

# THE CITY OF CALGARY

## LAND USE BYLAW 1P2007

### OFFICE CONSOLIDATION

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

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

### Division 1: General Rules for Low Density Residential Land Use Districts

#### Projections Into Setback Areas

- 334** (1) Unless otherwise referenced in this Part, **buildings** must not be located in any **setback area**.
- (2) Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this Part.
- (3) Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.
- (4) **Patios** and wheelchair ramps may project without any limits into a **setback area**.
- (5) **Signs** located in a **setback area** must be in accordance with Part 3, Division 5.

#### Length of Portions of a Building in Setback Areas

- 335** (1) On each **storey**, the total combined length of all projections into any **setback area** must not exceed 40.0 per cent of the length of the façade. 47P2008
- (2) The maximum length of an individual projection into any **setback area** is 3.1 metres.
- (3) Subsections (1) and (2) do not apply to:
- (a) **decks**, eaves, ramps, and stairs when located in any **setback area**; and
- (b) a **private garage** attached to a **main residential building** when located in the **rear setback area**.

#### Projections Into Front Setback Area

- 336** (1) **Bay windows** and eaves may project a maximum of 0.6 metres into the **front setback area**.
- (2) **Landings**, ramps other than wheelchair ramps and stairs may project into a **front setback area** provided: 47P2008
- (a) they provide access to the main floor or lower level of the **building**; and
- (b) the area of a **landing** does not exceed 2.5 square metres.
- (3) *deleted* 47P2008

- (4) Window wells may project without limits into any **front setback area**.

#### Projections Into Side Setback Area

- 47P2008, 67P2008      **337**    (1)    *deleted*
- 67P2008                    (1.1)   Portions of a **building** greater than or equal to 2.4 metres above **grade** may project a maximum of 0.6 metres into any **side setback area**.
- 67P2008, 27P2011,  
40P2015                    (1.2)   Portions of a **building** less than 2.4 metres above **grade** may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into a **side setback area**:
- 47P2008                    (2)    Window wells and portions of a **building**, other than eaves, must not project into a 3.0 metre **side setback area** required on a **laneless parcel**.
- (3)    Eaves may project a maximum of 0.6 metres into any **side setback area**.
- 47P2008                    (4)    *deleted*
- 47P2008                    (5)    **Landings**, ramps other than wheelchair ramps and stairs may project in a **side setback area** provided:
- (a)    they provide access to the main floor or lower level of the **building**;
- (b)    the area of a **landing** does not exceed 2.5 square metres;
- 67P2008                    (c)    the area of any portion of a **landing** that projects into the **side setback area** does not exceed 1.8 square metres;
- (d)    they are not located in a 3.0 metre **side setback area** required on a **laneless parcel**; and
- (e)    they are not located in a **side setback area** required to be clear of projections, unless pedestrian access from the front to the rear of the **parcel** is provided.
- 47P2008                    (6)    *deleted*
- 47P2008, 67P2008      (7)    *deleted*
- 47P2008                    (8)    Any portion of a **building** that projects into a **side setback area**, other than eaves, **landings**, window wells, ramps and stairs, must not be located closer than 0.9 metres from the nearest front façade.

## PART 6: MULTI-RESIDENTIAL DISTRICTS

### Division 1: General Rules for Multi-Residential Land Use Districts

#### Projections Into Setback Areas

- 549 (1) Unless otherwise referenced in subsections (2), (3) (4), (5), (6), and (7), a **building** or air conditioning units must not be located in any **setback area**.
- (2) Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this section.
- (3) Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.
- (4) Wheelchair ramps may project without any limits into a **setback area**.
- (5) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any **setback area**.
- (6) **Landings** not exceeding 2.5 square metres, ramps other than wheel-chair ramps and unenclosed stairs may project into any **setback area**.
- (7) **Signs** may be located in any **setback area**, and where so located, must be in accordance with Part 3, Division 5.

40P2015

#### General Landscaped Area Rules

- 550 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to the **building** or **parcel**, and must show at least the following:
- (a) the existing and proposed topography;
  - (b) the existing vegetation and indicate whether it is to be retained or removed;
  - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
  - (d) the types, species, sizes and numbers of plant material and the types of **hard surface landscaped areas**;
  - (e) details of the irrigation system; and

- (f) for **landscaped areas** with the Enhanced Landscaping Option, the following additional information must be provided:
  - (i) Latin and common names for all plant materials;
  - (ii) a plan that shows both the planting material size at time of planting and at time of maturity;
  - (iii) elevation plans for all landscaped areas showing plant material maturity; and
  - (iv) a report submitted by the applicant indicating how the landscape plan achieves the following:
    - (A) variation of planting materials, hard surface materials and decorative structures;
    - (B) provision of year-round visual interest;
    - (C) emphasis of entranceways and pedestrian pathways;
    - (D) location of planting materials and activity areas according to sunlight exposure and microclimate conditions;
    - (E) separation between public and private spaces; and
    - (F) provision of spaces for different purposes, including activity, seating, screening and buffering;
- (g) for **landscaped areas** with the Low Water Landscaping Option details of the **low water irrigation system**, including extent of water delivery; and
- (h) for **landscaped areas** with a **building** below, the following additional information must be provided:
  - (i) the location of underlying slabs and abutting walls;
  - (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
  - (iii) depths of the growing medium for each planting area;
  - (iv) the mature height and spread of all trees and shrubs; and
  - (v) the means of irrigating the planting areas.

## PART 11: CENTRE CITY DISTRICTS

51P2008

### Division 1: General Rules for Centre City Multi-Residential High Rise Land Use Districts

#### Projections Into Setback Areas

- 1099 (1) Unless otherwise referenced in this section, **buildings** must not be located in any **setback area**.
- (2) Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this section.
- (3) Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.
- (4) Wheelchair ramps may project without any limits into a **setback area**.
- (5) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any **setback area**.
- (6) **Landings** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any **setback area**.
- (7) **Signs** may be located in any **setback area**, and where so located must be in accordance with Part 3, Division 5.

40P2015

#### General Landscaped Area Rules

- 1100 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by a **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application, where changes are proposed to the **building** or **parcel**, and must show at least the following:
- (a) the existing and proposed topography;
  - (b) the existing vegetation and indicate whether it is to be retained or removed;
  - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
  - (d) the types, species, sizes and numbers of plant material and the types of **hard surface landscaped areas**;
  - (e) details of the irrigation system; and

- (f) for **landscaped areas** with the Enhanced Landscaping Option, the following additional information must be provided:
    - (i) Latin and common names for all plant materials;
    - (ii) a plan that shows both the planting material size at time of planting and at time of maturity;
    - (iii) elevation plans for all **landscaped areas** showing plant material maturity; and
    - (iv) a report submitted by the applicant indicating how the landscape plan achieves the following:
      - (A) variation of planting materials, hard surface materials and decorative structures;
      - (B) provision of year-round visual interest;
      - (C) emphasis of entranceways and pedestrian pathways;
      - (D) location of planting materials and activity areas according to sunlight exposure and microclimate conditions;
      - (E) separation between public and private spaces; and
      - (F) provision of spaces for different purposes, including activity, seating, screening and buffering;
  - (g) for **landscaped areas** with the Low Water Landscaping Option details of the **low water irrigation system**, including extent of water delivery; and
  - (h) for **landscaped areas** with a **building** below, the following additional information must be provided:
    - (i) the location of underlying slabs and abutting walls;
    - (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
    - (iii) depths of the growing medium for each planting area;
    - (iv) the mature height and spread of all trees and shrubs; and
    - (v) the means of irrigating the planting areas.
- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.



## Division 4: General Rules for Centre City Commercial Land Use Districts

### Projections into Setback Areas

- 1146 (1) Unless otherwise referenced in this section, a **building** must not be located in any **setback area**.
- (2) Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this section.
- (3) Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.
- (4) Wheelchair ramps may project without any limits into a **setback area**.
- (5) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any **setback area**.
- (6) **Landings** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any **setback area**.
- (7) **Signs** may be located in any **setback area**, and where so located must be in accordance with Part 3, Division 5.

40P2015

### General Landscaped Area Rules

- 1147 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application where changes are proposed to the **building** or **parcel**, and must show at least the following:
- (a) the existing and proposed topography;
  - (b) the existing vegetation and indicated whether it is to be retained or removed;
  - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
  - (d) the types, species, sizes and numbers of plant material and the types of **landscaped areas**; and
  - (e) details of the irrigation system.
- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.

- (4) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless a **low water irrigation system** is provided.
- (5) For the purpose of determining the minimum number of trees and shrubs in a **setback area**, portions of **setback areas** that are paved for sidewalks and vehicle access, utility rights of way, or any other purpose allowed by the **Development Authority** must be included in the calculation of the required area even though they are not capable of sustaining trees and shrubs.
- (6) If the minimum **setback area** is not capable of sustaining trees and shrubs, additional area on the **parcel** located adjoining the **setback area** must be provided for the trees and shrubs.

### Planting Requirements

- 1148
- (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
  - (2) A minimum of 25.0 per cent of all trees required must be coniferous.
  - (3) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
  - (4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum of 3.0 metres in height at the time of planting.
  - (5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

### Low Water Irrigation System

- 1149
- (1) When a **low water irrigation system** is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.
  - (2) When a **low water irrigation system** is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

### Additional Landscaping Requirements

- 1150
- (1) Unless otherwise referenced in a District, all **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **landscaped area**.
  - (2) All areas of a parcel must be a **landscaped area** unless specifically allowed by the **Development Authority**.