

BYLAW NUMBER 37D2012

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2011-0085)**

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 16TH DAY OF JULY, 2012.

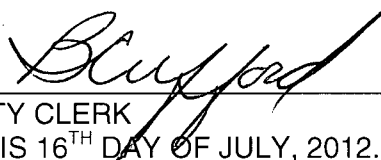
READ A SECOND TIME THIS 16TH DAY OF JULY, 2012.

READ A THIRD TIME THIS 16TH DAY OF JULY, 2012.



MAYOR

SIGNED THIS 16TH DAY OF JULY, 2012.



ACTING CITY CLERK

SIGNED THIS 16TH DAY OF JULY, 2012.

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

- (a) **Accessory Residential Building;**
- (b) **Home Occupation – Class 1;**
- (c) **Park; and**
- (d) **Sign – Class A.**

Discretionary Uses

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

- (a) **Assisted Living;**
- (b) **Child Care Service;**
- (c) **Home Occupation - Class 2;**
- (d) **Live Work Unit;**
- (e) **Multi-Residential Development;**
- (f) **Power Generation Facility – Small;**
- (g) **Residential Care;**
- (h) **Sign – Class B;**
- (i) **Sign – Class C;**
- (j) **Sign – Class D;**
- (k) **Sign – Class E;**
- (l) **Temporary Residential Sales Centre; and**
- (m) **Utility Building.**

Bylaw 1P2007 District Rules

6 Unless otherwise specified the general rules of Part 6, Division 1: General Rules for Multi-Residential Land Use Districts apply in this Direct Control District.

Setback Area

7 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 8.

Building Setbacks

8 (1) The minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.

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- (2) The maximum **building setback** from a **property line** facing St. Matthew Square opposite an S-CS District is 12.0 metres.
- (3) For Sites 1 and 2, the maximum **building setback** from a **property line** facing 9A Street NE is 6.0 metres.
- (4) For Sites 3 and 4, the minimum **building setback** from the east **property line** is 6.0 metres.
- (5) Where a **parcel** shares a **property line** with another **parcel**, the minimum **building setback** is zero metres when the adjoining **parcel** is within this Direct Control District.

Building Step Backs

- 9 Above the second or third **storey**, any portion of a **building** facing a **street** must step back a minimum of 1.0 metres from the lower **storeys**.

Building Separation

- 10 The minimum separation distance between all **buildings** is zero.

Projections Into Setback Areas

- 11 (1) Windows may project a maximum of 0.3 metres into a **front setback area**.
- (2) **Landings, porches** or canopies may project a maximum of 0.9 metres into a **front setback area**.
- (3) Eaves may project into a **front setback area** to a maximum of 0.6 metres.
- (4) No area restrictions apply to **landings**.

Building Location and Orientation

- 12 (1) The main **public entrance** to a **building** must face the **property line** shared with a **street**.
- (2) A **unit**, facing a **street** or **Park**, with any portion of its **floor area** located on the floor closest to **grade**, must have an individual, separate, direct access to **grade**.

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Building Façade

- 13 (1) The **building** façade of the floor closest to **grade** facing a **street** must have a minimum length of 10 metres.
- (2) **Units** on the floor closest to **grade** facing a public **street** must have the appearance of individual **dwelling units**.
- (3) Facades facing a **street**, when located below the third **storey**, must be constructed to the minimum required **setback** from a **street**, except recesses may be allowed within the **building** façade for entrances and **private amenity space** only.

Landscaping

- 14 (1) A minimum of 25.0 per cent of the area of a **parcel** at **grade**, or within 1.0 metres from **grade**, must be a **landscaped area**.
- (2) A minimum of 60 per cent of the minimum **landscaped area** at **grade** must be permeable.
- (3) The **landscaped area** may not be reduced.

Planting Requirements

- 15 (1) A minimum of one (1) tree per 30 square metres of **landscaped area** is required.
- (2) There is no minimum number of shrubs in **landscaped areas**.
- (3) A minimum of 10.0 per cent of all trees provided on Sites 3 and 4 must be coniferous and a minimum of 50.0 per cent of the coniferous trees provided must be planted within the **rear setback area**.
- (4) Trees used in landscaping a **frontage** between a **building** and a **property line** shared with a **street** must be deciduous.

Amenity Space

- 16 **Private amenity space** for ground floor units may be located in a **front setback area**.

Motor Vehicle Parking Stall Requirements

- 17 The minimum **motor vehicle parking stall** requirement for each **Dwelling Unit** and **Live Work Unit** is:
- (a) 1.25 stalls per **Dwelling Unit**, which includes **visitor parking stalls**; and
- (b) 2.0 stalls for each **Live Work Unit**.

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Parking Location

- 18 (1) **Motor vehicle parking stalls** must not be located between a **building** and a **street** or within 6.0 metres of a **street**.
- (2) Unless otherwise referenced in subsection (3), all **motor vehicle parking stalls** must be located below **grade**.
- (3) **Visitor parking stalls** may be provided at **grade**.

Surface Parking Screening

- 19 Surface parking areas must be **screened** from view of a **street**.

Outside Storage

- 20 All storage must be contained within a **building**.

Fences

- 21 (1) **Patio** walls not exceeding 1.0 metres in height, which enclose a **private outdoor amenity space** may, when structurally integrated with the principal **building**, may project to the **property line**.
- (2) The height of an exposed **retaining wall** or other **building** wall located within a **front setback area** must not exceed 1.0 metres.
- (3) The height of a **fence** that does not extend beyond the foremost portion of all **buildings** on the **parcel** must not exceed 1.8 metres, including the height of any **retaining wall**, which represents a logical vertical extension of the **fence**.

Site 1

(0.410 hectares ±, 1.013 acres ±)

- 22 The provisions of sections 23 through 25 apply only to Site 1.

Floor Area Ratio and Density

- 23 (1) The maximum **floor area ratio** is 5.3.
- (2) The minimum **density** is 200 **Dwelling Units** per hectare.

Building Height

- 24 (1) The minimum **building height** is 14.0 metres.
- (2) The maximum **building height** is 23.0 metres.

Vehicle Access

- 25 (1) Vehicle access must be from Centre Avenue.
- (2) Vehicular access must not be allowed from 9 Street NE or St Matthew Square NE.

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Site 2
(0.415 hectares ±, 1.025 acres ±)

26 The provisions of sections 27 through 29 apply only to Site 2.

Floor Area Ratio and Density

27 (1) The maximum **floor area ratio** is 5.3.

(2) The minimum **density** is 200 **dwelling units** per hectare.

Building Height

28 (1) The minimum **building height** is 14.0 metres.

(2) The maximum **building height** is 23.0 metres.

Vehicle Access

29 (1) Vehicle access must be from McDougall Avenue.

(2) Vehicular access must not be allowed from 9 Street NE or St Matthew Square NE.

Site 3
(0.265 hectares±, 0.655 acres±)

30 The provisions of sections 31 through 32 apply only to Site 3.

Floor Area Ratio and Density

31 (1) The maximum **floor area ratio** is 4.5.

(2) The minimum **density** is 200 **Dwelling Units** per hectare.

Building Height

32 (1) The minimum **building height** is 14.0 metres.

(2) Unless otherwise referenced in subsection (3) the maximum **building height** is 23.0 metres.

(3) The maximum **building height** within 20.0 metres of the **property line** facing Centre Avenue NE is 14.0 metres.

Site 4
(0.270 hectares± , 0.667 acres ±)

33 The provisions of sections 34 through 35 apply only to Site 4.

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Floor Area Ratio and Density

34 (1) The maximum *floor area ratio* is 5.0.

(2) The minimum *density* is 200 **Dwelling Units** per hectare.

Building Height

35 (1) The minimum *building height* is 14.0 metres.

(2) The maximum *building height* is 23.0 metres.