

**BYLAW NUMBER 6D2012**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2011-0060)  
\*\*\*\*\***

**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;

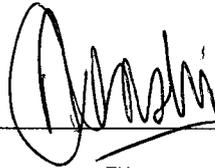
**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

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 JANUARY, 2012.

READ A SECOND TIME THIS 16<sup>TH</sup> DAY OF JULY, 2012.

READ A THIRD TIME THIS 16<sup>TH</sup> DAY OF JULY, 2012.



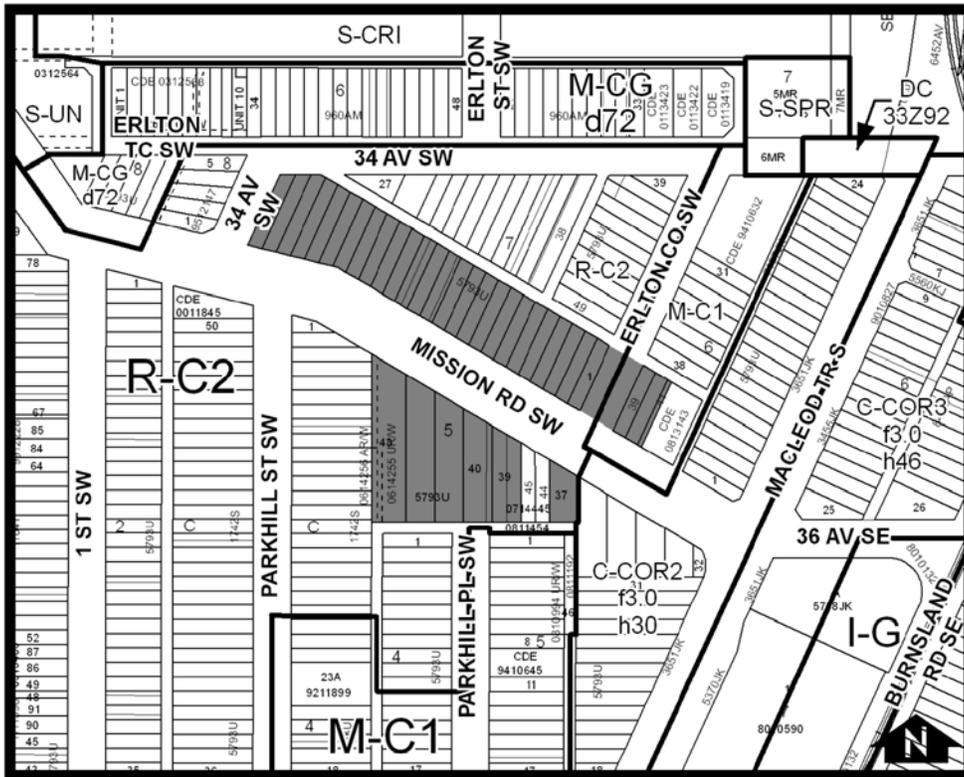
\_\_\_\_\_  
MAYOR  
SIGNED THIS 16<sup>TH</sup> DAY OF JULY, 2012.



\_\_\_\_\_  
ACTING CITY CLERK  
SIGNED THIS 16<sup>TH</sup> DAY OF JULY, 2012.

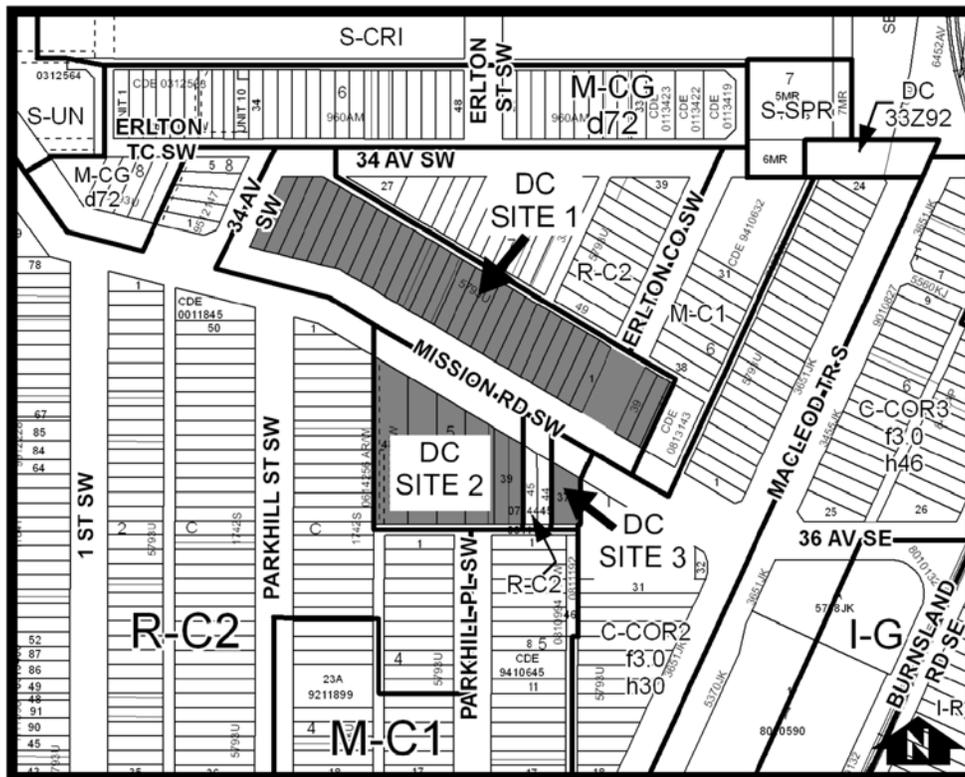
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SCHEDULE A



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**SCHEDULE B**



**DC DIRECT CONTROL DISTRICT**

**Purpose**

1 This Direct Control District is intended to:

- (a) provide for implementation of a design charrette outcome;
- (b) provide for form based control read in conjunction with guidelines provided within the statutory plan applicable to the local area;
- (c) provide for a neighbourhood activity centre with pedestrian and transit oriented development in proximity to an LRT station area;
- (d) provide for primarily multi-residential with limited commercial use in a mixed use format only;

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- (e) encourage ground floor commercial and mixed use through reduced parking rates; and,
- (f) prohibit stand alone commercial **buildings**.

**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 Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

**Discretionary Uses**

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

- (a) **Artist’s Studio;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- (e) **Convenience Food Store;**
- (f) **Home Occupation – Class 2;**
- (g) **Information and Service Provider;**
- (h) **Liquor Store;**
- (i) **Live Work Unit;**
- (j) **Multi-Residential Development;**
- (k) **Outdoor Café;**
- (l) **Power Generation Facility – Small;**
- (m) **Print Centre;**
- (n) **Residential Care;**
- (o) **Restaurant: Food Service Only – Small;**
- (p) **Restaurant: Licensed – Small;**
- (q) **Retail and Consumer Service;**
- (r) **Sign – Class B;**
- (s) **Sign – Class D;**
- (t) **Specialty Food Store;**
- (u) **Take Out Food Service;**
- (v) **Temporary Residential Sales Centre; and**
- (w) **Utility Building.**

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**Bylaw 1P2007 District Rules**

6 Unless otherwise specified, the rules of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 apply in this Direct Control District.

**Floor Area Ratio**

7 There is no maximum *floor area ratio*.

**Density**

8 There is no minimum or maximum *density*.

**Setback Areas**

9 The depth of all *setback areas* must be equal to the minimum *building setbacks*.

**Landscaping Requirement**

10 All areas on a *parcel*, not including those areas covered by *buildings*, or those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the *Development Authority*, must be landscaped.

**Building Height**

11 Unless otherwise referenced in this Direct Control District bylaw, the maximum *building height* is 20.5 metres.

**Rules for Commercial Uses**

12 (1) The following *uses* are “commercial uses” for the purposes of this Direct Control District bylaw:

- (a) **Artist’s Studio;**
- (b) **Child Care Service;**
- (c) **Convenience Food Store;**
- (d) **Information and Service Provider;**
- (e) **Liquor Store;**
- (f) **Outdoor Café;**
- (g) **Print Centre;**
- (h) **Restaurant: Food Service Only – Small;**
- (i) **Restaurant: Licensed – Small;**
- (j) **Retail and Consumer Service;**
- (k) **Specialty Food Store; and,**
- (l) **Take Out Food Service.**

(2) “Commercial uses” must:

- (a) be located on the floor closest to *grade* of a *main residential building*, unless otherwise referenced in this Direct Control District bylaw;
- (b) be contained completely within the *building*;

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- (c) be provided in conjunction with **Dwelling Units** within the same **building**;
- (d) not be located above any **Dwelling Unit**;
- (e) not share an internal hallway with **Dwelling Units**;
- (f) have a separate exterior entrance from that of the **Dwelling Units**; and,
- (g) be located in **multi-residential developments**.

- (3) The maximum **use area** for each “commercial use” is 300.0 square metres.

**Motor Vehicle Parking Stalls**

- 13 (1) The minimum number of **motor vehicle parking stalls**, **visitor parking stalls**, and **bicycle parking stalls – class 1** and **class 2** is the required amount specified in the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1, unless otherwise specified in subsection (2) or (3) below.
- (2) The minimum number of **motor vehicle parking stalls** and **bicycle parking stalls – class 1** and **class 2** for “commercial uses” is the required amount specified in Uses and Use Rules referenced in Part 4.
- (3) The minimum number of **motor vehicle parking stalls** and **bicycle parking stalls – class 1** and **class 2** for “commercial uses” may be reduced by the amount of on-street parking provided immediately adjacent to a **development**.

**Site 1**

0.920 ha

**Application**

- 14 The provisions in sections 15 through 17 apply only to Site 1.

**Building Setbacks**

- 15 (1) The minimum **building setback** from a **property line** shared with a **street** is zero metres.
- (2) The maximum **building setback** from a **property line** shared with a **street** is 4.0 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is zero metres.
- (5) The minimum **building setback** from a property line shared with another **parcel** designated a **residential district** is 1.2 metres.

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- (6) The maximum **building setback** from a **property line** shared with another **parcel** is 7.0 metres.

**Building Height**

16 The maximum **building height** is 24.0 metres where:

- (a) located at the intersection of 34 Avenue SW and Mission Road SW within 15.0 metres east of 34 Avenue and within 15.0 metres north of Mission Road SW; and,
- (b) the **gross floor area** does not exceed 130 square metres.

**Rules for Commercial Uses**

17 Notwithstanding section 12(2)(a), “commercial uses” may be located where adjacent to a publicly accessible staircase providing access between Mission Road SW and Erlton Court SW, as long as the “commercial use” complies with the remainder of section 12(2).

**Site 2**

0.520 ha

**Application**

18 The provisions in section 19 apply only to Site 2.

**Building Setbacks**

- 19 (1) The minimum **building setback** from a **property line** shared with a **street** is zero metres.
- (2) The maximum **building setback** from a **property line** shared with a **street** is 4.0 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 7.5 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is zero metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** designated a **residential district** is 1.2 metres.
- (6) The maximum **building setback** from a **property line** shared with another **parcel** is 7.0 metres.

**Site 3**

0.044 ha

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**Application**

20 The provisions in section 21 apply only to Site 3.

**Building Setbacks**

- 21 (1) The minimum **building setback** from a **property line** shared with a **street** is zero metres.
- (2) The maximum **building setback** from a **property line** shared with a **street** is 4.0 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is zero metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** designated a **residential district** is 1.2 metres.
- (6) The maximum **building setback** from a **property line** shared with another **parcel** is 7.0 metres.