

BYLAW NUMBER 54D2012

**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.

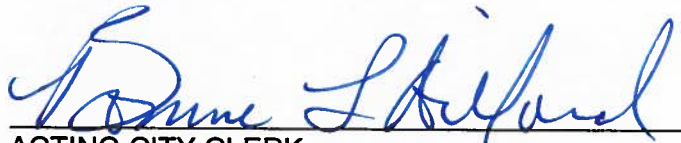
READ A FIRST TIME THIS 2ND DAY OF OCTOBER, 2012.

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

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



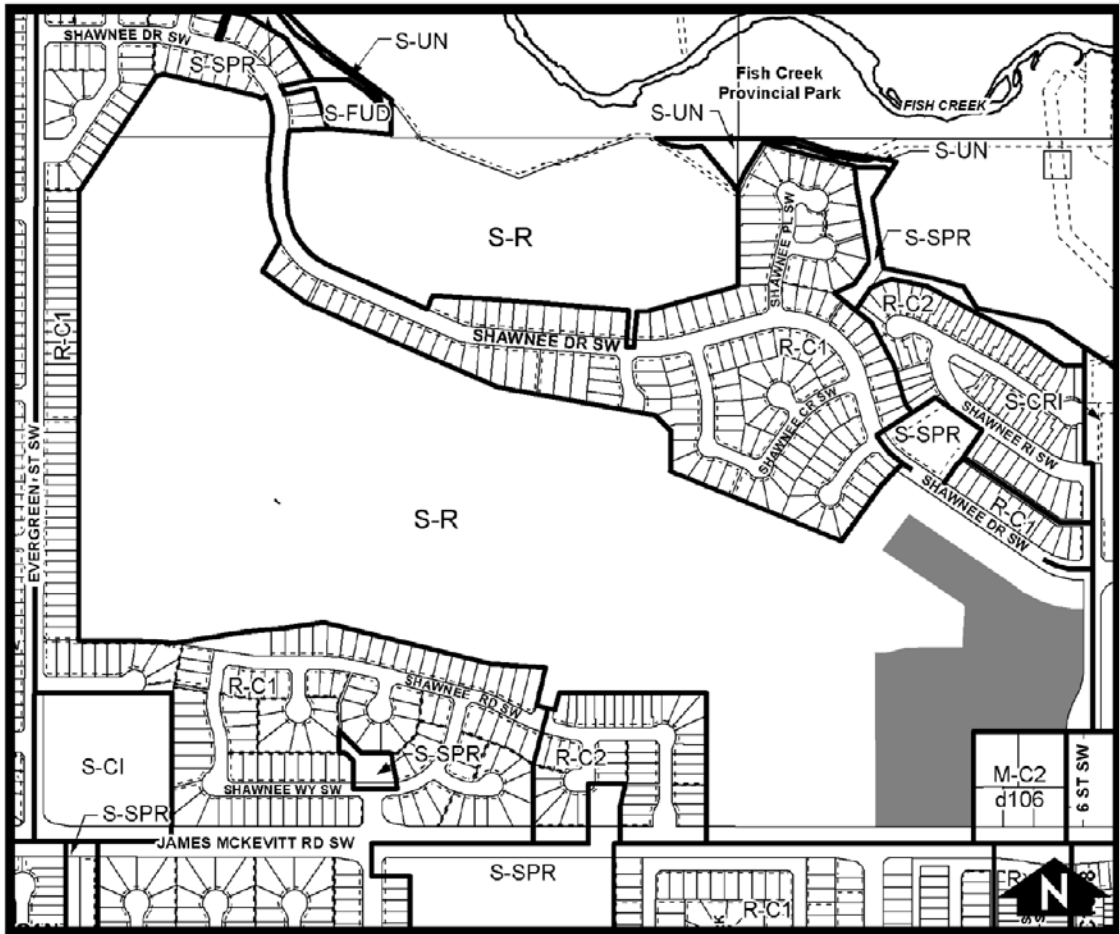
MAYOR
SIGNED THIS 11TH DAY OF FEBRUARY, 2013.



ACTING CITY CLERK
SIGNED THIS 11TH DAY OF FEBRUARY, 2013.

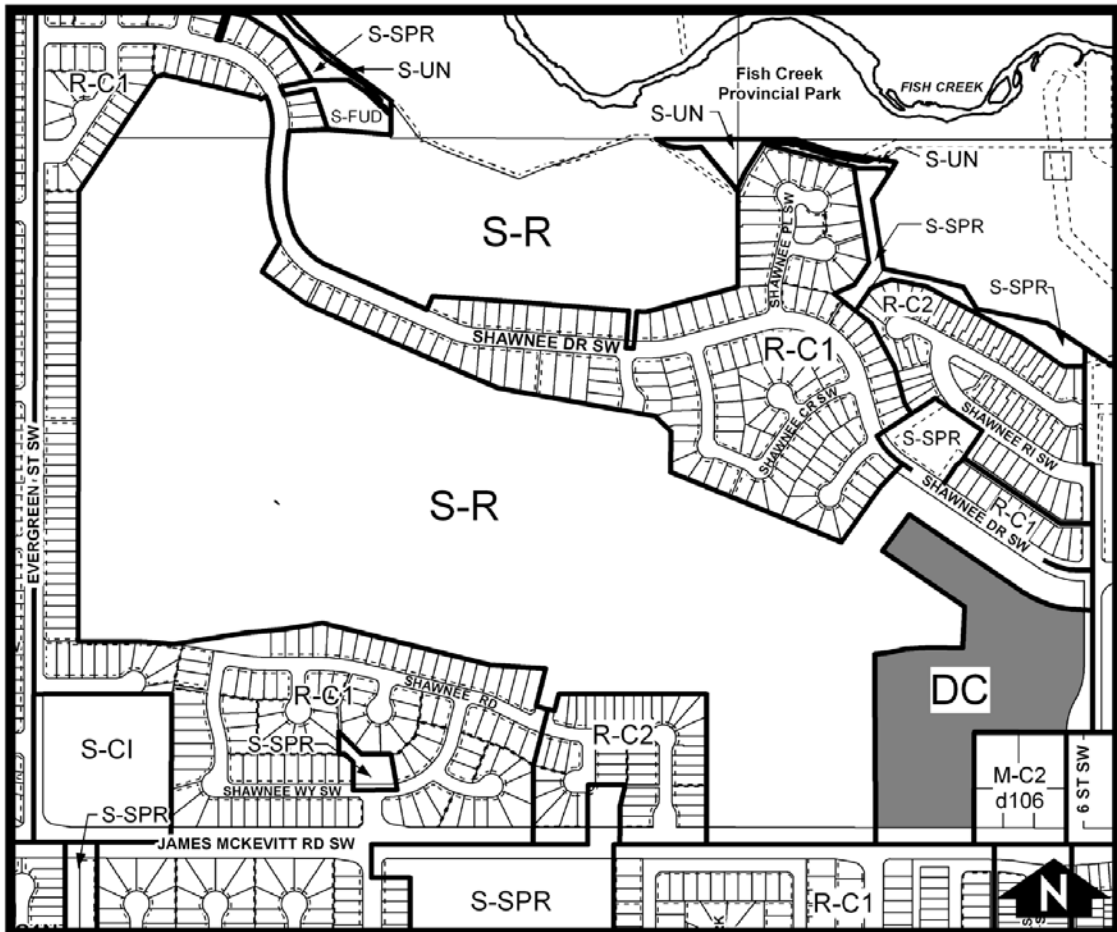
AMENDMENT LOC2010-0005
BYLAW NUMBER 54D2012

SCHEDULE A



AMENDMENT LOC2010-0005
BYLAW NUMBER 54D2012

SCHEDULE B



DC DIRECT CONTROL DISTRICT

4.30 hectares±

Purpose

- 1 The purpose of this Direct Control District is to:

**AMENDMENT LOC2010-0005
BYLAW NUMBER 54D2012**

- (a) provide for **Multi-Residential Development** with support commercial uses with medium height and medium *density*;
- (b) accommodate built form sensitive to *existing residential development*;
- (c) provide specific interface conditions with public *streets* and **Park**; and
- (d) require certain site planning, built form and design measures to ensure a quality public realm; and
- (e) achieve a strong pedestrian oriented environment and walkway linkage leading towards the LRT station east of 6 Street SW.

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) “*existing residential development*” means parcels as identified on Map 1; and
- (b) “*drip line*” means an area located directly under the outer circumference of the tree branches.

Permitted Uses

- 5** The *permitted uses* of the Multi-Residential – Medium Profile Support Commercial (M-X2) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

- 6** The *discretionary uses* of the Multi-Residential – Medium Profile Support Commercial (M-X2) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District with the addition of:

- (a) **Fitness Centre.**

**AMENDMENT LOC2010-0005
BYLAW NUMBER 54D2012**

Bylaw 1P2007 District Rules

7 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential – Medium Profile Support Commercial (M-X2) District of Bylaw 1P2007 apply in this Direct Control District.

Density

8 The maximum *density* of a *parcel* is 160.0 *units* per hectare.

Floor Area Ratio

9 The maximum *floor area ratio* is 3.0.

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 1.0 trees and 2.0 shrubs must be provided for every 45.0 square metres of *landscaped area*.
- (3) A minimum of 25.0 per cent of the required number of trees and shrubs must be located within 15.0 metres from a *property line* shared with an *existing residential development*.
- (4) The requirement for the provision of two trees is met where:
- (a) a deciduous tree has a minimum *caliper* of 225 millimetres; and
 - (b) a coniferous tree has a minimum height of 9.0 metres.

Tree Protection

- 12** (1) Existing trees within 15.0 metres from a *property line* shared with an *existing residential development*, must not be removed unless approved, on a *development permit*.
- (2) The perimeter *drip line* 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:

**AMENDMENT LOC2010-0005
BYLAW NUMBER 54D2012**

- (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 a deciduous tree 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.
- (3) Where a coniferous tree 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** is 15.0 metres from a **property line** shared with an **existing residential development**.
- (2) The minimum **building setback** is 6.0 metres from a **property line** shared with an **adjacent low density residential district**.
- (3) Where **buildings** are **adjacent** to the 4.0 metre wide walkway, the maximum **building setback** from the walkway is 1.0 metres.
- (4) Where **buildings** are **adjacent** to a **parcel** designated S-SPR, the minimum **building setback** is 0 metres.
- (5) Where **buildings** are **adjacent** to a public **street**, the minimum **building setback** is 0 metres.
- (6) In all other cases, the minimum **building setback** is 1.2 metres.

Building Height

- 15 The maximum **building height** is 26.0 metres.

At Grade Orientation of Units

- 16 A **unit** in a **Multi-Residential Development** that is located on the floor closest to **grade** must have:
- (a) an individual, separate, direct access to **grade**; and
 - (b) an entrance that is visible from the **street** or **parcel** designated S-SPR that the **unit** faces.

**AMENDMENT LOC2010-0005
BYLAW NUMBER 54D2012**

Building Façade

- 17 (1) The individual or combined length of the **building** that faces the northern **property line** of a **parcel** designated S-SPR must be a minimum of 70.0 per cent of the length of the **property line** it faces.
- (2) The individual or combined length of the **building** that faces the 4.0 metre wide walkway, must be a minimum of 65.0 per cent of the entire length of the walkway.
- (3) In calculating the length of the **building**, in subsections (1) and (2), the depth of any required **rear** or **side setback areas** will not be included as part of the length of the **property line**.

Commercial Multi-Residential Uses

- 18 The maximum **use area** for each **commercial multi-residential use**:
- (a) for a maximum of one store with a **Supermarket use**, is 1000.0 square metres; and
 - (b) in all other cases is 500.0 square metres.

Enhanced Walkway

- 19 A walkway must be provided and:
- (a) be located entirely on private land, continuously between 6 Street SW and the **parcel** designated S-SPR.
 - (b) be a minimum of 4.0 metres in width with a textured concrete or brick surface.
 - (c) may allow for one vehicular crossing, excepting **motor vehicular parking stalls**, with the walkway's textured concrete or brick surface retaining continuity.

AMENDMENT LOC2010-0005
BYLAW NUMBER 54D2012

Parking and Loading

- 20 (1) Except *visitor parking stalls*, and *motor vehicle parking stalls* for *commercial multi-residential uses*, *motor vehicle parking stalls* for **Multi-Residential Development** must be provided in a *building*.
- (2) Excepting *commercial multi-residential use parking stalls*, *motor vehicle parking stalls* and *loading stalls* must not be located between a *building* and *street*.
- (3) *Motor vehicle parking stalls* and *loading stalls* must not be located between a *building* and a minimum 4.0 metre wide walkway.
- (4) *Motor vehicle parking stalls* and *loading stalls* must not be located between a *building* and *parcel* designated S-SPR, unless they serve a commercial use at grade.

Fencing Rules

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

Excavation, Stripping & Grading

- 22 (1) Excavation, stripping or grading of land greater than 50.0 square metres requires a *development permit*.
- (2) 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

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