

BYLAW NUMBER 46D2011

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2011-0011)**

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;

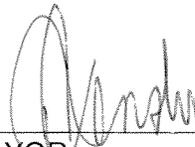
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 THIS 13TH DAY OF JUNE, 2011.

READ A SECOND TIME THIS 13TH DAY OF JUNE, 2011.

READ A THIRD TIME THIS 13TH DAY OF JUNE, 2011.

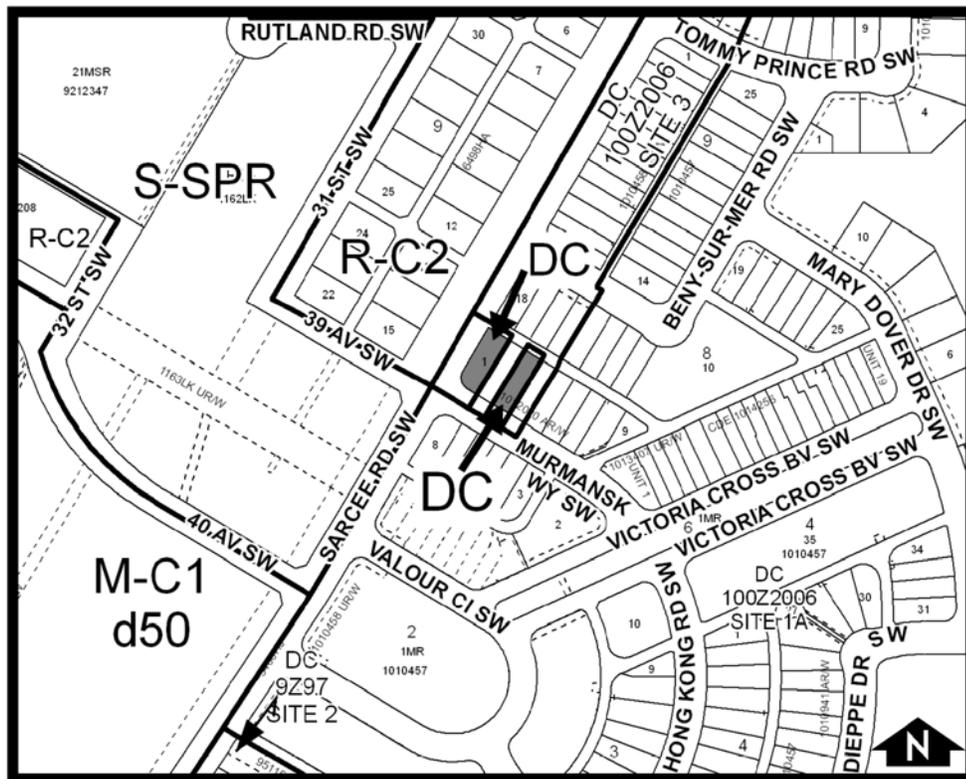


MAYOR
SIGNED THIS 13TH DAY OF JUNE, 2011.



ACTING CITY CLERK
SIGNED THIS 13TH DAY OF JUNE, 2011.

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to accommodate the additional **use** of **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.

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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.

Defined Uses

- 4** In this Direct Control District a “**Garage Suite**” means a *use*:
- (a) where an ancillary **Dwelling Unit** with a separate direct access at *grade* is situated entirely above a *private garage*; and
 - (b) 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:
- (a) **Home Based Child Care – Class 1;**
 - (b) **Home Occupation – Class 1;**
 - (c) **Park;**
 - (d) **Protective and Emergency Services;**
 - (e) **Sign – Class A;**
 - (f) **Special Function Tent – Recreational; and**
 - (g) **Utilities.**

Discretionary Uses

- 6** The following *uses* are *discretionary uses* in this Direct Control District:
- (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 Rules

- 7** In addition to the rules of this Direct Control District, all *uses* in this District must comply with the General Rules for Low Density Residential Land Use Districts referenced in Part 5 Division 1 of Bylaw 1P2007 except for Sections 334, 335, 336, 337, 338, 341, 345 and 346.

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Projections

- 8** (1) Portions of a **building** located below the surface of the ground may extend without any limits into a **setback area**.
- (2) Portions of a **building** located above the surface of the ground 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 40.0 per cent of the length of the façade; 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.
- (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 specified in subsection (6) 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) 0.0 metres from the party wall **property line** of a **Semi-detached Dwelling**; and
 - (c) 1.2 metres in all other cases.
- (5) A **building setback** from a **side property line** in subsection (4) may be reduced to 0.0 metres in accordance with subsection 416(5) of Bylaw 1P2007.
- (6) The minimum **building setback** from a **side property line** for **Protective and Emergency Services** is 3.0 metres or 10.0 per cent of the **parcel width** to a maximum of 6.0 metres.

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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 **unit**.

Building Height

- 12** (1) Unless otherwise specified in this section the maximum height is 3.0 **storeys** excluding lofts contained within a roof.
- (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**.
- (3) There is no maximum height for **building** containing **Protective and Emergency Services**.

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

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 facades;

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- (c) may be attached to a **main residential building** provided there is independent access to **grade** and no internal connections between **units**;
- (d) must not exceed 76.0 square metres in floor area, excluding the area of a loft contained within the roof and excluding the area of a **private garage**;
- (e) must meet the setback and projection rules located in sections 8 and 9 of this Direct Control District;
- (f) must not be greater than 2.0 **storeys** in height which does not include a loft contained within the roof;
- (g) may be located on a maximum of two adjoining **parcels**; and
- (h) may only have a **balcony** located on a side or a rear façade.

Development Authority – Powers and Duties

- 15** **(1)** **Developments** which 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.
- (2)** The **Development Authority** may approve a **development permit** for a **development** which does not meet the rules of this Direct Control District in accordance with Part 2 of Bylaw 1P2007.