

BYLAW NUMBER 95D2014

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2013-0062)**

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.

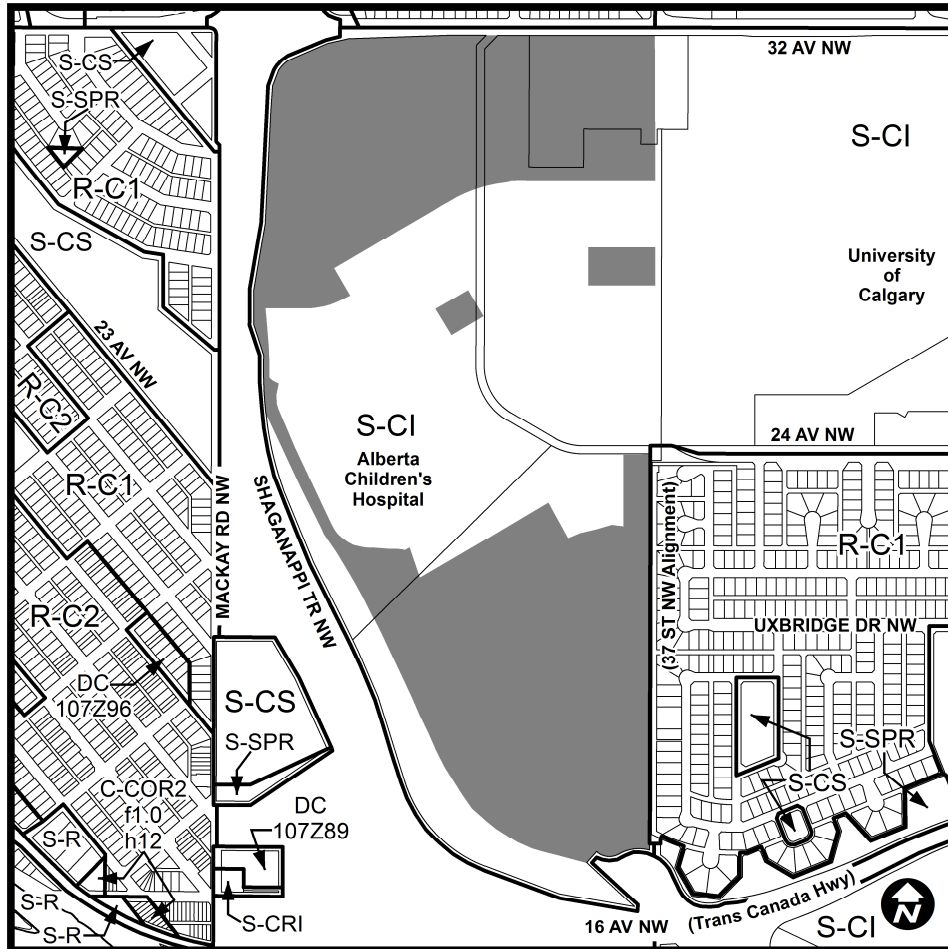
READ A SECOND TIME THIS ____ DAY OF _____, 2014.

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

MAYOR
SIGNED THIS ____ DAY OF _____, 2014.

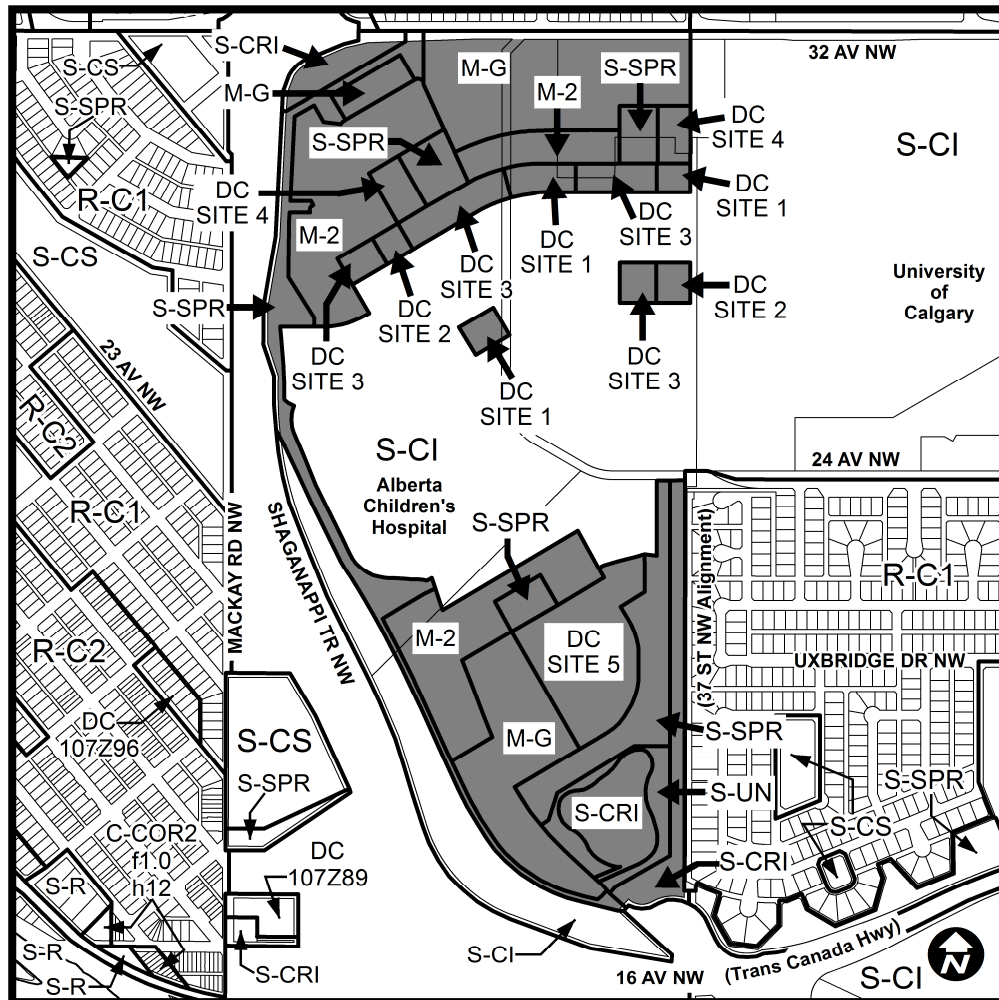
CITY CLERK
SIGNED THIS ____ DAY OF _____, 2014.

SCHEDULE A



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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

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- (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 facade treatments and design elements;
- (c) allow for innovation in housing form in addition to the prescribed housing typologies, such as:
 - i. secondary suites over garages
 - ii. separate entries for above grade units in townhouses
 - iii. home office and studios
- (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:
 - i. human scale facade treatments
 - ii. visible entrances that front the street
 - iii. building fenestration and facade design detail to avoid flat facade appearances
 - iv. varied balcony forms - inset and protruding, designed as integral parts of the building rather than appearing to be "tacked on".

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

- 4** (1) 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.
- (2) **Motor vehicle parking stalls** for any use within this Direct Control District must be provided in an above grade or below grade parking structure.
- (3) Notwithstanding (2), a temporary **development permit** may be issued for surface parking.

Discretionary Use That Does Not Comply

- 5** 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 Bylaw if in the opinion of the **Development Authority**:

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- (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 the Bylaw for that land or **building**.

Site 1 (+/- 1.85 acres (0.75hectares))

Application

6 The provisions in section 6 through 12 apply only to Site 1.

Purpose

7 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 facade 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 facades 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

8 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

9 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

10 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

11 The maximum **building height** is 50.0 metres.

Floor Area Ratio

12 The maximum ***floor area ratio*** is 9.3.

Site 2 (+/- 1.6 acres (0.65hectares))

Application

13 The provisions in section 14 through 19 apply only to Site 2.

Purpose

14 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 facade 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 facades 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

15 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

16 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

17 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

18 The maximum ***building height*** is 44.0 metres.

Floor Area Ratio

19 The maximum ***floor area ratio*** is 7.0.

Site 3 (+/- 4.31 acres (1.74 hectares))

Application

20 The provisions in section 21 through 25 apply only to Site 3.

Purpose

21 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 facade 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 facades 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

22 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

23 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

24 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

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

Site 4 (+/- 23.03 acres (9.32 hectares))

Application

26 The provisions in sections 27 through 32 apply only to Site 4.

Purpose

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

- (a) allow for **mixed-use** multi-residential **development** that can accommodate a **Public or Private Primary or Secondary School** 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

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

Discretionary Uses

29 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

30 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

31 The maximum **floor area ratio** is 3.6.

Building Height

32 The maximum **building height** is 21.0 metres.

Site 5 (*7-8.54 acres (3.46 hectares))

Application

33 The provisions in sections 34 through 38 apply only to Site 5.

Purpose

34 Site 5 in this Direct Control District is intended to:

- (a) allow for multi-unit dwellings, 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 Dwellings, and Apartment Dwellings.

Permitted Uses

35 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

36 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

37 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

- 38** (1) Buildings that contain a **Semi-detached Dwelling** must contain at least two or more **units**.
- (2) 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**.