

BYLAW NUMBER 311D2016

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2016-0100)**

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 _____, 2016.

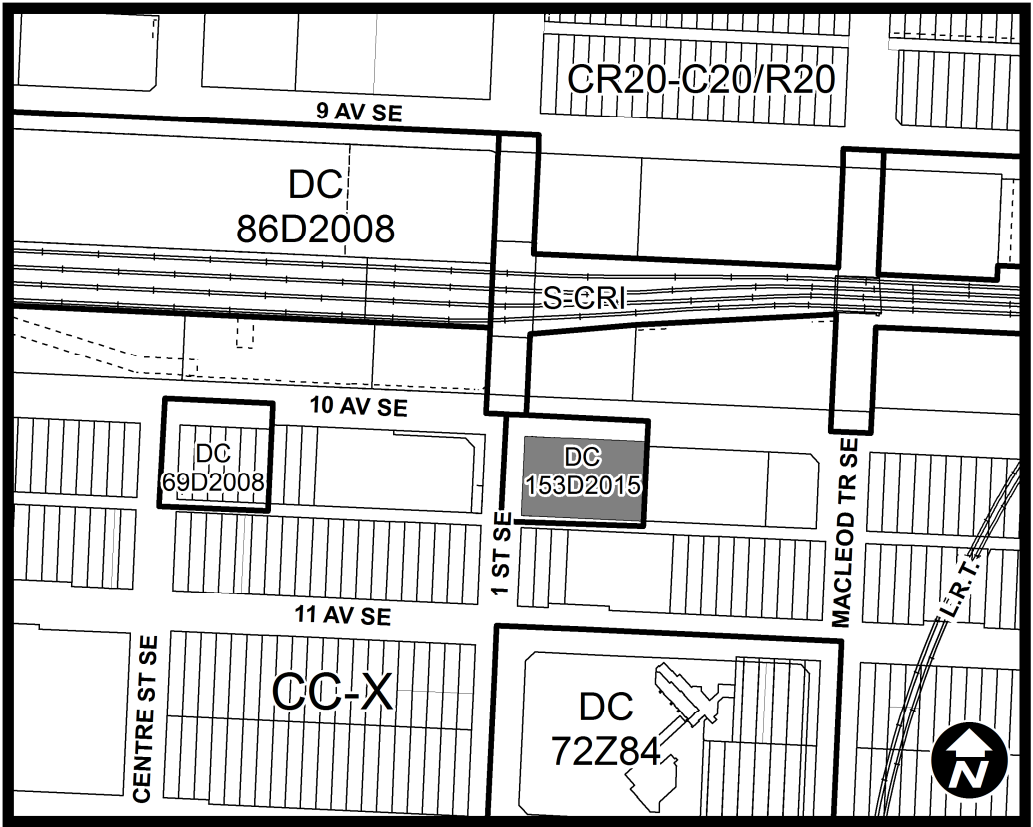
READ A SECOND TIME THIS ____ DAY OF _____, 2016.

READ A THIRD TIME THIS ____ DAY OF _____, 2016.

MAYOR
SIGNED THIS ____ DAY OF _____, 2016.

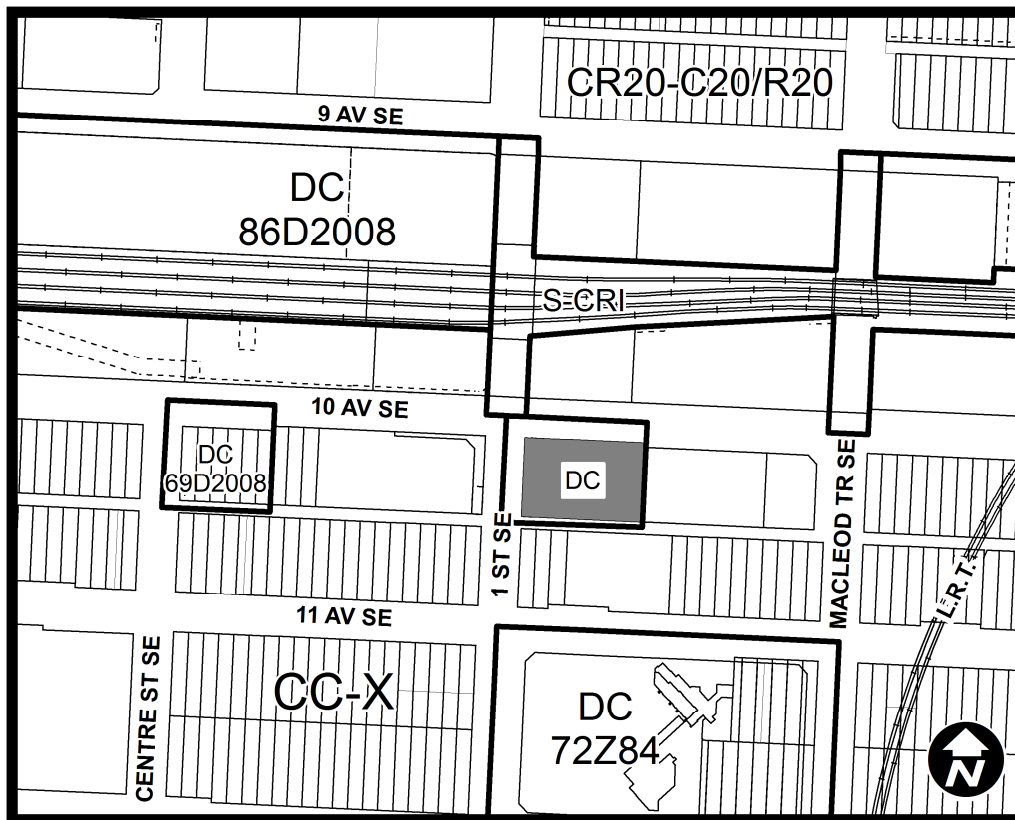
CITY CLERK
SIGNED THIS ____ DAY OF _____, 2016.

SCHEDULE A



PROPOSED

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) provide for a mixed use high rise **development** consisting of **uses** such as **Retail and Consumer Service, Office and Multi-Residential Development** within a single **building**; and
- (b) provide for greater flexibility in the allocation of **motor vehicle parking stalls**.

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.

PROPOSED

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.

General Definitions

- 4 In this Direct Control District:

- (a) “**non-residential uses**” means all **uses** other than:
- (i) **Assisted Living;**
 - (ii) **Dwelling Units;**
 - (iii) **Hotel;**
 - (iv) **Multi-Residential Development; and**
 - (v) **Residential Care.**

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 maximum cumulative **floor area ratio** for all **uses** in this Direct Control District is 12.78.
- (2) The maximum **floor area ratio** for **non-residential uses** is 5.0.

Motor Vehicle Parking Stall Requirements

- 9 (1) The maximum number of **motor vehicle parking stalls** for **Parking Lot – Structure**, where the stalls are not assigned to a **use** within the **development** above **grade** or provided as **parking area – short stay**, is 65.0.
- (2) When approving a **development permit** incorporating **Parking Lot – Structure**, the **Development Authority** must impose conditions, including, but not limited to, requiring the applicant to enter into a Special Development Agreement with The City which must include provision for:
- (a) an operating arrangement with the owner of the property or the associated parking operator for the purpose of establishing a mechanism to monitor and enforce the operation of the stalls as **Parking Lot – Structure**.

- (3) The remaining **motor vehicle parking stalls** that are not assigned to a **use** within the **development** above **grade** or are not provided as **Parking Lot – Structure** may be provided as **parking area – short stay** stalls provided the stalls are:
- (a) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (b) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public;
 - (c) prominently signed at the **street** level indicating the availability and conditions of use of such stalls; and
 - (d) adjacent to a road network that the **Development Authority** has determined is capable of handling the added vehicle movements associated with the additional stalls.
- (4) When approving a **development permit** incorporating **parking area – short stay** stalls provided for in subsection (3), the **Development Authority** must impose conditions, including, but not limited to, requiring the applicant to enter into a Special Development Agreement with The City which must include provision for:
- (a) the mechanism by which the **development** will be managed to ensure the operation of stalls as **parking area – short stay** stalls available to the public, at minimum, from 7:00 a.m. until 11:00 p.m. Mountain Standard Time seven days a week; and
 - (b) an operating arrangement with owner of the property or the associated parking operator for the purpose of ensuring unrestricted public access to the stalls and establishing a mechanism to monitor and enforce the operation of the stalls as **parking area – short stay**.
- (5) For all other **uses**, the **motor vehicle parking stall** requirements are those set out in Bylaw 1P2007.

Development Permit Requirements

- 10 (1) A **development permit** for **Parking Lot – Structure** may only be approved in conjunction with a **development permit** that is approved for any of the following **uses**:
- (a)
 - (i) **Assisted Living**;
 - (ii) **Dwelling Units**;
 - (iii) **Hotel**;
 - (iv) **Multi-Residential Development**; or
 - (v) **Residential Care**; and
 - (b) with the addition of a **non-residential use**.

- (2) The minimum combined **floor area ratio** for the **uses** listed in subsection (1)(a)(i) to (1)(a)(v) is 5.0.
- (3) A **development completion permit** for **Parking Lot – Structure** may only be issued once a **development completion permit** has been issued for one or more of the **uses** listed in subsection (1).

PROPOSED