

BYLAW NUMBER 51D2012

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2010-0005)**

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;

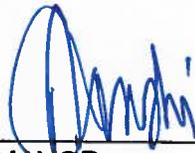
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 2ND DAY OF OCTOBER, 2012.

READ A SECOND TIME THIS 11TH DAY OF FEBRUARY, 2013.

READ A THIRD TIME THIS 11TH DAY OF FEBRUARY, 2013.



MAYOR

SIGNED THIS 11TH DAY OF FEBRUARY, 2013.

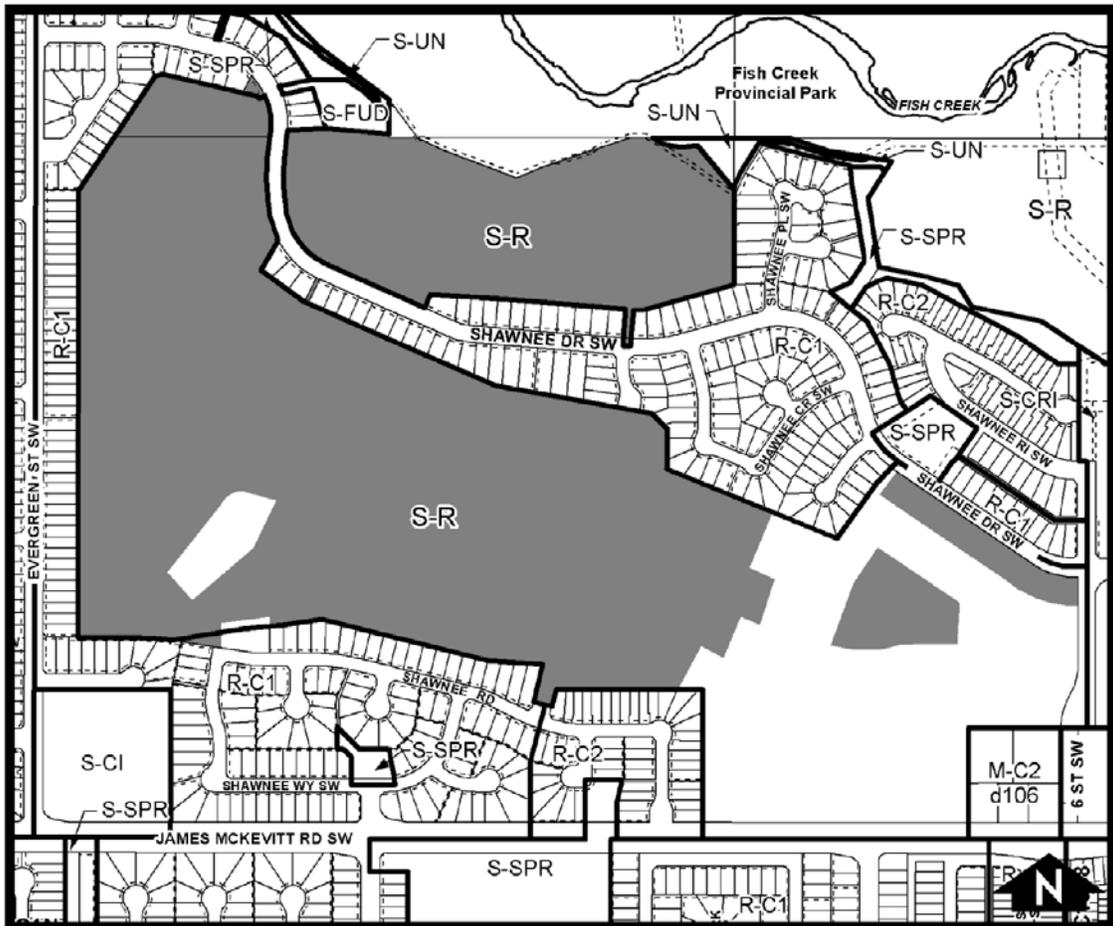


ACTING CITY CLERK

SIGNED THIS 11TH DAY OF FEBRUARY, 2013.

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SCHEDULE A



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- (c) provide for specific interface conditions with ***existing residential development***;
- (d) ensure appropriate densities, built form and setbacks are achieved; and
- (e) establish rules for tree preservation.

Compliance with Bylaw 1P2007

2 Unless otherwise specified in this Direct Control District, 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.

General Definitions

4 In this Direct Control District:

- (a) “***landscape buffer area***” means treed areas, within 20.0 metres of a ***property line*** shared with an ***existing residential development***;
- (b) “***existing residential development***” means parcels as identified on Schedule 1; and
- (c) “***drip line***” means an area located directly under the outer circumference of the tree branches.

Permitted Uses

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

- (a) **Home Based Child Care – Class 1;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Sign – Class A; and**
- (e) **Utilities.**

Discretionary Uses

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

- (a) **Accessory Residential Building;**
- (b) **Bed and Breakfast;**
- (c) **Community Entrance Feature;**
- (d) **Duplex Dwelling;**
- (e) **Home Based Child Care – Class 2;**
- (f) **Home Occupation – Class 2;**

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- (g) **Power Generation Facility – Small;**
- (h) **Residential Care;**
- (i) **Secondary Suite;**
- (j) **Secondary Suite – Detached Garage;**
- (k) **Secondary Suite – Detached Garden;**
- (l) **Semi-detached Dwelling;**
- (m) **Sign – Class B;**
- (n) **Sign – Class C;**
- (o) **Sign – Class D;**
- (p) **Sign – Class E;**
- (q) **Single Detached Dwelling;**
- (r) **Temporary Residential Sales Centre;**
- (s) **Townhouse; and**
- (t) **Utility Building.**

Bylaw 1P2007 District Rules

7 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential Contextual Grade-Oriented (M-CG) District of Bylaw 1P2007 apply.

Density

8 The maximum **density** of a **parcel** is:
(a) 20.0 **units** per hectare in Site 1; and
(b) 25.0 **units** per hectare in Site 2.

Plan of Survey

9 Prior to the first **development permit** submission, a plan of survey identifying the outer **drip line** of trees with trunks located entirely within 20.0 metres of a **property line** shared with an **existing residential development**, must be approved by the Subdivision Authority.

Specific Rules for Landscaped Areas

10 A minimum of 40.0 per cent of the area of a **parcel** must be a **landscaped area**.

Planting Requirements

- 11** (1) Trees required by this section may be provided through the planting of new trees or the preservation of existing trees.
- (2) A minimum of one tree must be provided for every two **bare land units** and located between the **building** and **street**, according to the minimum tree size requirements as follows:
- (a) Deciduous trees must have a minimum **caliper** of 50 millimetres at the time of planting; and

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- (b) Coniferous trees must have a minimum height of 2.0 metres at the time of planting.
- (c) The requirement for the provision of two trees is met where:
 - (i) a deciduous tree has a minimum **caliper** of 225 millimetres; and
 - (ii) a coniferous tree has a minimum height of 9.0 metres.

Tree Protection

- 12** (1) A minimum of 98.0 per cent of trees with a trunks located entirely within 20.0 metres of a **property line** shared with an **existing residential development**, existing as of the date of this Direct Control District Bylaw must be preserved.
- (2) A minimum of 70.0 per cent of all other trees, existing as of the date of this Direct Control District Bylaw must be preserved.
- (3) A **development permit** is required to alter landscaping including, removal of an existing tree, located within a **landscape buffer area**.
- (4) No portions of any **buildings, streets or lanes** are allowed between the outer tree **drip line**, as it exists at the date of **development permit** approval, and the **property line** shared with an **existing residential development**.
- (5) The **drip line** perimeter of an area identified for tree preservation on a **development permit** must be fenced while any area **adjacent** to it is being excavated, stripped or graded, or is under construction.

Tree Replacement

- 13** (1) Except as indicated in subsections (2) and (3), when an existing tree is removed, it must be replaced by the general tree type, meaning deciduous or coniferous, of the tree being replaced, according to the minimum size requirements as follows:
- (a) Deciduous trees must have a minimum **caliper** of 75 millimetres at the time of planting; and
 - (b) Coniferous trees must have a minimum height of 3.0 metres at the time of planting.
- (2) Where an existing deciduous tree is removed and has a minimum **caliper** of 225 millimetres, it must be replaced by two deciduous trees with a minimum **caliper** of 75 millimetres each at the time of planting.

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- (3) Where an existing coniferous tree is removed and has a minimum height of 9.0 metres, it must be replaced by two coniferous trees with a minimum height of 3.0 metres each at the time of planting.

Building Setbacks

- 14 (1) The minimum **building setback** from a **property line** shared with an **existing residential development**:
- (a) for only the area identified on Schedule 2, is 10.0 metres;
 - (b) for **Townhouses**, is 30.0 metres; and
 - (c) in all other cases is 15.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **low density residential district** is 6.0 metres.
- (3) The minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (4) In all other cases, the minimum **building setback** is 1.2 metres.

Building Height

- 15 The maximum **building height** is 10.0 metres.

Fencing Rules

- 16 In addition to the Fences Rules in Section 571 of Bylaw 1P2007, the following Rules apply:
- (a) No permanent fencing is allowed within a **landscape buffer area**, or within 15.0 metres from a **property line** shared with an **existing residential development**, excepting fencing along the perimeter **property line**.
 - (b) Fencing abutting the **landscape buffer area** must be chain-link, wrought iron or other transparent style.

Excavation, Stripping & Grading

- 17 (1) Within a **landscape buffer area**, excavation, stripping or grading requires a **development permit**.
- (2) Outside a **landscape buffer area**, all excavation, stripping or grading of land greater than 50.0 square metres requires a **development permit**.

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- (3)** No excavation, stripping or grading is allowed prior to approval of a landscape plan and site plan as part of a ***development permit***.

R-C2 District Rule

- 18** Section 573 of bylaw 1P2007 does not apply in this Direct Control District.

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SCHEDULE 1



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SCHEDULE 2

