

PROPOSED

CPC2021-0130
ATTACHMENT 11

BYLAW NUMBER 84D2021

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2017-0154/CPC2021-0130)**

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 _____

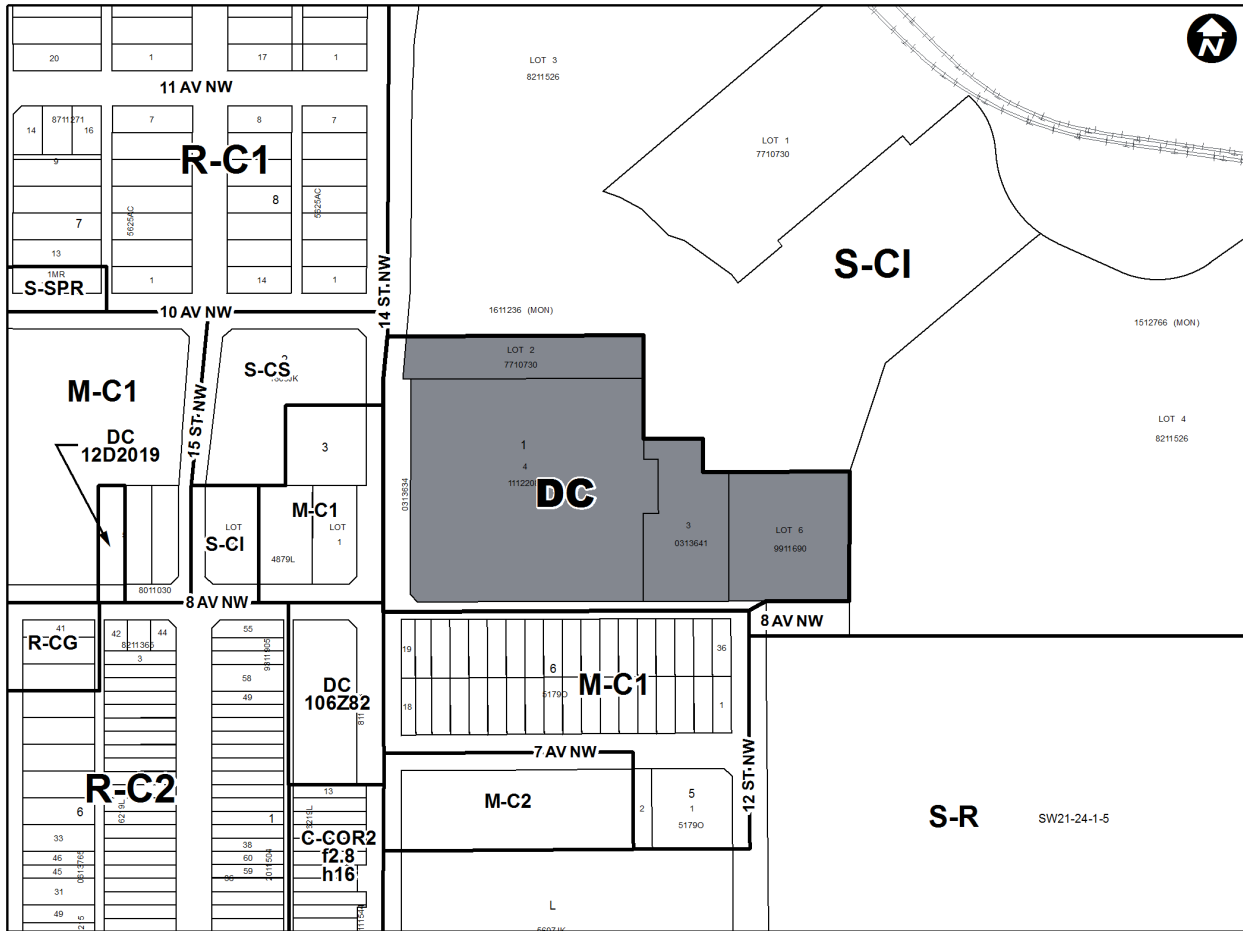
CITY CLERK

SIGNED ON _____

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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) accommodate a comprehensively planned mixed use development that includes an integrated health care campus with office, retail and multi-residential development;
- (b) allow for a site-specific medical building within the health care campus subject to the provision of mobility improvements in the community; and
- (c) allow for a variety of residential building forms to encourage multigenerational living.

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 Definition

4 In this Direct Control District Bylaw:

- (a) “**DC use area**” means:
 - (i) the entire floor area of a **building** that is separated from other portions of the **building** and is accessible by the same entrance or entrances and is occupied by a specific **use**;
 - (ii) for greater certainty, subsection (i) must be interpreted to mean that whenever a person inside of a **building** must exit the **building** or enter a common internal corridor to access a different portion of the **building**, those two portions of the **building** are separate; and
 - (iii) the measurement of **DC use area** includes the floor area of:
 - (I) all mezzanines and **storeys** capable of being accessed by the same entrance without leaving the **building** or using a common internal corridor;
 - (II) all mechanical rooms, offices and other spaces that support the **use** and can be accessed without leaving the **building** or using a common internal corridor; and
 - (III) all spaces within a **building** capable of being accessed by the same entrance without leaving the **building** or using a common internal corridor regardless of whether the space is open to the public including washroom facilities, storage rooms, employee only areas, and similar spaces.

Permitted Uses

- 5 (1) The following **uses** are **permitted uses** in this Direct Control District Bylaw:
- (a) **Accessory Residential Building;**
 - (b) **Home Based Child Care – Class 1;**
 - (c) **Home Occupation – Class 1;**
 - (d) **Park;**
 - (e) **Sign – Class A;**
 - (f) **Sign – Class B;**
 - (g) **Sign – Class D; and**
 - (h) **Utilities.**

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(2) The following *uses* are *permitted uses* in this Direct Control District Bylaw if they are located within existing approved *buildings* that do not contain **Dwelling Units**:

- (a) **Accessory Food Service;**
- (b) **Artist's Studio;**
- (c) **Catering Service – Minor;**
- (d) **Convenience Food Store;**
- (e) **Counselling Service;**
- (f) **Financial Institution;**
- (g) **Fitness Centre;**
- (h) **Health Services Laboratory – With Clients;**
- (i) **Health Services Laboratory – Without Clients;**
- (j) **Hospital;**
- (k) **Information and Service Provider;**
- (l) **Instructional Facility;**
- (m) **Library;**
- (n) **Medical Clinic;**
- (o) **Office;**
- (p) **Pet Care Service;**
- (q) **Power Generation Facility – Small;**
- (r) **Print Centre;**
- (s) **Protective and Emergency Service;**
- (t) **Radio and Television Studio;**
- (u) **Restaurant: Food Service Only – Small;**
- (v) **Restaurant: Neighbourhood;**
- (w) **Retail and Consumer Service;**
- (x) **Service Organization;**
- (y) **Specialty Food Store;**
- (z) **Take Out Food Service;** and
- (aa) **Veterinary Clinic.**

Discretionary Uses

6 (1) *Uses* listed in subsection 5(2) are *discretionary uses* if they are located in any one or more of the following:

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- (a) proposed *buildings*;
 - (b) proposed additions to existing *buildings*; and
 - (c) existing approved *buildings* containing **Assisted Living, Dwelling Units, Live Work Units** or **Residential Care**.
- (2) The following *uses* are **discretionary uses** in this Direct Control District Bylaw:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Assisted Living;**
 - (d) **Brewery, Winery and Distillery;**
 - (e) **Cannabis Counselling;**
 - (f) **Cannabis Store;**
 - (g) **Child Care Service;**
 - (h) **Community Recreation Facility;**
 - (i) **Computer Games Facility;**
 - (j) **Custodial Care;**
 - (k) **Drinking Establishment – Small;**
 - (l) **Dwelling Unit;**
 - (m) **Food Production;**
 - (n) **Home Occupation – Class 2;**
 - (o) **Hotel;**
 - (p) **Indoor Recreation Facility;**
 - (q) **Kennel;**
 - (r) **Liquor Store;**
 - (s) **Live Work Unit;**
 - (t) **Market;**
 - (u) **Outdoor Café;**
 - (v) **Parking Lot – Structure;**
 - (w) **Place of Worship – Medium;**
 - (x) **Place of Worship – Small;**
 - (y) **Post-secondary Learning Institution;**
 - (z) **Residential Care;**
 - (aa) **Restaurant: Food Service Only – Medium;**

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- (bb) **Restaurant: Licensed – Medium;**
- (cc) **Restaurant: Licensed – Small;**
- (dd) **Seasonal Sales Area;**
- (ee) **Signs – Class C;**
- (ff) **Signs – Class E;**
- (gg) **Social Organization;**
- (hh) **Special Function – Class 2;**
- (ii) **Supermarket;**
- (jj) **Urban Agriculture;**
- (kk) **Utility Building;**
- (ll) **Vehicle Rental – Minor; and**
- (mm) **Vehicle Sales – Minor.**

Bylaw 1P2007 District Rules

7 The rules of the Mixed Use – General (MU-1) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

8 The maximum cumulative **floor area ratio** for all **parcels** within this Direct Control District is 4.0.

Building Height

- 9 (1) Unless otherwise provided in subsection (2), the maximum **building height** is 45.0 metres.
- (2) The maximum **building height** within 75.0 metres of the west **property line** shared with 14 Street NW is 35.0 metres.

DC Use Area

- 10 (1) Unless otherwise provided in subsections (2), (3), (4) and (5), the maximum cumulative **DC use area** for all **uses** is 9,500.0 square metres.
- (2) The calculation for the maximum cumulative **DC use area** referenced in subsection (1) excludes the floor area for motor vehicle parking when provided in above ground parking structures.
- (3) The maximum cumulative **DC use area** for all **uses** may be increased in accordance with subsection (4), where all three of the following mobility improvements are or have been provided:
- (a) a full traffic signal at the intersection of 5 Avenue NW and 12 Street NW;

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- (b) a left turn traffic signal southbound on 14 Street NW at 5 Avenue NW;
and
 - (c) temporary curb extensions for safe pedestrian crossing on 12 Street NW
at 7 Avenue NW and 8 Avenue NW.
- (4) Where the mobility improvements in subsection (3) are or have been provided:
- (a) the maximum cumulative **DC use area** for all **uses** other than **Assisted Living, Dwelling Units** and **Live Work Units** is 40,000.0 square metres;
and
 - (b) there is no maximum **DC use area** for **Dwelling Units, Live Work Units**
and **Assisted Living**.
- (5) In all cases, there is no maximum **DC use area** for **Residential Care**, and **Residential Care** must not be included in the calculation for the maximum cumulative **DC use area**.

Relaxations

- 11 The **Development Authority** may relax the following in accordance with sections 31 and 36 of Bylaw 1P2007:
- (a) subject to subsection (b), the rules contained in section 7 of this Direct Control District Bylaw; and
 - (b) the rules in sections 1335, 1338, 1340, 1373 and 1374 of Bylaw 1P2007 for **buildings** not containing **Assisted Living, Dwelling Units, Live Work Units** or **Residential Care**.