

BYLAW NUMBER 164D2016

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2015-0203)**

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.

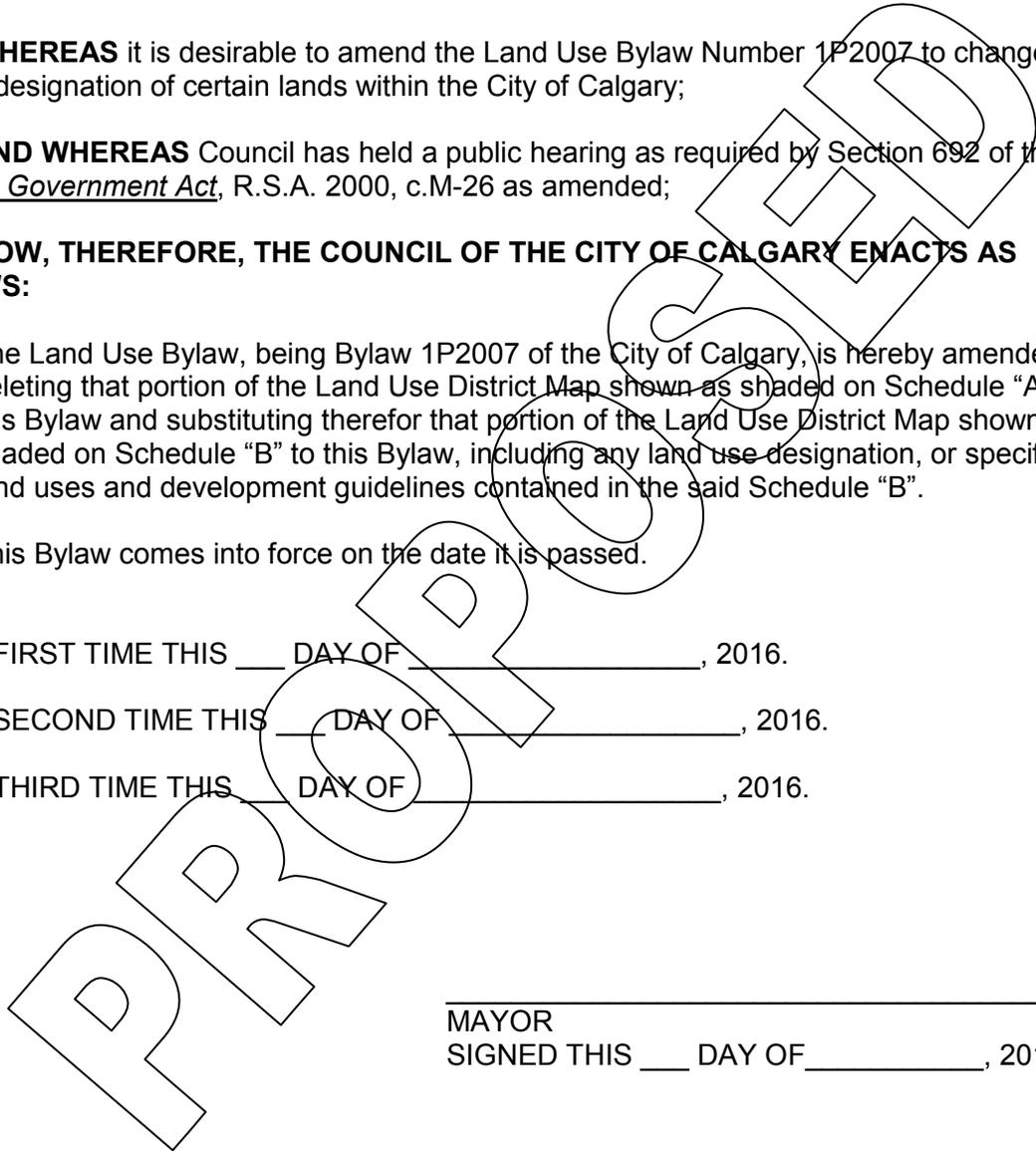
READ A FIRST TIME THIS ___ DAY OF _____, 2016.

READ A SECOND TIME THIS ___ DAY OF _____, 2016.

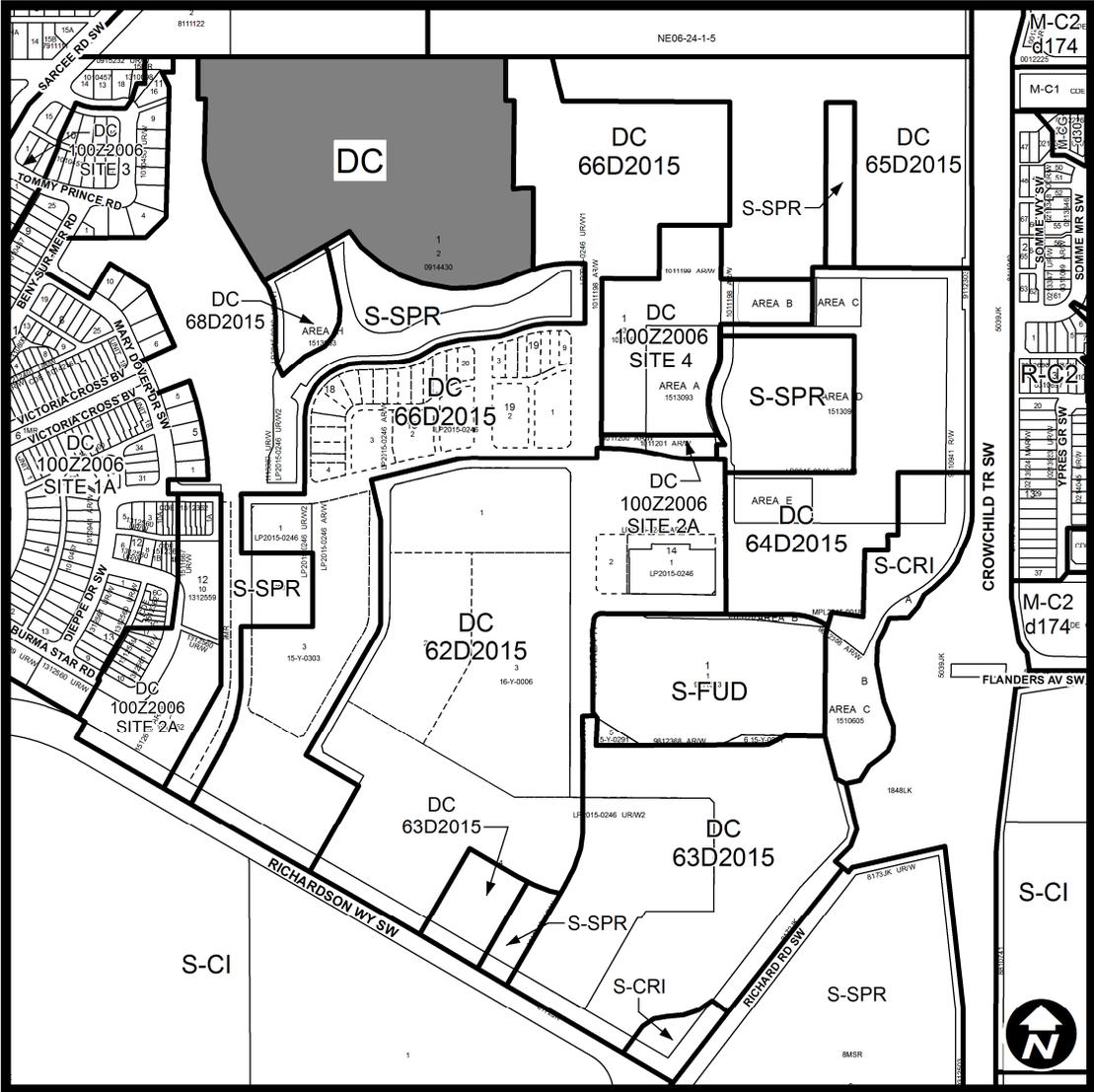
READ A THIRD TIME THIS ___ DAY OF _____, 2016.

MAYOR
SIGNED THIS ___ DAY OF _____, 2016.

CITY CLERK
SIGNED THIS ___ DAY OF _____, 2016.



SCHEDULE B



DC DIRECT CONTROL DISTRICT

PROPOSED

Purpose

- 1 This Direct Control District is intended to:
- (a) provide for a mix of low **density**, low profile housing in the form of **Single-Detached Dwellings, Semi-detached Dwellings, Duplex Dwellings, Carriage Houses, Secondary Suites, Rowhouse Buildings and Townhouses**; and
 - (b) allow for interim and existing **uses** as **development** is expected to take many years to build out.

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) "**carriage house parcel**" means a **parcel** approved for a **Carriage House** containing a minimum **parcel** area of 140 square metres, or a maximum **parcel** area of 230 square metres, direct access to a **street** or **lane**, excluding any access aisle, and a coterminous **rear** or **side property line**, or both, with the **property line** of a **parcel** for a **Single Detached Dwelling**.
 - (b) "**mews**" means a narrow, private walkway that is used by pedestrians and in some cases vehicles and contains **building** frontages that face onto the mews.

Defined Uses

- 5 In this Direct Control District:
- (a) "**Carriage House**" means a **Single Detached Dwelling** on a **carriage house parcel**.
 - (b) "**Interim Use**" means a **use**:
 - (i) not listed in subsection 7 or 8, that was being carried on pursuant to a **development permit** issued by The City of Calgary at the time of the effective date of this Bylaw; or
 - (ii) the following **uses**:
 - (a) **Accessory Food Service**;
 - (b) **Accessory Liquor Service**;
 - (c) **Artist's Studio**;
 - (d) **Catering Service – Minor**;

- (e) **Computer Games Facility;**
- (f) **Counselling Service;**
- (g) **Drinking Establishment – Small;**
- (h) **Drinking Establishment – Medium;**
- (i) **Equipment Yard;**
- (j) **Fitness Centre;**
- (k) **General Industrial – Medium;**
- (l) **Health Services Laboratory – Without Clients;**
- (m) **Indoor Recreation Facility;**
- (n) **Instructional Facility – Inside;**
- (o) **Market – Minor;**
- (p) **Medical Clinic;**
- (q) **Motion Picture Filming Location;**
- (r) **Motion Picture Production Facility;**
- (s) **Outdoor Café;**
- (t) **Post-secondary Learning Institution;**
- (u) **Print Centre;**
- (v) **Radio and Television Studio;**
- (w) **Recyclable Construction Material Collection Depot (temporary);**
- (x) **Restaurant: Food Service Only – Small;**
- (y) **Restaurant: Food Service Only – Medium;**
- (z) **Restaurant: Licensed – Small;**
- (aa) **Restaurant: Licensed – Medium;**
- (bb) **Restaurant – Neighbourhood;**
- (cc) **Retail and Consumer Service;**
- (dd) **School – Private;**
- (ee) **Self Storage Facility;**
- (ff) **Service Organization;**
- (gg) **Social Organization;**
- (hh) **Specialty Food Store;**
- (ii) **Storage Yard;**
- (jj) **Tree Farm;**
- (kk) **Vehicle Storage – Large; and**
- (ll) **Vehicle Storage – Passenger.**

Block Plans and Mews

- 6** All reference to blocks and *mews* in this Direct Control District are in reference to the blocks and *mews* indicated on the map in Schedule C of this Direct Control District.

Permitted Uses

- 7** The following *uses* are *permitted uses* in this Direct Control District:

- (a) **Accessory Residential Building;**
- (b) **Carriage House;**
- (c) **Duplex Dwelling;**
- (d) **Home Based Child Care – Class 1;**
- (e) **Home Occupation – Class 1;**
- (f) **Park;**
- (g) **Protective and Emergency Service;**

- (h) **Rowhouse Building;**
- (i) **Single Detached Dwelling;**
- (j) **Secondary Suite;**
- (k) **Semi-detached Dwelling;**
- (l) **Sign – Class A;**
- (m) **Townhouse; and**
- (n) **Utilities.**

Discretionary Uses

8 The following *uses* are **discretionary uses** in this Direct Control District:

- (a) **Backyard Suite**
- (b) **Bed and Breakfast;**
- (c) **Community Entrance Feature;**
- (d) **Home Based Child Care – Class 2;**
- (e) **Home Occupation – Class 2;**
- (f) **Interim Use;**
- (g) **Place of Worship – Small;**
- (h) **Office;**
- (i) **Parking Lot – grade (temporary);**
- (j) **Power Generation Facility – Small;**
- (k) **Secondary Suite;**
- (l) **Sign – Class B;**
- (m) **Sign – Class C;**
- (n) **Sign – Class D;**
- (o) **Sign – Class E;**
- (p) **Temporary Residential Sales Centre; and**
- (q) **Utility Building.**

Mews Requirements

- 9 (1) **Development** within this Direct Control District must provide **mews** to create smaller blocks out of larger blocks.
- (2) A **mews** must be provided at-**grade** between Blocks 23A and 23B to provide a connection from Calais Drive SW to Normandy Drive SW.

Parcel Width

10 The minimum **parcel width** is:

- (a) 7.5 metres for a **parcel** containing a **Single Detached Dwelling**;
- (b) 11.0 metres for a **parcel** containing a **Duplex Dwelling**;
- (c) 13.0 metres for a **parcel** containing a **Semi-detached Dwelling**, and if a **parcel** containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum **parcel** width of 6.0 metres must be provided for each **Dwelling Unit**; and
- (d) 5.0 metres for an individual **parcel** containing a **Dwelling Unit** in a **Rowhouse Building** or **Townhouse**.

Parcel Area

- 11 The minimum **parcel** area is:
- (a) 233.0 square metres for a **parcel** containing a **Single Detached Dwelling**;
 - (b) 400.0 square metres for a **parcel** containing a **Duplex Dwelling**;
 - (c) 400.0 square metres for a **parcel** containing a **Semi-detached Dwelling**, and if a **parcel** containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum area of 180.0 square metres must be provided for each **Dwelling Unit**; and
 - (d) 160.0 square metres for a **parcel** containing an individual **Dwelling Unit** in a **Rowhouse Building**.

Parcel Coverage

- 12 (1) Unless otherwise referenced in subsection (2), the maximum **parcel coverage** is:
- (a) 60.0 per cent of the area of the **parcel** for each **Single Detached Dwelling**;
 - (b) 60.0 per cent of the area of the **parcel** for each **Semi-detached Dwelling** and **Duplex Dwelling**; and
 - (c) 70.0 per cent of the area of the **parcel** for each **Carriage House**, **Rowhouse Building**, and **Townhouse**.
- (2) The maximum **parcel coverage** referenced in subsection (1), must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.
- (3) Subsection (2) may be waived if the parking space referenced is a permeable paver or other type of open grid paving.

Building Height

- 13 The maximum **building height** in this Direct Control District is 12.0 metres.

Road Access to Carriage House

- 14 **Carriage house parcels** must have access to a **street**, as follows:
- (a) where no **lane** access is available, a minimum clear width of 3.0 metres from a **street** to a **Carriage House**;
 - (b) where vehicular access is provided from a **lane**, a minimum clear width of 1.0 metres for a pedestrian walkway from a **street** to a **Carriage House**.

Parking for Carriage House

- 15 A minimum of one on-site **motor vehicle parking stall** must be provided for each **Carriage House**.

Maximum Floor Area of Carriage House

- 16 A **Carriage House** must have a maximum of 140.0 square metres of **gross floor area** excluding a loft or **private garage**.

Separation Space for Carriage House

- 17 A **Carriage House** must be located a minimum of 5.0 metres from another **building**.

Building Setback for Carriage House

- 18 (1) The minimum **building setback** from a **property line** shared with a **lane** is 0.6 metres.
- (2) In all other cases, the **building setback area** must have a minimum depth of 1.2 metres.

Building Setback Area

- 19 (1) The **building setback area** must have a minimum depth of 3.0 metres for **parcels** located on Bessborough Drive SW.
- (2) The minimum **building setback area** is:
- (a) 5.0 metres on **parcels** located on Calais Drive SW;
 - (b) 5.0 metres on **parcels** located on Normandy Drive SW;
 - (c) 5.0 metres on **parcels** located on Victory Green SW; and
 - (d) 5.0 metres on **parcels** located on Victory Drive SW.

Landscaped Area Rules

- 20 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (2) Where changes are proposed to a **building** or **parcel**, a landscape plan must be submitted as part of each **development permit** application and must show at least the following.
- (a) the existing and proposed topography;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls, screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
 - (d) the types, species, sizes and numbers of plant material and the types of **landscaped areas**; and
 - (e) details of the irrigation system.

- (3) The **landscaped areas** shown on the landscape plan, approved by the **Development Authority**, must be maintained on the **parcel** for so long as the **development** exists.
- (4) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless a **low water irrigation system** is provided.

Specific Rules for Landscaped Areas

- 21 All portions of the **parcel** not covered by structures or used for pedestrian access, motor vehicle access, **motor vehicle parking stalls** and garbage collection facilities must be a **landscaped area**.

Mechanical Screening

- 22 Mechanical systems or equipment that is located outside of a **building** must be **screened**.

Garbage

- 23 Garbage containers and waste material must be stored inside a **building** that contains another approved **use**.

Recycling Facilities

- 24 Recycling facilities must be provided for every **building** containing **Dwelling Unit** or **Office uses**.

Motor Vehicle Parking Stall Requirements

- 25 (1) For **development** containing **Dwelling Units**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** is 0.7 stalls for resident parking; and
 - (b) for each **Dwelling Unit** is 0.1 **visitor parking stalls** per **unit**.
- (2) For **development** containing **Dwelling Units**, the maximum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** less than 60.0 square metres is 1.0 stall per **unit** for resident parking;
 - (b) for each **Dwelling Unit** 60.0 square metres or greater is 2.0 stalls per **unit** for resident; and
 - (c) for each **Dwelling Unit** is 0.15 **visitor parking stalls** per **unit**.

Interim Use

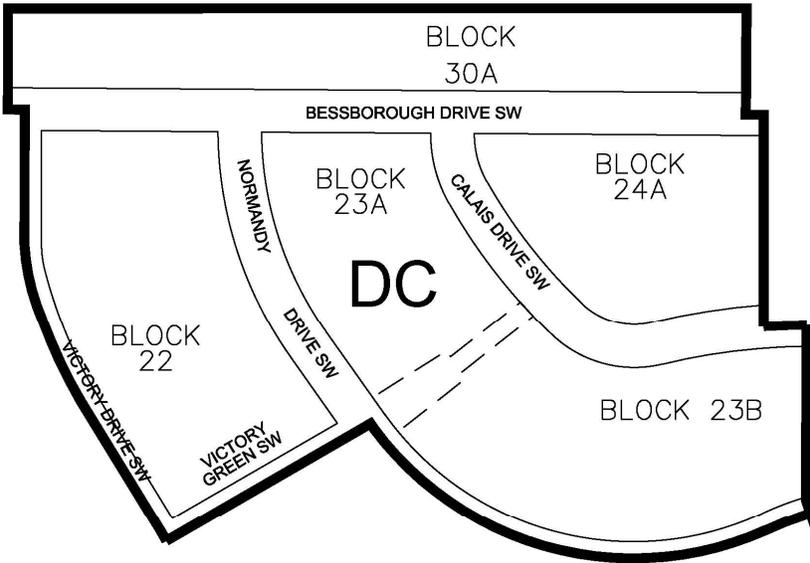
- 26 (1) A **development permit** for an **Interim Use** must not be issued for a period exceeding five (5) years.
- (2) An **Interim Use** must only be located within **buildings** existing at the time of the effective date of this Direct Control District.
- (3) Notwithstanding subsection (2), the following **Interim Uses** may occur outside of a **building** provided the total surface area of the **use** is substantially the

same in size to the total surface area of the **use** as it existed at the time of the effective date of this Direct Control District, or where the **use** did not exist at the time of the effective date of this Direct Control District, the total surface area of the **use** does not exceed 12,000 square metres:

- (a) **Equipment Yard;**
- (b) **Self Storage Facility;**
- (c) **Storage Yard;**
- (d) **Tree Farm;**
- (e) **Vehicle Storage - Large, and**
- (f) **Vehicle Storage – Passenger.**

PROPOSED

SCHEDULE C



Legend:

-  DC Boundary
-  Historic Resource
-  Block
-  Mews

PROPOSED