

BYLAW NUMBER 48D2011

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2008-0091)

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;

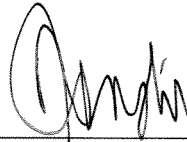
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 5TH DAY OF JULY, 2011.

READ A SECOND TME, AS AMENDED, THIS 5TH DAY OF JULY, 2011.

READ A THIRD TIME, AS AMENDED, THIS 5TH DAY OF JULY, 2011.



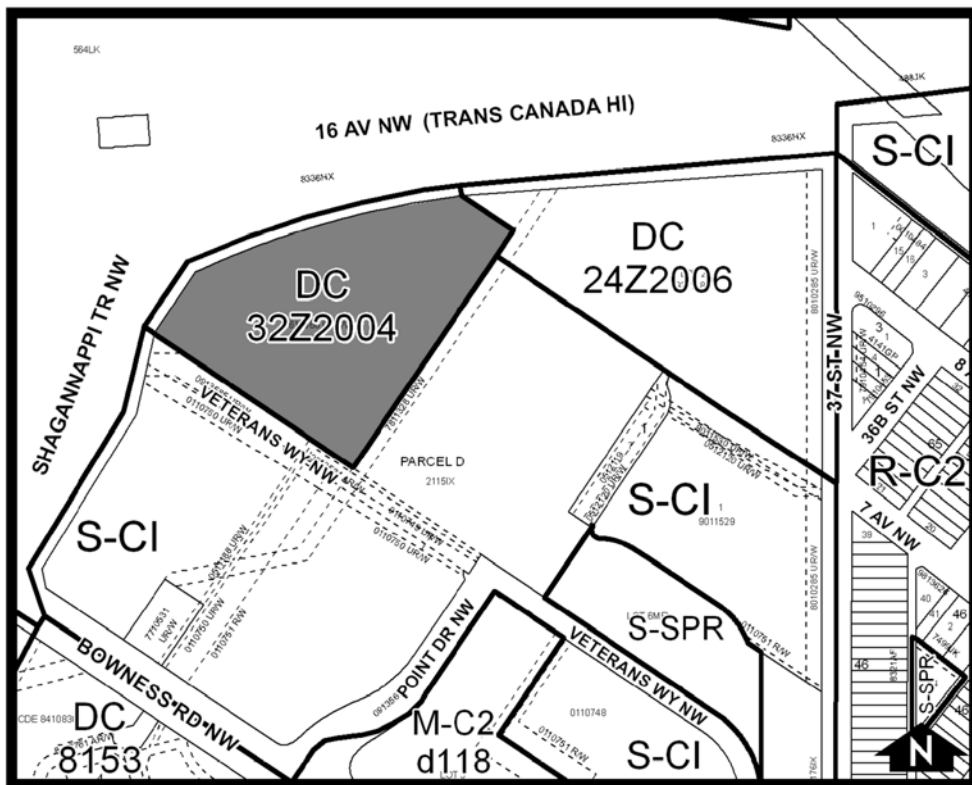
MAYOR
SIGNED THIS 13TH DAY OF JULY, 2011.



ACTING CITY CLERK
SIGNED THIS 13TH DAY OF JULY, 2011.

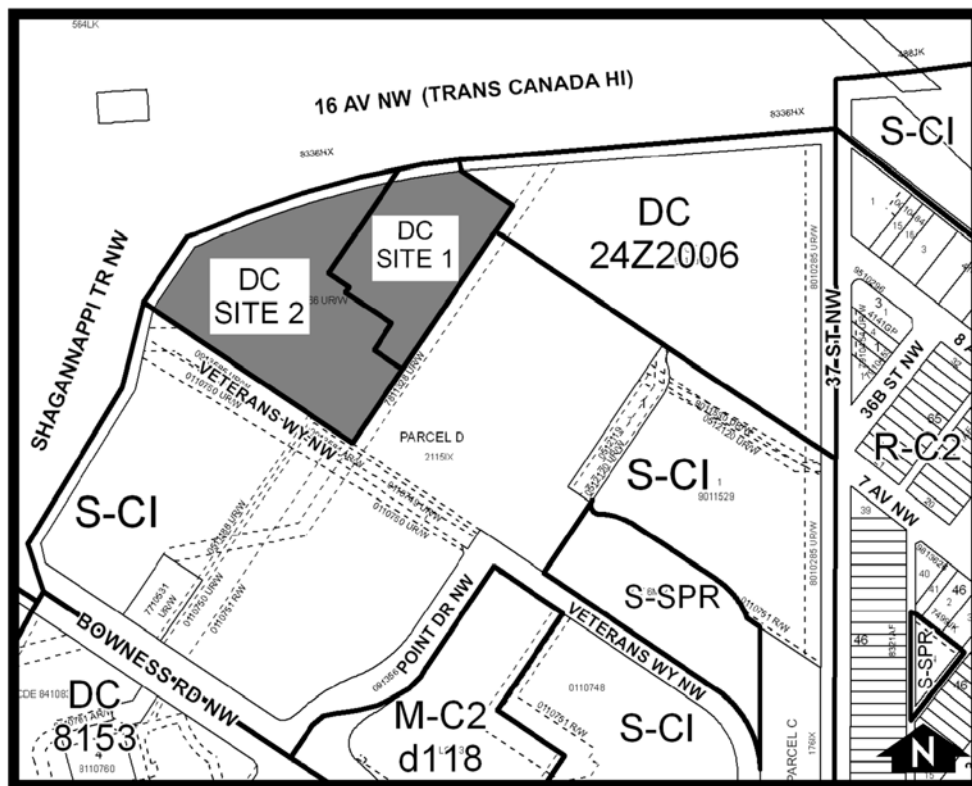
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) Accommodate a mixed ***use development***, providing commercial, residential, research and development and medical ***uses***; and
 - (b) Recognize the existing built form for Site 1 and provide for an increase in height and density for Site 2;

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- (c) Implement the policies of the South Shaganappi Communities Area Plan adopted by resolution of Council;
- (d) Provide pedestrian access from public transit, to and between buildings, pedestrian amenities, public sidewalks and cycling pathway.

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.

Defined Uses

- 4** In this Direct Control District a “**Postal Distribution Centre**” means a **use** where packages and mail are distributed and has a maximum **gross floor area** of 2600.0 square metres.

Permitted Uses

- 5** The **permitted uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District:
- (a) with the addition of:
 - (i) **Home Based Childcare – Class 1**; and
 - (ii) **Home Occupation – Class 1**.

Discretionary Uses

- 6** The **discretionary uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District:
- (a) with the addition of:
 - (i) **Assisted Living**;
 - (ii) **Dwelling Units**;
 - (iii) **Health Services Laboratory – With Clients**;
 - (iv) **Health Services Laboratory – Without Clients**;
 - (v) **Home Occupation – Class 2**;
 - (vi) **Hotel**;
 - (vii) **Postal Distribution Center**;
 - (viii) **Residential Care**;
 - (ix) **Restaurant: Licensed - Medium**; and
 - (x) **Specialized Industrial**; and
 - (b) with exclusion of:
 - (i) **Conference and Event Facility**;
 - (ii) **Special Function Tent – Recreational**; and
 - (iii) **Drinking Establishment – Medium**.

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Bylaw 1P2007 District Rules

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

Location of Uses

- 8** (1) **Assisted Living, Dwelling Units and Residential Care** may only be located on the ground floor of a **building** where other **uses** are not located in the **building**.
- (2) **Assisted Living, Dwelling Units and Residential Care** must not share a hallway with other **uses**.

Use Area

- 9** (1) Unless otherwise referenced in subsection (3), the maximum **use area** for **uses** on the ground floor of **buildings** is 930.0 square metres.
- (2) Unless otherwise referenced in subsection (3), there is no maximum **use area** for **uses** located above the ground floor.
- (3) The following **uses** do not have a **use area** restriction:
- (a) **Assisted Living;**
 - (b) **Dwelling Units;**
 - (c) **Hotel;**
 - (d) **Office; and**
 - (e) **Residential Care.**

Site 1

0.81 ha ± (2.0 ac ±)

Application

10 The provisions in Sections 11 through 12 apply only to Site 1.

Floor Area Ratio

11 The maximum **floor area ratio** is 1.43.

Building Height

12 The maximum **building height** is 16.1 metres.

Site 2

1.45 ha ± (3.58 ac ±)

Application

13 The provisions in Sections 14 through 17 apply only to Site 2.

Floor Area Ratio

14 The maximum **floor area ratio** is 2.32.

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Building Height

15 The maximum *building height* is 36.0 metres.

Approving Authority and Additional Development Permit Requirements

- 16** The first Development Permit for Site 2 must be brought to the
- a) Urban Design Review Panel; and
 - b) the Calgary Planning Commission for approval.
- 17** In addition to the requirements of Bylaw 1P2007, Section 26, the first Development Permit for Site 2 must provide:
- (1) A comprehensive plan for the site that may be phased and contemplates connectivity with adjacent parcels;
 - (2) Documentation of community engagement to date as well as a plan for any future engagement; and
 - (3) Documentation of how the proposed development complies or varies with both the site specific and general policies of the South Shaganappi Communities Area Plan.