

BYLAW NUMBER 143D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2020-0056/CPC2020-0910)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

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 Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefore that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON NOVEMBER 02, 2020

READ A SECOND TIME ON NOVEMBER 02, 2020

READ A THIRD TIME ON NOVEMBER 02, 2020

MAYOR
SIGNED ON NOVEMBER 02, 2020

ACTING CITY CLERK
SIGNED ON NOVEMBER 02, 2020

SCHEDULE A



SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District Bylaw is intended to accommodate the additional use of a garage suite.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District Bylaw.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Defined Uses

- 4 In this Direct Control District Bylaw:
 - (a) **“Garage Suite”** means a *use*:

- (i) where an ancillary **Dwelling Unit** with a separate direct access at **grade** is situated entirely above a **private garage**; and
- (ii) that is located on the same **parcel** as a **Semi-detached Dwelling** or a **Single Detached Dwelling**.

Permitted Uses

5 The following **uses** are **permitted uses** in this Direct Control District Bylaw:

- (a) **Home Based Child Care – Class 1;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Services;**
- (e) **Secondary Suite;**
- (f) **Sign – Class A;** and
- (g) **Utilities.**

Discretionary Uses

6 The following **uses** are **discretionary uses** in this Direct Control District Bylaw:

- (a) **Accessory Residential Building;**
- (b) **Addiction Treatment;**
- (c) **Custodial Care;**
- (d) **Duplex Dwelling;**
- (e) **Garage Suite;**
- (f) **Home Occupation – Class 2;**
- (g) **Residential Care;**
- (h) **Semi-Detached Dwelling;**
- (i) **Sign – Class B;**
- (j) **Sign – Class C;**
- (k) **Sign – Class E;** and
- (l) **Single Detached Dwelling.**

Bylaw 1P2007 District Rules

- 7 (1) Unless otherwise provided in subsection (2), the General Rules for Low Density Residential Land Use Districts of Bylaw 1P2007 apply in this Direct Control District.
- (2) Sections 334, 335, 336, 337, 338, 345 and 346 of Bylaw 1P2007 do not apply in this Direct Control District.

Projections

- 8 (1) Portions of a **building** located entirely below **grade** may extend without any limits into a **setback area**.
- (2) Portions of a **building** located above **grade** may project a maximum of 0.6 metres into a **setback area** where:

- (a) the length of individual projections, other than eaves and **decks**, is less than or equal to 3.1 metres;
- (b) the combined length of projections, other than eaves and **decks**, is less than or equal to 3.1 metres; and
- (c) a minimum of one **side setback area** is clear of projections within 2.4 metres of **grade**.

(3) **Accessory Residential Buildings** must not be located in an **actual front setback area**.

Setbacks

- 9 (1) The depth of all **setback areas** must be equal to the minimum **building setback** required in this Direct Control District Bylaw.
- (2) The minimum **building setback** from a **front property line** is 1.0 metres.
- (3) The minimum **building setback** from a **rear property line** is:
- (a) 1.5 metres where the **property line** is shared with a **street** or a **lane**; and
 - (b) 1.2 metres in all other cases.
- (4) Unless otherwise provided in subsection (5) the minimum **building setback** from any side **property line** is:
- (a) 1.0 metres where the **property line** is shared with a **street** or a **lane**;
 - (b) zero metres from the party wall **property line** of a **Semi-detached Dwelling**; and
 - (c) 1.2 metres in all other cases.
- (5) One **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 minimum 1.5 metre private maintenance easement that provides for:
 - (i) a 0.30 metre eave encroachment easement with the requirement that the eaves must not be closer than 0.90 metres to the eaves on a **building** on an **adjacent parcel**; and
 - (ii) a 0.60 metre footing encroachment easement; and
 - (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.

Parcel Coverage

10 The maximum *parcel coverage* is 60.0 per cent of the area of a *parcel*, which must be reduced by 21.0 square metres for each required *motor vehicle parking stall* that is not located in a *private garage*.

Parcel Width

11 The minimum *parcel width* is:

- (a) 7.5 metres for a *parcel* containing a **Single Detached Dwelling**;
- (b) 11.0 metres for a *parcel* containing a **Duplex Dwelling**; and
- (c) 13.0 metres for a *parcel* containing a **Semi-detached Dwelling**, and if a *parcel* containing a **Semi-detached Dwelling** is subsequently subdivided a minimum *parcel width* of 6.0 metres must be provided for each **Dwelling Unit**.

Building Height

- 12** (1) Unless otherwise provided in subsection (2) the maximum *building height* is three storeys.
- (2) The height of an **Accessory Residential Building** which does not contain a **Garage Suite** must not exceed:
- (a) 6.5 metres, measured from the finished floor of the *building*; and
 - (b) one *storey*.

Driveways

- 13** (1) Driveways must not access a *street*.
- (2) A driveway connecting to a *lane* must be a minimum of 0.6 metres in length along the intended direction of travel for vehicles.

Garage Suite Rules

- 14** A **Garage Suite**:
- (a) requires a minimum of 1.0 *motor vehicle parking stalls*;
 - (b) attached to an **Accessory Residential Building** must be separated a minimum of 3.0 metres from the *main residential building* when measured at the closest point between façades;
 - (c) may be attached to a *main residential building* provided there is independent access to *grade* and no internal connections between **Dwelling Units**;
 - (d) must not exceed 76.0 square metres in floor area, excluding the area of a *private garage*;

- (e) must not be greater than two **storeys** in height, including the **private garage**;
and
- (f) may only have a **balcony** located on a side or a rear façade.

Development Permit Exemptions

- 15** In addition to the exempt **developments** listed in Bylaw 1P2007, **developments** that are a **permitted use** in this Direct Control District do not require a **development permit** if the conditions of Section 24 of Bylaw 1P2007 are met.

Relaxations

- 16** The **Development Authority** may relax the rules contained in Sections 2, 7 and 14 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.