

BYLAW NUMBER 152D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2017-0393/CPC2018-0297)**

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 _____

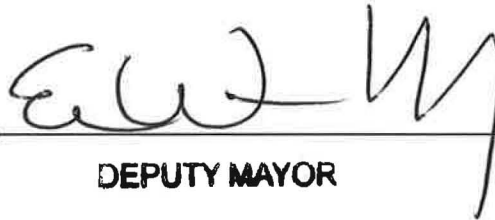
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READ A SECOND TIME ON _____

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READ A THIRD TIME ON _____

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DEPUTY MAYOR

SIGNED ON _____

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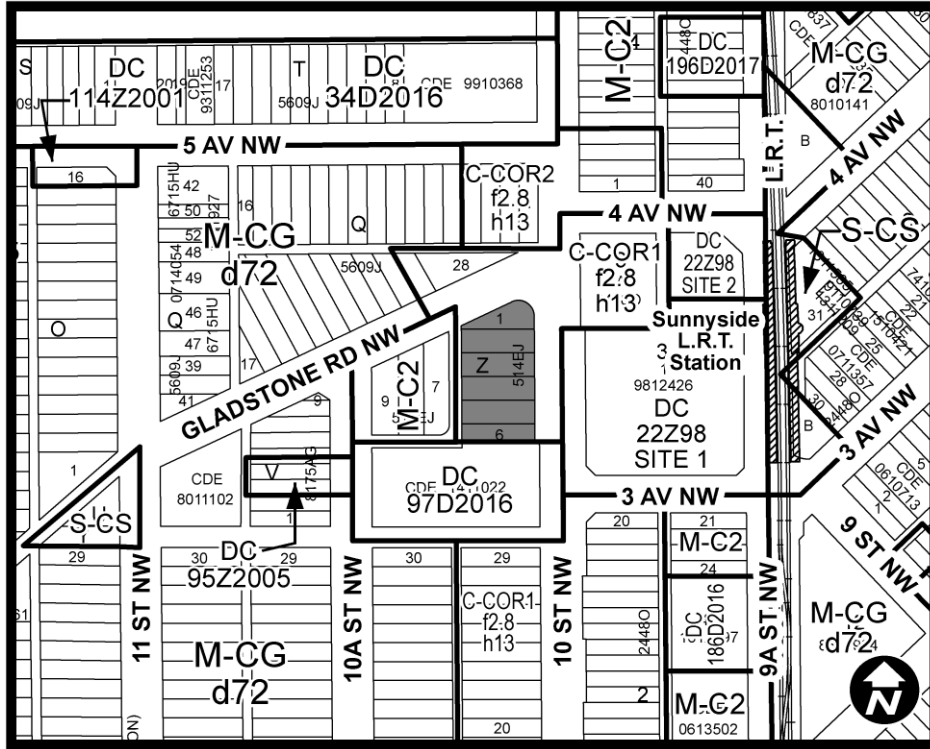


ACTING CITY CLERK

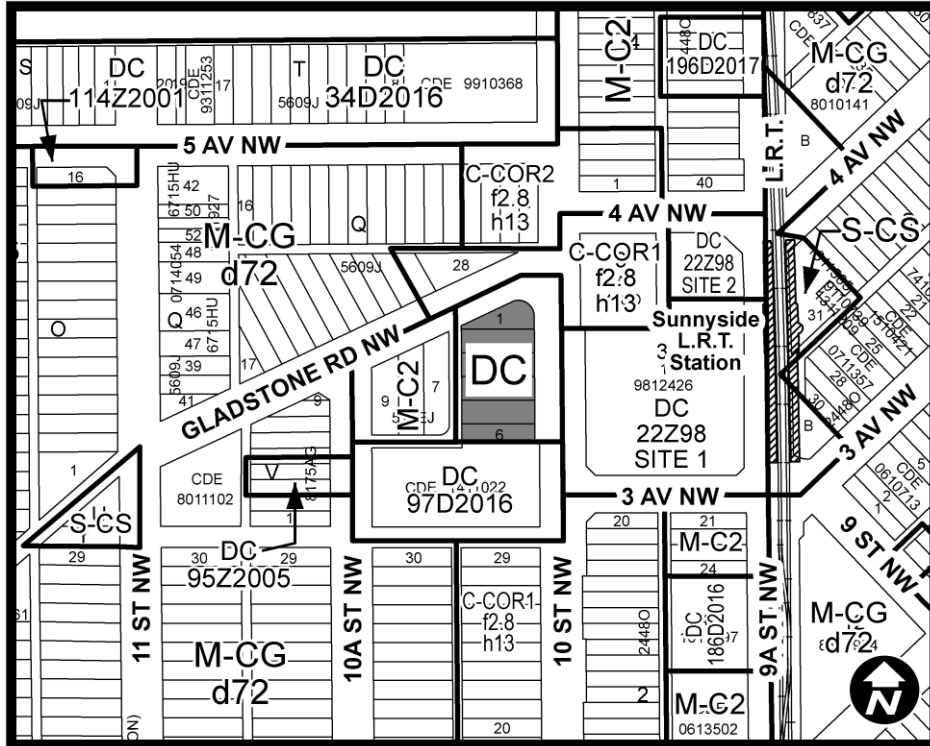
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SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) provide for medium **density** mid-rise mixed-use **development** in compliance with the policies of the applicable local area redevelopment plan; and
- (b) implement the **density** bonus provisions of the Hillhurst/Sunnyside Area Redevelopment 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.

Permitted Uses

- 4 The **permitted uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 7 (1) Unless otherwise referenced in subsection (2), the maximum **floor area ratio** is 2.8.
- (2) The maximum **floor area ratio** may be increased to 5.0 in accordance with the **density** bonus provisions contained in section 8 of this Direct Control District.

Density Bonus

- 8 (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 2.8.

- (3) A **density** bonus may be earned by the provision of an off-site 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 off-site improvement divided by the Cash Contribution Rate, such that:

Allowable bonus floor area = Total construction cost of the off-site 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 2.8. Details of the construction cost will be determined through the **development permit** process.

Building Height

9 The maximum *building height* is 32.0 metres.

Location of Uses Within Buildings

10 The following *uses* must not be located on the ground floor of a *building* facing the commercial *street*:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Catering Service – Minor;**
- (d) **Counselling Service;**
- (e) **Custodial Care;**
- (f) **Dwelling Unit;**
- (g) **Office;**
- (h) **Medical Clinic;**
- (i) **Medical Marihuana Counselling;**
- (j) **Payday Loan;**
- (k) **Place of Worship – Medium;**
- (l) **Place of Worship – Small; and**
- (m) **Residential Care.**

Development Authority – Powers and Duties

11 The *Development Authority* may relax the rule of section 9 of this Direct Control District provided the test for relaxation as set out in Part 2 of Bylaw 1P2007 is met.