

BYLAW NUMBER 79D2008

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2008-0003)**

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 in June, 2008, Council held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26 as amended, to redesignate certain lands pursuant to Bylaw 43D2008;

AND WHEREAS subsequent to signing Bylaw 43D2008, it was determined that certain amendments debated by City Council and moved prior to second reading for the Direct Control portions of Bylaw 43D2008 were not incorporated into Bylaw 43D2008;

AND WHEREAS it is necessary to amend the land use designation for the Direct Control portion of Bylaw 43D2008 to reflect the intent of Council;

AND WHEREAS pursuant to Section 692(6) of the Municipal Government Act, R.S.A. 2000, c. M-26, City Council is authorized to amend a Land Use Bylaw without a public hearing provided the amendment corrects clerical, technical, grammatical or typographical errors and does not affect the bylaw in principal or substance;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

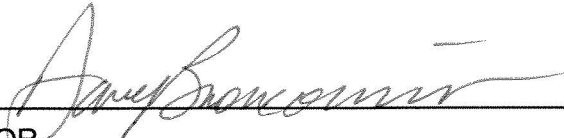
- 1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, 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.

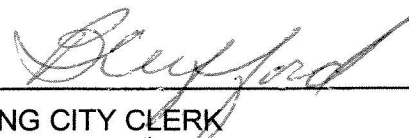
READ A FIRST TIME THIS 6th DAY OF OCTOBER, 2008.

READ A SECOND TIME THIS 6th DAY OF OCTOBER, 2008.

READ A THIRD TIME THIS 6th DAY OF OCTOBER, 2008.



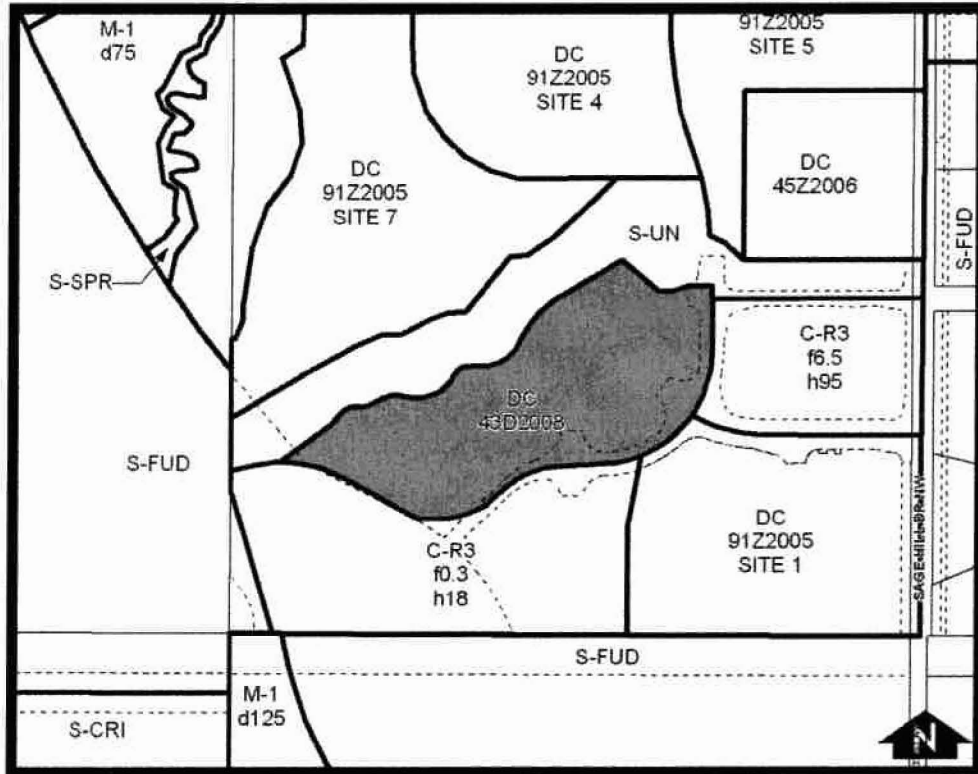
MAYOR
SIGNED THIS 6th DAY OF OCTOBER, 2008.



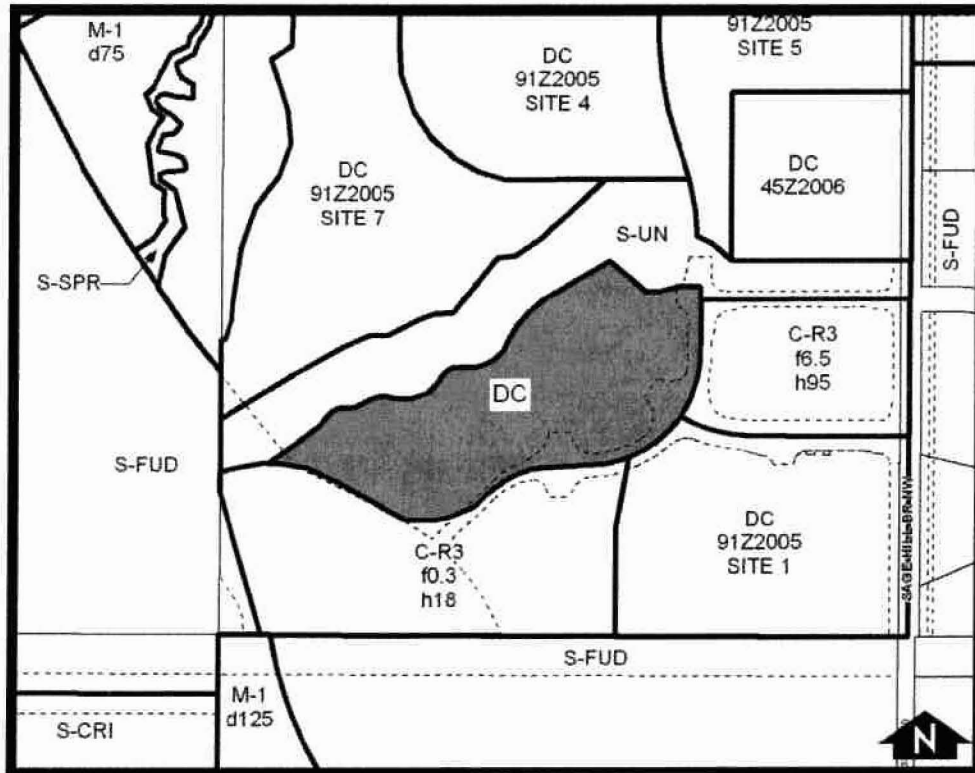
ACTING CITY CLERK
SIGNED THIS 6th DAY OF OCTOBER, 2008.

AMENDMENT LOC2008-0003
BYLAW NUMBER 79D2008

SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to be characterized by:

- (a) comprehensively planned, designed and phased **development** that accommodates mixed-use retail, residential and office **uses**;
- (b) regulation of the location of **buildings**, roads and pedestrian access, and the ratio of smaller to larger **commercial uses**, within the area governed by this Direct Control District;

SCHEDULE B

CONTINUED

- (c) **buildings** oriented along a central **pedestrian corridor**, and
- (d) predominately smaller-scale **commercial uses**, and limited medium-scale **commercial uses**, with residential and office development located above-grade.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, 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) **commercial uses** means those uses listed as **permitted** and **discretionary uses** in this Direct Control District, other than **Dwelling Unit, Home Occupation – Class 1, Home Occupation – Class 2, Hotel Utility Building, Live Work Unit, Office, Park, Parking Lot – Grade, Parking Lot – Structure, Place of Worship – Small, Power Generation Facility – Medium, Power Generation Facility – Small and Utilities**;
 - (b) **pedestrian area** means a central gathering area for pedestrians consisting of a park, a plaza or a public space; and
 - (c) **pedestrian corridor** means a **street** or pedestrian mall, or both, that accommodates **commercial uses**, and other complementary **uses**, that front onto the **street** or mall, and sidewalks or walkways aligned along its entire length.

Application

- 5 The provisions in sections 6 through 18 apply to this Direct Control District.

Permitted Uses

- 6 The **permitted uses** of the Commercial – Community 2 f##h# (C-C2f##h#) District are the **permitted uses** in this Direct Control District.

SCHEDULE B

CONTINUED

Discretionary Uses

7 The **discretionary uses** of the Commercial – Community 2 f##h# (C-C2f##h#) District are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

8 Unless otherwise specified, the rules of the Commercial – Community 2 f##h# (C-C2f##h#) District apply in this Direct Control District.

Floor Area Ratio

9 The maximum **floor area ratio** on all **parcels** is 3.0.

Building Height

10 The maximum **building** height on all **parcels** is 95 metres.

Commercial Uses

11

- (a) The maximum **gross floor area** of all **commercial uses**, excluding **Office** and **Hotel**, on the total of all **parcels** regulated by this Direct Control District is 39,000 square metres, to be divided into **use areas** as follows:
 - (i) 25,000 square metres in **use areas** of no more than 930 square metres each; and,
 - (ii) 14,000 square metres with no maximum **use area**.
- (b) Where a **use area** for **commercial uses**, excluding **Office** and **Hotel**, exceeds 7,432 square metres, it must:
 - (i) be located on a minimum of two **storeys**; and
 - (ii) provide the minimum **motor vehicle parking stalls** required for that **use** both at **grade** and in structured parking.

Dwelling Units

12 A maximum of 650 **Dwelling Units** may be developed on the total of all **parcels** regulated by this Direct Control District.

Offices

13 The maximum **gross floor area** for **Office** on the total of all **parcels** regulated by this Direct Control District is 3,720 square metres.

SCHEDULE B

CONTINUED

**Pedestrian Corridor
14**

- (a) A **pedestrian corridor** must be located within the site.
- (b) Street furniture, including benches, waste receptacles, **bicycle parking facilities**, and ornamental street lights must be provided in the **pedestrian corridor**.

**Building Area
15**

- (a) All **buildings** must face onto the **pedestrian corridor**.
- (b) The **Development Authority** may consider a variance to subsection 14 (a) and allow **buildings** to be developed that do not front onto the **pedestrian corridor** provided that this **pedestrian corridor** is completely lined with **buildings**.
- (c) Where **buildings** face onto the **pedestrian corridor**, they must:
 - (i) not be setback from the front sidewalk unless the setback results in an improved pedestrian environment;
 - (ii) provide for one or more entrances onto the front sidewalk;
 - (iii) orient the front façade toward the **pedestrian corridor** and include windows, doors and other types of openings on the main floor;
 - (iv) except for **Restaurants** and **Drinking Establishments**, have a different architectural articulation for each façade every 7.5 to 10 metres; and
 - (v) provide for a continuous and uninterrupted built form along both sides of the **pedestrian corridor**.

SCHEDULE B

CONTINUED

**Roadway Development
16**

- (a) Each side of a **street** within the **pedestrian corridor** must contain:
 - (i) minimum 2.4 metre wide sidewalks;
 - (ii) boulevards with trees;
 - (iii) **motor vehicle parking stalls** where commercial frontage is present; and
 - (iv) street furniture, including benches, waste receptacles, and **bicycle parking facilities**.
- (b) A **street** in the **pedestrian corridor** must contain a tree-lined median.
- (c) **Motor vehicle parking stalls** located along a **street** in the **pedestrian corridor** must be provided diagonally.

**Pedestrian Area
17**

- (a) A central and accessible **pedestrian area**, consisting of a park, plaza or public space, is required within the site.
- (b) More than one **patio**, facing onto the **pedestrian corridor**, is required.

Pedestrian Bridge

- 18** A pedestrian bridge must be **developed** across the ravine by the developer connecting this site with the **adjacent** lands on the north side of the ravine.