

PROPOSED

CPC2018-0883
ATTACHMENT 9

BYLAW NUMBER 62P2018

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) 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.

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- (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**.”
- (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

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- (b) 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 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 the **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 of 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

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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.”
- (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**;

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whichever is closer to the *rear property line*.

- (3) Where two or more *main residential buildings* are located on 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:

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

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- (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**.

- (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.

READ A FIRST TIME THIS

READ A SECOND TIME THIS

READ A THIRD TIME THIS.

MAYOR

SIGNED ON

CITY CLERK

SIGNED ON
