

**BYLAW NO. 96Z2006**

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND  
THE CITY OF CALGARY LAND USE BYLAW 2P80  
(Land Use Amendment LOC2006-0098LOC2006-0098)**

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**WHEREAS** it is desirable to amend The City of Calgary Land Use Bylaw Number 2P80 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 City of Calgary Land Use Bylaw, being Bylaw 2P80 of the City of Calgary, is hereby amended by deleting that portion of the Land Use Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use 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.

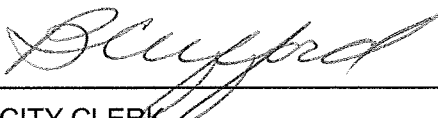
READ A FIRST TIME THIS 16<sup>th</sup> DAY OF OCTOBER, 2006.

READ A SECOND TIME THIS 16<sup>th</sup> DAY OF OCTOBER, 2006.

READ A THIRD TIME THIS 16<sup>th</sup> DAY OF OCTOBER, 2006.

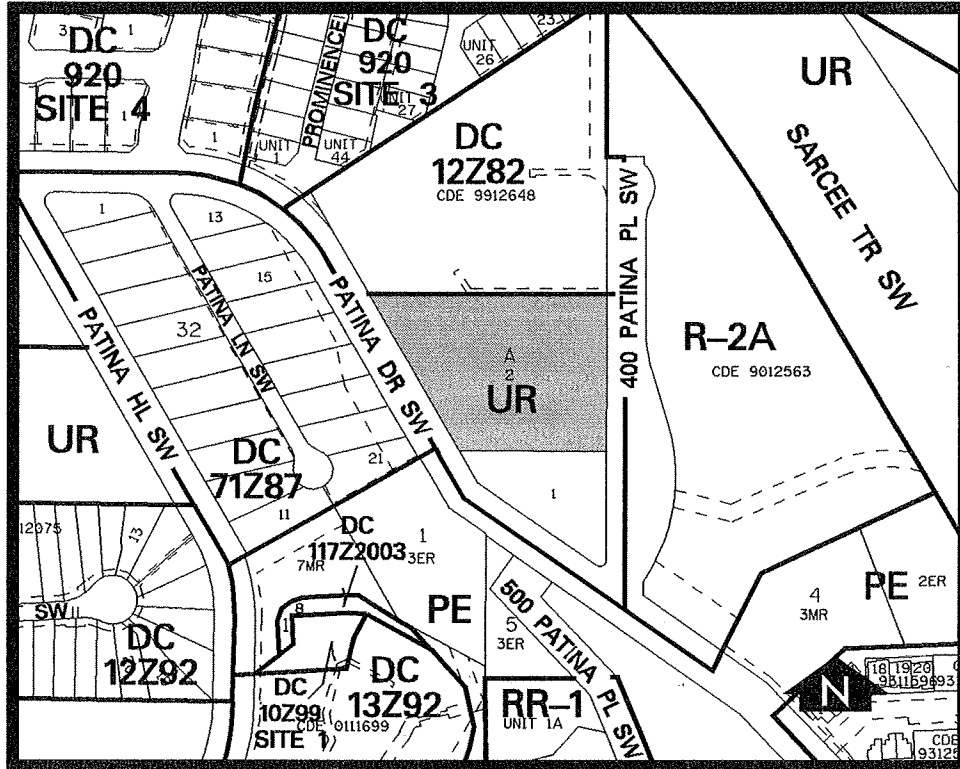
  
\_\_\_\_\_  
MAYOR

SIGNED THIS 16<sup>th</sup> DAY OF OCTOBER, 2006.

  
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ACTING CITY CLERK

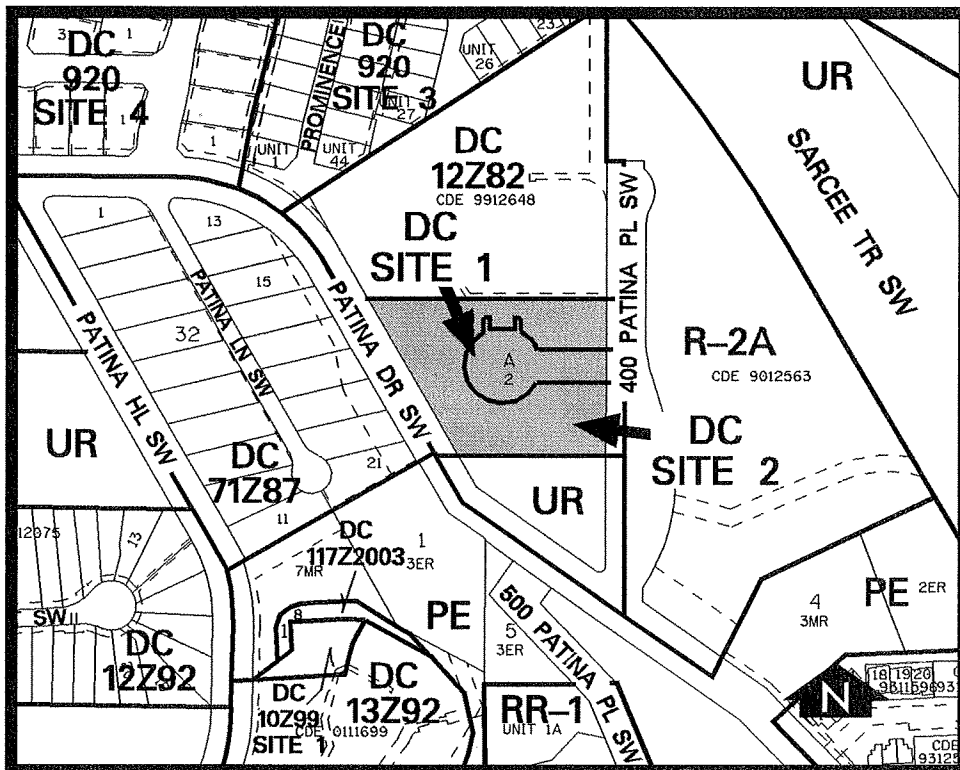
# Amendment LOC2006-0098 Bylaw 96Z2006

## SCHEDULE A



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## SCHEDULE B



### DC DIRECT CONTROL DISTRICT

#### Site 1 (2081 m<sup>2</sup>)

##### 1. Land Use

The following Discretionary Uses shall be allowed in the Crandell-Hart House building existing on Site 1 as of the date of passage of this bylaw.

Dwellings units  
Home occupations – class 1

##### 2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 shall apply, unless otherwise noted below:

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## SCHEDULE B

### CONTINUED

- (a) Number of Dwelling Units  
A maximum of 1 dwelling unit.
- (b) Yards and Landscaping
  - (i) No above grade structures, vehicular circulation or parking shall be allowed within the yard east of the Crandell-Hart House, with the exception of an Interpretive/Project Identification Sign, so as to maintain the estate character and free and clear site lines to the Crandell-Hart House from Patina Place SW; and
  - (ii) The north, south and west yards of the Crandell-Hart House not covered by buildings, patio, vehicular or pedestrian circulation shall be landscaped.
- (c) Building Height  
A maximum of 3 storeys not exceeding a geodetic height of 1181.52 metres at the peak of the roof.
- (d) Interpretive/Project Identification Sign
  - (i) For the purposes of this bylaw an Interpretive/Project Identification Sign means a sign which provides information on the heritage aspects of the Crandell-Hart House and identifies the name and/or address of the development;
  - (ii) An Interpretive/Project Identification Sign shall be provided and can be located on either Site 1 or Site 2 in the yard near the eastern property line;
  - (iii) The Interpretive/Project Identification Sign shall provide a project name and that project name shall be reflective of the heritage aspects of the Crandell-Hart House;
  - (iv) The Interpretive/Project Identification Sign shall be designed to the satisfaction of the Approving Authority; and

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## SCHEDULE B

### CONTINUED

(v) No third party advertising shall be permitted on the Interpretive/Project Identification Sign.

(e) Access

No direct vehicular access shall be provided to Site 1 from Patina Place SW. Vehicular access shall be provided to Site 1 via Site 2 only.

(f) Parking

In addition to the requirements of Section 18, commercial motor vehicles or recreational vehicles shall not be allowed in any yard for longer than 24 hours. Yard for the purpose of parking shall be defined as any area not covered by buildings.

(g) Fencing and Gating

(i) A maximum height of 1.2 metres and designed to be visually permeable;

(ii) No fencing permitted along the east property line;

(iii) The site shall not be gated to prevent pedestrian or vehicular access to the site; and

(iv) All fencing and gating shall be to the satisfaction of the Approving Authority.

(h) Building Modification

The Crandell-Hart Housing building exterior may be modified to the satisfaction of the Approving Authority.

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## SCHEDULE B

### CONTINUED

(i) Development Plans

Comprehensive plans shall be submitted to the Approving Authority as part of a development permit application. In considering such an application, the Approving Authority shall ensure that the site layout, height, mass and landscaping conform substantially with plans available to City Council during their consideration of this Bylaw.

### Site 2 (6548 m<sup>2</sup>)

1. Land Use

The land use shall be for a comprehensively designed semi-detached and single-detached residential development, with the following Permitted Uses:

Parks and playgrounds  
Utilities

and the following Descretionary Uses:

Semi-detached dwellings  
Single-detached dwellings  
Home occupations – Class 1  
Interpretive/project identification sign  
Utility building

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules of the R-2 Residential Low Density District shall apply to Permitted Uses and the Discretionary Use Rules of the R-2 Residential Low Density District shall apply to Discretionary Uses, unless otherwise noted below:

(a) Density

A maximum of 13 dwelling units over the entire Site 2 area (19.6 uph).

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### SCHEDULE B

#### CONTINUED

(b) Yards

- (i) A minimum of 3.8 metres from the boundary of Site 1;
- (ii) A minimum of 4.85 metres from the most easterly property line north of Site 1 and a minimum of 4.85 metres from the most easterly property line south of Site 1;
- (iii) A minimum of 10.0 metres from the north property line;
- (iv) A minimum of 8.2 metres from the west property line;
- (v) A minimum of 12.2 metres at the south property line; and
- (vi) Buildings east of the Crandell-Hart House shall be sited having regard to visual sitelines to Crandel-Hart House and its lands from Patina Place and in accordance with the site plan provided at the time of consideration of this Bylaw.

(c) Landscaped Area

A minimum of 50 percent of the site area shall be landscaped plus all adjoining City boulevards.

(d) Building Height

- (i) For units 1, 2, 3, 12, and 13 a maximum of 2 storeys not exceeding 6.0 metres at the second floor eaveline and a maximum of 8.0 metres to the peak of the roof pitch;
- (ii) For units 4 to 11 only, a maximum of 3 storeys not exceeding 9.5 metres at the third floor eaveline; and
- (iii) For units 4 to 11 only, enclosed access/lightwells may be allowed above the third floor eaveline for the purpose of providing access to the rooftop private

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### SCHEDULE B

#### CONTINUED

outdoor amenity area and to allow light penetration into the dwelling unit where the enclosed access/lightwells are:

- (A) a maximum of 2.5 metres above the third floor eaveline; and
- (B) set back a minimum of 4.0 metres from the façade that faces away from Site 1 and a minimum of 3.2 metres from the façade that faces towards Site 1.

(e) Roof Top

The following shall be to the satisfaction of the Approving Authority:

- (i) No permanent structures, enclosures, roofs, sunscreens, pergolas, or other similar structures are permitted above the third floor that would add mass or limit views other than the enclosures permitted in (d)(iii) above;
- (ii) Roof top outdoor amenity areas shall be set back a minimum of 4.0 metres from the façade that faces away from Site and a minimum of 3.2 metres from the façade that faces towards Site 1;
- (iii) The roof top outdoor amenity area shall be physically separated from the remainder of the roof and that physical barrier shall be visually permeable so as not to add mass or limit views;
- (iv) Roof top outdoor amenity activity shall be confined to the roof top private outdoor amenity area described in item (e)(ii) above; and
- (v) Roof top outdoor amenity areas are prohibited for units 1, 2, 3, 12 and 13.

(f) Interpretive/Project Identification Sign

- (i) For the purposes of this bylaw an Interpretive/Project Identification Sign means a sign which provides information on the heritage aspects of the Crandell-Hart House and identifies the name and/or address of the project;
- (ii) An Interpretive/Project Identification Sign shall be provided and can be located on either Site 1 or Site 2 in the yard near the eastern property line;



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### SCHEDULE B

#### CONTINUED

- (iii) The Interpretive/Project Identification Sign shall provide a project name and that project name shall be reflective of the heritage aspects of the Crandell-Hart House; and
- (iv) The Interpretive/Project Identification Sign shall be designed to the satisfaction of the Approving Authority in consultation with the Municipal Heritage Planner.

(g) Access

Vehicular access shall be provided from Patina Place SW and shall be in the form of a shared driveway around the perimeter of the site with two points of access.

(h) Parking

- (i) No parking shall be permitted in the shared access driveway indicated in (g) above;
- (ii) A minimum of 8 visitor parking stalls shall be provided and shall be for the use of visitors of Site 2 only; and
- (iii) Commercial motor vehicles or recreational vehicles shall not be allowed in any yard for longer than 24 hours. Yard for the purpose of parking shall be defined as any area not covered by buildings.

(i) Fencing and Gating

- (i) A maximum height of 2.0 metres along the south and north property lines;
- (ii) A maximum height of 1.2 m above the height of the public sidewalk along the westerly property line;
- (iii) No fencing permitted along the most easterly property line;
- (iv) The site shall not be gated to prevent pedestrian or vehicular access to the site;

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### SCHEDULE B

#### CONTINUED

- (v) At grade outdoor amenity area fencing shared with an adjacent amenity area (i.e. privacy wall) shall be a maximum height of 1.5 metres;
  - (vi) All other at grade outdoor amenity area fencing shall be a maximum height of 1.5 metres and shall be visually permeable from a height of 1.2 to 1.5 metres; and
  - (vii) All other fencing and gating shall be to the satisfaction of the Approving Authority.
- (j) Front Entry
- (i) The primary entry to each dwelling unit shall be located on the interior façade; and
  - (ii) The primary entry and the outdoor amenity area gates shall be designed to be consistent with this façade as the primary entry and shall be to the satisfaction of the Approving Authority.
- (k) Building Separation
- No residential building shall be situated closer than 3.0 metres to any other building on the site.
- (l) Garbage Storage
- Garbage and waste material shall be stored in weatherproof and animal-proof containers in accordance with the Waste Bylaw and shall be visually screened from all adjacent sites and public thoroughfares.
- (m) Development Plans
- Comprehensive plans shall be submitted to the Approving Authority as part of a development permit application. In considering such an application, the Approving Authority shall ensure that the site layout, building height, mass and landscaping conform substantially with plans and renderings available to City Council during their consideration of this Bylaw.

BYLAW NO. 9622006

ADVERTISED IN The Calgary Sun ON Friday Sept. 29, 2006

**7** BYLAW 9622006  
PATTERSON HEIGHTS

To redesignate the land located at 435 Patina Place SW (8255GA, Block A, Lot 2) from UR Urban Reserve District to DC Direct Control District to accommodate a comprehensively designed single and semi-detached residential development and the retention and preservation of the Grandell-Hart House.