

BYLAW NUMBER 35D2016

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2015-0025)**

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.

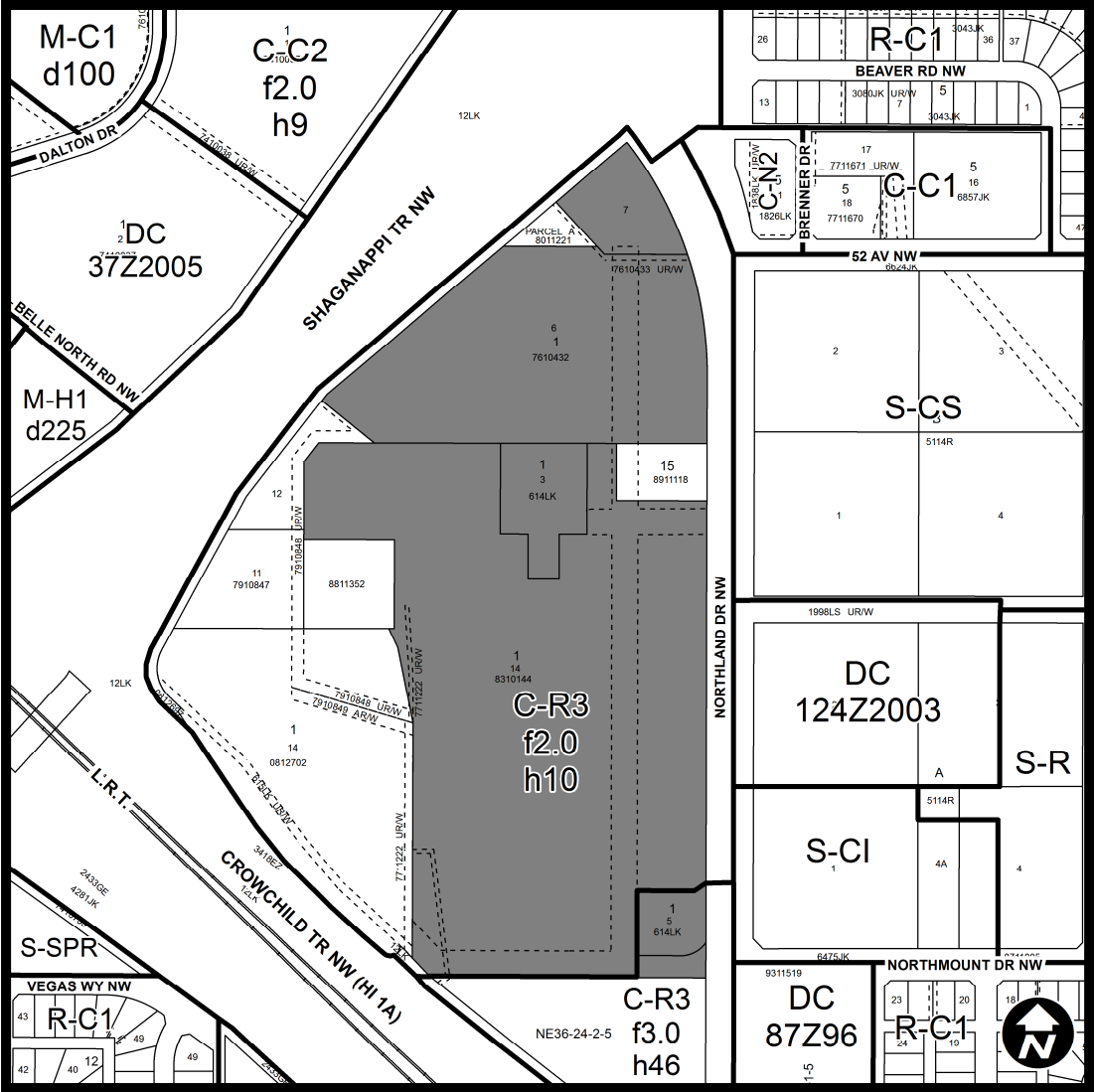
READ A SECOND TIME THIS ____ DAY OF _____, 2016.

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

MAYOR
SIGNED THIS ____ DAY OF _____, 2016.

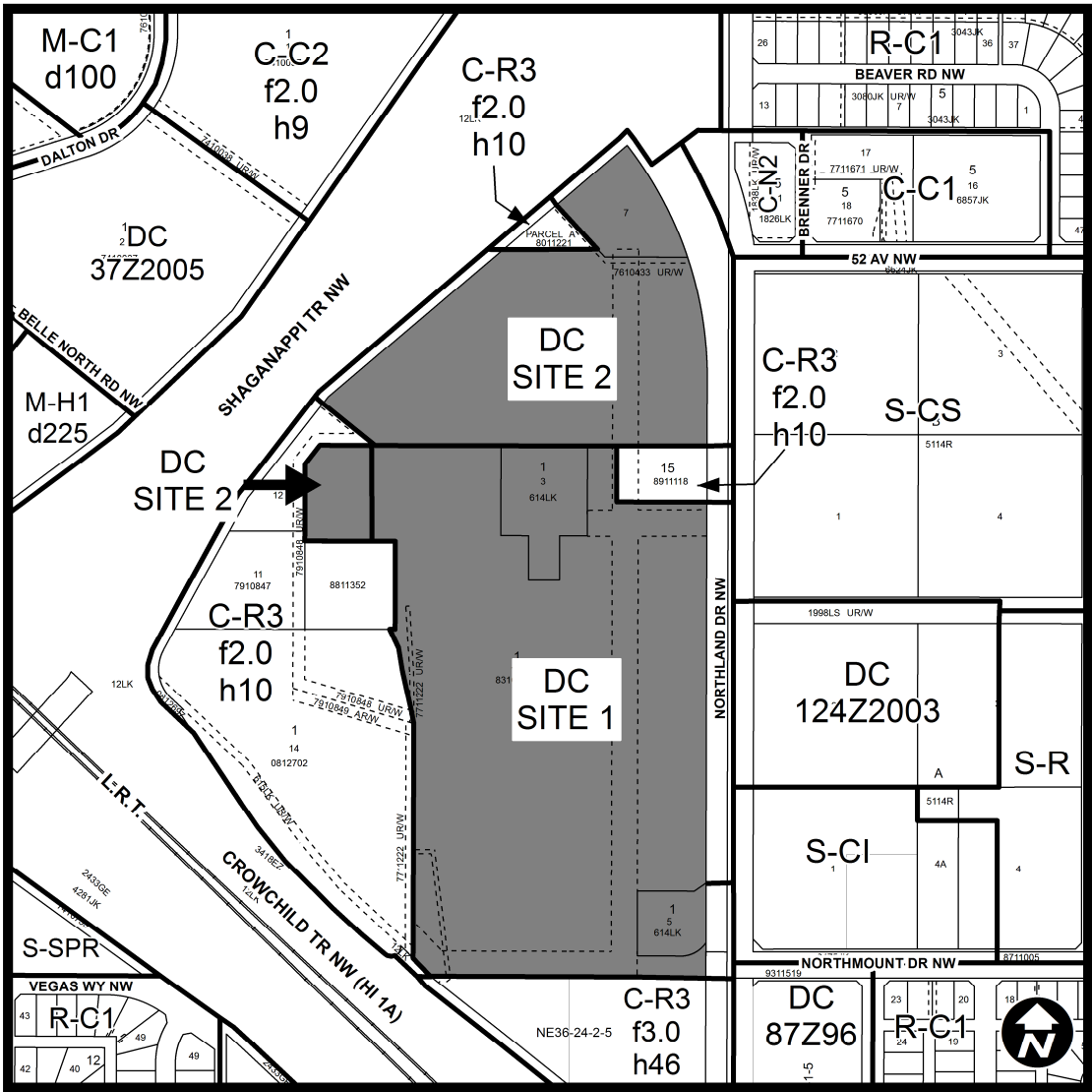
CITY CLERK
SIGNED THIS ____ DAY OF _____, 2016.

SCHEDULE A



PROPOSED

SCHEDULE B



DC DIRECT CONTROL DISTRICT

PROPOSED

Purpose

- 1 This Direct Control District is intended to accommodate:
- (a) redevelopment of the existing enclosed mall into a mixed-use **development** that conforms to the master concept plan in terms of **building** location, internal **street** network, **building** massing, elevations, landscaping, design elements & materials;
 - (b) **buildings** that are sited and designed in an integrated manner with the overall public realm, where the range of ground floor **uses** are limited;
 - (c) development of a walkable and pedestrian friendly **street** network that includes primary retail, secondary retail and gateway **streets**;
 - (d) a publicly accessible **amenity space** that will be developed as an internally focused plaza;
 - (e) phased **development** of the site in a manner that allows **development** within each phase to operate independently as well as comprehensively with future plans; and
 - (f) a shared parking strategy that accommodates centralized parking facilities for all sites

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.

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) “**master concept plan**” means a guiding document that includes conceptual design details for the redevelopment of Northland Mall in terms of site layout, internal **street** network, anticipated **building** massing, elevations, design elements, landscaping and materials that are expected to be complied with at the detailed design stage.
 - (b) “**primary retail street**” means a **street** enhanced with public **street** elements lined by front façades of retail **buildings** providing direct physical and visual access to these **units**, in the location identified in the **master concept plan**.

- (c) **plaza**” means a publicly accessible area bounded by a **street** lined by front façades of retail **buildings** in the location identified in the **master concept plan**.
- (d) “**commercial uses**” means all **permitted** and **discretionary uses** in this Direct Control District other than **Assisted Living, Dwelling Units, Live Work Units** and **Residential Care**.

Permitted Uses

- 5 The **permitted uses** of the Commercial – Community (C-C2) District of Bylaw 1P2007 are the **permitted uses** of this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Commercial – Community (C-C2) District of Bylaw 1P2007 are the **discretionary uses** of this Direct Control bylaw with the addition of:

- (a) **Assisted Living;**
- (b) **Community Entrance Feature;**
- (c) **Food Kiosk;**
- (d) **Market;**
- (e) **Multi-Residential Development;**
- (f) **Residential Care;**
- (g) **Retail Garden Centre;** and
- (h) **Temporary Residential Sales Centre.**

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified in this Direct Control District, the rules of the Commercial – Community (C-C2) District of Bylaw 1P2007 apply in this Direct Control District.

Dwelling Unit Rules

- 8 **Dwelling Units** must not be located on the ground floor of **buildings** adjacent to the **primary retail street** or **plaza**.

Parcel Area

- 9 The maximum area of a **parcel** is 44.5 hectares.

Floor Area Ratio

- 10 The maximum **floor area ratio** is 2.0.

Building Height

- 11 The maximum **building height** is:

- (a) 50.0 metres for a **building** that does not contain **Dwelling Units, Hotel, or Live Work Units**; and
- (b) 70.0 metres for a **building** that contains **Dwelling Units, Hotel, or Live Work Units**.

Location of Uses within Buildings

- 12 (1) The following **uses** must not be located on the ground floor of **buildings** along the **plaza** or **primary retail street**:

- (a) **Child Care Service;**

- (b) **Counselling Service;**
- (c) **Health Services Laboratory – With Clients;**
- (d) **Instructional Facility;**
- (e) **Office;**
- (f) **Place of Worship – Small;**
- (g) **Post Secondary Learning Institution;**
- (h) **Residential Care;** and
- (i) **Social Organization.**

(2) Commercial uses and Live Work Units:

- (a) may be located on the same floor as **Dwelling Units** and **Residential Care**; and
- (b) must not share an internal hallway with **Dwelling Units** and **Residential Care**.

Front Setback Areas

13 The **front setback area** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

14 Where a **setback area** shares a **property line** with a **street** or **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area** must be a **hard surfaced landscaped area** or a **soft surfaced landscaped area**, or a combination of both.

Motor Vehicle Parking Requirement

- 15**
- (1) Unless otherwise specified in this section, the minimum required **motor vehicle parking stalls** of the Commercial – Community (C-C2) District of Bylaw 1P2007 are the minimum required in this Direct Control.
 - (2) **Motor vehicle parking stalls** required for **uses** on Sites 1 and 2 may be supplied on either site.
 - (3) The **Development Authority** may consider a relaxation of the required **motor vehicle stalls** and **visitor parking stalls** for a **development** when a parking study is submitted to the satisfaction of the **Development Authority** due to unique site, location or **use** characteristics and the test for relaxations set out in section 31 or 36 of Bylaw 1P2007 is met.

Relaxations

16 The **Development Authority** may relax any of the rules contained in this Direct Control District provided the test for relaxation in accordance with Sections 31 and Section 36 of Bylaw 1P2007 is met.

Site 1 (± 9.35 ha)

The provisions in sections 17 through 18 apply only to Site 1

Use Area

- 17** (1) There is no maximum **use area** for **uses** on the upper floors of a **building** in this Direct Control District.
- (2) Unless otherwise referenced in subsection (3) and (4) the maximum **use area** for any **uses** on the ground floor of **buildings** located along the **primary retail street** or within the **plaza** is 930 square metres. **Use areas** greater than this amount may be considered by the **Development Authority** provided the frontage of the is less than 15.0 metres and the storefront is broken up by smaller **use area** tenants.
- (3) The maximum **use area** for a **Fitness Centre** is 2500.0 square metres provided it is located at the south terminus of the **primary retail street**.
- (4) There is no maximum **use area** for **uses** located within existing approved **buildings**.

Drive Through Rules

18 No **Drive Throughs** are allowed in Site 1.

Site 2 (\pm 4.63 ha)

The provisions in section 19 apply only to Site 2

Drive Through Rules

19 A maximum of two **Drive Throughs** are allowed in Site 2 and must not be located adjacent to a **primary retail street** or **plaza**.