

PROPOSED

CPC2019-0120
ATTACHMENT 2

BYLAW NUMBER 75D2019

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0143/CPC2019-0120)**

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 _____

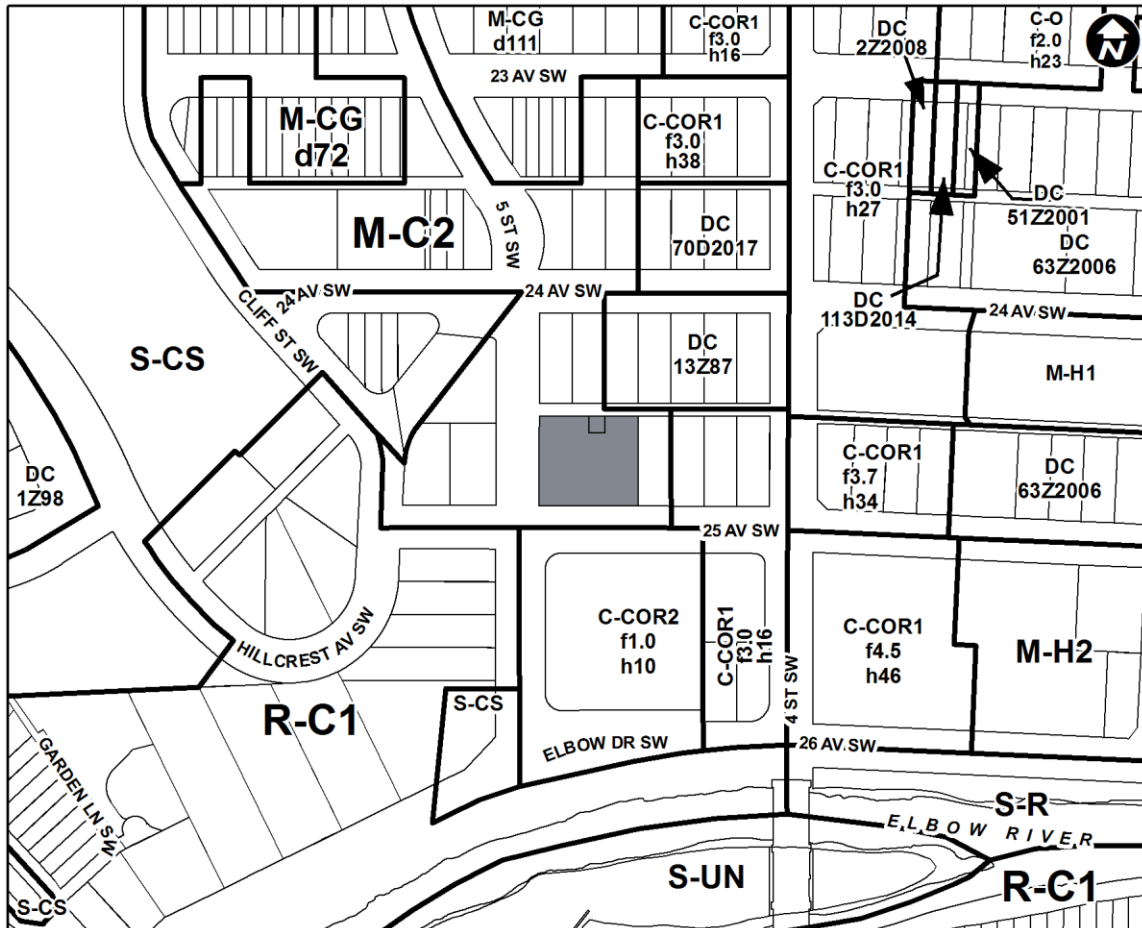
CITY CLERK

SIGNED ON _____

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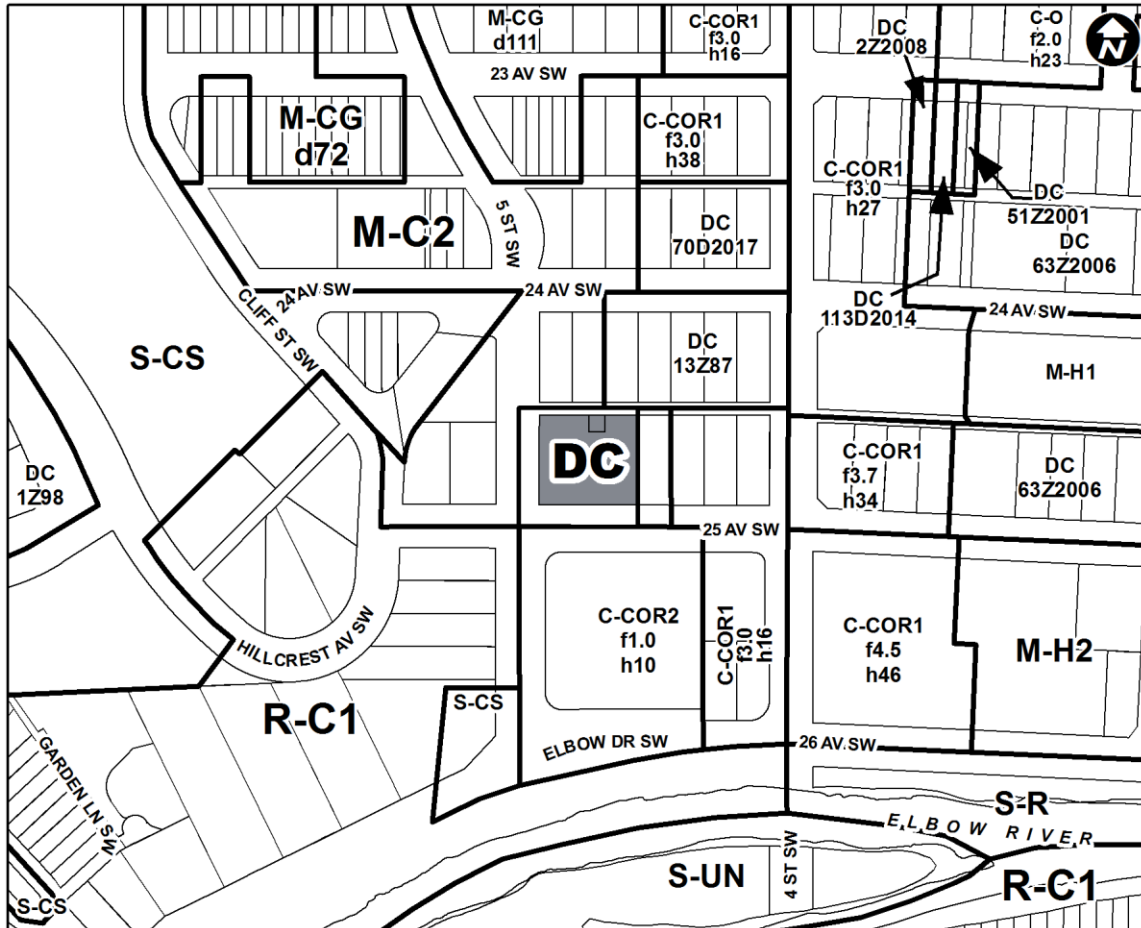
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) establish bonus public enhancement project items to balance the increased **density** allowed under the Direct Control District, as required by the Local Area 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.

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.

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Defined Terms

4 In this Direct Control District:

- (a) “**Prospect Trail**” means a linear trail connecting 17 Avenue SW with Sifton Boulevard SW;
- (b) “**Scottish Nursing Home (Triangle) Park**” means the **Park** located north of 25 Avenue SW, east of Cliff Street SW, south of 24 Avenue SW, and west of 5 Street SW; and
- (c) “**public art**” means 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.

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) Unless otherwise referenced in subsection (2), the maximum **floor area ratio** is 3.0.
- (2) The maximum **floor area ratio** set out in subsection (1) may be increased to 7.5 in accordance with the bonus provisions set out in section 10 of this Direct Control District.

Building Height

- 9 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 20.0 metres.
- (2) The maximum **building height** set out in subsection (1) may be increased to 45.0 metres in accordance with the bonus provisions set out in section 10 of this Direct Control District.

Bonus Floor Area Ratio and Building Height Provisions

- 10 (1) All of the following items must be provided as part of the relevant **development permit** to earn the increased **floor area ratio** as set out in subsection 8(2) of this Direct Control District and the increased **building height** as set out in subsection 9(2) of this Direct Control District:

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- (a) contribution to accessibility and connectivity improvements to the **Prospect Trail** in the form of either:
 - (i) construction of the improvements to the satisfaction of the **Development Authority**; or
 - (ii) monetary contribution towards the improvements in the amount of \$250,000.00;
 - (b) construction of accessibility and connectivity improvements to the **Scottish Nursing Home (Triangle) Park** including but not limited to extension of the east sidewalk along Cliff Street SW from 24 Avenue SW to 25 Avenue SW, asphalt pathways within the **Park**, an accessible picnic area, enhanced entry points, and a sensory garden; and
 - (c) the provision of on-site **public art** of a value of \$100,000.00.
- (2) If the improvements to either the **Prospect Trail** or the **Scottish Nursing Home (Triangle) Park** contemplated in subsections 10(1)(a) and 10(1)(b) are not technically feasible, in the sole opinion of the **Development Authority**, the construction of a community enhancement project in the Cliff Bungalow community that is of substantially the same value as the project being replaced may be provided as an alternative to that project in order to satisfy the requirement of subsection 10(1).
- (3) Public enhancement projects in accordance with subsections 10(1)(a), (b), and (c) and, where applicable, subsection 10(2), must be identified at the time of **development permit**.
- (4) **Public art** provided on the **development** site in accordance with subsection 10(1)(c) must remain on the **development** site for the life of the **development**.