

BYLAW NUMBER 13D2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2016-0050)**

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 THIS ____ DAY OF _____, 2017.

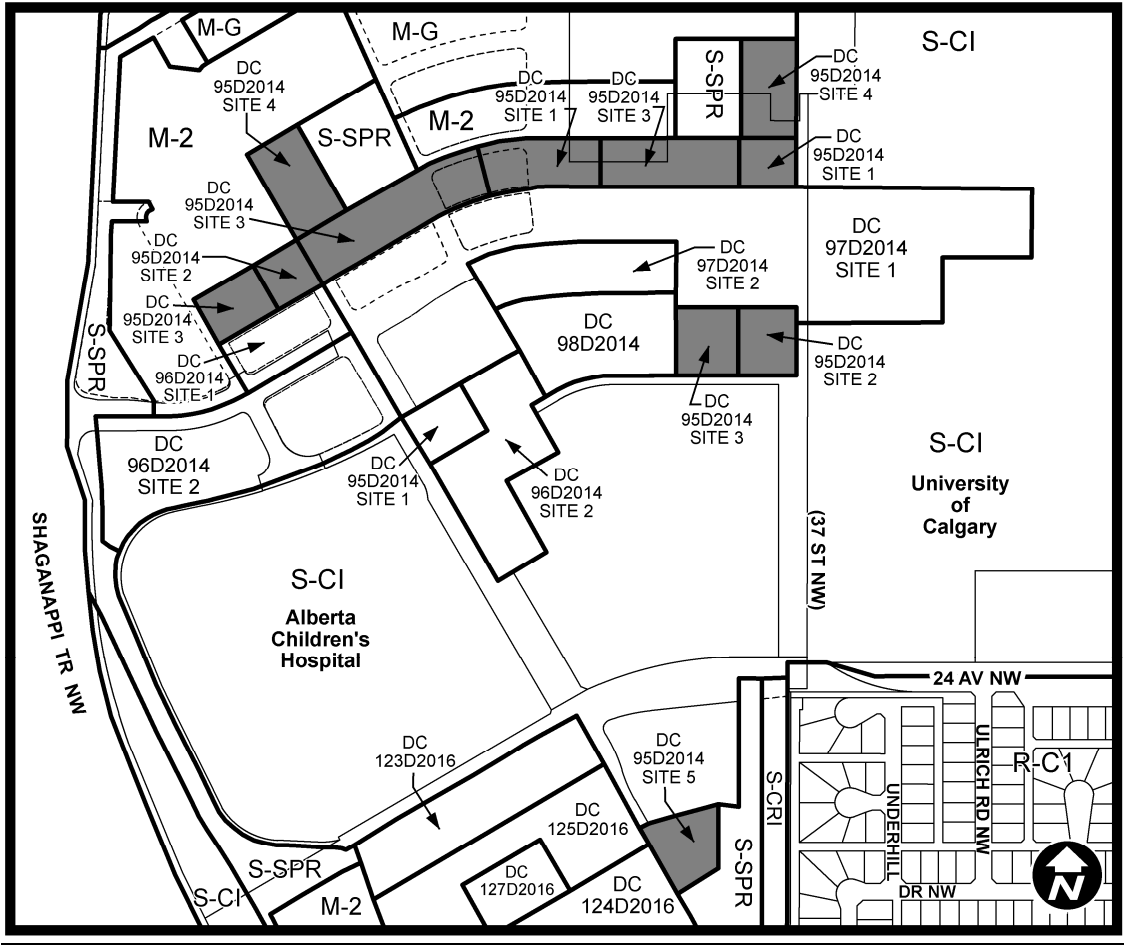
READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

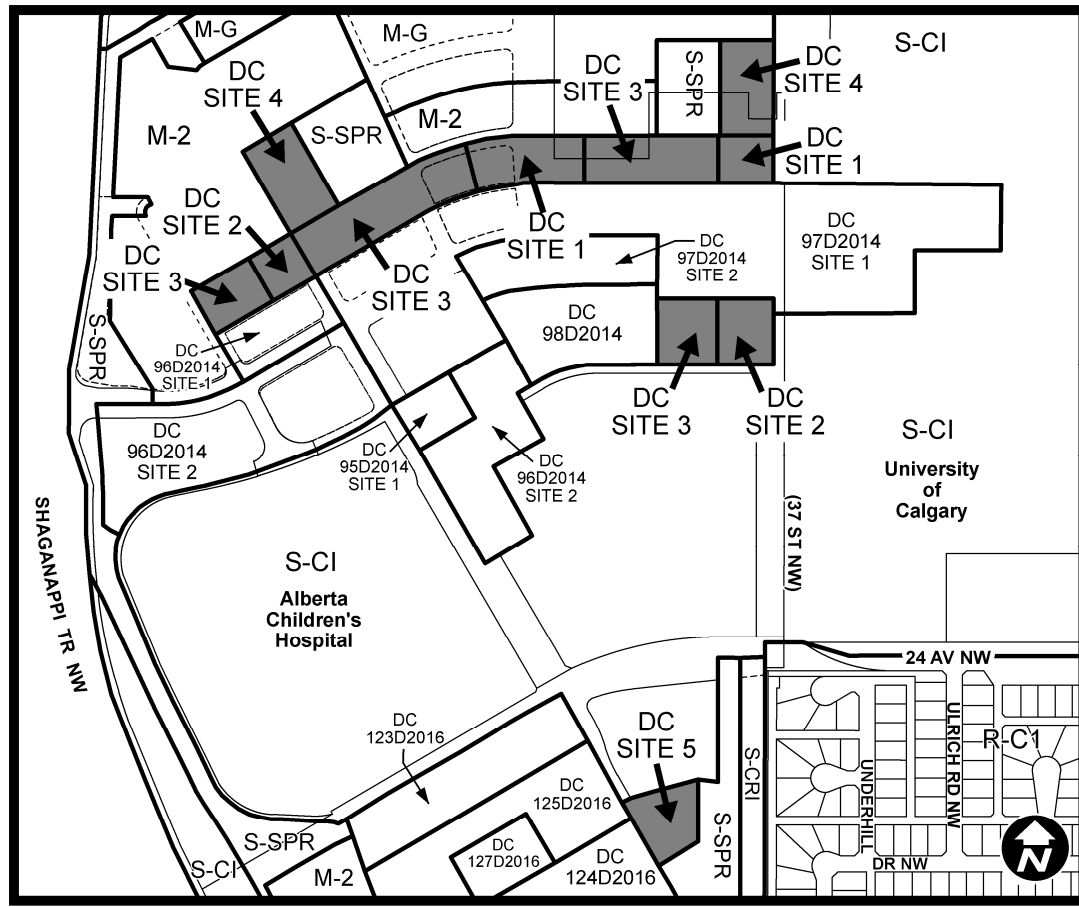
CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

SCHEDULE A



PROPOSED

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 The intent of this Direct Control District is to:

- (a) provide a diversity of multi-residential housing forms and **unit** size choices to attract a diversity of users;
- (b) create a residential fabric that builds community by having direct relationships to the **streets**, with animation at the ground level defined by useable front garden rooms, front porches, front entrances to the **street**, and human scale façade treatments and design elements;
- (c) allow for innovation in housing form in addition to the prescribed housing typologies, such as **suites** over garages, separate entries for above **grade** units in **Townhouses**, and home **Office** and studios.

PROPOSED

- (d) allow the flexibility for change in **use** for at **grade uses** on certain sites over time;
- (e) provide quality landmark higher **density** residential **buildings** that provide visual interest and a transition between the main **street** and the **residential district**;
- (f) provide **building** articulation to create quality streetscapes that may include human scale façade treatments, visible entrances that front the **street**, **building** fenestration and façade design detail to avoid flat façade appearances, and varied **balcony** forms - inset and protruding, designed as integral parts of the **building** rather than appearing to be "tacked on", and
- (g) have the majority of the **motor vehicle parking stalls** located within parking structures except in specific cases for **visitor parking stalls**, short stay parking and **lane** facing **units**.

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.

Parking Requirements for all Sites

- 4 The **Development Authority** may, upon request from the applicant, consider a relaxation of the required **motor vehicle parking stalls** and **visitor parking stalls** for a **development** where a parking study submitted as part of a **development permit** application demonstrates that the **motor vehicle parking stall** requirement or **visitor parking stall** requirements should vary from the requirements of this Direct Control District Bylaw.

Parking Requirements for Sites 1, 2 and 3

- 5 (1) **Motor vehicle parking stalls** for any **use** within this Direct Control District must be provided in an above grade or below grade parking structure.
- (2) Notwithstanding subsection (1), a temporary **development permit** may be issued for **Parking Lot – Grade (temporary)**.
- (3) Notwithstanding subsection (1), the **Development Authority** may approve **motor vehicle parking stalls**, outside of a parking structure for the following purposes:
- (a) **visitor parking stalls**;
 - (b) **motor vehicle parking stalls** for **units** that face a **lane**; and

(c) short stay **motor vehicle parking stalls** where:

- (i) a vehicle remains parked for no more than 4 hours at a time; and
- (ii) there is convenient pedestrian access to the **street** level and publicly accessible **uses** within the **development**.

(4) **Motor vehicle parking stalls** located outside of a parking structure must not be located between a **building** and a commercial **street**.

Discretionary Use That Does Not Comply

6 The **Development Authority** may approve a **development permit** application for a **discretionary use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Direct Control District if in the opinion of the **Development Authority**:

- (a) the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the **use**, enjoyment or value of neighbouring properties; and
- (b) the proposed **development** conforms with a **use** prescribed by this Direct Control District for that land or **building**.

Site 1 (± 2.27 acres (0.92 hectares))

Application

7 The provisions in sections 8 through 13 apply only to Site 1.

Purpose

8 Site 1 in this Direct Control District is intended to:

- (a) allow for additional **building height** on strategic **parcels** in order to create gateways to the main retail **street**, to create visual markers and landmarks, and to diversify housing type and **unit** options;
- (b) allow for flexibility in **building** articulation;
- (c) make use of design elements that contribute to diversity in **building** façade treatments. Design elements can include projecting roofs, trellises, sunscreens, extended wall planes, a change in wall materials or direction of materials (horizontal to vertical); and
- (d) allow for a change in vertical and horizontal expression or a change in materials on the façades of **buildings** to differentiate the lower portion of a **building** (one to three **storeys**) intended to create a human scale relationship to the **street**, from the upper portion of a **building**.

Permitted Uses

- 9 The **permitted uses** of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 10 The **discretionary uses** of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Parking Lot – Grade (temporary).**

Bylaw 1P2007 Rules

- 11 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 apply in this Direct Control District.

Building Height

- 12 The maximum **building height** is 50.0 metres.

Floor Area Ratio

- 13 The maximum **floor area ratio** is 9.3.

Site 2 (± 1.74 acres (0.70 hectares))

Application

- 14 The provisions in section 15 through 20 apply only to Site 2.

Purpose

- 15 Site 2 in this Direct Control District is intended to:

- (a) allow for additional **building height** on strategic parcels in order to create gateways to the main retail **street**, to create visual markers and landmarks, and to diversify housing type and **unit** options;
- (b) allow for flexibility in **building** articulation;
- (c) make use of design elements that contribute to diversity in **building** façade treatments. Design elements can include projecting roofs, trellises, sunscreens, extended wall planes, a change in wall materials or direction of materials (horizontal to vertical); and
- (d) allow for a change in vertical and horizontal expression or a change in materials on the façades of **buildings** to differentiate the lower portion of a building (one to three **storeys**) intended to create a human scale relationship to the **street**, from the upper portion of a **building**.

Permitted Uses

- 16 The **permitted uses** of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 17 The **discretionary uses** of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Parking Lot – Grade (temporary).**

Bylaw 1P2007 Rules

- 18 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 apply in this Direct Control District.

Building Height

- 19 The maximum **building height** is 44.0 metres.

Floor Area Ratio

- 20 The maximum **floor area ratio** is 7.0.

Site 3 (± 6.49 acres (2.63 hectares))

Application

- 21 The provisions in section 22 through 26 apply only to Site 3.

Purpose

- 22 Site 3 in this Direct Control District is intended to:

- (a) allow for flexibility in **building** articulation;
- (b) make use of design elements that contribute to diversity in **building** façade treatments. Design elements can include projecting roofs, trellises, sunscreens, extended wall planes, a change in wall materials or direction of materials (horizontal to vertical); and
- (c) allow for a change in vertical and horizontal expression or a change in materials on the façades of **buildings** to differentiate the lower portion of a **building** (one to three storeys) intended to create a human scale relationship to the **street**, from the upper portion of a **building**.

Permitted Uses

- 23 The **permitted uses** of the Multi-Residential - High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

24 The **discretionary uses** of the Multi-Residential - High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District, with the addition of:

- (a) **Parking Lot - Grade (temporary).**

Bylaw 1P2007 Rules

25 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential - High Density Low Rise (M-H1) District of Bylaw 1P2007 apply in this Direct Control District.

Building Height

26 The maximum **building height** is 26.0 metres.

Site 4 (± 2.95 acres (1.19 hectares))

Application

27 The provisions in sections 28 through 33 apply only to Site 4.

Purpose

28 Site 4 in this Direct Control District is intended to:

- (a) allow for mixed-use multi-residential **development** that can accommodate a **School Authority - School** or **School - Private** and **Child Care Services** as **permitted uses** on the first and second level of the **building** with residential above; and
- (b) allow for interim **Office** and **Community Recreation Facility uses** prior to a school being utilized on the property.

Permitted Uses

29 The **permitted uses** of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 are the **permitted uses** of this Direct Control District, with the addition of:

- (a) **Community Recreation Facility;**
- (b) **Office;**
- (c) **School Authority – School; and**
- (d) **School – Private.**

Discretionary Uses

30 The **discretionary uses** of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District, with the deletion of:

- (a) **Addiction Treatment.**

Bylaw 1P2007 Rules

- 31 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 32 The maximum *floor area ratio* is 3.6.

Building Height

- 33 The maximum *building height* is 21.0 metres.

Site 5 (± 1.18 acres (0.48 hectares))

Application

- 34 The provisions in sections 35 through 39 apply only to Site 5.

Purpose

- 35 Site 5 in this Direct Control District is intended to:

- (a) allow for **Multi-Residential Development**, such as apartments, to have shared entrances for upper *units*; and
- (b) create a unique area that will accommodate a mixture and diversity of housing *units* within a block including **Semi-detached Dwellings**, **Townhouse**, and apartment dwellings;

Permitted Uses

- 36 The *permitted uses* of the Multi-Residential – At-Grade (M-G) District of Bylaw 1P2007 are the *permitted uses* of this Direct Control District, with the addition of:

- (a) **Semi-detached Dwelling.**

Discretionary Uses

- 37 The *discretionary uses* of the Multi-Residential – At-Grade (M-G) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District.

Bylaw 1P2007 Rules

- 38 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential – At Grade Housing (M-G) District of Bylaw 1P2007 apply in this Direct Control District.

Building Form

- 39 Each *unit* at *grade* must have a separate and direct pedestrian access to *grade* for any *unit* fronting a *street* with the exception of **Assisted Living** and **Residential Care Units**.