

BYLAW NUMBER 113D2014

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2013-0084)**

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 _____, 2014.

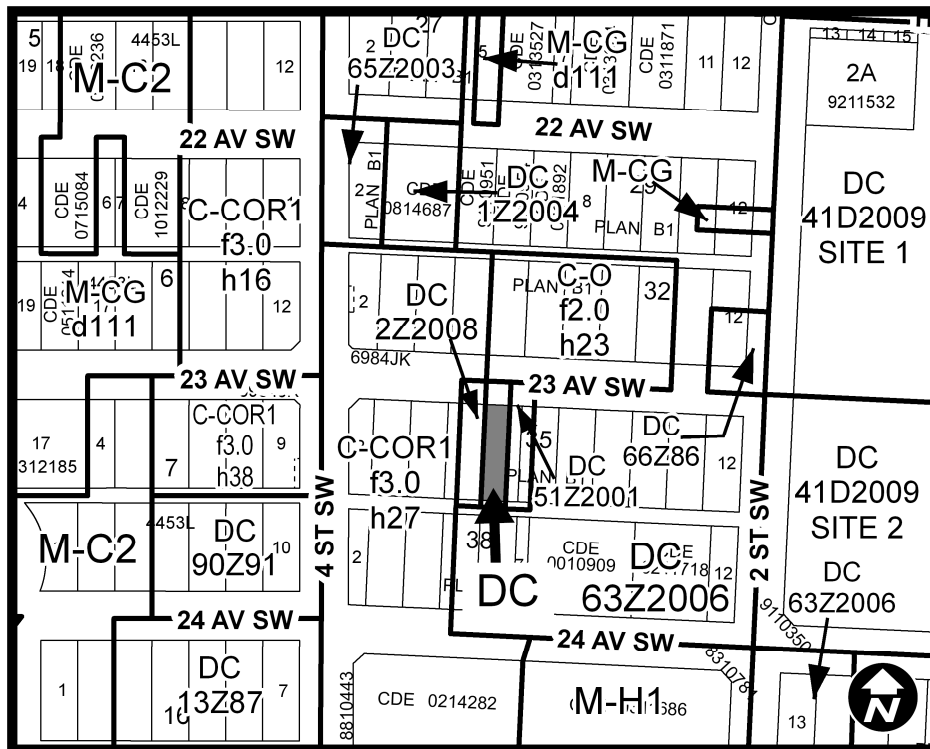
READ A SECOND TIME THIS ____ DAY OF _____, 2014.

READ A THIRD TIME THIS ____ DAY OF _____, 2014.

MAYOR
SIGNED THIS ____ DAY OF _____, 2014.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2014.

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) allow for a **Take Out Food Service use** on the **main floor** of the **existing building**; and
 - (b) allow for the adaptive reuse of buildings with potential historical significance.

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.

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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) **“existing building”** means the residential **building** located on the **parcel** at the time of the passage of this Bylaw.
 - (b) **“main floor”** means the portion of the residential **building** that is closest to **grade**.

Permitted Uses

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

Discretionary Uses

- 6 The **discretionary uses** of the Multi-Residential – High Density Low Rise (MH-1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Community Entrance Feature;**
- (d) **Convenience Food Store;**
- (e) **Counselling Service;**
- (f) **Custodial Care;**
- (g) **Information Service Provider;**
- (h) **Office;**
- (i) **Outdoor Café;**
- (j) **Place of Worship – Medium;**
- (k) **Place of Worship – Small;**
- (l) **Print Center;**
- (m) **Residential Care;**
- (n) **Restaurant: Food Service Only – Small;**
- (o) **Retail and Consumer Service;**
- (p) **Service Organization;**
- (q) **Specialty Food Store; and**
- (r) **Take Out Food Service.**

- 7 The following **uses** are **discretionary uses** in this Direct Control District if they are located on the **main floor** within the **existing building**:

- (a) **Take Out Food Service.**

Bylaw 1P2007 District Rules

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

Floor Area Ratio

- 9 The maximum **floor area ratio** is 3.5.

Density

- 10 The maximum **density** is 321 units per hectare.

Building Height

- 11 The maximum **building height** is 15.0 metres.

Building Setbacks

- 12 (1) The minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The maximum **building setback** from a **property line** shared with a **street** is 4.5 metres.
- (3) The minimum **building setback** from a **side property line** is:
- (a) 3.0 metres, or
 - (b) 1.2 metres where the **building** is a **street-oriented multi-residential building**.
- (4) The minimum **building setback** from a **rear property line** is 4.0 metres

Sidewalk Shadowing

- 13 No **building** shall place in shadow the north sidewalk from 10:00am to 2:00pm from March 21 to September 21.

Parking and Access

- 14 In addition to Part 6, Division 1 of Bylaw 1P2007, the following parking and access rules apply to this Direct Control District:
- (a) **Parking Structure or Parking Lot - Grade** areas must not be located adjacent to the **street**; and
 - (b) All vehicular access must be from the **lane** only.

Landscaped Areas

- 15 (1) A minimum of 35 percent of the **parcel area** must be landscaped.
- (2) A minimum of 30 percent of the **parcel area** must be landscaped where the **building** is a **street oriented multi-residential building**.

Garbage and Recycling

- 16 (1) Garbage containers, waste material, and recycling must be stored inside an enclosed, lockable space.
- (2) No garbage containers, waste material, and recycling or any installation for its collection, storage, compaction, or disposal must be visible from outside the enclosure.
- (3) Recycling facilities for storage of materials for transfer must be provided.

Heritage Development

- 17 The **Development Authority** may grant relaxations to the provisions of this District if such a relaxation would preserve **buildings** or sites included on the "Inventory of Potential Heritage Sites" and the test for relaxation set out in Bylaw 1P2007 is met.

Comprehensive Rear Yard Development

- 18 The **Development Authority** may grant relaxations to the provisions of this District to permit comprehensively developed **Dwelling Units** in the **building setback at the rear** of the existing **residential building**, if, in the opinion of the **Development Authority**, such a relaxation would encourage the preservation or restoration of the **existing building** on the **parcel** and the test for relaxation set out in Bylaw 1P2007 is met..