

# PROPOSED

PUD2019-0402  
ATTACHMENT 1

## BYLAW NUMBER 46P2019

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (PUD2019-0402)

\*\*\*\*\*

**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 subsection 25(1)(n) and replace with the following:
    - “(n) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of evaluated historic resources, and:
      - (i) the **solar collectors** are located on a **building**, a minimum of 2.4 metres above **grade**; or
      - (ii) the **solar collectors** are used for thermal energy;”
  - (b) Amend subsection 39(1)(a) by adding “online for the public” after the word “notice”.
  - (c) Amend subsection 160.2(k) by adding “square” after “250”.
  - (d) Delete the word “outside” in subsection 220(a)(iv).
  - (e) Amend subsection 252.1(a)(i) by deleting “for vehicles” after the word “parked”.
  - (f) Delete the word “and” at the end of subsection 345(6)(b) and replace with “or”.
  - (g) Add a new Section 346.1 as follows:

#### **“General Landscaping Rules for the Developed Areas**

**346.1(1)** In Developed Areas, trees required by this section:

- (a) may be provided though the planting of new trees or the preservation of existing trees;

# PROPOSED

## BYLAW NUMBER 46P2019

- (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;
  - (e) are not required to be shown on a plan that is part of an application for **development permit** unless subject to subsection (f); and
  - (f) may be provided through the planting of a new tree in an **adjacent** boulevard to the **parcel** approved by the **Development Authority** for a **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**.
- (2) A minimum of 2.0 trees must be provided for each **unit** of a **Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building or Semi-detached Dwelling**.
- (3) Where a **Contextual Single Detached Dwelling or 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 **Contextual Single Detached Dwelling or 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:
- (a) a deciduous tree has a minimum **calliper** of 60 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:
- (a) a deciduous tree has a minimum **calliper** of 85 millimetres; or

# PROPOSED

## BYLAW NUMBER 46P2019

- (b) a coniferous tree has a minimum height of 4.0 metres.”
- (h) Delete subsection 347(1)(d).
- (i) Delete subsection 347.1(1)(f).
- (j) Delete subsection 347.2 in its entirety.
- (k) Delete Section 360 in its entirety and replace with:

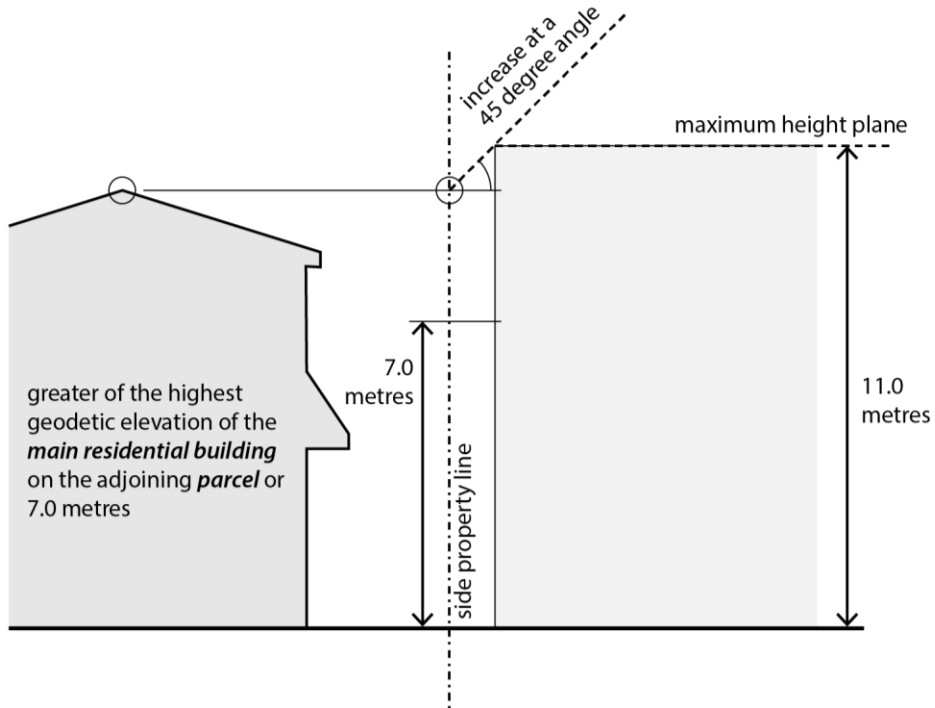
### “Building Height in the Developed Areas

- 360(1)** In the ***Developed Areas***, unless otherwise referenced in subsections (2) and (3) for a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-Detached Dwelling and Single Detached Dwelling**, the maximum ***building height*** is 11.0 metres measured from ***grade***;
- (2)** The maximum ***building height*** at a ***side property line*** is the greater of:
- (a) the highest geodetic elevation of a ***contextual adjacent building*** on an adjoining ***parcel***; or
  - (b) 7.0 metres from ***grade***;
- measured at the shared ***property line***; and
- (c) increases at a 45-degree angle to a maximum of 11.0 metres measured from ***grade***;
- (3)** On a ***street side property line***, the maximum ***building height*** is:
- (a) 7.0 meters measured from ***grade*** at the ***street side property line***; and
  - (b) increases at a 45-degree angle to a maximum of 11.0 metres measured from ***grade***.
- (4)** Subject to section 518, for all other ***uses***, the maximum ***building height*** is 10.0 metres.
- (5)** The following diagrams illustrate the rules of subsections (2) and (3):

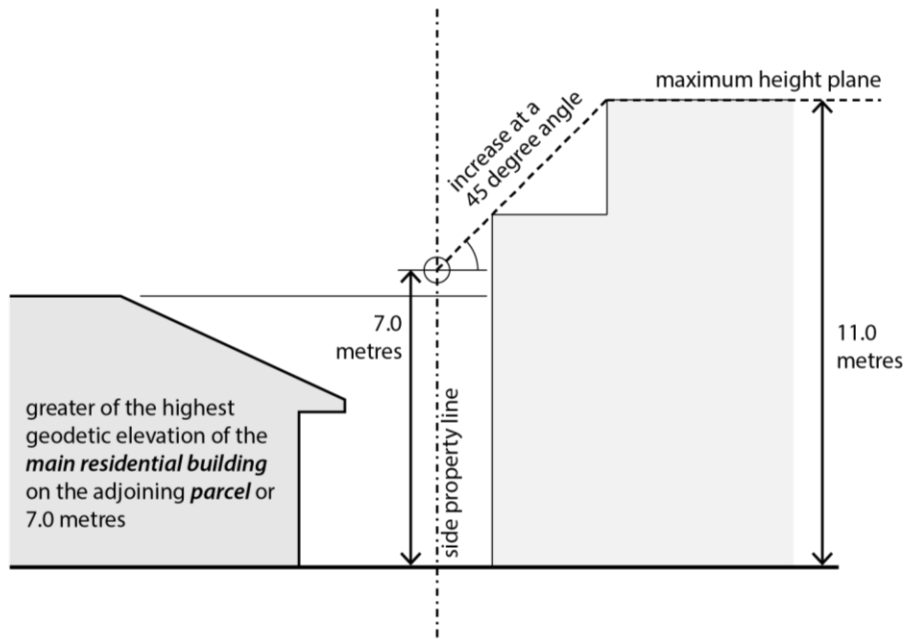
# PROPOSED

BYLAW NUMBER 46P2019

**Illustration 1:  
Building Height from Side Property Line  
Subsection 2(a)**



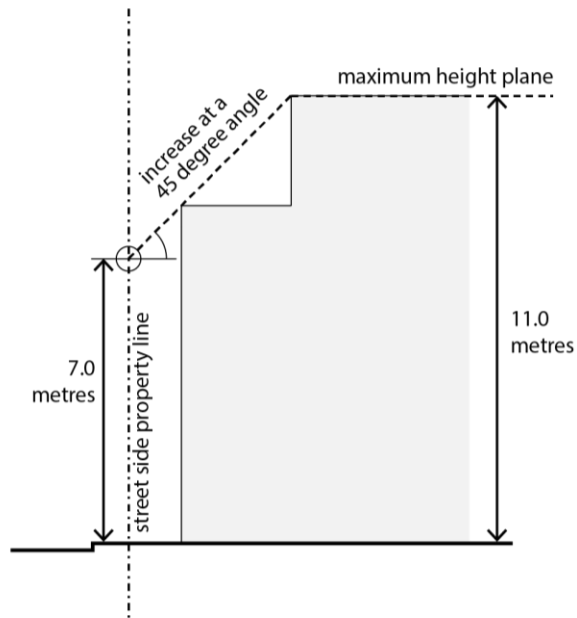
**Illustration 2:  
Building Height from Side Property Line  
Subsection 2(b)**



# PROPOSED

BYLAW NUMBER 46P2019

**Illustration 3:  
Building Height on a Street Side Property Line  
Subsection (3)**



- (l) Delete Section 361 in its entirety and replace with:

**“Building Height in the Developing Areas**

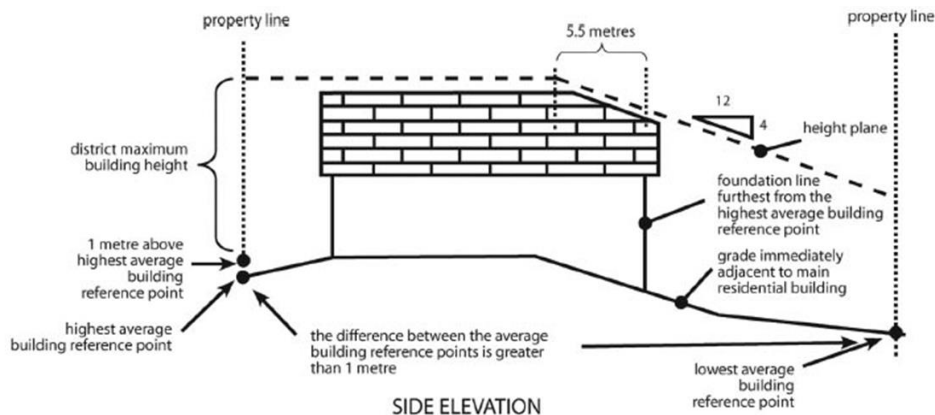
- 361(1)** In the **Developing Area**, unless otherwise referenced in subsections (5) and (6), for a **Duplex Dwelling, Semi-Detached Dwelling** and **Single Detached Dwelling**, the **building height** must not exceed a height plane described in subsections (2), and (3).
- (2)** When the difference between the **average building reference point** at the front corners of the **parcel** and those at the rear of the **parcel** is greater than or equal to 1.0 metres, the **building height** must not be greater than a height plane that:
- (a) begins at the highest **average building reference point**;
  - (b) extends vertically to the maximum **building height** plus 1.0 metre;
  - (c) extends horizontally towards the opposite end of the **parcel** to a point that is 5.5 metres closer than the point on the foundation which is furthest from the highest **average building reference point**; and

# PROPOSED

## BYLAW NUMBER 46P2019

- (d) extends downward at a 4:12 slope.
- (3) When the difference between the **average building reference points** at the front corners of the **parcel** and those at the rear of the **parcel** is less than 1.0 metres, the **building height** must not be greater than the height plane that:
- (a) begins at the highest **average building reference point**,
  - (b) extends vertically to the maximum **building height** plus 1.0 metres; and
  - (c) extends horizontally towards the opposite end of the **parcel**.
- (4) The following diagrams illustrate the rules of subsections (2) and (3):

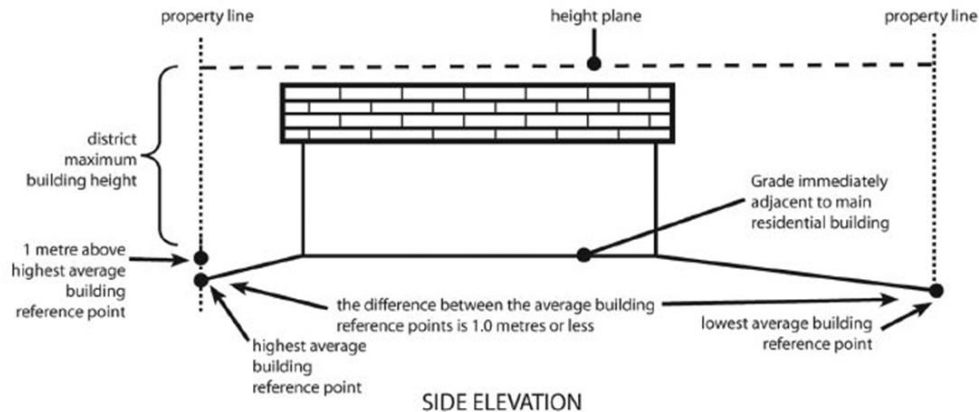
**Illustration 1:  
Building Height  
Subsection 361(2)**



# PROPOSED

BYLAW NUMBER 46P2019

Illustration 2:  
Building Height  
Subsection 361(3)

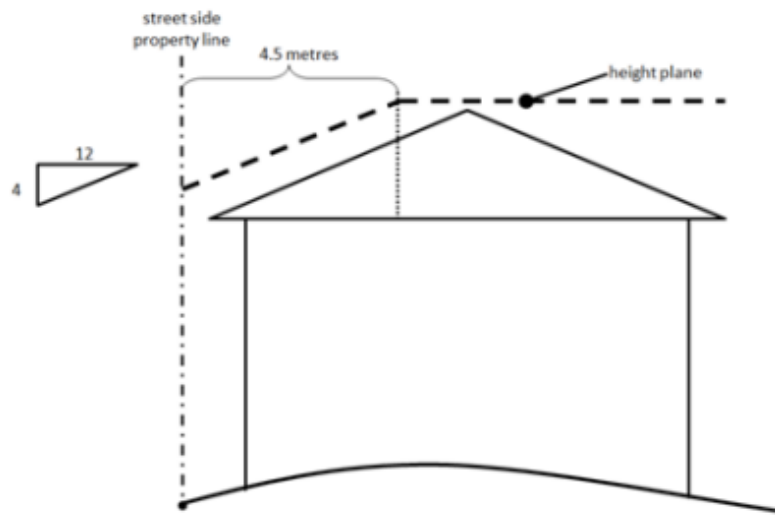


- (5) The **building height** for an addition to a **main residential building** is measured from **grade** at any point **adjacent** to the addition when the addition is less than or equal to:
- (a) 7.5 metres in height from **grade** where the existing **building** has a **walkout basement**; and
  - (b) 6.0 metres in height from **grade** where the existing **building** does not have a **walkout basement**.
- (6) On a **street side property line**, the maximum **building height** must not be greater than a height plane that intersects the horizontal portion of the height plane described in subsection (2) at a point that is 4.5 metres from the **street side property line**, and extends downward toward the **street side property line** at a 4:12 slope:
- (7) The following diagram illustrates the rules of subsection 361(6):

# PROPOSED

BYLAW NUMBER 46P2019

Illustration 3:  
Building Height on a Street Side Property Line  
Subsection 361(6)



- (m) Delete Sections 381, 399, 418, 438 and 543 in their entirety.
- (n) Add “, (5.1)” after “(5)” and before “and” in subsections 547.11(1) and (2).
- (o) Add a new subsection 552(9) as follows:

“Planting of new trees in an **adjacent** boulevard to the **parcel** approved by the **Development Authority** may be counted towards the planting requirements in this section.”
- (p) Add subsection (o.1) to section 778(3) and 1181(3) as follows:

“(o.1) **Kennel;**”
- (q) Add subsection (x.1) to section 798(3) as follows:

“(x.1) **Kennel;**”
- (r) Delete subsection (u.1) from section 815(3) and replace with the following:

“(u.1) **Kennel;**  
(u.2) **Large Vehicle Sales;**”
- (s) Add subsection (r.1) to sections 1164(3) and 1307(3) as follows:

“(r.1) **Kennel;**”



# PROPOSED

## BYLAW NUMBER 46P2019

- (t) Add subsection (g.1) to sections 1164(3) and 1181(3) as follows:
- “(g.1) **Conference and Event Facility;**”
- (u) Add subsection (v.1) to section 1245(3) as follows:
- “(v.1) **Kennel;**”
- (v) Add subsection (pp.1) to section 1245(3) as follows:
- “(pp.1) **Restaurant: Neighbourhood;**”
- (w) Add subsection (m.1) to sections 1261(3) and 1367(3) as follows:
- “(m.1) **Kennel;**”
- (x) Add subsection (s.1) to section 1377(3) as follows:
- “(s.1) **Kennel;**”
- (y) Delete the heading “**Low Density Residential Offences**” in the Minimum and Specified Penalties table in Schedule B and replace with “**Residential Offences**”.
- (z) In the “**Residential Offences**” section in the Minimum and Specified Penalties table in Schedule B, delete “344” and replace with the following sections, in the Section column, to the fourth row:
- “344, 564, 1111, 1357”
- (aa) Add a new row to the “**Residential Offences**” section of the Minimum and Specified Penalties table in Schedule B as follows:

341(4), 565(4), 1112(4), 1357(4)	Vehicle parked in front setback not on hard surface	\$200	\$400
---	--	-------	-------

# PROPOSED

BYLAW NUMBER 46P2019

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

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_