

**BYLAW NUMBER 38D2012**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2011-0086)  
\*\*\*\*\***

**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;

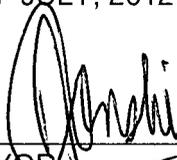
**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

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.

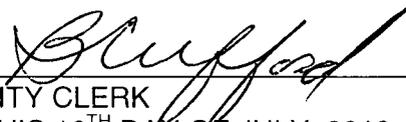
READ A FIRST TIME THIS 16<sup>TH</sup> DAY OF JULY, 2012.

READ A SECOND TIME THIS 16<sup>TH</sup> DAY OF JULY, 2012.

READ A THIRD TIME THIS 16<sup>TH</sup> DAY OF JULY, 2012.



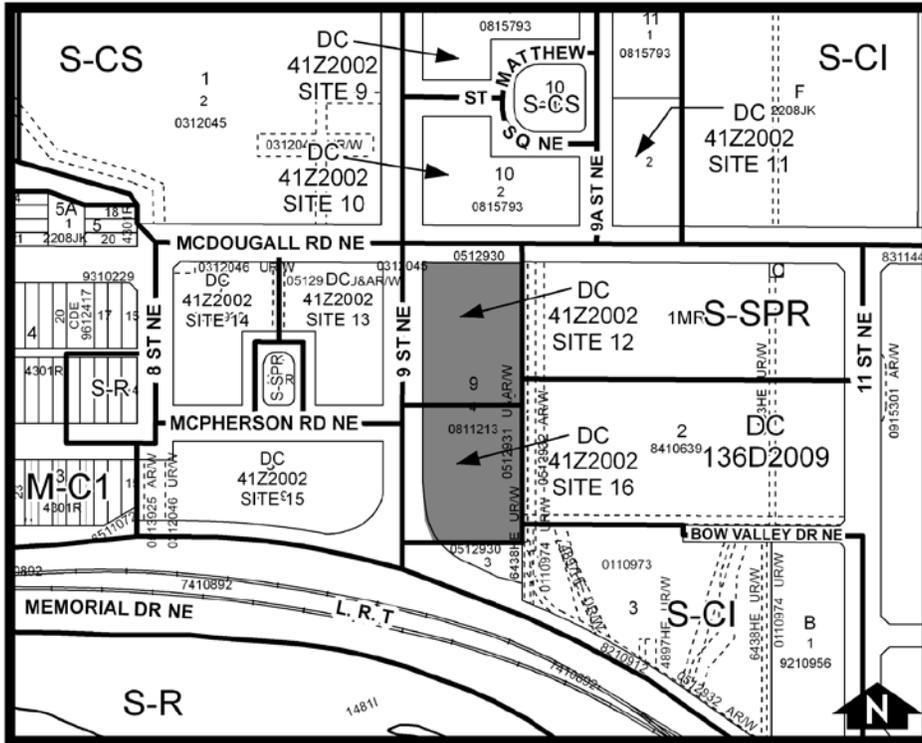
\_\_\_\_\_  
MAYOR  
SIGNED THIS 16<sup>TH</sup> DAY OF JULY, 2012.



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ACTING CITY CLERK  
SIGNED THIS 16<sup>TH</sup> DAY OF JULY, 2012.

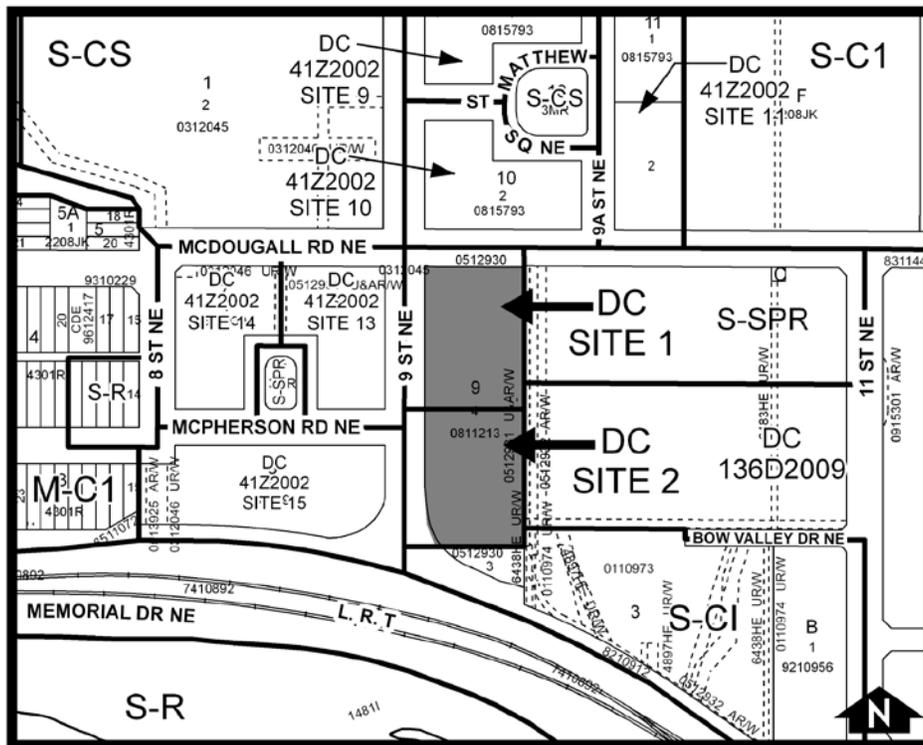
AMENDMENT LOC2011-0086  
BYLAW NUMBER 38D2012

SCHEDULE A



AMENDMENT LOC2011-0086  
BYLAW NUMBER 38D2012

**SCHEDULE B**



**DC DIRECT CONTROL DISTRICT**

**Purpose**

- 1 This Direct Control District is intended:
  - (a) for medium rise **Multi-Residential Development** in a variety of forms that is sensitive to adjacent districts that allow residential **uses**;
  - (b) provides for a range of intensity of **development** where intensity is measured by **floor area ratio** to provide flexibility in **Dwelling Unit** size and number;
  - (c) to provide for a **building** form that is street oriented at **grade**;
  - (d) to provide **building height** in a manner that reflects the immediate context;
  - (e) to provide transit supportive **uses** in a mixed use format on Site 2;
  - (f) to provide for small to mid-scale commercial **developments** on Site 2.

**AMENDMENT LOC2011-0086  
BYLAW NUMBER 38D2012**

**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.

**Bylaw 1P2007 District Rules**

- 4 Unless otherwise specified the general rules of Part 6, Division 1: General Rules for Multi-Residential Land Use Districts apply in this Direct Control District.

**Setback Area**

- 5 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 6.

**Building Setbacks and Building Separation**

- 6 (1) The minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) Where a **parcel** shares a **property line** with another **parcel**, the required **building setback** is zero metres when the adjoining **parcel** is within this Direct Control District.
- (3) No separation distance greater than zero metres is allowed between **buildings** within this Direct Control District.

**Building Step Back**

- 7 Above the second or third **storey**, any portion of a **building** facing a **street** must step back a minimum of 1.0 metres from the lower **storeys**.

**Projections Into Setback Areas**

- 8 (1) Windows may project a maximum of 0.3 metres into a **front setback area**.
- (2) **Landings, porches** or canopies may project a maximum of 0.9 metres into a **front setback area**.
- (3) Eaves may project into a **front setback area** to a maximum of 0.6 metres.
- (4) No area restrictions apply to **landings**.

**Building Location and Orientation**

- 9 (1) The main **public entrance** to a **building** must face the **property line** shared with a **street**.

AMENDMENT LOC2011-0086  
BYLAW NUMBER 38D2012

- (2) A **unit**, facing a **street** or **Park**, with any portion of its **floor area** located on the floor closest to **grade**, must have an individual, separate, direct access to **grade**.

**Building Façade**

- 10 (1) **Units** on the floor closest to **grade** facing a public **street** must have the appearance of individual **Dwelling Units**.
- (2) Facades facing a **street**, when located below the third **storey**, must be constructed to the minimum required **setback** from a **street**, except recesses may be allowed within the **building** façade for entrances and **private amenity space** only.
- (3) For Site 1, the **building** façade of the floor closest to **grade** facing a **street** must have a minimum length of 30 metres.

**Landscaped Areas**

- 11 (1) A minimum of 25.0 per cent of the area of a **parcel** at **grade**, or within 1.0 metres from **grade**, must be a **landscaped area**.
- (2) A minimum of 60 per cent of the minimum **landscaped area** at **grade** must be permeable.
- (3) The **landscaped area** may not be reduced.

**Planting Requirements**

- 12 (1) A minimum of one (1) tree per 30 square metres of **landscaped area** is required.
- (2) There is no minimum number of shrubs in **landscaped areas**.
- (3) A minimum of 10.0 per cent of all trees provided on Site 1 must be coniferous and a minimum of 50.0 per cent of the coniferous trees provided must be planted within the **rear setback area**.
- (4) Trees used in landscaping a **frontage** between a **building** and a **property line** shared with a **street** must be deciduous.

**Amenity Space**

- 13 **Private amenity space** for ground floor units may be located in a **front setback** area.

AMENDMENT LOC2011-0086  
BYLAW NUMBER 38D2012

**Motor Vehicle Parking Stall Requirements**

14 The minimum **motor vehicle parking stall** requirement for each **Dwelling Unit** and **Live Work Unit** is:

- (a) 2.0 **parking stalls** for each **Live Work Unit**.
- (b) 1.0 **parking stalls** for each **Dwelling Unit**, which includes **visitor parking stalls**.
- (c) The minimum number of **parking stalls** may not be reduced.

**Parking Location and Screening**

15 (1) No surface **motor vehicle parking stalls** are allowed in a **front setback area** or within 6.0 metres of a **street**.

(2) Unless otherwise referenced in subsections (3) and (4), all **motor vehicle parking stalls** must be provided as structured parking.

(3) Visitor **parking stalls** may be provided at **grade**.

(4) Parking structures must not be visible from 9 Street NE or from the south boundary of Site 2.

(5) Parking structures must be architecturally integrated with the **building**.

**Outside Storage**

16 All storage must be contained within a **building**.

**Fences**

17 (1) **Patio** walls not exceeding 1.0 metres in height, which enclose a **private outdoor amenity space** may, when structurally integrated with the principal **building**, project to the **property line**.

(2) The height of an exposed **retaining wall** or other **building** wall located within a **front setback area** must not exceed 1.0 metres.

(3) The height of a **fence** that does not extend beyond the foremost portion of all **buildings** on the **parcel** must not exceed 1.8 metres, including the height of any **retaining wall**, which represents a logical vertical extension of the **fence**.

**Site 1**

(0.438 hectares ±, 1.082 acres ±)

18 The provisions of sections 19 through 22 apply only to Site 1.

**AMENDMENT LOC2011-0086  
BYLAW NUMBER 38D2012**

**Permitted Uses**

**19** The following *uses* are *permitted uses* in this Direct Control District:

- (a) **Accessory Residential Building;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Sign – Class A; and**
- (e) **Utilities.**

**Discretionary Uses**

**20** The following *uses* are *discretionary uses* in this Direct Control District:

- (a) **Assisted Living;**
- (b) **Child Care Service;**
- (c) **Home Occupation - Class 2;**
- (d) **Live Work Unit;**
- (e) **Multi-Residential Development;**
- (f) **Power Generation Facility – Small;**
- (g) **Residential Care;**
- (h) **Sign – Class B;**
- (i) **Sign – Class C;**
- (j) **Sign – Class D;**
- (k) **Sign – Class E;**
- (l) **Temporary Residential Sales Centre; and**
- (m) **Utility Building.**

**Floor Area Ratio**

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

**Building Height**

**22 (1)** The minimum *building height* is 14.0.

**(2)** The maximum *building height* is 26.0 metres.

**Site 2 (0.410 hectares, 1.013 acres)**

**23** The provisions of sections 24 through 29 apply only to Site 2.

**Permitted Uses**

**24** The following *uses* are *permitted uses* in this Direct Control District:

- (a) **Home Occupation – Class 1;**
- (b) **Park;**
- (c) **Retail and Consumer Service;**

AMENDMENT LOC2011-0086  
BYLAW NUMBER 38D2012

- (d) **Sign – Class A;**
- (e) **Sign – Class B;**
- (f) **Sign – Class D;**
- (g) **Take-out Food Service;**
- (h) **Utilities; and**
- (i) **Veterinary Clinic.**

**Discretionary Uses**

**25** The following *uses* are *discretionary uses* in this Direct Control District:

- (a) **Accessory Food Service;**
- (b) **Amusement Arcade;**
- (c) **Assisted Living;**
- (d) **Billiard Parlour;**
- (e) **Child Care Service;**
- (f) **Computer Games Facility;**
- (g) **Convenience Food Store;**
- (h) **Counseling Service;**
- (i) **Drinking Establishment – Small;**
- (j) **Financial institutions;**
- (k) **Fitness Centre;**
- (l) **Health Services Laboratory – with Clients;**
- (m) **Home Occupation – Class 2;**
- (n) **Hotel;**
- (o) **Indoor Recreation Facility;**
- (p) **Instructional Facility;**
- (q) **Liquor Store;**
- (r) **Live Work Unit;**
- (s) **Medical Clinic;**
- (t) **Multi-Residential Development;**
- (u) **Office;**
- (v) **Outdoor Café;**
- (w) **Personal Apparel Service;**
- (x) **Pet Care Service;**
- (y) **Post-Secondary Learning Institution;**
- (z) **Power Generation Facility – Small;**
- (aa) **Print Centre;**
- (bb) **Restaurant: Licensed – Medium;**
- (cc) **Restaurant: Licensed – Small;**
- (dd) **Restaurant: Food Service Only – Medium;**
- (ee) **Restaurant: Food Service Only – Small;**
- (ff) **Residential Care;**
- (gg) **School – Private;**
- (hh) **Service Organization;**
- (ii) **Sign – Class C;**
- (jj) **Sign – Class E;**

AMENDMENT LOC2011-0086  
BYLAW NUMBER 38D2012

- (kk) **Social Organization;**
- (ll) **Special Function – Class 2**
- (mm) **Specialty Food Store;**
- (nn) **Temporary Residential Sales Centre;** and
- (oo) **Utility Building.**

**Maximum Floor Area Ratio**

**26** The maximum *floor area ratio* is 5.2.

**Building Height**

**27 (1)** The minimum *building height* is 14.0 metres.

**(2)** The maximum *building height* is 34.0 metres.

**Additional Parking Location and Screening**

**28** Surface *parking stalls* are only be allowed at the rear of a *building*.

**Additional Rules for Landscaped Areas**

**29** A *landscaped area* located on the *building* may be credited toward the required *landscaped area*.