

BYLAW NUMBER 41D2010

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2009-0089)

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;

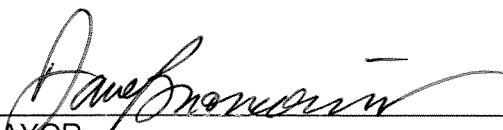
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 APRIL, 2010.

READ A SECOND TIME THIS 12TH DAY OF APRIL, 2010.

READ A THIRD TIME THIS 12TH DAY OF APRIL, 2010.



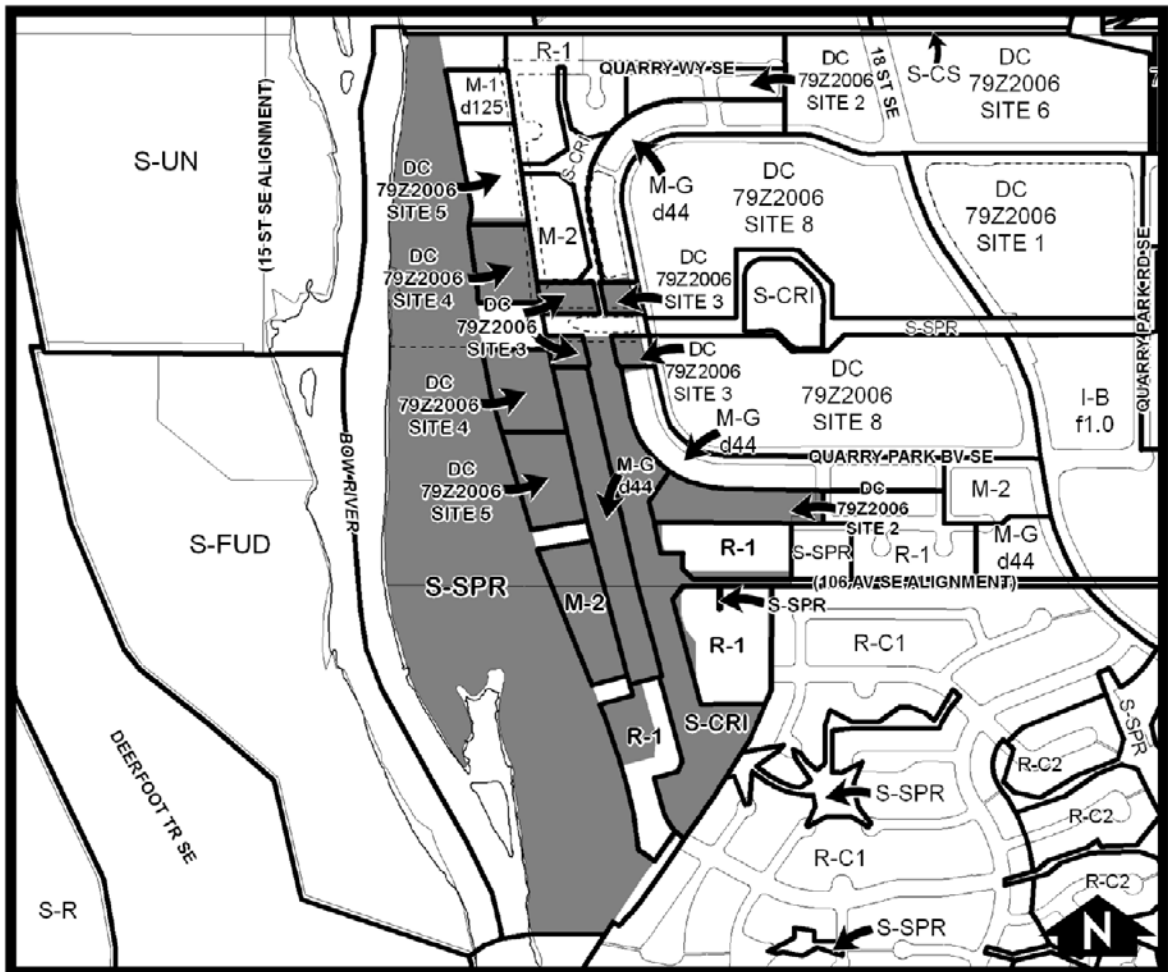
MAYOR
SIGNED THIS 12TH DAY OF APRIL, 2010.



ACTING CITY CLERK
SIGNED THIS 12TH DAY OF APRIL, 2010.

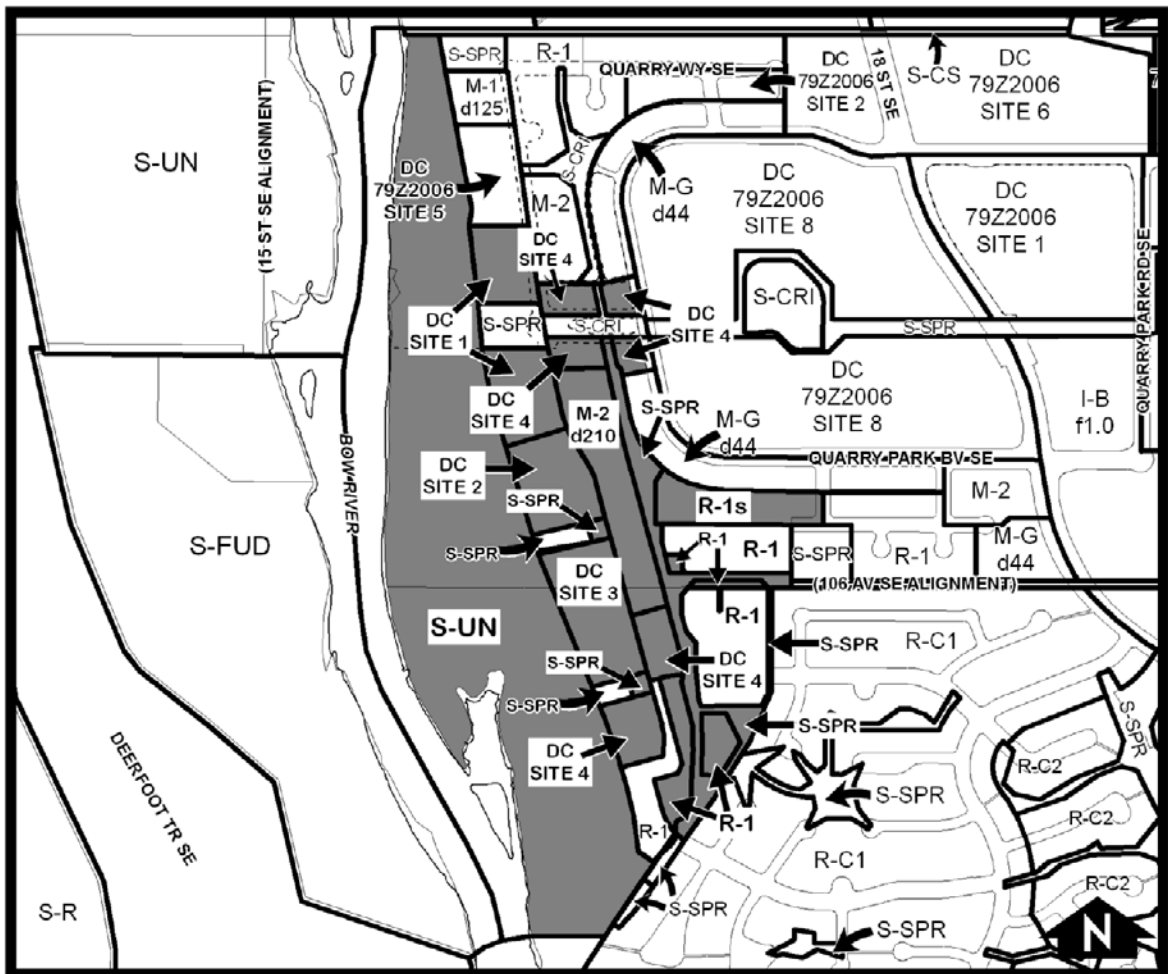
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

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Purpose

- 1 This Direct Control District is intended to be characterized by:
- (a) medium rise **Multi-Residential Development** in a variety of forms on Sites 1, 2 and 3;
 - (b) **Multi-Residential Development** designed to provide all **units** with direct pedestrian access to **grade** on Site 4; and
 - (c) **Building setback, building height** and design considerations that address the interface with the Bow River corridor and associated public open space lands.

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

1.99 ha ±

Application

- 4 The provisions in sections 5 through 12 apply only to Site 1.

Permitted Uses

- 5 The **permitted uses** of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 apply in this Direct Control District.

Density

- 8 The maximum **density** for each **parcel** is 321 **units** per hectare.

Additional Building Setbacks

- 9 (1) The minimum **building setback** from a **property line** shared with a **parcel** that is designated as a Special Purpose – School, Park and Community Reserve (S-SPR) District is:

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- (a) 0.0 for the **commercial multi-residential uses** component of the **building**; and
 - (b) 3.0 metres in all other cases.
- (2) The minimum **building setback** from a **property line** shared with a **parcel** that is designated as a Special Purpose – Urban Nature (S-UN) District is 7.5 metres.
- (3) In all other cases where a **parcel** shares a **property line** with another **parcel**, the minimum **building setback** from a **property line** is 3.0 metres.

Building Height

- 10 (1) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 14.0 metres measured from **grade** within 6.0 metres of that shared **property line**; and
 - (b) 40.0 metres measured from **grade** at a distance greater than 6.0 metres from the shared **property line**.
- (2) Where a **parcel** shares a **property line** with a Special Purpose – School, Park and Community Reserve (S-SPR) District, the maximum **building height** is:
- (a) 14.0 metres measured from **grade** within 6.0 metres of that shared **property line**; and
 - (b) 40.0 metres measured from **grade** at a distance greater than 6.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a Special Purpose – Urban Nature (S-UN) District, the maximum **building height** is:
- (a) 14.0 metres measured from **grade** within 20.0 metres of that shared **property line**; and
 - (b) 40.0 metres measured from **grade** at a distance greater than 20.0 metres from the shared **property line**.
- (4) In all other cases where a **parcel** shares a **property line** with another **parcel**, the maximum **building height** is:
- (a) 14.0 metres measured from **grade** within 6.0 metres of that shared **property line**; and

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- (b) 40.0 metres measured from **grade** at a distance greater than 6.0 metres from the shared **property line**.
- (5) A maximum of two **buildings** may exceed a **building height** of 29.0 metres on Site 1.

Floor Plate Restrictions

- 11 Each floor of a **building** located partially or wholly above 29.0 metres above **grade** has a maximum:
- (a) **floor plate area** of 835.0 square metres; and
 - (b) horizontal dimension of 37.0 metres.

Commercial Multi-Residential Uses

- 12 (1) **Commercial multi-residential uses** must:
- (a) be located in the first and second **storey**; and
 - (b) have a separate exterior entrance from that of the **Dwelling Units**.
- (2) A maximum of 20.0 per cent of the **gross floor area** of all **Multi-Residential Development** on a **parcel** may be **commercial multi-residential uses**.

Site 2

1.30 ha ±

Application

- 13 The provisions in sections 14 through 20 apply only to Site 2.

Permitted Uses

- 14 The **permitted uses** of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 15 The **discretionary uses** of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 16 Unless otherwise specified, the rules of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 apply in this Direct Control District.

Density

- 17 The maximum **density** for each **parcel** is 321 **units** per hectare.

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Additional Building Setbacks

- 18** (1) The minimum **building setback** from a **property line** shared with a **parcel** that is designated as a Special Purpose – School, Park and Community Reserve (S-SPR) District is:
- (a) 0.0 for the **commercial multi-residential uses** component of the **building**; and
 - (b) 3.0 metres in all other cases.
- (2) The minimum **building setback** from a **property line** shared with a **parcel** that is designated as a Special Purpose – Urban Nature (S-UN) District is 7.5 metres.
- (3) In all other cases where a **parcel** shares a **property line** with another **parcel**, the minimum **building setback** from a **property line** is 3.0 metres.

Building Height

- 19** (1) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 14.0 metres measured from **grade** within 6.0 metres of that shared **property line**; and
 - (b) 29.0 metres measured from **grade** at a distance greater than 6.0 metres from the shared **property line**.
- (2) Where a **parcel** shares a **property line** with a Special Purpose – School, Park and Community Reserve (S-SPR) District, the maximum **building height** is:
- (a) 14.0 metres measured from **grade** within 6.0 metres of that shared **property line**; and
 - (b) 29.0 metres measured from **grade** at a distance greater than 6.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a Special Purpose – Urban Nature (S-UN) District, the maximum **building height** is:
- (a) 14.0 metres measured from **grade** within 20.0 metres of that shared **property line**; and
 - (b) 29.0 metres measured from **grade** at a distance greater than 20.0 metres from the shared **property line**.
- (4) In all other cases where a **parcel** shares a **property line** with another **parcel**, the maximum **building height** is:

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- (a) 14.0 metres measured from **grade** within 6.0 metres of that shared **property line**; and
- (b) 29.0 metres measured from **grade** at a distance greater than 6.0 metres from the shared **property line**.

Commercial Multi-Residential Uses

20 (1) **Commercial multi-residential uses** must:

- (a) be located in the first and second **storeys**; and
- (b) have a separate exterior entrance from that of the **Dwelling Units**.

(2) A maximum of 20.0 per cent of the **gross floor area** of all **Multi-Residential Development** on a **parcel** may be **commercial multi-residential uses**.

Site 3

1.72 ha ±

Application

21 The provisions in sections 22 through 27 apply only to Site 3.

Permitted Uses

22 The **permitted uses** of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

23 The **discretionary uses** of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

24 Unless otherwise specified, the rules of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 apply in this Direct Control District.

Density

25 The maximum **density** for each **parcel** is 210 **units** per hectare.

Building Setbacks

26 (1) The minimum **building setback** from a **property line** shared with a **parcel** that is designated as a Special Purpose – School, Park and Community Reserve (S-SPR) District is 3.0 metres.

(2) The minimum **building setback** from a **property line** shared with a **parcel** that is designated as a Special Purpose – Urban Nature (S-UN) District is 7.5 metres.

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- (3) In all other cases where a *parcel* shares a *property line* with another *parcel*, the minimum *building setback* from a *property line* is 3.0 metres.

Building Height

- 27 (1) Where a *parcel* shares a *property line* with a street, the maximum *building height* is:
- (a) 14.0 metres measured from *grade* within 6.0 metres of that shared *property line*; and
 - (b) 20.0 metres measured from *grade* at a distance greater than 6.0 metres from the shared *property line*.
- (2) Where a *parcel* shares a *property line* with a Special Purpose – School, Park and Community Reserve (S-SPR) District, the maximum *building height* is:
- (a) 14.0 metres measured from *grade* within 6.0 metres of that shared *property line*; and
 - (b) 20.0 metres measured from *grade* at a distance greater than 6.0 metres from the shared *property line*.
- (3) Where a *parcel* shares a *property line* with a Special Purpose – Urban Nature (S-UN) District, the maximum *building height*:
- (a) is 14.0 metres measured from *grade* at 7.5 metres from that shared property line; and
 - (b) increases proportionately to 20.0 metres measured from *grade* at a distance greater than 12.5 metres from that shared *property line*.
- (4) In all other cases where a *parcel* shares a *property line* with another *parcel*, the maximum *building height*:
- (a) is 14.0 metres measured from *grade* at 3.0 metres from that shared *property line*; and
 - (b) increases proportionately to a maximum 20.0 metres measured from *grade* at a distance of 9.0 metres from the shared *property line*.

Site 4

1.76 ha ±

Application

28 The provisions in sections 29 through 34 apply only to Site 4.

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Permitted Uses

29 The *permitted uses* of the Multi-Residential – At Grade Housing (M-G) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

30 The *discretionary uses* of the Multi-Residential – At Grade Housing (M-G) District District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District.

Bylaw 1P2007 District Rules

31 Unless otherwise specified, the rules of the Multi-Residential – At Grade Housing (M-G) District of Bylaw 1P2007 apply in this Direct Control District.

Density

32 The minimum *density* for each *parcel* is 24 *units* per hectare.

Building Height

33 The maximum *building height* is 14.0 metres.

Building Form

34 Any portion of a *unit* may be located above any portion of another *unit*.