

PROPOSED

C2019-0898
ATTACHMENT 4

BYLAW NUMBER 300D2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2015-0104)**

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 ON SEPTEMBER 12, 2017

READ A SECOND TIME, AS AMENDED, ON _____

READ A THIRD TIME, AS AMENDED, ON _____

MAYOR

SIGNED ON _____

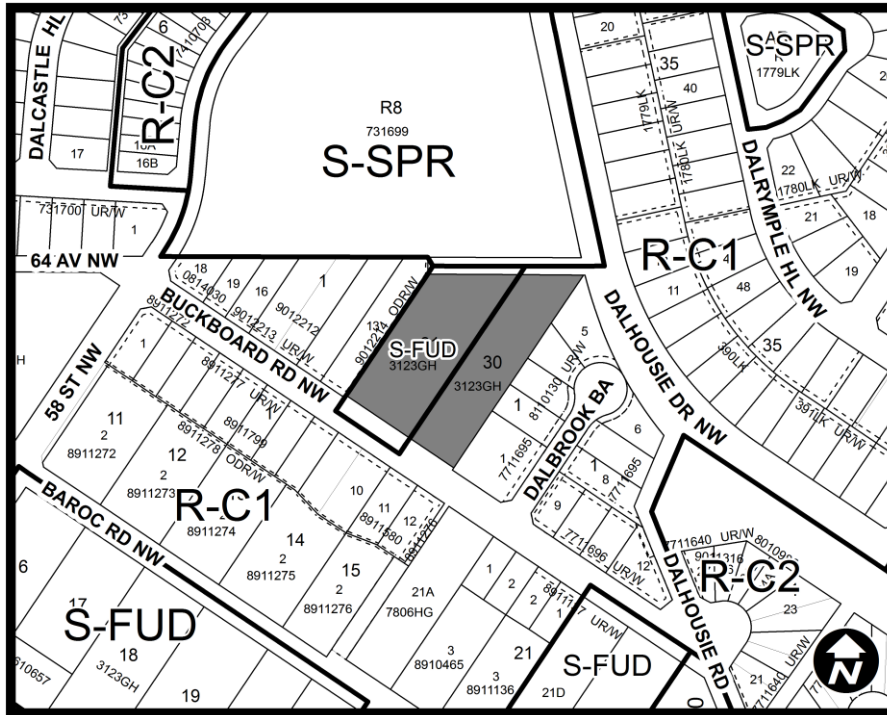
CITY CLERK

SIGNED ON _____

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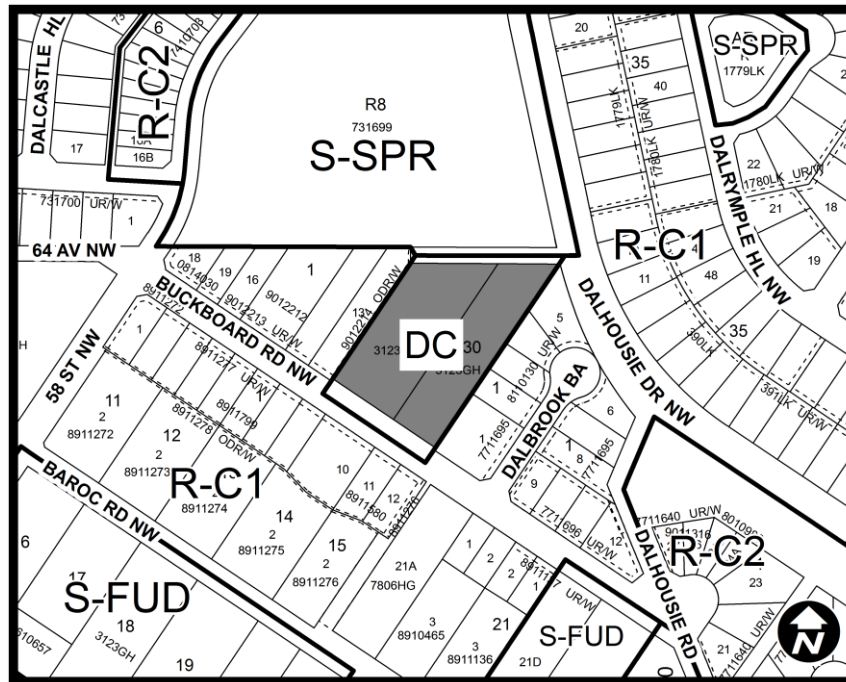
SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) accommodate **Assisted Living** and **Residential Care** with site specific design and intensity guidelines **adjacent** to low **density** residential **development**;
- (b) provide site specific **building height** and massing requirements;
- (c) provide landscaping and **building setbacks** to buffer elements of the **development** that may have impacts on existing residents and **adjacent development**;
- (d) require a concept plan to ensure future **development** is planned in a comprehensive manner; and
- (e) manage vehicular access and require motor vehicle parking for the benefit of residents, visitors and staff.

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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.

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.

General Definitions

- 4 In this Direct Control District,

- (a) “**care unit**” means a **unit** in **Assisted Living** or **Residential Care** facilities which contains one or more rooms used or designed to be used as a residence by one or more persons.

Permitted Uses

- 5 The **permitted uses** of the Residential Contextual One Dwelling (R-C1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Residential Contextual One Dwelling (R-C1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 7 (1) Unless otherwise specified in this Direct Control District or subsection (2), the rules of the Residential Contextual One Dwelling (R-C1) District of Bylaw 1P2007 apply in this Direct Control District.
- (2) Unless otherwise specified in this Direct Control District, the General Rules for Multi-Residential Land Use Districts of Bylaw 1P2007 apply for:
- (a) **Assisted Living** with more than 10 residents; and
- (b) **Residential Care** with more than 10 residents.

Rules for Assisted Living and Residential Care

- 8 The following apply to **Assisted Living** and **Residential Care** with more than ten (10) residents:

(1) Density

- (a) The maximum cumulative number of **Dwelling Units** and **care units** is 140.
- (b) The maximum cumulative number of residents is 140.

(2) Setback Area

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- (a) The depth of all **setback areas** must be equal to the minimum **building setbacks**.

(3) Building Setbacks

- (a) The minimum **building setback** from a property line shared with:
 - (i) a low density residential **parcel** is 6.0 metres;
 - (ii) the **street** known as 64 Avenue NW is 3.0 metres; and
 - (iii) the **street** known as Buckboard Road NW is 8.0 metres.

(4) Projections Into Setback Areas

- (a) Unless otherwise specified in subsections (b), (c), (d), (e) and (f) a **building** or air conditioning units must not be located in any **setback areas**.
- (b) On each **storey**, the total combined length of all projections into any **setback area** must not exceed 20.0 per cent of the length of the façade.
- (c) Unless otherwise referenced in subsections (d), (e) and (f), the maximum length of any projection above the surface of the ground is one metre.
- (d) The following may project into a **setback area**:
 - (i) eaves, to a maximum of 0.6 metres; and
 - (ii) window wells, to a maximum of 0.8 metres.
- (e) The following may project into a **setback area** without any limits:
 - (i) portions of a **building** below the surface of the ground;
 - (ii) **patios**; which may only be located along **property lines** shared with a **street**;
 - (iii) wheelchair ramps;
 - (iv) **landings** not exceeding 2.5 square metres;
 - (v) ramps other than wheelchair ramps; and
 - (vi) unenclosed stairs.
- (f) **Signs** may be located in any **setback area**, and where so located, must be in accordance with Part 3, Division 5 of Bylaw 1P2007.

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(5) Landscaping

- (a) In addition to rules contained in the General Rules for Multi-Residential Land Use Districts of Bylaw 1P2007, only coniferous trees and shrubs are allowed within the **setback area adjacent** to 5680 Buckboard Road NW.
- (b) At least 90.0 per cent of the required **landscaped area** must be provided at **grade**.

(6) Building Height and Cross Section

- (a) The maximum **building height** is as identified in Schedule “C” of this Direct Control District.

(7) Concept Plans

- (a) Prior to or concurrent with the first **development permit** application for **Assisted Living** and/or **Residential Care** with more than ten (10) residents, a concept plan for the entire Direct Control District area must be provided to illustrate:
 - (i) building placement including building design and materials;
 - (ii) site layout, including landscaping, pedestrian circulation, parking areas and vehicular access; and
 - (iii) any other items considered necessary by the **Development Authority**.

(8) Vehicular Access

- (a) Unless otherwise referenced below, no vehicular access is allowed from Buckboard Road NW.
- (b) Secondary (emergency) vehicular access may be accommodated from Buckboard Road NW.

(9) Motor Vehicle Parking

- (a) A minimum of 0.5 **motor vehicle parking stalls** per **care unit** is required.
- (b) A minimum of 0.5 **motor vehicle parking stalls** per **Dwelling Unit** is required.

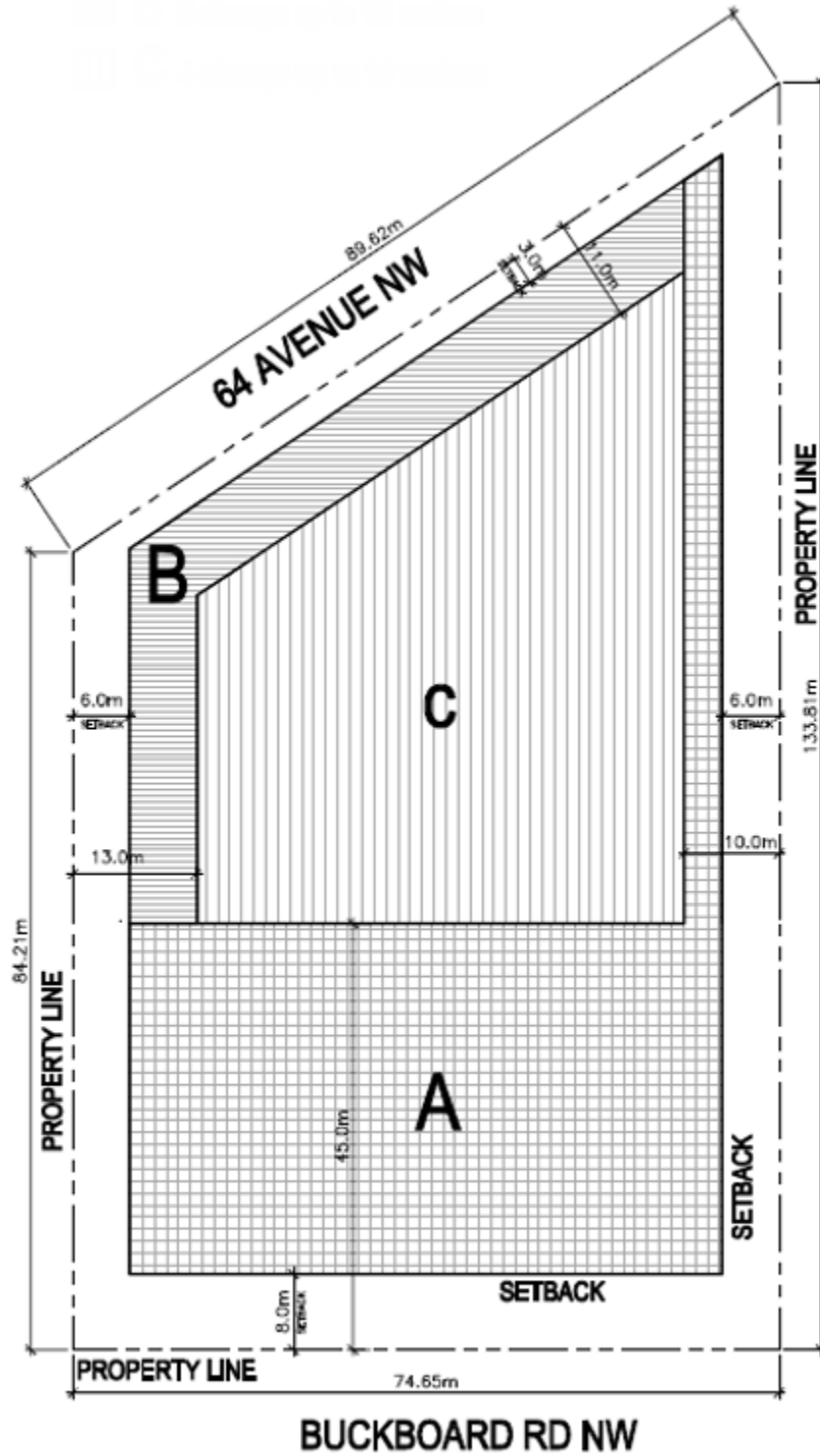
Relaxations

- 9 The **Development Authority** may relax the rules contained in sections 8(1) to 8(6), 8(8) and 8(9) of this Direct Control District provided the test for relaxation in accordance with Sections 31 and 36 of Bylaw 1P2007 is met.

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SCHEDULE C



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Maximum Building Height

Area A

Two storeys - up to 9.0 metres, but not exceeding a geodetic point of 1161.39m

Area B

Three storeys - up to 12.0 metres, but not exceeding a geodetic point of 1161.39m

Area C

Four storeys - up to 16.0 metres, but not exceeding a geodetic point of 1161.39m

Maximum Overall Site Building Height

The maximum overall site building height will be 3 floors up to 12 m above the average of the four geodetic property line corner points (average of 1149.39m), conforming to a maximum geodetic height of 1161.39m. All heights related to this maximum building height are inclusive of rooftop items such as doors, architectural features, elevator housing, mechanical penthouse and screening of mechanical systems.