

PROPOSED

CPC2023-0024
ATTACHMENT 2

BYLAW NUMBER 23D2023

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2022-0135/CPC2023-0024)**

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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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.

General Definitions

4 In this Direct Control District:

- (a) “**publicly accessible amenity space**” means space located on the **development** site that is made available to the public through a registered public access easement agreement, in a location, form, configuration and constructed in a manner approved by the **Development Authority**.
- (b) “**bicycle locker**” means an individual locker which is:
 - (i) fully enclosed, constructed of solid, theft-resistant material with a lockable door which opens to the full width and height of the locker;
 - (ii) designed to adequately accommodate a minimum of one adult-sized bicycle; and
 - (iii) used exclusively for the storage of bicycles and associated bicycle equipment.
- (c) “**bicycle repair facility**” means a secure indoor space within the **development**, made available to tenants of that **development**, that provides basic equipment for the maintenance of bicycles.
- (d) “**car-sharing services**” means:
 - (i) a service providing fleet vehicles, available with or without membership, to all members of the public; or
 - (ii) fleet vehicles owned and operated by the management of a **building**.
- (e) “**commercial uses**” means the **permitted uses** and **discretionary uses** listed in Sections 5 and 6 of this Direct Control District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Home Occupation – Class 2, Live Work Unit, Place of Worship – Medium, Place of Worship – Small, and Residential Care**.

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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) The maximum **floor area ratio** is 5.3.
- (2) The maximum **floor area ratio** referenced in subsection (1) may be increased by an additional 0.2, to a maximum of 5.5 where two **publicly accessible amenity spaces** no less than 100.0 square metres in size each, are provided.
- (3) A **publicly accessible private open space** for which additional **gross floor area** has been achieved in accordance with subsection (2) must be maintained for the life of the **development**.
- (4) For the purposes of calculating **gross floor area** for a **building** subject to this Direct Control District, where a minimum of 50.0 per cent of the required **bicycle parking stalls – class 1** for the **development** are provided as **bicycle lockers**, the following areas of a **building** must be excluded from the calculation to a cumulative maximum of 0.5 **floor area ratio**:
- (a) all **bicycle parking stalls – class 1**;
 - (b) all **bicycle repair facilities**;
 - (c) all enclosed mechanical equipment areas;
 - (d) all stairwells;
 - (e) all elevator shafts; and
 - (f) all waste and recycling areas.
- (5) For the purposes of calculating the cumulative maximum in subsection (4), where a **bicycle parking stalls – class 1** area is partially located above or below **grade**, the entire area will count towards the **gross floor area** for a **building**.

Building Height

9 The maximum **building height** is 50.0 metres.

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Motor Vehicle Parking Stall Requirements

- 10 (1) The minimum number of **motor vehicle parking stalls** for **Dwelling Units** and **Live Work Units** is:
- (a) 0.575 stalls for each **Dwelling Unit** and **Live Work Unit**;
 - (b) 0.375 stalls for each **Dwelling Unit** and **Live Work Unit** where a minimum of 1.25 **bicycle parking stalls – class 1** are provided per **unit**, or
 - (c) 0.30 stalls for each **Dwelling Unit** and **Live Work Unit** where:
 - (i) an off-site upgrade to the existing pedestrian crossing at 9 Street NE and McPherson Road NE has been completed or is provided in conjunction with the **development** using a Rectangular Rapid Flashing Beacon, or equivalent technology, to the satisfaction of the **Development Authority**; and
 - (ii) the requirements of subsection 10(1)(b) is met; and either:
 - (A) a minimum of five stalls dedicated to **car-sharing services** are provided; or
 - (B) a bicycle repair facility is provided to the satisfaction of the **Development Authority**.
 - (d) 0.25 stalls for each **Dwelling Unit** and **Live Work Unit** where all four requirements outlined in subsection 10(1)(c) are met.
- (2) The minimum number of **visitor parking stalls** required is 0.05 stalls per **Dwelling Unit** and **Live Work Unit**.
- (3) Unless otherwise referenced in subsection (4), there is no minimum number of **motor vehicle parking stalls** for the following **uses**:
- (a) **Convenience Food Store**;
 - (b) **Drinking Establishment – Small**;
 - (c) **Liquor Store**;
 - (d) **Restaurant: Food Service Only**;
 - (e) **Restaurant: Licensed**; and
 - (f) **Take Out Food Service**.
- (4) For all other **uses**:
- (a) the **motor vehicle parking stall** requirement is 25.0 per cent less than the minimum requirement referenced in Part 4 of Bylaw 1P2007; and
 - (b) a further reduction of 25.0 per cent to the **motor vehicle parking stall** requirements in subsection 10(4)(a) may apply when:

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- (i) angled parking is provided along the western portion of 9 Street NE between McDougall Road NE and McPherson Road NE; or
 - (ii) alternative TDM measure(s) are provided at the **development permit** stage to the satisfaction of the **Development Authority**.
- (5) The **motor vehicle parking stall** requirements for **visitor parking stalls** and **commercial uses** set out in subsections 10(2) and 10(4) must be satisfied by the same **motor vehicle parking stalls** where a Parking Study that addresses onsite, shared-use commercial and **visitor parking stalls** is provided at the **development permit** stage and the recommendations of that study are implemented through **development permit** conditions to the satisfaction of the **Development Authority**.
- (6) The required **motor vehicle parking stall** requirements in Section 10 may be further relaxed provided the test for relaxations as set out in Bylaw 1P2007 is met.

Required Bicycle Parking Stalls

- 11 (1) The minimum number of **bicycle parking stalls – class 1** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is 0.5 stalls per **unit**;
 - (b) **commercial uses** is 1.00 stalls per 100.0 square metres of **gross usable floor area** of **commercial uses** in a **building** subject to this Direct Control District, to be dedicated for the exclusive use of tenants of **commercial uses** of the **building**; and
 - (c) all other **uses** is the minimum requirement referenced in Part 4 of Land Use Bylaw 1P2007.

Liquor Store Separation Distance

- 12 (1) Subsection 40(h) of Bylaw 1P2007 does not apply to this Direct Control District Bylaw.
- (2) Subsection 225(d) of Bylaw 1P2007 does not apply to this Direct Control District Bylaw.

Relaxations

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