

Direct Control (DC) District Bylaw 107D2015

BYLAW NUMBER 107D2015

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2013-0099)**

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 20TH DAY OF JULY, 2015.

READ A SECOND TIME THIS 20TH DAY OF JULY, 2015.

READ A THIRD TIME THIS 20TH DAY OF JULY, 2015.



MAYOR

SIGNED THIS 20TH DAY OF JULY, 2015.



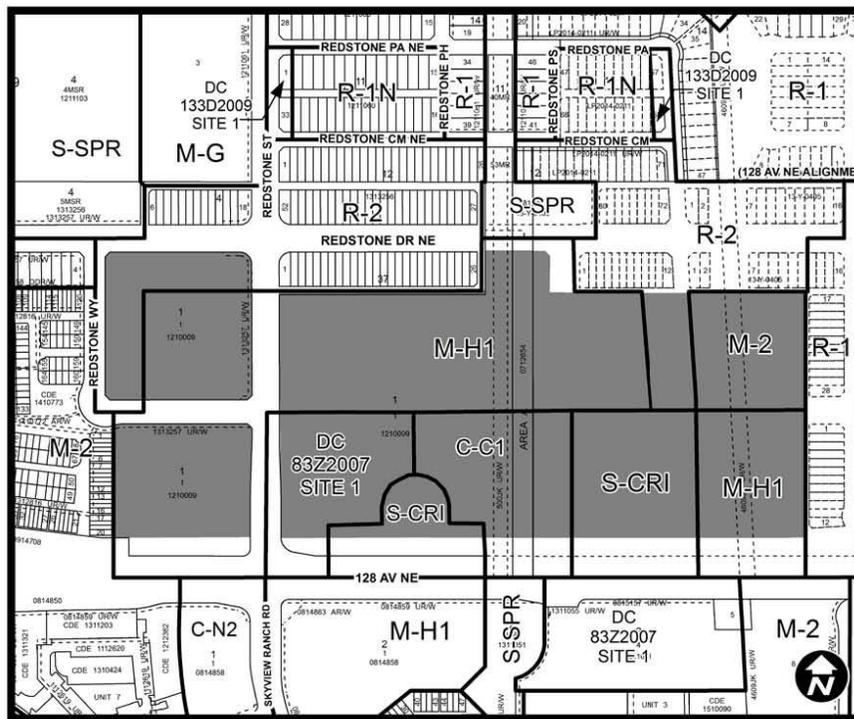
ACTING CITY CLERK

SIGNED THIS 20TH DAY OF JULY, 2015.

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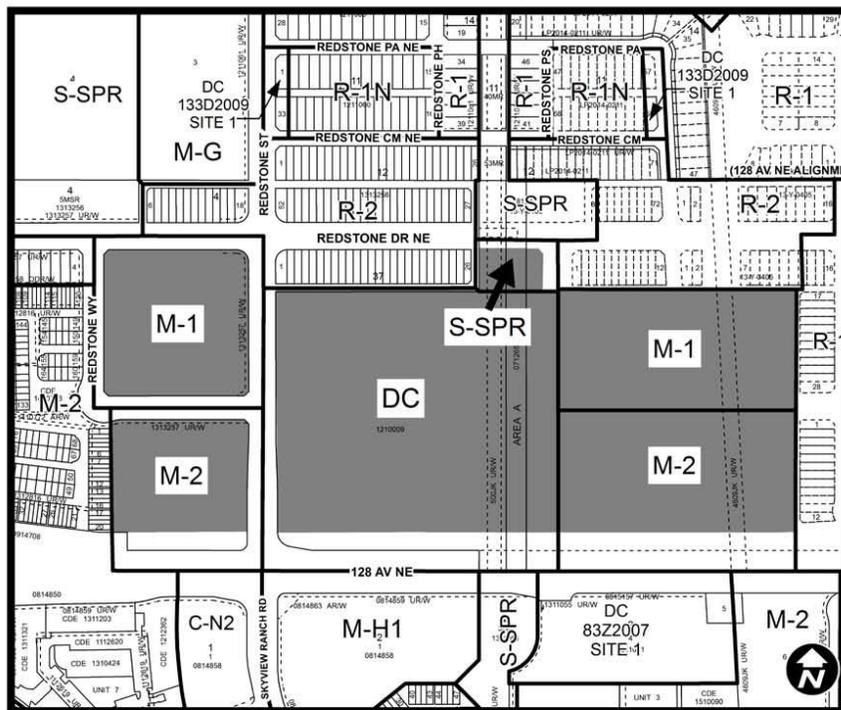
SCHEDULE A



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SCHEDULE B



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DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
- (a) allow for *development* intensity and land *uses* that support a transit-oriented activity hub for the communities of Redstone and Skyview Ranch;
 - (b) provide opportunities for *commercial uses* to be combined with Office, institutional and *residential uses* in the same *development*;
 - (c) provide opportunities for stand-alone Multi-Residential Development in a variety of forms;
 - (d) provide for community-scale shops and services;
 - (e) provide *buildings* that are close to a *street, internal street*, or sidewalks;
 - (f) support land *uses* and *density* that align with the policies of the Transit Planning Area in the North Community 'A' Area Structure Plan;
 - (g) provide for *density* regulated by *floor area ratio*;
 - (h) allow a built form that is sensitive to the adjoining residential areas;
 - (i) provide outdoor amenity space for social interaction; and
 - (j) provide the opportunity for a shared parking strategy that accommodates centralized parking facilities for all *parcels*.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified in this Bylaw, 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.

General Definitions

- 4 In this Direct Control District:
- (1) "*commercial uses*" mean all *uses* listed in sections 5 and 6 but excludes the *residential uses* listed in subsection (2);
 - (2) "*residential uses*" means the following *uses* in this Direct Control District:
 - (a) Dwelling Unit;
 - (b) Live Work Unit; and

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- (c) **Multi-Residential Development;**
- (3) **“mixed-use building”** means a **building** that contains a combination of **residential uses** and **commercial uses**;
- (4) **“animating features”** means architectural features on **buildings** and within the public realm that create and encourage the use of the area by pedestrians and cyclists that include, but are not limited to, **patios, decks, entranceways, plazas, awnings, seating areas, soft surfaced landscaped areas, bicycle parking stalls, pathways, transparent and semi-transparent windows;** and
- (5) **“internal street”** means a private road that provides access within the immediate site and may be extended to provide access to the adjacent **parcels**.

Permitted Uses

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

- (a) with the addition of:
 - (i) **Accessory Residential Building; and**
- (b) with the exclusion of:
 - (i) **Vehicle Rental – Minor; and**
 - (ii) **Vehicle Sales – Minor.**

Discretionary Uses

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

- (a) with the addition of:
 - (i) **Addiction Treatment;**
 - (ii) **Assisted Living;**
 - (iii) **Community Entrance Feature;**
 - (iv) **Custodial Care;**
 - (v) **Multi-Residential Development; and**
 - (vi) **Residential Care.**
- (b) with the exclusion of:
 - (i) **Auto Service – Major;**
 - (ii) **Auto Service – Minor; and**
 - (iii) **Vehicle Rental – Major.**

Bylaw 1P2007 District Rules

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- 7 Unless otherwise specified, the rules of Part 7, Division 1: General Rules for Commercial Land Use Districts of Bylaw 1P2007 apply to this Direct Control District.

Use Areas

- 8 (1) Unless otherwise provided in subsections (2), (3), (4) and (5) below, the maximum *use area* for *uses* on the ground floor of *buildings* in this Direct Control District is 2500.0 square metres.
- (2) The maximum *use area* for a **Supermarket** or a **Supermarket** combined with any other *use* is 7500.0 square metres.
- (3) A maximum of one (1) *building* in this Direct Control District, whether or not the area of this Direct Control District is further subdivided, may contain a **Retail and Consumer Service use** that has a maximum *use area* of 4500.0 square metres on the ground floor. The maximum *use area* for all other **Retail Consumer Service uses** on the ground floor is 2500 square metres.
- (4) The maximum *use area* for a **Catering Service – Minor** or a **Catering Service – Minor** combined with any other *use* is 300.0 square metres.
- (5) **Hotel, Office, and residential uses** do not have a *use area* restriction.

Location of Uses Within Buildings

- 9 **Commercial uses** and Live Work Units:

- (a) may be located on the same floor as **Dwelling Units**;
- (b) must not be located above any **Dwelling Units**;
- (c) must not share an internal hallway with **Dwelling Units**; and
- (d) must have a separate exterior entrance from that of the **Dwelling Units**.

Floor Area Ratio

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

Building Height

- 11 The maximum *building height* is 30.0 metres.

Building Façade

- 12 (1) **Animating features** must be provided along 60.0 per cent of a *building* façade with **commercial uses at grade** that face onto Redstone Street NE, Red Embers Gate NE, an *internal street*, or the *LRT Corridor*.
- (2) No more than 10 per cent of the total required **motor vehicle parking stalls** and **loading stalls** may be located between a *building* and a *street* or *internal street*.

Setback Areas

- 13 (1) Unless otherwise referenced in this Bylaw, there is no minimum requirement for a **front setback area**.

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- (2) Unless otherwise referenced in this Bylaw, there is no minimum requirement for a *rear setback area*.
- (3) Unless otherwise referenced in this Bylaw, there is no minimum requirement for a *side setback area*.
- (4) A *building* must have a *setback area* with a minimum depth of 3.0 metres where a *parcel* shares a *property line* with a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*.

Landscaping In Setback Areas

- 14 Where a *setback area* shares a *property line* with a *LRT corridor*, or *internal street*, the *setback area* may include *hard surfaced landscaped areas*.

Amenity Space

- 15 The rules of Part 6, Division 1: Section 557: General Rules for Multi-Residential Land Use Districts – Amenity Space, of Bylaw 1P2007 apply to this Direct Control District.

Building Separation

- 16 For *developments* with multiple *buildings* on a single *parcel*, the minimum separation distance between *buildings* is 0.0 metres.

Publicly Accessible Amenity Space

- 17 (1) In addition to the residential *amenity space* requirements referenced in section 15, a single publicly accessible *amenity space*, no less than 0.15 hectares in area, must be provided on private land, made available to the public through a registered public access easement agreement acceptable to the Approving Authority, and in a location, form, configuration and construction in a manner acceptable to the Approving Authority.
- (2) The publicly accessible *amenity space* should function as an open space that can provide:
- (a) primary pedestrian route(s) between the 128 Avenue NE *LRT station* into the mixed-use site.
 - (3) The area of the publicly accessible *amenity space* must be included in the calculation of landscaping requirements for *commercial uses*.

Minimum Motor Vehicle Parking Stalls

- 18 (1) The minimum number of *motor vehicle parking stalls*:
- (a) is the requirement referenced in Part 4 of Bylaw 1P2007 for the following *uses*:
 - (i) **Cinema**;
 - (ii) **Hotel**;
 - (iii) **Library**;

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- (iv) **Medical Clinic** above the ground floor;
 - (v) **Office** above the ground floor; and
 - (vi) **Post-secondary Learning Institution**;
- (2) for each **Dwelling Unit** is:
- (a) 1.0 stalls per *unit* for resident parking; and
 - (b) 0.1 *visitor parking stalls* per *unit*;
- (3) for each **Live Work Unit** is:
- (a) 1.0 stall per *unit* for resident parking; and
 - (b) 0.5 *visitor parking stalls* per *unit*; and
- (4) for all other *uses* is 4.0 stalls per 93.0 square metres of *gross usable floor area*.

Parking Reductions for Transit Supportive Developments

- 19 (1) The minimum number of *motor vehicle parking stalls* required for resident parking and *commercial uses* may be reduced by 10.0 percent where:
- (a) a *use* that generates the parking requirement is located within 600.0 metres of an existing, or approved and fully capital funded *LRT platform*; or
 - (b) *frequent bus service* is operating on a *street* within 150.0 metres of the *parcel*; and
- (2) The minimum number of *motor vehicle parking stalls* for an **Office or Information and Service Provider** may be reduced by 5.0 percent where the reduction referenced in subsection (1) was not applied, and
- (a) an existing, or approved and fully capital funded *LRT platform* is within 600.0 metres of this *parcel*; or
 - (b) *frequent bus service* is operating on a *street* within 150.0 metres of *parcel*.
- (3) The **Development Authority** may consider a relaxation of the minimum required *motor vehicle parking stalls* and *visitor parking stalls* for a *development* where:
- (a) 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 Bylaw due to unique site, location or *use* characteristics; and

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- (b) the test for relaxations in section 31 or 36 of Bylaw 1P2007 is met.

Parking Maximums for Residential Uses Close to LRT Stations

20 Where a *building* contains three or more *units* with shared entrance facilities and is located on a *parcel* within 600.0 metres of an existing, or approved and fully capital funded *LRT platform*, the maximum number of *motor vehicle parking stalls* for resident parking is:

- (a) 1.5 stalls for each *Dwelling Unit* and *Live Work Unit* less than or equal to 60 square metres in *gross floor area*; and
- (b) 2.0 stalls for each *Dwelling Unit* and *Live Work Unit* greater than 60 square metres in *gross floor area*.

Bicycle Parking Stall Requirements

21 (1) The minimum number of *bicycle parking stalls – class 1* for:

- (a) Each *Dwelling Unit* and *Live Work Units* is:
- (i) no requirement where the number of *units* is less than 20;
- (ii) 0.5 *bicycle parking stalls – class 1* per *unit*, where the total number of *units* is equal to or exceeds 20; and
- (b) for all other *uses* is the minimum requirement referenced in Part 4 of Bylaw 1P2007.

(2) *Bicycle parking stalls – class 1* provided for *Dwelling Units* and *Live Work Units* are for the exclusive use of the *building* residents.

(3) The minimum number of *bicycle parking stalls – class 2* for:

- (a) each *Dwelling Unit* and *Live Work Units* is:
- (i) 2.0 stalls for *developments* of 20 *units* or less; and
- (ii) 0.1 stalls per *unit*, for *developments* of more than 20 units; and
- (b) All other *uses* is 5.0 per cent of the minimum number of *motor vehicle parking stalls*.

Centralized Motor Vehicle Parking

22 *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.

Freestanding Signs

- 23** (1) The maximum *sign area* of a *Freestanding Sign* is 18.5 square metres.
- (2) The maximum height of a *Freestanding Sign* is 12.2 metres.