

PROPOSED

CPC2019-0379
ATTACHMENT 2

BYLAW NUMBER 102D2019

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0188/CPC2019-0379)**

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 _____

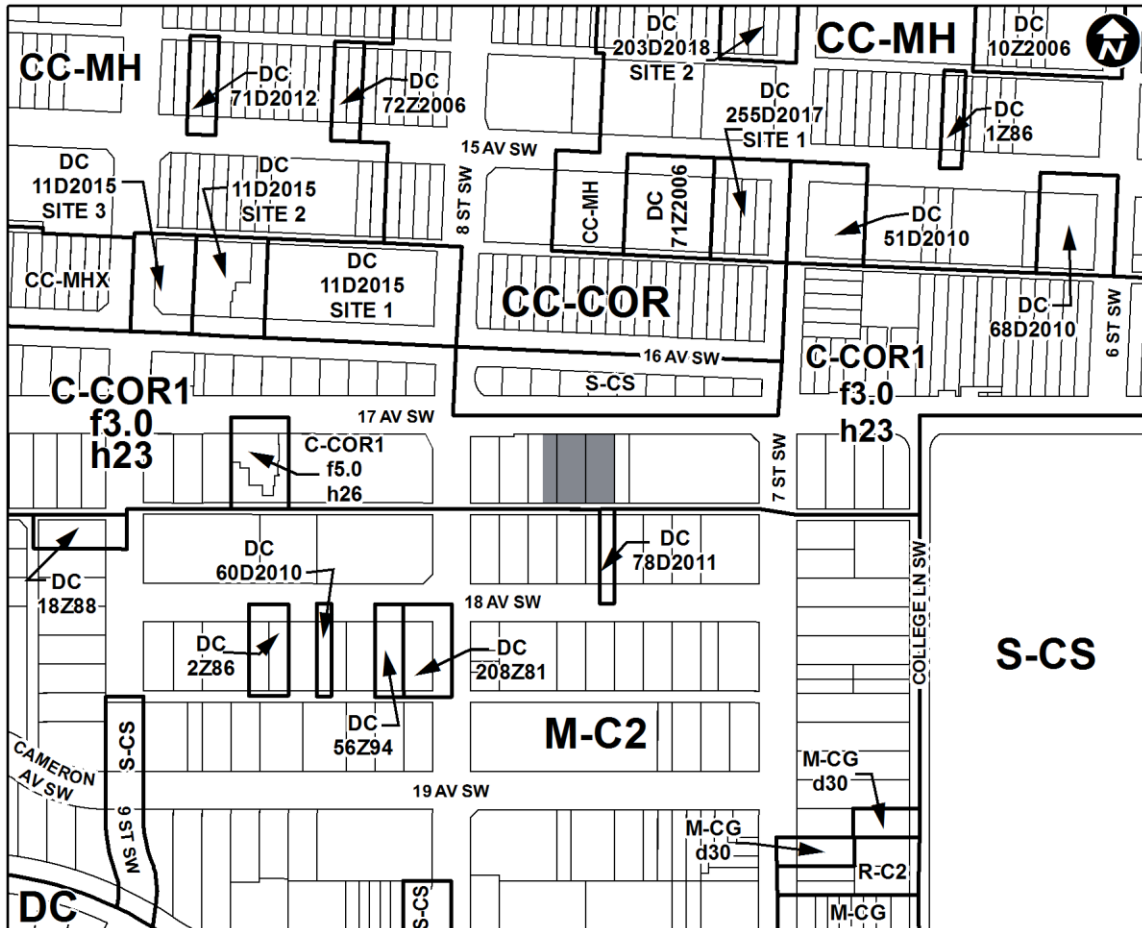
CITY CLERK

SIGNED ON _____

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SCHEDULE A



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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.

Defined Uses

- 4 In this Direct Control District:

- (a) “**Restaurant Patio**” means a *use*:
- (i) where food or beverages are served or offered for sale or consumption on a portion of the premises which are not contained within a fully enclosed *building*; and
 - (ii) that must be approved with a **Restaurant: Licensed – Large; Restaurant: Licensed – Medium; Restaurant: Licensed – Small; Restaurant: Food Service Only – Large; Restaurant: Food Service Only – Medium; Restaurant: Food Service Only – Small, or Restaurant: Neighbourhood.**

Permitted Uses

- 5 The *permitted uses* of the Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

- 6 The *discretionary uses* of the Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District with the addition of:

- (a) **Restaurant: Food Service Only - Large;**
- (b) **Restaurant: Licensed – Large; and**
- (c) **Restaurant Patio.**

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Commercial - Corridor 1 (C-COR1) 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 5.0 in accordance with the provisions set out in section 12 of this Direct Control District.

Building Height

- 9 (1) Unless otherwise referenced in subsection (2), the maximum *building height* is 27.0 metres.

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- (2) Where the **parcel** shares a **property line** with a **lane**, the maximum **building height** is 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**.

Rear Setback Areas

- 10 Where the **parcel** shares a **rear property line** with a **lane**, there is no requirement for a **rear setback area**.

Rules for Restaurant Patio

- 11 (1) In this Direct Control District, a **Restaurant Patio**:
- (a) may have a floor higher than 0.6 metres above the height of the first **storey** floor level provided that the **use** is separated from an **adjacent residential district** by a **building** to the satisfaction of the **Development Authority**;
 - (b) has a maximum area of 250.0 square metres;
 - (c) must not be located on the same **parcel** as **Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit, or Residential Care**;
 - (d) does not require **motor vehicle parking stalls**; and
 - (e) does not require **bicycle parking stalls – class 1 or class 2**.

Additional Floor Area Ratio

- 12 The following item 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:
- (a) monetary contribution to the Heritage Incentive Reserve Fund in the amount of \$228,000.00.