

BYLAW NUMBER 160D2023

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2023-0102/CPC2023-0653)**

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 replacing it with 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 SEPTEMBER 19, 2023

READ A SECOND TIME ON SEPTEMBER 19, 2023

READ A THIRD TIME ON SEPTEMBER 20, 2023



MAYOR
SIGNED ON SEPTEMBER 20, 2023

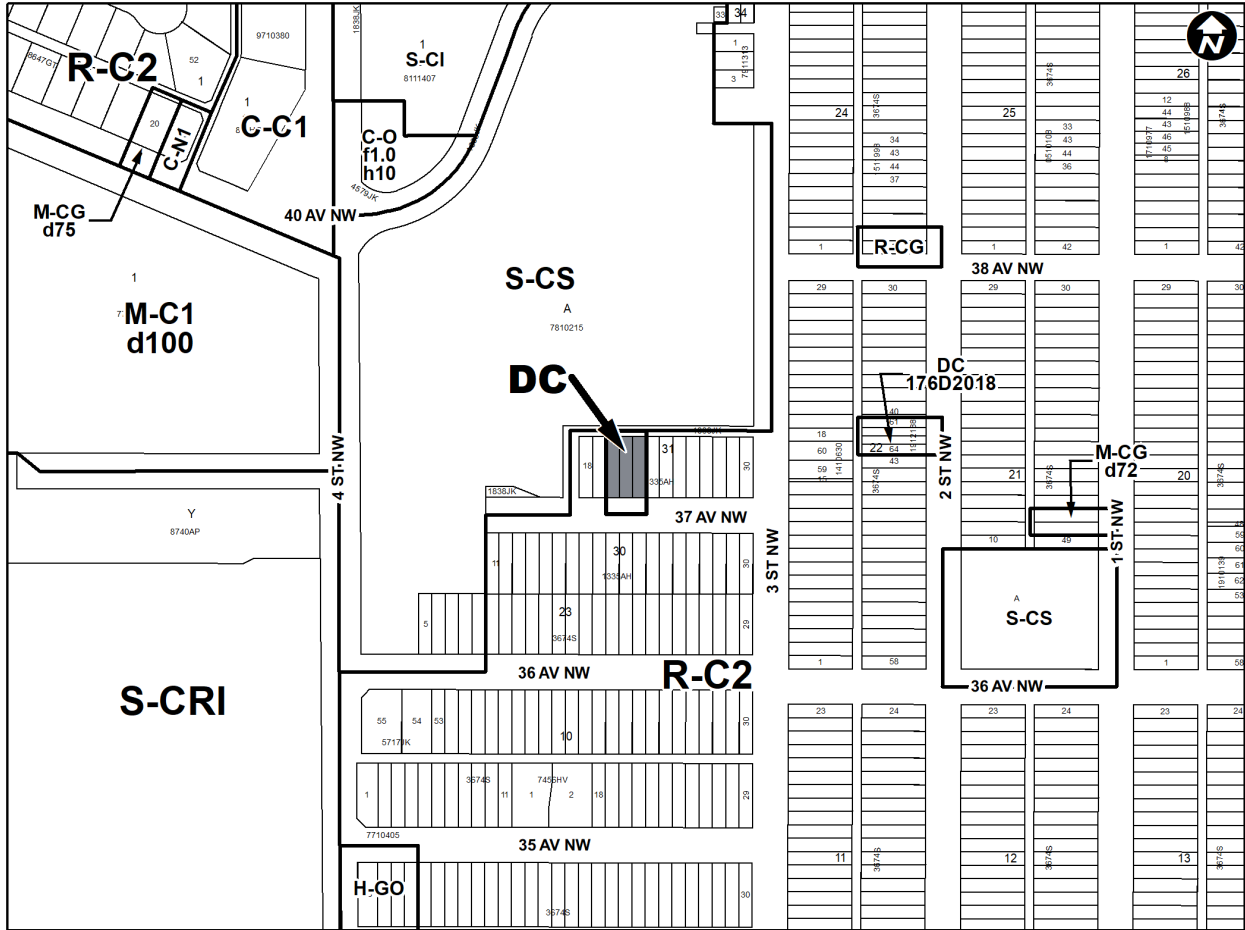


CITY CLERK
SIGNED ON SEPTEMBER 20, 2023

SCHEDULE A



SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) accommodate development that limits greenhouse gas emissions intensity; and
- (b) provide additional flexibility with respect to allowable height of backyard suites, parcel coverage, and the number and configuration of suites for low emissions development.

Compliance with Bylaw 1P2007

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

Reference to Bylaw 1P2007

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

General Definitions

- 4 In this Direct Control District Bylaw:

- (a) **“Energy Advisor”** means a person that is a professional consultant registered with Natural Resources Canada and who has maintained all the required qualifications to deliver energy modeling and EnerGuide rating services for eligible buildings in Canada.
- (b) **“Passive House Consultant”** means a person accredited by the Passive House Institute for the purpose of preparing energy modeling in accordance with the Passive House Standards.

Defined Uses

- 5 In this Direct Control District Bylaw:

- (a) **Low Emissions Development** means a *use* that:
 - (i) includes a **building** with two or more **Dwelling Units**, located side by side and separated by common party walls extending from foundation to roof where:
 - (A) one façade of each **Dwelling Unit** directly faces a public **street**;
 - (B) each **Dwelling Unit** has a separate direct entry from **grade** to an **adjacent** public **street**;
 - (C) no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**;
 - (D) each **Dwelling Unit** may include a **Secondary Suite**; and
 - (E) each **Dwelling Unit** may include both a **Secondary Suite** and **Backyard Suite** when located on the same **parcel** or **bare land unit**.

Permitted Uses

- 6 (1) The **permitted uses** of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the addition of:
- (a) **Low Emissions Development**, where the rules in Section 12 of this Direct Control District Bylaw are met.
- (2) The following **use** is an additional **permitted use** in this Direct Control District where it is approved in conjunction with a **Low Emissions Development**:

(a) **Backyard Suite.**

Discretionary Uses

7 The **discretionary uses** of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

8 Unless otherwise specified, the rules of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 apply in this Direct Control District.

Parcel Coverage Rules for Low Emissions Development

9 The maximum **building coverage** for **Low Emissions Development** is 70.0 per cent.

Backyard Suite Rules for Low Emissions Development

10 Notwithstanding subsections 352(4) and 352(4.1) of Bylaw 1P2007, the maximum **building height** for a **Backyard Suite** approved as part of a **Low Emissions Development** is 8.6 metres.

Accessory Suite – Density Rules for Low Emissions Development

11 Notwithstanding subsections 354(2) and 354(4) of Bylaw 1P2007, for a **Low Emissions Development**, one **Backyard Suite** and one **Secondary Suite** may be located on the same **parcel** or **bare land unit** containing a **Dwelling Unit**.

Additional Rules for Low Emissions Development

12 (1) A **Low Emissions Development** must not generate **greenhouse gas** emissions of more than 50 kilograms of carbon dioxide equivalents per square metre of floor area per year (50 kgCO₂e/m²/year).

(2) Where the applicant for a **development permit** proposes a **Low Emissions Development**, the following rules apply:

(a) a preliminary energy model report from an **Energy Advisor** or a **Passive House Consultant** must be submitted as part of the **development permit** application to demonstrate that the proposed **Low Emissions Development** is being designed to meet the **greenhouse gas** emissions requirement referenced in subsection (1).

(b) the **Development Authority** must, as a condition of issuing the **development permit**, impose a condition requiring a post construction energy model report from an **Energy Advisor** or a **Passive House Consultant**, or copies of EnerGuide Labels, to demonstrate that the constructed **Low Emissions Development** meets the **greenhouse gas** emissions requirement referenced in subsection (1).

Relaxations

- 13** The *Development Authority* may relax the rules contained in Sections 8, 9 and 10 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.