



URBAN DEVELOPMENT INSTITUTE - CALGARY

INFORMATION BULLETIN # 82

Land Use Bylaw 1P2007 Update

May 26, 2008



Land Use Bylaw 1P2007 is effective June 1, 2008

As the effective date is fast approaching there are a number of reminders and important information contained in the following City newsletter.

Did you know?

As of May 15, Development & Building Approvals has received 430 Land Use Bylaw 1P2007 applications.

Land Use Bylaw 2P80 files

If you have a development permit application under Land Use Bylaw 2P80 review, please work with your file manager to conclude any outstanding issues. If a decision cannot be made prior to June 1 the application will need to be reprocessed under Land Use Bylaw 1P2007. If you have any questions or concerns, please call your file manager or 268-5311.

VISTA and ePlans will experience online outages from May 30 to June 2

Due to system maintenance related to the implementation of the new Bylaw, VISTA and ePlans will be unavailable from **6:00 p.m. Friday, May 30 to 6:00 a.m. Monday June 2**. You will be unable to submit applications for Subdivision (ePlans), trade permits, request building inspections or view your applications during this period. Although we do not expect any technical difficulties, alternative manual measures are in place in case it occurs. If VISTA is not fully operational by June 2, please book trade permits by calling 3-1-1.

Thank you for your patience as we transition to the new Bylaw.

The mission of the Urban Development Institute – Calgary is “to represent the development industry in sustainable growth through partnerships and relationships with all stakeholders.”

Land Use Bylaw 1P2007 amendments

The primary goal moving forward is to ensure that Bylaw 1P2007 remains a living document and able to continuously meet the development needs of Calgary. One of the commitments the Land Use Bylaw team made to Council, industry and community stakeholders was to bring forward textual amendments as necessary. Recently, a number of amendments were approved by Council. Most were clarifications and corrections to make the wording clearer or consistent in similar rules. There were some areas where a change or a new provision was recommended.

Where to find the amendments?

- They can be viewed or downloaded from the electronic Land Use Bylaw 1P2007 version located on the website at calgary.ca/landusebylaw.
- On the home page, on the right hand side under downloads, click on the Land Use Bylaw PDF file.
- Next, you will need to click on bookmarks.
- Scroll down the bookmarks, under “Bylaw Attachments” you will find all of the amendments.

Amendments to notice posting provisions of Land Use Bylaw 1P2007

Over the past year the Land Use Bylaw team has worked with the Calgary Home Builders Association – Calgary Region, Urban Development Institute - Calgary and the Calgary Federation of Calgary Communities in the review of notice posting provisions.

Notice posting is the process where a sign is placed on a parcel that is subject to a development permit application. Generally the sign indicates that an application for a specified use has been made, where more information can be obtained and how to provide comment on the application. Notice posting occurs prior to a decision being made by the Development Authority. Under Bylaw 2P80, notice postings were at the discretion of the file manager resulting in a lack of consistency amongst similar use applications.

Under 1P2007, a new approach is being taken for notice postings. In the new Bylaw, a list of uses is indicated that will always require a notice posting. If the use is not on the list then it does not require a notice posting. This approach is intended to provide greater consistency in issuing notice postings.

During Bylaw 1P2007's approval process, Council directed Administration to review the notice posting provisions with the intent of adding additional discretionary uses to be notice posted. Working with stakeholders, the Land Use Bylaw team identified a number of uses that would warrant a notice posting.

Council approved the changes to the notice posting provisions (Section 27) on April 14, 2008. Effective immediately, Administration will be issuing notice postings based on the new approach in Bylaw 1P2007.

The revised provisions can be accessed through the PDF version of the Land Use Bylaw located at calgary.ca/landusebylaw or directly through the following [link](#).

Solar energy systems

The Land Use Bylaw Sustainment team is reviewing the regulation of solar energy systems (including solar hot water systems) in the low density residential districts. If you are interested in providing any comments or feedback on solar, please e-mail neil.younger@calgary.ca.

Air conditioners in residential districts

Effective June 1 the new Bylaw introduces restrictions on the placement of air conditioning units in residential districts. As referenced in Land Use Bylaw 1P2007, Part 5, Division 1 337 (9) *Air conditioning equipment, balconies and decks must not project into any side setback area.*

Part 6, Division 1 549 (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.

The side setback area is different depending on the land use district the home is located in. Please refer to www.calgary.ca/myproperty to determine the applicable land use district. Further information on the rules and requirements for each district can be located in Land Use Bylaw 1P2007. Enclosed is a quick reference chart establishing side setback areas for residential districts. For example a property designated as R-C1 with a lane would not allow air conditioning equipment within 1.2 metres of the property line at the side of the house.

Land Use District	Side setback with a Lane (metres)	Side setback with a private garage but without a lane (metres)	Side setback without a private garage or a lane (metres)
R-C1L & R-C1Ls	2.4 M	2.4	3.0
R-C1,R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N, R-2, R-2M	1.2	1.2	3.0

Air conditioning equipment installed **prior to June 1, 2008** will be grandfathered until redevelopment occurs on the site.

For further information or clarification please contact Development & Building Approvals at 268-5311.

Permitted Use Development Permit Complete Application Requirement List

If you are a business owner, contractor and/or landlord, please become aware of the following change.

Reports outlining applications for Business Use Confirmations (BUC's) has changed. Previously the report showed changes of use (if it is permitted and meets all the rules of 2P80) and changes in tenancy for existing/continuing Uses. The new report shows the same information but is now called a "Tenancy Change." The change enables better and more efficient tracking of these types of applications.

As of Bylaw 1P2007's effective date (June 1, 2008), a further adjustment to the Tenancy Change will take place. At that point, the Tenancy Change will only be used to process a transition in ownership of a business where the use remains the same. Other application types which are currently administered via the BUC process will, under 1P2007, become permitted development permits and be managed via that process. This includes the expansion of an existing use if it involves changing the use in the space.

The purpose of permitted use development permit is to:

- Confirm that a use does not either create a parking deficiency or add to an existing one.
- Confirm that a use meets all use rules and use area restrictions.

If a relaxation is identified, the file will be processed as a permitted use with a relaxation and will require advertising. If you have any questions call 268-5311.

Land Use Bylaw training

New narrated tutorials added to website.

The following on-line training resources, commercial, industrial and special purpose were added to website this week. They are located at calgary.ca/landusebylaw.

The City of Calgary hosted a one-day Land Use Bylaw training seminar for industry partners on May 7 at the Glenmore Inn. The seminar was sold out with a wait list. At the moment, The City does not have any immediate plans to offer additional training. Our decision on whether future Land Use Bylaw training will be required will be determined by industry interest.

If you are interested in attending future training sessions (fall 2008), please send an email to LUBtraining@calgary.ca by **May 30, 2008**.

If you have any questions concerning this issue, you can contact our office at 531-6250.

For your convenience, all UDI – Calgary bulletins are posted on our website at www.udicalgary.com