

PROPOSED

CPC2018-0749
ATTACHMENT 5

BYLAW NUMBER 230D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0045/CPC2018-0749)**

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 _____

READ A SECOND TIME THIS _____

READ A THIRD TIME THIS. _____

MAYOR

SIGNED ON _____

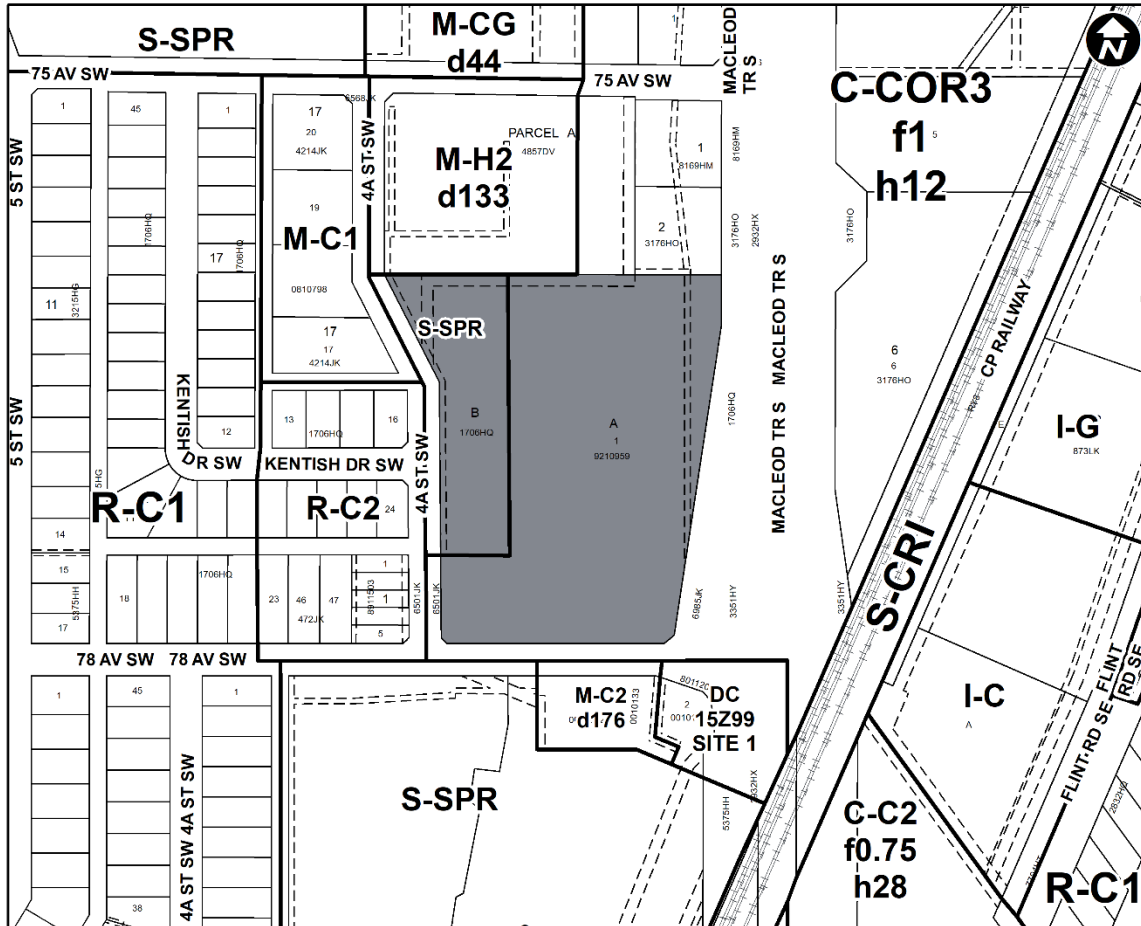
CITY CLERK

SIGNED ON _____

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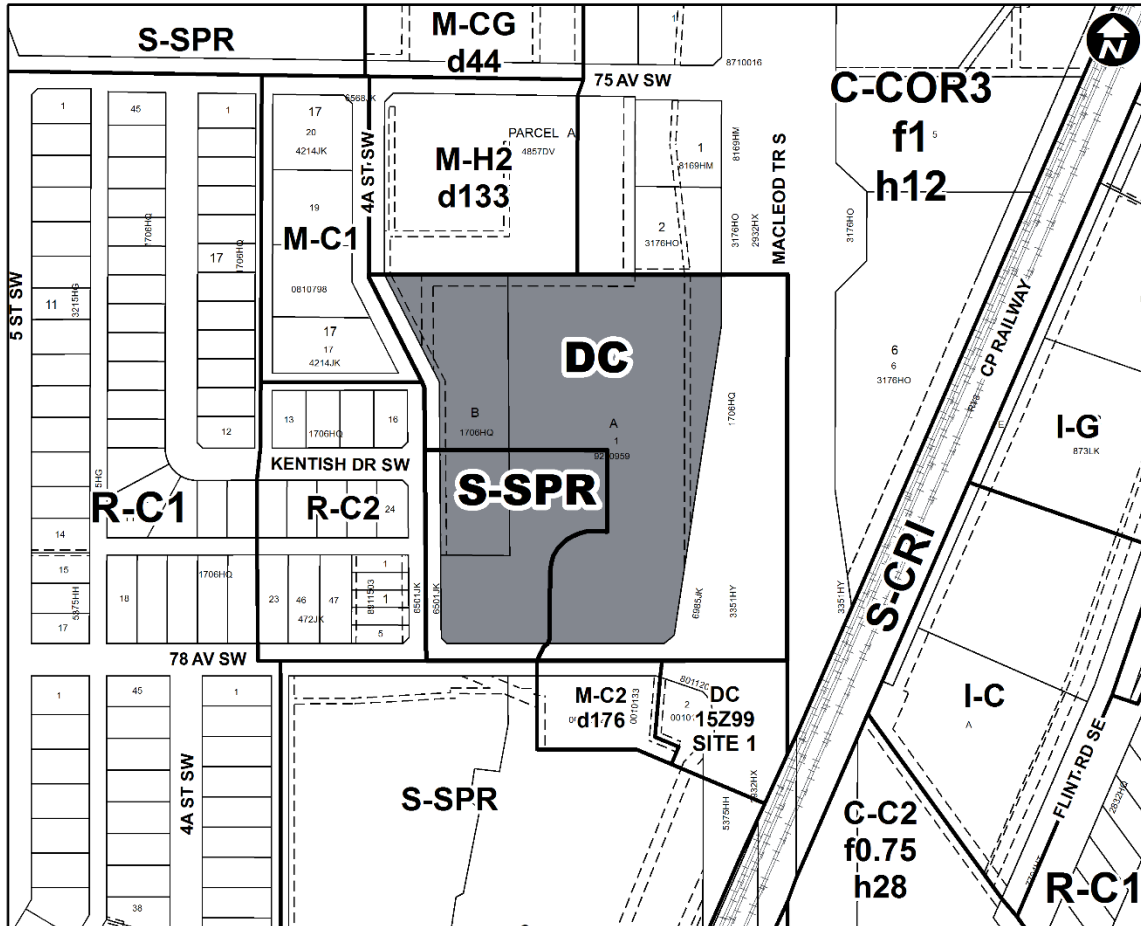
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to accommodate opportunities for mixed-use **Multi-Residential Development** with commercial and **Office uses**.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply.

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.

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Permitted Uses

- 4 The **permitted uses** of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **permitted uses** of this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **discretionary uses** of this Direct Control District with the addition of:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Fitness Centre;**
- (d) **Restaurant: Licensed – Small;**
- (e) **Restaurant: Licensed – Medium;**
- (f) **Financial Institution;**
- (g) **Drinking Establishment – Small;**
- (h) **Drinking Establishment – Medium;**
- (i) **Instructional Facility;**
- (j) **Market – Minor; and**
- (k) **Specialty Food Store.**

Bylaw 1P2007 District Rules

- 6 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 to this Direct Control District.

Floor Area Ratio

- 7 The maximum **floor area ratio** is 4.0.

Density

- 8 (1) The minimum **density** is 150 **units** per hectare.
- (2) There is no maximum **density**.

Setback Area

- 9 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 10.

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Building Setbacks

- 10 (1) Unless otherwise referenced in subsection (2) and (3), the minimum **building setback** from a **property line** shared with a **street** is 6.0 metres.
- (2) The minimum **building setback** from a west **property line** shared with a **street** is 4.0 metres.
- (3) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.

Building Height

- 11 (1) Unless otherwise specified in sections (2), (3), (4), and (5) the maximum **building height** is 26.0 metres.
- (2) Unless otherwise referenced in subsection (3), where a **parcel** shares a **property line** with a **street** or a **parcel** designated as a M-H2 District, the maximum **building height** referenced in subsection (1) is reduced to 10.0 metres measured from **grade** within 4.0 metres of that shared **property line**.
- (3) Along the 78 Avenue SW **property line**, the maximum **building height** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**.
- (4) Where a **parcel** shares a **property line** with a **lane** or a **parcel** designated as a **low density residential district**, M-CG, M-C1, M-G, M-1, or M-X1 District, the maximum **building height** referenced in subsection (1) is reduced to 10.0 metres measured from **grade** within 6.0 metres of that shared **property line**.
- (5) Where a **parcel** shares a **property line** with a **parcel** designated as a **commercial, industrial** or **special purpose district**, the maximum **building height** referenced in subsection (1) is reduced to 10.0 metres measured from **grade** within 1.2 metres of that shared **property line**.

Rules for Commercial Multi-Residential Uses

- 12 (1) **Commercial multi-residential uses** must:
- (a) only be located on the two floors closest to **grade** of a **main residential building**;
 - (b) only be contained completely within the **building**;
 - (c) not be located above any **Dwelling Unit**;
 - (d) not share an internal hallway with **Dwelling Units**; and
 - (e) have a separate exterior entrance from that of the **Dwelling Units**.
- (2) Parking areas for **commercial multi-residential uses** must:
- (a) be separated from residential parking areas;

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- (b) provide pedestrian access to the **commercial multi-residential uses**; and
- (c) be located a minimum distance of 5.0 metres from a **parcel** designated as a **low density residential district**, in the case of a surface parking area.

Relaxation of this Direct Control District

- 13 (1) The **Development Authority** may consider a relaxation of the required **building setback** in Section 10 of this Direct Control District provided that the relaxation test of Bylaw 1P2007 is met.
- (2) The **Development Authority** may consider a relaxation of the required **building height** in Section 11 subsections (2), (3), (4) and (5) of this Direct Control District provided that the relaxation test of Bylaw 1P2007 is met.