

PROPOSED

CPC2018-1234
ATTACHMENT 2

BYLAW NUMBER 6D2019

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0196/CPC2018-1234)**

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 ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

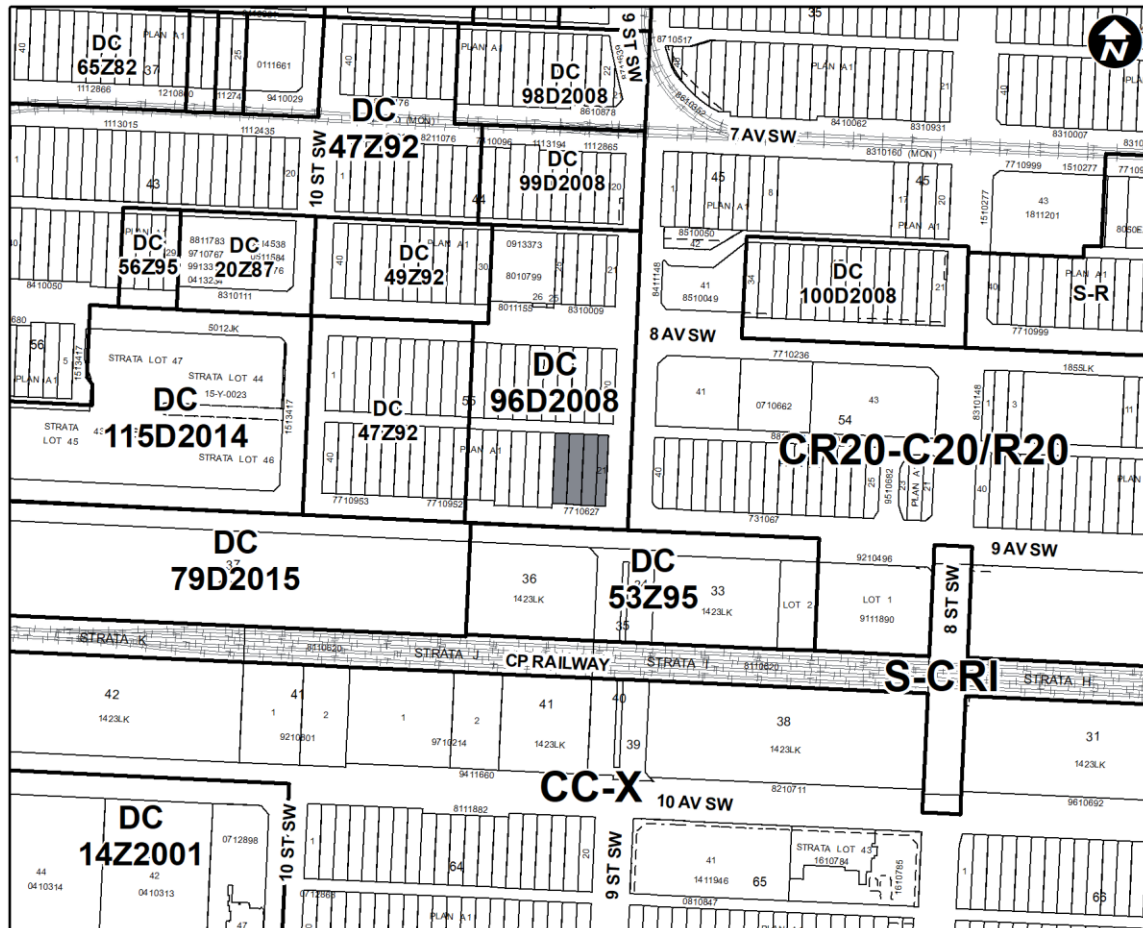
SIGNED ON _____

CITY CLERK

SIGNED ON _____

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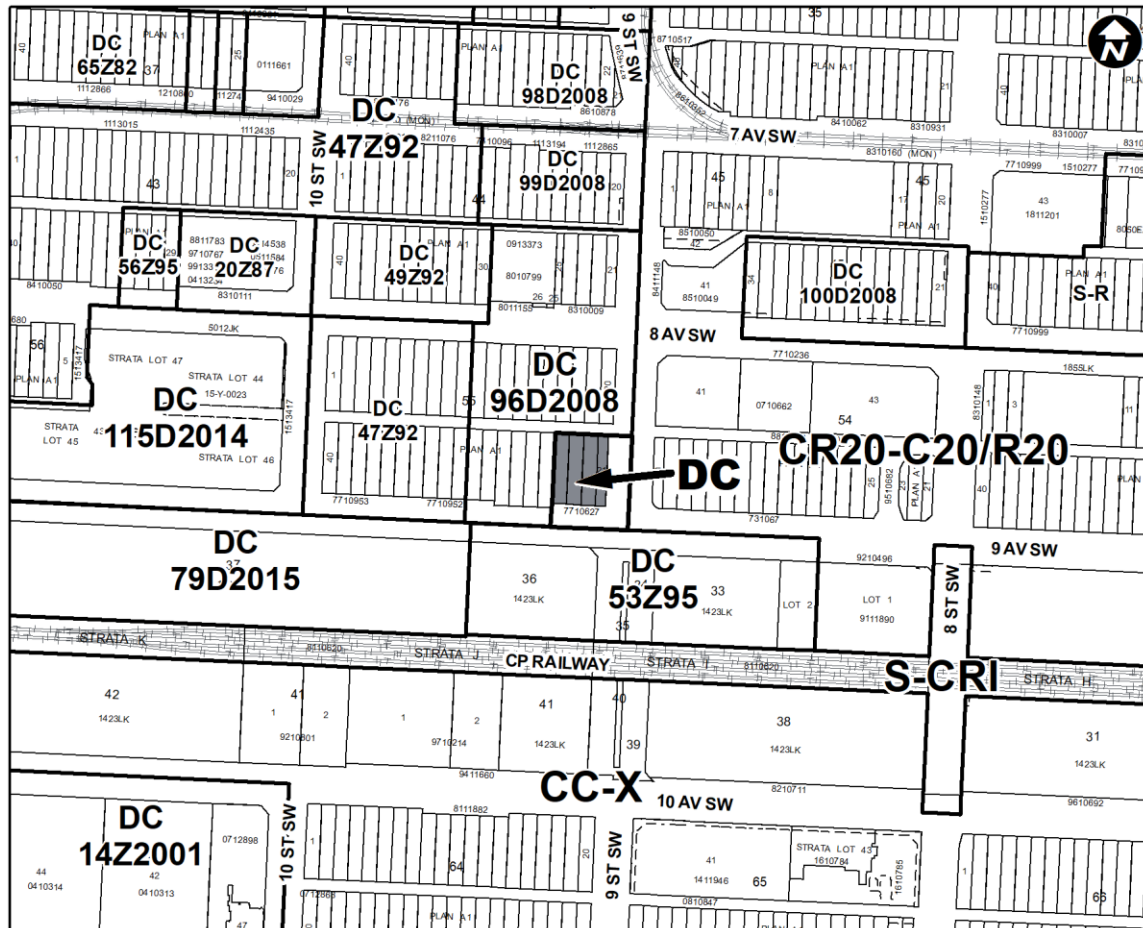
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) provide for commercial and residential **development** at medium to high densities; and
 - (b) implement the **density** bonus provisions of the Downtown West End Policy Consolidation.

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 in Part 11 of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definitions

- 4 In this Direct Control District:

- (a) “**residential uses**” means **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Hotel, Live Work Unit, Multi-Residential Development, and Residential Care uses**; and
- (b) “**commercial uses**” means all other **uses**.

Permitted Uses

- 5 The **permitted uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 8 (1) The cumulative maximum total **floor area ratio** is 7.0.
- (2) The maximum **floor area ratio** is:
- (a) for **commercial uses**:
 - (i) 5.0 where all bonus-earning features listed in Group A attached to this Bylaw as Schedule C are provided to the satisfaction of the **Development Authority**; or
 - (ii) 7.0 where, in addition to satisfactory provision of all Group A features, Group B features of a type, location and design satisfactory to the **Development Authority** are also provided;
 - (b) for **residential uses**:
 - (i) 7.0 where all bonus-earning features listed in Group A are provided to the satisfaction of the **Development Authority**.
- (3) Notwithstanding subsections (1) and (2), the **floor area ratio** may be increased by an additional 0.5 FAR to allow for:
- (a) **Performing Arts Centre**;

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- (b) **Cinema**; or
 - (c) any of the community support facility **uses** listed in section 8.12.4 of Table 8: Public Amenity Items of Part 13 of Bylaw 1P2007, provided those **uses** are also **uses** listed in sections 5 and 6 of this Direct Control District.
- (4) Where additional **floor area ratio** is provided under subsection (3), any subsequent **development permit** for a change of **use** for the bonus amenity space referred to in subsection (3) to any **use** other than one of the **uses** listed in subsection (3) will require a contribution to the West End Improvement Fund in an amount according to the following formula:

Contribution = area of bonus amenity space to be removed in square metres x Incentive Rate 1 in Part 13, Division 3 of Bylaw 1P2007 at the time of that subsequent **development permit** approval.

Building Height

9 The maximum **building height** is 76.2 metres.

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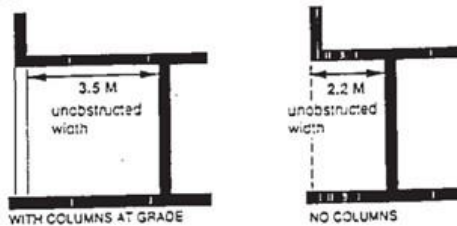
SCHEDULE C

Bonus Group A: A maximum of 5.0 F.A.R. may be achieved through provision of Group A features*

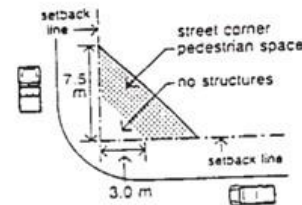
STANDARD	AMENITY TO BE PROVIDED	LOCATION AND ACCESS REQUIREMENTS	PERFORMANCE REQUIREMENTS
A1	At-Grade Pedestrian Circulation a) On-Site Pedestrian Space b) Street Corner Pedestrian Space	<ul style="list-style-type: none"> o Abutting primary roads and 7 Avenue S, as shown on Map 1, Roadway Network, Section 42.1. o Directly accessible to and level with public sidewalks. o At all intersections. o Directly accessible to and level with public sidewalks. 	<ul style="list-style-type: none"> o If arcaded, a minimum unobstructed width of 3.5 metres. o If no structure to grade, a minimum unobstructed width of 2.2 metres from the setback line. o Open to the sky or built over above first storey. o A triangular area formed by the two setback lines and a straight line which intersects them 7.5 metres from the corner where they meet. o Open to the sky or built-over above the second storey. o No vegetation, finished lot grade, building or structure within the triangular area formed by the two setback lines and a straight line which intersects them 3 metres from the corner where they meet. Beyond this distance, columns permitted to satisfaction of the Approving Authority.
A2	Open Space at Grade	<ul style="list-style-type: none"> o At grade. o Abutting street or avenue. 	<ul style="list-style-type: none"> o 5 percent of net site area. o Open to sky. o Depth of open space may not exceed 1.5 times the frontage of such open space
A3	Visual Interest at Street Level	<ul style="list-style-type: none"> o All street and avenue frontages at grade. o Applies to all commercial buildings and commercial uses located in lower levels of residential or mixed use buildings 	<ul style="list-style-type: none"> o Must be designed so as to accommodate non-office uses such as dwelling units, retail stores, personal services, entertainment establishments, and restaurants. o All grade level commercial uses fronting streets and avenues shall have direct access from public sidewalks. o If commercial, a minimum of 50 percent of the facade area must be clear glazing. o Facades should be provided with a degree of visual interest through the use of building materials and design, colour, and/or canopies and awnings.
A4	Contribution to West End Improvement Fund (for commercial uses only)		<ul style="list-style-type: none"> o In accordance with approved policy.

* See Section 8.2.(c) for special exemption for public auditoria, cinemas, and theatres.

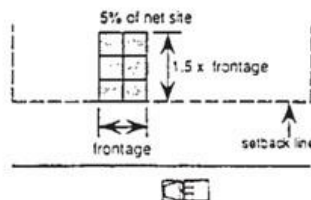
A1(a)



A1(b)



A2



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Bonus Group B: A maximum additional 2.0 F.A.R. may be achieved through the provision of Group B features.

STANDARD	AMENITY TO BE PROVIDED	BONUS RATIO	LOCATION AND ACCESS REQUIREMENTS	PERFORMANCE REQUIREMENTS
B-1	<u>Improvements to Adjacent Right of Way</u>	2.5:1	o Sidewalk areas within adjacent Rights-of-way.	o Enhanced treatment and materials over and above basic standards for sidewalk reconstruction, consistent with Council's policy for public improvements in the Downtown.
B-2	<u>Off-site Improvements</u>			o Available only in accordance with Council policy for a contribution to, or the construction of, features identified in Council's policy for public improvements in Downtown.
B-3	<u>Sculpture in Public Spaces</u> (a) Provided on Site (b) Contribution to Public Art Fund	Maximum of 1 F.A.R. 1 square metre of floor area for every \$110 (October 1984 dollars) of sculpture provided. 1 square metre of floor area for every \$110 (October 1984 dollars) contributed to Public Art Fund.	o Value contributed to sculpture used outdoors at-grade or on building exterior visible from the sidewalk in a setting on site acceptable to Approving Authority. o If off the development site, on 8th S. Avenue between 9 and 11 Streets W., 10 Street W. or a West End public park.	o Unique not mass-produced sculpture by a practitioner in the visual arts who is generally recognized by critics and peers as a professional of serious intent and ability. o Value of sculpture provided calculated in accordance with Council's approved policy. o In accordance with Council policy.