

PROPOSED

CPC2020-0190
ATTACHMENT 1

BYLAW NUMBER 6D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2016-0088/CPC2019-0695)**

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 JANUARY 13, 2020

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

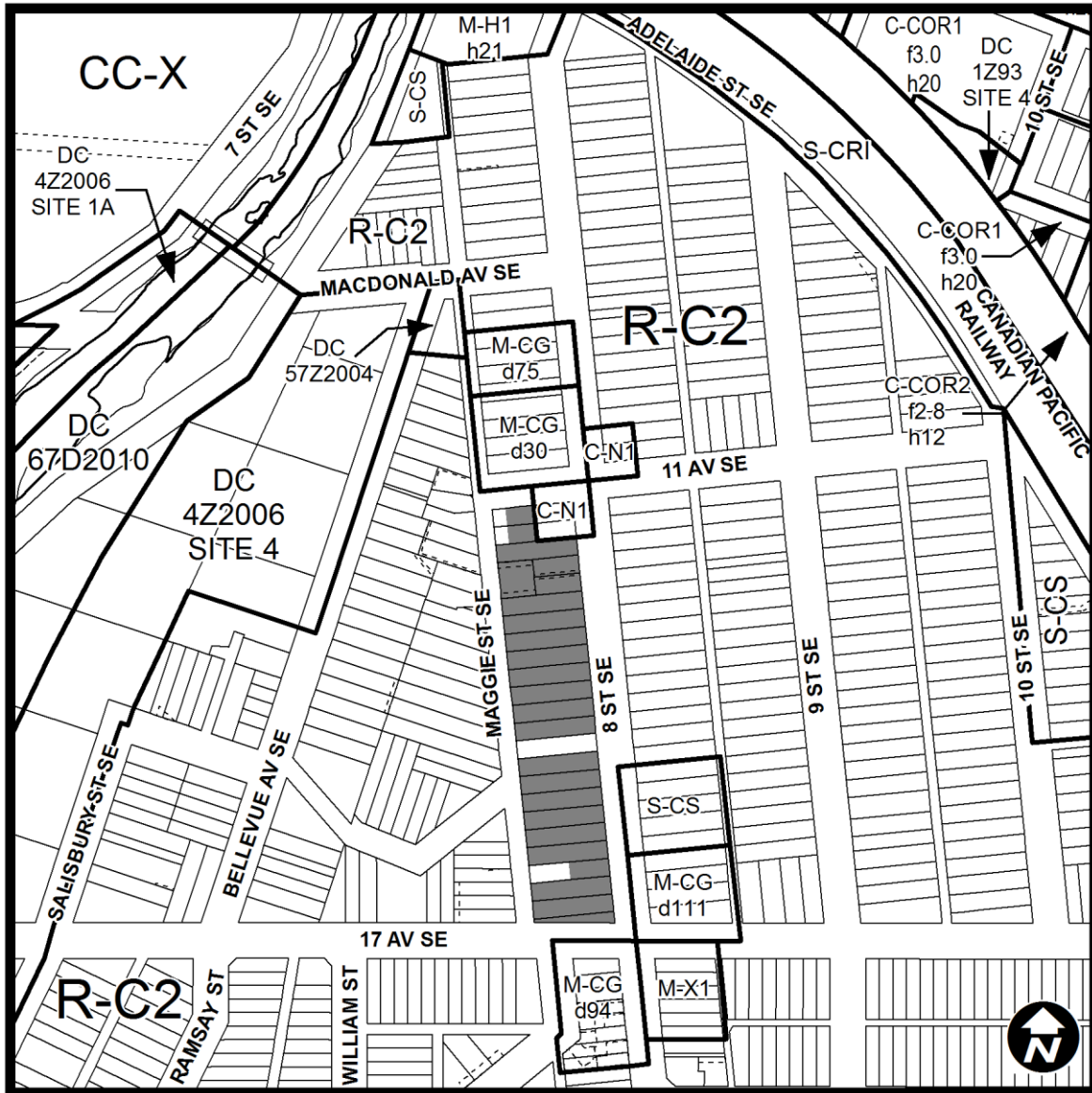
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

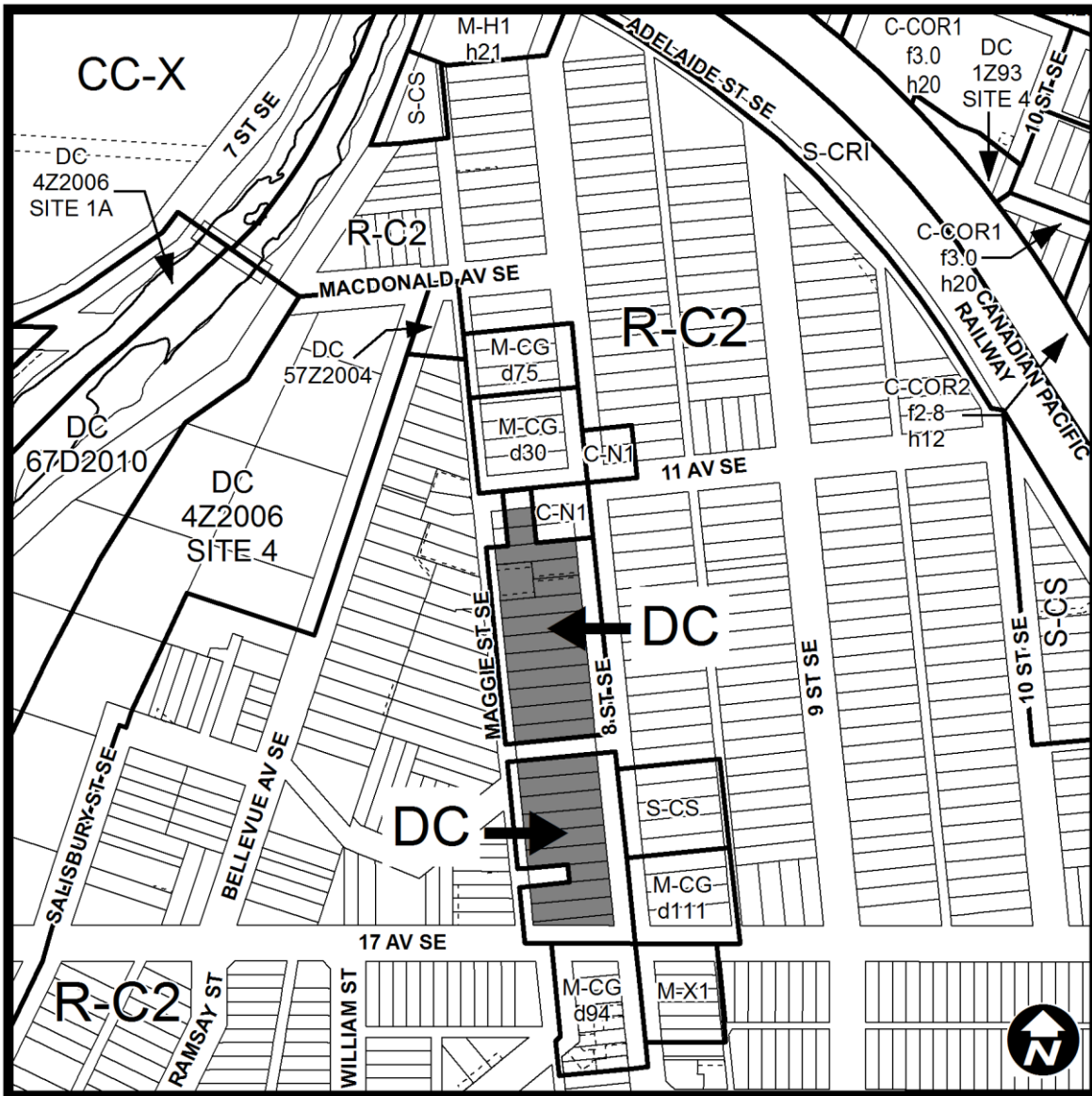
SCHEDULE A



PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) allow for transit oriented development in proximity to an LRT station;
- (b) allow for a broad range of residential development including low-rise grade-oriented multi-residential development that responds to the interface with 8 Street SE and Maggie Street SE and the unique character of the block and neighbourhood; and

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695 BYLAW NUMBER 6D2020

- (c) include custom site and building design rules to allow for both the retention and restoration of character homes combined with new grade-oriented multi-residential development, and the redevelopment of multi-residential 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) “**character home**” means a **Duplex Dwelling, Semi-detached Dwelling, or Single Detached Dwelling** existing on the date of passage of this Direct Control District Bylaw that:
 - (i) is listed on the **City’s** Inventory of Evaluated Historic Resources;
 - (ii) is designated as a Municipal Historic Resource pursuant to the *Historical Resources Act* by a bylaw approved by **Council**; or
 - (iii) is included in the portion of the map shown as shaded on Schedule C; and
 - (iv) meets the criteria for a “**character home**” as set out in Schedule D;
- (b) “**retained**” means maintaining, conserving, or restoring the “**character home**” with an emphasis on the **street** facing façade elements of a “**character home**”, and may include any one or more of the following:
 - (i) conversion into multiple **Dwelling Units**;
 - (ii) raising of the floor closest to **grade** to allow for more usable **basement** space;
 - (iii) additions and extensions to the “**character home**”;
 - (iv) replacement of original materials with in-kind substitutes; and
 - (v) relocation of the “**character home**” on the **parcel** included in the **development**.

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

Defined Uses

5 In this Direct Control District Bylaw;

- (a) “**Character Home Retention Development**” means a **use**:
 - (i) that consists of one or more **buildings**, each containing one or more **units**; and
 - (ii) where all “**character home**” on the **parcel** included in the **development** are “**retained**” within the **development**.

Permitted Uses

6 The **permitted uses** of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District, with the addition of:

- (a) **Contextual Single Detached Dwelling.**

Discretionary Uses

7 The **discretionary uses** of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District, with the addition of:

- (a) **Character Home Retention Development.**

Bylaw 1P2007 District Rules

- 8 (1) Unless otherwise specified, the rules of the Multi-Residential – Contextual Low Profile (M-C1) District of Bylaw 1P2007 apply in this Direct Control District.
- (2) For **Contextual Single Detached Dwellings** the rules of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 apply in this Direct Control District.

Density

9 The maximum **density** is 155 **units** per hectare.

At Grade Orientation of Units

10 All **units** located on the floor closest to **grade** in a **Multi-Residential Development** or **Character Home Retention Development** must have:

- (a) an individual, separate, direct access to **grade**;
- (b) an entrance that is visible from the **street** that the **unit** faces; and
- (c) on **parcels** that share a **property line** with Maggie Street SE;
 - (i) a minimum of one **unit** with an entrance visible from Maggie Street SE; and
 - (ii) a minimum of one **amenity space** facing Maggie Street SE.

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

Building Height and Cross Section

- 11 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 14.0 metres.
- (2) The maximum area of a horizontal cross section through a **building** at 12.0 metres above **average grade** must not be greater than 65.0 per cent of the maximum area of a horizontal cross section through the **building** between **average grade** and 10.0 metres.

Landscaping

- 12 (1) Unless otherwise referenced in subsection (2), all of the required **landscaped area** must be provided at **grade**.
- (2) The **Development Authority** may consider **landscaped area** to be provided above **grade** where:
- (a) the **landscaped area** provides a visual buffer to **adjacent development**;
 - (b) the minimum number of trees and shrubs are provided in accordance with section 552 of Bylaw 1P2007; and
 - (c) where the **landscaped area** is not located in a **setback area adjacent** to 8 Street SE.

Setback Areas

- 13 The depth of all **setback areas** must be equal to the minimum **building setbacks** required in Section 14 of this Direct Control District.

Building Setbacks

- 14 (1) The minimum **building setback** from a **property line** shared with a **street** for a **Multi-Residential Development** is 1.5 metres.
- (2) Unless otherwise referenced in subsection (3), for a **Multi-Residential Development** the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (3) For a **Multi-Residential Development** the minimum **building setback** from a **property line** shared with another **parcel** may be reduced to zero metres where the **adjacent parcel** is subject to this Direct Control District or is designated as a **commercial district**.
- (4) In all other cases the **building setbacks** of the Residential – Grade-Oriented Infill (R-CG) District of Bylaw 1P2007 are the **building setbacks** in this Direct Control District.

Required Motor Vehicle Parking Stalls

- 15 (1) **Units** less than 45.0 square metres do not require **motor vehicle parking stalls**.

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

- (2) For **Multi-Residential Development** or **Character Home Retention Development** the number of *motor vehicle parking stalls* is as required in Part 6 of Bylaw 1P2007.
- (3) In all other cases the number of *motor vehicle parking stalls* is as required in Bylaw 1P2007.

Relaxations

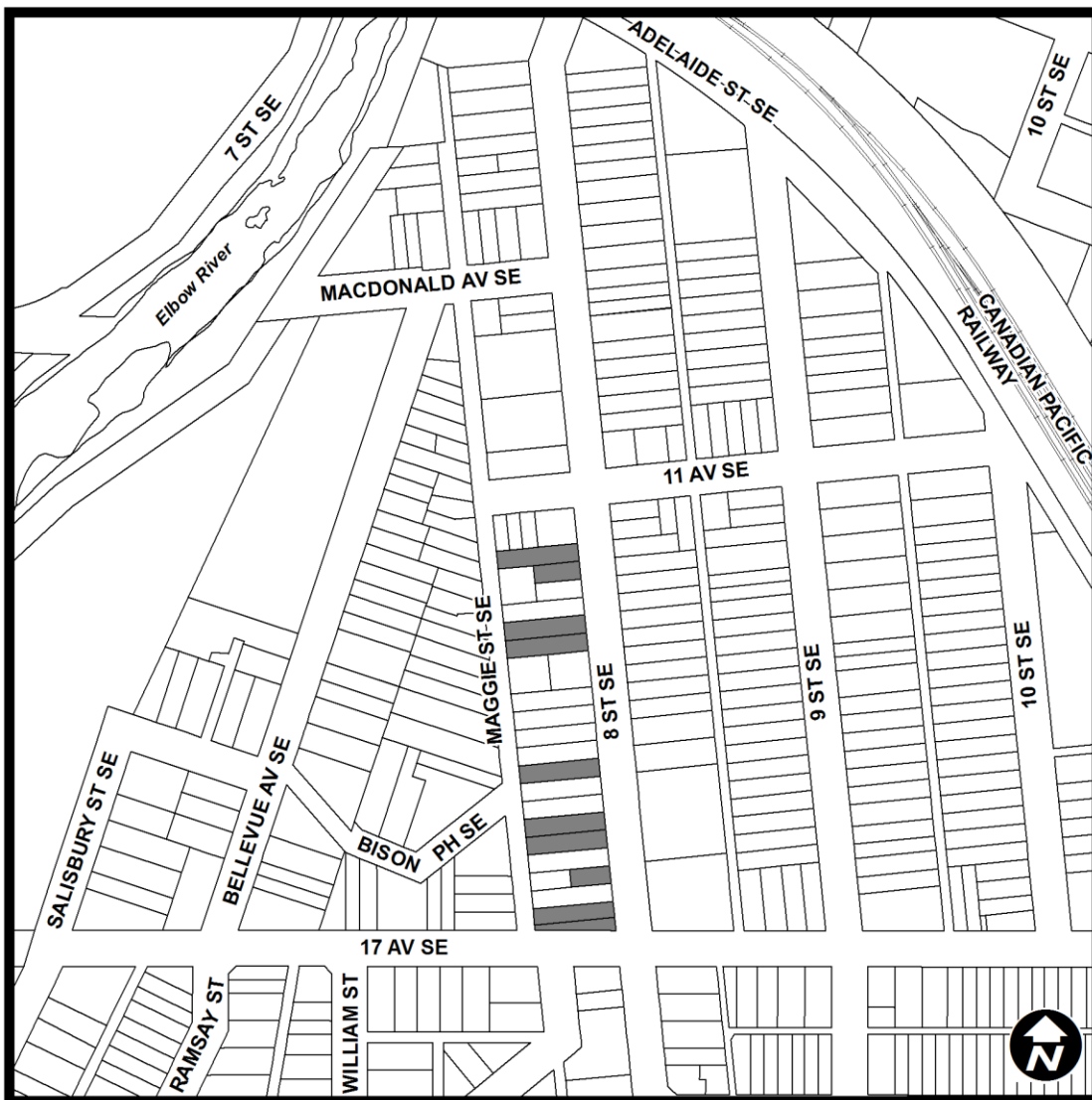
- 16 The **Development Authority** may relax the rules of this Direct Control District Bylaw in accordance with sections 31 and 36 of Bylaw 1P2007 in order for a “**character home**” to be “**retained**” and restored.

PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

SCHEDULE C

1105 – 8 Street SE
1107 – 8 Street SE
1113 – 8 Street SE
1115 – 8 Street SE
1129 – 8 Street SE
1135 – 8 Street SE
1137 – 8 Street SE
1141 – 8 Street SE
1145 – 8 Street SE
1147 – 8 Street SE



PROPOSED

AMENDMENT LOC2016-0088/CPC2019-0695
BYLAW NUMBER 6D2020

SCHEDULE D

The following criteria are required for a “**character home**”:

- (a) A “**character home**” will:
 - (i) have been constructed prior to 1945;
 - (ii) maintain both:
 - (A) the original form, scale, massing and roof profile of the **building** and may include additions and extensions if they are compatible with the original form, scale, massing and roof profile of the **building**; and
 - (B) at least 50.0 per cent of the original window pattern and openings on the portions of the front and side façades visible from a **street** excluding **porch** glazing; and
 - (iii) have one of the following on the portions of the front façade visible from a **street**:
 - (A) original cladding; or
 - (B) a majority of original exterior finishes, comprising two or more of the following items:
 - (i) at least 50.0 per cent of window sashes;
 - (ii) soffits; exposed rafters, or beams;
 - (iii) front door or doorway assembly; and/or
 - (iv) if present, a front **porch** with majority of original finishes including piers, columns, balustrades, entablature mouldings, and may include enclosure of the **porch** with glazing where the majority of other original finishes remains in place.