

# THE CITY OF CALGARY LAND USE BYLAW 1P2007

## OFFICE CONSOLIDATION

### BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

11P2008	June 1, 2008	34P2010	August 19, 2010	40P2015	November 9, 2015
13P2008	June 1, 2008	39P2010	November 22, 2010	43P2015	November 9, 2015
15P2008	June 1, 2008	7P2011	January 10, 2011	45P2015	December 8, 2015
47P2008	June 1, 2008	13P2011	February 7, 2011	15P2016	April 22, 2016
48P2008	June 1, 2008	21P2011	June 20, 2011	22P2016	May 2, 2016
49P2008	June 1, 2008	24P2011	June 27, 2011	23P2016	May 24, 2016
50P2008	June 1, 2008	27P2011	July 1, 2011	27P2016	June 13, 2016
53P2008	June 1, 2008	30P2011	July 25, 2011	29P2016	June 13, 2016
54P2008	May 12, 2008	31P2011	September 12, 2011	28P2016	June 14, 2016
57P2008	June 9, 2008	33P2011	September 19, 2011	43P2016	November 21, 2016
67P2008	October 1, 2008	35P2011	December 5, 2011	4P2017	January 23, 2017
68P2008	October 6, 2008	36P2011	December 5, 2011	5P2017	February 13, 2017
71P2008	December 22, 2008	4P2012	January 10, 2012	13P2017	March 27, 2017
51P2008	January 4, 2009	2P2012	February 6, 2012	20P2017	May 1, 2017
75P2008	January 4, 2009	9P2012	April 23, 2012	29P2017	June 26, 2017
1P2009	January 26, 2009	12P2012	May 7, 2012	30P2017	June 26, 2017
10P2009	April 21, 2009	30P2012	November 5, 2012	37P2017	August 2, 2017
17P2009	June 1, 2009	32P2012	December 3, 2012	49P2017	September 12, 2017
28P2009	July 13, 2009	4P2013	March 1, 2013	50P2017	September 25, 2017
31P2009	September 14, 2009	5P2013	March 25, 2013	56P2017	September 25, 2017
41P2009	October 13, 2009	38P2013	September 2, 2013	24P2018	March 13, 2018
32P2009	December 14, 2009	44P2013	December 2, 2013		
46P2009	December 14, 2009	7P2014	April 14, 2014		
38P2009	December 15, 2009	33P2013	June 9, 2014		
3P2010	March 1, 2010	13P2014	June 9, 2014		
11P2010	April 19, 2010	15P2014	June 9, 2014		
14P2010	May 17, 2010	11P2014	June 19, 2014		
26P2010	May 17, 2010	24P2014	October 27, 2014		
12P2010	June 7, 2010	37P2014	December 22, 2014		
19P2010	June 7, 2010	5P2015	March 9, 2015		
23P2010	June 7, 2010	13P2015	May 13, 2015		
32P2010	July 26, 2010	26P2015	September 1, 2015		

#### 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.

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**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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**Development Permit Application Requirements**

- 26** (1) Any owner of a *parcel*, his authorized agent, or other persons having legal or equitable interest in the *parcel* may apply to the **General Manager** for a **development permit**.
- (2) An application for a **development permit** must be made on an application form approved by the **General Manager** and be submitted with the fee for an application as prescribed by resolution of **Council**.
- (3) An applicant for a **development permit** must provide such information as may be required by the **Development Authority** to evaluate the application.

**Notice Posting Requirement**

46P2007, 30P2011

- 27** (1) At least 7 days prior to making a decision on an application for a **development permit** for those **uses** listed in subsections (2), (2.1), (3) (4) and (5), the **Development Authority** must post in a conspicuous place a notice stating:
- (a) the proposed **use** of the **building** or **parcel**;
  - (b) that an application respecting the proposed **development** will be considered by the **Development Authority**;
  - (c) that any person who objects to the proposed **development** on the **parcel** may deliver to a **Development Authority** a written statement of their objection to the **development**;
  - (d) the date by which the objection must be delivered to the **Development Authority** to be considered by the **Development Authority**; and
  - (e) that the objection must include:
    - (i) their full name and the address for service of any notice to be given to the objector in respect of the objection; and
    - (ii) the reason for their objection to the proposed **development**.
- (2) The following **uses** must always be notice posted:
- (a) **Backyard Suite**; 26P2010, 24P2014
  - (a.1) **Drinking Establishment – Large** in the CC-EIR or the CC-ET districts; 51P2008, 24P2014
  - (a.2) **Drinking Establishment – Medium** in the C-C1, C-COR1, C-COR2, CC-X, CC-COR, CC-EMU, CC-ET, or CC-EIR Districts and in all **mixed use districts**; 24P2014, 13P2017, 20P2017
  - (b) **Drinking Establishment – Small** in the M-H2, M-H3, C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-EMU, CC-ET, CC-EPR, or CC-EIR Districts and in all **mixed use districts**; 51P2008, 13P2017, 20P2017
  - (c) **Drive Through** in the C-N2, C-C1 or C-COR2 districts;

- 17P2009 (c.1) **Home Based Child Care – Class 2;**
- (d) **Home Occupation – Class 2;**
- 51P2008, 13P2017, 20P2017 (e) **Liquor Store** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ET, CC-EIR, CC-EMU, or CC-EPR Districts and in all *mixed use districts*;
- 7P2014 (e.1) **Medical Marihuana Production Facility;**
- (f) **Multi-Residential Development** in the *Developed Area*;
- 26P2010, 33P2013 (f.1) **Night Club** in the CC-EIR District or CR20-C20/R20 District in the area indicated in Map 11;
- 51P2008, 33P2013, 13P2017, 20P2017 (g) **Outdoor Café** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, I-R, S-R, CC-X, CC-COR, CC-ET, CC-EIR, CC-EMU, CC-EPR, CC-ERR, or CC-ER Districts or; CR20-C20/R20 District in the area indicated in Map 11 and in all *mixed use districts*;
- 43P2015 (g.1) **Pawn Shop;**
- 43P2015 (g.2) **Payday Loan;**
- 14P2010 (h) **Place of Worship – Large;**
- 14P2010 (h.1) **Recyclable Construction Material Collection Depot (temporary);**
- 12P2010, 14P2010, 24P2014 (i) *deleted*
- 12P2010, 9P2012, 24P2014 (i.1) *deleted*
- 24P2018 (i.2) **Secondary Suite** in the R-C1L, R-C1 and R-1 Districts;
- 51P2008, 14P2010, 38P2013, 13P2017, 20P2017 (j) **Social Organization** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, S-CI, CC-COR, CC-ET, CC-EMU, CC-EIR, CC-EPR, or CC-ERR Districts and in all *mixed use districts*;
- 14P2010, 38P2013 (k) **Waste Disposal and Treatment Facility.**
- 38P2013 (l) **Wind Energy Conversion System - Type 1;** and
- 38P2013 (m) **Wind Energy Conversion System - Type 2.**
- 30P2011 (2.1) The following *uses* must be notice posted when *adjacent* to a *parcel* containing a **Dwelling Unit**:
- (a) **Digital Third Party Advertising Sign;** and
- (b) **Digital Message Sign.**
- 4P2013 (3) The following *uses* must always be notice posted in a *residential district*:
- (a) **Addiction Treatment;**
- (b) **Bed and Breakfast;**
- (c) **Child Care Service;**
- (d) **Community Recreation Facility;**
- (e) **Custodial Care;**

- (b) the proposed **development** conforms with a **use** prescribed by this Bylaw for that land or **building**.

### Use Area Relaxation

**32** Where the **Development Authority** is considering an application for a relaxation of a **use area** restriction, the **Development Authority** must consider the test in section 31 of this Part and:

- (a) the purpose of the District;
- (b) whether granting the relaxation would make the proposed **development** incompatible with existing **developments** or **uses**;
- (c) proximity of the proposed **development** to **residential districts**; and
- (d) sound planning principles.

### Conditions

**33** The **Development Authority** may, as a condition of approving a **development permit** for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw:

- (a) impose the conditions referenced in section 28 of this part; and
- (b) require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the **Development Authority**, conformance to a higher standard will off-set any impact of granting the relaxation.

5P2013

### Notification of Decision

**34 (1)** After approving a **development permit** application for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw, the **Development Authority** must:

- (a) publish, in a local newspaper, a notice stating the location and **use** of the **parcel** for which the application has been approved; and
- (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
  - (i) before the 21 day appeal period referred to in the *Municipal Government Act* has expired; or
  - (ii) in the case of an appeal to the Subdivision and Development Appeal Board, until such time as the appeal has been fully dealt with by the Subdivision and Development Appeal Board, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the Subdivision and Development Appeal Board, or the appeal has been withdrawn or abandoned.

54P2008, 16P2018

- (2) After refusing a ***development permit*** application for a ***permitted use*** that does not comply with all of the applicable requirements and rules of this Bylaw, the ***Development Authority*** must provide written notification of the decision and the reasons for it to the applicant.

- (iii) both (i) and (ii).
- (c) to install or pay for installation of public utilities, other than telecommunications systems or works, that are necessary to serve the **development**;
- (d) to construct or pay for the construction of:
  - (i) off-street or other parking facilities; and
  - (ii) loading and unloading facilities.
- (e) to pay an off-site levy or redevelopment levy; and
- (f) to give security to ensure that the terms of the agreement under this section are carried out.

### Notification of Decision for Discretionary Use Application

- 39 (1)** After approving a **development permit** application for a **discretionary use**, the **Development Authority** must:
- (a) Publish, in a local newspaper, a notice stating the location and **use** of the **parcel** for which the application has been approved; and
  - (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
    - (i) before the 21 day appeal period referred to in the *Municipal Government Act* has expired; or
    - (ii) in the case of an appeal to the Subdivision and Development Appeal Board, until such time as the appeal has been fully dealt with by the Subdivision and Development Appeal Board, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the Subdivision and Development Appeal Board, or the appeal has been withdrawn or abandoned.
- (2)** After refusing an application for a **development permit** application for a **discretionary use**, whether or not it complies with all of the rules of this Bylaw, the **Development Authority** must provide written notification of the decision and the reasons for it to the applicant.

16P2018

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- (i) a portion of a **street** facing façade of each **unit** recessed behind or projecting forward from the remainder of the **street** facing façade of that **unit**, with the projecting or recessed portion having a minimum dimension of:
    - (A) 2.0 metres in width;
    - (B) 0.3 metres in depth; and
    - (C) 2.4 metres in height; or
  - (ii) a **porch** that projects from a **street** facing façade a minimum dimension of:
    - (A) 2.0 metres in width; and
    - (B) 1.2 metres in depth;
  - (b) must have the main floor located above **grade** adjacent to the **building** to a maximum of 1.20 metres above **grade** for **street** facing façades;
  - (c) located on a **corner parcel** must have an exterior entrance which is visible from each **street** side of the **corner parcel**;
  - (d) must not have an attached **private garage**;
  - (e) must have a **motor vehicle parking stall** or **private garage** for each **Dwelling Unit** with direct, individual access to a **lane**;
  - (f) must not have windows on an exposed side façade of a **unit** that are located beyond the rear façade of a **contextually adjacent building** on an adjoining **parcel** unless:
    - (i) the window is located below the second **storey**;
    - (ii) the glass in the window is entirely obscured;
    - (iii) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; or
    - (iv) the façade that contains the window is setback a minimum of 4.2 metres from the **side property line**; and
  - (g) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres.
- (2) *deleted* 15P2016
- (3) Unless otherwise referenced in subsection (4) the maximum **building depth** of a **Rowhouse Building** that is a **permitted use** in the R-CG District is the greater of: 4P2017
- (a) 60.0 per cent of the **parcel depth**; or
  - (b) the **contextual building depth average**.

- 4P2017 (4) There is no maximum **building depth** for a **Rowhouse Building** located on a **corner parcel** in the R-CG District.
- 4P2017 (5) To be a **permitted use** in the R-CG District a **Rowhouse Building** must not be located on a **parcel** that contains more than one **main residential building**.

### 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.
- 68P2008 (2) Mechanical equipment may project a maximum of 0.3 metres from the surface of a roof on a **building**.

### 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.

12P2010, 24P2014

### Secondary Suite

- 351 (1) For a **Secondary Suite** the minimum **building setback** from a **property line**, must be equal to or greater than the minimum **building setback** from a **property line** for the **main residential building**.
- 23P2016 (2) Except as otherwise stated in subsections (2.1) and (3), the maximum floor area of a **Secondary Suite**, excluding any area covered by stairways and **landings**, is 100.0 square metres:
- 24P2018 (a) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-1, R-1s and R-1N Districts; or
- (b) when located on a **parcel** with a **parcel width** less than 13.0 metres
- 23P2016, 4P2017 (2.1) There is no maximum floor area for a **Secondary Suite** wholly located in a **basement**. Internal landings and stairways providing access to the **basement** may be located above **grade**.
- (3) The maximum floor area of a **Secondary Suite** may be relaxed by the **Development Authority** to a maximum of 10.0 per cent.
- (4) 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

## Division 2: Residential – Contextual Large Parcel One Dwelling (R-C1L) (R-C1Ls) District

### Purpose

- 366** (1) The Residential – Contextual Large 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 large **parcels**.
- (2) **Parcels** designated R-C1Ls are intended to accommodate a **Secondary Suite** as a **permitted use** on the same **parcel** as a **Single Detached Dwelling**. 12P2010,  
24P2014,  
24P2018

### Permitted Uses

- 367** The following **uses** are **permitted uses** in the Residential – Contextual Large 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;** and 4P2012
  - (h) *deleted* 4P2012
  - (i) **Utilities.**

### Discretionary Uses

- 368** The following **uses** are **discretionary uses** in the Residential – Contextual Large Parcel One Dwelling District:
- (a) **Bed and Breakfast;**
  - (b) **Community Entrance Feature;**
  - (b.1) **Home Based Child Care – Class 2;** 17P2009
  - (c) **Home Occupation – Class 2;**
  - (d) **Place of Worship – Small;**
  - (e) **Power Generation Facility – Small;**
  - (e.1) **Secondary Suite;** 24P2018

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

12P2010, 33P2011

**Permitted and Discretionary Uses for Parcels Designated R-C1Ls**

**369 (1)** *Parcels* designated R-C1Ls have the same **permitted uses** referenced in section 367 with the additional **permitted uses** of:

- (a) **Secondary Suite.**

24P2014

**(2)** *Parcels* designated R-C1Ls have the same **discretionary uses** referenced in section 368 with the additional **discretionary uses** of:

- (a) **Backyard Suite.**

**Rules**

**370** 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**

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

**Parcel Width**

**372** The minimum **parcel width** is 24.0 metres.

12P2010, 23P2016

**Parcel Depth**

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

### Division 3: Residential – Contextual One Dwelling (R-C1) (R-C1s) District

#### Purpose

- 384 (1)** The Residential – Contextual 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**.
- (2)** **Parcels** designated R-C1s are intended to accommodate a **Secondary Suite** as a **permitted use** on the same **parcel** as a **Single Detached Dwelling**. 12P2010,  
24P2014,  
24P2018

#### Permitted Uses

- 385 (1)** The following **uses** are **permitted uses** in the Residential – Contextual 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;** and 4P2012
  - (h) *deleted* 4P2012
  - (i) **Utilities.**
- (2)** The following **uses** are **permitted uses** on a **parcel** that has a **building** used or previously used as a **Community Recreation Facility** or **School Authority – School**: 53P2008
- (a) **Community Recreation Facility;**
  - (b) **School Authority – School;** and
  - (c) **School Authority Purpose – Minor.**

#### Discretionary Uses

- 386 (1)** The following **uses** are **discretionary uses** in the Residential – Contextual One Dwelling District:
- (a) **Addiction Treatment;**
  - (a.1) **Assisted Living;** 24P2011

- 17P2009
- (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;**
- 24P2018
- (h.1) **Secondary Suite;**
  - (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.**
- 53P2008
- (2) The following *uses* are additional **discretionary uses** if they are located in **buildings** used or previously used as **Community Recreation Facility** or **School Authority – School** in the Residential – Contextual One Dwelling District:
    - (a) **Child Care Service;**
    - (b) **Library;**
    - (c) **Museum;**
    - (d) **School – Private;**
    - (e) **School Authority Purpose – Major; and**
    - (f) **Service Organization.**
  - (3) The following *uses* are additional **discretionary uses** on a **parcel** in the Residential – Contextual One Dwelling District that has a **building** used or previously used as **School Authority – School**:
    - (a) **Community Recreation Facility;**
    - (b) **Food Kiosk;**

## Division 6: Residential – One Dwelling (R-1) (R-1s) District

### Purpose

- 444** (1) The Residential – One Dwelling District is intended to accommodate residential *development* in the form of **Single Detached Dwellings** in the *Developing Area*.
- (2) *Parcels* designated R-1s are intended to accommodate a **Secondary Suite** as a *permitted use* on the same *parcel* as a **Single Detached Dwelling**. 12P2010,  
24P2014,  
24P2018

### Permitted Uses

- 445** The following *uses* are *permitted uses* in the Residential – One Dwelling District:
- (a) **Accessory Residential Building;**
  - (a.1) **Home Based Child Care – Class 1;** 17P2009
  - (b) **Home Occupation – Class 1;**
  - (c) **Park;**
  - (d) **Protective and Emergency Service;**
  - (e) **Sign – Class A;**
  - (f) **Single Detached Dwelling; and** 4P2012
  - (g) *deleted* 4P2012
  - (h) **Utilities.**

### Discretionary Uses

- 446** The following *uses* are *discretionary uses* in the Residential – One Dwelling District:
- (a) **Addiction Treatment;**
  - (a.1) **Assisted Living** 24P2011
  - (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;**

- 24P2018
- (h.1) **Secondary Suite;**
  - (i) **Sign – Class B;**
  - (j) **Sign – Class C;**
  - (k) **Sign – Class E;**
  - (l) **Temporary Residential Sales Centre; and**
  - (m) **Utility Building.**

12P2010, 33P2011

**Permitted and Discretionary Uses for Parcels Designated R-1s**

**447 (1)** *Parcels* designated R-1s have the same **permitted uses** referenced in section 445 with the additional **permitted uses** of:

- (a) **Secondary Suite.**

24P2014

**(2)** *Parcels* designated R-1s have the same **discretionary uses** referenced in section 446 with the additional **discretionary uses** of:

- (a) **Backyard Suite.**

**Rules**

**448** 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**

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

**Parcels Containing Suites**

**Parcel Width**

12P2010, 24P2014,  
23P2016

**450** The minimum **parcel width** is 10.0 metres.

**Parcel Depth**

12P2010, 23P2016

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

**Parcel Area**

12P2010, 24P2014,  
23P2016

**452** The minimum area of a **parcel** is 330.0 square metres.

**Parcel Coverage**

**453** 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**.