

PROPOSED

CPC2018-1101
ATTACHMENT 4

BYLAW NUMBER 289D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0114/CPC2018-1101)

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 ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

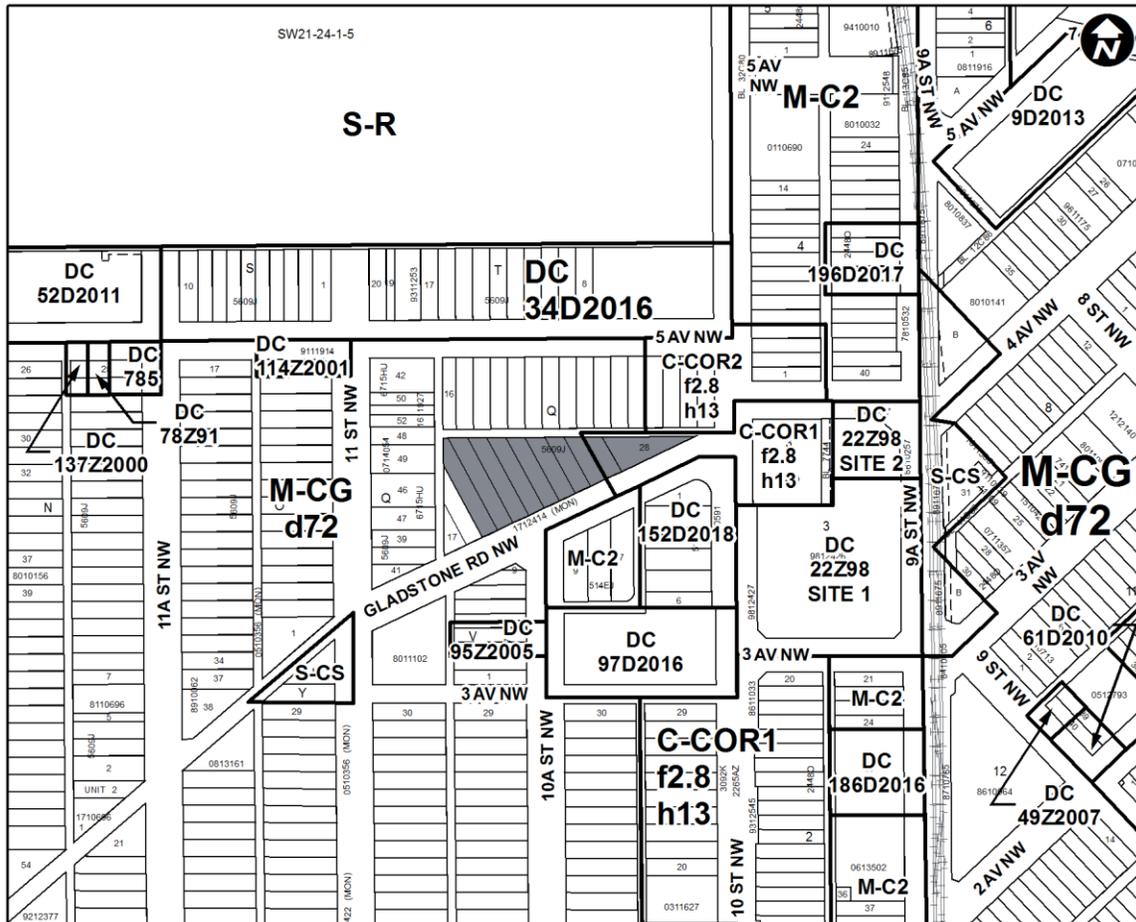
CITY CLERK

SIGNED ON _____

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SCHEDULE A



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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.

General Definitions

- 4 In this Direct Control District:

- (a) “**Heritage Building**” means the **building** existing on the date of passage of this Direct Control District located on the **parcels** legally described as Lots 27 and 28, Block Q, Plan 5609J with the municipal address 1110 Gladstone Road NW.

Landscaped Areas

- 5 A minimum of 40.0 per cent of the area of this Direct Control District must be a **landscaped area**.

Motor Vehicle Parking Stall Requirements

- 6 (1) Unless otherwise referenced in subsection (2) the minimum **motor vehicle parking stall** requirements are as per section 558 of Bylaw 1P2007.
- (2) The minimum **motor vehicle parking stall** requirement for each **Dwelling Unit** and **Live Work Unit** may be reduced to 0.55 stalls for residential and visitor parking combined if:
- (a) A parking study is provided to the satisfaction of the **Development Authority**; and
- (b) Transportation demand management measures are approved by the **Development Authority** and are required to be implemented as a condition of a **development permit**.

Floor Area Ratio

- 7 The maximum cumulative **floor area ratio** in this Direct Control District is 3.29.

Relaxation Rule

- 8 The **Development Authority** may relax the provisions of sections 5, 6, 15, and 22 of this Direct Control District provided the relaxation test in Bylaw 1P2007 is met.

Site 1

0.18 hectares (± 0.44 acres)

Application

- 9 The provisions in sections 10 through 15 apply only to Site 1.

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Bylaw 1P2007 District Rules

- 10 Unless otherwise specified, the rules of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 apply in this Direct Control District.

Permitted Uses

- 11 (1) Unless otherwise specified in subsection (2), the **permitted uses** of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **permitted uses** of this Direct Control District.
- (2) The **permitted uses** of the Commercial – Corridor 1 (C-COR1) District are the **permitted uses** in the **Heritage Building** in this Direct Control District.

Discretionary Uses

- 12 (1) Unless otherwise specified in subsection (2), the **discretionary uses** of the Multi-Residential – High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **discretionary uses** in Site 1 of this Direct Control District.
- (2) The **discretionary uses** of the Commercial – Corridor 1 (C-COR1) District are the **discretionary uses** in the **Heritage Building** in this Direct Control District.

Floor Area Ratio

- 13 (1) Unless otherwise referenced in subsection (2) and subject to section 7, the maximum **floor area ratio** is 2.0.
- (2) The **floor area ratio** may be increased to a maximum of 5.0 through the municipal historic resource designation by **Council** of the **Heritage Building**, and the repair, restoration, and improvement of the **Heritage Building** as approved by the **Development Authority**.

Density

- 14 There is no minimum **density** expressed in **units** per hectare. **Density** is expressed in **floor area ratio** pursuant to section 12 of this Direct Control District.

Building Height

- 15 The maximum **building height** is 32.0 metres.

Site 2

0.18 hectares (± 0.44 acres)

Application

- 16 The provisions in sections 17 through 22 apply only to Site 2.

Permitted Uses

- 17 The **permitted uses** of the Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 are the **permitted uses** in Site 2 of this Direct Control District.

Discretionary Uses

- 18 The **discretionary uses** of the Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 are the **discretionary uses** in Site 2 of this Direct Control District.

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Bylaw 1P2007 District Rules

19 Unless otherwise specified, the rules of the Multi-Residential – Contextual Medium Profile (M-C2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 20 (1) Unless otherwise referenced in subsection (2) and subject to section 7, the maximum **floor area ratio** is 0.72.
- (2) The **floor area ratio** may be increased to a maximum of 2.5 in accordance with the **density** bonus provisions contained in section 19 of this Direct Control District.

Density Bonus

- 21 (1) For the purposes of this section: “Cash Contribution Rate” means \$17.85 per square metre for the year 2018. 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.
- (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 0.72.
- (3) A **density** bonus may be earned by the provision of an urban design improvement in accordance with section 3.1.5.4 of the Hillhurst/Sunnyside 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 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 0.72. Details of the construction cost will be determined through the **development permit** process.

Building Height

22 The maximum **building height** is 16.0 metres.