

BYLAW NUMBER 133D2009

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2008-0128)**

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;

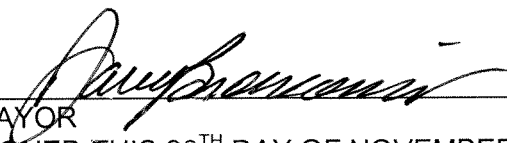
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 30TH DAY OF NOVEMBER, 2009.

READ A SECOND TIME THIS 30TH DAY OF NOVEMBER, 2009.

READ A THIRD TIME THIS 30TH DAY OF NOVEMBER, 2009.



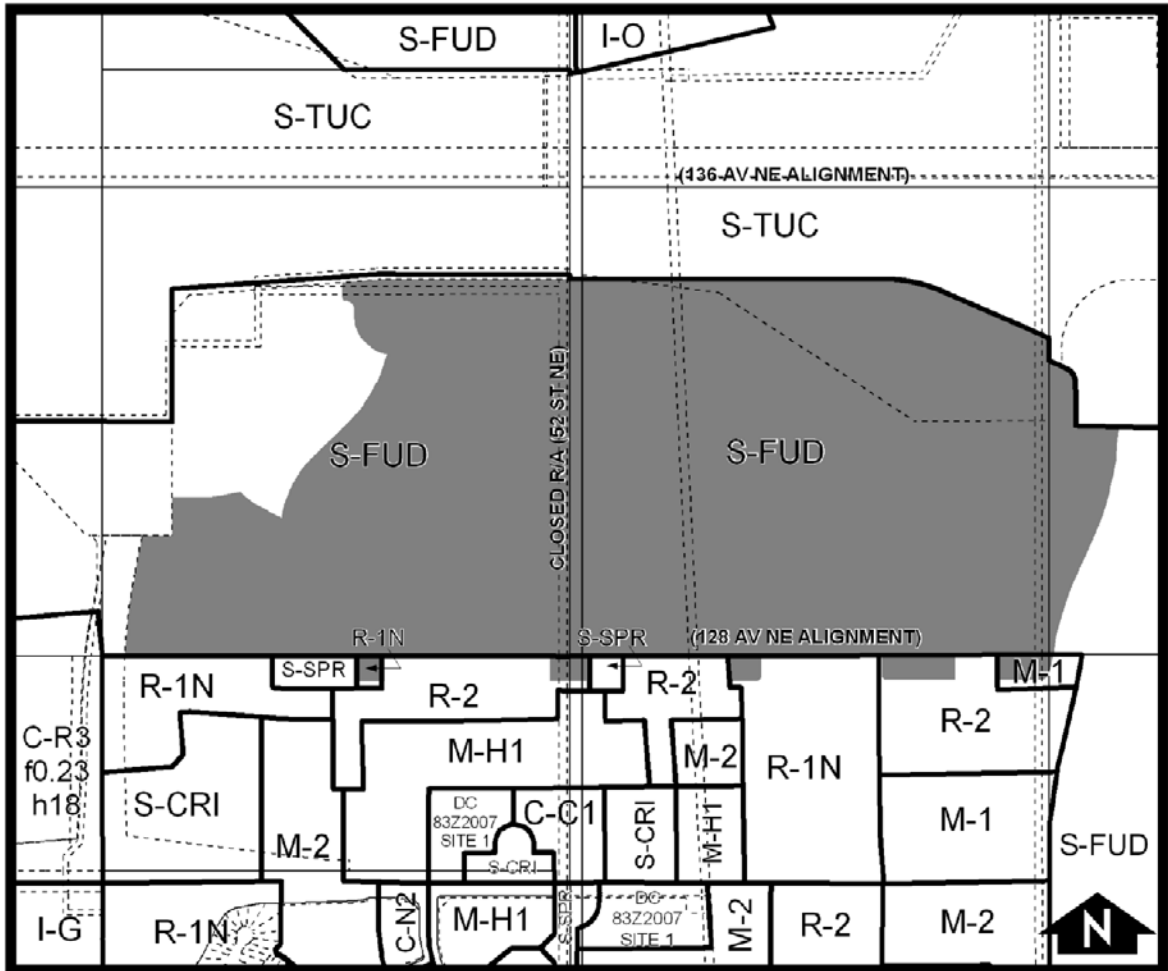
MAYOR
SIGNED THIS 30TH DAY OF NOVEMBER, 2009.



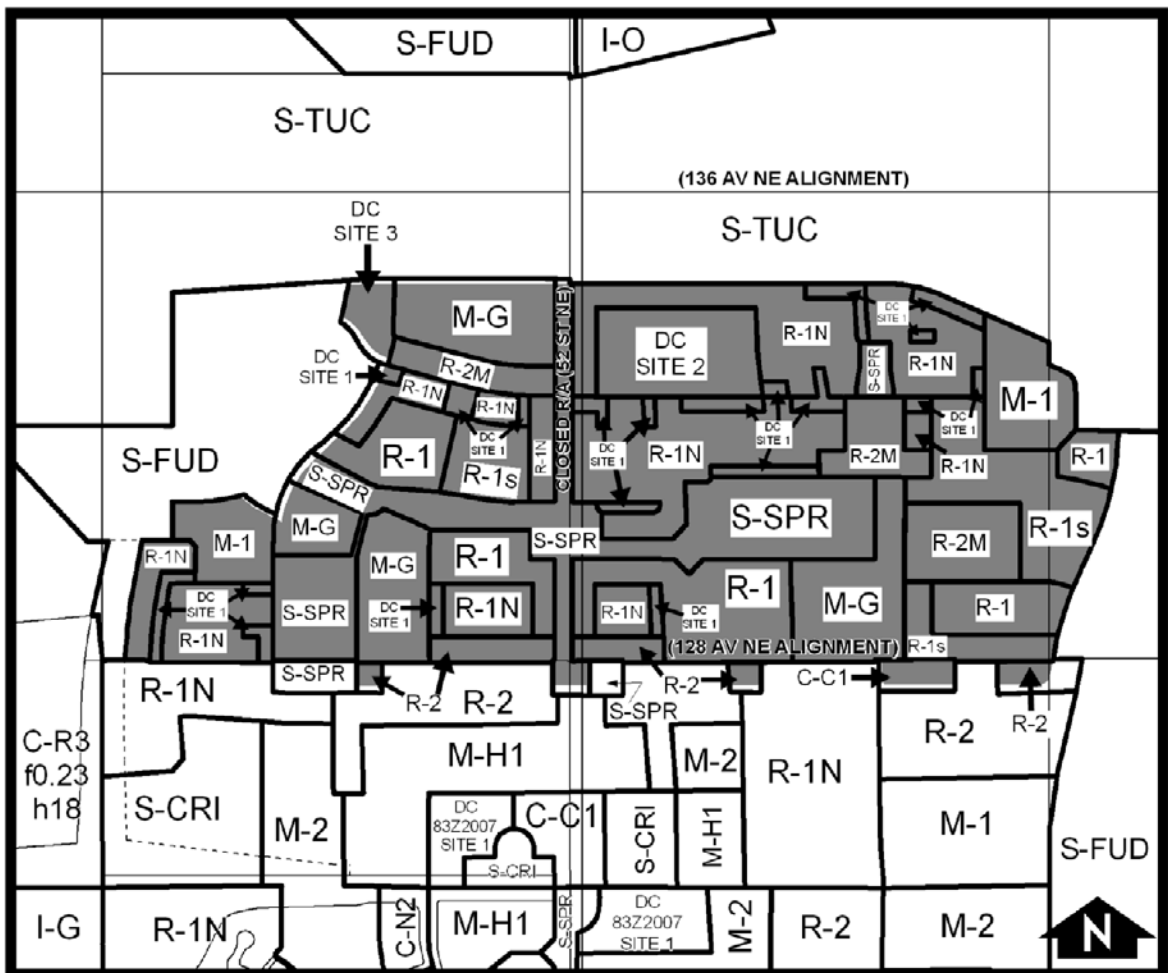
ACTING CITY CLERK
SIGNED THIS 30TH DAY OF NOVEMBER, 2009.

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SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

DC Site 1
 1.73 ha± (4.27 ac±)

Purpose

- 1 This Direct Control District is intended to:
 - (a) Accommodate residential **development** in the form of **Single-Detached Dwellings** in the **Developing Area** on narrow or small parcels; and

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- (b) Accommodate a **Secondary Suite** on the same *parcel* as a **Single-Detached Dwelling**.

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.

Permitted Uses

- 4 The *permitted uses* of the Residential – Narrow Parcel One Dwelling (R-1N) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

- 5 The *discretionary uses* of the Residential – Narrow Parcel One Dwelling (R-1N) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District with the addition of:

- (a) **Secondary Suite.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Residential – Narrow Parcel One Dwelling (R-1N) District of Bylaw 1P2007 apply in this Direct Control District.

Parcel Width

- 7 (1) Unless otherwise referenced in subsections (2), (3) and (4), the rules of the Residential – Narrow Parcel One Dwelling (R-1N) District of Bylaw 1P2007 shall apply in this Direct Control District.
- (2) The minimum *parcel width* for a *parcel* containing a **Secondary Suite – Attached Above Grade** or a **Secondary Suite – Attached Below Grade** is 9.1 metres.
- (3) The minimum *parcel width* for a *parcel* containing a **Secondary Suite – Detached Garage** is 11.0 metres.
- (4) The minimum *parcel width* for a *parcel* containing a **Secondary Suite – Attached At Grade** or a **Secondary Suite – Detached Garden** is 13.0 metres.

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Parcel Depth

- 8** (1) Unless otherwise referenced in subsection (2), the rules of the Residential – Narrow Parcel One Dwelling (R-1N) District of Bylaw 1P2007 shall apply in this Direct Control District.
- (2) The minimum *parcel depth* for a *parcel* containing a **Secondary Suite** is 30.0 metres.

Parcel Area

- 9** (1) Unless otherwise referenced in subsections (2), (3) and (4), the rules of the Residential – Narrow Parcel One Dwelling (R-1N) District of Bylaw 1P2007 shall apply in this Direct Control District.
- (2) The minimum area of a *parcel* containing a **Secondary Suite – Attached Above Grade** or a **Secondary Suite – Attached Below Grade** is 303.0 square metres.
- (3) The minimum area of a *parcel* containing a **Secondary Suite – Detached Garage** is 330.0 square metres.
- (4) The minimum area of a *parcel* containing a **Secondary Suite – Attached At Grade** or a **Secondary Suite – Detached Garden** is 390.0 square metres.

DC Site 2

3.46 ha± (8.55 ac±)

- 1** This Direct Control District is intended to:
- (a) accommodate **Single Detached Dwellings** and **Secondary Suites** in a comprehensively designed development; and
 - (b) provide a centrally located *common amenity space*, around which the **Dwelling Units** are oriented.

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.

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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.

Permitted Uses

- 4 The ***permitted uses*** of the Residential –One Dwelling (R-1s) District of Bylaw 1P2007 are the ***permitted uses*** in this Direct Control District with the exclusion of:

- (a) **Single Detached Dwelling.**

Discretionary Uses

- 5 The ***discretionary uses*** of the Residential – One Dwelling (R-1s) District of Bylaw 1P2007 are the ***discretionary uses*** in this Direct Control District with the addition of:

- (a) **Single Detached Dwelling.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Residential – One Dwelling (R-1s) District of Bylaw 1P2007 apply in this Direct Control District.

Parcel Width

- 7 (1) Unless otherwise referenced in subsections (3) and (4), the minimum ***parcel width*** is 7.5 metres.

- (2) The maximum ***parcel width*** is 30.0 metres.

- (3) The minimum ***parcel width*** for a ***parcel*** containing a **Secondary Suite – Attached Above Grade** or a **Secondary Suite – Attached Below Grade** is 10.0 metres.

- (4) The minimum ***parcel width*** for a ***parcel*** containing a **Secondary Suite – Attached at Grade** or a **Secondary Suite – Detached Garden** is 13.0 metres.

Parcel Depth

- 8 (1) Unless otherwise referenced in subsection (2), the minimum ***parcel depth*** is 15.0 metres.

- (2) The minimum ***parcel depth*** for a ***parcel*** containing a **Secondary Suite** is 30.0 metres.

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Parcel Area

- 9 (1) Unless otherwise referenced in subsections (2) and (3), the minimum *parcel area* is 233.0 square metres.
- (2) The minimum area of a *parcel* containing a **Secondary Suite – Attached Above Grade** or a **Secondary Suite – Attached Below Grade** is 330.0 square metres.
- (3) The minimum area of a *parcel* containing a **Secondary Suite – Attached at Grade** or a **Secondary Suite – Detached Garden** is 390.0 square metres.

Parcel Coverage

- 10 The maximum *parcel coverage* is 60.0 per cent of the area of a *parcel*.

Building Setbacks from a Property Line

- 11 (1) The minimum *building setback* from any *property line* is 1.2 metres.
- (2) The minimum *building setback* from a *property line* shared with a *common amenity space* is 3.0 metres.
- (3) The minimum *building setback* from a *property line* shared with a *street* is 3.0 metres.

Building Height

- 12 The maximum *building height* is 12.0 metres.

Common Amenity Space

- 13 (1) **Site 2** must contain at least one centrally located *common amenity space – outdoors*.
- (2) A *common amenity space – outdoors* must:
- (a) be provided at grade;
 - (b) provide a minimum area of 20.0 square metres per **Dwelling Unit** located on **Site 2**;
 - (c) have no dimension less than 6.0 metres;
 - (d) be centrally located on a separate *parcel*;
 - (e) have either a *soft surface landscaped area* or *hard surfaced landscaped area*;

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- (f) include a sidewalk to any **street**; and
 - (g) not be located in any **building setback** area.
- (3) For the purposes of Subsection 13(2)(b) **Secondary Suites** must not be used towards the calculation of **Dwelling Units**.

Access to Parking Stalls

- 14 **Motor vehicle parking stalls** must not be located between the **common amenity space** and a **Dwelling Unit**.

DC Site 3

0.81 ha± (2.00 ac±)

Purpose

- 1 This Direct Control District is intended to provide for a **Place of Worship** within the 300.0 metre nuisance setback from a Level One sour gas well.

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 a reference to the section as amended from time to time.

Permitted Uses

- 4 The following **uses** are **permitted uses** in this Direct Control District:
- (a) **Extensive Agriculture**;
 - (b) **Park**; and
 - (c) **Utilities**.

Discretionary Uses

- 5 The following **uses** are **discretionary uses** in this Direct Control District:
- (a) **Place of Worship – Small**; and
 - (b) **Place of Worship – Medium**.

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Bylaw 1P2007 District Rules

- 6** Unless otherwise specified, the rules of the Special Purpose – Community Institution (S-CI) District of Bylaw 1P2007 apply in this Direct Control District.

Development Restrictions

- 7** Prior to development permit approval, a Nuisance Study and associated report must be submitted to identify any nuisances associated with the operation and maintenance of the two sour gas wells (including noise, dust, visual and vehicular nuisances) and suggest necessary measures to mitigate their effect on the proposed development, to the satisfaction of Environmental Management.

Parcel Area

- 8** The minimum area of a *parcel* is 0.81 hectares.