

BYLAW NUMBER 100D2015

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2014-0040)**

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 _____, 2015.

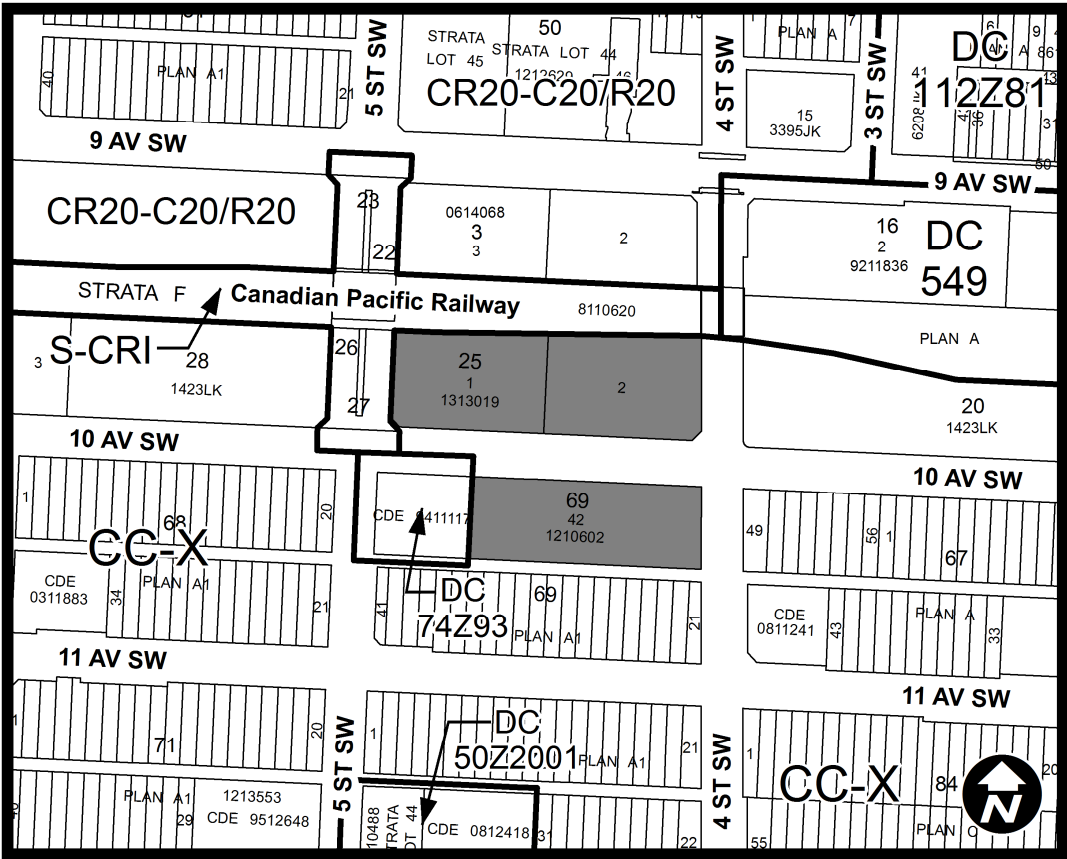
READ A SECOND TIME THIS ____ DAY OF _____, 2015.

READ A THIRD TIME THIS ____ DAY OF _____, 2015.

MAYOR
SIGNED THIS ____ DAY OF _____, 2015.

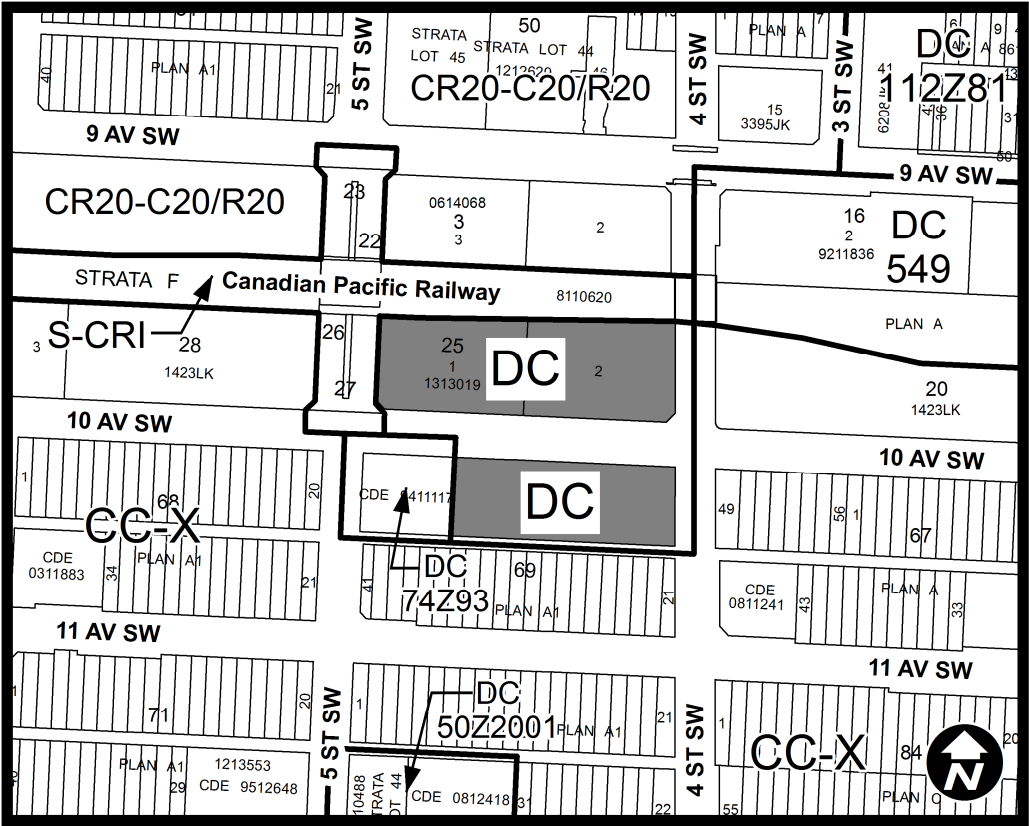
CITY CLERK
SIGNED THIS ____ DAY OF _____, 2015.

SCHEDULE A



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SCHEDULE B



PROPOSED

DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
- (a) accommodate a range of **uses** consistent with the Beltline's Urban Mixed-use District;
 - (b) encourage **development** that is pedestrian-oriented at **grade** and includes **street** level **uses** that generally consist of retail, personal service, **office** and restaurant **uses**;
 - (c) provide the use of **Restaurant: Office Building Context**;
 - (d) ensure the resultant development is compatible with residential uses by excluding **uses** that may operate in a manner typical of bars and night clubs; and
 - (e) specify parking requirements for a **Restaurant: Office Building Context** consistent with Bylaw 1P2007 requirements for similar **uses** in the 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.

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.

Defined Uses

- 4 In this Direct Control District:
- (a) "**Restaurant: Office Building Context**" means a **use**:
 - (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) where the minimum **building height** on the **parcel** is at least 24 metres above existing **grade**;
 - (iii) where the preparation and sale of food occurs within a **building** containing one or more of the following **uses**:
 - (A) **Office**;
 - (B) **Hotel**;
 - (C) **Dwelling Unit**;
 - (D) **Multi-Residential Development**; and
 - (E) **Retail and Consumer Service**.

- (iv) minors are never prohibited; and
- (v) where the maximum **public area** is 400 square metres;
- (vi) that may have a maximum of 10.0 square metres of **public area** used for the purposes of providing entertainment for patrons which is ancillary to the service of food; and
- (vii) the kitchen remains open and full meal items are available until one hour before closing time.

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:

- (a) with the addition of:
 - (i) **Restaurant: Office Building Context;** and
- (b) with the exclusion of:
 - (i) **Drinking Establishment – Medium;** and
 - (ii) **Night Club.**

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.

Motor Vehicle Parking Stall Requirements

8 (1) Unless otherwise specified in this section, the minimum number of required **motor vehicle parking stalls, bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** is the requirement specified in the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4.

(2) For the area bounded by the CPR tracks, the Elbow River, 12 Avenue and 14 Street SW, the **motor vehicle parking stall** requirement is:

- (a) no requirement for **Cinema, Dinner Theatre, Drinking Establishment – Small, Performing Arts Centre, Restaurant: Food Service Only – Small, Restaurant: Food Service Only – Medium, Restaurant: Licensed – Small, Restaurant: Licensed – Medium, and Restaurant: Office Building Context;**
- (b) unless specified in subsection (c), a minimum of 1.0 stall per 100.0 square metres of **gross usable floor area** for **Information and Service Provider, Liquor Store, Office, Pet Care Service, Print Centre, Retail and Consumer Service and Take Out Food Service;**

- (c) no requirement for **Computer Games Facility, Convenience Food Store, Food Kiosk, Liquor Store, Outdoor Café and Retail and Consumer Service** located on the ground floor of a **building** where:
 - (i) the **building** contains a **Dwelling Unit, Hotel, Multi-Residential Development**, or **Office** located above the ground floor; or
 - (ii) the **use area** is less than 465.0 square metres;
- (d) a maximum of 1.5 stalls per **Dwelling Unit**; and
- (e) for all **uses** other than **Dwelling Units**:
 - (i) a minimum of 75 percent and a maximum of 100 percent of the required parking stalls shall be provided on site unless limiting transportation and engineering constraints are demonstrated to the satisfaction of the Approving Authority;
 - (ii) a cash-in-lieu payment shall be provided for the difference between the total number of required parking stalls and the number of parking stalls provided within the **development**. Such payment shall be based on the cost of constructing the required number and type of parking stalls in accordance with **Council's** policy and calculated at a rate per parking stall established by **Council** at the time payment is made.