

BYLAW NUMBER 150D2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2016-0176)**

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;

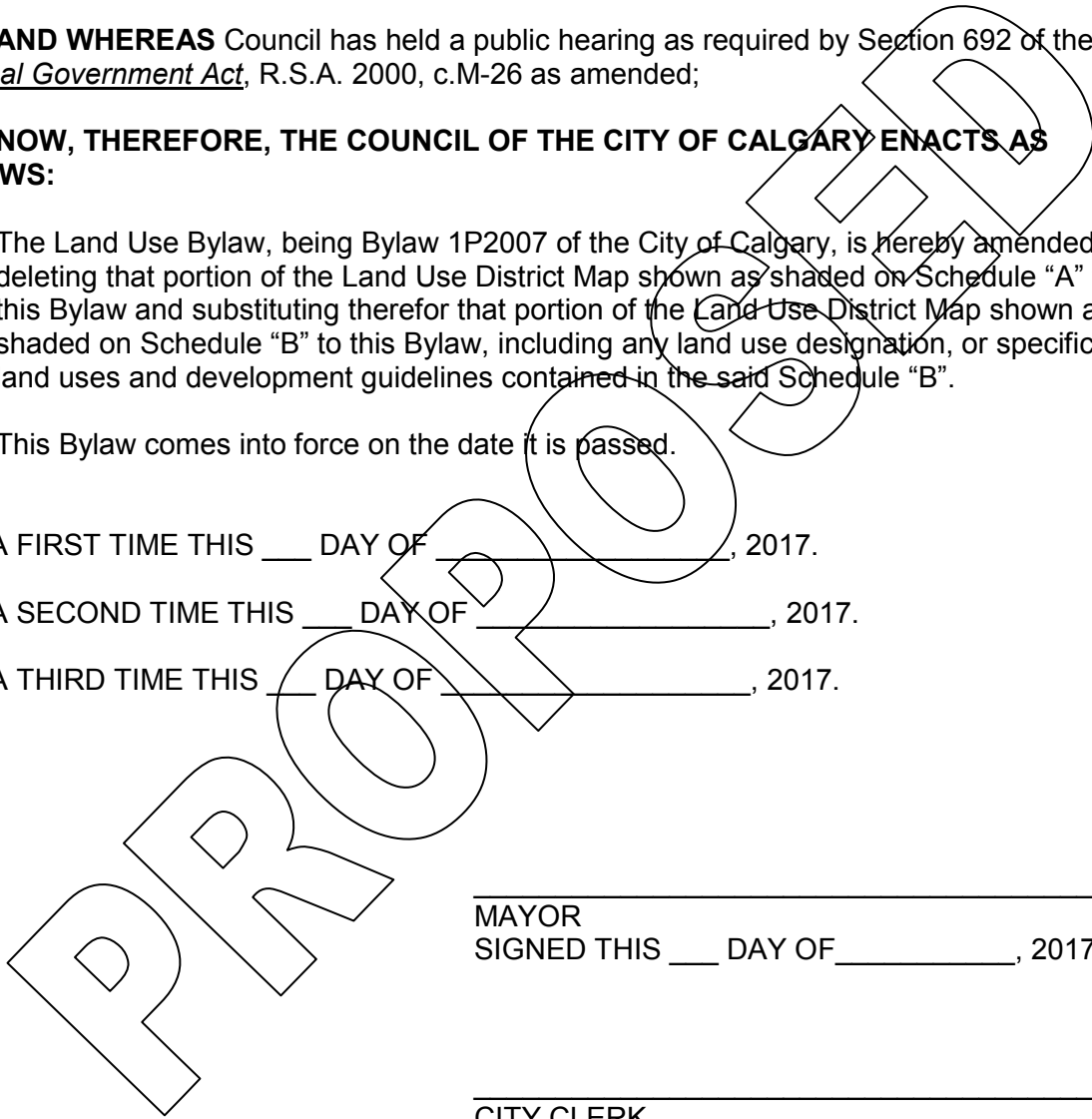
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 ___ DAY OF _____, 2017.

READ A SECOND TIME THIS ___ DAY OF _____, 2017.

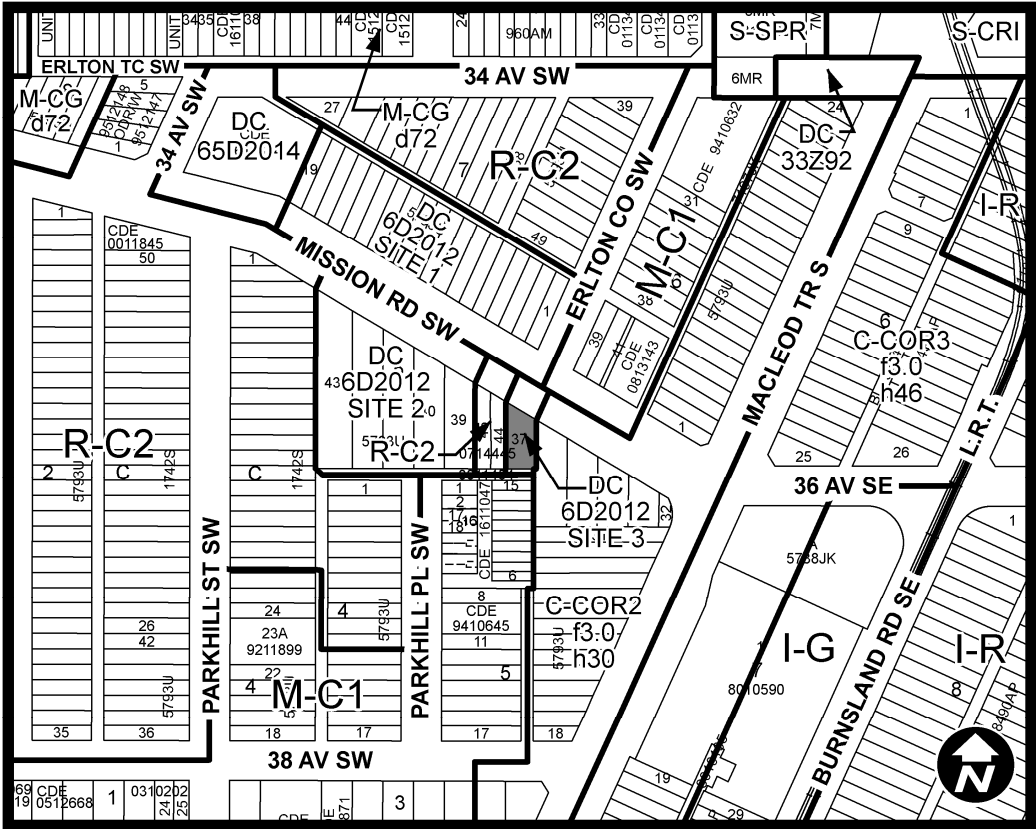
READ A THIRD TIME THIS ___ DAY OF _____, 2017.



MAYOR
SIGNED THIS ___ DAY OF _____, 2017.

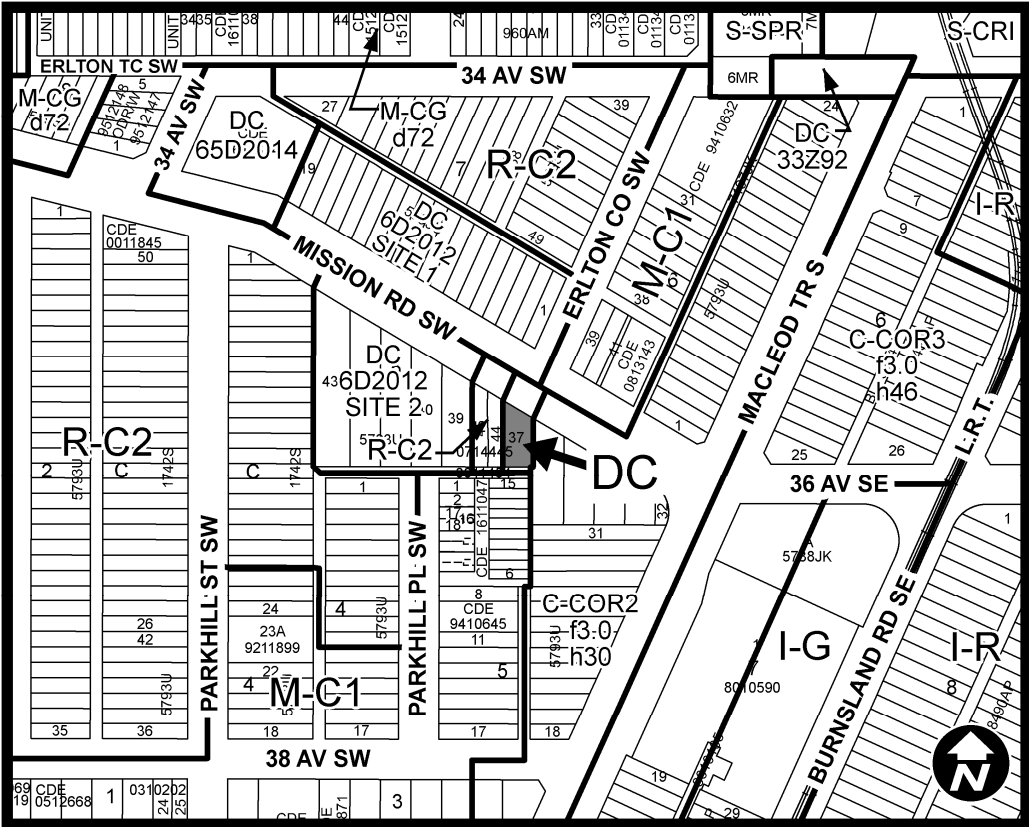
CITY CLERK
SIGNED THIS ___ DAY OF _____, 2017.

SCHEDULE A



PROPOSED

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) allow for commercial, residential, or mixed-use **development**;
- (b) allow for **development** that is complementary to multi-residential oriented **developments** and that contributes to a neighbourhood activity centre with pedestrian and transit oriented **development** in proximity to an **LRT Station** area; and
- (c) provide site specific **development** rules.

PROPOSED

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 a reference to the section as amended from time to time.

General Definitions

4 In this Direct Control District:
(a) “**Commercial Use**” means any **use** listed in sections 5 and 6 of this Direct Control District, other than **Accessory Residential Building, Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Multi-Residential Development, Live Work Unit, Park, Protective and Emergency Service, and Residential Care.**

Permitted uses

- 5 (1) The following **uses** are **permitted uses** in this Direct Control District:
- (a) **Accessory Residential Building;**
 - (b) **Park;** and
 - (c) **Protective and Emergency Service.**
- (2) The following **uses** are **permitted uses** in this Direct Control District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service;**
 - (b) **Catering Service – Minor;**
 - (c) **Convenience Food Store;**
 - (d) **Counselling Service;**
 - (e) **Financial Institution;**
 - (f) **Fitness Centre;**
 - (g) **Health Services Laboratory – With Clients;**
 - (h) **Information and Service Provider;**
 - (i) **Instructional Facility;**
 - (j) **Library;**
 - (k) **Medical Clinic;**
 - (l) **Office;**
 - (m) **Pet Care Service;**
 - (n) **Restaurant: Food Service Only – Small;**
 - (o) **Retail and Consumer Service;** and
 - (p) **Specialty Food Store.**

Discretionary Uses

- 6 (1) **Uses** listed in section 5(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Direct Control District.
- (2) **Uses** listed in section 5(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one **Commercial Use**.

(3) The following **uses** are **discretionary uses** in this Direct Control District:

- (a) **Addiction Treatment;**
- (b) **Artist's Studio;**
- (c) **Assisted Living;**
- (d) **Brewery, Winery and Distillery;**
- (e) **Child Care Service;**
- (f) **Computer Games Facility;**
- (g) **Custodial Care;**
- (h) **Drinking Establishment – Small;**
- (i) **Dwelling Unit;**
- (j) **Liquor Store;**
- (k) **Live Work Unit;**
- (l) **Medical Marihuana Counselling;**
- (m) **Multi-Residential Development;**
- (n) **Market – Minor;**
- (o) **Outdoor Café;**
- (p) **Payday Loan;**
- (q) **Place of Worship – Small;**
- (r) **Power Generation Facility – Small;**
- (s) **Print Centre;**
- (t) **Residential Care;**
- (u) **Restaurant: Licensed – Small;**
- (v) **Restaurant: Neighbourhood;**
- (w) **Seasonal Sales Area;**
- (x) **Service Organization;**
- (y) **Sign – Class B;**
- (z) **Social Organization;**
- (aa) **Take Out Food Service; and**
- (bb) **Veterinary Clinic.**

(4) The following **uses** are excluded in this Direct Control District:

- (a) **Sign – Class C; and**
- (b) **Sign – Class E.**

Bylaw 1P2007 District Rules

7 (1) Unless otherwise specified, the rules of the Commercial – Neighbourhood 2 (C-N2) District of Bylaw 1P2007 apply in this Direct Control District.

(2) For **Multi-Residential Development**, the General Rules for Multi-Residential Land Use Districts of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

8 There is no maximum **floor area ratio**.

Density

9 There is no minimum or maximum **density**.

Building Height

10 The maximum **building height** is 15.0 metres.

Building Design

11 The ceiling of the first **storey** must be a minimum of 4.0 metres from **grade**.

Use Area

- 12 (1) Unless otherwise referenced in subsections (2), (3) and (4) the maximum **use area** in this Direct Control District is 300.0 square metres.
- (2) The maximum **use area** of a **Convenience Food Store**, or a **Convenience Food Store** combined with any other **use**, is 465.0 square metres.
- (3) The maximum **use area** of an **Office** is 465.0 square metres.
- (4) The following **uses** do not have a **use area** restriction:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Market – Minor; and**
 - (e) **Residential Care.**
- (5) The **use area** measurements for **motor vehicle parking stalls** or **bicycle parking stalls** within a **building** is excluded from the maximum **use area** requirements in this Direct Control District.

Location of Uses within Buildings

- 13 (1) **Commercial Use** and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**; and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** or **Residential Care**.

Building Setbacks

- 14 (1) The minimum **building setback** from a **property line** shared with a **street** is zero metres.
- (2) The maximum **building setback** from a **property line** shared with a **street** is 4.0 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) The minimum **building setback** from a **property line** shared with another **parcel** is zero metres.

- (5) The minimum **building setback** from a **property line** shared with another **parcel** designated a **residential district** is 1.2 metres.

Landscaping in Setback Areas

- 15 All areas of a **parcel**, not including those areas covered by **buildings**, or those portions specifically required for motor vehicle access, sidewalks or any other purpose allowed by the **Development Authority**, must be landscaped.

Motor Vehicle Parking Stalls

- 16 (1) The maximum number of required **motor vehicle parking stalls** is 5.
- (2) Surface parking is not allowed. **Motor vehicle parking stalls** must only be located within a **building**.

Development Authority – Power and Duties for Relaxations

- 17 The **Development Authority** may relax any of the rules within this Direct Control District provided the test for relaxations as set out in Bylaw 1P2007 is met.