

PROPOSED

CPC2023-0607
ATTACHMENT 2

BYLAW NUMBER 122D2023

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2023-0005/CPC2023-0607)**

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 _____

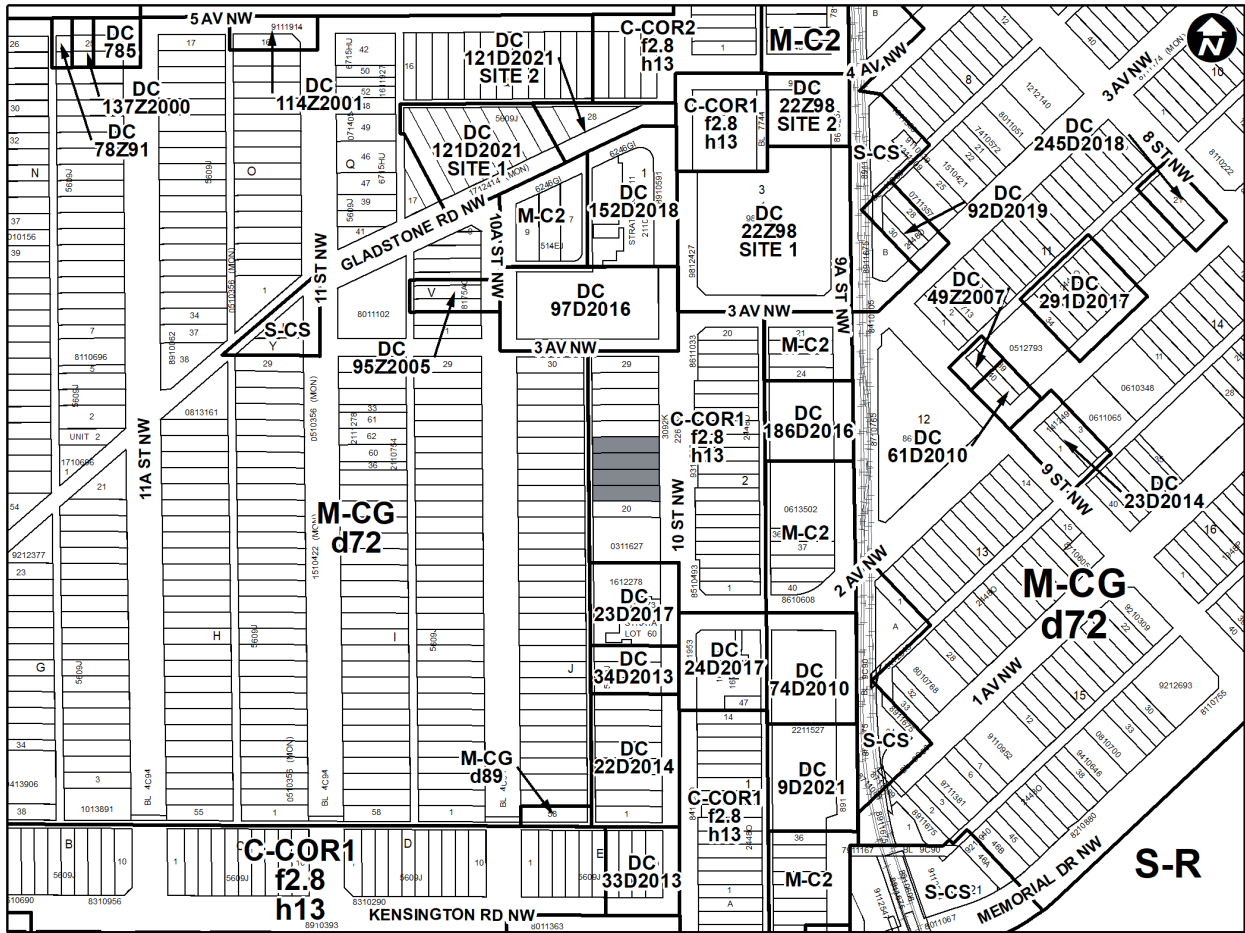
CITY CLERK

SIGNED ON _____

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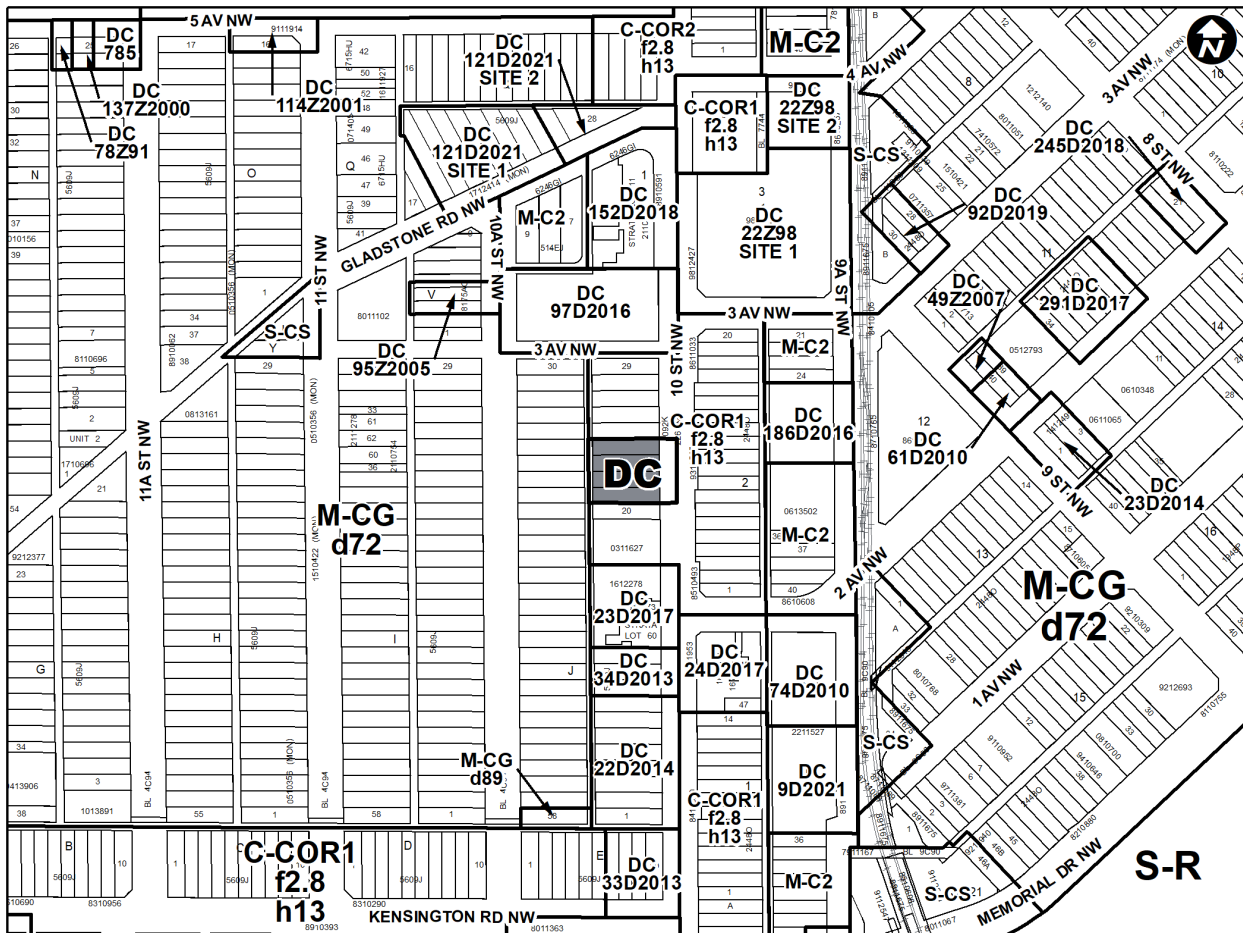
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District Bylaw is intended to:
 - (a) provide for medium-density, mid-rise, mixed-use development; and
 - (b) implement the density bonus provisions of the applicable Area Redevelopment Plan.

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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Permitted Uses

- 4 The **permitted uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 7 (1) Unless otherwise referenced in subsection (2), the maximum **floor area ratio** is 2.8.
- (2) The **floor area ratio** may be increased to a maximum of 5.0 in accordance with the **density** bonus provisions contained in Section 8 of this Direct Control District Bylaw.

Building Height

- 8 (1) The maximum **building height** is 29.0 metres.
- (2) For the purposes of this bylaw, **ancillary structures** that provide access to a **common amenity space** located on the roof of a building shall not be included in the calculation of **building height**.

Amenity Area

- 9 (1) Where **amenity space** is provided on the roof of a **building** the maximum area shall be 50 per cent of the total roof area.
- (2) **Amenity space** provided on the roof of the building shall be oriented towards the **street**.

Setback Area

- 10 (1) Where a **parcel** shares a **property line** with a **street** there shall be a minimum **setback area** of 1.8 metres.
- (2) Where a **parcel** shares a **property line** with a **lane**, there shall be a minimum **setback area** of 5.0 metres
- (3) In all other cases, there is no requirement for a **setback area**.

Density Bonus

- 11 (1) For the purposes of this section, “Cash Contribution Rate” means: \$20.76 per square metre for the year 2023. The Cash Contribution Rate will be adjusted annually on January 1 by the **Development Authority**, based on the Statistics Canada Consumer Price Index for Calgary.

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- (2) A **density** bonus may be earned by a contribution to the Hillhurst/Sunnyside Community Amenity Fund, such that:

Cash Contribution Amount = Cash Contribution Rate X Total floor area in square metres above the **floor area ratio** of 2.8.

- (3) A **density** bonus may be earned by the provision of off-site improvements in accordance with the applicable Area Redevelopment Plan, where the allowable bonus floor area in square metres is equal to the cost of construction of the improvement divided by the Cash Contribution Rate, such that:

Allowable bonus floor area = Total construction cost of the off-site improvement / Cash Contribution Rate.

Total construction cost will not include any construction costs necessary to fulfill the infrastructure requirements of a **development permit** for a **development** equal to or less than a **floor area ratio** of 2.8. Details of the construction cost will be determined through the **development permit** process.

Relaxations

- 12 The **Development Authority** may relax the rules contained in Section 6, 9 and 10 of this Direct Control District in accordance with Sections 31 and 36 of Bylaw 1P2007.