

BYLAW NUMBER 261D2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2015-0194)**

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 ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

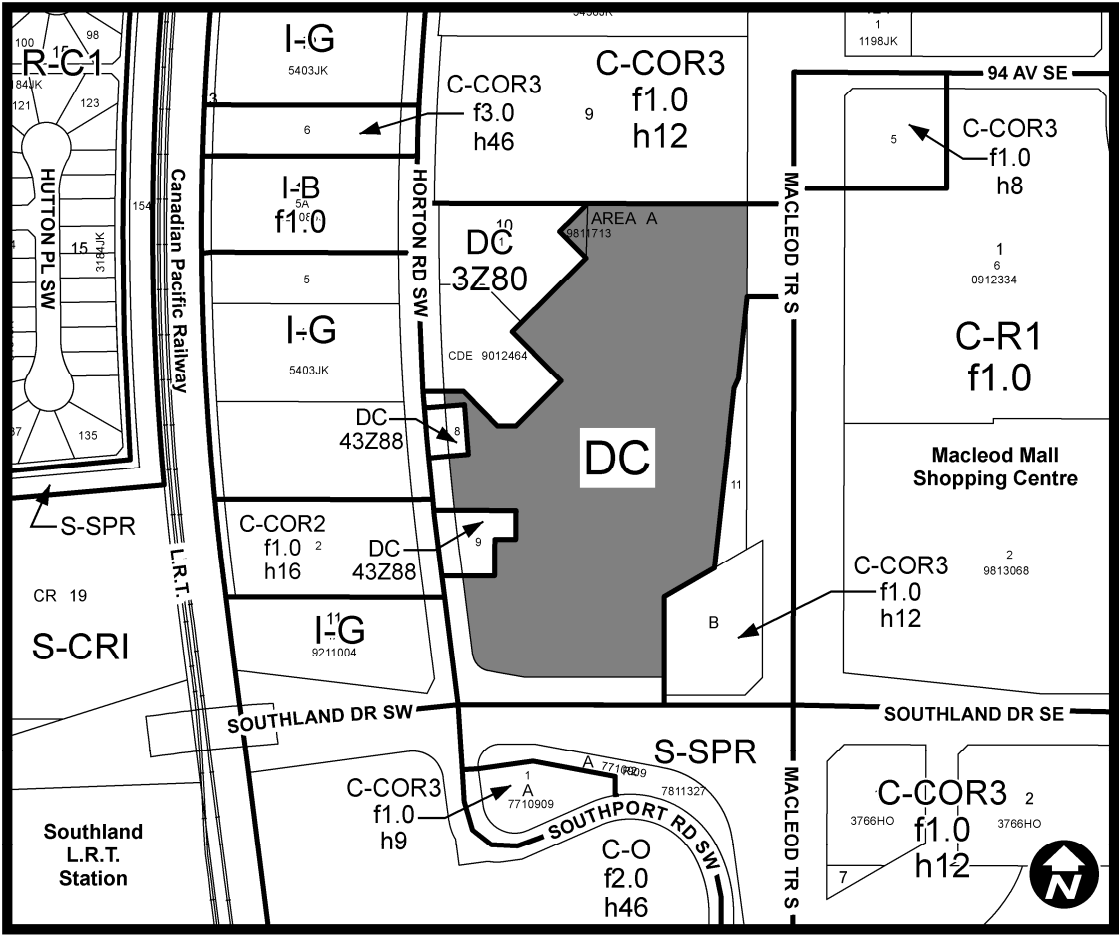
READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to be characterized by:
- (a) mixed-use high-rise **development** that includes commercial **uses** at the podium level with residential **uses** above;
 - (b) **developments** that are comprehensively designed with several **buildings**;

PROPOSED

- (c) pedestrian connections from public sidewalks, to and between **buildings**, and direct pedestrian connectivity to the Southland LRT station
- (d) street-oriented **building** design;
- (e) at-grade areas which provide for on-site amenities, activity areas and gathering places;
- (f) a variety of **uses** including existing on-site **uses** that may be considered appropriate through the re-development process and may be expanded, providing that the expansion does not negatively impact the future re-development potential of the site; and
- (g) transit-oriented **development** with limited automotive **uses**.

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 Commercial – Corridor 2 (C-COR2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Commercial – Corridor 2 (C-COR2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District:

- (a) with the addition of:

- (i) **Beverage Container Quick Drop Facility;**
- (ii) **Drinking Establishment – Large;**
- (iii) **Market;**
- (iv) **Night Club;**
- (v) **Restaurant: Food Service Only – Large; and**
- (vi) **Restaurant: Licensed – Large; and**

- (b) with the exclusion of:

- (i) **Auto Service – Major;**
- (ii) **Auto Service – Minor;**
- (iii) **Car Wash – Multi-Vehicle;**
- (iv) **Car Wash – Single Vehicle; and**
- (v) **Gas Bar.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Commercial – Corridor 2 (C-COR2) District of Bylaw 1P2007 apply in this Direct Control District.

Parcel Area

- 7 There is no maximum area for the *parcel*.

Floor Area Ratio

- 8 The maximum *floor area ratio* is 4.0.

Use Area

- 9 (1) Unless otherwise referenced in subsections (3) and (4), the maximum *use area* for *uses* on the ground floor of *buildings* is 930.0 square metres.
- (2) Unless otherwise referenced in subsection (3) and (4), there is no maximum *use area* for *uses* located on upper floors.
- (3) The maximum *use area* of a
- (a) **Supermarket**, or a **Supermarket** combined with any other *use*, is 5000.0 square metres;
 - (b) **Retail and Consumer Service**, or a **Retail and Consumer Service** combined with any other *use* is 5000.0 square metres.
 - (c) **Cinema**, or a **Cinema** combined with any other *use*, is 3000.0 square metres.
- (4) The following *uses* do not have a *use area* restriction:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care,**
 - (d) **Hotel; and**
 - (e) **Residential Care.**

Location of Uses within Buildings

- 10 (1) **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care** must not be located on the ground floor of a *building*.
- (2) “Commercial Units” and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care**; and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care**.
- (3) Where this section refers to “Commercial Uses”, it refers to the listed *uses* at sections 4 and 5 of this Direct Control District; other than **Addiction Treatment**,

Assisted Living, Custodial Care, Dwelling Units, Live Work Units and Residential Care.

Excess Motor Vehicle Parking Stalls

- 11 Where the number of **motor vehicle parking stalls** provided for **uses**, not including **Dwelling Units** or **Live Work Units**, is in excess of 6.0 stalls per 100.0 square metres of **gross usable floor area**, those excess stalls must be located in either underground or structured parking.

Additional Landscaping Requirements

- 12 (1) All **landscaped areas** located at **grade**, other than **private amenity space**, must be accessible to all residents of the **development**.
- (2) All **setback areas** adjacent to a **street** or another **parcel**, except for those portions specifically required for motor vehicle access, must be a **landscaped area**.
- (3) **Amenity space** must be included in the calculation of a **landscaped area** where such **amenity space**:
- (i) is provided outdoors at **grade**; and
 - (ii) is a **hard surfaced landscaped area** or **soft surfaced landscaped area**.
- (4) For **landscaped areas** with a **building** below, the following additional information must be provided:
- (i) the location of underlying slabs and abutting walls;
 - (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
 - (iii) depths of the growing medium for each planting area;
 - (iv) the mature height and spread of all trees and shrubs; and
 - (v) the means of irrigating the planting areas.

Residential Amenity Space

- 13 (1) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
- (2) The required minimum **amenity space** is 5.0 square metres per **unit**.
- (3) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the **amenity space** requirement.

- (4) When the **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per **unit** must be included to satisfy the **amenity space** requirement.
- (5) **Private amenity space** must:
- (i) be in the form of a **balcony, deck** or **patio**; and
 - (ii) have no minimum dimensions of less than 2.0 metres.
- (6) **Common amenity space**:
- (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**; and
 - (c) must have a contiguous area of not less than 50.0 square metres, with no dimension less than 6.0 metres.
- (7) A minimum of 50.0 per cent of the required **amenity space** must be provided outdoors.
- (8) **Common amenity space – outdoors** must provide a **balcony, deck** or **patio** and at least one of the following as permanent facilities:
- (a) a barbeque; or
 - (b) seating.

Floor Plate Restrictions

- 14 (1) Each floor of a **building** located partially or wholly above 26.0 metres above **grade** and containing **Hotel** has a maximum **floor plate area** of 850.0 square metres.
- (2) In all other cases, each floor of a **building** located partially or wholly above 26.0 metres above **grade** has a maximum **floor plate area** of 700.0 square metres.

Building Height

- 15 The maximum **building height** is 120.0 metres.

Relaxation

- 16 The **Development Authority** may relax the rules contained in sections 11, 12 and 17 in this Direct Control District provided the test for relaxation in accordance with Bylaw 1P2007 is met.

Tower Separation

- 17 The minimum separation distance between towers containing **Dwelling Units** within or adjacent to the **parcel** must be 24.0 metres above 20.0 metres measured from **grade**.