

BYLAW NUMBER 115D2014

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2014-0052)**

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 _____, 2014.

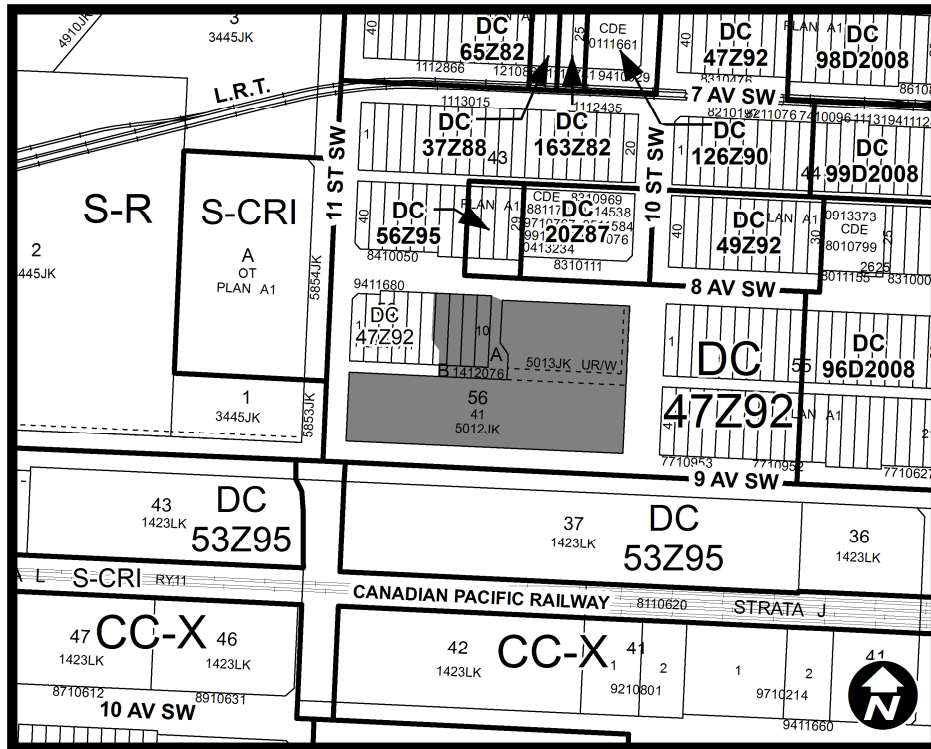
READ A SECOND TIME THIS ____ DAY OF _____, 2014.

READ A THIRD TIME THIS ____ DAY OF _____, 2014.

MAYOR
SIGNED THIS ____ DAY OF _____, 2014.

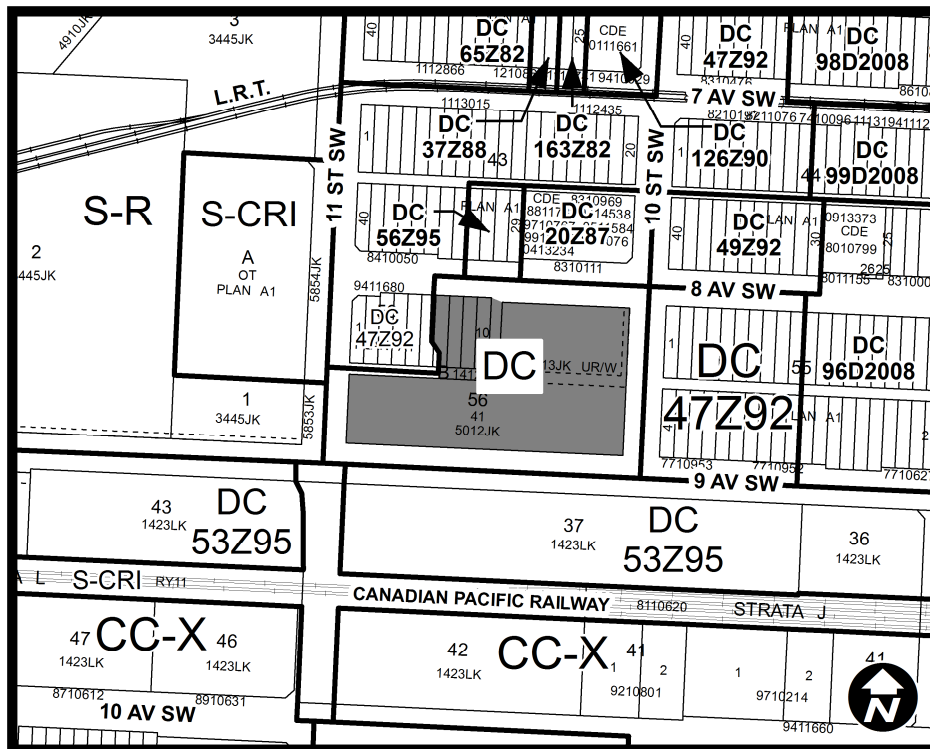
CITY CLERK
SIGNED THIS ____ DAY OF _____, 2014.

SCHEDULE A



PROPOSED

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) provide for predominantly high density residential development, with low to medium density commercial development.

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.

PROPOSED

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) “Non-Residential **uses**” means all those **uses** listed in sections 6 and 7, except **Assisted Living, Dwelling Unit, Hotel, Live Work Unit and Multi-Residential Development**.

Defined Uses

- 5 In this Direct Control District:

- (a) “**Urban Supermarket**” means a **use**:
- (i) where fresh and packaged food is sold;
 - (ii) where daily household necessities may be sold;
 - (iii) that will be contained entirely within a building;
 - (iv) that has a minimum gross floor area greater than 465.0 square metres;
 - (v) that may include a seating area no greater than 170.0 square metres for the consumption of food prepared on the premises; and
 - (vi) that may include the preparation of food and non-alcoholic beverages for human consumption.

Permitted Uses

- 6 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

- 7 The **discretionary uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Urban Supermarket.**

Bylaw 1P2007 District Rules

- 8 Unless otherwise specified, the rules of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 9 (1) The cumulative maximum total **floor area ratio** is 7.0.
- (2) The maximum **floor area ratio** for non-residential **uses** is 3.0.

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- (3) Notwithstanding subsections (1) and (2), the maximum **floor area ratio** may be increased by an additional 0.5 FAR for bonus amenity space for a:
- (a) **Performing Arts Centre;**
 - (b) **Cinema;**
 - (c) **Urban Supermarket;** or
 - (d) any of the Community support facilities **uses** listed in section 8.12.4 of Table 8: Public Amenity Items of Part 13 of Bylaw 1P2007, provided those **uses** are also **uses** listed in sections 6 and 7.
- (4) Where additional **floor area ratio** is provided under subsection (3):
- (a) the **uses** listed in subsection (3) must be provided within the first phase of the **development permit**, and
 - (b) for any subsequent **development permit** for a change of **use** for the bonus amenity space referred to in subsection (3) to any **use** other than one of the **uses** listed in subsection (3), the **development permit** must provide a contribution to the West End Improvement Fund in an amount according to the following formula:
- Contribution = bonus amenity space to be removed x Incentive Rate 1 in Part 13, Division 3 of Bylaw 1P2007 at the time of that subsequent **development permit** approval.

Front Setback Area

- 10 Where the **parcel** shares a **front property line** with a **street**, the **front setback area** must have a maximum depth of 3.0 metres for 75 percent of the frontage and a maximum depth of 6.0 metres for the remaining 25 percent of the frontage.

Rear Setback Area

- 11 Where the **parcel** shares a **rear property line** with a **street**, the **rear setback area** must have a maximum depth of 3.0 metres.

Side Setback Area

- 12 The **side setback area** must have a minimum depth of 3.0 metres for **parcels** located on the following **streets**:
- (a) 10 Street SW; and
 - (b) 11 Street SW.

Floor Plate Restrictions

- 13 Each floor of a **building** located partially or wholly above 36.0 metres above **grade**, and containing **Dwelling Units**, **Hotel** suites or **Live Work Units**, has a maximum:
- (a) **floor plate area** of 930.0 square metres; and
 - (b) horizontal dimension of 44.0 metres.

Motor Vehicle Parking Stall Requirements

- 14 (1) Unless otherwise specified in subsection 16 (1) (b), the minimum number of **motor vehicle parking stalls** established in this section must not be exceeded.
- (2) For **Assisted Living**, **Custodial Care** and **Residential Care**, the minimum number of required **motor vehicle parking stalls** is the requirement referenced in Part 4 of Bylaw 1P2007.
- (3) For **Dwelling Units** or **Live Work Units**:
- (a) the minimum **motor vehicle parking stall** requirement is 0.5 stalls per **unit**; and
 - (b) the **visitor parking stall** requirement is 0.1 stalls per **unit**.
- (4) For a **Hotel**, the minimum number of required **motor vehicle parking stalls** is 1.0 per 3.0 guest rooms.
- (5) For **Urban Supermarket** and **Retail and Consumer Service uses**, the minimum number of required **motor vehicle parking stalls** is 1.0 stalls per 100.0 square metres of **gross usable floor area**.
- (6) For all other **uses**, the minimum **motor vehicle parking stall** rules of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply.

Required Bicycle Parking Stalls

- 15 (1) There is no requirement for **bicycle parking stalls – class 1** for an **Urban Supermarket**.
- (2) The minimum number of **bicycle parking stalls – class 2** for:
- (a) **Urban Supermarket** is 1.0 stalls per 250.0 square metres of **gross usable floor area**.
- (3) For all other **uses**, the minimum **bicycle parking stall** rules of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply.

Restricted Parking

- 16 (1)** The maximum number of **motor vehicle parking stalls** for **developments** is:
- (a) the minimum number of **motor vehicle parking stalls** required in section 14 where:
 - (i) the **building** has a **floor area ratio** less than or equal to 3.0 when located on a **parcel** equal to or less than 1812.0 square metres;
 - (ii) the stalls are required for **Assisted Living, Custodial Care, Residential Care, Dwelling Units, Hotel guest rooms or Live Work Units**, including **visitor parking stalls**;
 - (iii) a **development** has been approved for a cumulative 9300.0 square metres or greater of **gross usable floor area** for **uses** contained in the Sales Group of Schedule A of Bylaw 1P2007; or
 - (iv) the stalls are required for **Urban Supermarket** and **Retail and Consumer Service uses**;
 - (b) for **Dwelling Units** or **Live Work Units**:
 - (i) 1.0 stalls per **unit** where the **unit's gross floor area** is less than or equal to 125.0 square metres; and
 - (ii) 2.0 stalls per **unit** where the **unit's gross floor area** is greater than 125.0 square metres;
 - (c) in all other cases, 50.0 percent of the required **motor vehicle parking stalls** provided.
- (2)** Unless otherwise specified, a cash-in-lieu payment for the difference between the total number of **motor vehicle parking stalls** required in section 14 and the number of **motor vehicle parking stalls** allowed for in this section must be provided.
- (3)** No cash-in-lieu under subsection (2) will be provided for **Dwelling Units** or **Live-Work Units**.
- (4)** Payments made under subsection (2) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** at the time the payment is made.