

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
13P2008	June 1, 2008	46P2009	December 14, 2009
15P2008	June 1, 2008	38P2009	December 15, 2009
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48P2008	June 1, 2008		
49P2008	June 1, 2008		
50P2008	June 1, 2008		
53P2008	June 1, 2008		
54P2008	May 12, 2008		
57P2008	June 9, 2008		
67P2008	October 1, 2008		
68P2008	October 6, 2008		
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10P2009	April 21, 2009		
17P2009	June 1, 2009		
28P2009	July 13, 2009		
31P2009	September 14, 2009		
41P2009	October 13, 2009		

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.

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Division 2: Definitions and Methods

General Definitions

- 13 (1) In this Bylaw, the following terms have the following meanings.
- (2) “**accent lighting**” means outdoor lighting that is entirely used to illuminate architectural features, art, landscaping features, monuments, or trees and is only directed at such features.
- (3) “**actual front setback area**” means the area of a *parcel* defined by the **front property line**, the **side property lines** that intersect with the **front property line**, and a line parallel to the **front property line** measured at the farthest **building setback** from the **front property line**.
- (4) “**actual side setback area**” means the area of a *parcel* defined by a **side property line** and a line parallel to that **side property line** measured at the farthest **building setback** from the **side property line** and terminating where that area meets the **actual front setback area**, the **rear setback area** or another **actual side setback area**.
- (5) “**adjacent**” means contiguous or contiguous if not for a **street, lane**, river or stream.
- (6) “**amenity space**” means a space designed for active or passive recreational use.
- (7) “**ancillary structure**” means, with reference to **building height**, an essential component that protrudes above the roof of a **building** and which is necessary for the functioning of a **building** including, but not limited to, an elevator housing, mechanical penthouse, chimney, **solar collectors** or an architectural feature commonly associated with a **Place of Worship**, but does not include a **sign**, flag pole or other similar structure. 68P2008
- (8) “**assembly area**” means an area within a **building** where people assemble for ceremonies, religious services, educational, recreation, social or sporting events. 67P2008, 41P2009
- (9) *deleted* 3P2010

- (10) “**average building reference points**” means the points:
- (a) determined by calculating the average of the corresponding **building reference points**; and
 - (b) expressed as geodetic elevations.
- (11) “**average contextual high point**” means:
- (a) where there are at least two other **buildings** on the same block face, the average of the greatest geodetic elevation of the **contextual adjacent buildings**, excluding **ancillary structures**;
 - (b) where there is only one other **building** on the same block face, the greatest geodetic elevation of such **building**, excluding **ancillary structures**; and
 - (c) where there is no other **building** on the same block face, a point 8.6 metres above the greatest geodetic elevation at **grade** on the subject **parcel**.
- (12) “**average grade**” means, when determining the maximum area of a horizontal cross section through a **building** in the M-CG, M-C1 and M-C2 Districts, the average of the four geodetic elevation points of finished **grade** immediately adjacent to the primary four corners of a **building**.
- (13) “**balcony**” means a horizontal platform that is attached to a **building** above the first **storey** floor level and is intended for use as an outdoor **amenity space**.
- (14) “**bare land unit**” means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Surveys Act* respecting subdivision.
- (15) “**basement**” means that portion of a **building** which is located below the first floor and is either partially or wholly below **grade**.
- (16) “**bay window**” means a window that projects outward from the façade of a **building** but does not include an opening that is intended to give access to a **building**.
- (17) “**bicycle parking stall**” means an area approved as **bicycle parking stall – class 1** or **bicycle parking stall – class 2** that is equipped to store a bicycle and must include a device:
- (a) specifically designed to park a bicycle;
 - (b) designed to allow a bicycle frame and both wheels to be secured; and
 - (c) designed to support the bicycle frame and both wheels; and

13P2008, 41P2009

- (d) that is anchored to a hard surface or fixed structure.
- (18) “**bicycle parking stall – class 1**” means a **bicycle parking stall** in a secured or controlled area.
- (19) “**bicycle parking stall – class 2**” means a **bicycle parking stall** in an unsecured or uncontrolled area.
- (20) “**building**” includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.
- (21) *deleted*
- (22) “**building coverage**” means that portion of a **parcel** upon which a covered **building** is located, as measured from a point at **grade** directly below the outside surface of the exterior walls of the **building** at the first **storey** floor level, including any projections less than 2.4 metres above **grade**.
- (23) “**building depth**” means the distance from the **front property line** to the farthest portion of a **main residential building** excluding **decks**, **landings** and **patios**, determined by:
- (a) establishing a line connecting the midpoint of the **front property line** and the midpoint of the **rear property line**; then
 - (b) extending a line from the portion of the **main residential building** farthest from the **front property line** to a point where it intersects the line connecting the midpoint of the **front property line** and the midpoint of the **rear property line** at a right angle; and
 - (c) measuring the distance from the point where the two lines intersect to the midpoint of the **front property line**.

3P2010

- 13P2008 **(24)** **“building height”** means the height of a **building**, excluding **ancillary structures**, determined:
- 3P2010 (a) by applying the provisions of sections 360 and 361 for a **parcel** containing a **Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**;
- 3P2010 (b) **deleted**
- (c) by measuring from **grade** in a **multi-residential district** where the **use** is not a **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**;
- (d) by measuring from **grade** in the S-CI District where provision 1057 (1) through (4) applies; and
- (e) in all other cases by measuring from **grade** at any point adjacent to a **building**.
- 3P2010 **(25)** **deleted**

- (26) “**building reference points**” means the geodetic elevation of four points:
- (a) located at the intersection of the **front property line** and each **side property line**;
 - (b) located at the intersection of the **rear property line** and each **side property line**; and
 - (c) where each pair of points must be considered as corresponding.
- (27) “**building setback**” means the distance from a **property line** to the point on a **parcel** where a **building** is located measured at a right angle from the **property line** to which it relates.
- (28) “**calliper**” means the diameter of the trunk of a tree measured at 0.3 metres above the ground.
- (29) “**City Manager**” means the Chief Administrative Officer of the City of Calgary.
- (30) “**City**” means The City of Calgary, a municipal corporation in the Province of Alberta, or the area within the corporate limits of The City of Calgary, as the context requires.
- (31) “**commercial district**” means any one or more of the land use districts described in Part 7 and the CC-X and CC-COR districts contained in Part 11. 51P2008
- (32) “**commercial multi-residential uses**” means any one or more of the following **uses**, when referenced in a **multi-residential district**:
- (a) **Beauty and Body Service**;
 - (b) **Convenience Food Store**;
 - (c) **Drinking Establishment – Small**;
 - (d) **Office**;
 - (e) **Personal Apparel Service**;
 - (f) **Photography Studio**;

- (g) **Print Centre;**
- (h) **Restaurant: Food Service Only – Small;**
- (i) **Restaurant: Licensed – Small;**
- (j) **Retail Store;**
- (k) **Specialty Food Store;**
- (l) **Take Out Food Service;** and
- (m) **Video Store.**

- (33) “**common amenity space**” means a space designed for active or passive recreational use that is provided for the use of all of the occupants of a **development**.
- (34) “**common amenity space – indoors**” means **common amenity space** that is located in a **building**.
- (35) “**common amenity space – outdoors**” means **common amenity space** that is not located in a **building**.
- (36) “**contextual adjacent buildings**” means the two closest **buildings** to a **parcel**:
- (a) located on the same block face not separated by a **street**; and
 - (b) where the **building** is not an **Accessory Residential Building**.
- (37) “**contextual building depth average**” means:
- (a) where there are at least two other **buildings** on the same block face, the average **building depth** of the **contextual adjacent buildings** plus 4.6 metres;
 - (b) where there is only one other **building** on the same block face, the **building depth** of such **building** plus 4.6 metres; and
 - (c) where there is no other **building** on the same block face, 65.0 per cent of **parcel depth**.
- (38) *deleted*

3P2010

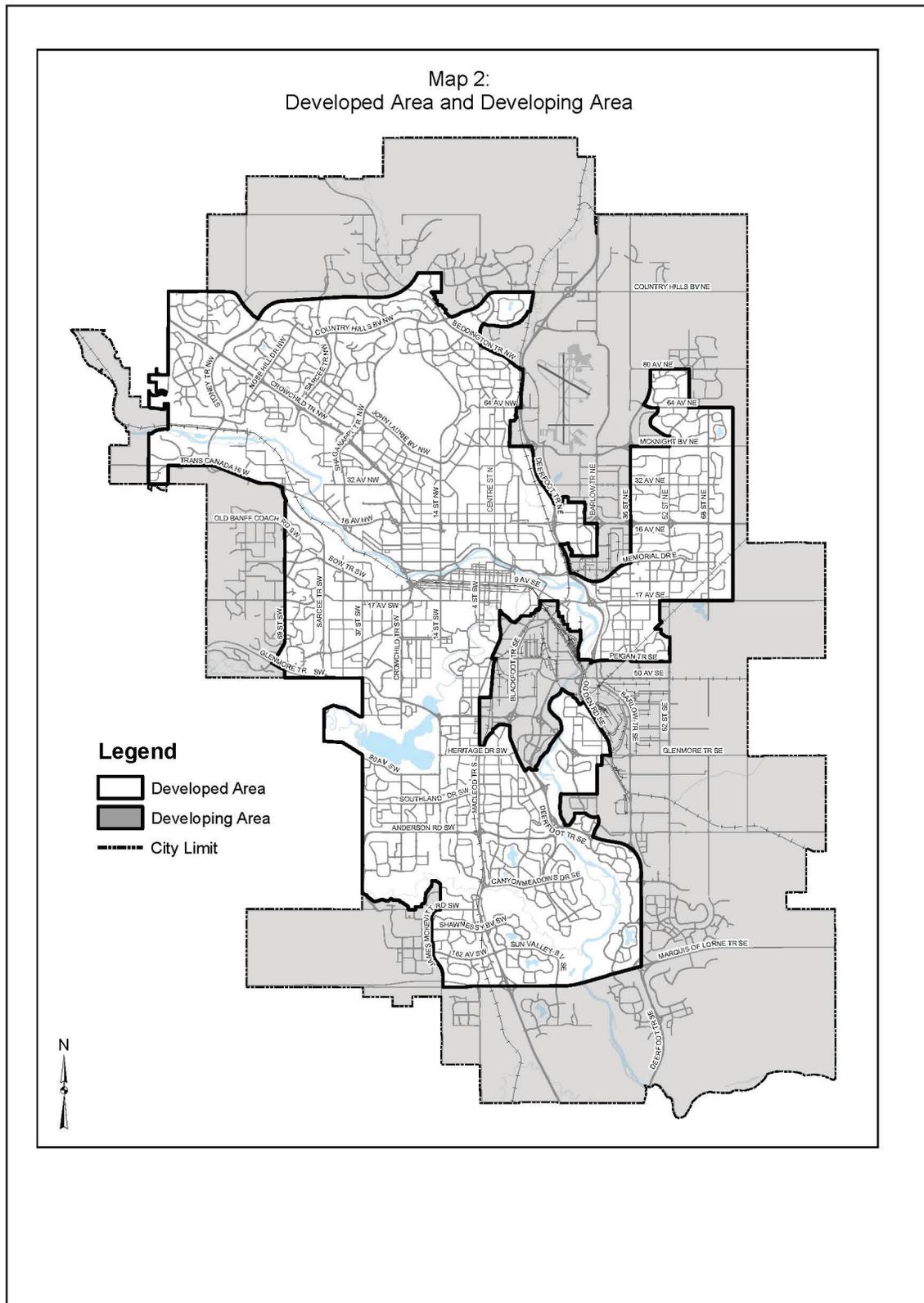
3P2010

- (39) “**contextual front setback**” means: 46P2009
- (a) where there are at least two other **buildings** on the same block face, the average **building setback** from the **front property line** of the **contextual adjacent buildings**;
 - (b) where there is only one other **building** on the same block face, the **building setback** from the **front property line** of the **contextual adjacent building**; and
 - (c) where there is no other **building** on the same block face, 3.0 metres measured from the **front property line**.
- (40) “**contextual height**” means the **average contextual high point**, less the greatest **building reference point**. 3P2010
- (41) “**contextual multi-residential setback**” means:
- (a) where there are at least two other **buildings** on the same block face, the average **building setback** from the **property line** shared with a **street** of the **contextual adjacent buildings**;
 - (b) where there is only one other **building** on the same block face, the **building setback** of such **building** from a **property line** shared with a **street**; and
 - (c) where there is no other **building** on the same block face, zero metres from a **property line** shared with a **street**.
- (41.1) “**copy**” means any image, written material, structure, graphics, pictures, logo, symbol or letters used for advertising or for calling attention to any person, matter, object or event. 67P2008
- (42) “**copy area**” means the area of the **sign** covered by a single figure drawn around the extremities of the **copy** contained on the **sign** and shall include, but is not limited to, graphics related to the specific nature of the **copy**, and, in the case of a **sign** which has **copy** on more than one side of the **sign**, the average of the total area of all sides of the **sign** will be used in the calculation of **copy area**.
- (43) “**corner parcel**” means a **parcel** that abuts two **streets** which intersect at an angle not exceeding 135 degrees.

- 13P2008 (44) “**corner visibility triangle**” means a triangular area formed on a **corner parcel** by the two curb lines and a straight line which intersects them 7.5 metres from the corner where they meet.
- 13P2008 (45) “**cottage housing cluster**” means a comprehensively designed grouping of at least four, to a maximum of twelve, **Cottage Buildings** that surround a single contiguous open space.
- (46) “**Council**” means the municipal Council of the **City**.
- (47) “**deck**” means an uncovered horizontal structure with a surface height greater than 0.6 metres above **grade** at any point that is intended for use as an outdoor **amenity space** but does not include a **balcony**.
- (48) “**density**” means the number of **Dwelling Units** and **Live Work Units** on a **parcel**, expressed in **units** per hectare or in **units** per **parcel**.
- (49) “**designated flood level**” means that theoretical level, indicated on the Floodway/Flood Fringe Maps, to which water would rise in the event of a flood of a magnitude likely to occur once in one hundred years.
- (50) “**Developed Area**” means the area identified as the **Developed Area** on the Developed Area and Developing Area Map and illustrated on Map 2.
- (51) “**Developing Area**” means the area identified as the **Developing Area** on the Developed Area and Developing Area Map and illustrated on Map 2.

53P2008

Map 2:
Developed Area and Developing Area



- (10) Electrical power supply to **Third Party Advertising Signs** or base landscaping must be underground unless otherwise allowed by the **Development Authority** such as, but not limited to, situations where reasonable access to an underground power source is not available or the **Third Party Advertising Sign** is located in an area where underground power has not commenced.

Major Parks

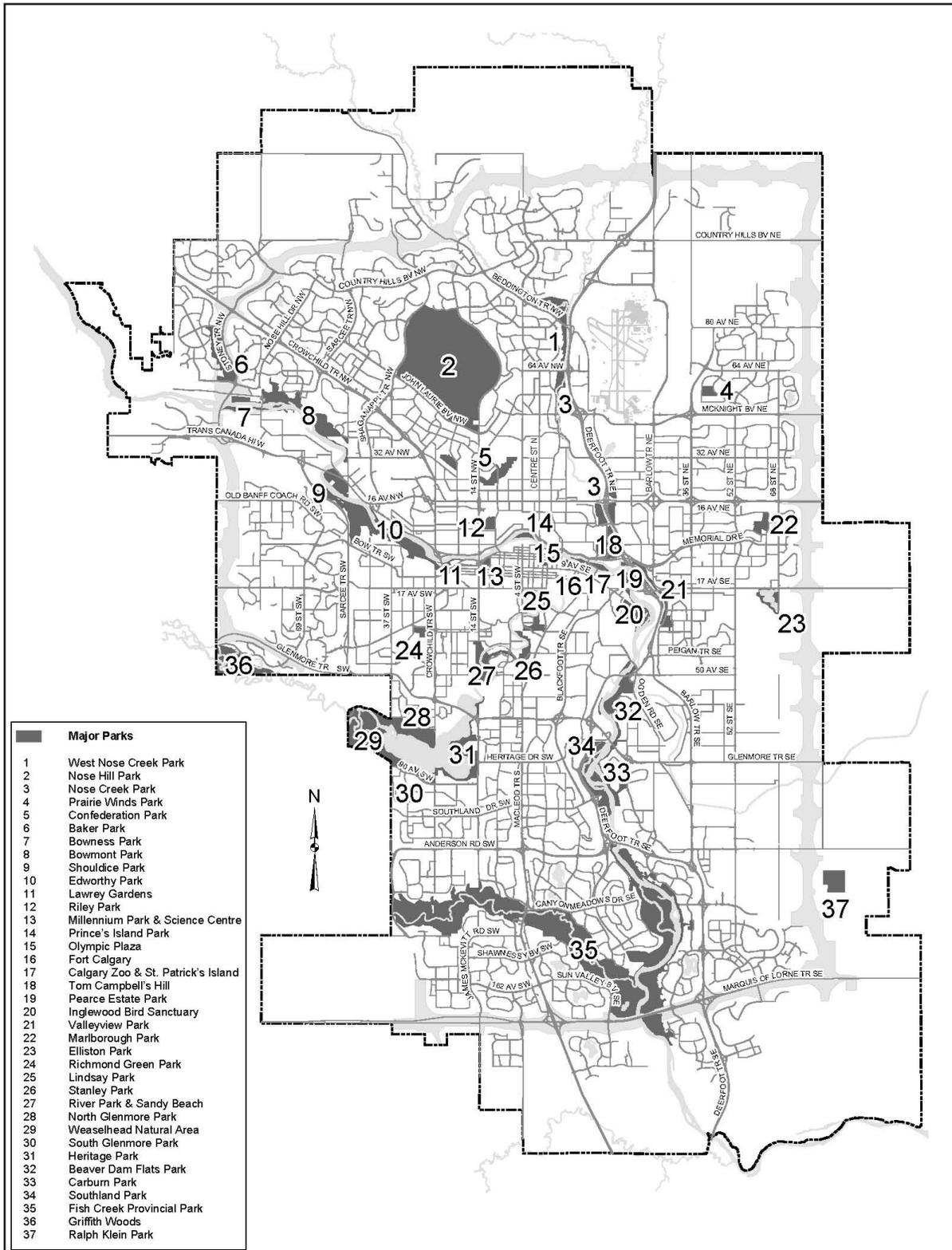
115 Map 3 identifies the following major parks:

1. West Nose Creek Park
2. Nose Hill Park
3. Nose Creek Park
4. Prairie Winds Park
5. Confederation Park
6. Baker Park
7. Bowness Park
8. Bowmont Park
9. Shouldice Park
10. Edworthy Park
11. Lawrey Gardens
12. Riley Park
13. Millennium Park & Science Centre
14. Prince's Island Park
15. Olympic Plaza
16. Fort Calgary
17. Calgary Zoo & St. Patrick's Island
18. Tom Campbell's Hill
19. Pearce Estate Park
20. Inglewood Bird Sanctuary
21. Valleyview Park
22. Marlborough Park
23. Elliston Park
24. Richmond Green Park
25. Lindsay Park
26. Stanley Park
27. River Park & Sandy Beach
28. North Glenmore Park
29. Weaselhead Natural Area
30. South Glenmore Park
31. Heritage Park
32. Beaver Dam Flats Park
33. Carburn Park
34. Southland Park
35. Fish Creek Provincial Park
36. Griffith Woods
37. Ralph Klein Park

67P2008

53P2008, 67P2008

Map 3:
Major Parks



- (9) **Balconies** and **decks** must not project into any **side setback area**. 67P2008
- (10) Central air conditioning equipment may project a maximum of 1.0 metres into a **side setback area**: 67P2008
- (a) for a **Semi-detached Dwelling**, only where the **side setback area** is on the **street** side of a **corner parcel**; and
 - (b) for all other **uses**:
 - (i) when located on a **corner parcel**; or
 - (ii) where at least one **side setback area** is clear of all central air conditioning equipment, window wells and portions of the **building** measured from **grade** to a height of 2.4 metres.

Projections Into Rear Setback Area

- 338 (1) Stairs, air conditioning equipment and window wells may project without limits into any **rear setback area**.
- (2) Awnings, **balconies**, **bay windows**, canopies, chimneys, **decks**, eaves, fireplaces, fire escapes, **landings**, **porches**, and ramps other than wheelchair ramps may project a maximum of 1.5 metres into any **rear setback area**. 47P2008
- (3) A **private garage** attached to a **building** may project without limits into a **rear setback area** provided it:
- (a) does not exceed 4.6 metres in **building height**;
 - (b) does not exceed 74.0 square metres in **gross floor area**;
 - (c) has no part that is located closer than 0.60 metres to the **rear property line**; and
 - (d) has no eave closer than 0.6 metres to a **side property line**.
- (4) When an attached **private garage** has a **balcony** or **deck**, the **balcony** or **deck** must not be located within 6.0 metres of a **rear property line** or 1.2 metres of a **side property line**.

Patios

- 338.1 (1) Unless otherwise referenced in subsections (2) and (3), a **privacy wall** may be located on a **patio**, provided it does not exceed a height of 2.0 metres when measured from the surface of the **patio**. 67P2008
- (2) A **privacy wall** located on a **patio** must not exceed 2.0 metres in height, when measured from **grade** and when the **privacy wall** is located within:
- (a) a **side setback area**; or
 - (b) 6.0 metres of a **rear property line**.

- (3) A **privacy wall** located on a **patio** must not exceed 1.2 metres in height when measured from **grade** when the **privacy wall** is located between the foremost front façade of the **main residential building** and the **front property line**.

Decks

- 339 (1) The height of a **deck** in the **Developing Area** must not exceed 0.3 metres above the main floor level of the closest **main residential building** on the **parcel**.
- 57P2008 (2) The height of a **deck** in the **Developed Area** must not exceed:
- (a) 1.5 metres above **grade** at any point, except where the **deck** is located on the same façade as the at-grade entrance to a **walkout basement**; and
- (b) 0.3 metres above the main floor level of the closest **main residential building** on the **parcel**.
- 67P2008, 3P2010 (2.1) Unless otherwise referenced in subsection (3), a **privacy wall** located on a **deck**:
- (a) must not exceed 2.0 metres in height when measured from the surface of the **deck**; and
- (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.
- 13P2008, 67P2008 (3) A **deck** attached to a **Semi-detached Dwelling, Rowhouse** or **Townhouse** within 1.2 metres of a party wall must have a solid **privacy wall** that:
- (a) is a minimum of 2.0 metres in height;
- (b) is a maximum of 3.0 metres in height; and
- (c) extends the full depth of the **deck**.

Balconies

- 340 (1) An **open balcony** must not project more than 1.85 metres from the **building** façade to which it is attached.
- (2) The floor area of a **recessed balcony** must not exceed 10.0 square metres.
- 67P2008 (2.1) Unless otherwise referenced in this Part, a **privacy wall** located on a **balcony**:
- (a) must not exceed 2.0 metres in height when measured from the surface of the **balcony**; and
- (b) must not be located between the foremost front façade of the **main residential building** and the **front property line**.
- 13P2008, 67P2008 (3) A **balcony** attached to a **Semi-detached Dwelling, Rowhouse** or **Townhouse** within 1.2 metres of a party wall must have a solid **privacy wall** that:

- (2) An **Accessory Residential Building** must not be used as a **Dwelling Unit**, unless a **Secondary Suite – Detached Garage** has been approved.
- (3) An **Accessory Residential Building** must not have a *balcony* or rooftop *deck*.
- (4) The area of a *parcel* covered by all **Accessory Residential Buildings** located on a *parcel*, must not exceed the lesser of:
 - (a) the *building coverage* of the *main residential building*; or
 - (b) 74.0 square metres; and
 - (c) the calculation to determine the area of a *parcel* covered by **Accessory Residential Buildings** must not include any **Accessory Residential Buildings** with a cumulative **gross floor area** of 10.0 square metres or less.
- (5) All roof drainage from an **Accessory Residential Building** must be discharged onto the *parcel* on which the *building* is located.

Contextual Single Detached Dwelling

3P2010

347 (1) A Contextual Single Detached Dwelling:

- (a) must have:
 - (i) a portion of the front façade recessed or projecting forward from the remaining façade that has a minimum dimension of:
 - (A) 2.0 metres in width
 - (B) 0.6 metres in depth; and;
 - (C) 2.4 metres in height; or
 - (ii) a *porch* projecting from the front façade with a minimum dimension of:
 - (A) 2.0 metres in width; and
 - (B) 1.2 metres in depth;
- (b) must not have vehicular access from the *lane* to an attached **private garage**;
- (c) must not have windows that are located beyond the rear façade of a *main residential building* on an adjoining *parcel* unless:
 - (i) the window is located below the second **storey**;
 - (ii) the window is located on the rear façade;
 - (iii) the glass in the window is entirely obscured; or
 - (iv) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; and

- (d) must not have a roof slope less than 4:12 within 1.5 metres of the maximum **building height** allowed in the district.
- (2) **A Contextual Single Detached Dwelling:**
- (a) may have a **balcony** located on a side façade:
- (i) where it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
- (ii) where it is on the **street** side of a **corner parcel**;
- (b) may have a **balcony** located on a rear façade where:
- (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
- (ii) a **privacy wall** is provided where the **balcony** is facing a **side property line** shared with a **parcel**; and
- (iii) the **privacy wall** is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and
- (c) must not have a **balcony** with a height greater than 6.0 metres, measured from **grade** to the platform of the **balcony**.
- (3) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** less than or equal to 10.0 metres the maximum **building depth** is the greater of:
- (a) 65.0 per cent of the **parcel depth**; or
- (b) the **contextual building depth average**.
- (4) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** greater than 10 metres the maximum **building depth** is the **contextual building depth average**.
- (5) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** greater than 10.0 metres, the maximum area of a horizontal cross section through each **storey** above the first **storey** must not exceed the **building coverage**.

Visibility Setback

- 348 Within a **corner visibility triangle**, **buildings**, **fences**, finished **grade** of a **parcel** and vegetation must not exceed the lowest elevation of the **street** by more than 0.75 metres above lowest elevation of the **street**.

Roof Equipment Projection

- 349 (1) There is no vertical projection limit from the surface of a roof on a **building** for antennae, chimneys and wind powered attic ventilation devices.
- (2) Mechanical equipment may project a maximum of 0.3 metres from the surface of a roof on a **building**.

68P2008

Private Maintenance Easements

- 350 A private maintenance easement, provided pursuant to this Bylaw, must require the easement area be kept free of all **buildings**, structures and objects that would prevent or restrict the easement being used for the purpose of **building** maintenance.

Secondary Suite – Setbacks

- 351 (1) For a **Secondary Suite – Attached Above Grade, Secondary Suite – Attached at Grade** and **Secondary Suite – Attached Below Grade** the minimum **building setback**:
- (a) from a **front property line**, must be equal to or greater than the **building setback** from the **front property line** for the **main residential building**;
- (b) from a **rear property line**, must be equal to or greater than the minimum **building setback** from the **rear property line** for the **main residential building**; and
- (c) from a **side property line**, must be equal to or greater than the minimum **building setback** from the **side property line** for the **main residential building**.
- (2) For a **Secondary Suite – Detached Garage**, the minimum **building setback** from any **rear property line** is:
- (a) 1.5 metres for that portion of the **building** used as a **Secondary Suite**; and
- (b) 0.6 metres for that portion of the **building** used as a **private garage**.
- (3) For a **Secondary Suite – Detached Garden**, the minimum **building setback** from a **side property line** is 1.2 metres.
- (4) For all **buildings** containing a **Secondary Suite**, other than those referenced in subsection (1), the minimum **building setback** from a **side property line** is 1.2 metres.
- (5) A minimum separation of 3.0 metres is required between the closest façade of the **main residential building** to the closest façade of the **Secondary Suite – Detached Garage** or the **Secondary Suite – Detached Garden**.

57P2008

57P2008

54P2008

Secondary Suite – Gross Floor Area

352 The maximum **gross floor area** for a **Secondary Suite**, not including the area covered by stairways, is 70.0 square metres.

Secondary Suite – Outdoor Private Amenity Space

- 353** (1) A **Secondary Suite** must have a **private amenity space** that:
- (a) is located outdoors;
 - (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres; and
 - (c) is shown on a plan approved by the **Development Authority**.
- (2) For **Secondary Suites**, a **private amenity space** may be provided in the form of a **balcony**, **deck** or **patio**.

Secondary Suite – Density

354 There must not be more than one **Secondary Suite** located on a **parcel**.

Secondary Suite – Entry and Stairways

355 A **Secondary Suite** must have a separate and direct access from **grade**.

Secondary Suite – Building Height

- 356** (1) The maximum **building height** is:
- (a) 5.0 metres for a **Secondary Suite – Detached Garden**; and
 - (b) 7.5 metres for a **Secondary Suite – Detached Garage**.
- (2) The maximum **building height** for portions of a **building** containing a **Secondary Suite** is:
- (a) 5.0 metres for a **Secondary Suite – Attached at Grade**; and
 - (b) equal to the **building height** of the **Single Detached Dwelling** that contains a **Secondary Suite – Attached Above Grade**.

Parcels Deemed Conforming

357 Where the area of a **parcel** is less than the required minimum area for a **use** in a **low density residential district**, the minimum required area of that **parcel** for that **use** is the area of the **parcel** at the time of such district designation.

Dwellings Deemed Conforming

358 (1) **Decks** greater than 1.5 metres in height, **landings** and window wells that are legally existing or approved prior to the effective date of this Bylaw are deemed to conform with the requirements of this Bylaw.

- (2) When a **Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** has been constructed in accordance with this Bylaw, and is located in a **Developed Area**, the maximum **building height**, minimum **building setback** from a **front property line** and maximum **building depth** determined at the time of the **development** are the requirements until further **development** occurs on the **parcel**.
- (3) The **building setback** from the **front property line** for a **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** in the **Developed Area** is deemed to conform with the requirements of this Bylaw if:
- (a) the **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw;
- (b) the **building setback** from the **front property line** is:
- (i) a minimum of 6.0 metres for the R-C1L or R-C1Ls districts; or
- (ii) a minimum of 3.0 metres for any other **residential district**; and
- (c) the **main residential building**:
- (i) has not been added to after the effective date of this Bylaw; or
- (ii) has been added to after the effective date of this Bylaw and the addition complies with the requirements specified in this Bylaw for a **building setback** from the **front property line**.
- (4) The **building height** for a **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** in the **Developed Area** is deemed to conform with the requirements of this Bylaw providing:
- (a) the **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw; and
- (b) all subsequent additions and alterations conformed to the rules of this Bylaw.
- (5) A relaxation or variance of one or more rules applicable to an **Accessory Residential Building, Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** granted by a **development permit** under a previous Land Use Bylaw is deemed to continue to be valid under this Bylaw.

Personal Sales

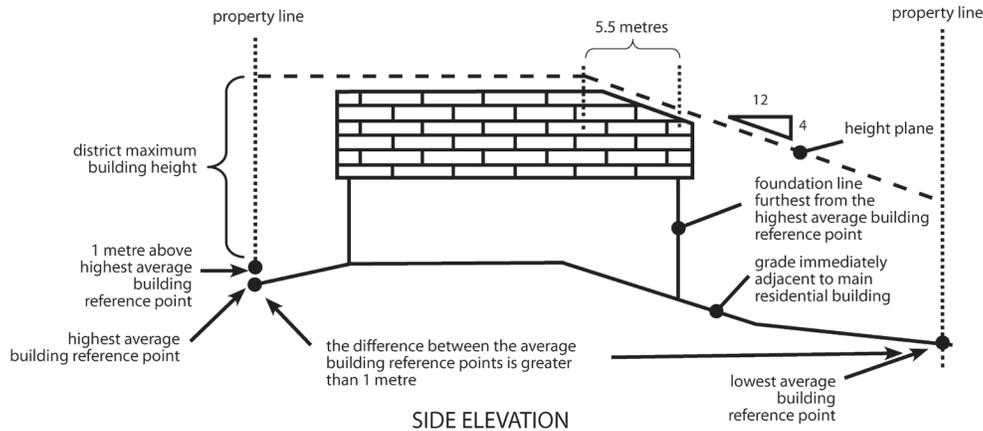
- 359** **Personal sales** may be conducted on a **parcel** a total of eight days in any calendar year.

Building Height

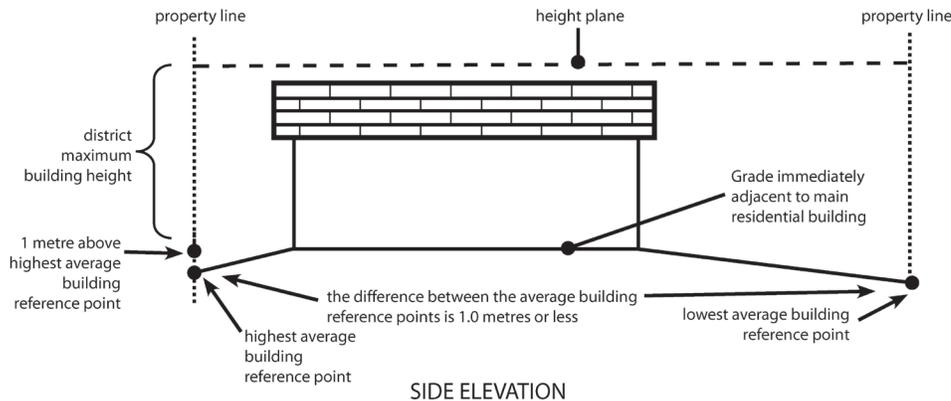
3P2010

- 360** (1) Unless otherwise referenced in (5), the **building height** of a **Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and **Single Detached Dwelling**, must not exceed a height plane described in this section.
- (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
 - (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 metre; 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 360(2)



Subsection 360(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:
- 7.5 metres in height from **grade** where the existing **building** has a **walkout basement**; and
 - 6.0 metres in height from **grade** where the existing **building** does not have a **walkout basement**.

Building Height on a Corner Parcel

361 In addition to the rules of sections 360 (2) and (3), for a **corner parcel**, no portion of a **building** facing a **street** may exceed the maximum **building height** for the District when measured vertically at any point from **grade** adjacent to the **building**.

3P2010

362 *deleted***Approved Building Grade Plans**

363 All **building contextual reference points** and **building reference points** must be in accordance with a **building** grade plan.

Gated Access

364 A gate must not be located across a **private condominium roadway**.

47P2008, 46P2009

Exempt Additions

365 In order for the exemption in section 25(f) to apply to an exterior alteration or addition to an existing **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**:

- (a) the existing **building** must:
 - (i) conform to the rules of this Bylaw; and
 - (ii) be legally existing or approved prior to the effective date of this Bylaw;
- (b) the addition may be a maximum of:
 - (i) 40.0 square metres in floor area for any portion at a height less than or equal to:
 - (A) 7.5 metres measured from **grade** where the existing **building** has a **walkout basement**; or
 - (B) 6.0 metres measured from **grade** where the existing **building** does not have a **walkout basement**; and
 - (ii) 10.0 square metres in floor area for any portion not exceeding the highest point of the existing roof;
- (b.1) The additions allowed in Section 365(b)(i) and (ii) must not be located on the same storey.
- (c) the addition or exterior alteration may:
 - (i) reduce the existing **building setback** from a **front property line** a maximum of 1.5 metres provided the **building** will comply with the minimum **setback** from a **front property line** specified in the district; and
 - (ii) reduce the existing **building setback** from **rear property line** a maximum of 4.6 metres provided the **building** will comply with the minimum **setback** from a **rear property line** specified in the district; and

- (d) the addition or exterior alteration must meet the rules:
- (i) of section 347(1)(c) where there is a new window opening being created or where an existing window is being moved or enlarged; and
 - (ii) of section 347(2) where a new **balcony** is being constructed or an existing **balcony** is being altered.

3P2010

Parcel Area

374 The minimum area of a *parcel* is 1100.0 square metres.

Parcel Coverage

375 The maximum *parcel coverage* is 40.0 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 provided in a *private garage*.

Building Coverage – Contextual Single Detached Dwelling

376 *deleted*

3P2010

Building Setback Areas

377 The minimum depth of all *setback areas* must be equal to the minimum *building setback* required in sections 378, 379 and 380.

Building Setback from Front Property Line

- 378** (1) For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the minimum *building setback* from a *front property line* is the greater of:
- (a) the *contextual front setback* less 1.5 metres; or
 - (b) 6.0 metres.
- (2) *deleted* 46P2009
- (3) *deleted* 3P2010
- (4) For an addition or exterior alteration to a **Single Detached Dwelling**, which was 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 6.0 metres; or
 - (b) the *existing building setback* less 1.5 metres to a minimum of 6.0 metres.
- 3P2010
- 46P2009

- (5) For all other **uses**, the minimum **building setback** from a **front property line** is 6.0 metres.

Building Setback from Side Property Line

- 379 (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 2.4 metres.
- (2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 2.4 metres; or
- (b) 3.0 metres on one side of the **parcel** when no provision has been made for a **private garage** on the front or side of a **building**.
- (3) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 3.0 metres.

Building Setback from Rear Property Line

- 380 The minimum **building setback** from a **rear property line** is 7.5 metres.

Building Height

3P2010

- 381 (1) For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the maximum **building height** is the greater of:
- (a) 8.6 metres; or
- (b) the **contextual height** plus 1.5 metres, to a maximum of 10.0 metres.

3P2010

- (2) *deleted*
- (3) For all other uses, the maximum **building height** is 10.0 metres.

Roof Pitch – Contextual Single Detached Dwelling

3P2010

- 382 *deleted*

Building Depth – Contextual Single Detached Dwelling

3P2010

- 383 *deleted*

- (c) **Indoor Recreation Facility;**
- (d) **Outdoor Recreation Area;**
- (e) **Park Maintenance Facility – Large;** and
- (f) **Park Maintenance Facility – Small.**

Permitted and Discretionary Uses for Parcels Designated R-C1s

387 *Parcels* designated R-C1s have the same **permitted** and **discretionary uses** referenced in sections 385 and 386, with the additional **discretionary use** of:

- (a) **Secondary Suite.**

Rules

388 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3;
- (c) the applicable Uses And Use Rules referenced in Part 4; and
- (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 385(2) and 386(2) and (3).

Number of Main Residential Buildings on a Parcel

13P2008

389 The maximum number of **main residential buildings** on a **parcel** is one.

Parcel Width

- 390** (1) Unless otherwise referenced in subsection (2), the minimum **parcel width** is 12.0 metres.
- (2) The minimum **parcel width** for a **parcel** containing a **Secondary Suite** is 15.0 metres.

Parcel Depth

- 391** (1) Unless otherwise referenced in subsection (2), the minimum **parcel depth** is 22.0 metres.

- (2) The minimum **parcel depth** for a **parcel** containing a **Secondary Suite** is 30.0 metres.

Parcel Area

- 392 (1) Unless otherwise referenced in subsection (2), the minimum area of a **parcel** is 330.0 square metres.
- (2) The minimum area of a **parcel** containing a **Secondary Suite** is 400.0 square metres.

Parcel Coverage

- 393 The maximum **parcel coverage** is 45.0 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 provided in a **private garage**.

3P2010

- 394 *deleted*

Building Setback Areas

- 395 The depth of all **setback areas** must be equal to the minimum **building setback** required in sections 396, 397 and 398.

Building Setback from Front Property Line

3P2010

- 396 (1) For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the minimum **building setback** from a **front property line** is the greater of:

- (a) the **contextual front setback** less 1.5 metres; or
- (b) 3.0 metres.

46P2009

- (2) *deleted*

3P2010

- (3) *deleted*

46P2009

- (4) For an addition or exterior alteration to a **Single Detached Dwelling**, which was 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.

- (5) For all other **uses**, the minimum **building setback** from a **front property line** is 3.0 metres.

Building Setback from Side Property Line

- 397 (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
 - (b) 3.0 metres on one side of the **parcel** when no provision has been made for a **private garage** on the front or side of a **building**.
- (3) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in 337(3), located within 3.0 metres of:
- (a) the back of the public sidewalk; or
 - (b) the curb, where there is no public sidewalk.
- (4) The **building setback** required in 2(b) may be reduced where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, an exclusive private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
 - (b) provides unrestricted vehicle access to the rear of the **parcel**.
- (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 2.4 metre private maintenance easement that provides for a 0.60 metre eave and 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.

Building Setback from Rear Property Line

- 398 The minimum **building setback** from a **rear property line** is 7.5 metres.

Building Height

- 3P2010 **399** (1) For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the maximum *building height* is the greater of:
- (a) 8.6 metres; or
 - (b) the *contextual height* plus 1.5 metres, to a maximum of 10.0 metres.
- 3P2010 (2) *deleted*
- (3) For all other *uses*, the maximum *building height* is 10.0 metres.
-
- 3P2010 **400** *deleted*
- 3P2010 **401** *deleted*
- 3P2010 **402** *deleted*
- 3P2010 **403** *deleted*

Division 4: Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District

Purpose

404 The Residential – Contextual Narrow Parcel One Dwelling District is intended to accommodate existing residential **development** and contextually sensitive redevelopment in the form of **Single Detached Dwellings** in the **Developed Area** on narrow or small **parcels**.

Permitted Uses

405 The following **uses** are **permitted uses** in the Residential – Contextual Narrow Parcel One Dwelling District:

- (a) **Accessory Residential Building;**
- (b) **Contextual Single Detached Dwelling;**
- (b.1) **Home Based Child Care – Class 1;** 17P2009
- (c) **Home Occupation – Class 1;**
- (d) *deleted* 46P2009
- (e) **Park;**
- (f) **Protective and Emergency Service;**
- (g) **Sign – Class A;**
- (h) **Special Function Tent – Recreational;** and
- (i) **Utilities.**

Discretionary Uses

406 The following **uses** are **discretionary uses** in the Residential – Contextual Narrow Parcel One Dwelling District:

- (a) **Addiction Treatment;**
- (b) **Bed and Breakfast;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;**
- (d.1) **Home Based Child Care – Class 2;** 17P2009
- (e) **Home Occupation – Class 2;**
- (f) **Place of Worship – Small;**
- (g) **Power Generation Facility – Small;**

- (h) **Residential Care;**
- (i) **Sign – Class B;**
- (j) **Sign – Class C;**
- (k) **Sign – Class E;**
- (l) **Single Detached Dwelling;**
- (m) **Temporary Residential Sales Centre;** and
- (n) **Utility Building.**

Rules

407 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

13P2008

Number of Main Residential Buildings on a Parcel

408 The maximum number of **main residential buildings** on a **parcel** is one.

Parcel Width

3P2010

409 (1) The minimum **parcel width** is 7.5 metres.

(2) The maximum **parcel width** is 11.6 metres unless the **parcel** is:

- (a) a **corner parcel**;
- (b) a **parcel** on the bulb of a cul-de-sac; or
- (c) a **parcel** with a **front property line** shared with a **street** at a point where the **street** has a significant change in direction.

Parcel Depth

410 The minimum **parcel depth** is 22.0 metres.

Parcel Area

411 The minimum area of a **parcel** is 233.0 square metres.

Parcel Coverage

- 412** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **parcel coverage** is 45.0 per cent of the area of a **parcel**.
- (2) Unless otherwise referenced in subsection (3), the maximum **parcel coverage** is 50.0 per cent of the area of a **parcel** where:
- (a) the area of a **parcel** is equal to or less than 300.0 square metres; and
- (b) the **parcel width** is less than 10.0 metres.
- (3) The maximum **parcel coverage** referenced in subsections (1) and (2) must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.
- 413** *deleted* 3P2010

Building Setback Areas

- 414** The depth of all **setback areas** must be equal to the minimum **building setback** required in sections 415, 416 and 417.

Building Setback from Front Property Line

- 415** (1) For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the minimum **building setback** from a **front property line** is the greater of: 3P2010
- (a) the **contextual front setback** less 1.5 metres; or
- (b) 3.0 metres.
- (2) *deleted* 46P2009
- (3) *deleted* 3P2010
- (4) For an addition or exterior alteration to a **Single Detached Dwelling**, which was 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: 46P2009
- (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.
- (5) For all other **uses**, the minimum **building setback** from a **front property line** is 3.0 metres.

Building Setback from Side Property Line

- 416** (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.

- (2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
 - (b) 3.0 metres on one side of the **parcel** when no provision has been made for a **private garage** on the front or side of a **building**.
- (3) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building** except for a projection allowed in 337(3), located within 3.0 metres of:
- (a) the back of the public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (4) The **building setback** required by subsection 2(b) may be reduced where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, an exclusive private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
 - (b) that provides unrestricted vehicle access to the rear of the **parcel**.
- 3P2010 (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.
- 3P2010 (6) *deleted*

Building Setback from Rear Property Line

417 The minimum *building setback* from a *rear property line* is 7.5 metres.

Building Height

418 (1) For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the maximum *building height* is the greater of: 3P2010

(a) 8.6 metres; or

(b) the *contextual height* plus 1.5 metres, to a maximum of 10.0 metres.

(2) *deleted* 3P2010

(3) For all other *uses*, the maximum *building height* is 10.0 metres.

419 *deleted* 3P2010

420 *deleted* 3P2010

421 *deleted* 3P2010

422 *deleted* 3P2010

Motor Vehicle Parking Stalls10P2009

423 The minimum number of *motor vehicle parking stalls* is 2.0 stalls for a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**, where either is located on a *parcel* with a *parcel width* less than 9.0 metres.

- (c) **Indoor Recreation Facility;**
- (d) **Outdoor Recreation Area;**
- (e) **Park Maintenance Facility – Large;** and
- (f) **Park Maintenance Facility – Small.**

Rules

427 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3;
- (c) the applicable Uses And Use Rules referenced in Part 4; and
- (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 425(2) and 426(2) and (3).

Number of Main Residential Buildings on a Parcel

13P2008

428 The maximum number of **main residential buildings** on a **parcel** is one.

Parcel Width

429 The minimum **parcel width** is:

- (a) 7.5 metres for a **parcel** containing a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (b) 13.0 metres for a **parcel** containing a **Duplex Dwelling**;
- (c) 15.0 metres for a **parcel** containing a **Secondary Suite**; and

- (d) 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**.

Parcel Depth

- 430** (1) Unless otherwise referenced in subsection (2), the minimum **parcel depth** is 22.0 metres.
- (2) The minimum **parcel depth** for a **parcel** containing a **Secondary Suite** is 30.0 metres.

Parcel Area

- 431** The minimum area of a **parcel** is:
 - (a) 233.0 square metres for a **parcel** containing a **Contextual Single Detached Dwelling** or **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 **Secondary Suite**; and
 - (d) 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**.

Parcel Coverage

- 432** The maximum **parcel coverage** is 45.0 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 provided in a **private garage**.

3P2010

- 433** *deleted*

Building Setback Areas

- 434** The minimum depth of all **setback areas** must be equal to the minimum **building setback** required in sections 435, 436 and 437.

Building Setback from Front Property Line

- 435 (1) For a **Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and a **Single Detached Dwelling**, the minimum **building setback** from a **front property line** is the greater of:
- (a) the **contextual front setback** less 1.5 metres; or
- (b) 3.0 metres.
- (2) *deleted* 3P2010
- (3) For an addition or exterior alteration to a **Duplex Dwelling, Semi-detached Dwelling, or Single Detached Dwelling** which was 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.
- (4) *deleted* 46P2009
- (5) For all other **uses**, the minimum **building setback** from a **front property line** is 3.0 metres.

Building Setback from Side Property Line

- 436 (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
- (b) 3.0 metres on one side of the **parcel** when no provision is made for a **private garage** on the front or side of a **building**.
- (3) For a **parcel** containing a **Semi-detached Dwelling**, there is no requirement for a **building setback** from the **property line** upon which the party wall is located.
- (4) Unless otherwise referenced in subsection (5), for a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in 337(3), located within 3.0 metres of:

- (a) the back of the public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (5) Where a **corner parcel** shares a **side property line** with a **street** and the **parcel** existed prior to the effective date of this Bylaw, the minimum **building setback** from that **side property line** is 1.2 metres.
- (6) The **building setback** from a **side property line** of 3.0 metres required in subsection 2(b) may be reduced where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, an exclusive private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
 - (b) that provides unrestricted vehicle access to the rear of the **parcel**.
- (7) 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 2.4 metre private maintenance easement that provides for a 0.60 metre eave and 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.

Building Setback from Rear Property Line

437 The minimum **building setback** from a **rear property line** is 7.5 metres.

Building Height

3P2010

- 438** (1) For a **Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and a **Single Detached Dwelling**, the maximum **building height** is the greater of:
- (a) 8.6 metres; or
 - (b) the **contextual height** plus 1.5 metres, to a maximum of 10.0 metres.

3P2010

- (2) *deleted*
- (3) For all other **uses**, the maximum **building height** is 10.0 metres.

439	<i>deleted</i>	3P2010
440	<i>deleted</i>	3P2010
441	<i>deleted</i>	3P2010
442	<i>deleted</i>	3P2010

Motor Vehicle Parking Stalls

- 443** The minimum number of ***motor vehicle parking stalls*** for each **Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling, and Single Detached Dwelling** is 2.0 stalls per **Dwelling Unit** where: 13P2008, 28P2009
- (a) the ***parcel width*** is less than 9.0 metres and the ***parcel*** is part of a plan of subdivision approved after September 7, 1982; or
 - (b) the area of the ***parcel*** is less than 270.0 square metres and the ***parcel*** is part of a plan of subdivision approved after September 7, 1982.

Division 7: Residential – Narrow Parcel One Dwelling (R-1N) District

Purpose

459 The Residential – Narrow Parcel One Dwelling District is intended to accommodate residential *development* in the form of **Single Detached Dwellings** in the *Developing Area* on narrow or small *parcels*.

Permitted Uses

460 The following *uses* are *permitted uses* in the Residential – Narrow Parcel One Dwelling District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Service;**
- (e) **Sign – Class A;**
- (f) **Single Detached Dwelling;**
- (g) **Special Function Tent – Recreational;** and
- (h) **Utilities.**

17P2009

Discretionary Uses

461 The following *uses* are *discretionary uses* in the Residential – Narrow Parcel One Dwelling District:

- (a) **Addiction Treatment;**
- (b) **Bed and Breakfast;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;**
- (d.1) **Home Based Child Care – Class 2;**
- (e) **Home Occupation – Class 2;**
- (f) **Place of Worship – Small;**
- (g) **Power Generation Facility – Small;**
- (h) **Residential Care;**
- (i) **Sign – Class B;**
- (j) **Sign – Class C;**

17P2009

- (k) **Sign – Class E;**
- (l) **Temporary Residential Sales Centre;** and
- (m) **Utility Building.**

Rules

462 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

13P2008

Number of Main Residential Buildings on a Parcel

463 The maximum number of **main residential buildings** on a **parcel** is one.

Parcel Width

3P2010

464 (1) The minimum **parcel width** is 7.5 metres.

(2) The maximum **parcel width** is 11.6 metres unless the **parcel** is:

- (a) a **corner parcel**;
- (b) a **parcel** on the bulb of a cul-de-sac; or
- (c) a **parcel** with a **front property line** shared with a **street** at a point where the **street** has a significant change in direction.

Parcel Depth

465 The minimum **parcel depth** is 22.0 metres.

Parcel Area

466 The minimum area of a **parcel** is 233.0 square metres.

Parcel Coverage

57P2008

467 (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum **parcel coverage** is 50.0 per cent of the area of a **parcel**.

(2) Unless otherwise referenced in subsections (3) and (4), the maximum **parcel coverage** is 60.0 per cent of the area of a **parcel** where:

- (a) the area of a **parcel** is less than 265.0 square metres; and
 - (b) the **parcel width** is less than 8.7 metres.
- (3) Unless otherwise referenced in subsection (4), the maximum **parcel coverage** is 45.0 per cent of the area of a **parcel** where the **parcel width** is greater than 11.0 metres.
- (4) The maximum **parcel coverage** referenced in subsections (1), (2) and (3) must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.

Building Setback Areas

468 The minimum depth of all **setback areas** must be equal to the minimum **building setback** required in sections 469, 470 and 471.

Building Setback from Front Property Line

469 The minimum **building setback** from a **front property line** is:

- (a) 2.0 metres for a **laned parcel**; and
- (b) 3.0 metres for a **laneless parcel**.

Building Setback from Side Property Line

- 470** (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
 - (b) 3.0 metres on one side of the **parcel**, when no provision has been made for a **private garage** on the front or side of a **building**.
- (3) For a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in 337(3), located within 3.0 metres of:
- (a) the back of the public sidewalk; or
 - (b) the curb where there is no public sidewalk.
- (4) The **building setback** required in subsection 2(b) may be reduced where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, an exclusive private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and

3P2010

- (b) that provides unrestricted vehicle access to the rear of the **parcel**.
- (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.
- (6) *deleted*

Building Setback from Rear Property Line

471 The minimum **building setback** from a **rear property line** is 7.5 metres.

Building Height

13P2008

- 472 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 10.0 metres.
- (2) The maximum **building height** is 11.0 metres where:
- (a) the area of the **parcel** is equal to or greater than 400.0 square metres; and
- (b) the **parcel width** is equal to or greater than 10.0 metres.

Motor Vehicle Parking Stalls

10P2009

473 The minimum number of **motor vehicle parking stalls** is 2.0 stalls for a **Single Detached Dwelling** located on a **parcel** with a **parcel width** less than 9.0 metres.

