

BYLAW NUMBER 97D2016

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2015-0223)**

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 _____, 2016.

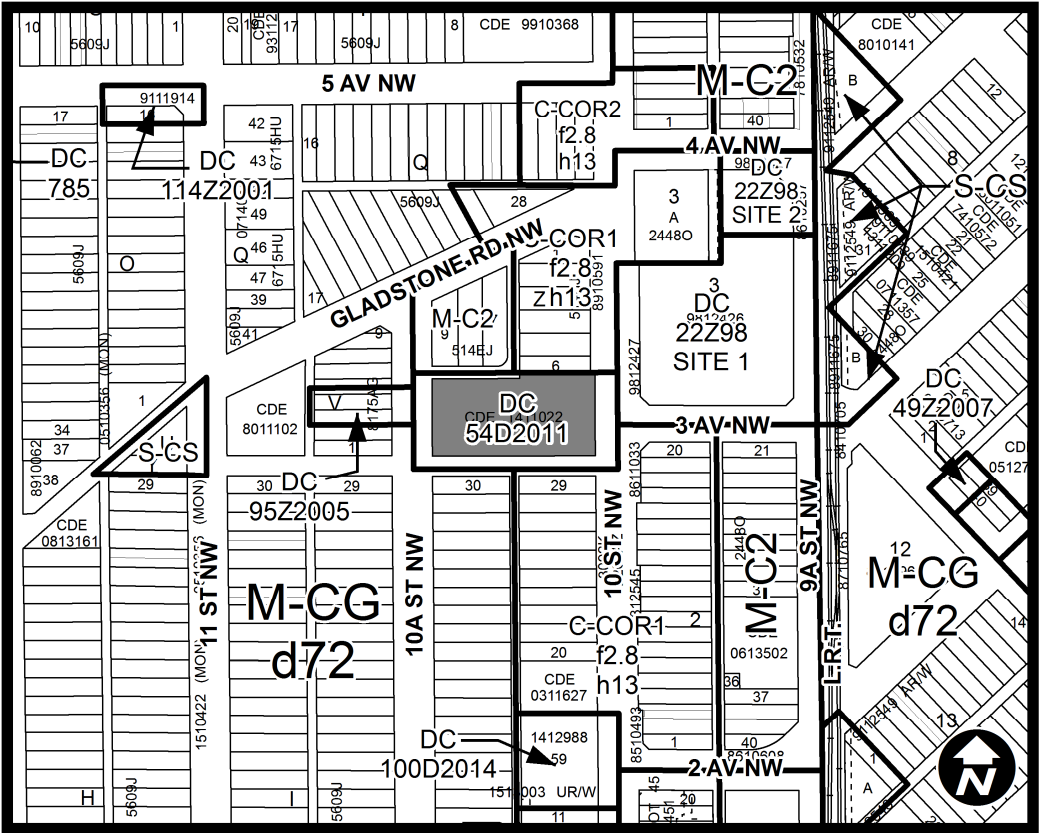
READ A SECOND TIME THIS ____ DAY OF _____, 2016.

READ A THIRD TIME THIS ____ DAY OF _____, 2016.

MAYOR
SIGNED THIS ____ DAY OF _____, 2016.

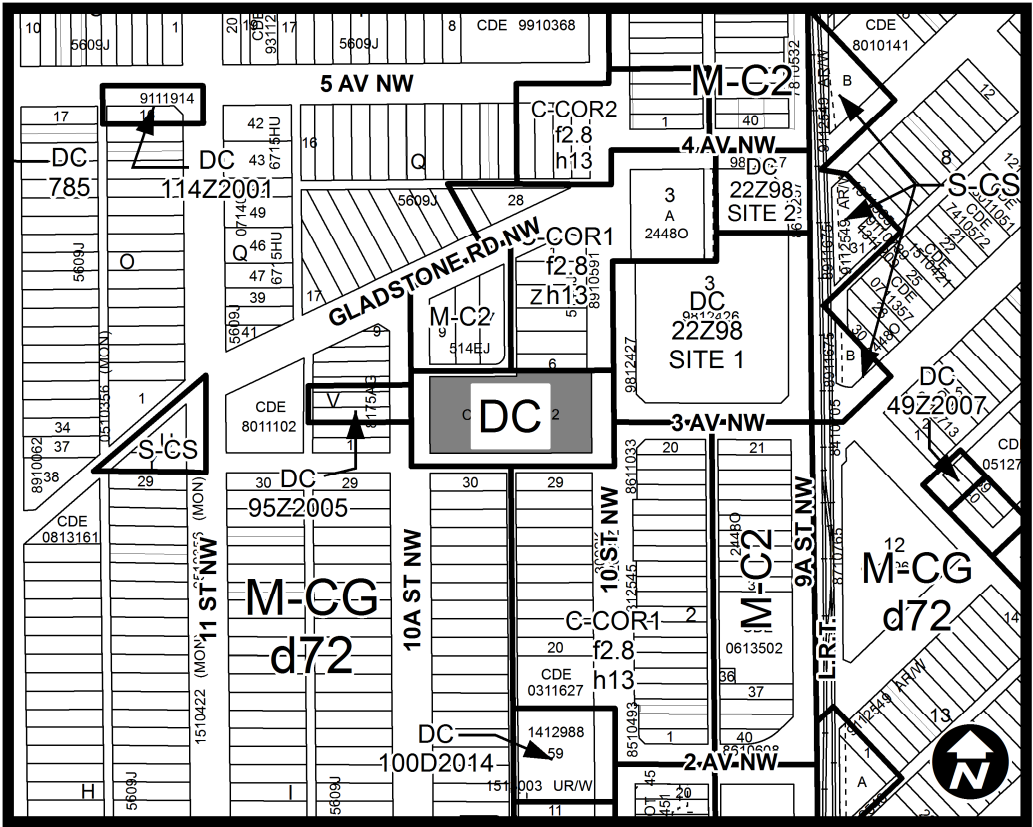
CITY CLERK
SIGNED THIS ____ DAY OF _____, 2016.

SCHEDULE A



PROPOSED

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) allow for a broader range of at-**grade** commercial **uses** consistent with the existing commercial character of 10 Street NW;
- (b) retain the existing **building height** and **building setback** rules in the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007; and

PROPOSED

- (c) align with the policies contained in Part II Transit Oriented Development Area of the Hillhurst-Sunnyside Area Redevelopment Plan to promote vibrant and vital mixed-use commercial corridors.

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 **permitted uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:

- (a) **Addiction Treatment;**
- (b) **Custodial Care; and**
- (c) **Sign – Class C.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 7 The maximum **floor area ratio** is 4.0.

Building Height

- 8 The **building height** rules in the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **building height** rules in this Direct Control District.

Location of Uses within Buildings

- 9 (1) The following **uses** must not be located on the ground floor of **buildings**:

- (a) **Assisted Living;**
- (b) **Catering Service – Minor;**
- (c) **Child Care Service;**
- (d) **Counselling Service;**
- (e) **Health Services Laboratory – With Clients;**
- (f) **Instructional Facility;**
- (g) **Office;**
- (h) **Place of Worship – Small;**
- (i) **Post-secondary Learning Institution;**
- (j) **Residential Care; and**
- (k) **Social Organization.**

- (2) "Commercial Uses" must be located at **grade** along the eastern half of the **parcel**.
- (3) **Dwelling Units** and **Live Work Units** may be located at **grade** on the western half of the **parcel**.
- (4) Where this section refers to "Commercial Uses" it refers to the listed **uses** in sections 777 and 778 of Land Use Bylaw 1P2007, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit, and Residential Care**.

Building Setbacks

- 10 The **building setback** rules in the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **building setback** rules in this Direct Control District.

Minimum Required Motor Vehicle Parking Stalls

- 11 (1) Unless otherwise referenced in subsection (2), the minimum required **motor vehicle parking stalls** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 apply in this Direct Control District.
- (2) The minimum number of **motor vehicle parking stalls** for all "Commercial Uses" are reduced to zero stalls where a minimum of 34 **motor vehicle parking stalls** are provided as part of a **Parking Lot – Structure** for the exclusive use of the "Commercial Uses" within the **building**.
- (3) Where this section refers to "Commercial Uses," it refers to the listed **uses** in sections 777 and 778 of Land Use Bylaw 1P2007, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit, and Residential Care**.

Additional Sign Class – E Rules

- 12 (1) A **Sign – Class E** may only be approved in conjunction with a **Parking Lot – Structure**.
- (2) Any **digital display** portion of a **Sign – Class E** must only display the number of available stalls within the **Parking – Lot Structure**.