

PROPOSED

ITEM #5.1.25
CPC2018-026
ATTACHMENT 1

BYLAW NUMBER 26D2018

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (LAND USE AMENDMENT LOC2016-0326) *****

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 _____

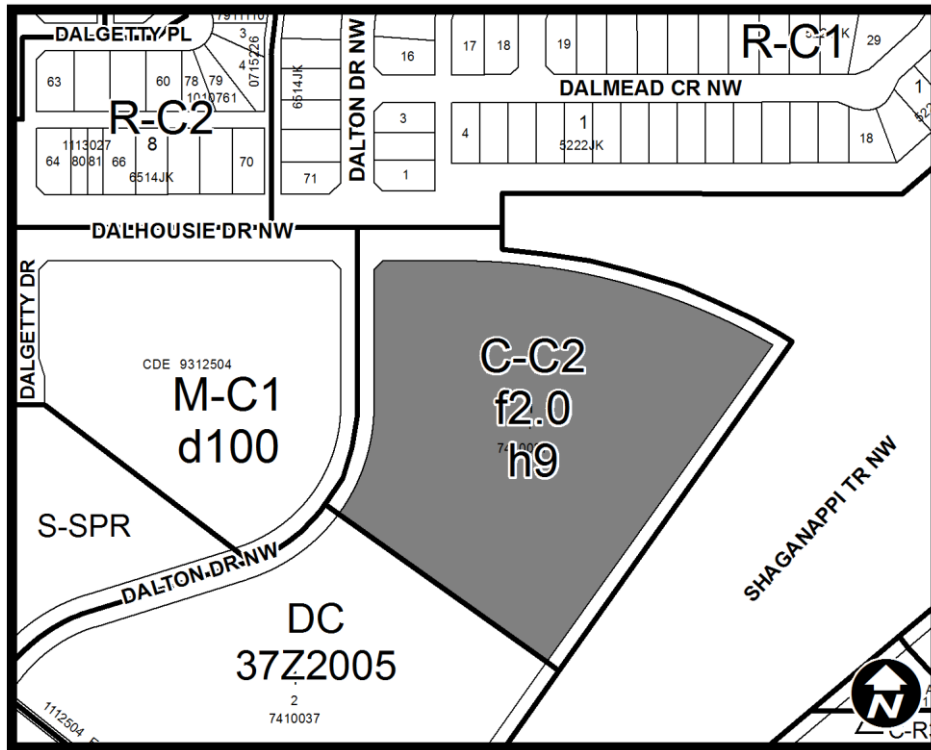
CITY CLERK

SIGNED ON _____

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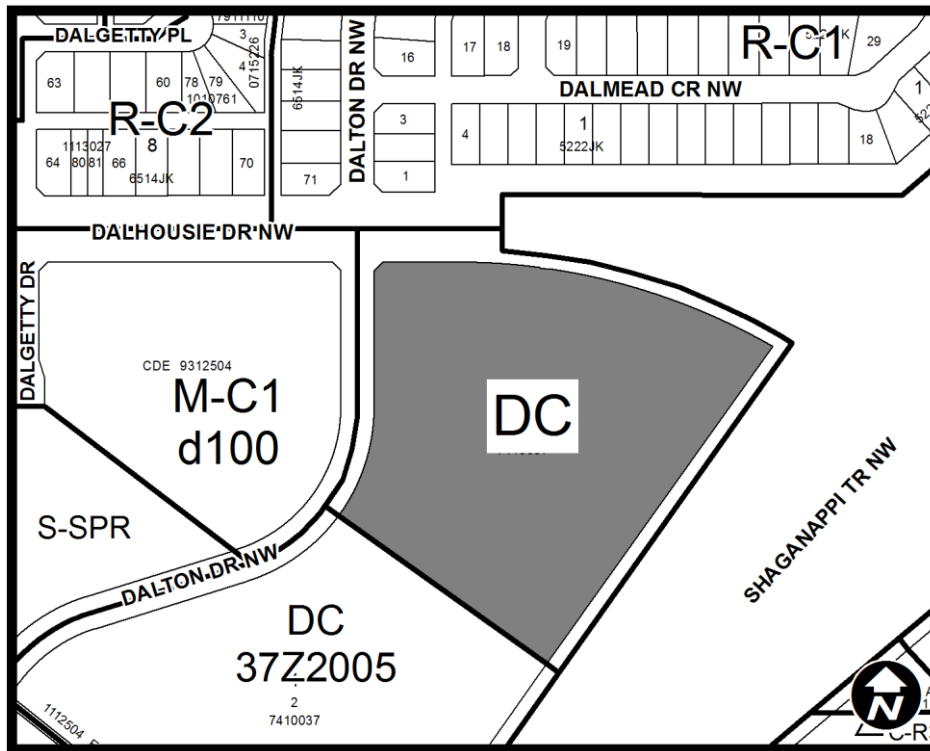
SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) provide for a high **density** mixed-use **development**,
 - (b) incorporate **amenity space** and landscaping requirements for **dwelling units**; and
 - (c) provide opportunities for commercial and multi-residential **uses**.

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.

Permitted Uses

- 4 The **permitted uses** of the Commercial – Community 2 (C-C2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the exclusion of:

- (a) **Vehicle Rental – Minor**; and
- (b) **Vehicle Sales – Minor**.

Discretionary Uses

- 5 The **discretionary uses** of the Commercial – Community 2 (C-C2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District:

- (a) with the addition of:
 - (i) **Multi-Residential Development**;
 - (ii) **Food Kiosk**;
 - (iii) **Vehicle Rental – Minor**; and
 - (iv) **Vehicle Sales – Minor**; and
- (b) with the exclusion of:
 - (i) **Auto Service – Major**;
 - (ii) **Auto Service – Minor**;
 - (iii) **Funeral Home**;
 - (iv) **Parking Lot – Grade**;
 - (v) **Parking Lot – Structure**;
 - (vi) **Pawn Shop**; and
 - (vii) **Payday Loan**.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Commercial – Community 2 (C-C2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area

- 7 The maximum **floor area ratio** is 3.0.

Building Height

- 8 The maximum **building height** is:

- (a) 26.0 metres within 20.0 metres of a **property line** shared with Dalton Drive NW; and
- (b) 76.0 metres in all other cases.

Location of Uses within Buildings

- 9 (1) **Dwelling Units** may be located on the ground floor of a **building**.

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- (2) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Dwelling Units**; and
 - (b) must not share an internal hallway with **Dwelling Units**.
- (3) Where this section refers to “Commercial Uses”, it refers to the listed **uses** in sections 4 and 5 of this Direct Control District, other than **Dwelling Unit** and **Live Work Unit**.

Building Setbacks

10 Where the **parcel** shares a **property line** with:

- (a) Shaganappi Boulevard NW or Dalhousie Drive NW, there is no requirement for a **setback area**; and
- (b) Dalton Drive NW and the private road known as Belle Road NW, the **setback area** must have a minimum depth of 3.0 metres.

Landscaping in Setback Areas

11 Where a **setback area** shares a **property line** with Dalton Drive NW or the private road known as Belle Road NW, the **setback area** must:

- (a) be a **soft surfaced landscaped area**;
- (b) provide a minimum of 1.0 trees and 2.0 shrubs for every 30.0 square metres of **landscaped area** provided;
- (c) provide a minimum of 25.0 percent coniferous trees;
- (d) where deciduous trees are provided, deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting;
- (e) where coniferous trees are provided, coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting;
- (f) where shrubs are provided, shrubs must be a minimum height or spread of 0.6 metres at the time of planting;
- (g) where **landscaped areas** with a **building** below are located, planting areas must have the following minimum soil depths:
 - (i) 1.2 metres for trees;
 - (ii) 0.6 metres for shrubs; and

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- (iii) 0.3 metres for all other planting areas; and
- (h) the soil depths referenced in subsection (g) must cover an area equal to the mature spread of the planting material.

Amenity Space

- 12 (1) A **patio** may be located in a **setback area** between a **street-oriented multi-residential building** and a **property line** shared with a **street**.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
- (3) The required minimum **amenity space** is 5.0 square metres per **unit**.
- (4) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the **amenity space** requirement.
- (5) When the **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per **unit** must be included to satisfy the **amenity space** requirement.
- (6) Where a **patio** is located within 4.0 metres of a **lane** or another **parcel**, it must be **screened**.
- (7) **Private amenity space** must:
- (a) be in the form of a **balcony**, **deck** or **patio**; and
 - (b) have no minimum dimensions of less than 2.0 metres.
- (8) **Common amenity space**:
- (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**;
 - (c) must have a contiguous area of not less than 50.0 square metres, with no dimension less than 6.0 metres; and
 - (d) must not be located in a required **setback area**.
- (9) **Common amenity space – indoors** may only be provided to satisfy the **amenity space** requirement as part of a **development** with 100 or more **units**.
- (10) A maximum of 10.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (11) **Common amenity space – outdoors** must provide a **balcony**, **deck** or **patio** and at least one of the following as permanent features:

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- (a) a barbeque; or
- (b) seating.

Relaxation Rule

- 13** The *Development Authority* may relax any of the rules contained in sections 8, 10, 11, and 12 of this Direct Control District where the relaxation test in Bylaw 1P2007 is met.