

JUL 26 2018

ITEM: CPC2018-0883
Distribution
CITY CLERK'S DEPARTMENT

Proposed Bylaw to Amend the Land Use Bylaw

AMENDMENTS TO 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) Amend subsection 153.1(a)(vii) to add "or a **multi-residential district**" after "R-CG District".
 - b) Amend subsections 295(a)(i) through (iii) to delete "that" at the beginning of the subsections.
 - c) Amend subsection 295(a)(v) to delete "located on the same **parcel** as" and replace it with "contained in".
 - d) Amend subsection 295(a)(vi) to add "or a **multi-residential district**" after "R-CG District" and delete "located on the same **parcel** or **bare land unit** as a **Dwelling Unit**".
 - e) Amend subsection 295(a)(vii) to delete "located on the same **parcel** as a **Dwelling Unit**" and replace it with "contained".
 - f) Amend subsection 338(3)(a) to delete "**building height**" and replace it with "height, measured from the finished floor of the **private garage**".
 - g) Amend subsection 338(3)(b) to add " for each **Dwelling Unit** located on the **parcel**" at the end of the subsection before the semi-colon.
 - h) Delete subsection 346(4)(a) in its entirety and replace it with the following:
 - "(a) must not exceed the lesser of:
 - (i) the **building coverage** of the **main residential buildings**; or
 - (ii) 75.0 square metres for each **Dwelling Unit** located on the **parcel**; and"
 - i) Delete subsection 346(4)(b) in its entirety.
 - j) Amend subsection 354(1) to delete "**Secondary Suite** or".
 - k) Add a new subsection 354(1.1) as follows:

"(1.1) There must not be more than one **Secondary Suite contained within a **Dwelling Unit**."**

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- l) Delete subsection 526(1)(g) in its entirety.
- m) Add a new subsection 526(3) as follows:
 - “(3) A **Secondary Suite** is a *permitted use* in the Residential – Grade-Oriented Infill District where:
 - (a) it is contained within a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Semi-detached Dwelling, or Single Detached Dwelling**; and
 - (b) one *main residential building* is contained on a *parcel*.”
- n) Add a new subsection 527(1.1) as follows:
 - “(1.1) A **Secondary Suite** is a *discretionary use* in the Residential – Grade-Oriented Infill District where one or more of the following occurs:
 - (a) it is contained within a **Rowhouse Building**; or
 - (b) there is more than one *main residential building* on a *parcel*.”
- o) Delete subsection 534(1) in its entirety.
- p) Amend subsection 534(2) to delete “for” and replace it with “containing” and to add “**Contextual Semi-Detached Dwelling, Cottage Housing Cluster,**” before “**Rowhouse Building**” and add “**, Semi-Detached Dwelling or Single Detached Dwelling**” after “**Rowhouse Building**”.
- q) Amend subsection 535(1) to add “s” to the end of the word “subsection” and add “and (3)” after “(2)”.
- r) Delete subsection 535(2) in its entirety and replace it with the following:
 - “(2) For a **Rowhouse Building** located on a *corner parcel* there is no maximum *building depth* where the *building setback* from the *side property line* shared with another *parcel* is a minimum of 3.0 metres for any portion of the **Rowhouse Building** located between the *rear property line* and:
 - (a) 50.0 per cent *parcel depth*; or
 - (b) the *building depth* of the *main residential building* on the adjoining *parcel*;whichever is closer to the *rear property line*.

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(3) Where two or more **main residential buildings** are located on a **corner parcel**, there is no maximum **building depth** for a **Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or Single Detached Dwelling** where:

- (a) one **main residential building** is wholly located between the **front property line** and 60.0 per cent **parcel depth**; and
- (b) the **building setback** is a minimum of 3.0 metres from the **side property line** shared with another **parcel** for any portion of a **main residential building** located between the **rear property line** and:
 - (i) 50.0 per cent **parcel depth**; or
 - (ii) the **building depth** of **main residential building** on the adjoining **parcel**;

whichever is closer to the **rear property line**.”

s) Delete section 537 in its entirety and replace it with the following:

“537 (1) Unless otherwise referenced in subsections (2) or (3), the minimum **building setback** from a **front property line** is the greater of:

- (a) the **contextual front setback** less 1.5 metres to a maximum 4.5 metres; or
- (b) 3.0 metres.

(2) On a **corner parcel**, the minimum **building setback** from a **front property line** may be reduced to:

- (a) the **contextual front setback** at the **side property line** shared with another **parcel** to a maximum of 6.0 metres; and
- (b) decreases in equal proportion with the increase in the distance from the shared **side property line**, to a minimum of 3.0 metres.

(3) 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

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- (b) the existing **building setback** less 1.5 metres to a minimum of 3.0 metres.”
- t) Amend subsection 539(1) to delete “(8)” and replace it with “(11)”.
- u) Delete subsection 539(7) in its entirety and replace it with the following:
- “(7) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 0.6 metres.”
- v) Delete subsection 539(8) in its entirety.
- w) Add a new subsection 539(10) as follows:
- “(10) Unless otherwise referenced in subsection (11), on a **laned parcel** the minimum **building setback** from a **side property line** for a **private garage** attached to a **main residential building** is 0.6 metres.”
- x) Add a new subsection 539(11) as follows:
- “(11) On a **laned parcel**, the minimum **building setback** for a **private garage** attached to a **main residential building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres where the wall of the portion of the **building** that contains the **private garage** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**.”
- y) Delete subsection 540 in its entirety and replace it with the following:
- “540 (1) Unless otherwise referenced in subsections (2), (3) or (4) 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 where the **building setback** from the **side property line** shared with another **parcel** is a minimum of 3.0 metres for any portion of the **Rowhouse Building** located between the **rear property line** and:
- (a) 50.0 per cent **parcel depth**;
- (b) or the **building depth** of the **main residential building** on the adjoining **parcel**;
- whichever is closer to the **rear property line**.
- (3) Where two or more **main residential buildings** are located on

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a **corner parcel**, the minimum **building setback** from a **rear property line** is 1.5 metres for a **Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or Single Detached Dwelling** where:

- (a) one **main residential building** is wholly located between the **front property line** and 60.0 per cent **parcel depth**; and
- (b) the **building setback** is a minimum of 3.0 metres from the **side property line** shared with another **parcel** for any portion of a **main residential building** located between the **rear property line** and:
 - (i) 50.0 per cent **parcel depth**; or
 - (ii) the **building depth** of the **main residential building** on the adjoining **parcel**, whichever is closer to the **rear property line**.

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

z) Add a new section 540.1 as follows:

"Fences

540.1 The height of a **fence** above **grade** at any point along a **fence** line must not exceed 1.2 metres for any portion of a **fence** extending between the foremost front façade of the immediately adjacent **main residential building** and the **front property line**."

aa) Delete subsection 541 in its entirety and replace it with the following:

"541 (1) Unless otherwise referenced in subsections (2) and (3), for a **Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or Single Detached Dwelling** the maximum **building height** is 11.0 metres measured from **grade**.

(2) Where a **building setback** is required from a **property line** shared with another **parcel** designated with a **low density residential district** or the M-CG District, the maximum **building height**:

- (a) is the greater of:
 - (i) the highest geodetic elevation of a **main residential building** on the adjoining **parcel**; or
 - (ii) 7.0 metres from **grade**;

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- measured at the shared **property line**; and
- (b) increases at a 45 degree angle to a maximum of 11.0 metres measured from **grade**.
- (3) 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.
 - (4) The maximum **building height** for a **cottage building** is 8.6 metres.
 - (5) For all other **uses**, the maximum **building height** is 10.0 metres."
- bb) Amend section 542 to delete "(1)".
 - cc) Amend subsection 542(b) to add " and" after the semi-colon.
 - dd) Amend subsection 542(c) to delete "; and" and replace it with ".".
 - ee) Delete subsection 542(d) in its entirety.
 - ff) Amend subsection 544(1) to delete "**Contextual Semi-detached**," and replace it with "**Contextual Semi-detached Dwelling, Duplex Dwelling**,".
 - gg) Delete section 545 in its entirety.
 - hh) Delete subsection 546(2) in its entirety and replace it with the following:
 - "(2) The minimum number of **motor vehicle parking stalls** for a **Secondary Suite** is reduced to 0.0 where:
 - (a) the floor area of a **Secondary Suite** is 45.0 square metres or less;
 - (b) the **parcel** is located within 600.0 metres of an existing or approved capital funded **LRT platform** or within 150.0 metres of **frequent bus service**; and
 - (c) space is provided in a **building** for the occupant of the **Secondary Suite** for storage of mobility alternatives such as bicycles or strollers that:
 - (i) is accessed directly from the exterior; and
 - (ii) has an area of 2.5 square metres or more for every **Secondary Suite** that is not provided with a **motor vehicle parking stall**.

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- (3) ***Parcel coverage*** excludes the ***building coverage*** area required by subsection (2)(c)."

2. This Bylaw comes into force two weeks after the date of approval.