

## TABLED REPORT

BYLAW 102D2014, AS AMENDED, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2011-0079), Third Reading Only

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### BYLAW 102D2014, AS AMENDED

Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2011-0079)

3<sup>rd</sup> Reading Only, as amended

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BACKGROUND:	Third Reading of Bylaw 102D2014, as amended was tabled to the 2014 November 03 Combined Meeting of Council to be dealt in conjunction with Tabled Bylaws 10C2014 and 101D2014, as amended.
Public Hearing:	The Public Hearing with respect to Bylaw 102D2014 was held on 2014 October 06.
Ineligible to Vote:	Councillor Jones was absent from the public hearing on Bylaw 102D2014 and is therefore not eligible to vote on the matter.

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Excerpt from the Minutes of the Combined Meeting of Council, held 2014 October 06 and 07:

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"Note: The public hearing with respect to Bylaws 10C2014, 101D2014 and 102D2014 were held concurrently under Report CPC2014-113.

ADOPT, Moved by Councillor Carra, Seconded by Councillor Colley-Urquhart, that the Calgary Planning Commission Recommendations contained in Report CPC2014-107B be adopted, **after amendment**, as follows:

That Council:

1. ADOPT the proposed closure of 1.68 hectares  $\pm$  (4.16 acres  $\pm$ ) of road (Plan 1311256, Areas B, C, E and F) adjacent to 11011 Trans Canada Highway, in accordance with Administration's recommendation; and
2. Give **first and second** readings to the proposed Closure Bylaw 10C2014.
3. ADOPT the proposed redesignation of 41.5 hectares  $\pm$  (102.5 acres  $\pm$ ) located at 11011 Trans Canada Highway SW and the closed road (SW 1/4 Section 32-24-2-5; Plan 1311256, Areas B, C, E and F) from Special Purpose – Future Urban Development (S-FUD) District and Undesignated Road Right of Way **to** Residential – One Dwelling (R-1s) District, Commercial – Community 2 f2.0h40 (C-C2f2.0h40) District, Special Purpose – Urban Nature (S-UN) District, Special Purpose – School, Park and Community Reserve (S-SPR) District and DC Direct Control District to accommodate multi-residential

development, in accordance with Administration's recommendation; and

4. Give **first** reading to the proposed Bylaw 101D2014.
5. ADOPT the proposed redesignation of 14.0 hectares  $\pm$  (34.7 acres  $\pm$ ) land located at 11011 Trans Canada Highway SW and the closed road (SW 1/4 Section 32-24-2-5; Plan 1311256, Areas B, C, E and F) from Special Purpose – Future Urban Development (S-FUD) District and Undesignated Road Right of Way to DC Direct Control District to accommodate commercial development, in accordance with Administration's recommendation; and
6. Give **first and second** reading to the proposed Bylaw 102D2014.

CARRIED

"INTRODUCE, Moved by Councillor Carra, Seconded by Councillor Colley-Urquhart, that Bylaw 102D2014, Being a Bylaw of The City of Calgary to Amend the Land Use Bylaw 1P2007 (Land Use Amendment LOC2011-0079), be introduced and read a first time.

CARRIED

AMENDMENT, Moved by Councillor Sutherland, Seconded by Councillor Pootmans, that Bylaw 102D2014 be amended in Schedule B, as follows:

In the DC Direct Control District, Purpose, On page 6 of 6, by adding a new Section 17, as follows:

**"Stripping and Grading**

8. (1) All excavation, stripping, and grading in this Direct Control District is a **permitted use**.
- (2) All excavation, stripping and grading in this Direct Control District requires a **development permit**, unless the conditions of subsections 25(h)(i) or 25(h)(ii) of Bylaw 1P2007 are met.
- (3) A **development permit** for excavation, stripping or grading, when required, must not be approved in this Direct Control District unless:
  - (a) the applicant provides confirmation of the date that the new Trans Canada Highway/Valley Ridge Boulevard S.W. interchange will be operational, as determined by the Province of Alberta;
  - (b) the date referred to in subsection 8(3)(a) coincides with or precedes the earliest forecasted occupation date of the ultimate **development** on the site, as provided by the applicant; and
  - (c) the earliest forecasted occupation date referred to in subsection 8(3)(b) is within 7 years of the **development permit** application date in respect of this Section 8."

CARRIED

SECOND, Moved by Councillor Carra, Seconded by Councillor Colley-Urquhart, that Bylaw 102D2014 be read a second time, as amended.

CARRIED

TABLE, AS AMENDED, Moved by Councillor Sutherland, Seconded by Councillor Pootmans, that third reading of Bylaw 102D2014, **as amended in Schedule B**, as follows, be tabled to the 2014 November 03 Combined Meeting of Council:

In the DC Direct Control District, Purpose, On page 6 of 6, **by adding a new Section 17, as follows:**

**"Stripping and Grading**

8. (1) All excavation, stripping, and grading in this Direct Control District is a ***permitted use***.
- (2) All excavation, stripping and grading in this Direct Control District requires a ***development permit***, unless the conditions of subsections 25(h)(i) or 25(h)(ii) of Bylaw 1P2007 are met.
- (3) A ***development permit*** for excavation, stripping or grading, when required, must not be approved in this Direct Control District unless:
- (a) the applicant provides confirmation of the date that the new Trans Canada Highway/Valley Ridge Boulevard S.W. interchange will be operational, as determined by the Province of Alberta;
  - (b) the date referred to in subsection 8(3)(a) coincides with or precedes the earliest forecasted occupation date of the ultimate ***development*** on the site, as provided by the applicant; and
  - (c) the earliest forecasted occupation date referred to in subsection 8(3)(b) is within 7 years of the ***development permit*** application date in respect of this Section 8."

CARRIED"