PROPOSED

CPC2020-0587
ATTACHMENT 4

BYLAW NUMBER 84D2020

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (LAND USE AMENDMENT LOC2019-0188/CPC2020-0587)

*** ***

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 therefore 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 _____

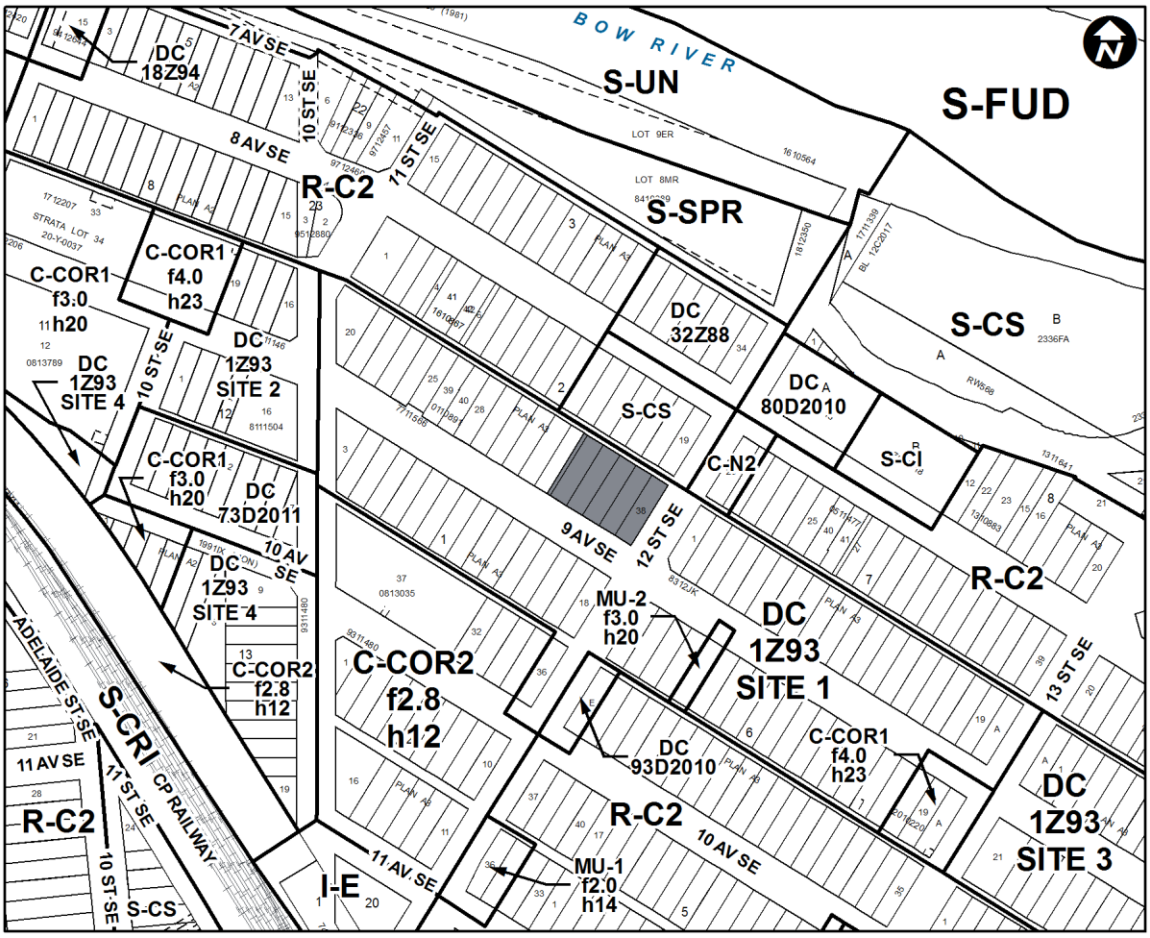
_____
CITY CLERK

SIGNED ON _____

PROPOSED

AMENDMENT LOC2019-0188/CPC2020-0587
BYLAW NUMBER 84D2020

SCHEDULE A



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AMENDMENT LOC2019-0188/CPC2020-0587
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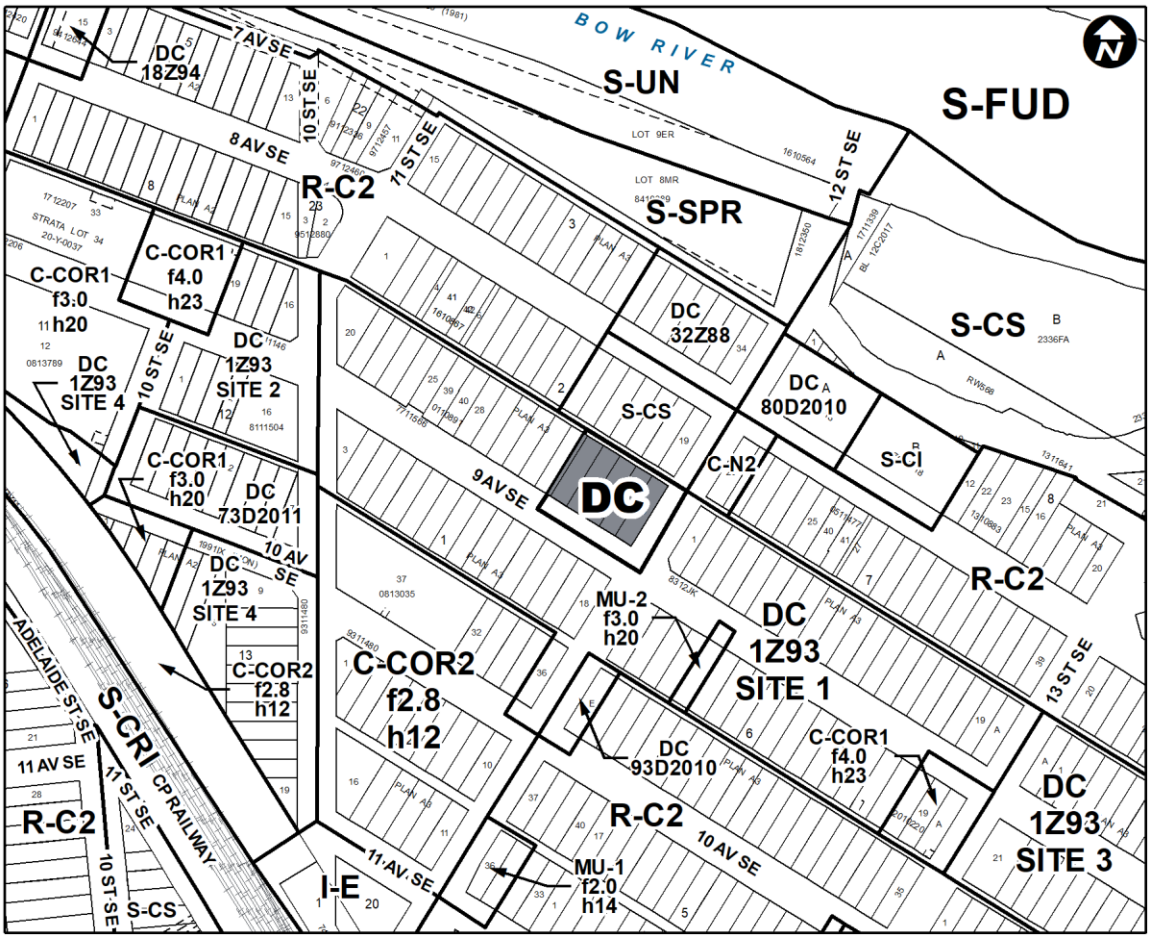
SCHEDULE B



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;

(b) implement a site-specific heritage density incentive for the legal protection of a Heritage Building; and

(c) implement site-specific density incentive for a high quality publicly accessible private open space and transit waiting area on a Main Street.

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.

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 designated waiting area within a ***building*** for passengers of the municipal public transit system that:

(i) is publicly accessible through a registered public access easement agreement;

(ii) is designed for universal access and weather protection in all seasons;

(iii) must have a minimum overall contiguous area of no less than 14.0 square meters, including an area with minimum dimensions of 2.5 meters by 2.5 meters; and

(iv) includes heating, seating, a waste and recycling receptacle and is ***adjacent*** to a municipal public transit stop; and

(c) "***publicly accessible private open space***" means outdoor open space located on a portion of the ***parcel*** that:

(i) is publicly accessible through a registered public access easement agreement;

(ii) must have a minimum overall contiguous area of no less than 100.0 square meters, including an area with minimum dimensions of 7.0 metres by 7.0 meters;

(iii) is ***adjacent*** to the "***heritage building***"; and

(iv) must include street furniture elements including, but not limited to:

(A) seating; and
(B) general and feature lighting.

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 subsections (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 ***floor area ratio*** where Council designates the ***heritage building*** as a municipal historic resource.

(3) The ***floor area ratio*** references in subsection (2) may be further increased to a maximum of 6.5 ***floor area ratio*** through the provision of:

(a) a "***publicly accessible private open space***"; and

(b) an *"**integrated transit waiting area***".

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.

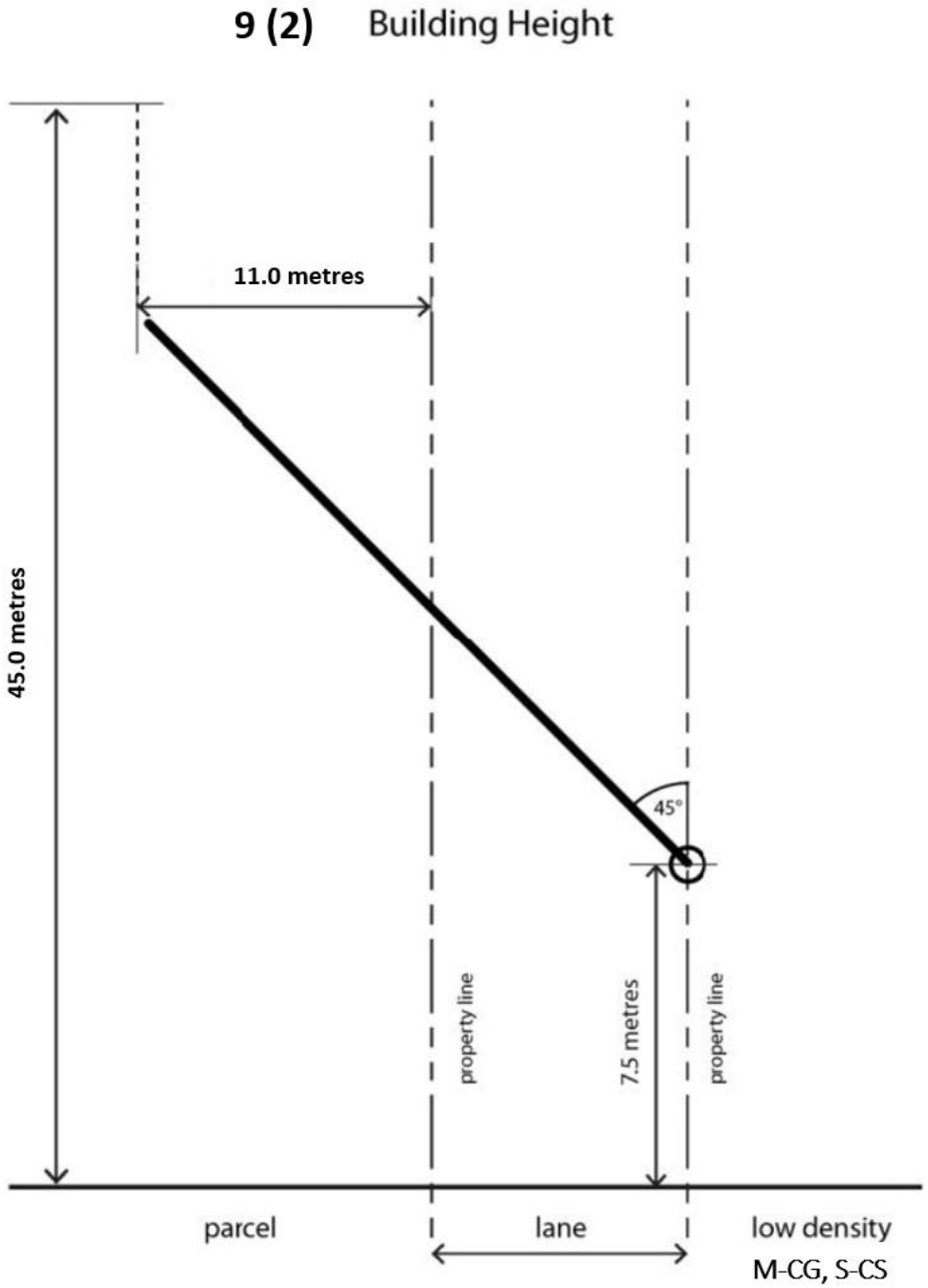



Diagram 1: Building Height