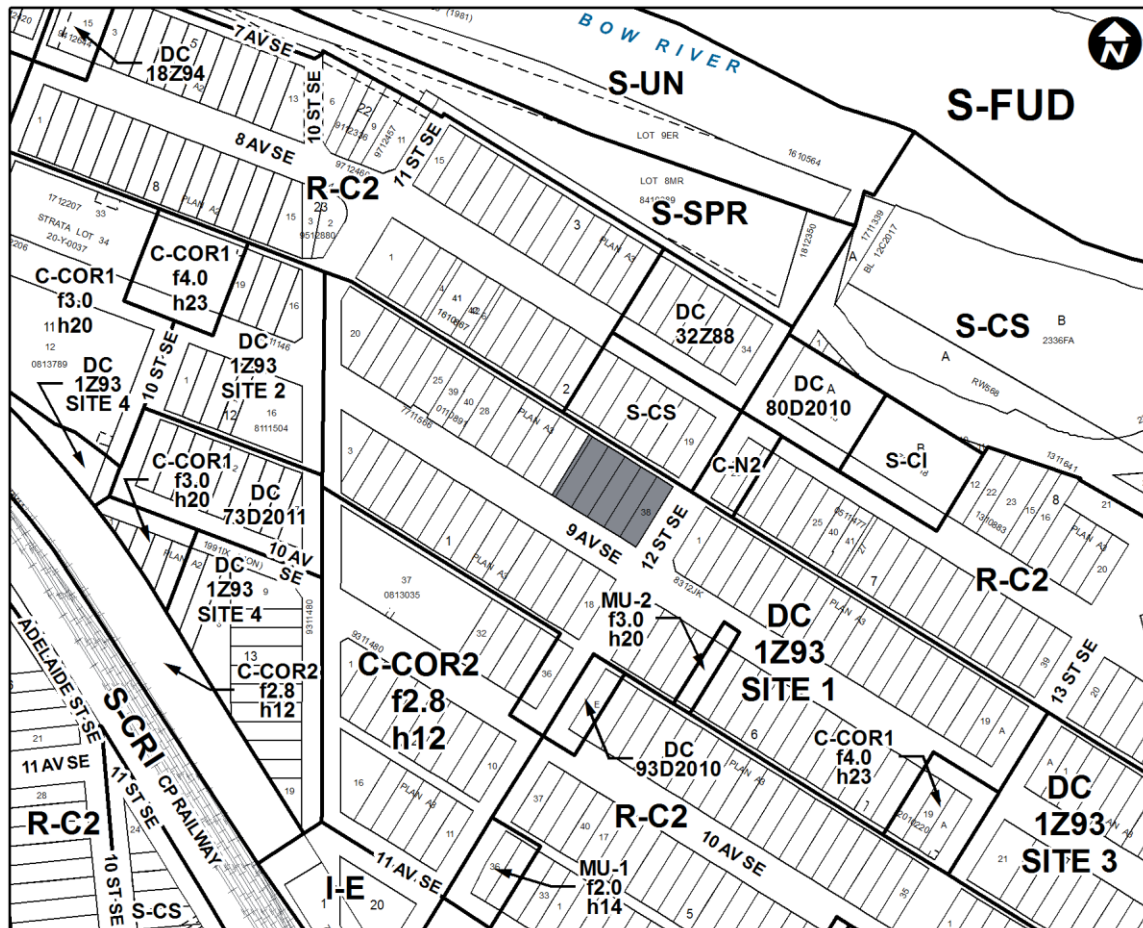


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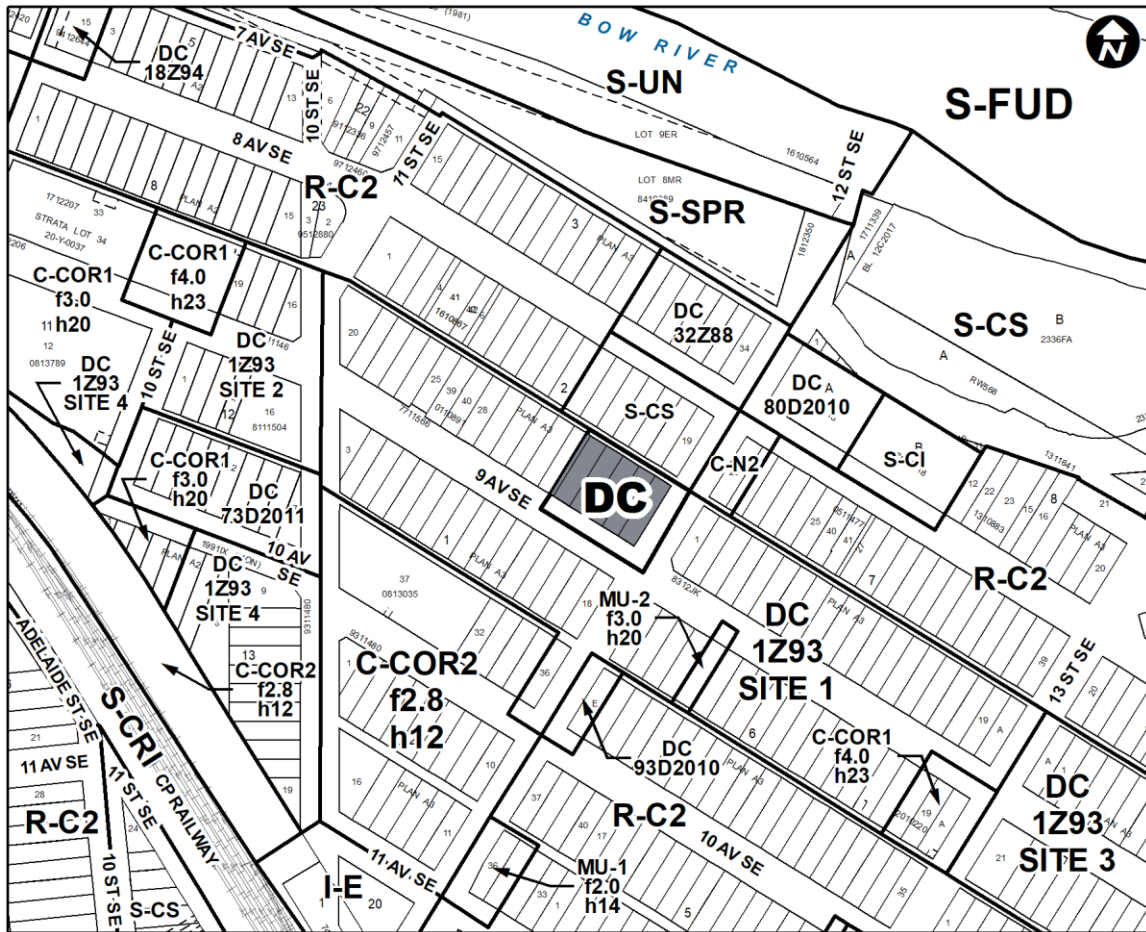
1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule “A” to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule “B” to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule “B”.

SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) accommodate mixed-use development where active commercial uses are required at grade to promote activity at the street level; and
- (b) implement a site-specific heritage density incentive for the legal protection of a Heritage Building.

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 Bylaw.

Reference to Bylaw 1P2007

3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

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General Definitions

4 In this Direct Control District Bylaw:

- (a) “**heritage building**” means the **building** existing on the date of passage of this Direct Control District located on the **parcel** legally described as Plan A3, Block 2, Lot 34 and a portion of Lot 33 with the municipal address 1230 – 9 Avenue SE;
- (b) “**integrated transit waiting area**” means a publicly accessible designated waiting area, that is subject to a registered public access agreement, for passengers of the municipal public transit system, designed for comfort in all seasons and for people of all ages and abilities. Specifically, the waiting area must: include heating, seating, a waste and recycling receptacle, be located adjacent to a municipal public transit stop with clear sightlines to the surrounding area, and be designed for universal access; and
- (c) “**publicly accessible private open space**” means outdoor open space located on the **parcel** that is made available to the public through a registered public access easement agreement with an area not less than 100.00 square metres.

Permitted Uses

5 The **permitted uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

6 The **discretionary uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

7 Unless otherwise specified, the rules of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 8 (1) Unless otherwise referenced in subsection (2) and (3), the maximum **floor area ratio** is 2.0.
- (2) The **floor area ratio** referenced in subsection (1) may be increased to a maximum of 4.5 through:
- (a) the municipal historic resource designation by **Council** of the “**heritage building**”.
- (3) The **floor area ratio** references in subsection (2) may be further increased to a maximum of 6.5 through:
- (a) the provision of “**publicly accessible private open space**” with no dimension less than 3.0 metres along 9 Avenue SE; and

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- (b) the provision of an ***“integrated transit waiting area”*** of not less than 10.0 square metres.

Building Height

- 9 (1) Unless otherwise referenced in subsection (2), the maximum ***building height*** is 45.0 metres.
- (2) Where the ***parcel*** shares a ***property line*** with a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***low density residential district***, M-CG District or S-CS District the maximum ***building height***:
- (a) is 7.5 metres measured from ***grade*** at the ***property line*** that the ***parcel*** designated as a ***low density residential district***, M-CG District or S-CS District shares with the ***lane***;
 - (b) increases at a 45 degree angle to a depth of 11.0 metres from the ***property line*** of the ***low density residential district***, M-CG District or S-CS District shared with the ***lane*** or to 45.0 metres whichever results in the lower ***building height*** measured from ***grade***; and
 - (c) increases to 45.0 metres measured from ***grade*** at a distance greater than 11.0 metres from the ***property line*** shared with the ***lane***.
- (3) Diagram 1 illustrates the rules of subsection (2).

Street Wall Stepback

- 10 Section 1338 of Bylaw 1P2007 does not apply to this Direct Control District Bylaw.

Relaxations

- 11 The ***Development Authority*** may relax the rules contained in Sections 7 and 9 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.

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Diagram 1: Building Height

9 (2) Building Height

