

BYLAW NUMBER 183D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2017-0289/CPC2018-0426)**

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 therefor 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 JUNE 11 2018

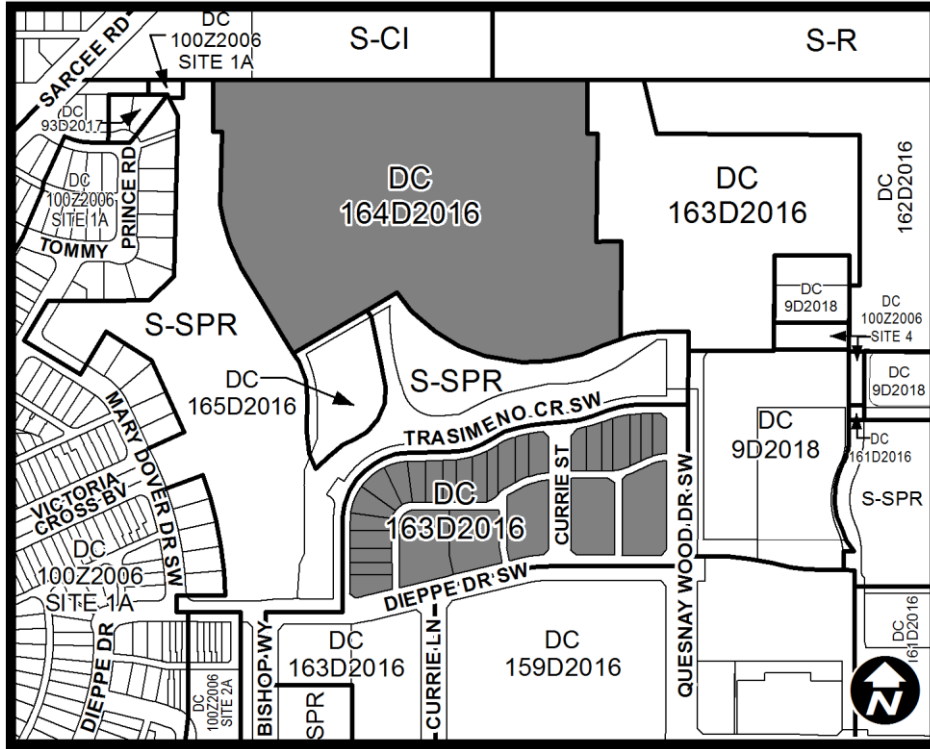
READ A SECOND TIME, AS AMENDED, ON JUNE 11 2018

READ A THIRD TIME, AS AMENDED, ON JUNE 11 2018

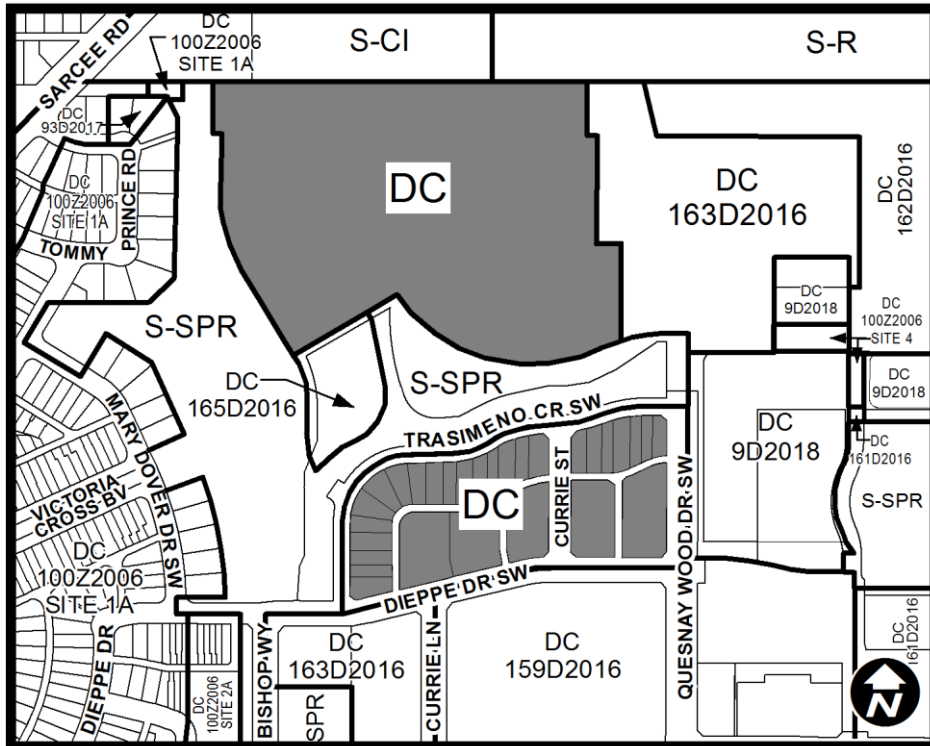
MAYOR
SIGNED ON JUNE 19 2018

ACTING CITY CLERK
SIGNED ON JUNE 19 2018

SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) provide for a mix of low **density**, low profile housing in the form of **Single Detached Dwellings, Semi-detached Dwellings, Duplex Dwellings, Carriage Houses, Secondary Suites, Rowhouse Buildings and Townhouses**; and
- (b) allow for interim and existing **uses** as **development** is expected to take many years to build out.

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.

Reference to Bylaw 1P2007

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

General Definitions

- 4 In this Direct Control District:

- (a) "**Carriage House Parcel**" means a **parcel** approved for a **Carriage House** containing a minimum **parcel area** of 140.0 square metres, or a maximum **parcel area** of 230.0 square metres, direct access to a **street** or **lane**, excluding any access aisle, and a coterminous **rear property line** or **side property line**, or both, with the **property line** of a **parcel** for a **Single Detached Dwelling**.
- (b) "**Mews**" means a narrow, private walkway that is used by pedestrians and in some cases vehicles and contains **building** frontages that face onto the **mews**.

Defined Uses

- 5 In this Direct Control District:

- (a) "**Carriage House**" means a **Single Detached Dwelling** on a **Carriage House Parcel**:
- (b) "**Interim Use**" means a **use**:
- (i) not listed in section 6 or 7, that was being carried on pursuant to a **development permit** at the time of the effective date of this Direct Control District; or
- (ii) the following **uses**:
- (a) **Accessory Food Service;**
 - (b) **Accessory Liquor Service;**
 - (c) **Artist's Studio;**
 - (d) **Catering Service – Minor;**
 - (e) **Computer Game Facility;**
 - (f) **Counselling Service;**
 - (g) **Drinking Establishment – Small;**
 - (h) **Drinking Establishment – Medium;**
 - (i) **Equipment Yard;**
 - (j) **Fitness Centre;**
 - (k) **General Industrial – Medium;**
 - (l) **Health Services Laboratory – Without Clients;**
 - (m) **Indoor Recreation Facility;**
 - (n) **Instructional Facility;**
 - (o) **Market – Minor;**

- (p) **Medical Clinic;**
- (q) **Motion Picture Filming Location;**
- (r) **Motion Picture Production Facility;**
- (s) **Outdoor Café;**
- (t) **Post-secondary Learning Institution;**
- (u) **Print Centre;**
- (v) **Radio and Television Studio;**
- (w) **Recyclable Construction Material Collection Depot (temporary);**
- (x) **Restaurant: Food Service Only – Small;**
- (y) **Restaurant: Food Service Only – Medium;**
- (z) **Restaurant: Licensed – Small;**
- (aa) **Restaurant: Licensed – Medium;**
- (bb) **Restaurant: Neighbourhood;**
- (cc) **Retail and Consumer Service;**
- (dd) **School – Private;**
- (ee) **Self Storage Facility;**
- (ff) **Service Organization;**
- (gg) **Social Organization;**
- (hh) **Specialty Food Service;**
- (ii) **Storage Yard;**
- (jj) **Tree Farm;**
- (kk) **Vehicle Storage – Large; and**
- (ll) **Vehicle Storage – Passenger.**

Permitted Uses

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

- (a) **Accessory Residential Building;**
- (b) **Backyard Suite;**
- (c) **Carriage House;**
- (d) **Duplex Dwelling;**
- (e) **Home Based Child Care – Class 1;**
- (f) **Home Occupation – Class 1;**
- (g) **Park;**
- (h) **Protective and Emergency Service;**
- (i) **Rowhouse Building;**
- (j) **Secondary Suite;**
- (k) **Semi-detached Dwelling;**
- (l) **Sign - Class A;**
- (m) **Single Detached Dwelling;**
- (n) **Townhouse; and**
- (o) **Utilities.**

Discretionary Uses

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

- (a) **Bed and Breakfast;**
- (b) **Community Entrance Feature;**
- (c) **Home Based Child Care – Class 2;**
- (d) **Home Occupation – Class 2;**
- (e) **Interim Use;**
- (f) **Place of Worship – Small;**
- (g) **Office;**
- (h) **Parking Lot – Grade (temporary);**
- (i) **Sign – Class B;**
- (j) **Sign – Class C;**
- (k) **Sign – Class D;**
- (l) **Sign – Class E;**
- (m) **Temporary Residential Sales Centre;** and
- (n) **Utility Building.**

Bylaw 1P2007 District Rules

8 Unless otherwise specified, the General Rules for Low Density Residential Land Use Districts of Bylaw 1P2007 apply in this Direct Control District.

Mews Regulations

9 *Development* within this Direct Control District must provide *mews* to create smaller blocks out of larger blocks as indicated on the map in Schedule C of this Direct Control District and as follows:

- (a) a *mews* must be provided at *grade* between *buildings* in Block 18 to create a pedestrian connection between Trasimeno Crescent SW and Dieppe Drive SW; and
- (b) a *mews* or publicly-accessible private open space must be provided at-*grade* between Blocks 23A and 23B to provide a connection from Calais Drive SW to Normandy Drive SW.

Parcel Width

10 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**; and
- (d) 4.2 metres for an individual *parcel* containing a **Dwelling Unit** in a **Rowhouse Building** or **Townhouse**.

Parcel Area

11 The minimum *parcel area* is:

- (a) 233.0 square metres for a *parcel* containing a **Single Detached Dwelling**;
- (b) 400.0 square metres for a *parcel* containing a **Duplex Dwelling**;
- (c) 400.0 square metres for a *parcel* containing a **Semi-detached Dwelling**, and if a *parcel* containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum *parcel area* of 180.0 square metres must be provided for each **Dwelling Unit**; and
- (d) 160.0 square metres for a *parcel* containing an individual **Dwelling Unit** in a **Rowhouse Building**.

Parcel Coverage

12 (1) Unless otherwise referenced in subsection (2), the maximum *parcel coverage* is:

- (a) 60.0 per cent of the area of the *parcel* for each **Single Detached Dwelling**;
 - (b) 60.0 per cent of the area of the *parcel* for each **Semi-detached Dwelling** and **Duplex Dwelling**; and
 - (c) 70.0 per cent of the area of the *parcel* for each **Carriage House**, **Rowhouse Building**, and **Townhouse**.
- (2)** The maximum *parcel coverage* referenced in subsection (1) must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.
- (3)** Where a **private garage** is attached to a **Backyard Suite**, the maximum area of the *parcel* covered by all **Accessory Residential Buildings** is 100.0 square metres.
- (4)** Section (2) may be relaxed if the **motor vehicle parking space** referenced is a permeable paver or other type of open grid paving.
- (5)** The maximum *parcel coverage* is 60.0 per cent of the area of the *parcel*, which must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not provided in a **private garage**.

Building Height

- 13 (1) The maximum **building height** is 16.5 metres.
- (2) A **Single Detached Dwelling, Semi-detached Dwelling, Duplex Dwelling** or **Rowhouse Building** must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum **building height**.
- (3) The maximum **building height** for a **Backyard Suite** or **Carriage House** is 9.5 metres.
- (4) The maximum **building height** for **Accessory Residential Buildings** is 6.5 metres.

Carriage House Rules

- 14 (1) **Carriage House Parcels** must have access to a **street**, as follows:
- (a) where no vehicular access is available from a **lane**, a minimum clear width of 3.0 metres from a **street** to a **Carriage House**; and
- (b) where vehicular access is provided from a **lane**, a minimum clear width of 1.0 metres for a pedestrian walkway from a **street** to a **Carriage House**.
- (2) A minimum of one on-site **motor vehicle parking stall** must be provided for each **Carriage House**.
- (3) A **Carriage House** must have a maximum of 140.0 square metres of gross floor area excluding a loft or **private garage**.
- (4) A **Carriage House** must be located a minimum of 5.0 metres from another **building**.
- (5) The minimum **building setback** from a **property line** shared with a **lane** is 0.6 metres. In all other cases, the **building setback area** must have a minimum depth of 1.2 metres.
- (6) A **Carriage House** must be located a minimum of 5.0 metres from another **building**.

Backyard Suite Rules

- 15 (1) A **Backyard Suite** must provide direct access to a **street** or a **lane**.
- (2) The maximum floor area of a **Backyard Suite** is 76.0 square metres, excluding the area of the loft, stairs, or **private garage**.

Decks and Balconies

- 16 **Decks** and **balconies** must comply with the following rules:
- (a) **Decks** may have a height greater than 1.5 metres from **grade** provided the **deck** is no greater than 0.3 metres above the height of the main floor level of the dwelling.

- (b) There is no maximum depth or area for a **balcony** where it is located on a **Single Detached Dwelling**.
- (c) The **balcony** of a **Backyard Suite** must not project into a required setback.
- (d) There is no maximum depth or area for a **balcony** for a **Backyard Suite**.

Building Setback Area

- 17 (1) The depth of all **setback areas** must be equal to the minimum **building setback** required in this Direct Control District.
- (2) The minimum **building setback** from a **front property line** is 1.0 metre.
 - (3) The minimum **building setback** from a **rear property line** is 1.2 metres.
 - (4) Unless otherwise specified in subsection (5) the minimum **building setback** from any **side property line** is:
 - (a) 0.0 metres from the party wall **property line** of a **Semi-detached Dwelling, Duplex Dwelling, Rowhouse Dwelling, or Townhouse Dwelling**; and
 - (b) 1.2 metres in all other cases.
 - (5) One **building setback** from a **side property line** in subsection (4) 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.

Landscaped Area Rules

- 18 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) Where changes are proposed to a **building** or **parcel**, a landscape plan must be submitted as part of each **development permit** application and must show at least the following:
 - (a) the existing and proposed topography;

- (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, retaining walls, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
 - (d) the types, species, sizes and numbers of plant material and the types of **landscaped areas**; and
 - (e) details of the irrigation system.
- (3) The **landscaped areas** shown on the landscape plan, approved by the **Development Authority**, must be maintained on the **parcel** for so long as the **development** exists.

Specific Rules for Landscaped Area

- 19 All portions of the **parcel** not covered by structures or used for pedestrian access, motor vehicle access, **motor vehicle parking stalls** and garbage collection facilities must be a **landscaped area**.

Mechanical Screening

- 20 Mechanical systems or equipment that is located outside of a **building** must be **screened**.

Garbage

- 21 Garbage containers and waste material must be stored inside a **building** that contains another approved **use**.

Recycling Facilities

- 22 Recycling facilities must be provided for every **building** containing **Dwelling Units** or **Office uses**.

Motor Vehicle Parking Stall Requirements

- 23 For **development** containing **Dwelling Units**, the minimum **motor vehicle parking stalls** requirement for each **Dwelling Unit** is 0.7 stalls for resident parking.

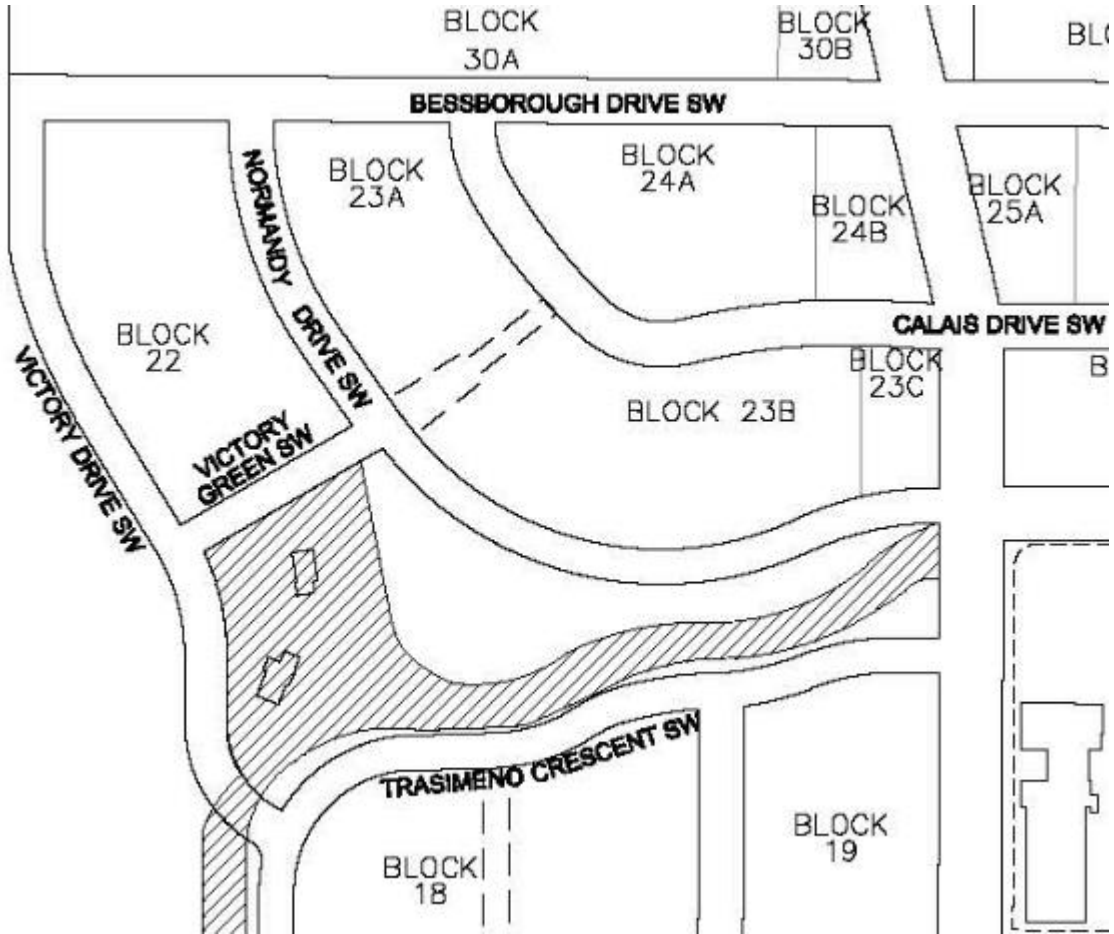
Interim Use

- 24 (1) A **development permit** for an **Interim Use** must not be issued for a period exceeding five (5) years.
- (2) An **Interim Use** must only be located within **buildings** existing at the time of the effective date of this Direct Control District.

(3) Notwithstanding subsection (2), the following **Interim Uses** may occur outside of a **building** provided the total surface area of the **use** is substantially the same in size to the total surface area of the **use** as it existed at the time of the effective date of this Direct Control District, or where the **use** did not exist at the time of the effective date of this Direct Control District, the total surface area of the **use** does not exceed 12,000.00 square metres:

- (a) **Equipment Yard;**
- (b) **Self Storage Facility;**
- (c) **Storage Yard;**
- (d) **Tree Farm;**
- (e) **Vehicle Storage – Large; and**
- (f) **Vehicle Storage – Passenger.**

SCHEDULE C



==== Mews