

BYLAW NUMBER 11D2017

**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 ____ DAY OF _____, 2017.

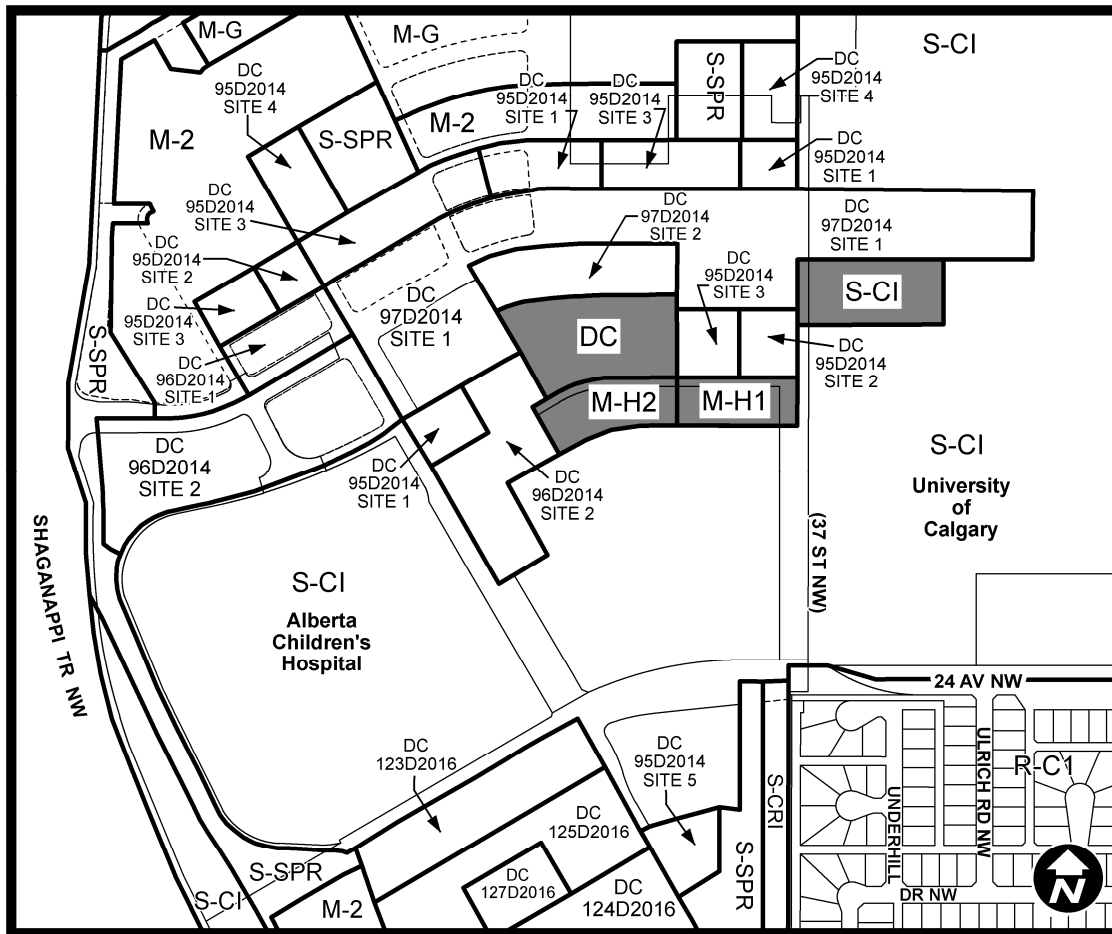
READ A SECOND TIME THIS ____ DAY OF _____, 2017.

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

MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) provide for **Parks**, open space, park utility facilities, and recreation facilities;
 - (b) allow for **uses** which complement the open space nature of the **Park** while facilitating events and activities that add to the overall vibrancy of the community;
 - (c) allow for the incorporation of below **grade** parking in the central **Park** open space if the site is not dedicated as a Municipal Reserve;

PROPOSED

- (d) allow for options in creation of the **Park** as either Municipal Reserve or as a publically accessible **Park** space provided through a means other than a Municipal Reserve; and
- (e) allow **building** of an appropriate size and with beneficial **uses** that are sited and designed to be integrated in a manner that is complimentary within the **Park**.

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 following **uses** are **permitted uses** in this Direct Control District:

- (a) **Market;**
- (b) **Market Minor;**
- (c) **Natural Area;**
- (d) **Outdoor Recreation Area;**
- (e) **Park;**
- (f) **Park Maintenance Facility – Small;**
- (g) **Parking Lot – Structure;**
- (h) **Power Generation Facility – Small;**
- (i) **Sign – Class A; and**
- (j) **Utilities.**

Discretionary Uses

- 5** The following **uses** are **discretionary uses** in this Direct Control District:

- (a) **Artist's Studio;**
- (b) **Child Care Service;**
- (c) **Convenience Food Store;**
- (d) **Community Entrance Feature;**
- (e) **Community Recreation Facility;**
- (f) **Fitness Centre;**
- (g) **Food Kiosk;**
- (h) **Indoor Recreation Facility;**
- (i) **Information and Service Provider;**
- (j) **Library;**
- (k) **Museum;**
- (l) **Outdoor Café;**
- (m) **Restaurant: Food Service Only – Medium;**
- (n) **Restaurant: Food Service Only – Small;**

- (o) Restaurant: Licensed - Medium;
- (p) Restaurant: Licensed - Small;
- (q) Retail and Consumer Service;
- (r) Parking Lot – Grade (temporary);
- (s) Special Function – Class 1;
- (t) Special Function – Class 2;
- (u) Social Organization;
- (v) Specialty Food Service;
- (w) Sign – Class B;
- (x) Sign – Class C;
- (y) Sign – Class D;
- (z) Sign – Class E;
- (aa) Take Out Food Service; and
- (bb) Utility Building.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the General Rules for Special Purpose Land Use Districts of Bylaw 1P2007 apply in this Direct Control District.

Development Plans

- 7 Comprehensive plans must be submitted to the **Development Authority** as part of a **development permit** application. These comprehensive plans must show all proposed **buildings** for the central **Park** area; outdoor patio areas; lighting; **Park** furniture; finalized landscaping plans; and all sidewalk / pathway connections in addition to the requirements of Bylaw 1P2007.

Use Rules

- 8 Section 671, as amended, of the Municipal Government Act, pertaining to use of reserve land applies.

Front, Rear and Side Setback Area

- 9 The **setback area** from every **property line** must have a minimum depth of 3.0 metres.

Building Height

- 10 The maximum **building height** for any **building** within this Direct Control District is 10.0 metres.

Building Coverage

- 11 The maximum cumulative **building coverage** on the **parcel** is 1,500 square metres.

Landscaping In Setback Areas

- 12 All **uses** must provide a minimum of: 1.0 trees and 2.0 shrubs for every 45.0 square metres within all **setback areas**.

Access Requirements

- 13 (1) Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest **street**.

- (2) Where a **building** contains more than one **use**, every **use** that has an exterior **public entrance** must either:
 - (a) have a sidewalk connecting the **public entrance** to the sidewalk referenced in subsection (1); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk or to the nearest **street**.
- (3) Every **building** on the **parcel** must have at least one sidewalk connecting the parking area to the **public entrances** of the **building**.
- (4) Every sidewalk provided must:
 - (a) be a **hard surfaced landscaped area**;
 - (b) be a minimum width of 2.0 metres; and
 - (c) be raised above the surface of the parking area, when located in a parking area.

Parking Requirement

- 14 (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. 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** within a **Parking Lot - Structure** to be used for public access must be located beneath surface and may be used to satisfy minimum parking requirements for **uses** within this Direct Control District.

Discretionary Use That Does Not Comply

- 15 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**.