

PROPOSED

CPC2021-0024
ATTACHMENT 2

BYLAW NUMBER 27D2021

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2020-0146/CPC2021-0024)**

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 replacing it with 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 _____

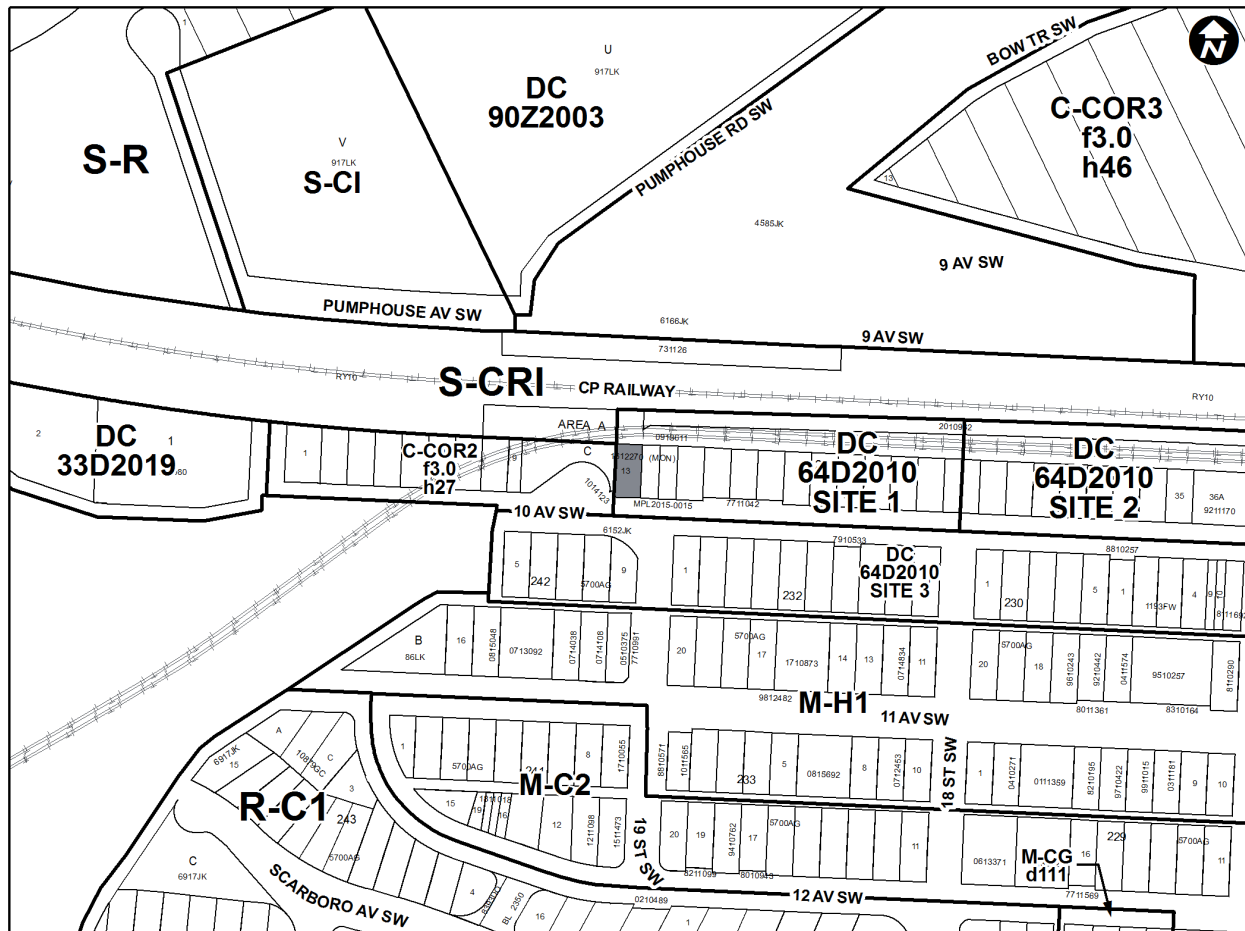
CITY CLERK

SIGNED ON _____

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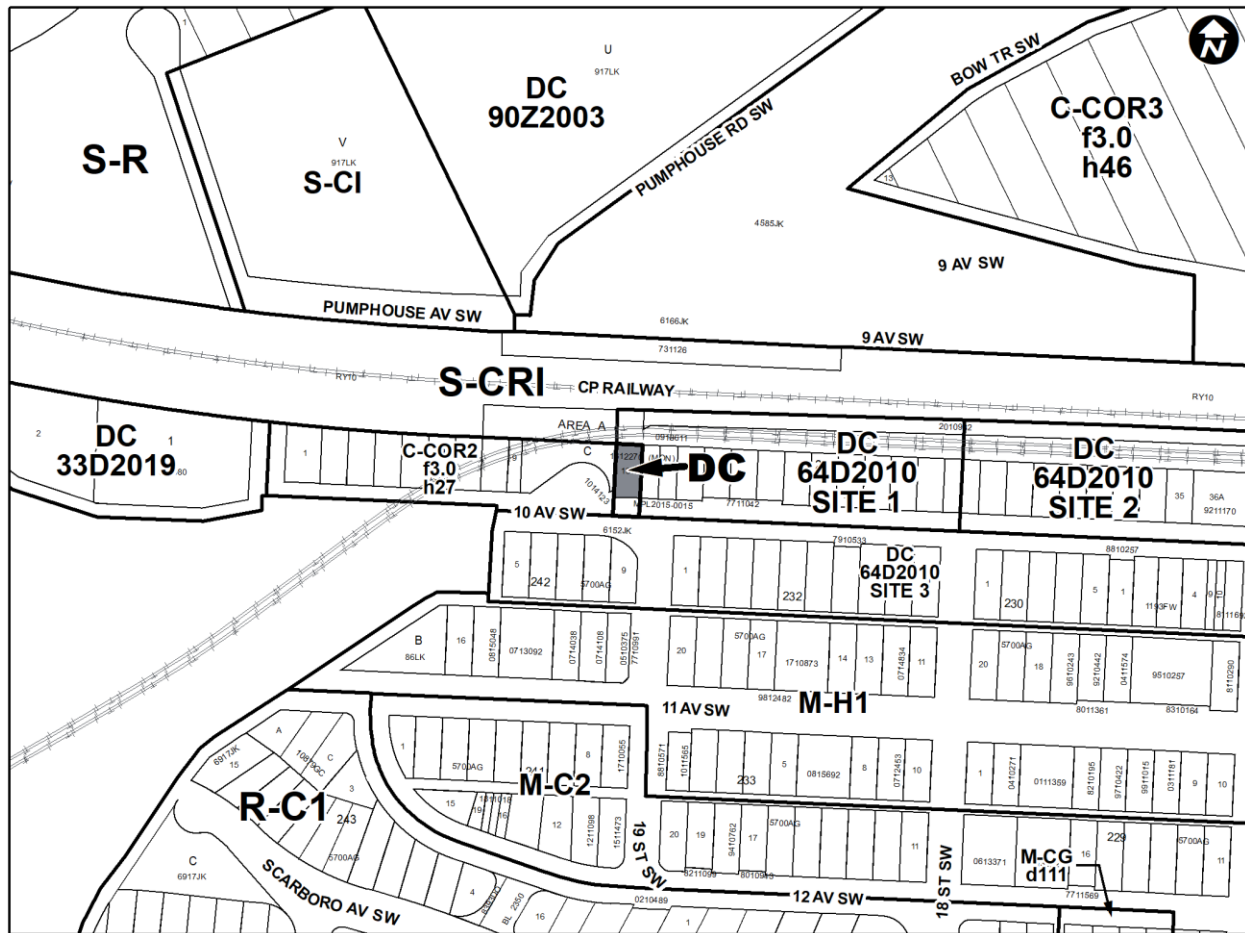
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District Bylaw is intended to:
- (a) allow for the additional use of Kennel – Urban;
 - (b) provide for a mix of commercial, residential and a limited range of light industrial uses;
 - (c) accommodate mixed-use street-oriented development; and
 - (d) allow for a density bonus over and above base density to achieve public benefit and amenities within the same community.

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.

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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) “**average land value**” means the average land value per square metre of buildable floor area for the area, or areas, so approved by **Council** and as amended from time to time;
- (b) “**community investment fund**” means a fund used for projects related to public realm improvements, including but not limited to streetscape design and improvements within **City** rights-of-way, implementation of urban design strategies and public art on public land;
- (c) “**indoor community amenity space**” means floor area provided for community purposes, including, but not limited to, offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares and other social services, within the **development**, in perpetuity to the **City** and approved by the **Development Authority**; and
- (d) “**publicly accessible private open space**” means outdoor open space located on the **development parcel** that is made available to the public through a registered public access easement agreement, in a location, form, configuration and constructed in a manner approved by the **Development Authority**.

Defined Uses

- 5 In this Direct Control District Bylaw:

- (a) “**Kennel – Urban**” means a **use**:
 - (i) where domestic animals are boarded overnight or for periods greater than 24 hours;
 - (ii) that may provide for the incidental sale of products relating to the services provided by the **use**; and
 - (iii) that includes animal enclosures, pens, runs or exercise areas.

Permitted Uses

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

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Discretionary Uses

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

- (a) **Kennel – Urban.**

Bylaw 1P2007 District Rules

8 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

- 9 (1) The minimum **floor area ratio** is 1.0 for new **development**.
- (2) The maximum **floor area ratio** is 5.0.
- (3) The maximum **floor area ratio** specified in subsection (2) may be increased by a maximum of 2.0 **floor area ratio** in accordance with the bonus provisions contained in Section 10 of this Direct Control District Bylaw.

Bonus Floor Area Ratio Earning Items

10 Any of the following items or combination thereof may be used to earn a density bonus up to 2.0 **floor area ratio**:

- (a) provision of “**indoor community amenity space**” within the **development**, where the allowable bonus floor area in square metres is equal to the total construction or restoration cost of the “**indoor community amenity space**”, divided by the “**average land value**” per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (**average land value** X 0.75);

- (b) provision of “**publicly accessible private open space**” where the allowable bonus floor area in square metres is equal to the total construction cost of the “**publicly accessible private open space**”, divided by the “**average land value**” per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (average land value X 0.75); and

- (c) contribution to a “**community investment fund**”, as established by **Council**, where the allowable bonus floor area in square metres is equal to the contribution to the “**community investment fund**”, divided by the “**average land value**” per square metre of buildable floor area, such that:

Allowable bonus floor area = contribution / (**average land value**).

Building Height

11 The maximum **building height** is 49 metres.

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Floor Plate Restrictions

12 Each floor of a **building** located partially or wholly above 36.0 metres above **grade**, and containing:

(a) **Dwelling Units, Hotel or Live Work Units** has a maximum:

(i) **floor plate area** of 930.0 square metres; and

(ii) horizontal dimension of 44.0 metres; and

(b) **Office** has a maximum:

(i) **floor plate area** of 1,300.0 square metres; and

(ii) horizontal dimension of 44.0 metres.

Front Setback Area

13 The **front setback area** must have a minimum depth of 1.0 metre and a maximum depth of 4.0 metres.

Rear Setback Area

14 There is no requirement for a **rear setback area**.

Side Setback Area

15 There is no requirement for a **side setback area** from a **property line** shared with another **parcel**.

Landscaping in Setback Areas

16 Where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **hard surfaced landscaped area** that is level with the **adjacent** sidewalk.

Motor Vehicle Parking Stall Requirements

17 The minimum number of required **motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** is the requirement specified in Sections 1157 and 1159 of Bylaw 1P2007.

Relaxations

18 The **Development Authority** may relax the rules contained in Section 8, 13, 16 and 17 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.