

PROPOSED

CPC2024-0914
ATTACHMENT 3

BYLAW NUMBER 101D2025

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2024-0047/CPC2024-0914)**

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 _____

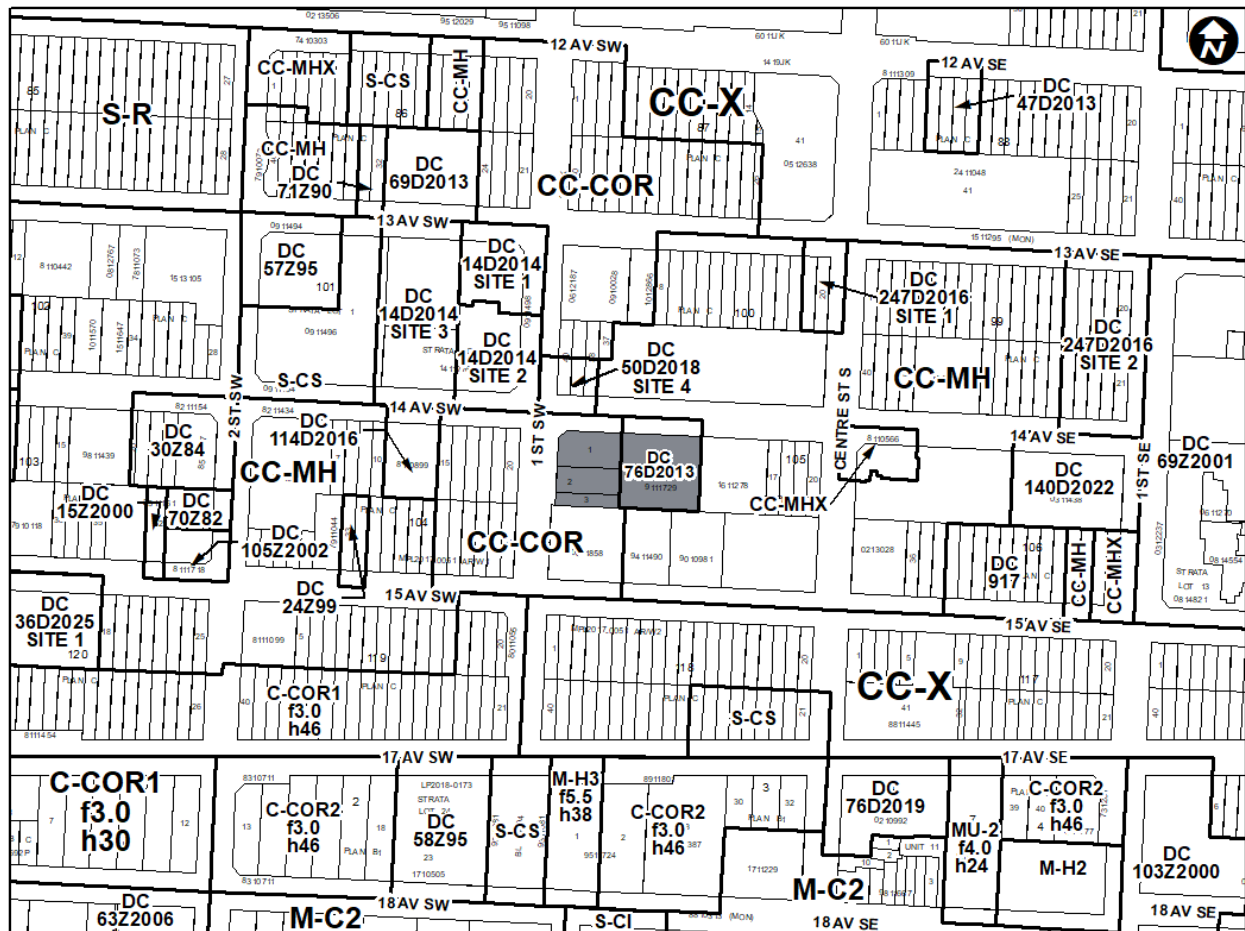
READ A THIRD TIME ON _____

MAYOR
SIGNED ON _____

CITY CLERK
SIGNED ON _____

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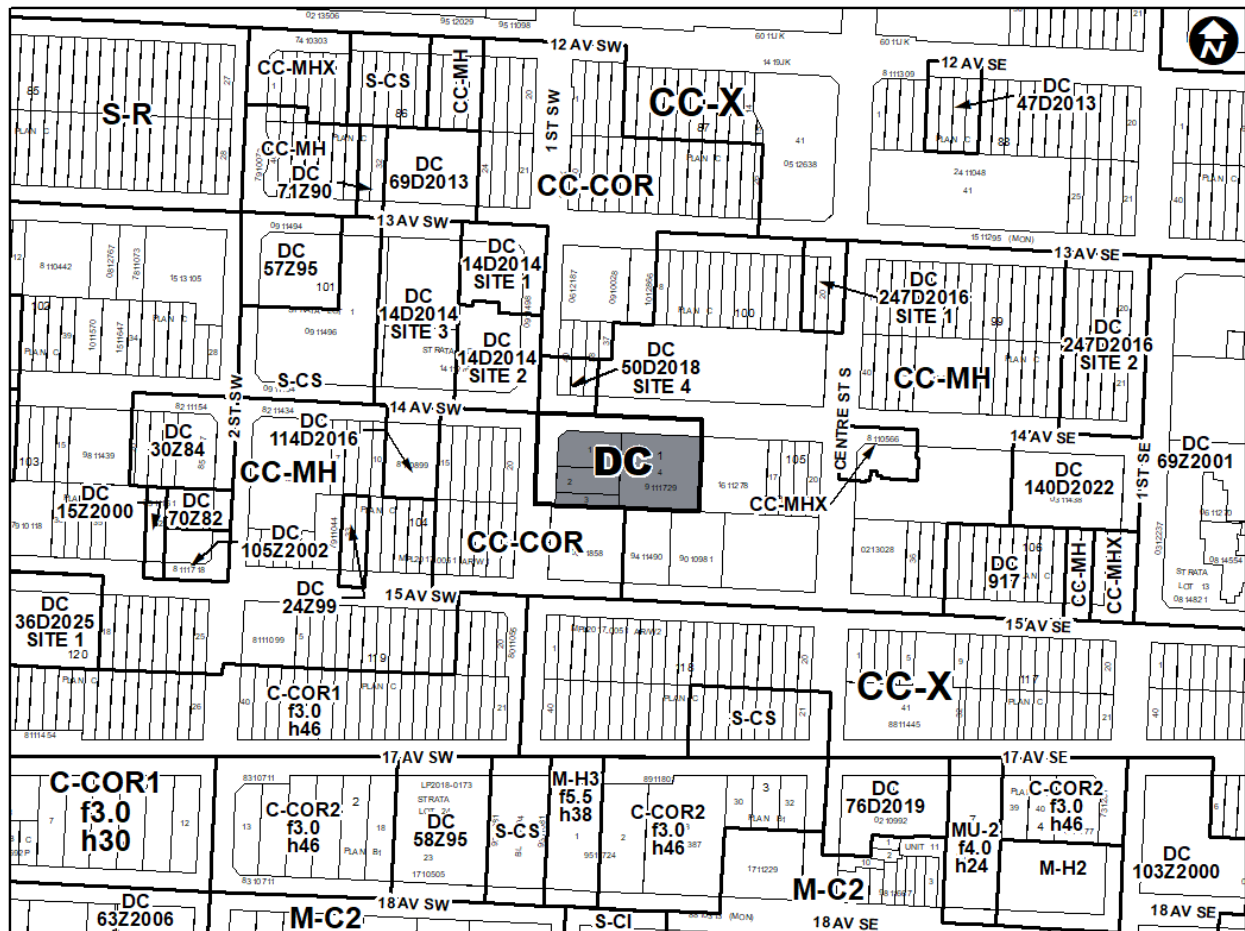
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) provide for high-density residential development with commercial uses at grade; and
- (b) provide a maximum base density with the opportunity for a density bonus with the provision of public benefits and amenities within the Beltline community.

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.

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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) “**bonus provisions**” means those items set out in Schedule C of this Direct Control District Bylaw which may be provided as part of a **development** in order to earn additional **floor area ratio**.

Permitted Uses

- 5 The **permitted uses** of the Centre City Commercial Corridor District (CC-COR) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Centre City Commercial Corridor District (CC-COR) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Centre City Commercial Corridor District (CC-COR) of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 8 (1) For **developments** that do not contain **Dwelling Units**, the maximum **floor area ratio** is 3.0.
- (2) For **developments** containing **Dwelling Units**, the maximum **floor area ratio** is:
- (a) 3.0; or
- (b) 3.0, plus the **gross floor area** of **Dwelling Units** above the ground floor, up to a maximum **floor area ratio** of 5.0.
- (3) The total maximum **floor area ratio** referenced in subsection (2) may be increased up to a maximum of 9.0 in accordance with the **bonus provisions** contained in Schedule C of this Direct Control District Bylaw.
- (4) Unless otherwise specified, if in the event a public amenity item for which additional **gross floor area** has been achieved is no longer maintained on the **parcel**, an equivalent contribution for that additional **gross floor area** must be made to the Beltline Community Investment Fund.
- (5) Where a **development** provides **units** with three or more bedrooms in the form of **Assisted Living**, **Dwelling Units**, **Live Work Units** or **Multi-Residential Development**, the **Development Authority** may exclude the three or more bedroom **units** from the **gross floor area ratio** calculation, up to a maximum of 15 per cent of the total **units** in the **development**.

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Incentive Density Calculation Method

- 9 (1) The amount of additional **gross floor area** achieved by providing the requirements of the public amenity items in Schedule C are calculated as a **floor area ratio** or an incentive rate.
- (2) An incentive rate indicates that the amount of additional **gross floor area** will be calculated by dividing the cost of the provided public amenity item in Schedule C by the respective incentive rate as established by Council where the following incentive rates apply:
- (a) Incentive Rate 1 is \$285.00 per square metre.
- (3) The **Development Authority** must determine whether a proposed public amenity item is appropriate for the **development**.

Building Orientation

- 10 (1) The main **public entrance** to a **building** must face a **property line** shared with a **street**.
- (2) Each at **grade use** facing a **street** must have an individual, direct access to the **use** from the **building** exterior and the access must face the **street**.

Use Area

- 11 (1) The maximum **use area** for "Commercial Uses" on the ground floor is 850.0 square metres.
- (2) The maximum **public area** of a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 500.0 square metres.
- (3) The following **uses** do not have a **use area** restriction:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Dwelling Unit;**
 - (e) **Hotel;**
 - (f) **Place of Worship – Small;**
 - (g) **Protective and Emergency Service;**
 - (h) **Residential Care;** and
 - (i) **Utility Building.**
- (4) Where this section refers to "Commercial Uses", it refers to the listed **permitted** and **discretionary uses** of this District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Home Occupation - Class 1, Home Occupation - Class 2, Hotel, Place of Worship - Small, and Residential Care.**

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Location of Uses within Buildings

- 12 (1) The following **uses** must not be located on the ground floor of a **building** where the **use** is facing 1 Street SW or 15 metres along 14 Avenue SW from the corner of 1 Street SW:
- (a) **Assisted Living;**
 - (b) **Catering Service – Minor;**
 - (c) **Dwelling Unit;**
 - (d) **Post-secondary Learning Institution; and**
 - (e) **Residential Care.**
- (2) A **Live Work Unit** on the ground floor of a **building** must not face 14 Avenue SW.

Building Setbacks

- 13 (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** is zero metres.
- (2) For portions of the **building** above 36.0 metres, the minimum **building setback** from a **property line** shared with another **parcel** is 4.0 metres.
- (3) Sections 1190, 1191 and 1192 of Bylaw 1P2007 do not apply in this Direct Control District.

Floor Plate Restrictions

- 14 Each floor of a **building** located partially or wholly above 36.0 metres from **grade** has a maximum **floor plate area** of 800.0 square metres.

Tower Separation

- 15 The minimum horizontal separation between floors of **buildings** located partially or wholly above 36.0 metres above **grade**, containing **Dwelling Units** or **Live Work Units**, is a minimum of 24.0 metres.

Relaxations

- 16 The **Development Authority** may relax the rules contained in Section 7 and 10 through 15 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.

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SCHEDULE C

Table 6.1 Beltline Density Bonus Items

Item No.	Public Amenity Items
1.0	INDOOR COMMUNITY AMENITY SPACE Indoor community amenity space is defined as floor area provided for community purposes, including, but not limited to, offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares, and other social services.
1.1	Incentive Calculation: Where a development provides an indoor community amenity space , the Incentive Rate is Incentive Rate 1. Method: Incentive gross floor area (square metres) = total construction cost (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75)
1.2	Requirements: Provision of indoor community amenity space , within the development parcel , in perpetuity to the City , and in a form acceptable to the Approving Authority.
2.0	PUBLICLY ACCESSIBLE PRIVATE OPEN SPACE Publicly accessible private open space is defined as outdoor open space located on the development parcel that is made available to the public through a registered public access easement agreement acceptable to the Approving Authority.
2.1	Incentive Calculation: Where a development provides a publicly accessible private open space, the Incentive Rate is Incentive Rate 1. Method: Incentive gross floor area (square metres) = total construction cost (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75).

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2.2	<p>Requirements:</p> <p>Provision of publicly accessible private open space on the development parcel in a location, form, configuration and constructed in a manner acceptable to the Approving Authority.</p>
3.0	<p>AFFORDABLE HOUSING UNITS</p> <p>Affordable housing units are defined as non-market housing units provided within the development, owned and operated by the City or a bona fide non-market housing provider recognized by the General Manager.</p>
3.1	<p>Incentive Calculation:</p> <p>Where a development provides affordable housing units, the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = total construction (\$) cost divided by (Incentive Rate 1 (\$) multiplied by 0.75) + gross floor area (square metres) of affordable housing units.</p>
3.2	<p>Requirements:</p> <p>Provision of affordable housing units within the development parcel, in perpetuity, in a number, location and design acceptable to the City or other bona fide non-market housing provider recognized by the City.</p>
4.0	<p>MUNICIPAL HISTORIC RESOURCE DESIGNATION</p> <p>Municipal Historic Resources are buildings or portions of a building, a site or portions of a site that are designated under the Historic Resources Act.</p>
4.1	<p>Incentive Calculation:</p> <p>Where a development designates a building, portions of a building, a site or portions of a site, as a Municipal Historic Resource, the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = total construction or restoration costs (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75)</p>
4.2	<p>Requirements:</p> <p>Municipal Historic resource designation includes:</p>

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	<ul style="list-style-type: none"> (a) where the building is listed on the Inventory of Evaluated Historic Resources; (b) maintain the historic resource or building feature in its approved location on the parcel or within the building where it is incorporated into a new building; (c) an agreement between the Development Authority and the developer establishing the total cost of retention of the heritage resource prior to approval; and (d) designation of the historic resource as a Municipal Historic Resource pursuant to the Historical Resources Act by a Bylaw approved by Council.
5.0	<p>HERITAGE DENSITY TRANSFER</p> <p>Heritage density transfer is the transfer of unconstructed gross floor area from a parcel designated by bylaw as a Municipal Historic Resource pursuant to the provisions set out in the Historical Resources Act (the source parcel) to a parcel other than the development parcel (the receiving parcel).</p>
5.1	<p>Incentive Calculation:</p> <p>The heritage density transfer floor area in square metres is equal to the unconstructed gross floor area of a parcel as a result of designation of a parcel by bylaw as a Municipal Historic Resource. Unconstructed gross floor area is equal to the maximum allowable floor area ratio for that parcel and district, including applicable bonuses, multiplied by the parcel size and, subtracting the gross floor area of the Municipal Historic Resource.</p>
5.2	<p>Requirements:</p> <p>A heritage density transfer must include:</p> <ul style="list-style-type: none"> (a) a transfer agreement that is registered on the Certificate of Title of the parcel(s) from which the density has been transferred. (b) a land use redesignation of the parcel from which the density has been transferred to a Direct Control District in which the allowable maximum floor area ratio remaining after the transfer is regulated; (c) a land use redesignation of the receiving parcel to a Direct Control in which the allowable maximum floor area ratio achieved through the transfer is regulated; (d) transfers only to receiving parcels located within the bonus area boundaries indicated on Map 9;

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	<p>(e) transfers only from parcels where legal protection through designation as a Municipal Historic Resources has been completed; and</p> <p>(f) only a one-time transfer from the parcel from which the density has been transferred to the receiving parcel with no further transfer possibility.</p>
6.0	<p>CONTRIBUTION TO THE BELTLINE COMMUNITY INVESTMENT FUND</p> <p>The Beltline Community Investment Fund (BCIF) will be used for projects within the Beltline related to public realm improvements, including but not limited to: park acquisition, park design, redevelopment or enhancement, streetscape design and improvements within rights-of-way, implementation of urban design strategies and public art on public land.</p>
6.1	<p>Incentive Calculation:</p> <p>Where a development provides a contribution to the Beltline Community Investment Fund, the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = contribution (\$) divided by Incentive Rate 1 (\$).</p>
6.2	<p>Requirements:</p> <p>A contribution must be made to the Beltline Community Investment fund for the development.</p>
7.0	<p>PUBLIC ART ON-SITE</p> <p>Public art is publicly accessible art of any kind that is permanently suspended, attached to a wall or other surface, or otherwise integrated into a development. It is privately owned and must be an original piece of art in any style, expression, genre or media, created by a recognized artist.</p>
7.1	<p>The maximum incentive floor area ratio for this item is 1.0.</p>
7.2	<p>Incentive calculation:</p> <p>Where a development provides public art – on site the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = value of the artwork (\$) divided by Incentive Rate 1 (\$).</p>

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7.3	<p>Requirements:</p> <p>Public art – on site includes the following:</p> <ul style="list-style-type: none">(a) artwork, the minimum value of which must be:<ul style="list-style-type: none">(i) \$200000.00 for sites equal to or greater than 1812.0 square metres in area; or(ii) \$5000.00 for sites of less than 1812.0 square metres in area;(b) the work of a recognized artist i.e. created by a practitioner in the visual arts;(c) a location in a publicly accessible area; and(d) a minimum of 75.0 per cent of the artwork located either:<ul style="list-style-type: none">(i) outdoors, at grade and visible from the public sidewalk; or(ii) on the building's exterior and visible from a public sidewalk.
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