

# PROPOSED

ITEM #5.1.36  
CPC2018-145  
ATTACHMENT 1

## BYLAW NUMBER 140D2018

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (LAND USE AMENDMENT LOC2017-0273) \*\*\*\*\*

**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 \_\_\_\_\_

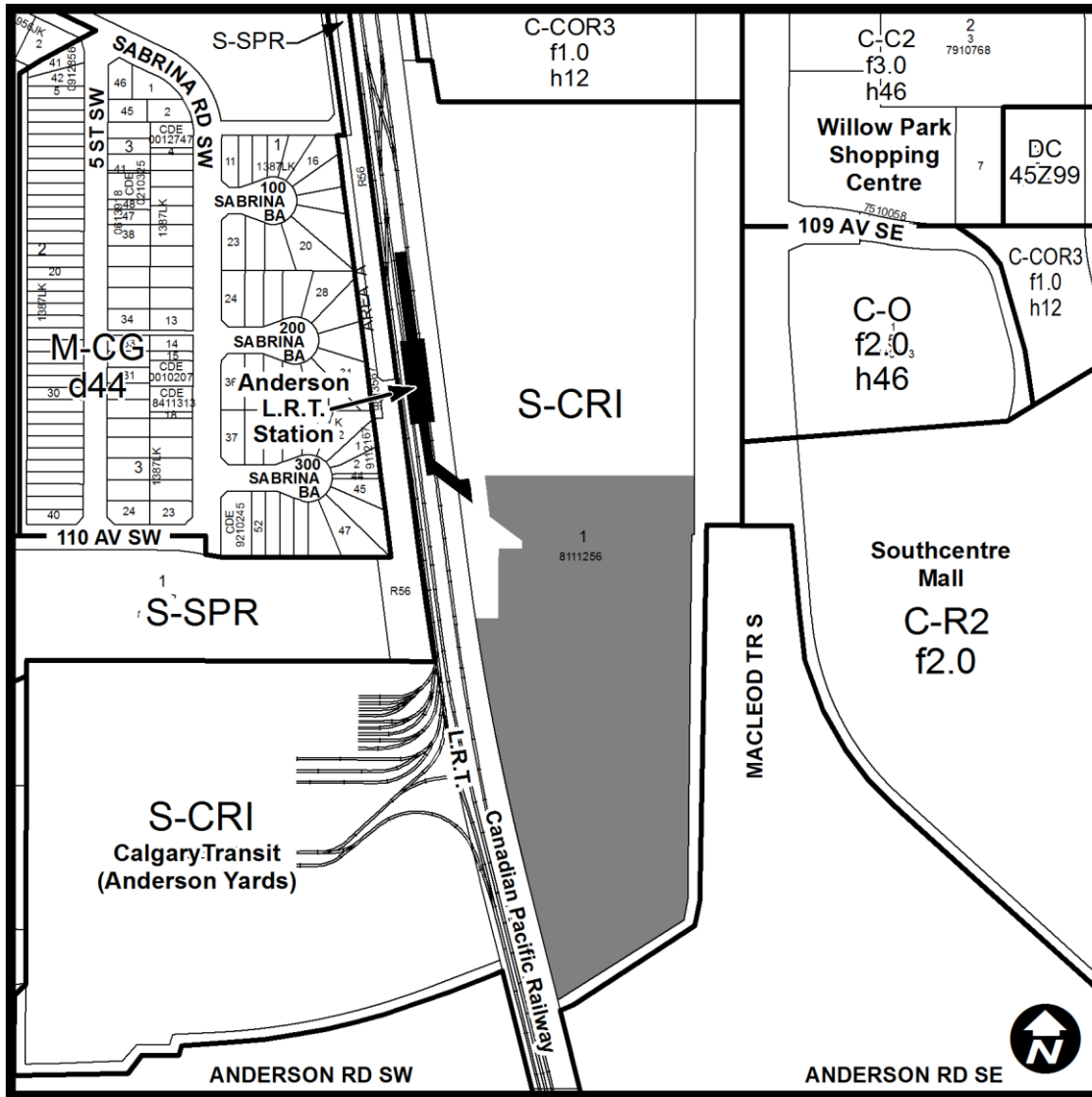
\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_

# PROPOSED

ITEM #5.1.36  
AMENDMENT LOC2017-0273  
BYLAW NUMBER 140D2018

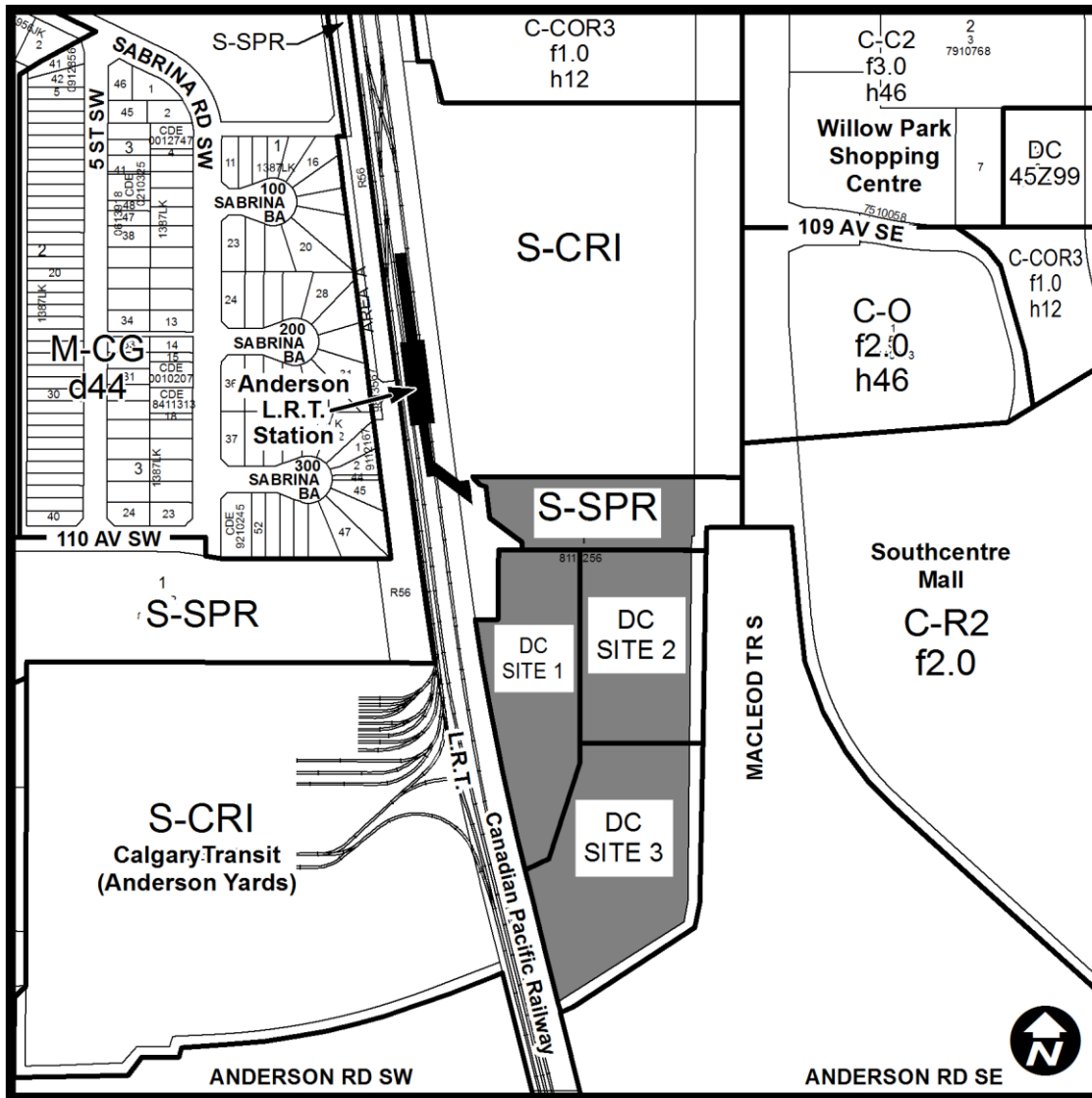
## SCHEDULE A



# PROPOSED

ITEM #5.1.36  
AMENDMENT LOC2017-0273  
BYLAW NUMBER 140D2018

## SCHEDULE B



### DC DIRECT CONTROL DISTRICT

# PROPOSED

ITEM #5.1.36  
AMENDMENT LOC2017-0273  
BYLAW NUMBER 140D2018

## Purpose

- 1 This Direct Control District is intended to accommodate:
- (a) a mix of residential and commercial **uses** in a compact urban form that are located in the same **building** or in multiple **buildings** throughout an area;
  - (b) **developments** where residential and commercial **uses** are supported at **grade** facing a **street**; and
  - (c) mid to high rise **development** with varying **building heights** up to 70.0 metres.

## Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3, 4 and 14 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.

## Permitted Uses

- 4 The **permitted uses** of the Mixed Use – General (MU-1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

## Discretionary Uses

- 5 (1) The **discretionary uses** of the Mixed Use – General (MU-1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
- (a) **Market**;
  - (b) **Restaurant: Food Service Only – Large**; and
  - (c) **Restaurant: Licensed – Large**.
- (2) The following **uses** are **discretionary uses** only if they are owned or operated on by, or on behalf of, the **City**:
- (a) **Sign – Class F**; and
  - (b) **Sign – Class G**.

## Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Mixed Use – General (MU-1) District of Bylaw 1P2007 apply to this Direct Control District.

## Additional Sign – Class F and Sign – Class G Rules

- 7 (1) Notwithstanding Section 111 (6) (b) and Section 115.2 (5) (b) of Bylaw 1P2007, **Third Party Advertising Signs** and **Digital Third Party Advertising Signs** may contain **copy** visible from a pathway.

# PROPOSED

ITEM #5.1.36  
AMENDMENT LOC2017-0273  
BYLAW NUMBER 140D2018

- (2) Notwithstanding Section 115.2 (6) of Bylaw 1P2007, where a **Digital Third Party Advertising Sign** is visible from and located within 125.0 metres of a **building** containing a **Dwelling Unit**, the **sign** must not operate, or must only display a blank screen between 10 p.m. and 7 a.m.
- (3) Notwithstanding Section 112 (1), (3) and (4) and Section 115.3 (1), (2) and (3) of Bylaw 1P2007, **Third Party Advertising Signs** and **Digital Third Party Advertising Signs** must not be located within 20.0 metres of any **Freestanding Sign** facing the same oncoming traffic, nor any other **Third Party Advertising Sign** or **Digital Third Party Advertising Sign**.
- (4) **Copy** on **Third Party Advertising Signs** and **Digital Third Party Advertising Signs** must be oriented towards pedestrians.
- (5) **Third Party Advertising Signs** may only be illuminated indirectly in a manner that prevents the trespass of light onto **adjacent parcels**.
- (6) Notwithstanding Section 113 and Section 115.4 of Bylaw 1P2007, the maximum height of a **Third Party Advertising Sign** or a **Digital Third Party Advertising Sign** is 3.0 metres and the maximum **sign area** is 4.5 square metres.
- (7) Sections 114 (11) (b) and (e) and Section 115.5 (10) (b) and (d) of Bylaw 1P2007 do not apply in this Direct Control District.
- (8) Subsections (1) through (5) of this Section do not apply to a **Third Party Advertising Sign** or a **Digital Third Party Advertising Sign** where:
  - (a) it existed on the date of approval of this Direct Control District;
  - (b) it is located on a **parcel** owned by **the City**; and
  - (c) it is approved by a **development permit** issued by **the City** on or before the date of approval of this Direct Control District.

## Façade Width for Uses Facing a Street

- 8 There is no restriction on the length of the **building** façade that faces a **street** containing an individual **use** on the floor closest to **grade**.

## Additional Rules for Multi-Residential and Commercial Uses

- 9
- (1) All **units** in a **Multi-Residential Development** that are located on the floor closest to **grade adjacent** to a **Park** must have an individual, separate, direct access to **grade** along that **frontage**.
  - (2) **Developments** which contain one or more commercial **uses** on the floor closest to **grade adjacent** to a **Park** must have direct access to **grade** along that **frontage**.

# PROPOSED

ITEM #5.1.36  
AMENDMENT LOC2017-0273  
BYLAW NUMBER 140D2018

## Setback Area

- 10 There is no requirement for a minimum **setback area** except:
- (a) where a **parcel** shares a **property line** with a **special purpose district**, a minimum **setback area** of 6.0 metres is required.
  - (b) for the floor closest to **grade**, the maximum **building setback** from a **property line** shared with a **street** is 3.0 metres for 60 per cent of the length of the **building** façade that faces the **street**.
  - (c) for the floor closest to **grade**, the maximum **building setback** from a **property line** shared with Macleod Trail S is 6.0 metres for the entire length of the **building** façade.

## Building Separation

- 11 (1) Where the widest dimension of a **balcony** faces a **property line** shared with another **parcel**, the minimum setback of a **balcony** from the shared **property line** is 4.0 metres
- (2) The façade of a **building** located above 26.0 metres from **grade** must provide a minimum horizontal separation of:
- (a) 24.0 metres from the façade of any other **building** on the same **parcel**; and
  - (b) 12.0 metres from a **property line** shared with another **parcel**, unless otherwise referenced in Sections 17, 20 and 23 of this Direct Control District.
- (3) The façade of a **building** referenced in subsection (2) does not include **balconies**.

## Ground Floor Height

- 12 (1) Unless otherwise referenced in subsection (2), the minimum height of the floor closest to **grade** of a **building** is 4.5 metres as measured vertically from the floor to the ceiling.
- (2) There is no minimum height for a **Dwelling Unit** that is located on the floor closest to **grade** in a **building**.

## Floor Plate Restrictions

- 13 (1) Each floor of a **building** located partially or wholly above 26.0 metres above **grade** has a maximum **floor plate area** of:
- (a) 750 square metres of **gross floor area** for “Residential Uses”; and
  - (b) 2,400 square metres of **gross floor area** for “Commercial Uses”.

# PROPOSED

ITEM #5.1.36  
AMENDMENT LOC2017-0273  
BYLAW NUMBER 140D2018

- (2) Where this Section refers to "Commercial Uses," it refers to the **uses** listed in Sections 4 and 5 of this Direct Control District other than "Residential Uses".
- (3) Where this Section refers to "Residential Uses," it refers to the **uses** listed in the Residential Group in Schedule A of Bylaw 1P2007.

## Additional Motor Vehicle Parking Requirements

14 **Motor vehicle parking stalls** and **bicycle parking stalls** required for **uses** in this Direct Control District may be shared and supplied on any one **parcel** or combination of **parcels** in this Direct Control District.

## Development Authority – Power and Duties for Relaxations

15 The **Development Authority** may relax the rules in Sections 10, 11, 13, 16, 19 and 22 in this Direct Control District provided the test for relaxations as set out in Bylaw 1P2007 is met.

## Site 1 (0.99 ha/2.45 ac)

### Application

16 The provisions in sections 17 through 18 apply only to Site 1.

### Building Height and Street Wall Stepback

- 17 (1) The minimum **building height** is 12.0 metres.
- (2) Unless otherwise referenced in subsection (3), the maximum **building height** is 26.0 metres.
- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
  - (a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**; and
  - (b) 26.0 metres measured from **grade** at a distance greater than 5.0 metres of that shared **property line**.
- (4) A **building** façade **adjacent** to a **street** must have a minimum streetwall stepback of 2.0 metres at a **building height** of 12.5 metres or greater.

### Floor Area Ratio

18 The maximum **floor area ratio** is 3.0.

## Site 2 (0.90 ha/2.22 ac)

19 The provisions in sections 20 through 21 apply only to Site 2.

### Building Height and Street Wall Stepback

20 (1) The minimum **building height** is 12.0 metres.

# PROPOSED

ITEM #5.1.36  
AMENDMENT LOC2017-0273  
BYLAW NUMBER 140D2018

- (2) Unless otherwise referenced in subsection (3), (5) and (6), the maximum **building height** is 50.0 metres.
- (3) Where a **parcel** shares a **property line** with a **street** or a **Park**, the maximum **building height** is:
  - (a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**; and
  - (b) 50.0 metres measured from **grade** at a distance greater than 5.0 metres of that shared **property line**.
- (4) A **building** façade **adjacent** to a **street** must have a minimum streetwall stepback of 2.0 metres at a **building height** of 12.5 metres or greater.
- (5) Where a **parcel** shares a northern **property line** with a **Park**, the maximum **building height** is:
  - (a) 12.5 metres measured from **grade** within 12.0 metres of that shared **property line**;
  - (b) 20.5 metres measured from **grade** between 12.0 metres and 30.0 metres from that shared **property line**; and
  - (c) 50.0 metres measured from **grade** at a distance greater than 30.0 metres from that shared **property line**.
- (6) Where a **parcel** shares a southern **property line** with a **Park**, the maximum **building height** is:
  - (a) 12.5 metres measured from **grade** within 8.0 metres of that shared **property line**; and
  - (b) 50.0 metres measured from **grade** at a distance greater than 8.0 metres from that shared **property line**.

## Floor Area Ratio

21 The maximum **floor area ratio** is 5.0.

## Site 3 (1.23 ha/3.04 ac)

22 The provisions in sections 23 through 24 apply only to Site 3.

## Building Height and Street Wall Stepback

- 23 (1) The minimum **building height** is 12.0 metres.
- (2) Unless otherwise referenced in subsections (3) and (5), the maximum **building height** is 70.0 metres.



# PROPOSED

ITEM #5.1.36  
AMENDMENT LOC2017-0273  
BYLAW NUMBER 140D2018

- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**; and
  - (b) 70.0 metres measured from **grade** at a distance greater than 5.0 metres from that shared **property line**.
- (4) A **building** façade **adjacent** to a **street** must have a minimum streetwall setback of 2.0 metres at a **building height** of 12.5 metres or greater.
- (5) Where a **parcel** shares a **property line** with a **Park**, the maximum **building height** is:
- (a) 12.5 metres measured from **grade** within 9.0 metres of that shared **property line**;
  - (b) 16.5 metres measured from **grade** between 9.0 metres and 70.0 metres from that shared **property line**; and
  - (c) 70.0 metres measured from **grade** at a distance greater than 70.0 metres from that shared **property line**.

## Floor Area Ratio

24 The maximum **floor area ratio** is 5.0.