenity space rules ensure usable back yard spaces. The standard setback is reduced from the contextual setback to 3 metres for lots next to R-CG or multi-residential.
Allow rooftop decks.	Rooftop terrace is a new defined term that is differentiated from a balcony.
Reduced parking requirements may negatively impact street parking.	Each unit requires a parking stall. Small suites don't require parking because car ownership in smaller units is generally low. Increased parking requirements would require larger lots or underground parking and therefore reduce the feasibility of rowhousing and cottage housing.
The LUB rules should require that Secondary Suites and Backyard Suites be managed by the resident of the primary Dwelling Unit, similar to the requirements for a Live/Work Unit.	The LUB regulates land use and development form, but typically does not regulate who the users are. The behaviour of users and operators is regulated through a variety of bylaws and licensing.

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RENFREW COMMUNITY ASSOCIATION

January 10, 2014

Stephen Pearce
Planner 2, Land Use Bylaw Sustainment
Planning Implementation
Development & Building Approvals
The City of Calgary | Mail Code #8073
T 403.268.1444 | E Stephen.Pearce@calgary.ca
Floor 5, The Municipal Building – P1, 800 Macleod Tr. S.E.
P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

Hello Stephen:

RE: Draft Grade-Oriented Infill District

In response to your December 17, 2013 Request for Comments, our Planning and Development Committee met on January 10, 2014 and reviewed/discussed your draft of the above-referenced.

Current zoning within our Community of Renfrew already well-accommodates and has experienced the results of densification. As such, our Planning and Development Committee concluded the proposed new R-CG district as drafted is potentially unnecessary and problematic and we will appreciate your consideration of the following recommendations when preparing your second draft:

1. Reconsider the need for this additional R-CG district by reviewing:
 - a. zoning and uses already available under the current Land Use Bylaw districts – e.g. R-C2, and
 - b. districts already in place within Renfrew – e.g. existing M-CG adjacent to Edmonton Trail and recently-upzoned M-C2 on 15 Avenue NE have not developed to their potential
2. How will the proposed R-CG district increase the mix of ground-oriented housing as per the Municipal Development Plan Policy 2.2.5 (a)? Develop rules in the proposed district that encourage rowhouses and cottage clusters, not duplex, singles, semis and secondary suites which are already allowed in R-C2. Single detached, semi-detached, backyard dwellings, secondary suites and duplexes should be deleted in their entirety as uses in the proposed district

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RENFREW COMMUNITY ASSOCIATION

3. We are very concerned that approval of "spot" up-zoning to R-CG within our Community would negatively isolate and impact the privacy and natural sunlight of adjacent neighbours and owners of 1, 1.5 and 2-storey dwellings. For us to effectively assess these potential effects, a clear and comprehensive definition and identification of "select locations" as referenced on Page 3 of your Draft, first bullet under section entitled "Rationale" should be undertaken and returned to the Community Planning and Development Committees for further review
4. In light of Landscaping requirements outlined in Section 544, entirely remove (a) 45.0% lot coverage and (c) 55.0% lot coverage allowance from Parcel Coverage Section 536 (1) and reword (b) to read: "50.0% of the area of the parcel for a parcel containing a Cottage Housing Cluster or Rowhouse"

We appreciate the opportunity to voice our concerns and recommendations and look forward to receiving your revised Draft Grade-Oriented Infill District document.

Sincerely,

Planning and Development Committee
Renfrew Community Association

cc: Renfrew Planning and Development Committee Adam Smith, Chair,
Brenda Etherington, Member
Christine Knight, Member
Jerry Kotlewski, Member
Janet Lavoie, Member
Paul Riley, Member
Shirley Yule, Member

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Triwood Community Association

2244 Chicoutimi Drive NW, Calgary AB, T2L 0W1

May 8, 2014

Stephen Pearce
Planner 2, Land Use Bylaw Sustainment
Planning Implementation
Development and Building Approvals
The City of Calgary
P.O. Box 2100 Station M
Calgary, AB T2P 2M5
Email: Stephen.Pearce@calgary.ca

Re: Proposed new R-CG Land Use District

Dear Mr. Pearce,

Thank you for including community association representatives in your consultations while developing the proposed new R-CG district.

On behalf of Triwood Community Association, we support this initiative to introduce a new land use district that will hopefully enable more innovative infill redevelopment for inner city neighbourhoods.

We have reviewed the key components of the new bylaw and believe that the roof top terrace is an important item that will help to provide "eyes on the street" as well as to reduce the mass of a 3 storey infill.

We are sceptical about rowhouses on corner parcels being allowed to be built up to the rear property line. We agree that the 7.5 meter setback should be waived but many back lanes are narrow and believe that a 1.2 meter setback should be used at the rear property line.

Sincerely,

Monique Dame, AAA, Architect
Planning & Development Committee Chairman
Triwood Community Association
moniquedame@gmail.com
(403) 282-4224

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Telephone (403)289-0859

Capitol Hill Community Association

1531 21 Avenue NW
Calgary, Alberta
T2M 1L9



May 14, 2014

Stephen Pearce
Planner 2, Land Use Bylaw Sustainment
Planning Implementation
Development & Building Approvals
The City of Calgary

Subject: Residential – Contextual Grade-Oriented Infill (R-CG) District

Dear Stephen,

Capitol Hill Community Association (CHCA) is pleased to provide a letter of response in regard to the proposed Residential – Contextual Grade-Oriented Infill (R-CG) District. CHCA has appreciated being engaged by the City throughout the process and the opportunity to provide comments and input into the proposed regulations for the R-CG District. As such, we are satisfied with the final version of the R-CG District and offer our full support. We believe this District will add value to our neighbourhood, provide a sensitive and appropriate increase in density beyond the existing R-C2 throughout our community and offer an additional type of housing product at potentially lower price points than semi-detached homes, therefore increasing the affordability for a greater number of families and individuals to move into our neighbourhood.

If you have any questions, please do not hesitate to contact me at (403) 815-1533 or caphillplanning@gmail.com.

Sincerely,

Brendyn Seymour, MAUD, RPP, MCIP
Director of Planning, Development & Transportation
Capitol Hill Community Association

Cc: Darren Courtnage, CHCA President
Druh Farrell, Ward 07 Councillor

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Richmond/Knob Hill Community Association

May 25, 2014

Stephen Pearce
Land Use Bylaw Sustainment
The City of Calgary

Re: Proposed R-CG Land Use District Rules and Related Land Use Bylaw Amendments

Further to the Richmond/Knob Hill Community Association's (the "RKHCA's") previous submissions regarding the captioned matter, this is to confirm that the RKHCA has reviewed the most recent version of the proposed amendments to the Land Use Bylaw (the "LUB") to introduce the new R-CG land use district (the "R-CG Amendments"), and its comments thereon are as follows.

The RKHCA remains generally supportive of the R-CG Amendments, as they have the potential to create more diversity in housing options for established communities such as Richmond/Knob Hill. Richmond/Knob Hill was originally developed in the 1950s as a bungalow community and its parcels are primarily R-C2, with some R-C1 parcels and even fewer multi-residential parcels. We estimate that our community is approximately 50% redeveloped, and to date that redevelopment has consisted almost exclusively of older bungalows on R-C2 parcels being demolished and replaced with a pair of 2-storey or 3-storey single detached or semi-detached dwelling units. Our concern is that if this development pattern continues Richmond/Knob Hill will end up being a slightly denser but still excessively homogenous residential community, with too little demographic or economic diversity (ie. few rental, starter or senior-friendly housing options). Our window of opportunity to "change our stars" and avoid this result is closing rapidly. The R-CG Amendments may help somewhat, assuming that the remaining concerns we have can be addressed, but our feeling is that we will need much more than that to make an appreciable difference to our community in the little time that we have left before the current window of opportunity closes for another 50 years.

The RKHCA's remaining concerns regarding the R-CG Amendments include the following:

- 1) We do not agree with the intention that "Backyard Dwellings" and "Secondary Suites" no longer be "Dwelling Units" or "units" for the purposes of the LUB, as this has substantive implications, such as for off street parking requirements, and not just on R-CG parcels;
- 2) Despite this intention, based on our review of the definitions contained in the R-CG Amendments, we believe that "Backyard Dwellings" and "Secondary Suites" do still fall within the definitions of "Dwelling Units" and "units" for the purposes of the LUB, and this will have unintended consequences, including, for example, allowing a semi-detached dwelling development on an R-CG parcel to increase its parcel coverage restriction from 45% to 55% simply by describing each unit's finished basement as a Secondary Suite, as well as raising issues regarding the definitions of

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various uses such as Contextual Semi-Detached Dwelling, Contextual Single Detached Dwelling, Rowhouse Building, Semi-Detached Dwelling and Single-Detached Dwelling;

- 3) Allowing each main residential unit on an R-CG parcel to have either a Secondary Suite or Backyard Dwelling has the potential to turn a Semi-Detached Dwelling into what is effectively a 4-plex, or a Rowhouse Building into what is effectively a 6-plex, without having to satisfy the additional requirements that actual 4-plexes and 6-plexes are required to satisfy – to help avoid “absentee landlord” issues, we would like to see a requirement added that any such Secondary Suite or Backyard Dwelling can only be occupied by an occupant of the main residential building, by a tenant of such occupant, or by a guest of such occupant or tenant (not unlike the Live Work Unit requirement that only an occupant of the residential portion of the Unit can carry on a business in the business portion of the Unit, which prevents the owner of a Live Work Unit from renting the residential portion to one tenant and the business portion to a different tenant);
- 4) Adding Secondary Suites or Backyard Dwellings to narrow infill parcels will exacerbate an already challenging parking situation, as these narrow parcels are currently required to provide 2 off-street parking stalls for the main residential building and in most cases will be unable to accommodate a 3rd off-street parking stall for the suite, which would suggest that an R-CG land use designation may only be appropriate for parcels located along major transit corridors;
- 5) The City’s stated intention to refrain from initiating any redesignation of parcels in appropriate areas to R-CG, but rather to wait for parcel owners to request redesignation will:
 - a) Significantly lessen and slow the “take up” of the R-CG land use designation;
 - b) Lead to “spot rezoning” of individual parcels, and not necessarily in appropriate areas, but those applications may end up being allowed anyway by a Development Authority that is desperate to see more parcels redesignated as R-CG; and
 - c) Greatly reduce the likelihood of any “zero lot line” Rowhouse Building or Cottage Cluster Housing developments actually being built; and
- 6) It is not clear what types of parcels will be considered for redesignation as R-CG -- if the intention is to generally approve redesignation requests relating to existing R-C2 parcels, regardless of location, and to generally deny redesignation requests relating to existing R-C1 or DC parcels, then we would point out that Richmond/Knob Hill and the other inner-city R-C2 communities are already doing more than their fair share to help the City densify, while inner-city R-C1 and DC communities are currently doing little or nothing in this regard -- these other inner-city communities should be opened up to at least some form of densification before the already densifying R-C2 communities are asked to absorb yet another round of densification through indiscriminate redesignations to R-CG.

Thank you.

Doug Roberts
Director & Chair, Development Committee
Richmond/Knob Hill Community Association
C/o 2126 28 Avenue SW
Calgary AB T2T 1K5

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<http://kgcadevelopment.blogspot.ca/2014/01/proposed-new-land-use-district.html>

Hi Stephen. My name is Scott Oberg, and I work with the communications team on the Killarney/Glengarry community association development team. I recently reviewed the RC-G guidelines and generated a community blog posting about them. I've been asked to on behalf of the Development committee to respond to the request-for-comment.

While I could have sent only our feedback, I elected to send my entire posting on the matter your way. That way, you can also see how we arrived at our recommendations, correct any misconceptions we may have regarding the proposed land use, and get a feel for some of the practical implications an RC-G designation might have on the community.

I find the possibilities of this land use intriguing. Please let me know if you would like any additional feedback, and I'd be more than happy to assist in sculpting this land use in any way that would be helpful.

Regards,

Scott Oberg

So, What do you think about row houses?

Happy New Year! Scott here. I've been tardy at getting around to talking about this issue, but now that the Christmas season is winding down, I figured it was time.

The city's Land Use Bylaw sustainment team is considering adding another potential land use. This is called the Residential – Contextual Grade-Oriented Infill (R-CG). That's a fancy way of saying the following: Let builders put up to 3 residences on a single 50' lot where you used to be able to only put up 2 (RC-2).

Why do we need this?

The challenge with building affordable housing in Killarney is that the dirt is expensive. That's not changing. Young families, the elderly looking to downsize and minimize maintenance and upkeep, single people or couples looking for a starter home. All of these demographics are often shut out of Killarney by virtue of price. And it's really a shame, because our community is better for the diversity.

There are no two ways around it. Cost of construction isn't going anywhere but up, so the only way to make a place both economical and profitable to build while still being affordable to buy is density. But there is a big lifestyle difference between a semi-detached house in the \$750k and up range, and a condo.

So where is this whole thing at?

Firstly: Don't Panic. It's important to point out that, even if adopted, the city won't even consider doing any redesignation of existing areas without a specific landowner request to do so. And even then, it would be done on a case-by-case basis, in places where it makes sense, and only after the standard redesignation consultation with the community. This land use already exists in the developing areas of the city (i.e.: around the edges, mostly), but does not exist for older neighbourhoods. In my mind, this sort of development makes sense for larger assembled pieces of land (like 2 or 3 adjoining 50' lots)

So really, what's the problem?

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Here's the history: Part of the problem with land use in Killarney is that we have essentially 2 types of residential properties. RC-2, meaning that there can be up to 2 residences with a 10m height restriction, and MC-G, which allows up to 6 units with a 15m height restriction. These are very different kinds of buildings.



6 unit apartment complex, permissible under MC-G guidelines



A typical Killarney 2-storey semidetached house, permissible under RC-2 guidelines

Generally, the development committee is ok with density increases, especially ways in which help keep the community diverse. I'm sure that you've noticed that we're certainly not suffering from a

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shortage of for-sale semi-detached infills these days. But going from 2 possible residences, to permitting 4 or even 6? That's much too big of a leap for most neighbourhoods. Nobody wants to see a tiny bungalow get knocked down next door, in exchange for a lot-filling 15m high apartment building. It'd likely be completely out of character for the street and unreasonable. So where is the middle ground? That's where this new RC-G designation comes in.

A bit of history

A few years back, we were faced with the practical application of this dilemma. The development committee has, in the past, allowed for a redesignation from RC-2 to MC-G with specific covenants on the number of units and height (like would be the case with RC-G). It was a large, wedge shaped corner lot on the quiet part of Richmond road- it made sense to allow the developer to put 3 units on it (meaning supporting the redesignation from RC-2 to MC-G), but we, and especially the neighbours, didn't want it ever to be able to go as high as MC-G otherwise permits. Therefore, we were able to support the redesignation, while having the landowner agree to having those legal unit and height covenants tied to that redesignation.



This corner lot at 2704 Richmond Road was rezoned to permit up to 3 residences, but with the height restriction of current 2 residences-maximum zoning.

But not every negotiated use has been so successful. In another case, a young developer was looking to redesignate an RC-2 property to MC-G, on a corner lot *just outside* of the existing higher density multifamily MC-G area in the middle of Killarney along 29th street (what we refer to as *The Midlards*). In that case, there was even an example of the sort of thing that they wanted to build kitty-corner to their lot. So what they wanted expanded density, was contextual with other buildings in the immediate area. But between shadowing, lot coverage, parking, height.... 4 units was simply and understandably difficult for their neighbours to deal with.

It's worth noting that this matter is still open, so I do not suggest that we would on the face be supportive of an RC-G redesignation (that's really driven by the neighbours). But because it's an 'in between' zoning, and in a 'transition zone' between MC-G and RC-2, it's in the type of location that this bylaw attempts to anticipate. That makes it a conversation worth having.

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This 4 unit complex was kitty corner to the lot they wanted to rezone, and is pretty much what they were looking to build.
So how does this relate to the proposed new RC-G designation?

Here's how. The new R CG designation is the in between zoning. It allows up to 3 units, but with the same height restrictions as 2 units. It allows for slightly more lot coverage by buildings (up to 55% lot coverage, vs 45% for RC-2), but considering that there will be 3 units and parking for at least 3 vehicles that change seems to make a bit of sense. It also permits zero-clearance side yards, so it's possible to have multiple groups of 3 units stuck together into a much longer row. Think row houses and buildings of that nature.



An example of the type of row housing that this designation would make permissible.

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Another permissible row house example, but it would have to be further off of the street, largely in line with existing houses.

So, in certain contexts like the two situations the development committee faced above, R-CG would probably have been a very good fit.

So is this new designation a good idea?

Probably, but let's break it down; The good, the bad, and the ugly.

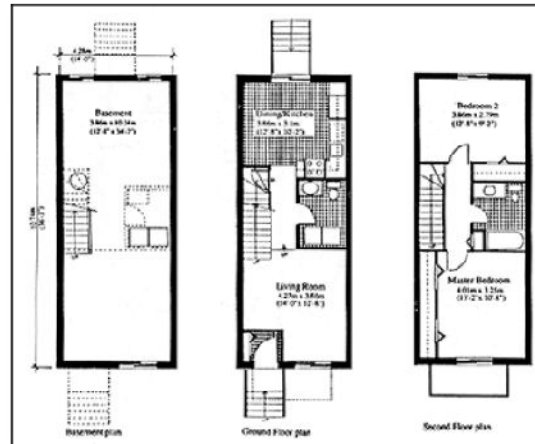
The good:

- Fills the density gap between RC-2 and MC-G.
- Will permit sensible, lower impact density improvements in areas where it makes sense.
- Will allow a greater diversity of housing types in Killamey.
- While ground-oriented, this designation would *appear* to let existing semidetached properties add a third residence (like an above-garage carriage house)
- this sort of housing type would be an excellent complement to current MC-G developments along 19th avenue, nearer the new Westbrook LRT.

The bad:

- Building types will invariably be tall and narrow. Given builders' propensity to maximize what they build in the envelope available to them, expect that these will all be 3 stories, probably with a balcony on the roof, and modern design so that they can be massed as fully as possible. It's likely that some proposed developments will conflict with Killamey's existing 3 storey guidelines.

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Typical floor plan of a townhouse, or as they're called in Montreal, a 'Grow House'. This one is 14' wide with a total living area around 1000 sq. ft. On a typical Killamey 50' lot, each of the three units would have 13.3' of frontage and would only be about 12' wide at their widest point. Tough place to have a party.

- If you've ever been in a semidetached, you know how narrow they get where the staircase is. Now imagine that width cut in 1/3. The floor plans for these will have to be like dog bones. Staircases are the least attractive element with this living style.
- Front setbacks remain unchanged, meaning you'll now have 3 units with front yards and no back yard to speak of.
- Building type is restricted to ground-oriented, meaning that no living space from one unit can be above the living space of another. This largely rules out this building type as suitable for seniors or others with limited mobility, one of the target demographics for cottage-style living.
- It makes sense to permit these types of buildings to come forward towards the street (like in the examples above), so that private amenity space is available in the back. A common courtyard would make sense.
- The Ugly:
 - There is no apparent requirement to build the maximum 3 units on an RC-G designated lot. That means that a builder could build a standard semidetached, but use an RC-G redesignation to skirt the 45% maximum lot coverage and build them bigger, up to 55% coverage. Redesignations are not specifically tied to plans, so even if the redesignation is based on a *proposed* 3 units, there is nothing tying the developer's hands to that. We already regularly see a push for relaxations on lot coverage maximum.

Now, here is the feedback I would have for the city:

- Overall, RC-C looks to be a welcome addition to the land use menu.
- The bylaw is reasonably restrictive, in that it looks to be limited to ground-based row or cottage housing, without flexibility for many alternative housing types. It's likely that tall, narrow row housing, it's interior dominated by staircases, would be the predominant build form. Considering that assisted living, mobility challenged, and a whole host of other uses are in the designated use list, does it not make sense to consider flexibility for other housing types that are in this density band?

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Montreal 3 storey walkup. The benefit is that there are three different types of house in one building, serving 3 different demographics- Ground floor, highly suitable for the mobility challenged. Middle floor, for people with mobility, but who can't be arsed to walk up 3 flights of stairs (hard of hearing probably a benefit in the middle suite as well). And top floor penthouse, harder to get to but with a view and more privacy.

- You may have noticed that one common feature of most row housing is that they are typically quite close to the adjacent street. The benefit of this is to maximize private amenity space in the back. The bylaw places the same setback restrictions on RC-G that exist in RC-2, meaning contextual + 1.5m. Outside of permitting relaxations which can lead to a host of other unintended consequences. Does it not make more sense to tie this designation to a frontage setback in a contextual/3m from street range?
- Is there anything restricting the building of 2 semidetached homes and an above-garage carriage house? Since the carriage house is not above a living area, it appears that this is permissible. (Full disclosure- I have built just such a carriage house, with plans to redevelop the existing bungalow to a larger single-family home. A R-CG redesignation would presumably permit that to be a semidetached pair instead of a single-family residence.)

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APPENDIX IV

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May 22, 2014

Stephen Pearce
Planner 2, Land Use Bylaw Sustainment
The City of Calgary
700 Macleod Trail SE
PO Box 2100 Postal Station 'M'
Calgary, Alberta
T2P 2M5

Dear Mr. Pearce,

RE: New R-CG District

The Canadian Home Builders' Association – Calgary Region would like to voice its support for the proposed R-CG district. Over the past year, CHBA-Calgary Region members and City administration have been working together to create a new district that will fill a niche in the market place while sensitively increasing the density of residential areas.

Diversity in housing type is critical in all areas of the city, whether in established communities or newly developing areas. This district is yet another tool that can be utilized to ensure our communities remain vibrant, attractive, ever evolving neighbourhoods that will continue to draw new investment and ultimately new Calgarians.

To address market acceptance and viability, the rules and prescriptive requirements were scrutinized and tested by members of our CHBA-Calgary Region Inner City Builder's Council and there has already been some interest expressed in utilizing this district. However, with a re-designation process still required, we do have concerns about its implementation.

Despite strong support by some builder/designers for the original R-CH cottage district, one of the impediments to it occurring on the ground was that a re-designation process would be required, for no land had the R-CH designation. It remained an underutilized district due to the fact that no 'permitted' cottage use was available and to a lesser extent, the overly prescriptive nature of the rules related to the cottage unit themselves. It would be disappointing if the take-up on the new R-CG district experienced a similar fate, therefore;

We strongly encourage the city to take a leadership role with respect to this district and initiate, where appropriate, city led re-designations.



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At a minimum, a more timely re-designation process for the R-CG district on lands already designated R-C2 may get the ball rolling and illustrate how this new district could be utilized going forward.

Stephen, we would like to thank you for your leadership and ongoing collaboration with Industry on this initiative. CHBA-Calgary Region is pleased to support the proposed district.

Sincerely,

Amie Blanchette
Director, Government Affairs
CHBA-Calgary Region
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amie@chbcalgary.com



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APPENDIX V

ARCHITECTURAL TESTING

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TESTING INFORMATION: SCENARIO 1.0

TEST DESCRIPTION: PERMITTED ROW HOUSE, 1.2 M SIDEYARD

PARCEL INFORMATION: 15.24 M X 36.58 M (50FT X 120FT) MID BLOCK LOT, LANED

PARCEL AREA: 557.48 M² (6,000 SQ.FT)

NUMBER OF UNITS: 3

DENSITY ACHIEVED: 53.8 UPH

ALLOWABLE PARCEL COVERAGE: 55%

NUMBER OF PARKING STALLS PROVIDED: 3

TOATL UNIT AREAS ACHIEVED:

TWO STOREY:

PARCELS 01 & 03: 144.98 M² (1,560 SQ.FT.)

PARCEL 02: 133.52 M² (1,437 SQ.FT.)

THREE STORY:

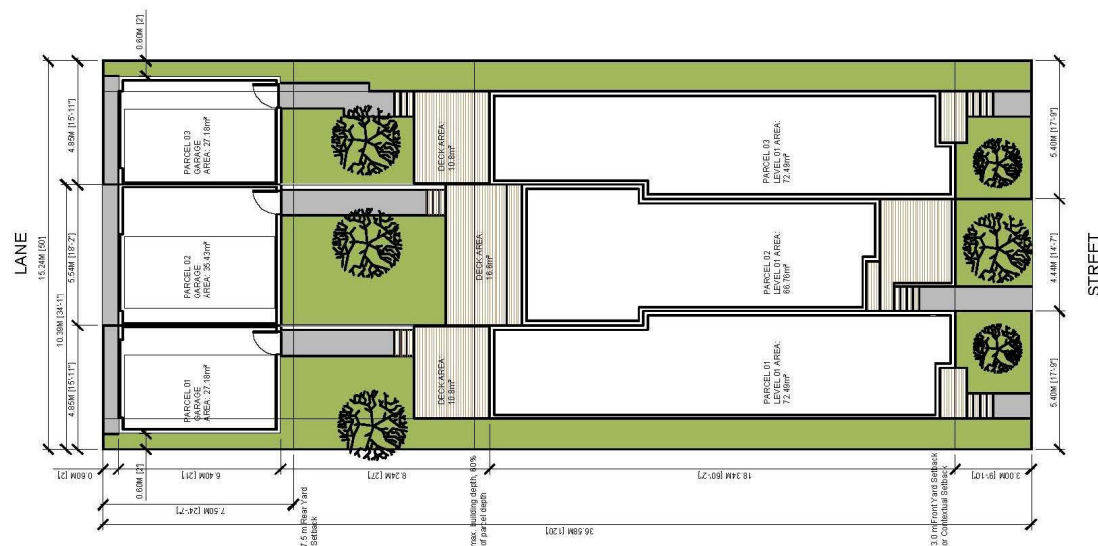
PARCELS 01 & 03: 207.33 M² (2,232 SQ.FT.)

PARCEL 02: 185.34 M² (1,996 SQ.FT.)

OUTDOOR AMENITY SPACE: MIN. 20.0 M² /UNIT.

SECONDARY SUITE: YES, PARCEL 2, 45.0 M² (NO PARKING REQUIRED.)

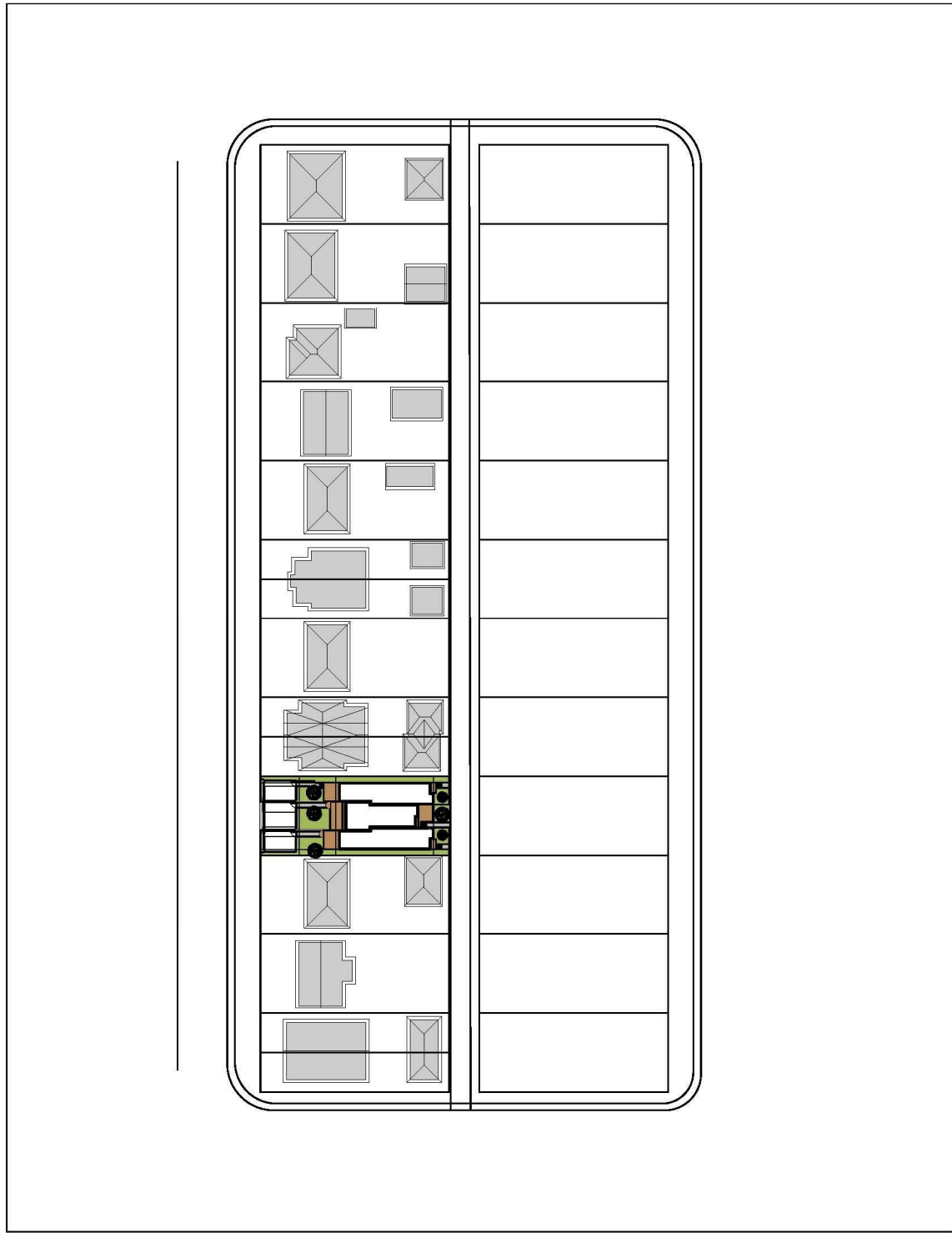
BACKYARD DWELLING: NO



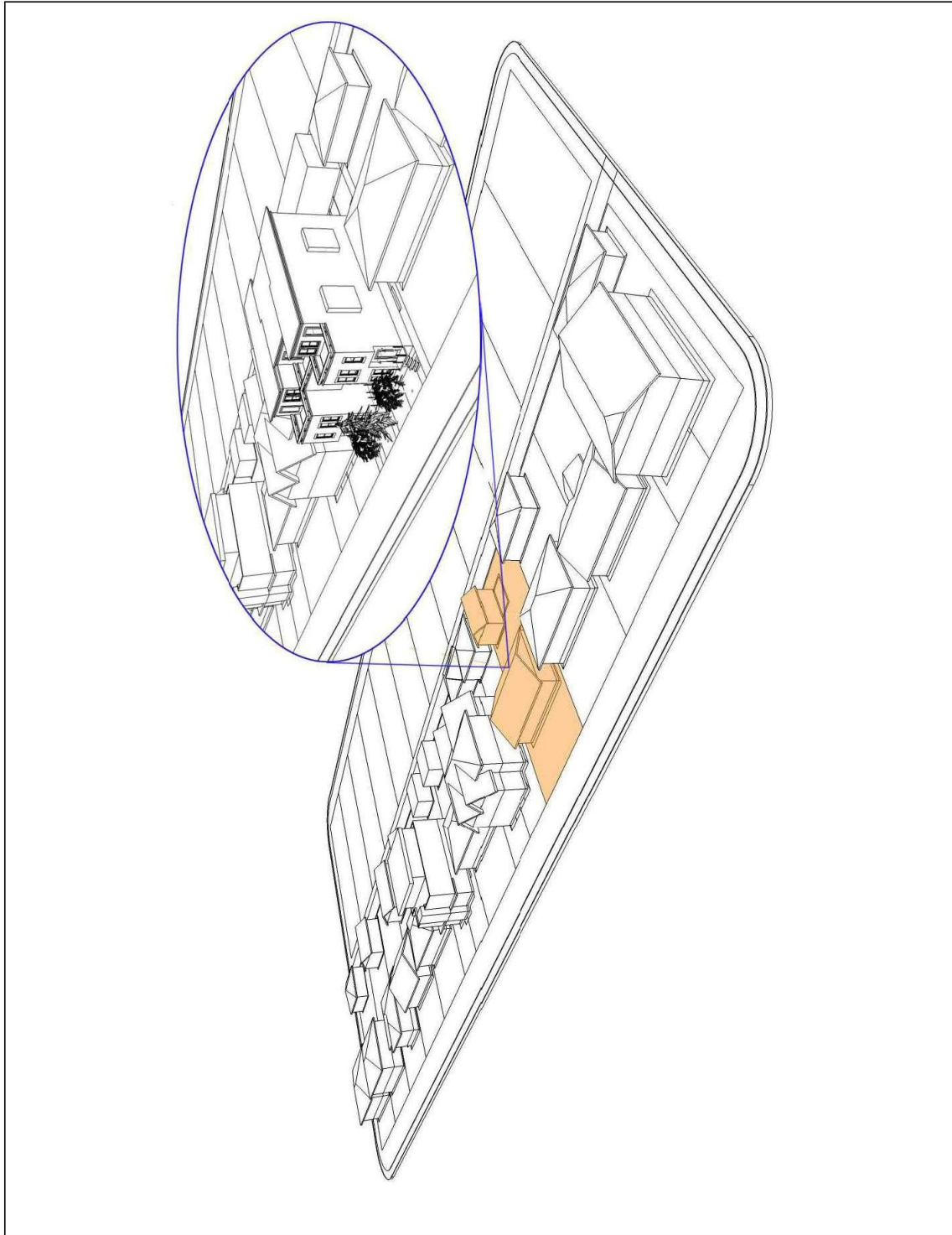
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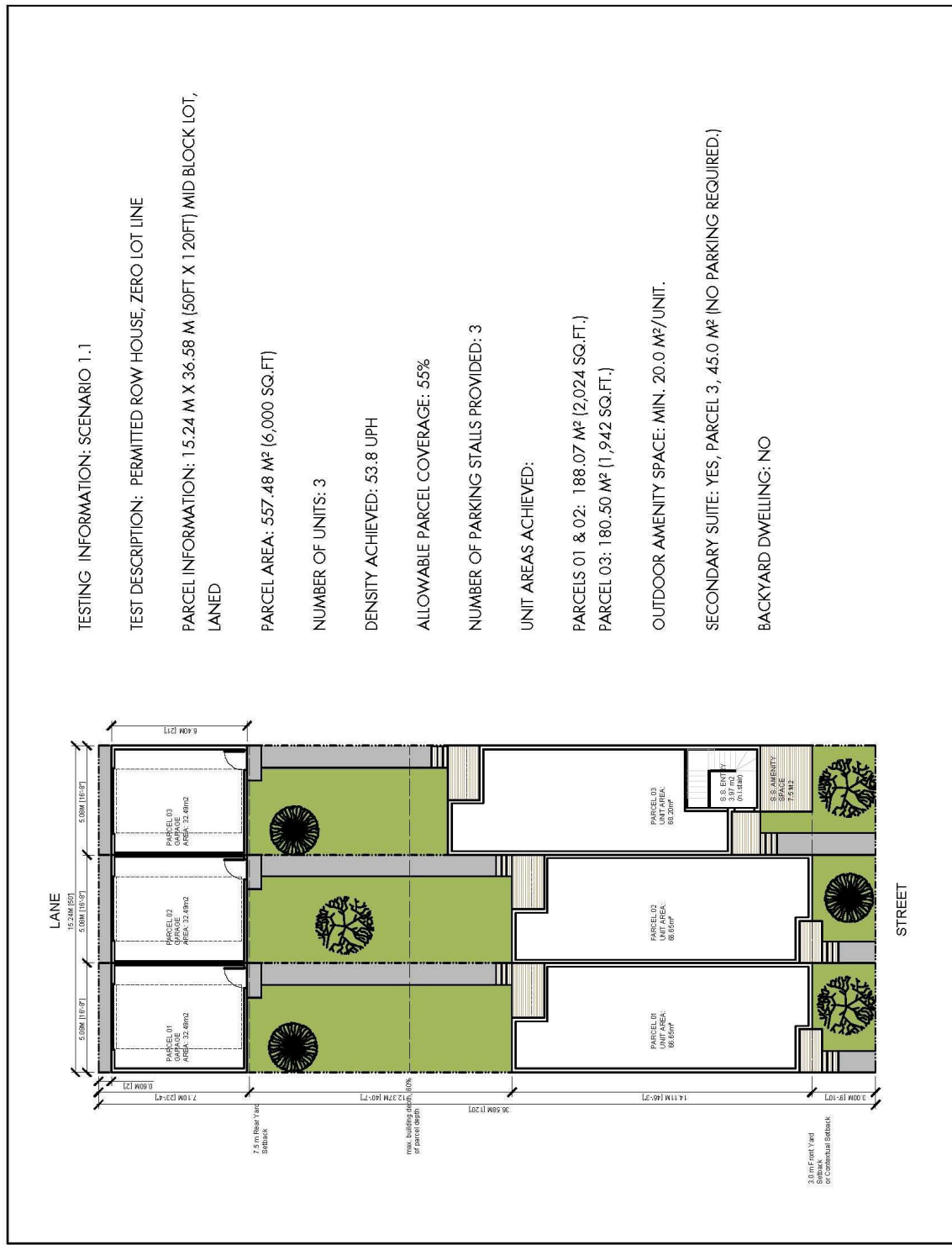
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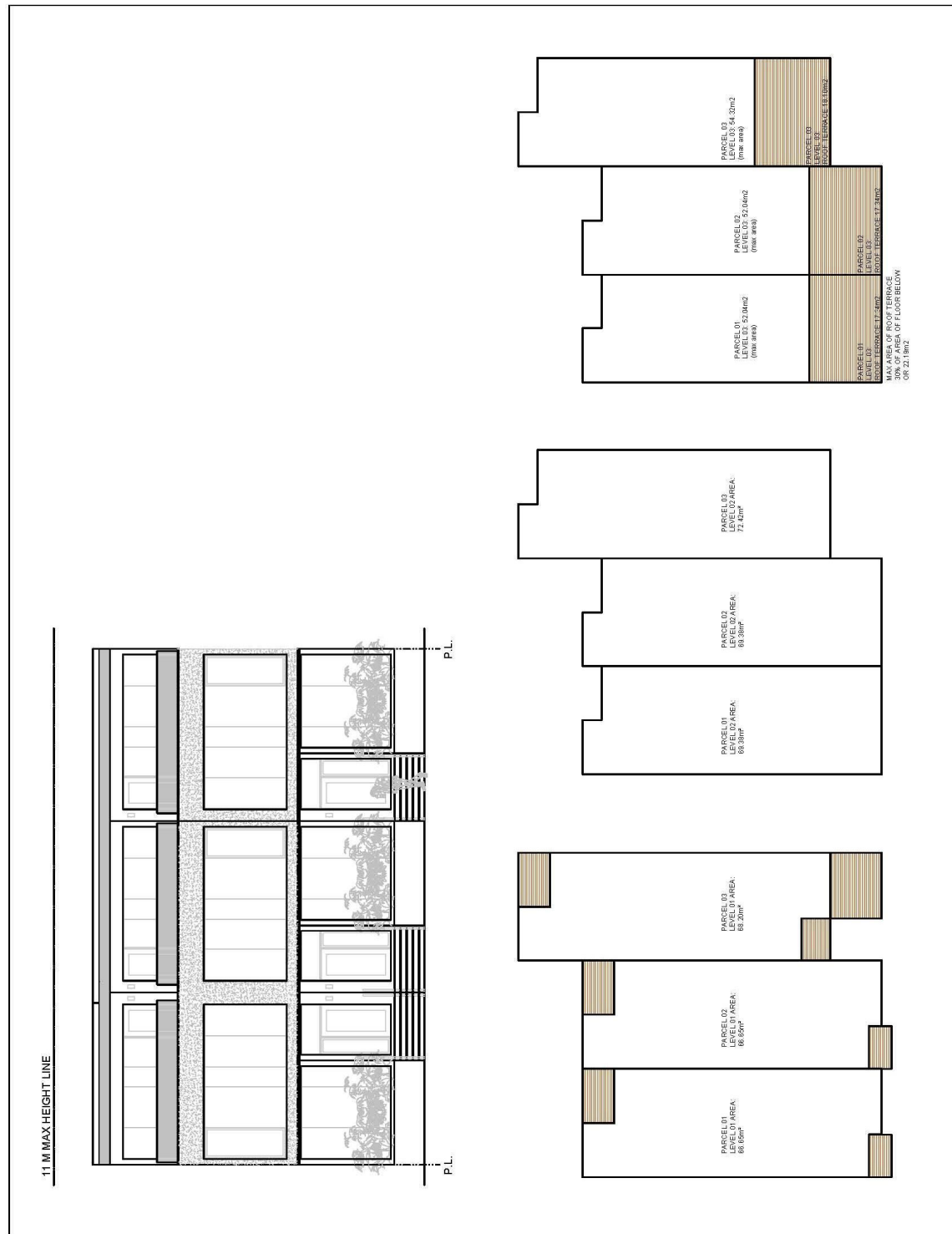
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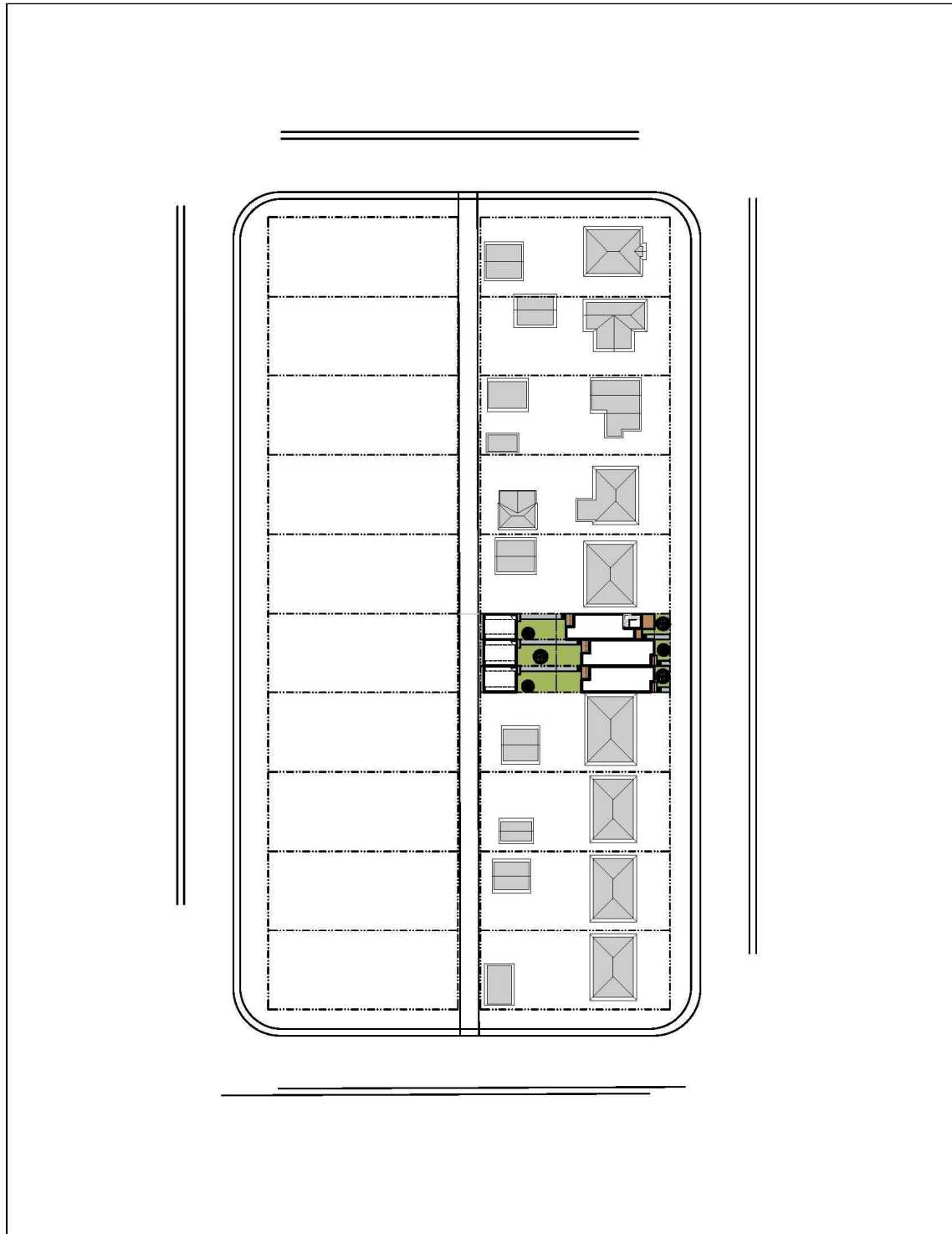
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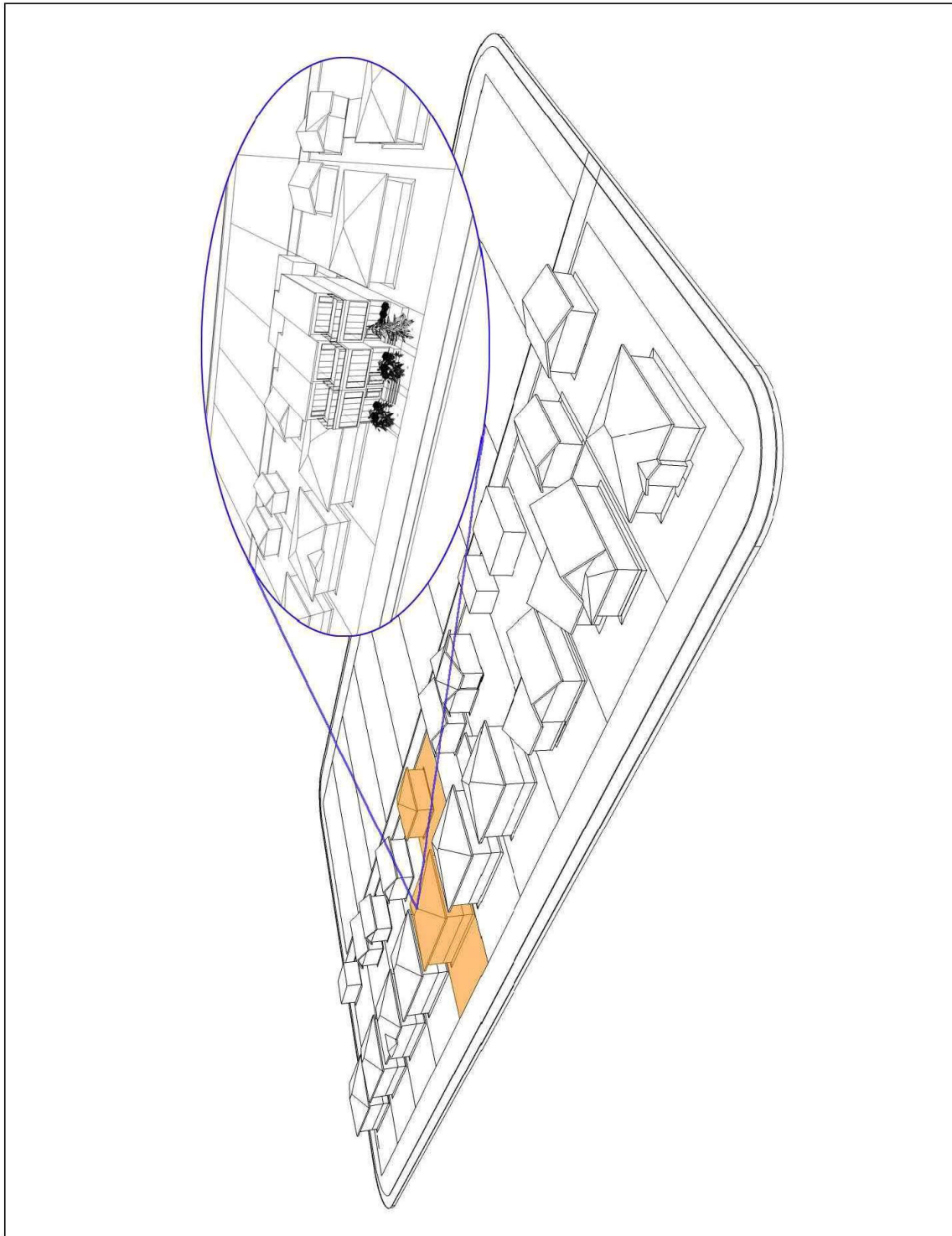
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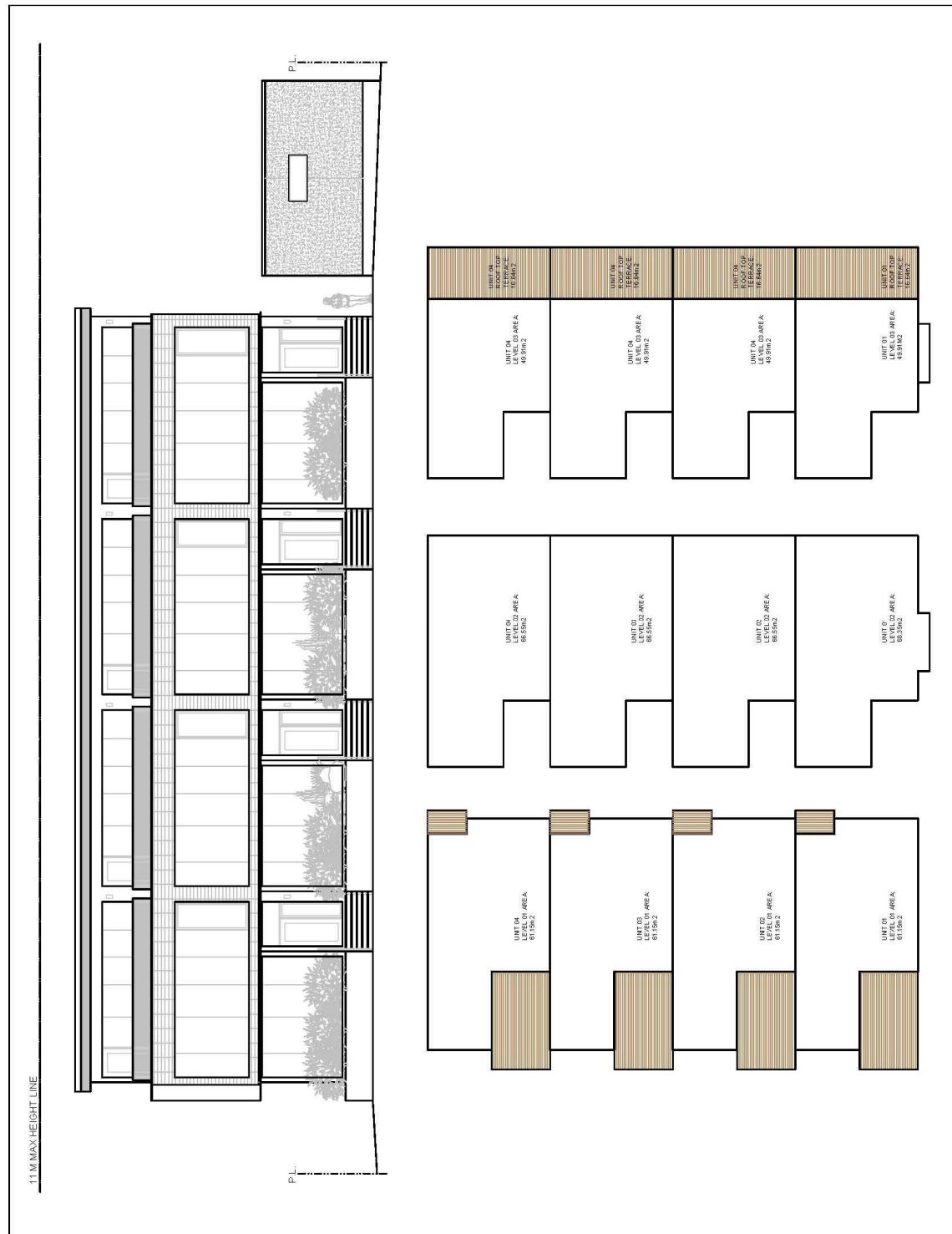
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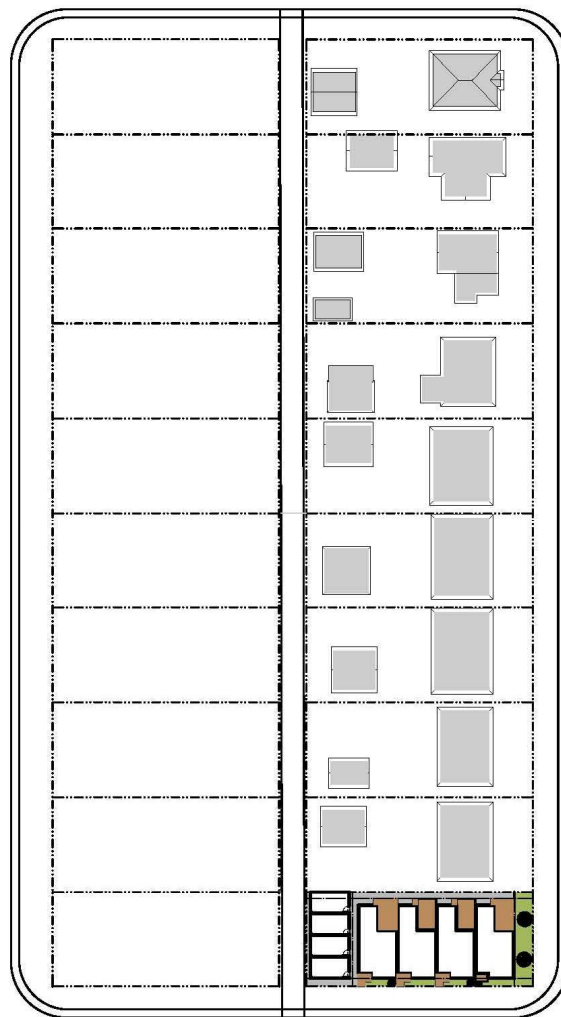
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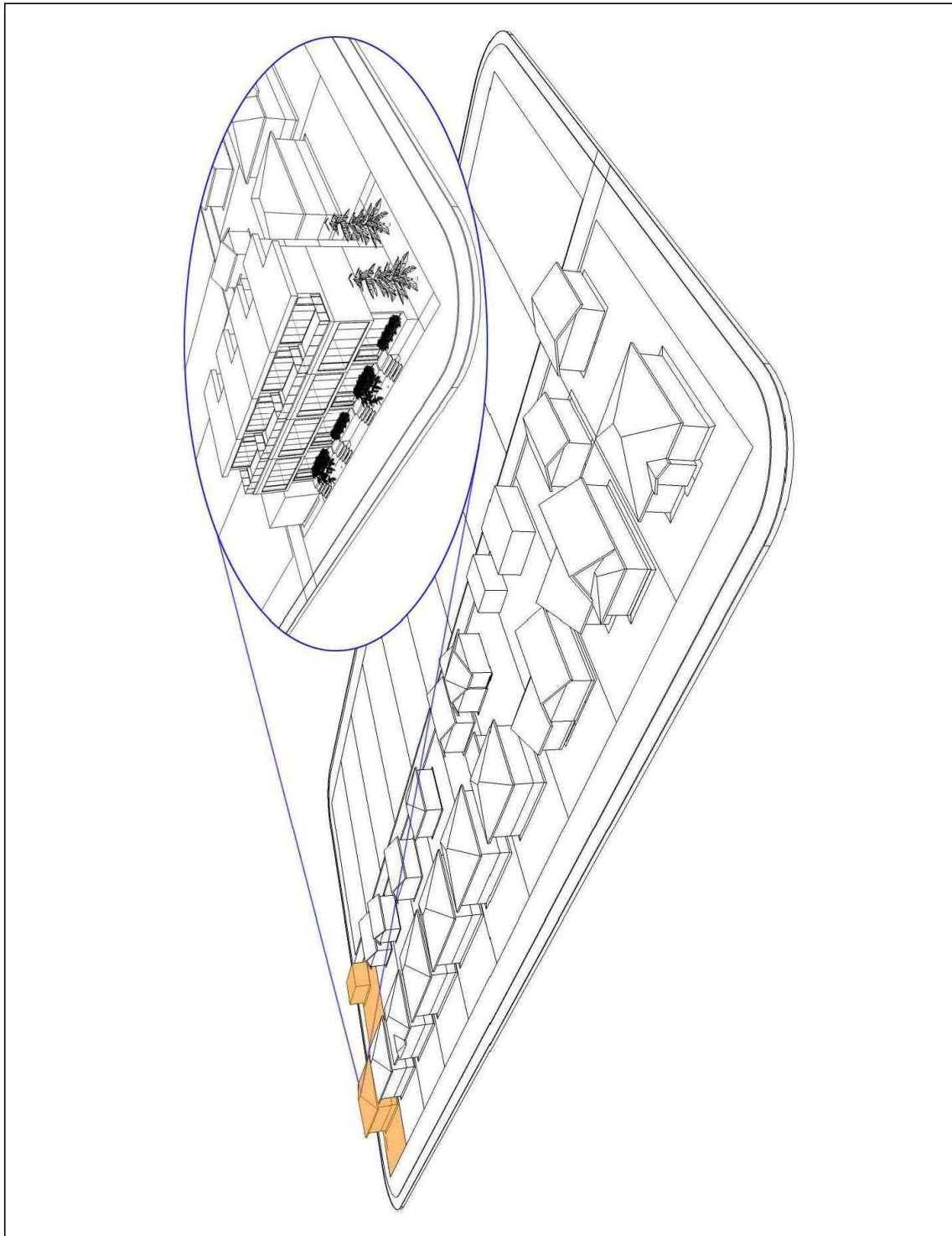
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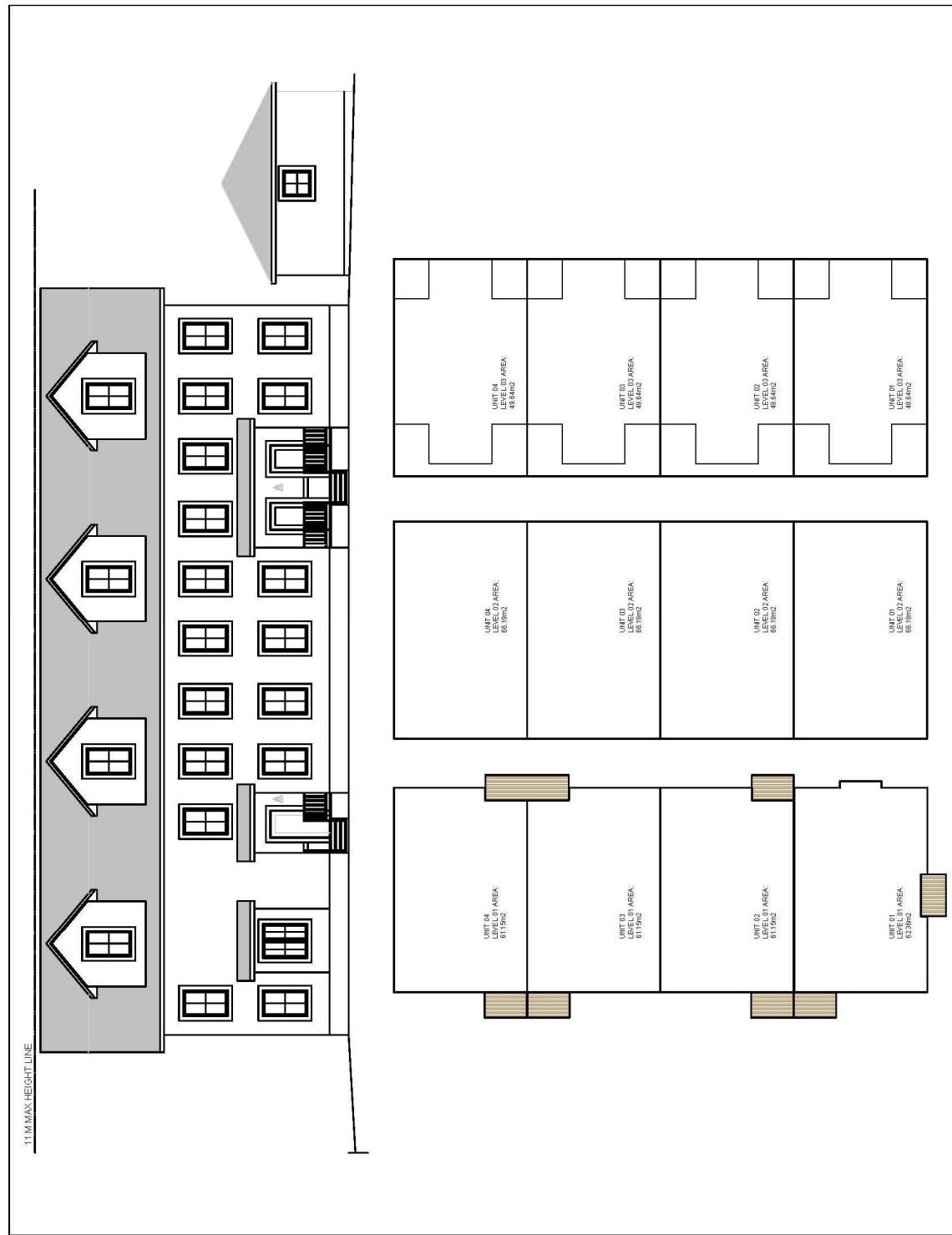
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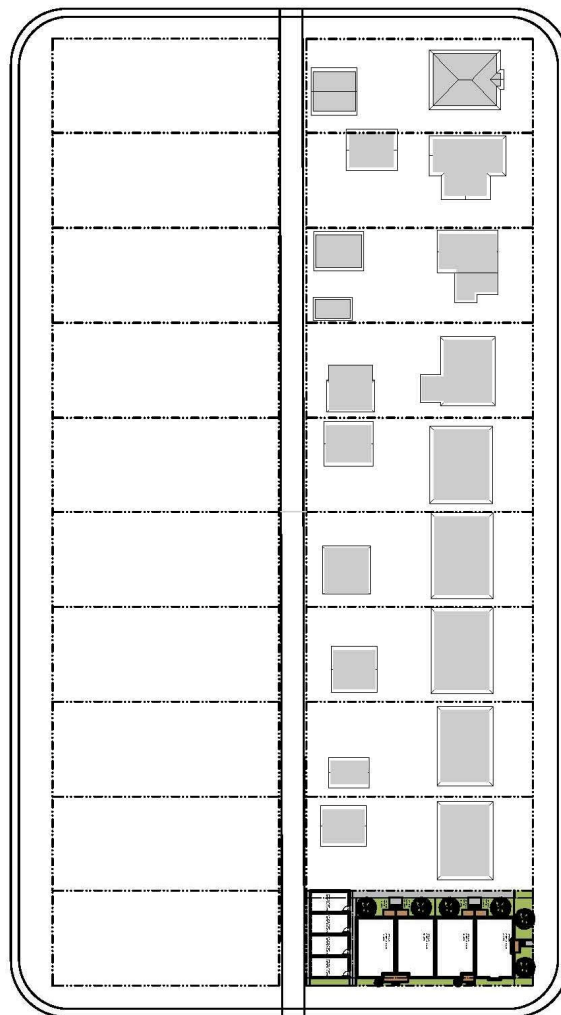
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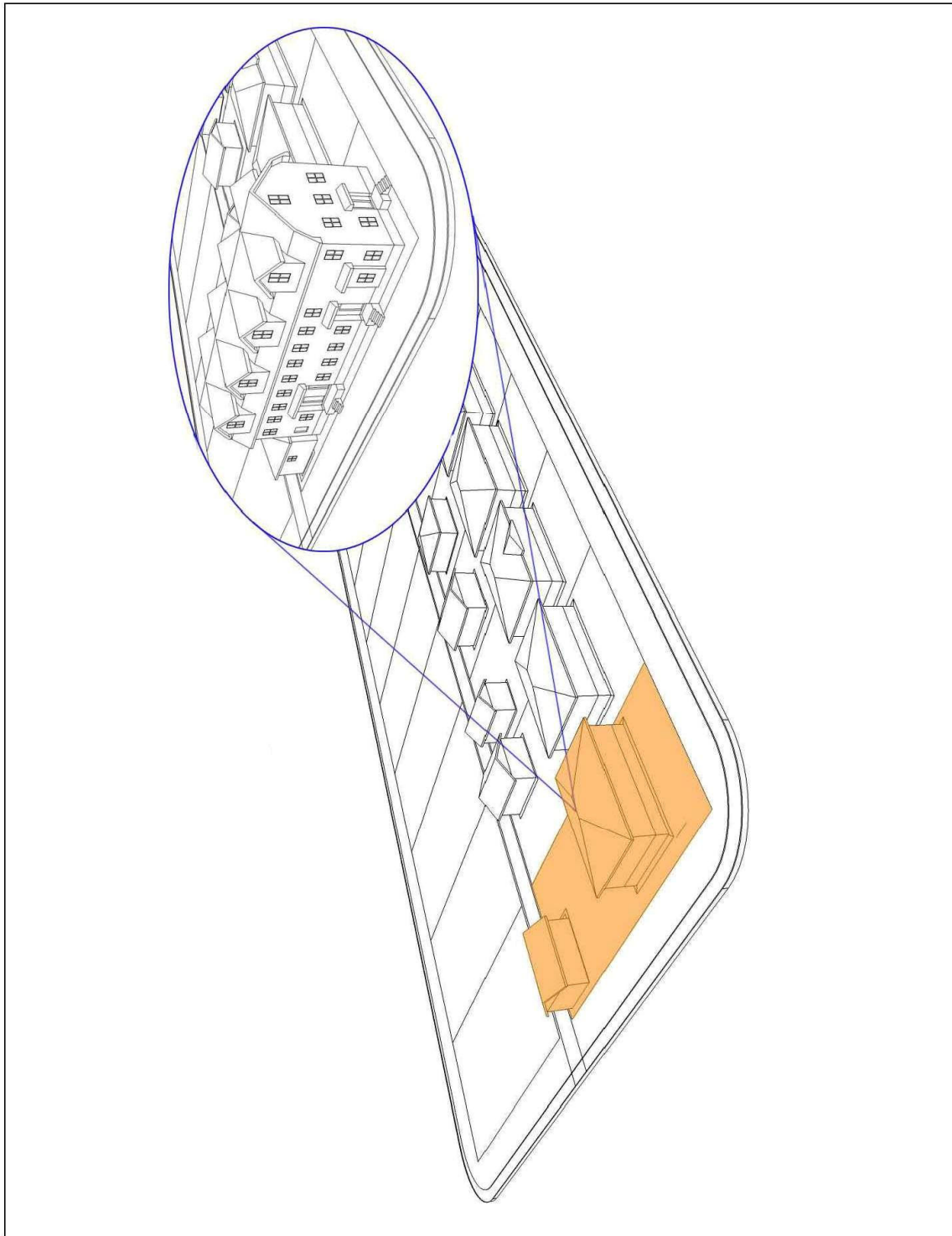
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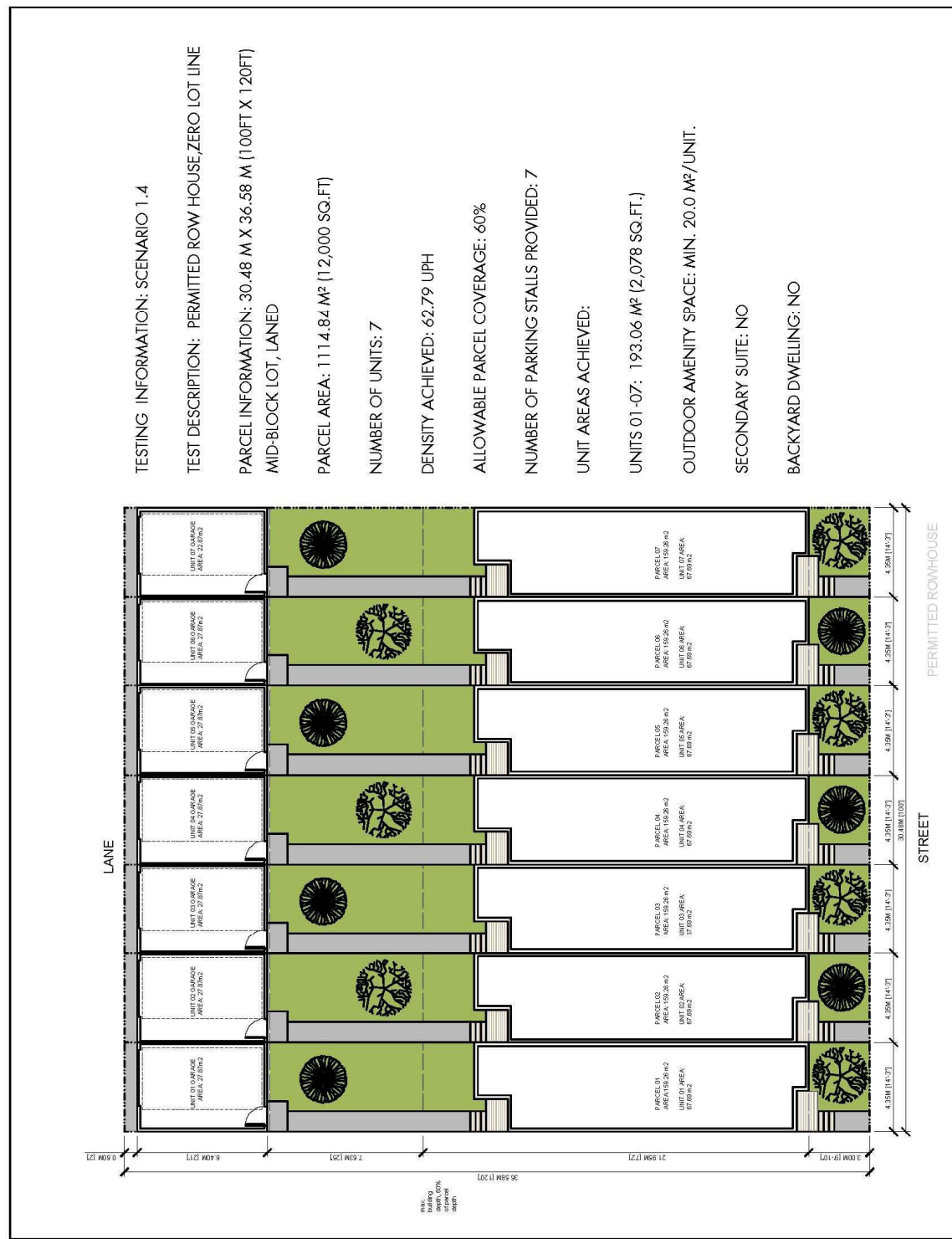
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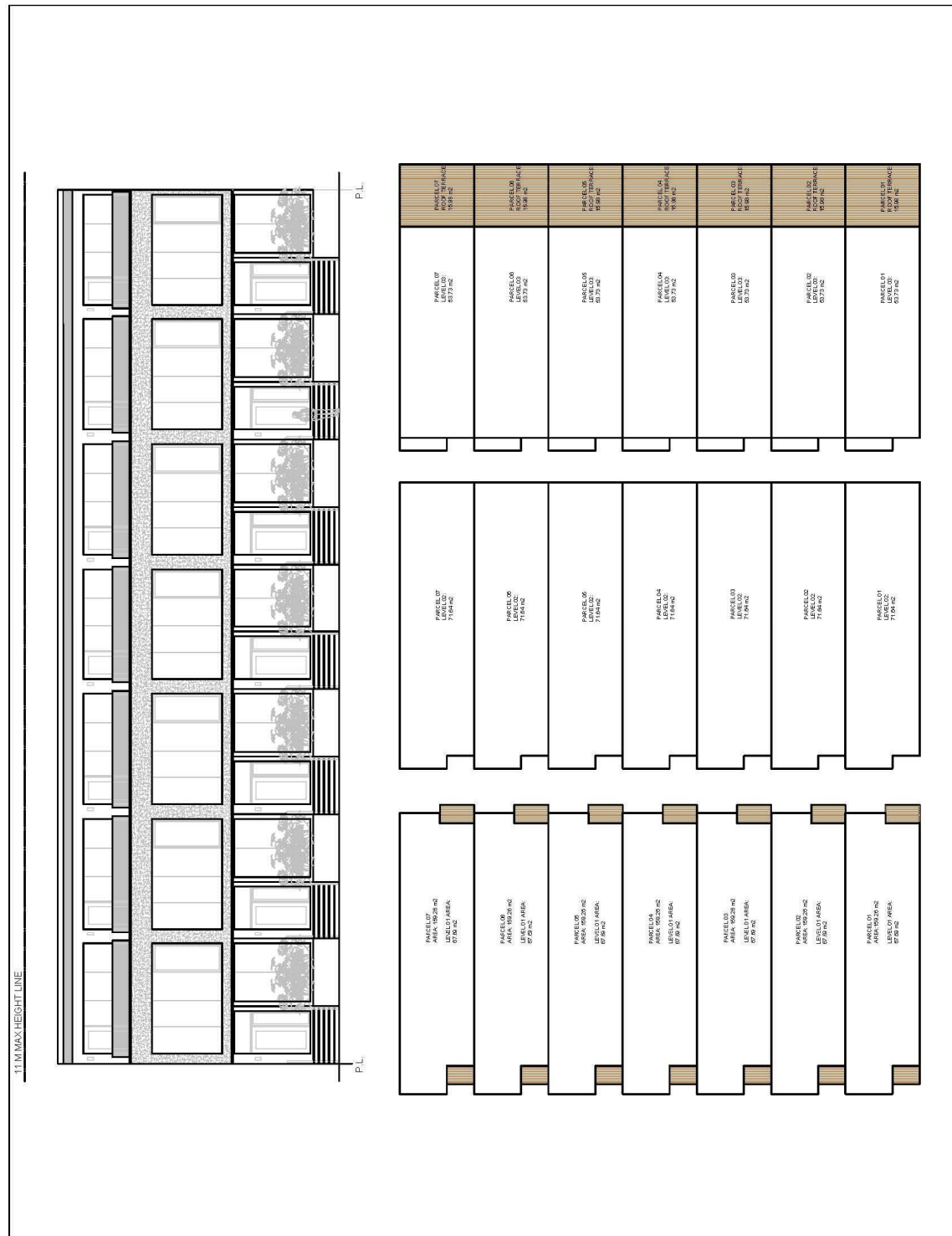
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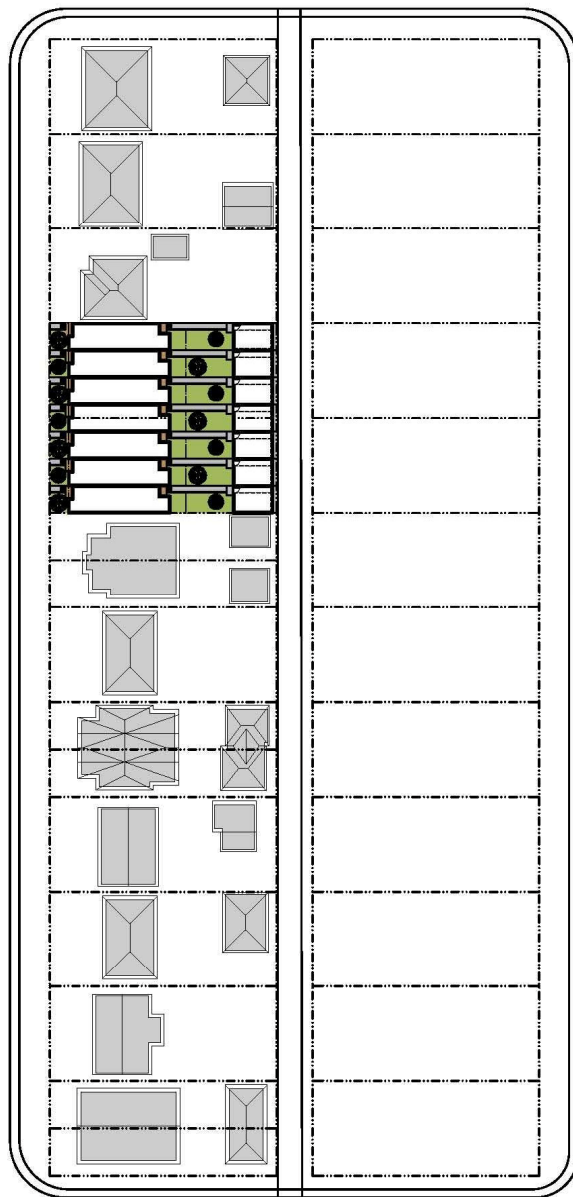
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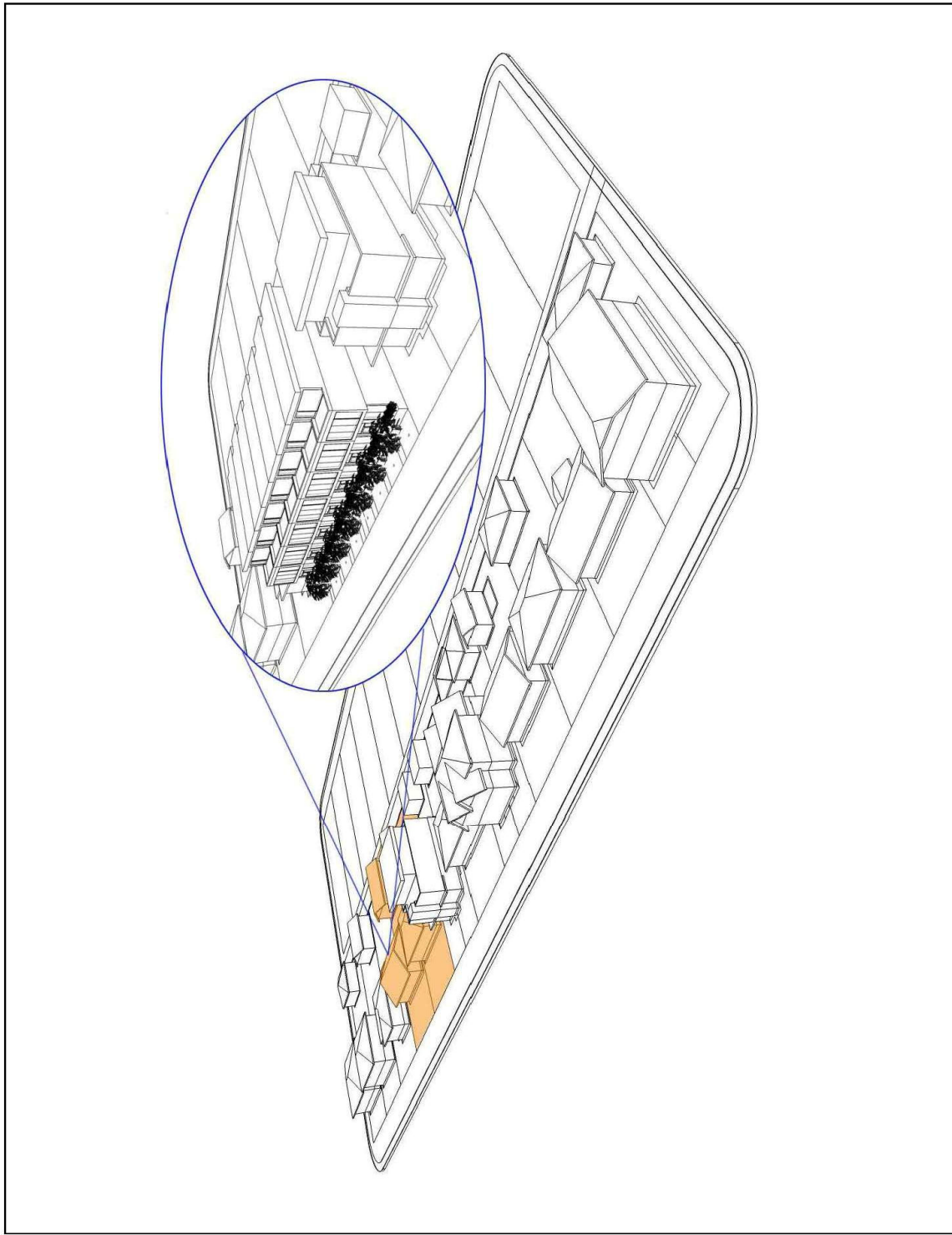
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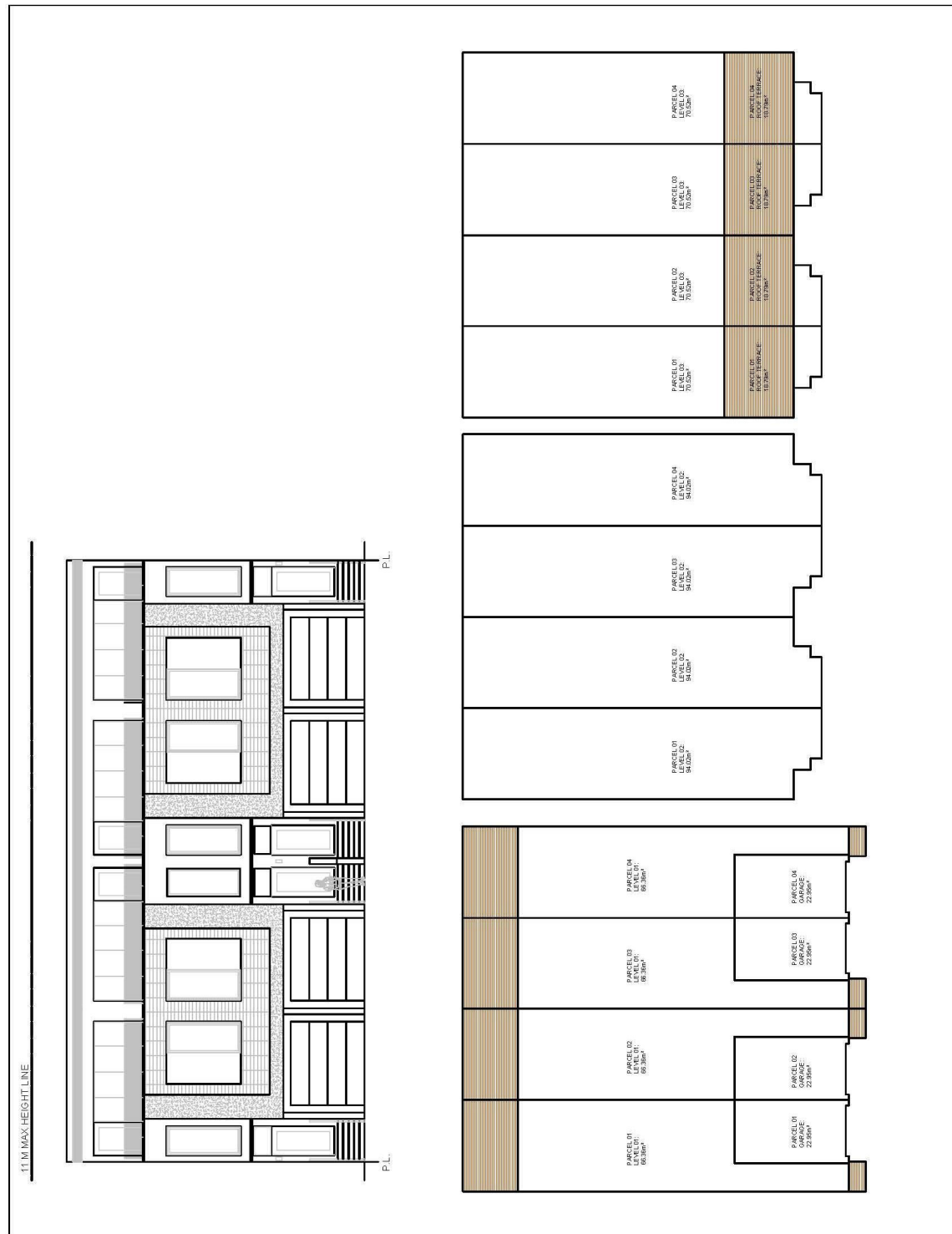
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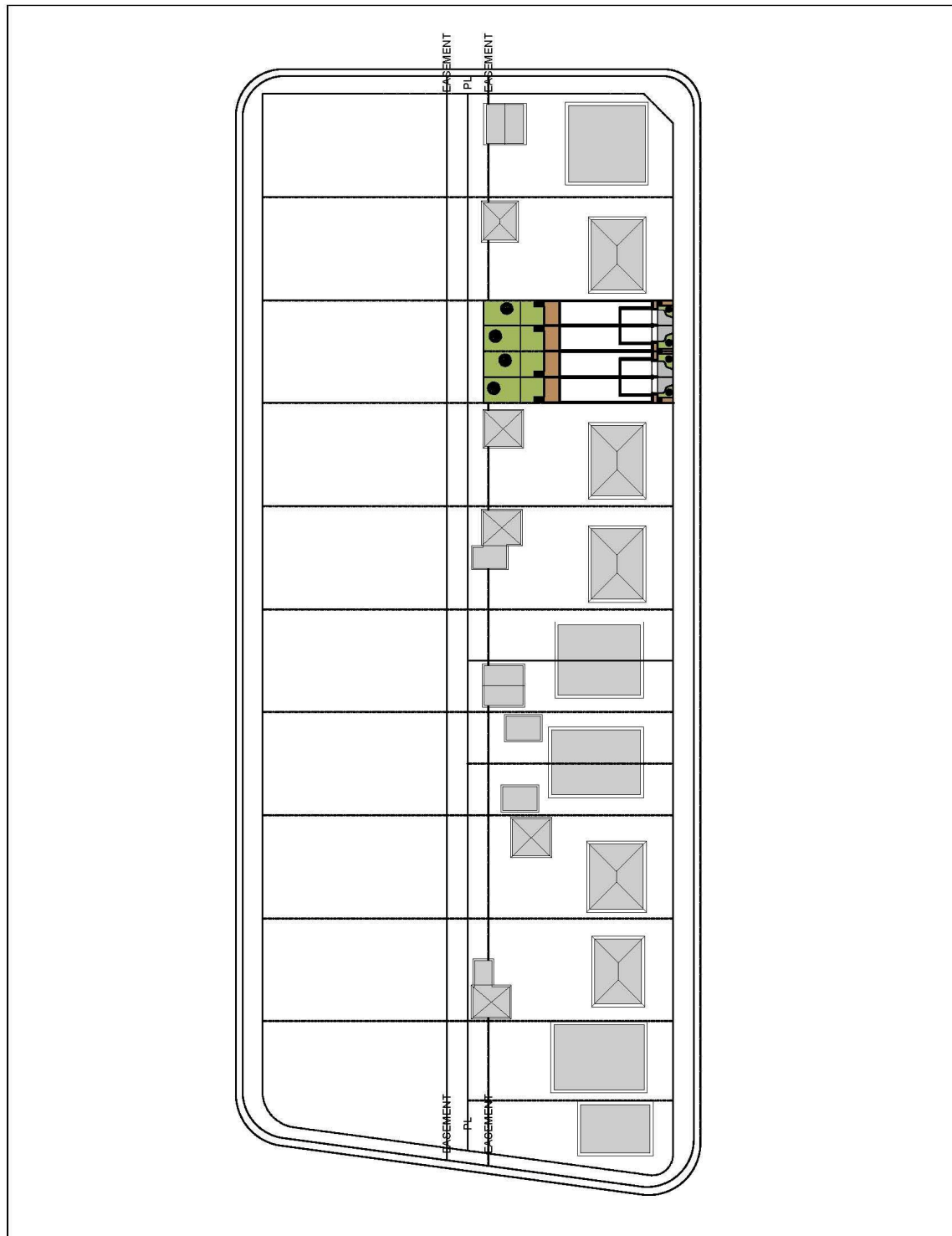
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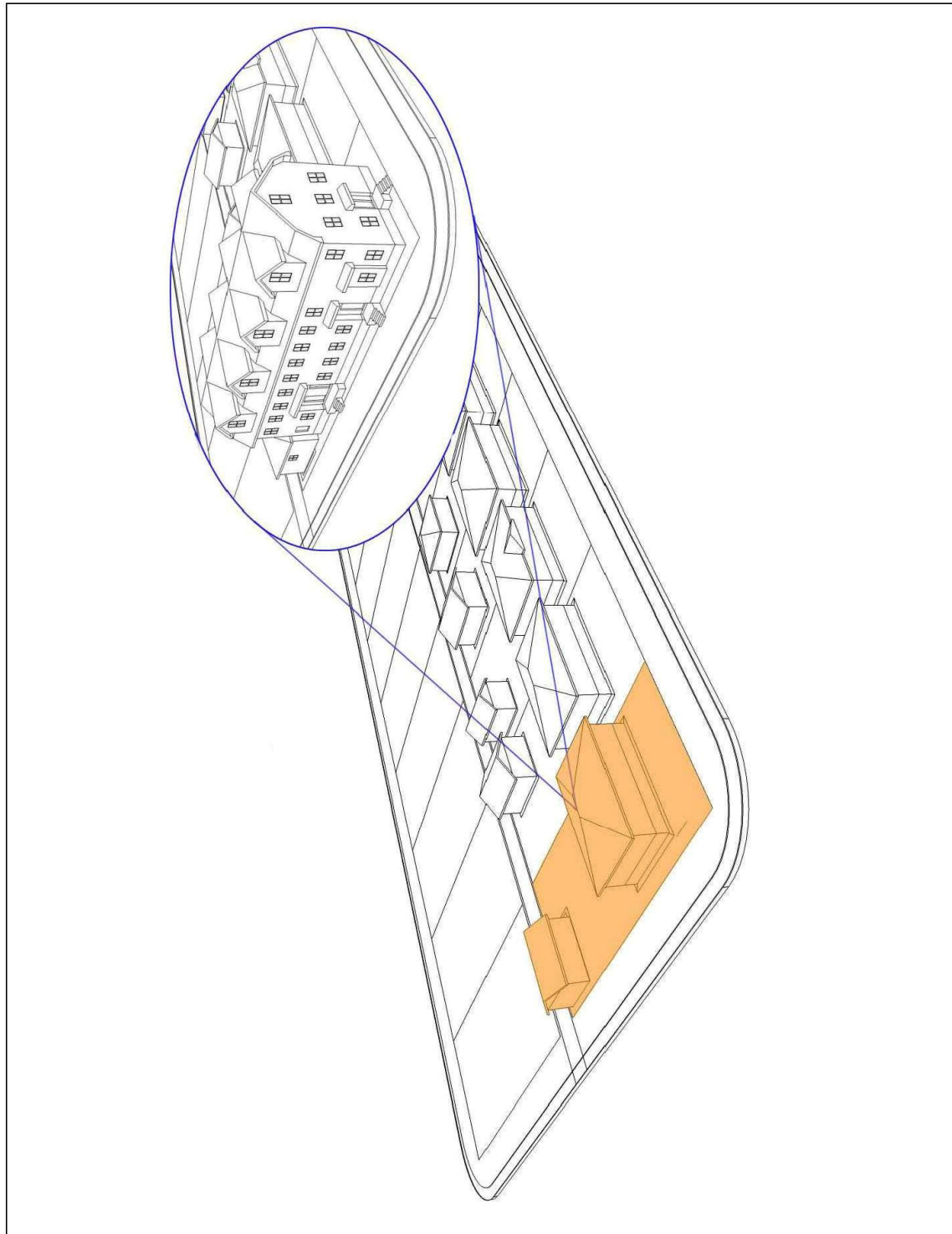
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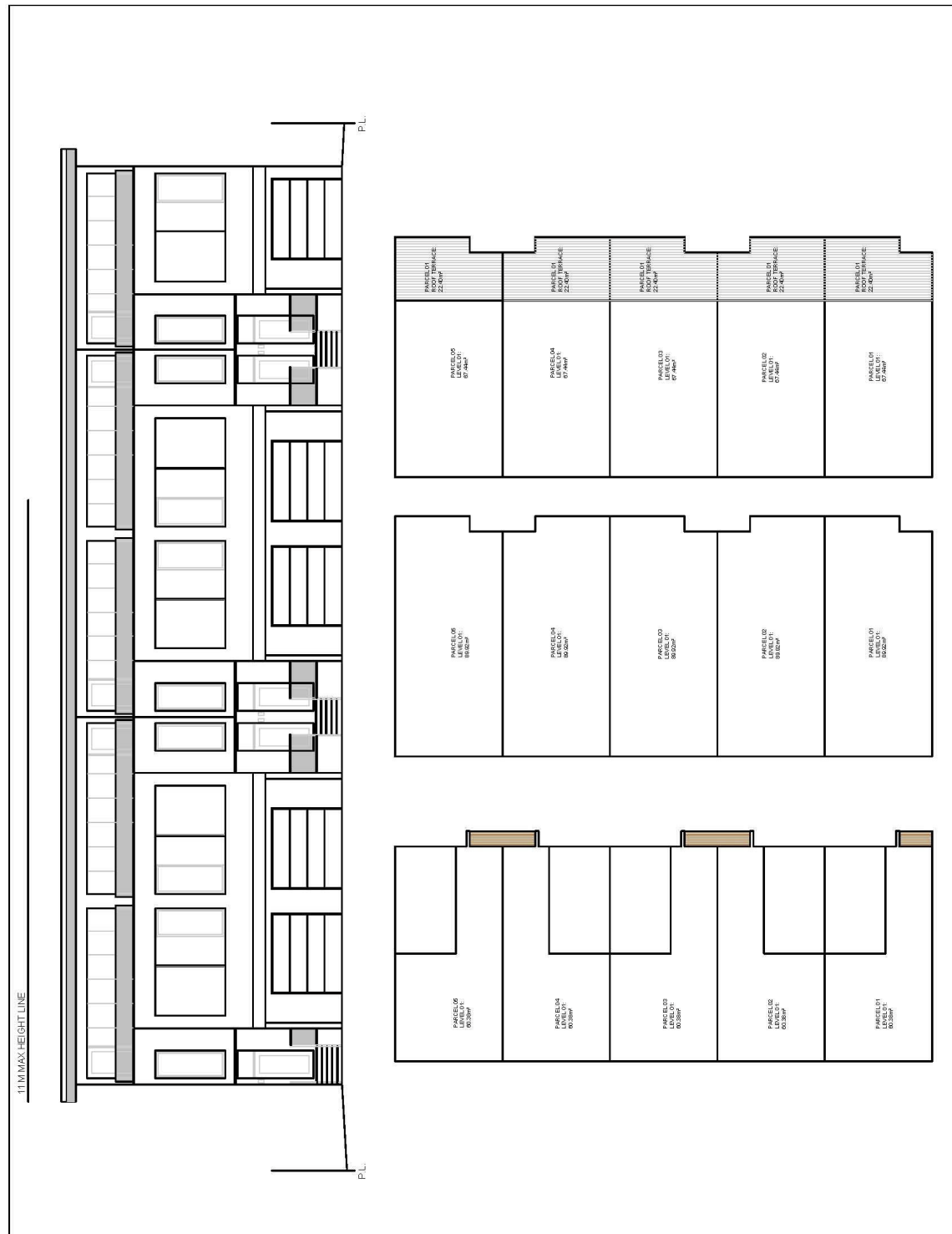
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1P2007
CITY WIDE
24P2014**



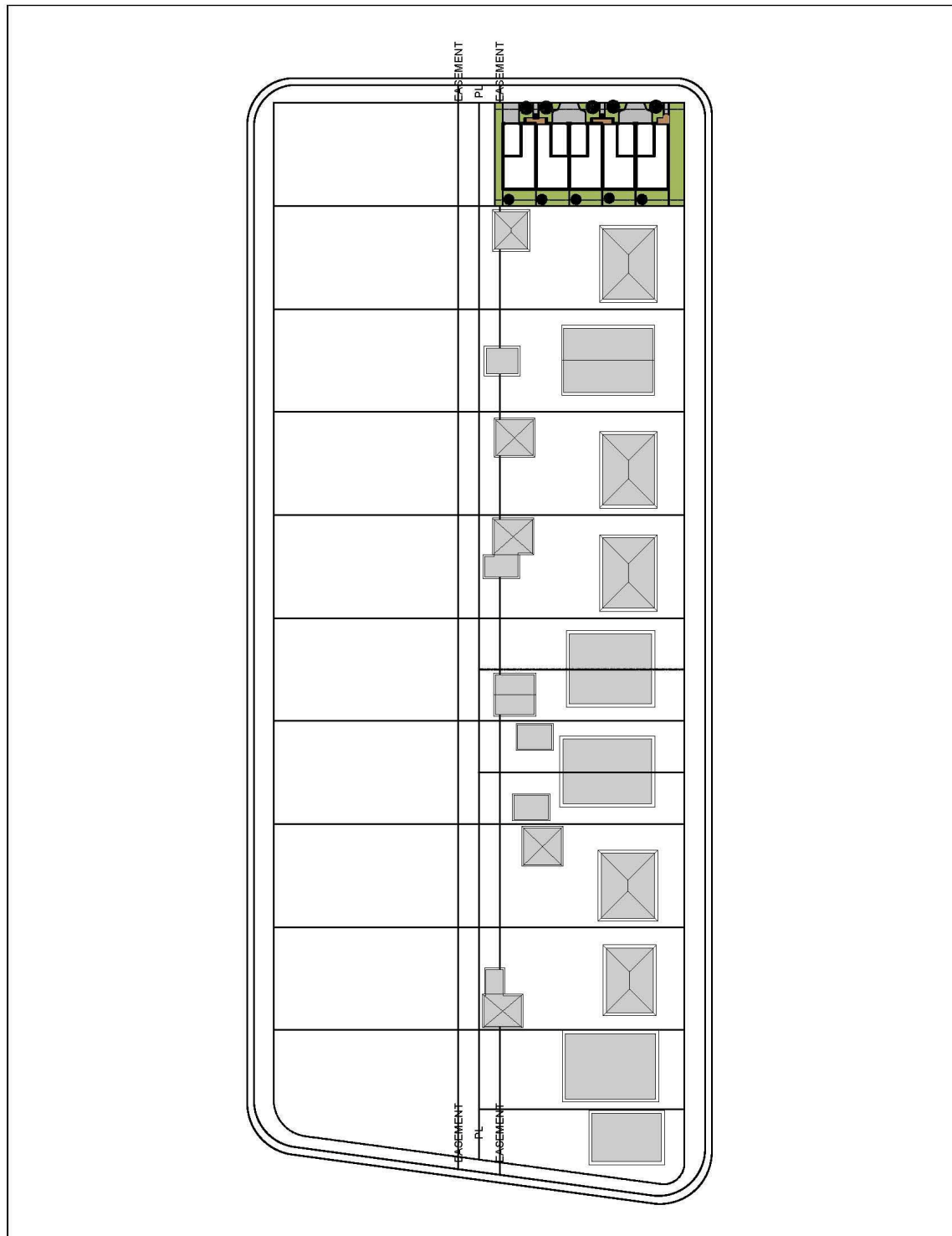
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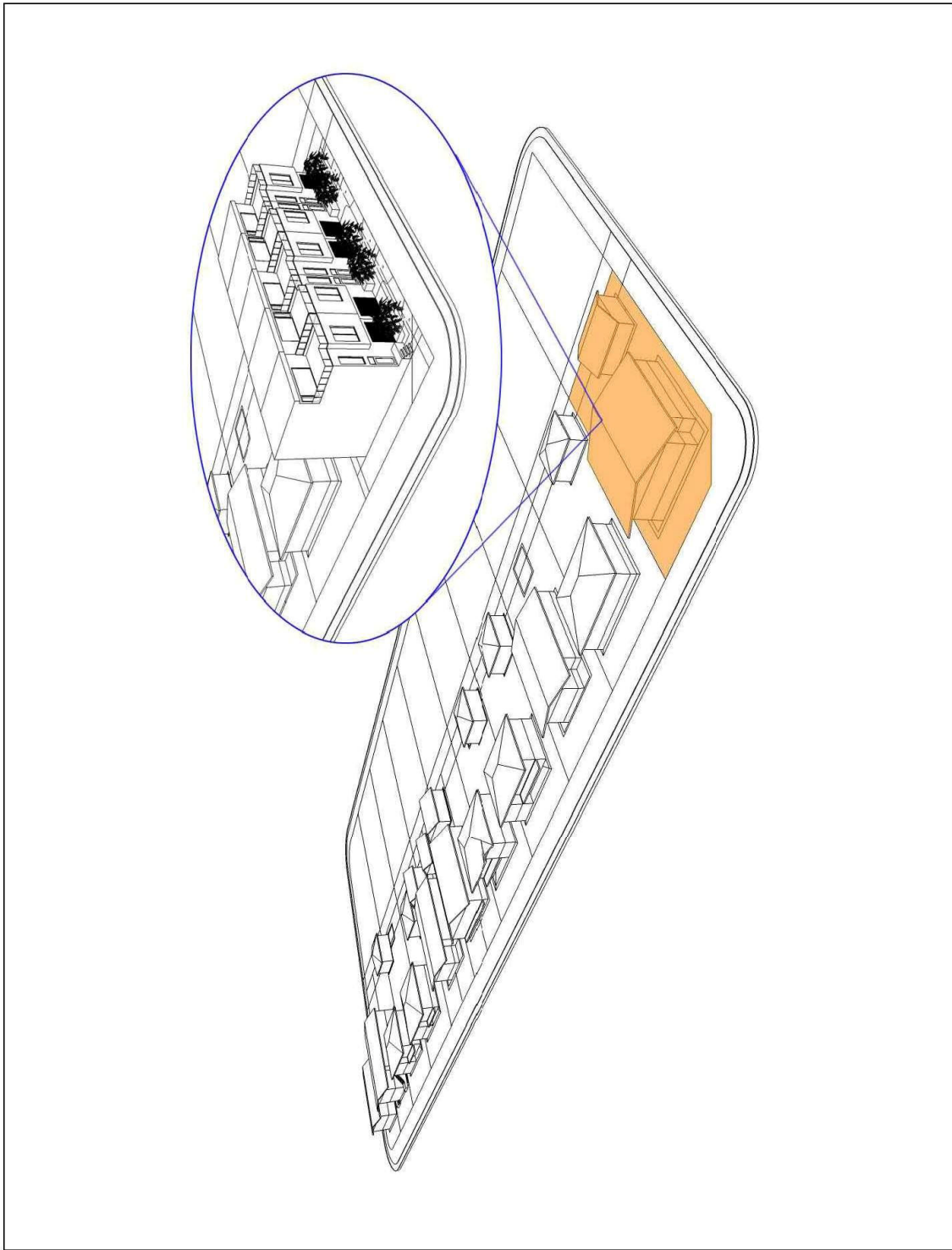
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1P2007
CITY WIDE
24P2014



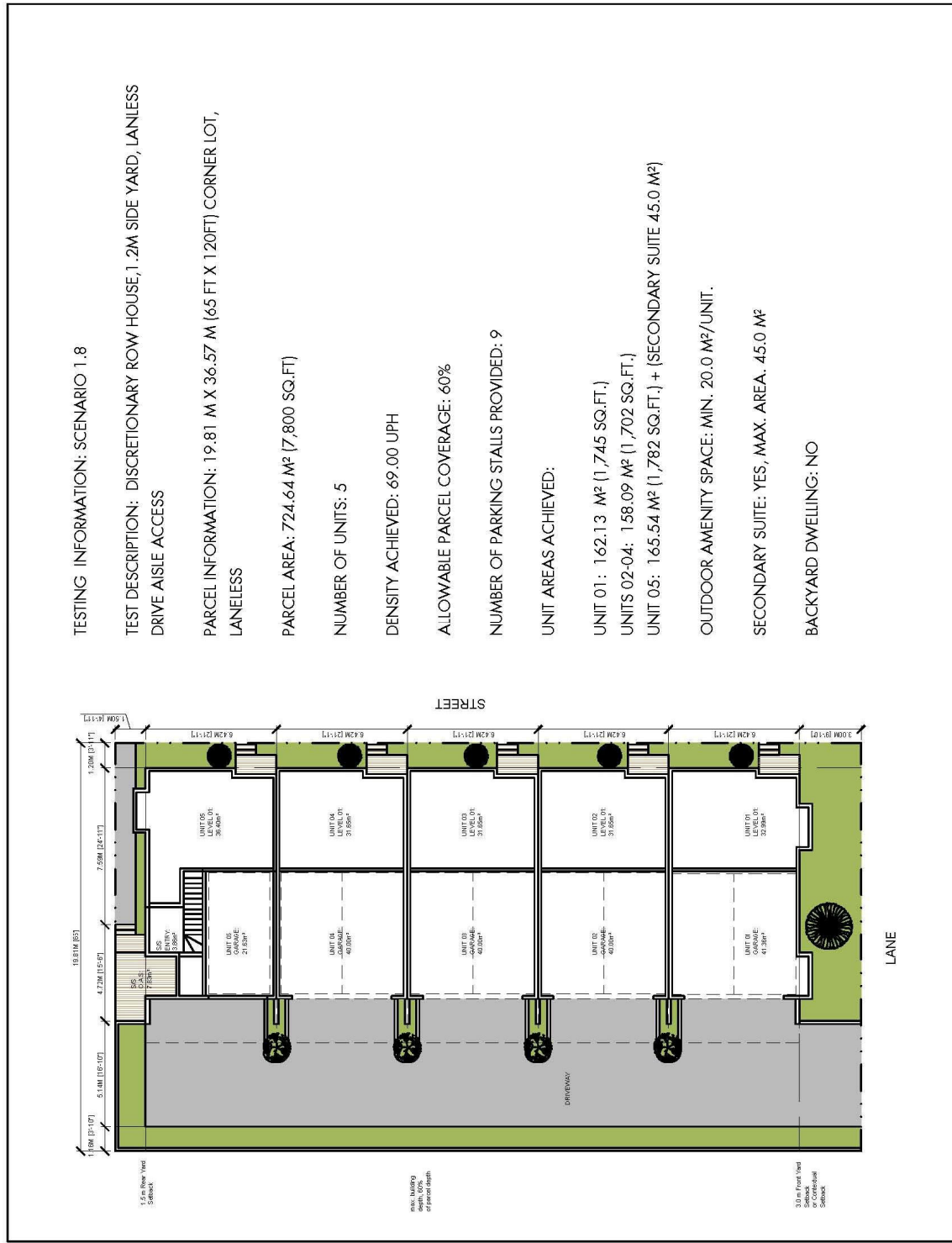
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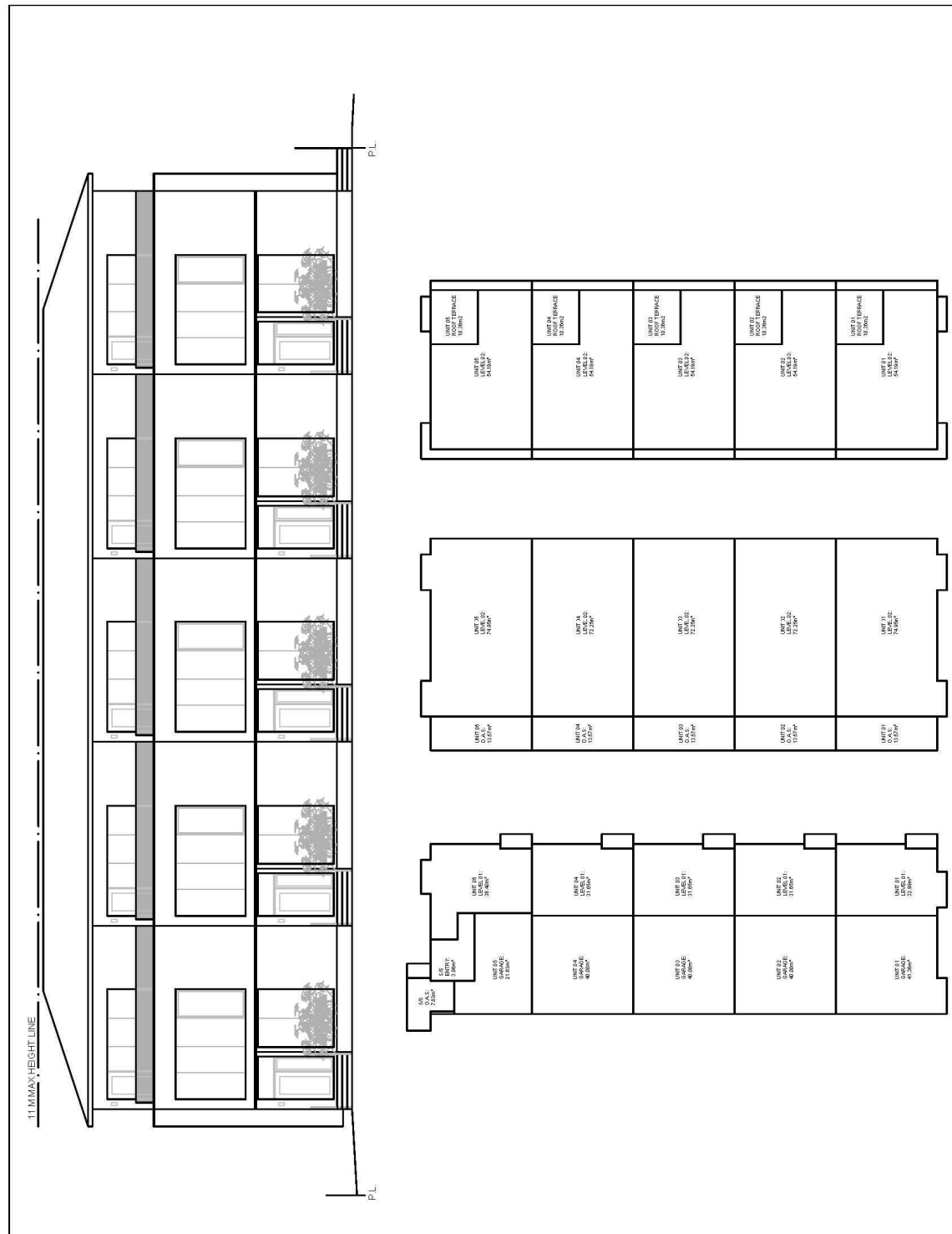
**MISCELLANEOUS – AMENDMENTS TO LAND USE BYLAW
1P2007
CITY WIDE
24P2014**



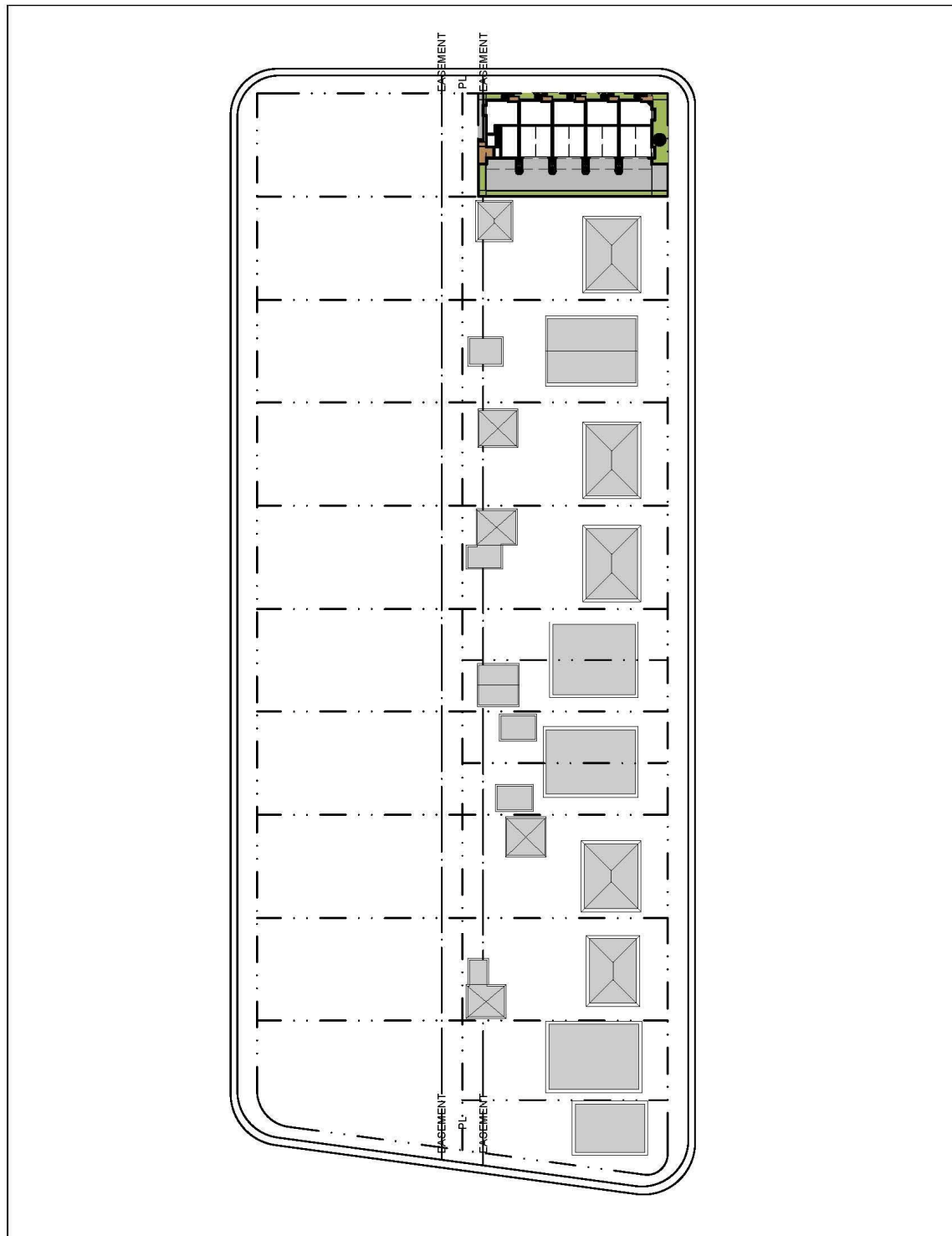
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24P2014



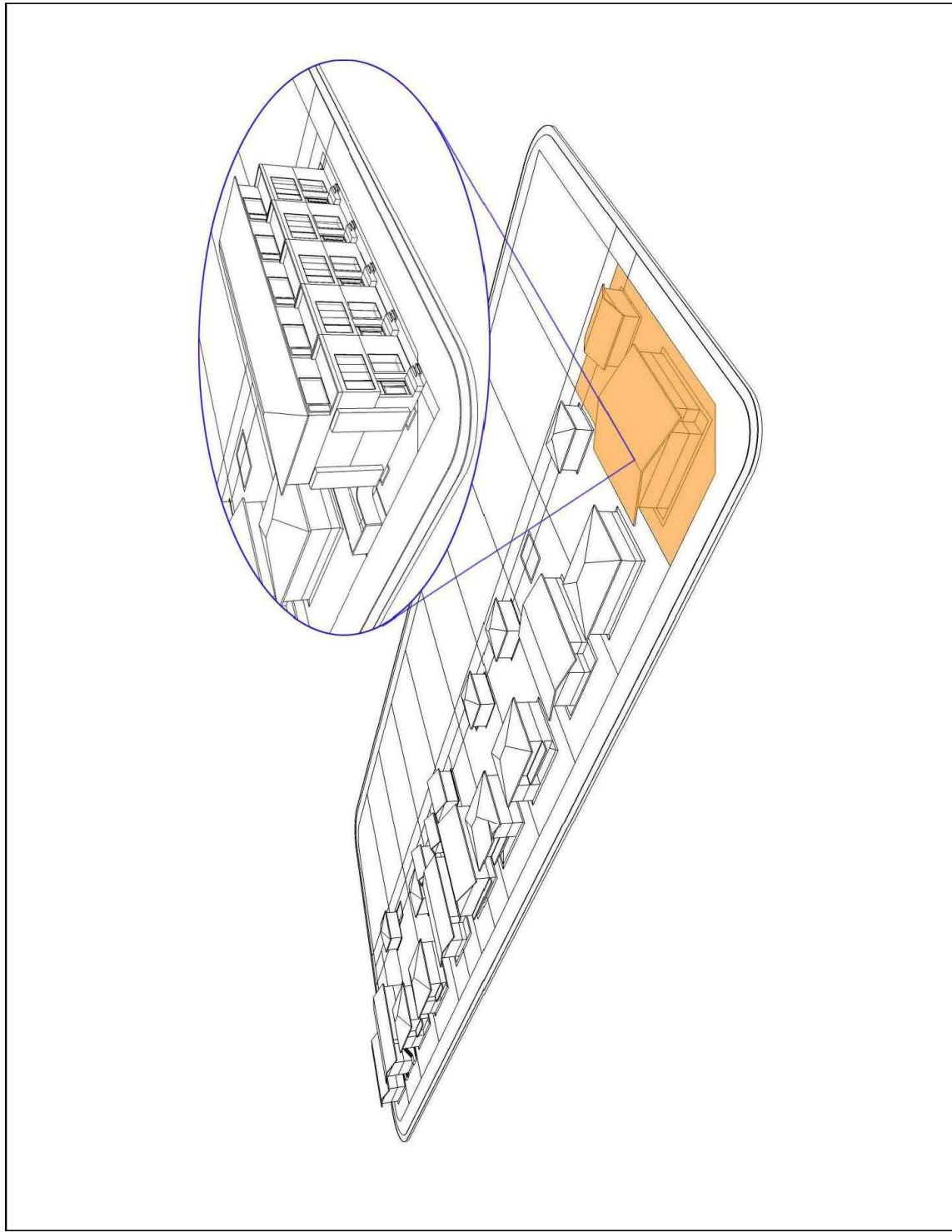
MISCELLANEOUS – AMENDMENTS TO LAND USE BYLAW
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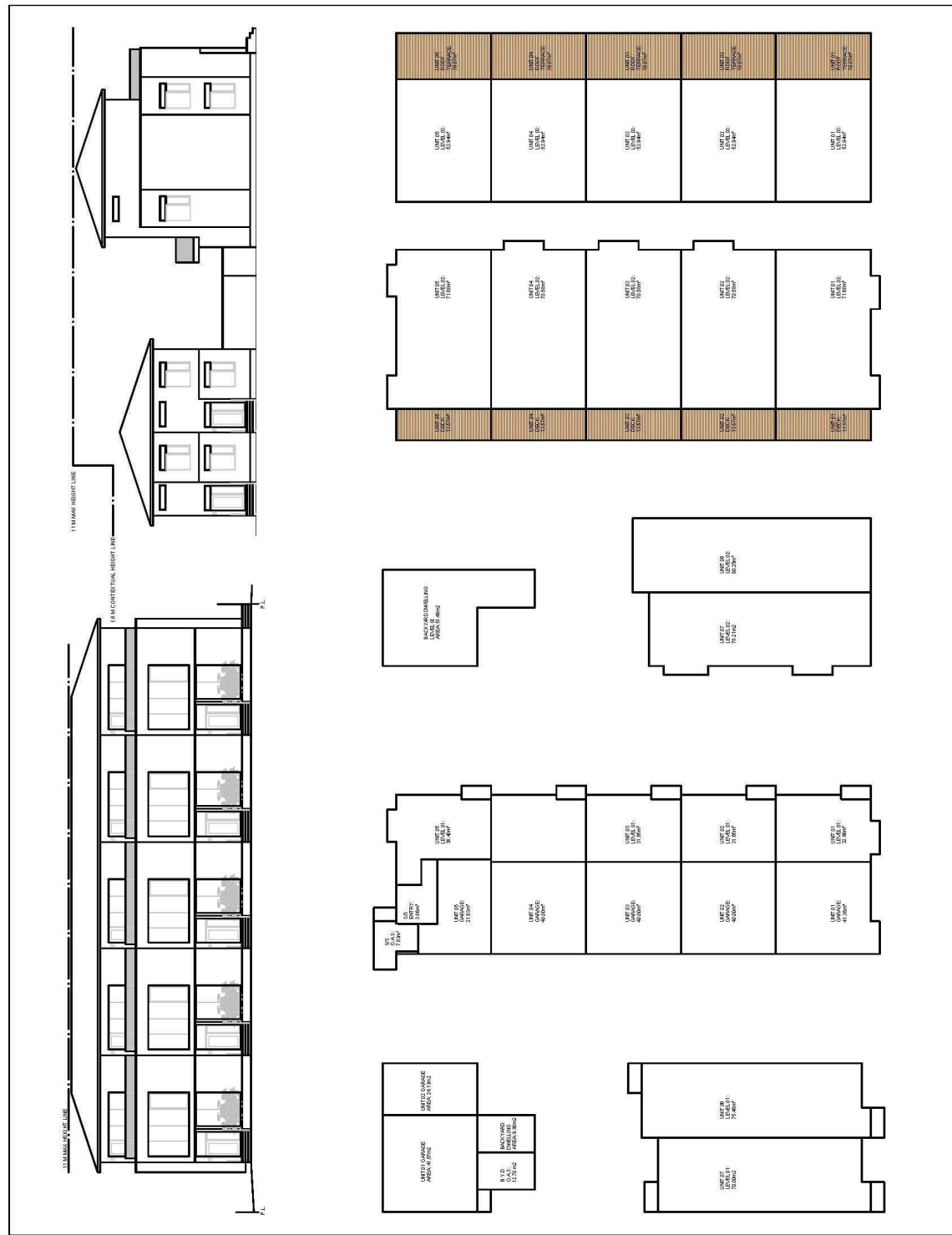
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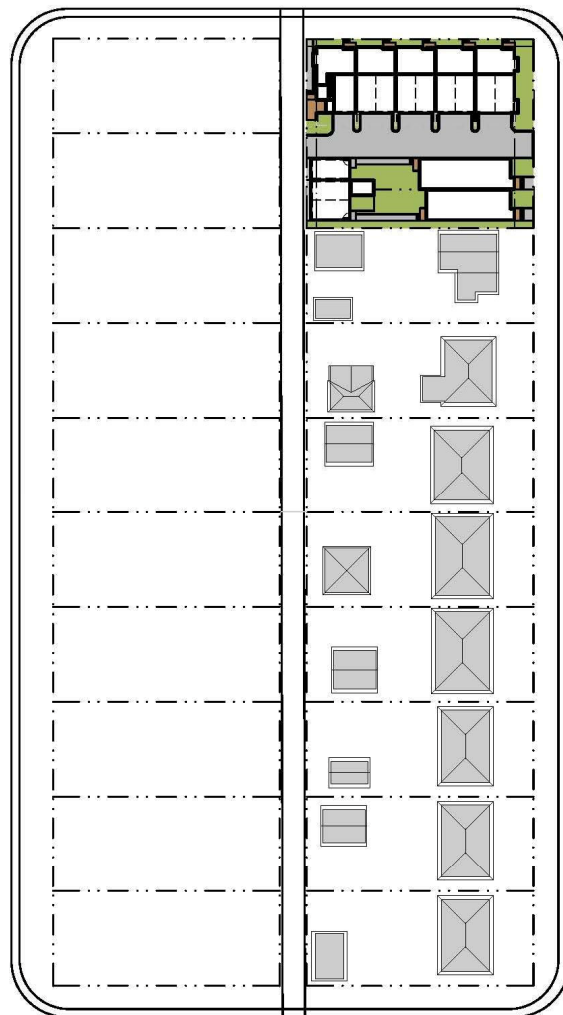
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