

BYLAW NUMBER 308D2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2016-0210)

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.

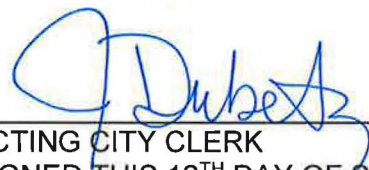
READ A FIRST TIME THIS 12TH DAY OF SEPTEMBER, 2017.

READ A SECOND TIME THIS 12TH DAY OF SEPTEMBER, 2017.

READ A THIRD TIME THIS 12TH DAY OF SEPTEMBER, 2017.

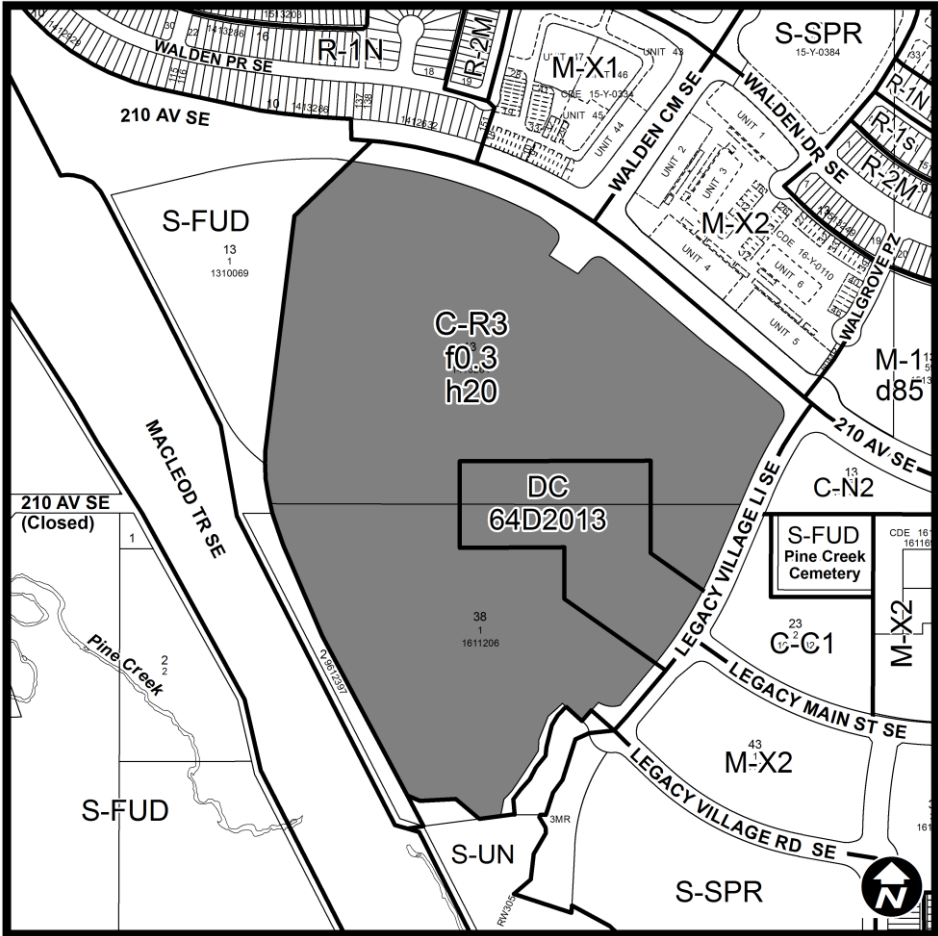


MAYOR
SIGNED THIS 12TH DAY OF SEPTEMBER, 2017.

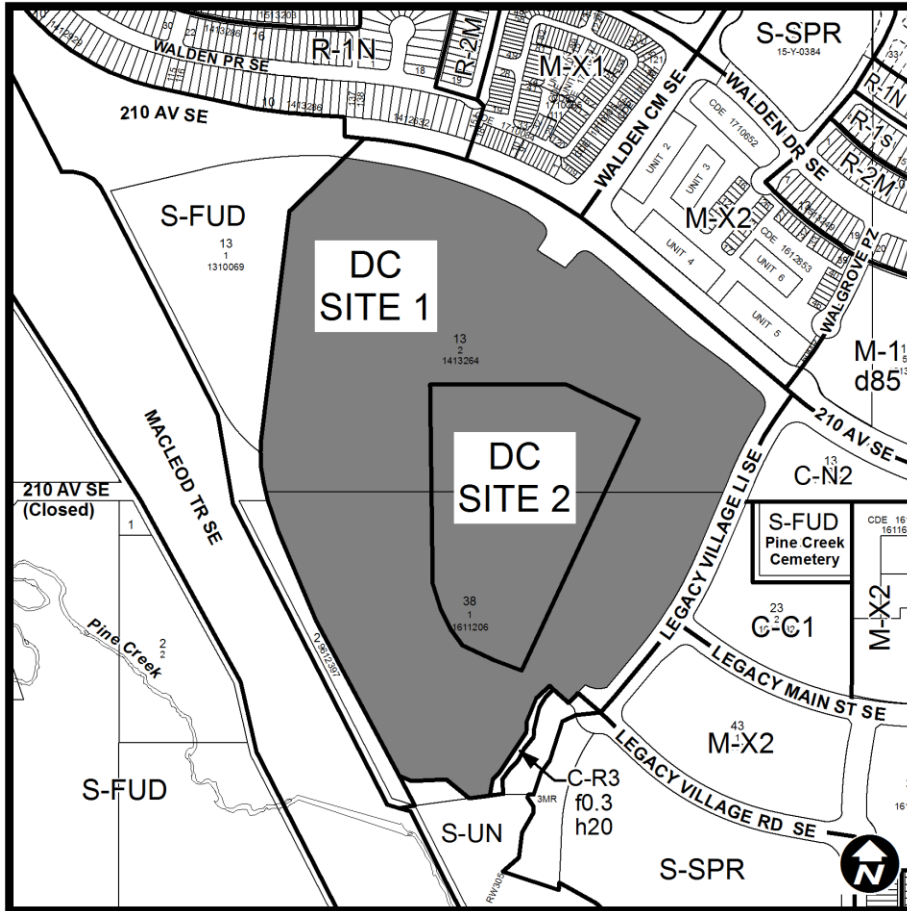


ACTING CITY CLERK
SIGNED THIS 12TH DAY OF SEPTEMBER, 2017.

SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) allow for comprehensively planned and designed regional and locally oriented commercial **development**;
 - (b) allow for residential developments in the form of **Dwelling Units, Live Work Units** and **Multi-Residential Development**;
 - (c) allow for a pedestrian oriented core area with mixed use mid-rise

developments complemented by high streets and a centrally located pedestrian plaza/promenade;

- (d) allow for staged *development* of the site in accordance with transportation network capacity for the area; and
- (e) implement the vision of the South Macleod Centre Area Structure Plan.

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.

Site 1 (± 20.15 ha)

Application

- 4 The provisions in sections 5 through 8 apply only to Site 1.

Permitted Uses

- 5 The *permitted uses* of the Commercial – Regional 3 (C-R3) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

- 6 The *discretionary uses* of the Commercial – Regional 3 (C-R3) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District with the addition of:

- (a) **Dwelling Unit;**
- (b) **Live Work Unit;** and
- (c) **Multi-Residential Development.**

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Commercial – Regional 3 (C-R3) District of Bylaw 1P2007 apply in this Direct Control District.

Site Landscaping

- 8 A comprehensive landscape plan approved by the *Development Authority* must be submitted as a part of the first *development permit* application and must include the entirety of Site 1.

Site 2 (± 5.0 ha)

Application

- 9 The provisions in sections 10 through 13 apply only to Site 2.

Permitted Uses

10 The *permitted uses* of the Commercial – Regional 3 (C-R3) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

11 The *discretionary uses* of the Commercial – Regional 3 (C-R3) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District:

- (a) with the addition of:
 - (i) **Dwelling Unit;**
 - (ii) **Live Work Unit;**
 - (iii) **Multi-Residential Development;** and

- (b) with the exclusion of:
 - (i) **Auto Service – Major;**
 - (ii) **Auto Service – Minor;**
 - (iii) **Car Wash – Multi-Vehicle;**
 - (iv) **Car Wash – Single Vehicle;**
 - (v) **Drive Through;**
 - (vi) **Gas Bar;**
 - (vii) **Parking Lot – Grade;**
 - (viii) **Vehicle Rental – Major;** and
 - (ix) **Vehicle Sales – Major.**

Bylaw 1P2007 District Rules

- 12 Unless otherwise specified, the rules of the Commercial – Regional 3 (C-R3) District of Bylaw 1P2007 apply in this Direct Control District.

Site Landscaping

- 13 A comprehensive landscape plan approved by the **Development Authority** must be submitted as a part of the first **development permit** application and must include the entirety of Site 2.

Application

- 14 The provisions in sections 15 through 22 apply to Site 1 and Site 2.

Additional Rules for Residential Uses

- 15 (1) For **developments** which contain any one or more of **Dwelling Units, Live Work Units** or **Multi-Residential Developments**, the rules in this section apply.
- (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**; and
- (c) must have a contiguous area of not less than 50.0 square metres, with no dimension less than 6.0 metres.
- (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:**
- (a) must provide a **balcony, deck** or **patio** and at least one of the following as permanent features:
 - (i) a barbeque; or
 - (ii) seating; and
 - (b) must be used in the calculation of the required **landscaped area**.
- (12) A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
 - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.
- (13) A driveway connecting to a **street** must:
- (a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and
 - (b) be a minimum of 3.0 metres in width.
- (14) A driveway connecting to a **lane** must:
- (a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and
 - (b) be located between the **property line** shared with a **lane** and the vehicular entrance of the **private garage**.
- (15) A **retaining wall** must be less than 1.0 metres in height, measured from lowest **grade** at any point next to the **retaining wall**, within 3.0 metres of a **property line**.
- (16) A minimum horizontal separation of 1.0 metres must be maintained between **retaining walls** on a **parcel**, within 3.0 metres of a **property line**.

Floor Area Ratio

- 16 (1) Subject to subsection (3), the maximum cumulative **floor area ratio** is 0.64.
- (2) With each **development permit** application for a new **building** or **development**, a development density table expressed in square metres must be provided that identifies the total (Site 1 and Site 2) amount of:
- (a) existing **development**;
 - (b) approved **development**;
 - (c) the additional amount of **development** being proposed; and
 - (d) the remaining amount of allowable **development** under subsection (1).
- (3) The maximum cumulative **floor area ratio** in subsection (1) may be exceeded where studies are provided demonstrating that the transportation and utility network capacities can accommodate additional **development**.

Building Height

- 17 The maximum **building height** is 40.0 metres.

Front Setback Area

- 18 There is no **front setback area** required.

Rear Setback Area

- 19 There is no **rear setback area** required.

Side Setback Area

- 20 There is no **side setback area** required.

Minimum Required Motor Vehicle Parking Stalls

- 21 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) **Medical Clinic**, when located above the ground floor;
 - (iv) **Office**, when located above the ground floor;
 - (v) **Performing Arts Centre**; and
 - (vi) **Post-secondary Learning Institution**;

- (b) for each **Dwelling Unit** is:
 - (i) 0.75 stalls per **unit** for resident parking; and
 - (ii) 0.1 **visitor parking stalls** per **unit**;
- (c) for each **Live Work Unit** is:
 - (i) 0.5 stalls per **unit**, for resident parking; and
 - (ii) 0.5 **visitor parking stalls** per **unit**; and
- (d) for all other **uses** is 4.5 stalls per 100.0 square metres of **gross usable floor area**.

Development Authority – Power and Duties for Relaxations

22 The **Development Authority** may relax any of the rules within this Direct Control District provided the test for relaxations as set out in Bylaw 1P2007 is met.