

**BYLAW NUMBER 51D2010**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2009-0111)**

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**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;

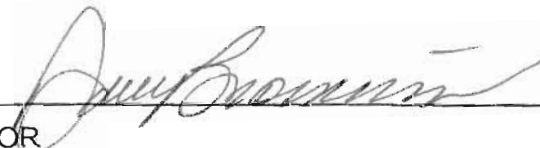
**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

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 10<sup>TH</sup> DAY OF MAY, 2010.

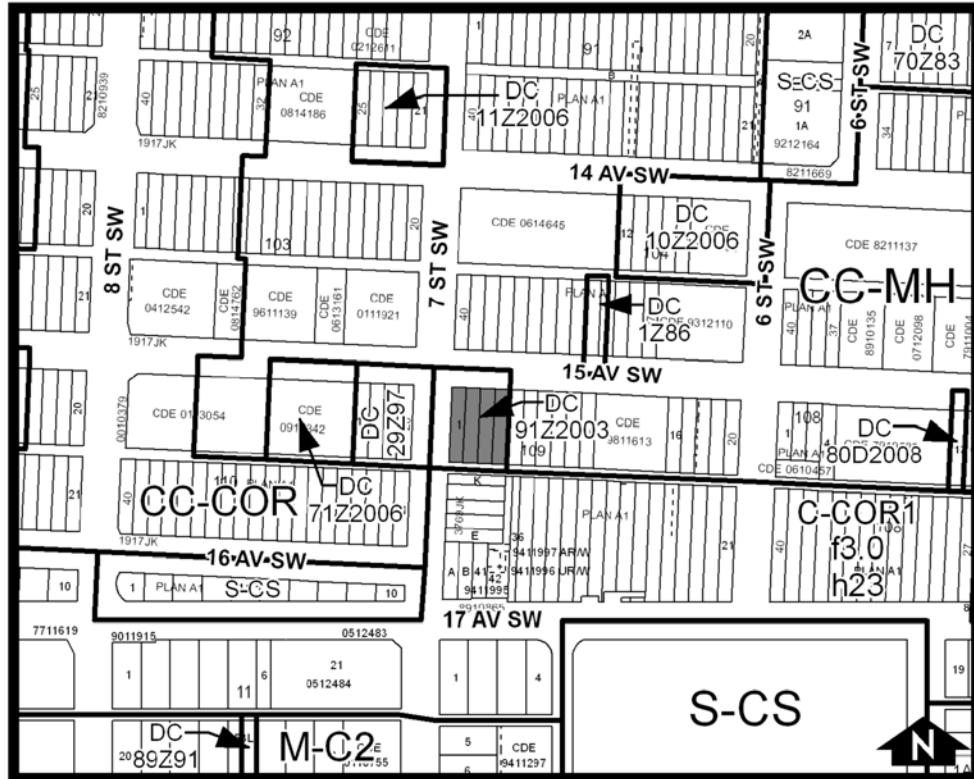
READ A SECOND TIME THIS 10<sup>TH</sup> DAY OF MAY, 2010.

READ A THIRD TIME THIS 10<sup>TH</sup> DAY OF MAY, 2010.

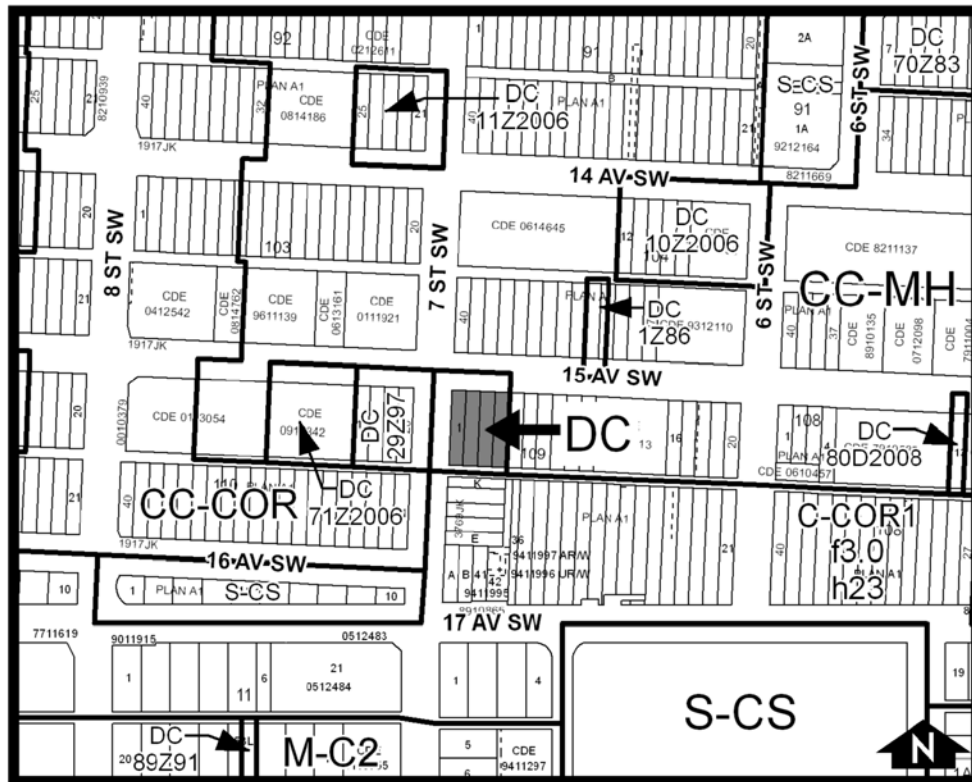
  
\_\_\_\_\_  
MAYOR  
SIGNED THIS 10<sup>TH</sup> DAY OF MAY, 2010.

  
\_\_\_\_\_  
ACTING CITY CLERK  
SIGNED THIS 10<sup>TH</sup> DAY OF MAY, 2010.

**SCHEDULE A**



**SCHEDULE B**



**DC DIRECT CONTROL DISTRICT**

**Direct Control District**

**Purpose**

- 1 This Direct Control District is intended to provide for a 17 **storey** residential development, inclusive of **Commercial Uses** at a podium level within the Beltline community.

**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**

**AMENDMENT LOC2009-0111  
BYLAW NUMBER 51D2010**

- 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.

**Defined Terms**

- 4 In this Direct Control District, for the purpose of the Bylaw;
- (a) “**Commercial Use**” means all **uses** which are not listed within the Residential Group in Schedule A of Bylaw 1P2007.

**Permitted Uses**

- 5 The following **uses** are **permitted uses** in this Direct Control District.
- (a) **Accessory Residential Building;**
  - (b) **Home Based Child Care – Class 1;**
  - (c) **Home Occupation – Class 1;**
  - (d) **Park;**
  - (e) **Protective and Emergency Service;**
  - (f) **Sign – Class A;**
  - (g) **Special Function Tent – Recreational;** and
  - (h) **Utilities.**

**Discretionary Uses**

- 6 The following **uses** are **discretionary uses** in this Direct Control District.
- (a) **Assisted Living;**
  - (b) **Child Care Service;**
  - (c) **Custodial Care;**
  - (d) **Home Based Child Care – Class 2;**
  - (e) **Home Occupation – Class 2;**
  - (f) **Live Work Unit;**
  - (g) **Multi-Residential Development;**
  - (h) **Power Generation Facility – Small;**
  - (i) **Residential Care;**
  - (j) **Retail Store;**
  - (k) **Sign – Class B;**
  - (l) **Sign – Class D;**

- (m) **Temporary Residential Sales Centre;** and
- (n) **Utility Building.**

**Bylaw 1P2007 District Rules**

**7** Unless otherwise specified, Part 11 – Division 1: General Rules of Bylaw 1P2007 apply in this Direct Control District.

**Setbacks Areas**

**8**

- (a) The minimum required **setback areas** for a **property line** shared with 15 Avenue SW is:
  - (i) 0.0 metres where an average depth of 3.0 metres is maintained; and
  - (ii) 6.0 metres for any **development** above the third floor.
- (b) The minimum required **setback areas** for a **property line** shared with a **lane** is:
  - (i) 1.5 metres for **commercial multi-residential uses**; and
  - (ii) 7.5 metres for all residential **development** excluding **balcony** projections.
- (c) The minimum required **setback areas** for a **property line** shared with 7 Street SW is:
  - (i) 0.0 metres where an average depth of 1.5 metres is maintained; and
  - (ii) 6.0 metres above the third floor excluding **balcony** projections.
- (d) The minimum required **setback areas** for a **property line** shared with an **adjacent** property is:
  - (i) 3.0 metres; and
  - (ii) 0.0 metres for a **parking structure** which does not require external maintenance.

**Parking**

**9**

- (a) Residential parking must be provided at a minimum of 0.8 **motor vehicle parking stalls** per **Dwelling Unit** plus a minimum of 0.15 may be required per **Dwelling Unit** for visitor parking.
- (b) A minimum of 1.0 **motor vehicle parking stalls** per 140.0 square metres of **commercial multi-residential uses** must be provided.
- (c) All parking access must be to and from a **lane**.

**Landscaping**

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- (a) **Landscaped Areas** must include:
  - (i) All **setback areas** not used for vehicle circulation or parking; and
  - (ii) All on-site horizontal surfaces greater than 5.6 metres in size that are overlooked by **Dwelling Units** and not required for parking or access.
- (b) A minimum of 40.0 percent of the site area must be made up of **landscaped areas** and **common amenity spaces**; and
- (c) Creditable **landscaped area** must be at **grade** or within 10.0 metres of **grade** provided they are located at or below the lowest **Dwelling Unit**.

#### **Building Height**

11 The maximum **building height** is 17 **storeys**.

#### **Density**

12 The maximum **Floor Area Ratio** is 8.4.

#### **Guidelines for Commercial Uses**

13

- (a) **Commercial Uses** must be limited to the first three **storeys** and must have separate entry from that of the residential component of the **building**.
- (b) The **gross floor area** for the **Commercial Uses** may not exceed a maximum of 10.0 percent of the **gross floor area** of the **building**. The number of **Dwelling Units** may not be reduced as a result of the provision of **Commercial Uses**.
- (c) Commercial access must be oriented toward 7 Street or the **lane** only.

#### **Guidelines for Residential Uses**

14

- (a) No **Dwelling Unit**, other than a superintendent's or caretaker's apartment may be located below a **Commercial Use**;
- (b) Each **Dwelling Unit** must be provided with **private amenity space** having a minimum area of 5.6 square metres in the form of an open or enclosed **balcony**/sunroom with glazing amounting to no less than 75.0 percent of the exterior walls of the amenity space.
- (c) **Dwelling Units** must have an entrance separate from the entrance to any **Commercial Use** located in a **building**.

#### **Live Work Units**

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- (a) **Live Work Units** must be limited to those units that do not create a nuisance by way of electronic interference; dust, noise, odour, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside of the **Live Work Unit**.

**AMENDMENT LOC2009-0111  
BYLAW NUMBER 51D2010**

- (b) No **sign** is allowed on the exterior of a **building**.
- (c) No aspect of the operation may be visible from the outside of the **building**.
- (d) There must be no outside storage of material, goods or equipment on, or immediately **adjacent** to the site.
- (e) A **Live Work Unit** must not be located on the same **storey** as a purely residential **use**.
- (f) No **Live Work Unit** may be located on a **storey** above a purely residential **use**.