

BYLAW NUMBER 96D2014

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2013-0062)**

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 THIS 8TH DAY OF SEPTEMBER, 2014.

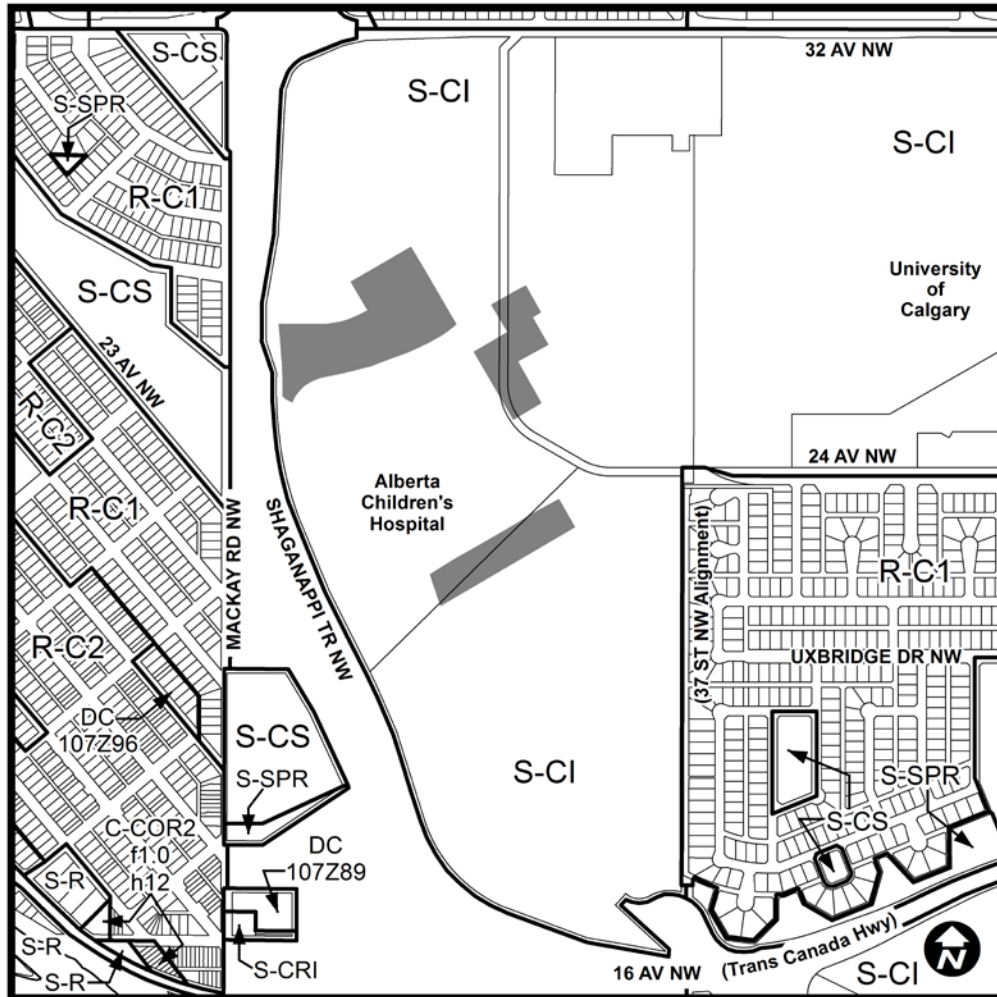
READ A SECOND TIME THIS 8TH DAY OF SEPTEMBER, 2014.

READ A THIRD TIME THIS 8TH DAY OF SEPTEMBER, 2014.

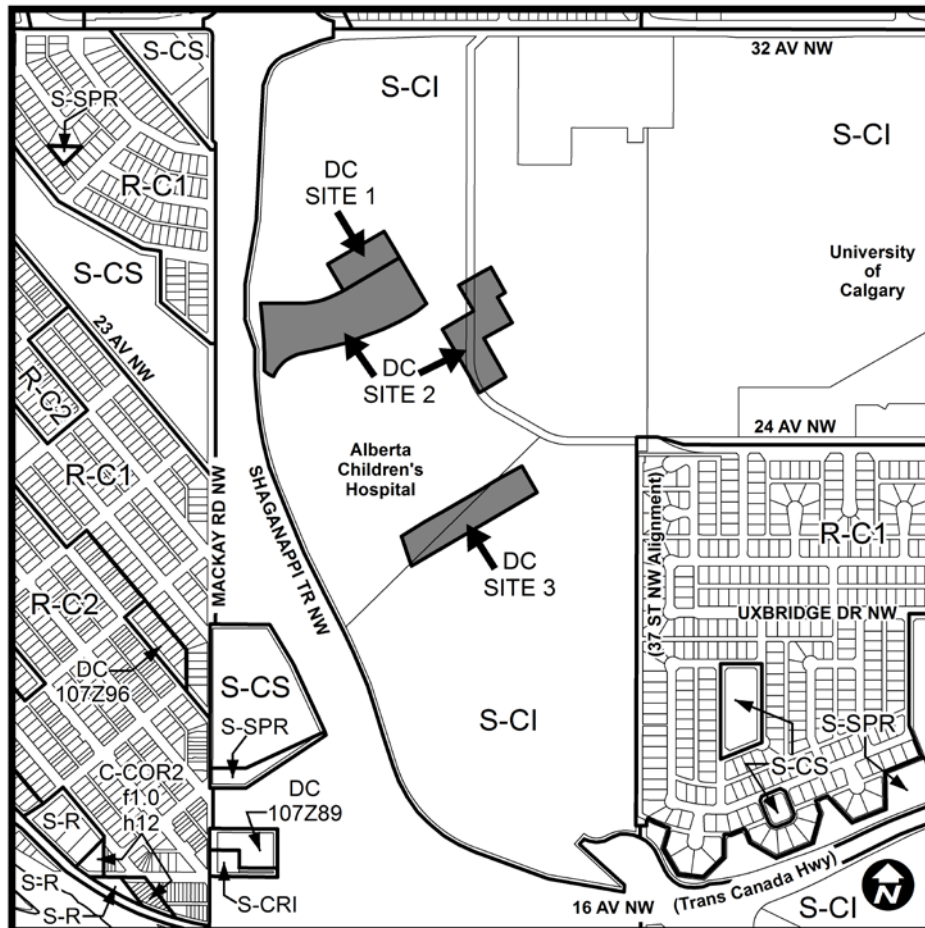
MAYOR
SIGNED THIS 8TH DAY OF SEPTEMBER, 2014.

ACTING CITY CLERK
SIGNED THIS 8TH DAY OF SEPTEMBER, 2014.

SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) create a character of place for the employment precinct that is compact and urban in context;
- (b) provide a new **frontage** to the **Hospital**, with **building** addresses fronting the surrounding **Hospital streets**;

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- (c) prescribe **building setbacks** that will create a pedestrian oriented environment where **frontages** and entrances are close to the sidewalk and **street** in order to engage the public realm;
- (d) provide a setback in keeping with the setback along the High Street on the north side of the main retail **street**;
- (e) to allow for **Assisted Living** and **Residential Care** as a **permitted use** in selected Direct Control District Sites.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply.

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.

Bylaw 1P2007 Rules

- 4 Unless otherwise specified, the rules of the Commercial – Office (C-O) District of Bylaw 1P2007 apply in this Direct Control District.

Parking Requirements

- 5 (1) The **Development Authority** may, upon request from the applicant, consider a relaxation of the required **motor vehicle parking stalls** and **visitor parking stalls** for a **development** where a parking study submitted as part of a **development permit** application demonstrates that the **motor vehicle parking stall** requirement or **visitor parking stall** requirements should vary from the requirements of this Direct Control District Bylaw. This review will be subject to normal relaxation considerations as defined in Bylaw 1P2007 and may include provisions for shared management of **Motor vehicle parking stalls** and **visitor parking stalls** when they are not occupied for their designated **uses**.
- (2) **Motor vehicle parking stalls** for any use within this Direct Control District shall be provided in an above grade or below grade parking structure.
- (3) Notwithstanding (2), a temporary **development permit** may be issued for surface parking.

Discretionary Use That Does Not Comply

- 6 The **Development Authority** may approve a **development permit** application for a **discretionary use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Bylaw if in the opinion of the **Development Authority**:
- (a) the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - (b) the proposed **development** conforms with a **use** prescribed by the Bylaw for that land or **building**.

Site 1 (+/- .96 acres (.39 hectares))

Application

7 The provisions in sections 8 through 13 apply only to Site 1.

Permitted Uses

8 The **permitted uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

9 The **discretionary uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Hotel**; and
- (b) **Parking Lot – Grade (temporary)**.

Front Setback Area

10 The **front setback area** for any **building** along the main retail **street** on the **north side** of the **street** (within this Direct Control District) must have a minimum depth of 3.0 metres and a maximum depth of 6.0 metres.

Rear Setback

11 Where the **parcel** shares a **rear property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres.

Side Setback Area

- 12 (1) Where the **parcel** shares a **side property line** with a **street**, or with an **LRT corridor**, the **side setback area** must have a minimum depth of 3.0 metres;
- (2) In all other cases, the setbacks in the Commercial – Office (C-O) District of Bylaw 1P2007 apply.

Building Height

- 13 (1) Unless otherwise specified, the maximum **building height** is 34.0 metres.
- (2) The **maximum building** height for a **Hotel** is 58.0 metres.

Site 2 (+/- 7.27 acres (3.0 hectares))

Application

14 The provisions in sections 15 through 20 apply only to Site 2.

Permitted Uses

15 The **permitted uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

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Discretionary Uses

16 The **discretionary uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Hotel**; and
- (b) **Parking Lot - Grade (temporary)**.

Front Setback Area

17 The **front setback area** for all **parcels** within Site 2 must have a maximum depth of 3.0 metres.

Rear Setback

18 Where the **parcel** shares a **rear property line** with a **street**, the **rear setback area** must have a minimum depth of 3.0 metres.

Side Setback Area

- 19 (1) Where the **parcel** shares a **side property line** with a **parcel** designated as a **special purpose district**, or with an **LRT corridor** or **street**, the **side setback area** must have a minimum depth of 3.0 metres.
- (2) In all other cases, the setbacks in the Commercial – Office (C-O) District of Bylaw 1P2007 apply.

Building Height

- 20 (1) Unless otherwise specified, the maximum **building height** is 34.0 metres;
- (2) Notwithstanding the above, the maximum **building height** is reduced to 18 metres when the building is within the flight path of the Children’s Hospital.
- (3) The **maximum building** height for a **Hotel** is 58.0 metres, if the **building** is not within the flight path of the Children’s Hospital.

Site 3 (+/- 8.44 acres (3.42 hectares))

Application

21 The provisions in sections 22 through 27 apply only to Site 3.

Permitted Uses

22 The **permitted uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **permitted uses** of this Direct Control District, with the addition of:

- (a) **Assisted Living**; and
- (b) **Residential Care**.

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Discretionary Uses

23 The **discretionary uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Front Setback Area

24 The **front setback area** must have a minimum depth of 0 metres and a maximum depth of 2.0 metres.

Rear Setback

25 (1) Where the **parcel** shares a **rear property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres.

(2) In all other cases, the setbacks in the Commercial – Office (C-O) District of Bylaw 1P2007 apply.

Side Setback Area

26 (1) Where the **parcel** shares a **side property line** with a **street**, or with a **LRT corridor**, the **side setback area** must have a minimum depth of 3.0 metres;

(2) In all other cases, the setbacks in the Commercial – Office (C-O) District of Bylaw 1P2007 apply.

Building Height

27 The maximum **building height** is 18.0 metres.