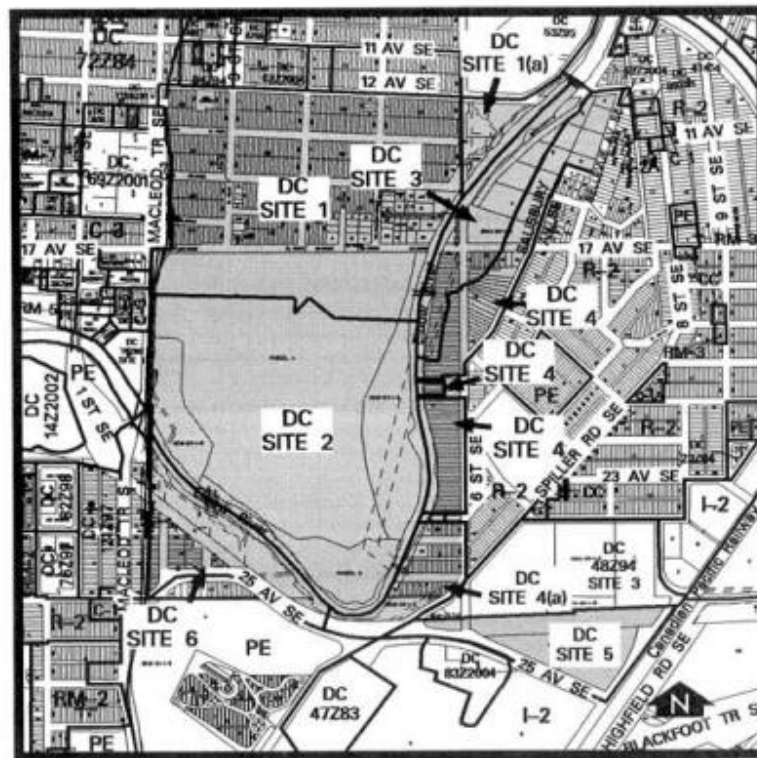


Direct Control District Bylaw 4Z2006

Amendment LOC2005-0057 Bylaw 4Z2006

Council Approved: 2006 February 7

SCHEDULE B



DC DIRECT CONTROL DISTRICT

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A. PURPOSE

The purpose of this Direct Control District is:

- to provide for the long-term development of Stampede Park as a year-round, multi-use facility in a park-like setting;
- to contribute to Calgary's urban vitality, to link with the local community and to preserve and promote southern Alberta's unique western heritage and values;
- to integrate a range of compatible uses that include open space, entertainment, gaming, education, interpretative, exhibition, agricultural and viable commercial facilities; and
- to ensure that these uses evolve in accordance with a long-range concept plan, function efficiently, take account of the community context, and are sensitive to the river valley environment and to the cultural heritage of the site.

B. DEFINITIONS

For the purposes of this Bylaw:

- 1) **Amphitheatre** means sloped ground or rising tiers of seats arranged around a performance space that may include a stage or bandstand.
- 2) **Indian Village** means an area set aside to celebrate the cultural heritage of First Nations, including but not limited to teepees, displays of crafts or artifacts, permanent stages or other performance spaces, and ancillary commercial uses.
- 3) **Laboratory** means a facility used for scientific experiments or tests, including but not limited to the care and testing of animals.

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- 4) **Livestock accommodation** means either permanent or temporary indoor or outdoor facilities for the shelter or confinement of animals, including but not limited to barns, sheds, pens, runs and enclosures.
- 5) **Office** means development for the provision of commercial or not-for-profit services in an office setting including but not restricted to professional, management, administrative, government, community, consulting or financial services.
- 6) **Recreational vehicle campground** means a temporary area for parking recreational vehicles for employees, participants, and volunteers of activities in Stampede Park, shall not be made available for the use of the public.
- 7) **Special function tents** (restricted use) means a collapsible shelter that is ancillary to the principal use of the site and erected for the purposes of restaurant food service only, take-out food service, or retail store.
- 8) **Storage area** means the area of a building or site set aside for the storage of products, goods or equipment including the storage of trucks, trailers, motor homes and other vehicles.
- 9) **Trade and exhibition facility** means a building accommodating the display of commercial, cultural, educational or goods and services, and may include ancillary commercial uses, supporting administrative and/or interpretive uses.
- 10) **Training and educational facility** means a place of instruction and ancillary administrative and support services, including but not limited to horse-riding academies, provincial training and university/college courses.
- 11) **Top of bank** means the natural transition line or upper natural topographical break at the top of a valley, or at the top of a channel that contains a watercourse, between a slope where the grade exceeds 15 percent and the adjacent upper level area where the grade is less than 15 percent, and where the area that is less than 15 percent in slope is at least 15 metres wide.

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C. LAND USE

1) Site 1 32 ha ± (79 ac ±)

(a) Permitted Uses

- (i) Uses existing or approved by a development permit that is valid and subsisting prior to the date of passage of this Bylaw shall be permitted only within buildings existing on site as of the date of passage of this bylaw.
- (ii) The following uses shall be Permitted Uses only within buildings existing on site as of the date of passage of this Bylaw:

Accessory food services
Amphitheatres
Amusement arcades
Athletic and recreational facilities
Coliseum
Drinking establishments
Entertainment establishments
Financial institutions
Flea markets
Gaming establishments – bingo
Gaming establishments – casino
Grocery stores
Hotels and motels
Laboratories
Livestock accommodation
Offices
Outdoor cafes
Parking areas and parking structures
Personal service businesses
Power generation facility, small-scale

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Private clubs and organizations
Public and quasi-public buildings
Restaurants – food services only
Restaurants – licensed
Retail stores
Schools – commercial
Schools – private
Signs – Class 1
Signs – Class 2
Special function tents (commercial)
Special function tents (recreational)
Take-out food services
Trade and exhibition facilities
Utility buildings

- (iii) Essential Public Services
Natural Areas
Parks & Playgrounds
Utilities

(b) Discretionary Uses

- (i) Those uses listed as Permitted in Section C 1(a) shall be Discretionary Uses within proposed buildings.

- (ii) The following shall be Discretionary Uses:

Billiard parlours
Child care facilities
Dwelling units
Drive-in or drive-through facilities
Home occupations – Class 1
Home occupations – Class 2
Liquor stores
Mechanical reproduction and printing establishments

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Medical clinics
Motion picture production facilities
Power generation facilities, mid-scale
Radio and television studios
Retail food stores

- (iii) Discretionary Uses that are also listed as Permitted Uses shall not be refused by the Approving Authority on the grounds of use.

- (c) Development Rules

- (i) The General Rules for All Sites contained in Section D herein and the General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 shall apply to all uses, the Permitted Use Rules of the C-3 General Commercial District contained in Section 37 of Bylaw 2P80 shall apply to all Permitted Uses, and the Discretionary Use Rules of the C-3 General Commercial District contained in Section 37 of Bylaw 2P80 shall apply to all Discretionary Uses; and
- (ii) Notwithstanding subparagraph (i), where any of these rules conflict, the General Rules for All Sites contained in Section D herein shall prevail.

- 2) **Site 1(a) 1.7 ha ± (4 ac ±)**

- (a) Permitted and Discretionary Uses

The Permitted and Discretionary Uses of the PE Public Park, School and Recreation District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively.

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- (b) Development Rules
 - (i) The General Rules for All Sites contained in Section D herein and the General Rules for Special Districts contained in Section 48 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules contained in Section 51 PE Public Park, School and Recreation District of Bylaw 2P80 shall apply to the Permitted Uses and the Discretionary Use Rules contained in Section 51 PE Public Park, School and Recreation District of Bylaw 2P80 shall apply to the Discretionary Uses; and
 - (ii) Notwithstanding subparagraph (i), where any of these rules conflict, the General Rules for All Sites contained in Section D herein shall prevail.
- 3) **Site 2 32.5 ha ± (80 ac ±)**
 - (a) Permitted Uses
 - (i) Uses existing or approved by a development permit that is valid and subsisting prior to the date of passage of this Bylaw shall be permitted only within buildings existing on site as of the date of passage of this bylaw. .
 - (ii) The following shall be Permitted Uses:
 - Accessory uses
 - Essential public services
 - Extensive agricultural uses
 - Parks and playgrounds
 - Power generation facility, small-scale
 - Signs – Class 1
 - Utilities

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- (iii) The following shall be Permitted Uses provided that no part of the building or area of land within which the use is located falls within 30 metres of the eastern, southern or western perimeter boundary of Site 2 or within 30 metres of the top of bank of the Elbow River:

Amphitheatres
Athletic and recreational facilities
Commercial radio and television transmitting stations
Drinking establishments
Gaming establishments – bingo
Grocery stores
Home occupations – Class 2
Hotels and motels
Intensive agricultural uses
Kennels
Laboratories
Livestock accommodation
Motion picture production facilities
Outdoor cafes
Parking areas and parking structures
Power generation facilities, mid-scale
Private clubs and organizations
Public and quasi-public buildings
Restaurants – food services only
Restaurants – licensed
Retail stores
Schools – commercial
Schools – private
Signs – Class 2
Special function tents (commercial)
Special function tents (recreational)
Trade and exhibition facilities
Training and educational facilities
Utility buildings
Veterinary clinics

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- (iii) The following shall be Permitted Uses provided that no part of the building or area of land within which the use is located
- (b) Discretionary Uses
 - (i) Those uses listed in Section C 3) (a) (iii) as Permitted Uses shall be Discretionary where any part of the building or area of land within which the use is located falls within 30 metres of the eastern, southern or western perimeter boundary of Site 2 or within 30 metres of the top of bank of the Elbow River;
 - (ii) Discretionary Uses that are also listed as Permitted Uses shall not be refused by the Approving Authority on the grounds of use.
- (c) Development Rules
 - (i) The General Rules for All Sites contained in Section D herein and the General Rules for Special Districts contained in Section 48 of Bylaw 2P80 shall apply to all uses, the Permitted Use Rules of the A Agricultural and Open Space District contained in Section 49 of Bylaw 2P80 shall apply to all Permitted Uses, and the Discretionary Use Rules of the A Agricultural and Open Space District contained in Section 49 of Bylaw 2P80 shall apply to all Discretionary Uses.
 - (ii) Notwithstanding subparagraph (i), where any of these rules conflict, the General Rules for All Sites contained in Section D herein shall prevail.

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- 4) **Site 3 5 ha ± (12.5 ac ±)**
- (a) Permitted Uses
- (i) Uses existing or approved by a development permit that is valid and subsisting prior to the date of passage of this Bylaw shall be permitted only within buildings existing on site as of the date of passage of this bylaw. .
- (ii) The following shall be Permitted Uses:
- Indian village
 - Natural areas
 - Parks and recreation areas
 - Power generation facilities, small-scale
 - Restaurants – food services only
 - Signs – Class 1
 - Special function tents (restricted use)
 - Special function tents (recreational)
 - Utilities
- (b) Discretionary Uses
- (i) The following shall be Discretionary Uses:
- Ancillary commercial uses
 - Private clubs and organizations
 - Public and quasi-public buildings
 - Restaurants – licensed
 - Utility buildings
- (c) Development Rules
- The General Rules for All Sites contained in Section D herein and the General Rules for Special Districts contained in Section 48 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules contained in Section 51 PE Public Park, School and Recreation District of Bylaw 2P80 shall apply to the Permitted Uses and the Discretionary Use Rules contained in Section 51 PE Public Park, School and Recreation District of Bylaw 2P80 shall apply to the Discretionary Uses, except that:

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- (i) The maximum height of a building shall be two storeys not exceeding an overall height of 10 metres;
 - (ii) The maximum net floor area for 'Restaurants – food services only' and 'Restaurants – licensed' shall be 75 square metres, excluding kitchen area; and
 - (iii) Notwithstanding the foregoing, where any of these rules conflict, the General Rules for All Sites contained in Section D herein shall prevail.
- (d) Special Function Tents
- (i) Special Function Tents shall not be in place for more than 90 cumulative days on each site in any one calendar year.
 - (ii) Once the 90 day maximum referred to in sub-paragraph (a) has been reached, no Special Function Tent shall be located on site for the remainder of the calendar year.
 - (iii) The time to erect and dismantle the Special Function Tents shall be included in the calculation of the 90 cumulative days.
 - (iv) Special Function Tents shall not be occupied for more than 60 cumulative days on each site in any one calendar year.
 - (v) The total gross floor area of Special Function Tents located on Site 3 at any given time shall not exceed 2,000 square
 - (vi) For clarification, teepees shall not be considered to be Special Function Tents.
- 5) **Site 4 7.4 ha ± (18 ac ±)**
- (a) Permitted Uses
 - (i) Uses existing or approved by a development permit that is valid and subsisting prior to the date of passage of this Bylaw

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shall be permitted only within buildings existing on site as of the date of passage of this bylaw. .

- (ii) The following shall be Permitted Uses:

Natural areas
Parks and recreation areas
Utilities

- (b) Discretionary Uses

Utility buildings

- (c) Development Rules

- (i) The General Rules for All Sites contained in Section D herein and the General Rules for Special Districts contained in

Section 48 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules contained in Section 51 PE Public Park, School and Recreation District of Bylaw 2P80 shall apply to the Permitted Uses and the Discretionary Use Rules contained in Section 51 PE Public Park, School and Recreation District of Bylaw 2P80 shall apply to the Discretionary Uses.

- (ii) Notwithstanding subparagraph (i), where any of these rules conflict, the General Rules for All Sites contained in Section D herein shall prevail.

- 6) **Site 4(a) 2.7 ha ± (6.6 ac ±)**

- (a) Permitted Uses

- (i) Uses existing or approved by a development permit that is valid and subsisting prior to the date of passage of this Bylaw shall be permitted only within buildings existing on site as of the date of passage of this bylaw. .

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- (ii) The following shall be Permitted Uses:
 - Natural areas
 - Parks and recreation areas
 - Utilities
 - Utility buildings
- (b) Discretionary Uses
 - Laboratories
 - Livestock accommodation
 - Training and educational facilities
 - Veterinary clinics
- (c) Development Rules
 - (i) The General Rules for All Sites contained in Section D herein and the General Rules for Special Districts contained in Section 48 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules contained in Section 51 PE Public Park, School and Recreation District of Bylaw 2P80 shall apply to the Permitted Uses and the Discretionary Use Rules contained in Section 51 PE Public Park, School and Recreation District of Bylaw 2P80 shall apply to the Discretionary Uses.
 - (ii) Notwithstanding subparagraph (i), where any of these rules conflict, the General Rules for All Sites contained in Section D herein shall prevail.
- 7) **Site 5 5.3 ha ± (13 ac ±)**
 - (a) Permitted Uses
 - (i) Uses existing or approved by a development permit that is valid and subsisting prior to the date of passage of this Bylaw shall be permitted only within buildings existing on site as of the date of passage of this bylaw. .

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- (ii) The following shall be Permitted Uses:

- Accessory food services
- Accessory uses
- Ancillary commercial uses
- Essential public services
- Greenhouses and nurseries
- Kennels
- Livestock accommodation
- Offices
- Outdoor cafes
- Parking areas and structures
- Power generation facilities, small scale
- Recreational vehicle campgrounds
- Signs – Class 1
- Special function tents – commercial
- Storage areas
- Utilities
- Veterinary clinics
- Warehouses

- (b) Discretionary Uses

- Cleaning, servicing, testing or repairing
- Laboratories

- (c) Development Rules

- (i) The General Rules for All Sites contained in Section D herein and the General Rules for Industrial Districts contained in Section 43 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules of the I-2 General Light Industrial District contained in Section 45 of Bylaw 2P80 shall apply to the Permitted Uses and the Discretionary Use Rules of the I-2 General Light Industrial District contained in Section 45 of Bylaw 2P80 shall apply to the Discretionary Uses.

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- (ii) Notwithstanding subparagraph (i), where any of these rules conflict, the General Rules for All Sites contained in Section D herein shall prevail.
- 8) **Site 6 4.3 ha ± (10.7 ac ±)**
- (a) Permitted Uses
 - (i) Uses existing or approved by a development permit that is valid and subsisting prior to the date of passage of this Bylaw shall be permitted only within buildings existing on site as of the date of passage of this bylaw.
 - (ii) The following shall be Permitted Uses only within buildings existing on site as of the date of passage of this Bylaw:
 - Accessory food services
 - Amphitheatres
 - Amusement arcades
 - Athletic and recreational facilities
 - Drinking establishments
 - Entertainment establishments
 - Financial institutions
 - Flea markets
 - Grocery stores
 - Home occupations – Class 1
 - Home occupations – Class 2
 - Hotels and motels
 - Laboratories
 - Livestock accommodation
 - Offices
 - Outdoor cafes
 - Parking areas and parking structures
 - Personal service businesses
 - Power generation facilities, small-scale
 - Private clubs and organizations
 - Public and quasi-public buildings
 - Restaurants – food services only

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Restaurants – licensed
Retail food stores
Retail store
Schools – commercial
Schools – private
Signs – Class 1
Signs – Class 2
Special function tents (commercial)
Special function tents (recreational)
Take-out food services
Trade and exhibition facilities
Utility buildings

- (iii) Essential public services
Parks and playgrounds
Utilities

(b) Discretionary Uses

- (i) Those uses that are permitted in existing buildings in Section C 8) a) shall be Discretionary Uses within proposed buildings.
- (ii) The following shall be Discretionary Uses:

Billiard parlours
Child care facilities
Drive-in and drive-through facilities
Dwelling units
Liquor stores
Mechanical reproduction and printing establishments
Medical clinics
Motion picture production facilities
Power generation facilities, mid-scale
Radio and television studios
Veterinary clinics

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- (iii) Discretionary Uses that are also listed as Permitted Uses shall not be refused by the Approving Authority on the grounds of use.

- (c) Development Rules

The General Rules for All Sites contained in Section D herein and the General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules contained in Section 38 C-4 General Commercial District of Bylaw 2P80 shall apply to the Permitted Uses and the Discretionary Use Rules contained in Section 38 C-4 General Commercial District of Bylaw 2P80 shall apply to the Discretionary Uses, except that:

- (i) The maximum height of any building west of 3 Street SE shall be 46 metres;
- (ii) The maximum height of any building east of 3 Street SE shall be 20 metres; and
- (iii) Notwithstanding the foregoing, where any of these rules conflict, the General Rules for All Sites contained in Section D herein shall prevail.

D. GENERAL RULES FOR ALL SITES

- 1) Concept Plan

- (a) Definition

The Concept Plan is a long-range, conceptual and physical development framework for the evolution of Stampede Park as a year-round multi-use facility in a park like setting. The Concept Plan addresses the integration of a range of compatible uses and ensures that these uses function efficiently and take account of the community context, the river valley environment and the cultural heritage of the

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site. The concept plan shall be prepared by the applicant for any development permit as outlined below.

(b) Approval and Effect

The applicant for any development permit shall submit a Concept Plan for the entire DC District to accompany and form part of the application and the applicant shall ensure and certify to the Approving Authority the compatibility of the development permit application and the concept plan. The Approving Authority shall require a comprehensive Concept Plan for review at the time of the first development permit application following approval of this bylaw and shall require amendments to the Concept Plan, where required to respond to changing conditions, at the time each subsequent development permit application is considered.

(c) Scope

The Concept Plan shall include detailed concepts with respect to:

- (i) Development phasing, including interim uses and landscaping treatment of sites prior to full development;
- (ii) Landscaping;
- (iii) Pedestrian, cyclist and vehicular circulation and transportation infrastructure proposals to improve access and provide pedestrian, cyclist and transit connectivity to adjacent lands;
- (iv) Regional pathways in accordance with the Pathway & Bikeway Plan Technical Report (2000) and Implementation Plan (2001);
- (v) Pedestrian and bicycle access from the regional pathways to major facilities within the DC District;

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- (vi) Parking for vehicles, including bicycle parking in accordance with City standards;
 - (vii) Options for mitigation of the potential impact of development on archaeological and historical resources, including potential heritage buildings and sites;
 - (viii) Relationships with the adjacent communities and co-ordination with plans for adjacent areas, including the Beltline Ramsay and Centre City plans;
 - (ix) Edge conditions and interface between sites adjacent to or abutting the boundary of this Direct Control District and all adjoining properties; and
 - (x) Floodway and floodplain guidelines.
- 2) Elbow River Environment
- (a) Riparian Environment

Where possible provision shall be made for the protection and enhancement of the environment alongside the river, below the top of bank, including but not limited to the natural interface of the riparian and aquatic habitats.
 - (b) Regional Pathway
 - (i) Any development along the eastern / southern edge of the river, above the top of bank, shall make provision for a continuous pathway to form part of the regional pathway system; and
 - (ii) A pathway along the western / northern edge of the river, above the top of bank, may be provided to form part of the

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regional pathway system, subject to ensuring a safe separation between people and animals in this area and consultation with Horse Racing Alberta, the community and other affected stakeholders.

- (c) Floodway, Floodplain and Overland Flow Area

Section 19.1 of Land Use Bylaw 2P80 shall apply to the floodway, floodplain and overland flow area.

- (d) In all sites except for Site 2, buildings, excluding teepees, within which the use is located, shall be set back a minimum of 30 metres from the top of bank of the Elbow River.