

BYLAW NUMBER 14D2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2016-0050)**

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 17TH DAY OF JANUARY, 2017.

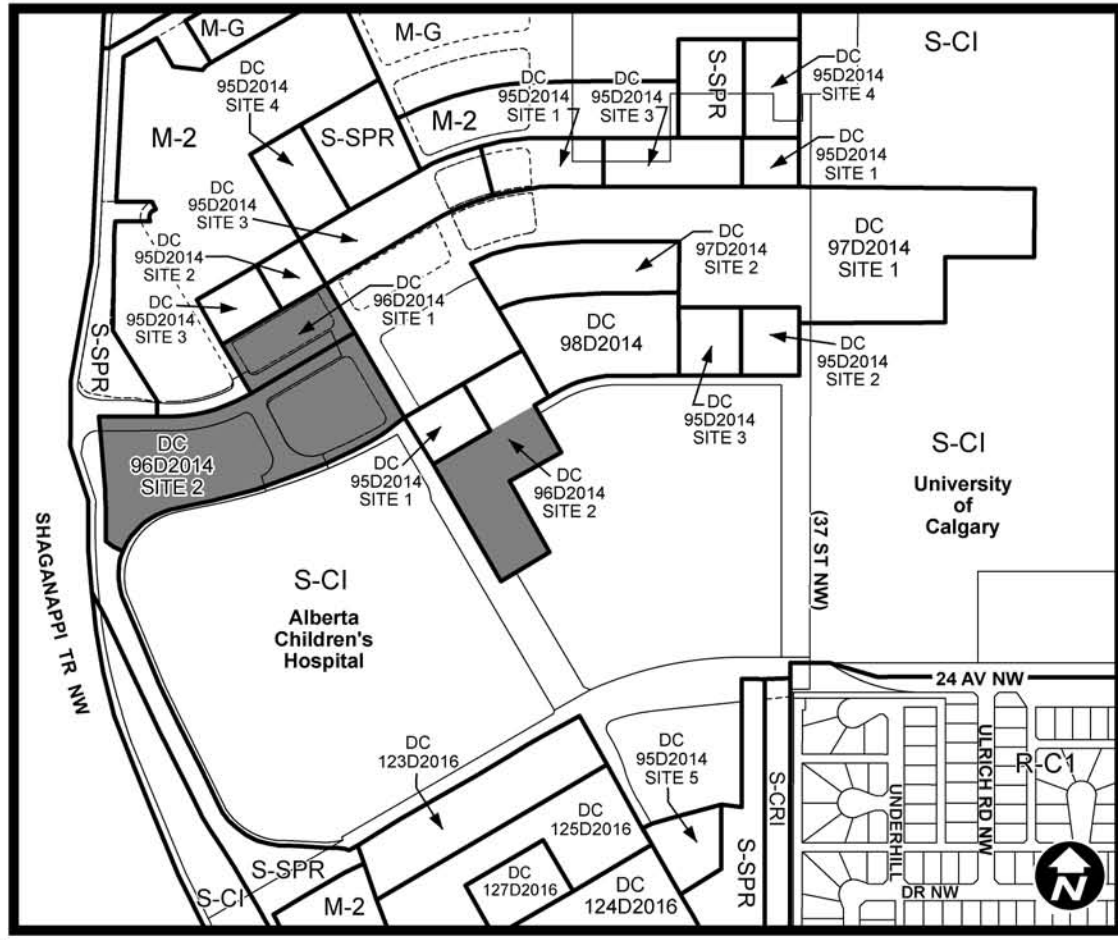
READ A SECOND TIME THIS 17TH DAY OF JANUARY, 2017.

READ A THIRD TIME THIS 17TH DAY OF JANUARY, 2017.

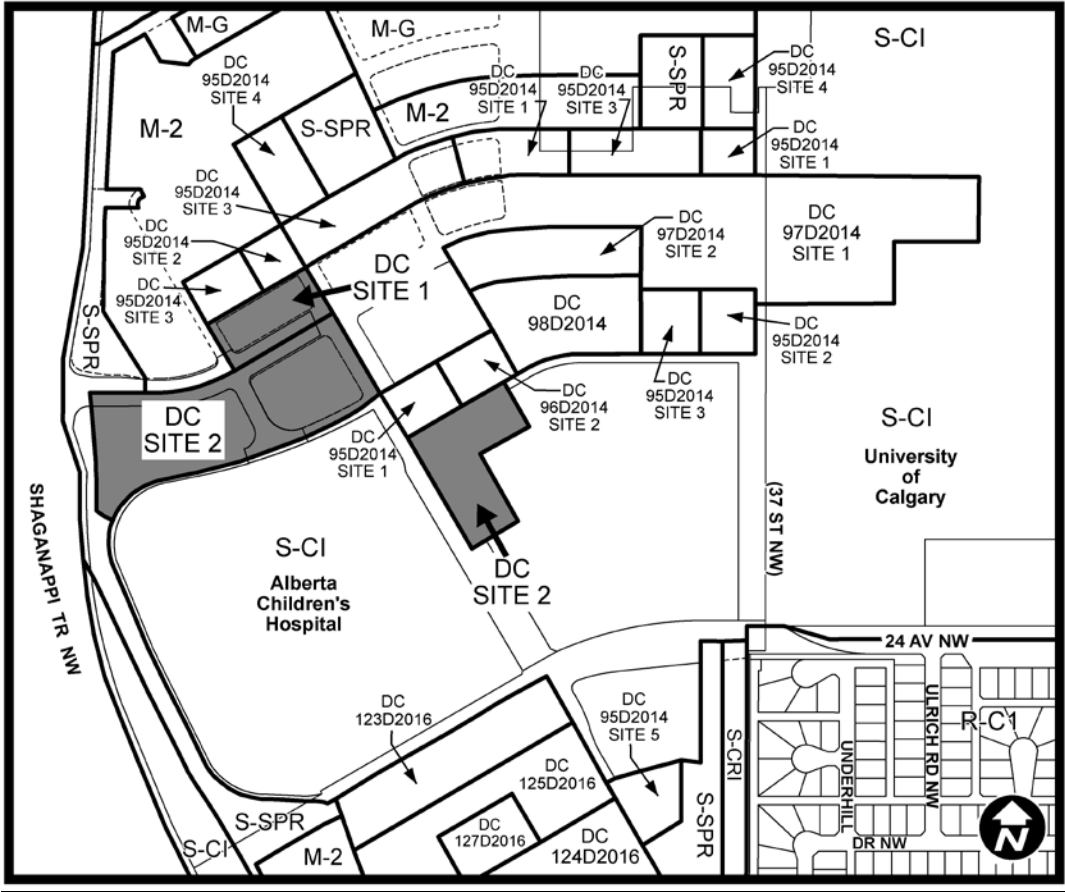
MAYOR
SIGNED THIS 17TH DAY OF JANUARY, 2017.

ACTING CITY CLERK
SIGNED THIS 17TH DAY OF JANUARY, 2017.

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**;
 - (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; and
- (f) have the majority of the **motor vehicle parking stalls** located within parking structures except in specific cases for short stay parking.

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 must be provided in an above grade or below grade parking structure.
- (3) Notwithstanding subsection (2), a temporary **development permit** may be issued for **Parking Lot – Grade (temporary)**.
- (4) Notwithstanding subsection (2), the **Development Authority** may approve **motor vehicle parking stalls**, outside of a parking structure for the following purposes:
- (a) short stay **motor vehicle parking stalls** where:
 - (i) a vehicle remains parked for no more than 4 hours at a time; and
 - (ii) there is convenient pedestrian access to the **street** level and publicly accessible **uses** within the **development**.

- (5) **Motor vehicle parking stalls** located outside of a parking structure must not be located between a **building** and a commercial **street**.

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 Direct Control District 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 this Direct Control District for that land or **building**.

Site 1 (± 1.79 acres (0.73 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** 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 in subsection (2), the maximum **building height** is 34.0 metres.
- (2) The maximum **building** height for a **Hotel** is 58.0 metres.

Site 2 (± 10.6 acres (4.29 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.

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 in subsection (2) and (3), 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**.