

# THE CITY OF CALGARY

## LAND USE BYLAW 1P2007

### OFFICE CONSOLIDATION

#### BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

11P2008	June 1, 2008	32P2009	December 14, 2009	35P2011	December 5, 2011
13P2008	June 1, 2008	46P2009	December 14, 2009	36P2011	December 5, 2011
15P2008	June 1, 2008	38P2009	December 15, 2009	4P2012	January 10, 2012
47P2008	June 1, 2008	3P2010	March 1, 2010	2P2012	February 6, 2012
48P2008	June 1, 2008	11P2010	April 19, 2010	9P2012	April 23, 2012
49P2008	June 1, 2008	14P2010	May 17, 2010	12P2012	May 7, 2012
50P2008	June 1, 2008	26P2010	May 17, 2010	30P2012	November 5, 2012
53P2008	June 1, 2008	12P2010	June 7, 2010	32P2012	December 3, 2012
54P2008	May 12, 2008	19P2010	June 7, 2010	4P2013	March 1, 2013
57P2008	June 9, 2008	23P2010	June 7, 2010	5P2013	March 25, 2013
67P2008	October 1, 2008	32P2010	July 26, 2010	38P2013	September 2, 2013
68P2008	October 6, 2008	34P2010	August 19, 2010	44P2013	December 2, 2013
71P2008	December 22, 2008	39P2010	November 22, 2010	7P2014	April 14, 2014
51P2008	January 4, 2009	7P2011	January 10, 2011	33P2013	June 9, 2014
75P2008	January 4, 2009	13P2011	February 7, 2011	13P2014	June 9, 2014
1P2009	January 26, 2009	21P2011	June 20, 2011	15P2014	June 9, 2014
10P2009	April 21, 2009	24P2011	June 27, 2011		
17P2009	June 1, 2009	27P2011	July 1, 2011		
28P2009	July 13, 2009	30P2011	July 25, 2011		
31P2009	September 14, 2009	31P2011	September 12, 2011		
41P2009	October 13, 2009	33P2011	September 19, 2011		

#### NOTE:

Amending Bylaw numbers are located in the text of this document to identify that a change has occurred in a Section, Subsection or Clause. Amending Bylaws should be consulted for detailed information. Where the amendment corrected spelling, punctuation or type face, the amending bylaw number has not been noted in the document.

This document is consolidated for convenience only. The official Bylaw and all amendments thereto are available from the City Clerk and should be consulted in interpreting and applying this Bylaw.

Printed by the City Clerk by authority of City Council.

**Land Use Planning in the Province of Alberta is regulated by the Municipal Government Act, Part 17, which contains the following purpose statement:**

*The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted*

*(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and*

*(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,*

*without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.*

## **PUBLISHING INFORMATION**

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- (c) may be provided as a cluster of **buildings** or facilities when located in the Special Purpose – Community Institution District;
- (d) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application;
- (e) requires a minimum of **bicycle parking stalls – class 1** based on 3.0 per cent of the maximum projected enrolment of the **use**; and
- (f) requires a minimum of **bicycle parking stalls – class 2** based on 3.0 per cent of the maximum projected enrolment of the **use**.

#### 264 “Power Generation Facility – Large”

- (a) means a **use**:
  - (i) where electrical power is generated;
  - (ii) where the total power generation capacity is 12.5 megawatts or greater; and
  - (iii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Power Generation Facility – Large** as a **use**;
- (b) is a **use** within the Direct Control Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study provided at the time of land use redesignation application.

#### 265 “Power Generation Facility – Medium”

- (a) means a **use**:
  - (i) where electrical power is generated; and
  - (ii) where the total power generation capacity is between 1.0 and 12.5 megawatts;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must not be located within 50.0 metres of a **residential district**, measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must be located within a **building**, with the exception of **solar collectors**;

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68P2008

- 68P2008 (e) must be shielded and insulated so as to limit noise generation as much as possible;
- 68P2008 (f) must not:
- (i) exceed the height of the District it is located in, excluding **ancillary structures**; and
- (ii) be located in a required **setback area**, excluding **solar collectors**;
- 68P2008 (g) must be **screened**, with the exception of **solar collectors**;
- (h) does not require **motor vehicle parking stalls**; and
- (i) does not require **bicycle parking stalls – class 1** or **class 2**.

## 266 “Power Generation Facility – Small”

- (a) means a **use**:
- 38P2013 (i) where electrical power is generated;
- 68P2008, 38P2013 (ii) where the total power generation capacity is between 10 watts and 1.0 megawatts; and
- 38P2013 (iii) that does not include a **Wind Energy Conversion System – Type 1** or a **Wind Energy Conversion System – Type 2** when listed as a **use** in a **commercial, industrial** or **special purpose district**;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- 68P2008 (c) must not:
- (i) exceed the height of the District it is located in, excluding **ancillary structures**; and
- (ii) be located in a required **setback area**, excluding **solar collectors**;
- 68P2008 (d) must be **screened**, with the exception of **solar collectors**;
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1** or **class 2**.

## 267 “Print Centre”

- 32P2009 (a) means a **use**:
- (i) where graphic and printed materials are printed or duplicated on a custom order basis for individuals or businesses;
- (ii) that may include self-service photocopiers;

- (a) must be located a minimum of 2.4 metres above **grade**; and
- (b) may project a maximum of:
  - (i) 1.5 metres from the surface of that wall, when the wall is facing a **rear property line**; and
  - (ii) in all other cases, 0.6 metres from the surface of that wall.

### Objects Prohibited or Restricted

- 344** (1) A **recreational vehicle** must not remain in an **actual front setback area** for longer than 24 hours.
- (2) A trailer that may be used or is intended to be used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an **actual front setback area** except while actively engaged in loading or unloading.
- (3) A **dilapidated vehicle** must not be located outside of a **building**.
- (4) A **large vehicle** must not remain on a **parcel** except while actively engaged in loading or unloading. Only one **large vehicle** may remain on a **parcel** while actively engaged in loading or unloading.
- (5) A satellite dish greater than 1.0 metre in diameter must:
- (a) not be located in an **actual front setback area** or in an **actual side setback area** where the **parcel** shares a **property line** with a **street**;
  - (b) not be located higher than 3.0 metres from **grade**; and
  - (c) not be illuminated.
- (6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter when the applicant demonstrates:
- (a) compliance with subsection (5) would prevent signal reception; and
  - (b) the satellite dish will be located and **screened** to the satisfaction of the **Development Authority**.
- (7) A **skateboard ramp** must not be located on a **parcel**.
- (8) A **Power Generation Facility – Small** with a capacity greater than 100kW must not be located on a **parcel** when the principal **use** on the **parcel** is a **Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, Duplex Dwelling, Single Detached Dwelling, or Semi-detached Dwelling**.

13P2014

**Accessory Residential Building**

- 345 (1)** Unless otherwise referenced in subsection (2), the minimum **building setback** for an **Accessory Residential Building** is:
- (a) 1.2 metres from a **side** or **rear property line** shared with a **street**; or
  - (b) 0.6 metres from a **side** or **rear property line** in all other cases.
- (2)** The minimum **building setback** for an **Accessory Residential Building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres when:
- (a) the **Accessory Residential Building** is less than 10.0 square metres **gross floor area**;
  - (b) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; or
  - (c) the owner of the **adjacent parcel** grants a 1.5 metre private maintenance easement that must:
    - (i) be registered against the title of the **parcel** proposed for development and the title of the **adjacent parcel**; and
    - (ii) include a 0.60 metre eave and footing encroachment easement.
- (3)** An **Accessory Residential Building** must not be located in the **actual front setback area**.
- (4)** A **private garage** on a **laneless parcel** may be located within the required 3.0 metre **side setback area**, except along the **street** side of a **corner parcel**.
- 12P2010 **(5)** The minimum distance between any façade of an **Accessory Residential Building** and a **main residential building** is 1.0 metres.
- 67P2008 **(6)** The height of an **Accessory Residential Building** must not exceed:
- (a) 4.6 metres, measured from the finished floor of the **building**;
  - (b) 3.0 metres at any **eaveline**, when measured from the finished floor of the **building**; and
  - (c) one **storey**, which may include an attic space that:
    - (i) is accessed by a removable ladder;
    - (ii) does not have windows;
    - (iii) is used by the occupants of the **main residential building** for placement of personal items; and
    - (iv) has a maximum height of 1.5 metres when measured from the attic floor to the underside of any rafter.