

BYLAW NUMBER 11P2014

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

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

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended:

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:
 - (a) Delete and replace subsection 25.1(d) and (e) with the following, and insert a new subsection 25.1(f) as follows:
 - “(d) **developments** as defined in section 7 of the Municipal District of Rocky View No. 44 Land Use Bylaw, Bylaw C-4841-97, that have commenced and comply with the rules of the Municipal District of Rockyview or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to June 1, 2008, and which are located in the lands annexed from the Municipal District of Rocky View No. 44 to the City of Calgary as described in APPENDIX A of Order in Council 333/2007;
 - (e) **developments** as defined in Section 8(2) of Part 10, that comply with the rules of Part 10 and have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to designation of the **parcel** under another part of this bylaw; and
 - (f) **developments** located in the **floodway**, which are being conducted by, or on behalf of, the **City** for the purpose of erosion control, where the primary purpose is to protect public infrastructure.”
 - (b) Delete subsection 57(1) and replace 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, Duplex Dwellings, Secondary Suites, Secondary Suites – Detached Garage, Secondary Suites – Detached Garden, Semi-detached Dwellings** and **Single Detached Dwellings** on the same **building** footprint.”
 - (c) Delete the “.” at the end of section 58 and add the following:

“unless those structures are being constructed by, or on behalf of, the **City** for the purpose of erosion control, where the primary purpose is to protect public infrastructure.”

(d) Delete section 59 in its entirety and replace with the following:

- “59** (1) Only those goods that are easily moveable may be stored on a **parcel** in the **flood fringe** or the **overland flow area**.
- (2) Unless stated in subsection (3), all **buildings** must be set back 6.0 metres from the edge of the **floodway**.
- (3) Where a **parcel** was vacant prior to or up to 1985 July 22, all **buildings** must be set back the greater of the following distances:
- (a) 60.0 metres from the edge of the Bow River;
 - (b) 30.0 metres from the edge of the Elbow River, Nose Creek, West Nose Creek; or
 - (c) 6.0 metres from the edge of the **floodway**.”

(e) Delete section 60 in its entirety and replace with the following:

- “60** All **buildings** in the **flood fringe** must be designed in the following manner:
- (a) to prevent structural damage by floodwaters;
 - (b) the first floor of all **buildings** must be constructed at or above the **designated flood level**; and
 - (c) all electrical and mechanical equipment within a **building** must be located at or above the **designated flood level**.”

(f) Delete section 61 in its entirety and replace with the following:

- “61** All **buildings** in the **overland flow area** must be designed in the following manner:
- (a) to prevent structural damage by floodwaters;
 - (b) the first floor of all **buildings** must be constructed at a minimum of 0.3 metres above the highest **grade** existing on the **street** abutting the **parcel** that contains the **building**; and
 - (c) all electrical and mechanical equipment within a **building** must be located at or above the first floor of the **building** referenced in subsection (b).

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS 12TH DAY OF MAY, 2014.

READ A SECOND TIME THIS 12TH DAY OF MAY, 2014.

READ A THIRD TIME THIS 12TH DAY OF MAY, 2014.

MAYOR
SIGNED THIS 12TH DAY OF MAY, 2014.

CITY CLERK
SIGNED THIS 12TH DAY OF MAY, 2014.