

PROPOSED

CPC2020-0521
ATTACHMENT 2

BYLAW NUMBER 82D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0231/CPC2020-0521)**

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 _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

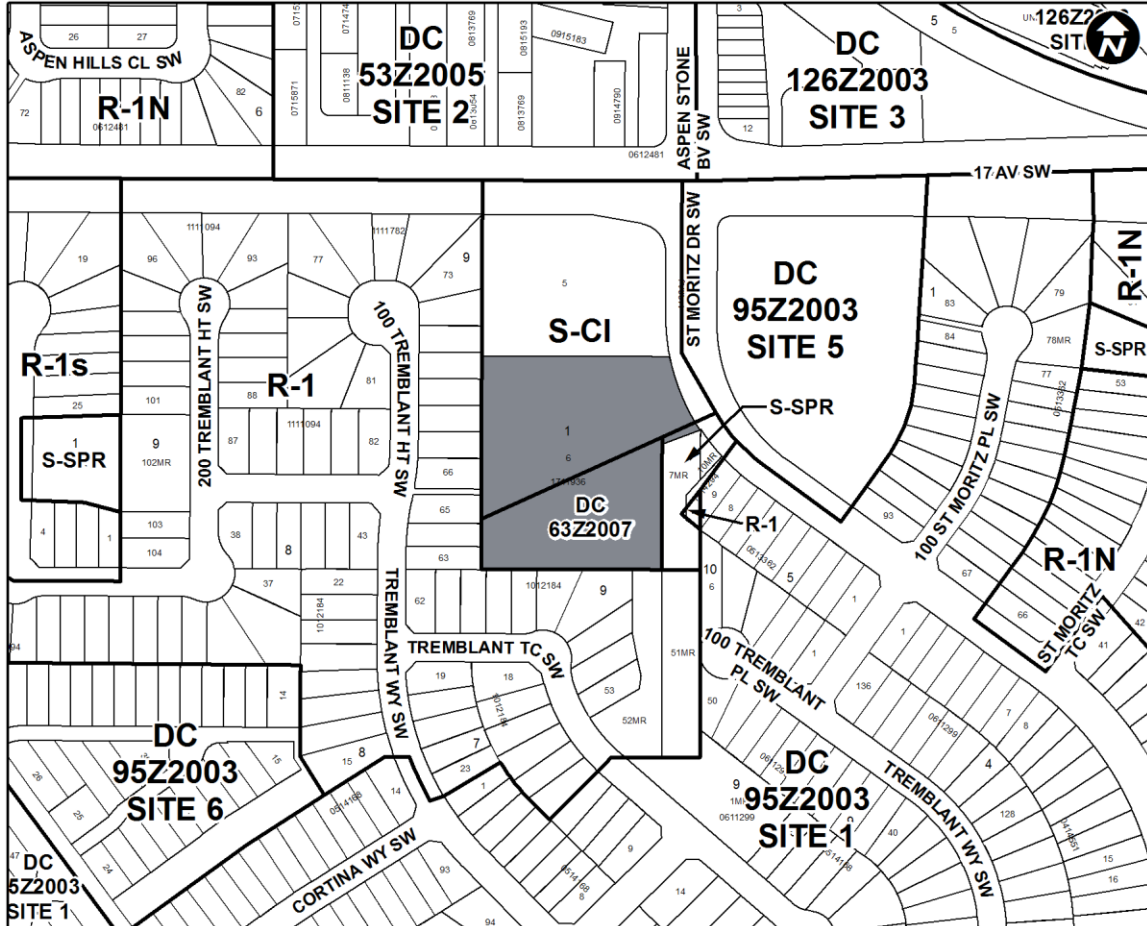
CITY CLERK

SIGNED ON _____

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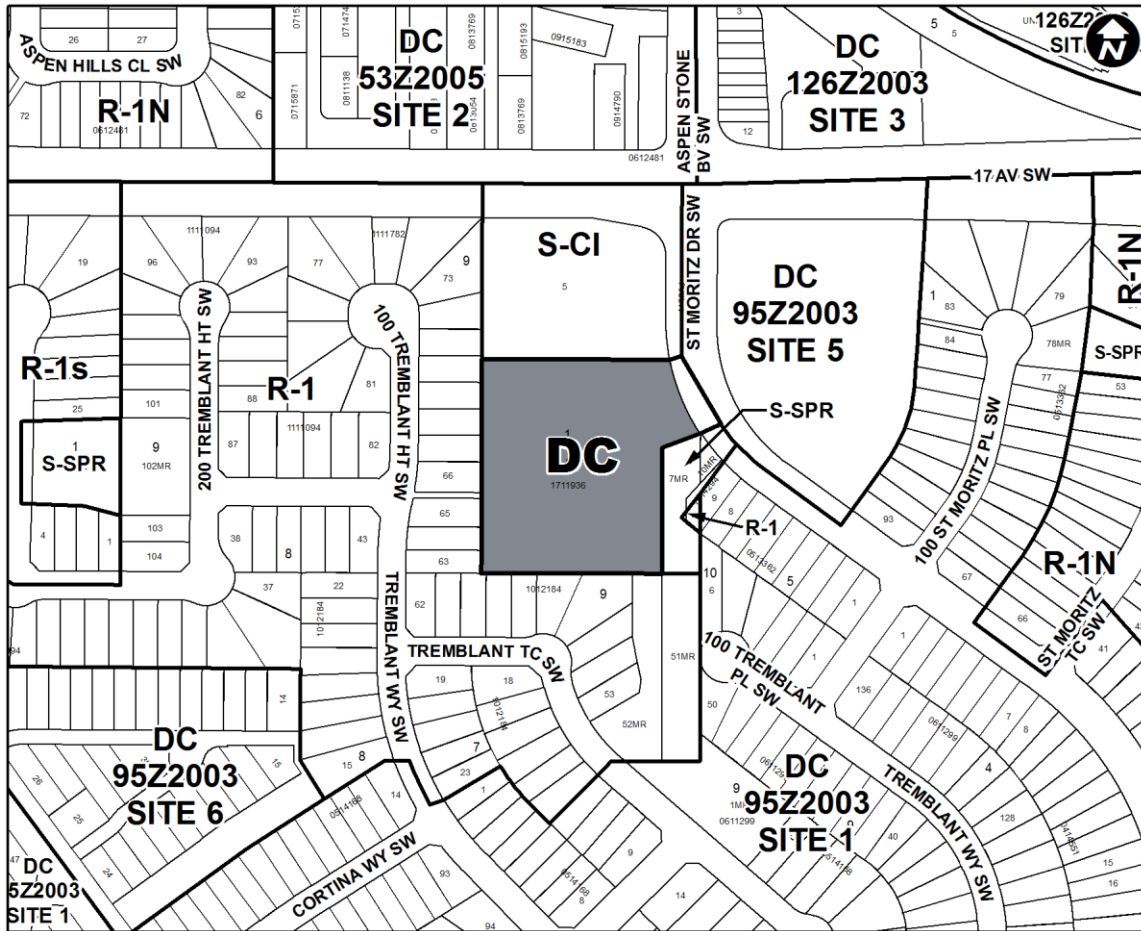
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) accommodate a comprehensively designed mixed use development in the form of semi-detached dwellings and townhouses; as well as limited neighbourhood commercial uses including a child care facility;
- (b) accommodate buildings that are in keeping with the scale of nearby residential areas; and
- (c) provide enhanced landscaping in setback areas and promote the preservation of existing trees that provide a natural buffer for the adjacent single detached dwellings.

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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 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) “**Site Development Plan**” means a plan that provides the layout and design of the entire Direct Control District area. It must include, but is not limited to, **development** phasing, **building** placement, a landscaping plan and parking layout.

Permitted Uses

- 5 The **permitted uses** of the Commercial – Neighbourhood 1 (C-N1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Commercial – Neighbourhood 1 (C-N1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District:

- (a) with the addition of:
- (i) **Semi-detached Dwelling;**
 - (ii) **Townhouse;** and
- (b) with the exclusion of:
- (i) **Addiction Treatment;**
 - (ii) **Brewery, Winery and Distillery;**
 - (iii) **Cannabis Counselling;**
 - (iv) **Cannabis Store;**
 - (v) **Drinking Establishment – Small;** and
 - (vi) **Liquor Store.**

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Commercial – Neighbourhood 1 (C-N1) District of Bylaw 1P2007 apply in this Direct Control District.

Density

- 8 The maximum **density** is 45 **units** per hectare.

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Building Height

9 The maximum **building height** is 12.0 metres.

Use Area

10 (1) Unless otherwise referenced in subsections (2) and (3), the maximum **use area** is 300.0 square metres.

(2) The maximum **use area** of a **Convenience Food Store**, or a **Convenience Food Store** combined with any other **use**, is 465.0 square metres.

(3) The following **uses** do not have a **use area** restriction:

- (a) **Child Care Service**;
- (b) **Fitness Centre**;
- (c) **Instructional Facility**;
- (d) **Medical Clinic**;
- (e) **Assisted Living**; and
- (f) **Residential Care**.

Building Setback Areas

11 Where the **parcel** shares a **property line** with a **residential district** or a Special Purpose – School, Park and Community Reserve (S-SPR) District, the **setback area** must have a minimum depth of 6.0 metres.

Landscaping in Setback Areas

12 (1) Where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **hard surfaced landscaped area**.

(2) All **setback areas** must provide enhanced planting where:

- (a) 1.0 trees and 1.0 shrubs are planted for every 24.0 square metres of the **setback area** provided;
- (b) a minimum of 25.0 per cent of all trees provided must be coniferous;
- (c) deciduous trees have a minimum **calliper** of 65 millimetres and at least of 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 85 millimetres at the time of planting;
- (d) coniferous trees have a minimum height of 3.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum height of 4.0 metres at the time of planting;
- (e) shrubs must be a minimum height or spread of 0.6 metres at the time of planting;

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- (f) trees are planted in a linear arrangement along the length of the **setback area**, unless grouping of trees is shown to increase screening function; and
- (g) preservation of existing trees within the **setback area** is exempt from the above required enhanced planting.

Amenity Space

- 13 (1) **Private amenity space** for **Dwelling Units** must be in the form of a **balcony**, **deck** or **patio**.
- (2) **Private amenity space** must not project into any required **setback areas**.
- (3) A **privacy wall** located on a:
- (a) **patio** must not exceed 2.0 metres in height, when measured from **grade**; and
 - (b) **deck** must not exceed 2.0 metres in height when measured from the surface of the **deck**.
- (4) The height of a **deck** must not exceed 1.5 metres above **grade** at any point.
- (5) A **deck** or **balcony** attached to a **Semi-detached Dwelling** or **Townhouse** within 1.2 metres of a party wall must have a solid privacy wall that:
- (a) is a minimum of 2.0 metres in height;
 - (b) is a maximum of 3.0 metres in height; and
 - (c) extends the full depth of the **deck** or **balcony**.
- (6) A **balcony** must not be located on any elevation facing a **property line** shared with a **low density residential district** or a Special Purpose – School, Park and Community Reserve (S-SPR) District.

Development Plans

- 14 A "**Site Development Plan**" must be submitted for review at the time of the first **development permit** application. Each subsequent **development permit** application may amend the "**Site Development Plan**".

Relaxations

- 15 The **Development Authority** may relax the rules contained in Sections 7, 11, 12, and 13 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.