

PROPOSED

CPC2021-0896
ATTACHMENT 3

BYLAW NUMBER 117D2021

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2019-0194/CPC2021-0896)**

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

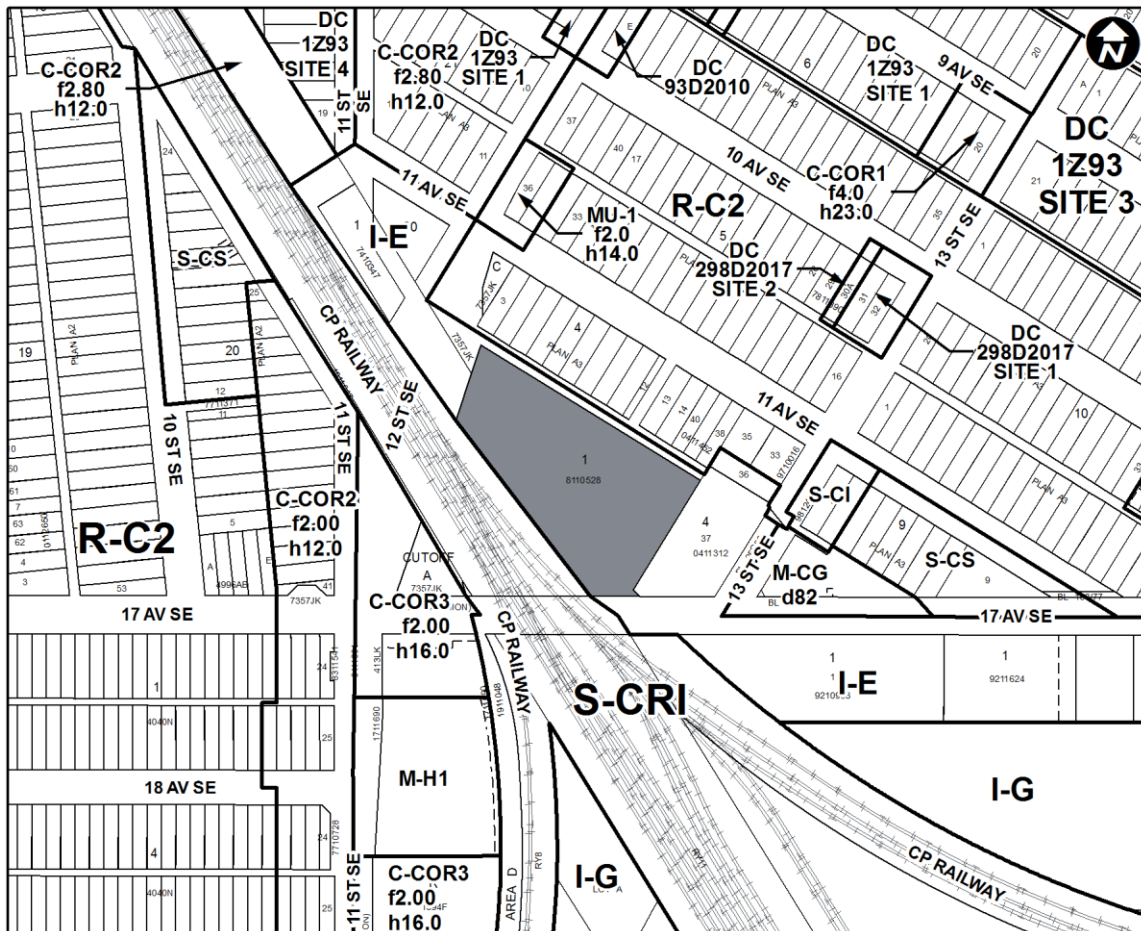
SIGNED ON _____

CITY CLERK

SIGNED ON _____

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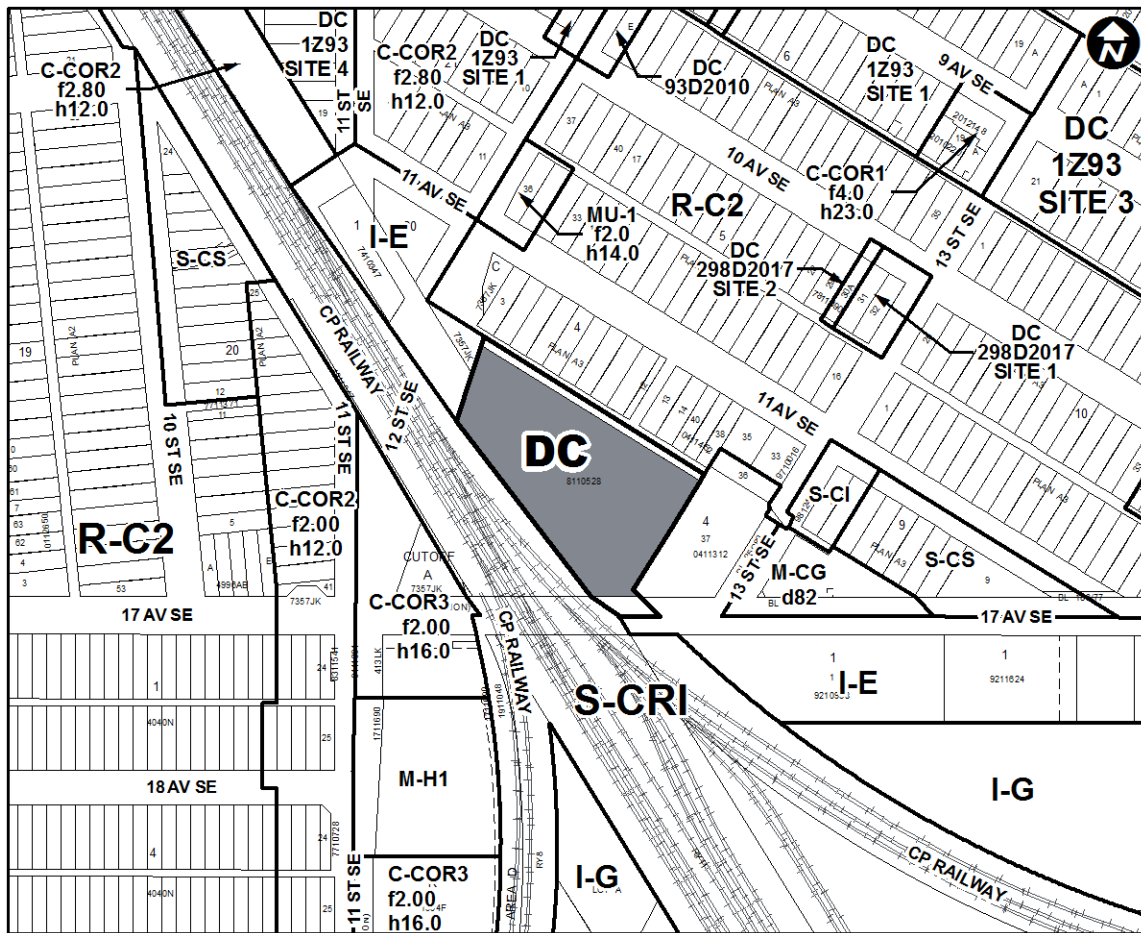
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) to accommodate mixed-use development where both residential uses and commercial uses are supported at grade; and
- (b) establish a base density with an opportunity for a density bonus through the provision of public benefit and amenities within the immediate area.

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.

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General Definitions

4 In this Direct Control District Bylaw:

- (a) “**bonus provisions**” means those items set out in Schedule C to this Direct Control District Bylaw which may be provided by a **development** in order to earn additional **floor area ratio**.
- (b) “**pedestrian scale lighting**” means lights that primarily function to illuminate pedestrian areas such as sidewalks, pathways, bikeways or gathering areas and are part of a secondary system used to supplement street lighting levels.

Permitted Uses

5 The **permitted uses** of the Mixed Use - General (MU-1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

6 The **discretionary uses** of the Mixed Use - General (MU-1) 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 - General (MU-1) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 8 (1) Unless otherwise provided in subsections (2) and (3), the maximum **floor area ratio** is 3.0.
- (2) The maximum **floor area ratio** referenced in subsection (1) may be increased by 2.0 to a maximum of 5.0 in accordance with the following “**bonus provision**”:
- (a) Provision of Publicly Accessible Station Connection Enhancements and Public Plaza Space.
- (3) The maximum **floor area ratio** referenced in subsection (2) may be further increased by an additional 1.5 to a maximum of 6.5 in accordance with the remaining “**bonus provisions**”.

Building Height

- 9 (1) Unless otherwise provided in subsection (2), the maximum **building height** is 65.0 metres.
- (2) Where the **parcel** shares a **property line** with a **lane** the maximum **building height**:
- (a) is 7.5 metres measured from **grade** at the **property line** that the **parcel** shares with the **lane**;
 - (b) increases at a 45 degree angle to a depth of 11.0 metres from the **property line** shared with the **lane**; and

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- (c) increases to 65.0 metres measured from **grade** at a distance greater than 11.0 metres from the **property line** shared with the **lane**.

Floor Plate Restrictions

- 10 Each floor of a **building** located partially or wholly above 23 metres above **grade** has a maximum **floor plate area** of 900.0 square metres.

Relaxations

- 11 The **Development Authority** may relax the rules contained in Sections 7, 9 and 10 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.

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SCHEDULE C

Provision of Public Amenities through Bonus System

1.0 Provision of Publicly Accessible Station Connection Enhancements and Public Plaza Space.

1.1 Description

Publicly Accessible Station Connection Enhancements and Public Plaza Space are outdoor spaces located generally as shown on the plan attached as Schedule D of this Direct Control District Bylaw. These areas are located either on private property or on **City** land, and where located on private property they are made available to the public for the life of the **development** through a legal agreement acceptable to the **City**.

Publicly Accessible Station Connection Enhancements must:

- (a) have a staircase, bicycle stair ramp, and pedestrian ramp connecting the **development** or **adjacent** Public Plaza Space to 12 Street SE;
- (b) include “**pedestrian scale lighting**”; and
- (c) be maintained by the owner for the life of the **development** through a legal agreement acceptable to the **City**.

A Public Plaza Space must:

- (a) have a minimum overall contiguous area of no less than 150 square metres, including an area with minimum dimensions of 6.0 metres by 6.0 metres;
- (b) include street furniture elements including, but not limited to:
 - (i) seating; and
 - (ii) “**pedestrian scale lighting**”; and
- (c) be maintained by the owner for the life of the **development** through a legal agreement acceptable to the **City**.

1.2 Eligibility

Any **development** that can provide both Publicly Accessible Station Connection Enhancements and a Public Plaza Space in accordance with the requirements of Section 1.1 of this Schedule C and in the locations generally shown as Item 01 in Schedule D of this Direct Control District Bylaw is eligible for this bonus.

1.3 Bonus Rate

The maximum incentive **floor area ratio** for this item is 2.0.

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2.0 Provision of Enhanced Pedestrian Scale Lighting

2.1 Description

Enhanced “***pedestrian scale lighting***” are distinguished lighting elements that provide additional lighting atmosphere to complement functional “***pedestrian scale lighting***”. Enhanced “***pedestrian scale lighting***” may include, but is not limited to, illuminated sidewalks, bridge structures, bollards, ramps, hand rails, foliage, stair wells, retaining walls, architectural features or display lighting along 12 Street SE, extending from 11 Avenue SE to the future Inglewood/Ramsay LRT Station.

2.2 Eligibility

Any ***development*** that:

- (1) provides enhanced “***pedestrian scale lighting***” in a location as generally shown as Item 02 in Schedule D of this Direct Control District Bylaw to the satisfaction of the ***City***; or
- (2) enters into and registers on title of the ***development parcel*** a special development agreement to provide or pay for the provision of enhanced “***pedestrian scale lighting***” to the satisfaction of the ***City***,

is eligible for this bonus.

2.3 Bonus Rate

The maximum incentive ***floor area ratio*** for this item is 0.5.

3.0 The Provision of Active Transportation Mode Infrastructure

3.1 Description

Active Transportation Mode Infrastructure is defined as the development of a pedestrian and cyclist connection between 12 Street SE and 13 Street SE abutting the rail corridor on a portion of a private ***parcel***, as generally shown as Item 03 on Schedule D of this Direct Control District Bylaw.

Active Transportation Mode Infrastructure must:

- (a) have a minimum continuous width of 8.0 metres;
- (b) include “***pedestrian scale lighting***”;
- (c) incorporate trees and soft landscaping where possible and appropriate;
- (d) be made available to the public through a legal agreement acceptable to the ***City*** and registered on title to the ***parcel***; and
- (e) be maintained by the owner for the life of the ***development***.

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3.2 Eligibility

Any **development** that can provide Active Transportation Mode Infrastructure that meets the requirements of Section 3.1 of this Schedule C is eligible for this bonus.

3.3 Bonus Rate

The maximum incentive **floor area ratio** for this item is 0.5.

4.0 Provision of Public Art – On Site

4.1 Description

Public Art – On Site means publicly accessible art of any kind that is permanently suspended, attached to a wall or other surface, or otherwise integrated into or **adjacent** to a **development**. It must be an original piece of art in any style, expression, genre or media, created by a recognized artist. The artwork must be maintained by the owner for the life of the **development** and have a minimum value of \$200,000, as approved by the **City**.

4.2 Eligibility

Any **development** that can provide Public Art – On Site that is in a location, form and configuration that is acceptable to the **City** and that meets the requirements of Section 4.1 of this Schedule C is eligible for this bonus.

4.3 Bonus Rate

The maximum incentive **floor area ratio** for this item is 0.5.

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SCHEDULE D

