

**BYLAW NUMBER 168D2015**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2014-0143)**

\*\*\*\*\*

**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 \_\_\_\_\_, 2015.

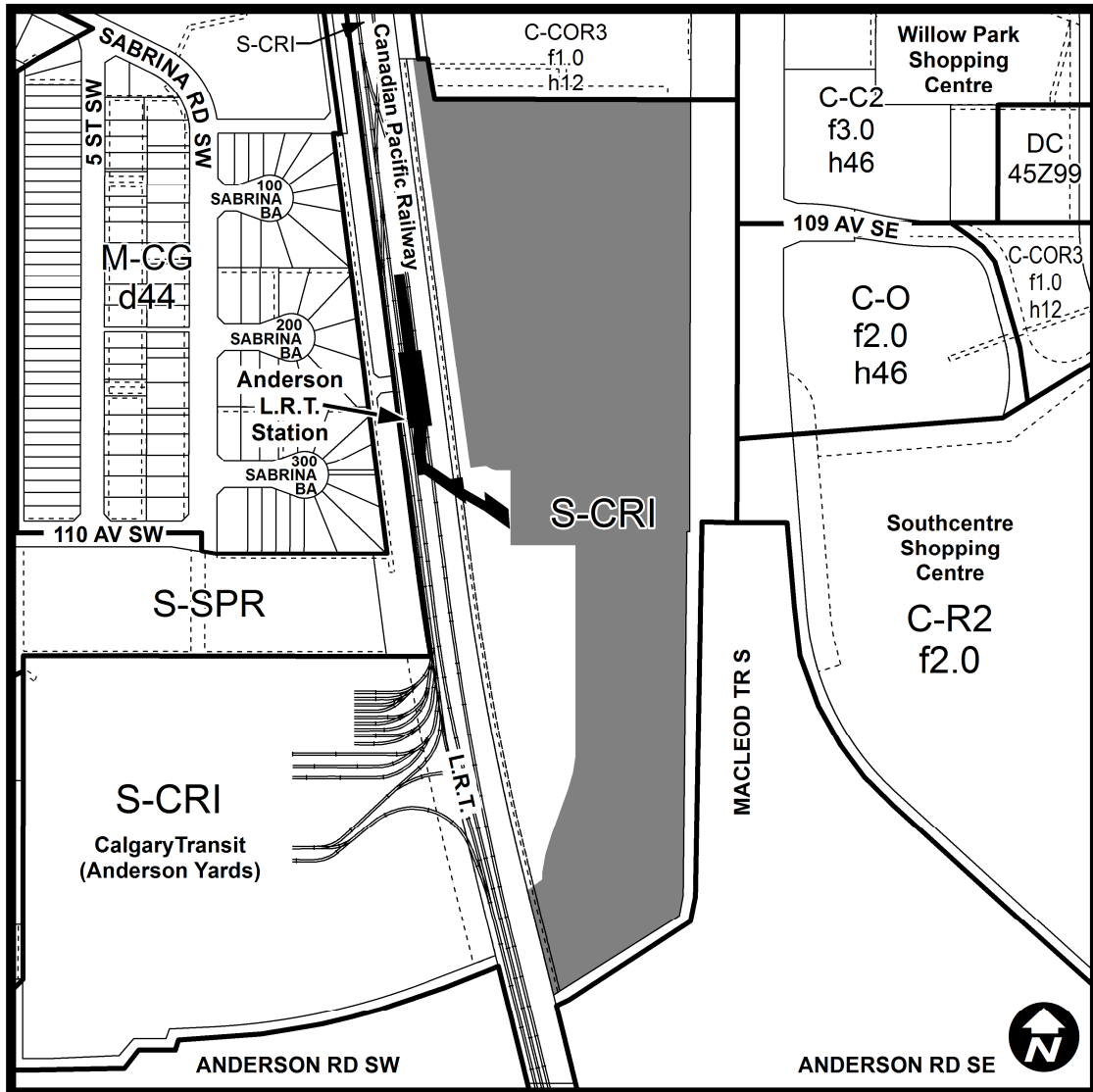
READ A SECOND TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

READ A THIRD TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR  
SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

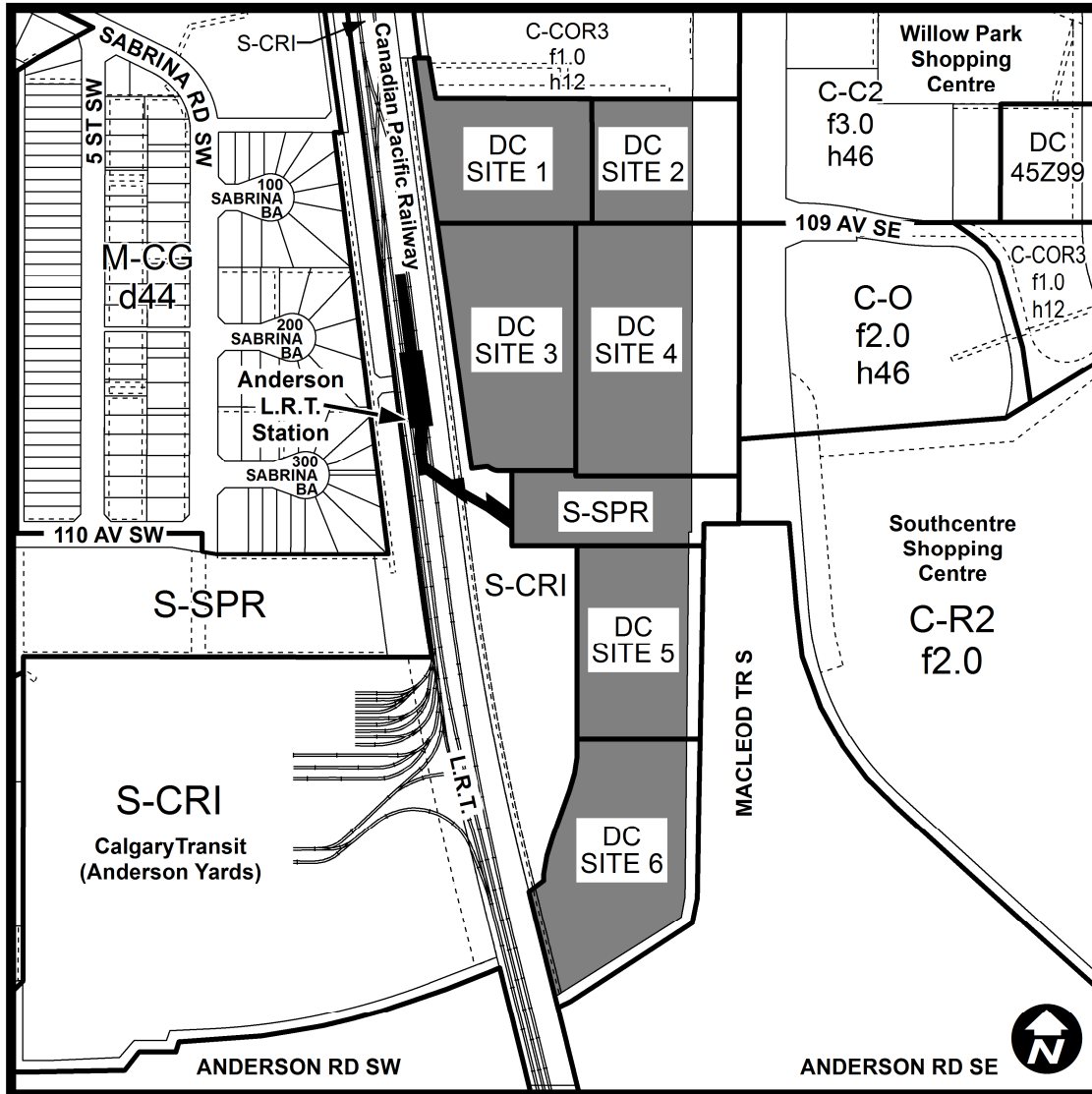
\_\_\_\_\_  
CITY CLERK  
SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

**SCHEDULE A**



PROPOSED

**SCHEDULE B**



**DC DIRECT CONTROL DISTRICT**

PROPOSED

## Purpose

- 1 This Direct Control District is intended to accommodate:
- (a) Transit Oriented Development that offers a mix of **uses** within close proximity to Anderson LRT Station;
  - (b) mid to high rise **development** with active **street** oriented **uses** in strategic locations;
  - (c) flexibility in the location of **uses** within **buildings**;
  - (d) varying **building density** established through maximum **floor area ratios** for individual sites;
  - (e) varying **building height** established through maximum and minimum **building height** for individual sites;
  - (f) a parking structure for transit users; and
  - (g) the potential for a shared parking strategy that accommodates centralized parking facilities.

## 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.

## General Definition

- 4 In this Direct Control District,
- (a) "**commercial uses**" means the listed uses in the Commercial Corridor 1 (C-COR1) District of Bylaw 1P2007 and sections 5 and 6 of this Direct Control District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit and Residential Care**.

## Defined Uses

- 5 (a) "**Temporary Sales Centre**"
- (i) means a **use**:
    - (i) where residential **units** or space for **commercial uses** is offered for sale to the public;
    - (ii) that may include a sales **office** and displays of materials used in the construction of new units or space for **commercial uses**;
    - (iii) that occurs in a temporary **building** or in a space within a new **building** that is temporarily modified to accommodate the **use**.

- (ii) that must not operate for longer than (4) years;
- (iii) that does not require **motor vehicle parking stalls**; and
- (iv) that does not require **bicycle parking stalls – class 1 or class 2**.

#### Permitted Uses

**6** 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

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

(a) with the addition of:

- (i) **Community Entrance Feature;**
- (ii) **Food Kiosk;**
- (iii) **Market;**
- (iv) **Multi-Residential Development;**
- (v) **Power Generation Facility – Medium;**
- (vi) **Restaurant: Food Service Only – Large;**
- (vii) **Restaurant: Licensed – Large; and**
- (viii) **Temporary Sales Centre; and**

(b) with the exclusion of:

- (i) **Parking Lot – Grade.**

#### Bylaw 1P2007 District Rules

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

#### Building Orientation

- 9**
- (1) The main **public entrance** to a **building** must face the **property line** shared with a **street**.
  - (2) Each at **grade use** facing a **street** must have an individual, direct access to the **use** from the **building** exterior and such access must face the **street**.
  - (3) Lobbies or entrances for upper floor **uses** must not occupy more than 35.0 per cent of the at **grade** façade facing a **street**. This percentage does not include the portion of the façade dedicated to underground parking and loading entrances.

#### Building Design

**10** (1) All **buildings** must comply with the following general requirements:

- (a) The minimum height of the ground floor of a **building** is 4.0 metres as

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- measured vertically from the floor to the ceiling.
- (b) A **Dwelling Unit** with any portion of its floor area located on the floor closest to **grade** must have an individual, separate, direct access to **grade**.

**Use Area**

- 11** (1) Unless otherwise referenced in subsection (3), the maximum **use area** for **uses** on the ground floor of **buildings** is 465.0 square metres.
- (2) There is no maximum **use area** requirement for **uses** located on upper floors.
- (3) The maximum **use area** for the following **uses**, when they are located on the ground floor of **buildings** is:
- (a) **Catering Service – Minor**, or a **Catering Service – Major** combined with any other **use**, is 300.0 square metres;
  - (b) **Cinema**, or a **Cinema** combined with any other **use**, is 550.0 square metres;
  - (c) **Supermarket**, or a **Supermarket** combined with any other **use**, is 5,500 square metres.
- (4) The following **uses** do not have a **use area** restriction on the ground floor of **buildings**:
- (a) **Assisted Living**;
  - (b) **Hotel**;
  - (c) **Multi-Residential Development**;
  - (e) **Parking Lot – Structure**;
  - (f) **Protective and Emergency Service**;
  - (g) **Residential Care**; and
  - (h) **Utility Building**.
- (5) An **Office** does not have a **use area** restriction on the ground floor of **buildings** provided that it does not exceed 50.0 per cent of the at **grade** façade adjacent to a **street** excluding Macleod Trail.
- (6) The **Development Authority** may relax the **use area** rules in this section, provided the test for relaxations as set out in Land Use Bylaw 1P2007 is met.

**Location of Uses within Buildings**

- 12** (1) The following **uses** must not be located on the ground floor of **buildings**:
- (a) **Place of Worship – Small**; and
  - (b) **Post-secondary Learning Institution**.
- (2) Unless otherwise referenced in sections 26, 29 and 33, there is no minimum **gross floor area** requirement for **Commercial Uses** in **buildings**.
- (3) **Commercial Uses** 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 and Residential Care.**
- (4) The **Development Authority** may consider a relaxation of the location of **uses** within **buildings** due to unique circumstances, location or **use** characteristics provided the test for relaxations as set out in Land Use Bylaw 1P2007 is met.

#### **Setback Areas**

- 13** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 13.

#### **Building Setbacks**

- 14** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** for **parcels** sharing a **property line** with a **street** is 0.0 metres.
- (2) The minimum **building setback** for a **property line** shared with Macleod Trail S is 6.0 metres.
- (3) The minimum **building setback** for a **property line** shared with a **LRT corridor** is 0.0 metres.
- (4) The minimum **building setback** for a **property line** shared with Plan 0211890, Block 1, Lot 1 is 3.0 metres.
- (5) The minimum **building setback** for a **property line** shared with a **parcel** designated as a **special purpose district** is 6.0 metres.
- (6) The minimum **building setback** for a **property line** shared with a **parcel** designated with this Direct Control District is 0.0 metres.
- (7) Unless otherwise referenced in subsection (8), the maximum **building setback** for a **property line** shared with a **street** is 3.0 metres.
- (8) There is no maximum **building setback** for a **property line** shared with Macleod Trail S and Anderson Road S.

#### **Landscaping In Setback Areas**

- 15** All **setback areas** must be landscaped with either a **hard surfaced landscaped area** or a **soft surfaced landscaped area**, or a combination of both.

#### **Required Motor Vehicle Parking Stalls**

- 16** The maximum number of **motor vehicle parking stalls**:
- (a) for an **Office**, when located on floors above the ground floor is:
    - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and

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- (ii) the cumulative number of stalls referenced in subsection (i) are reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
- (b) for a **Retail and Consumer Service** is:
  - (i) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
  - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
  - (iii) where **Retail and Consumer Service uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 3.0 stalls; and
- (c) for a **Child Care Service, Drinking Establishment – Medium, Dwelling Unit, Hotel, Library, Restaurant: Food Service Only – Medium, Restaurant: Licensed – Medium, and Seasonal Sales Area** is the minimum requirement referenced in Part 4 of Bylaw 1P2007.
- (d) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small, and Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**;
- (e) for a **Parking Lot – Structure** solely for the users of the **Public Transit System** there is no maximum; and
- (f) for all other **uses** is 2.0 stalls per 100.0 square metres of **gross usable floor area**.

**Additional Motor Vehicle Parking Requirements**

- 17
- (1) **Motor vehicle parking stalls** must not be located between a **building** and a **street**.
  - (2) **Motor vehicle parking stalls** must not be located between a **building** and a **special purpose district**.
  - (3) **Parking Lot - Structures** may be provided above **grade** and must be screened from a **street**.
  - (4) **Parking Lot - Structures** above **grade** must contain an intervening **use** along the at-grade façade of a **building** adjacent to a **street**.

**Centralized Motor Vehicle Parking**

- 18 **Motor vehicle parking stalls** and **bicycle parking stalls** required for **uses** in this Direct Control District may be shared and supplied on any one **parcel** or combination of **parcels** on Sites 3 and 4.

**Site 1 (0.60 ha/1.48 ac)**

- 19 The provisions in sections 20 through 22 apply only to Site 1.



**Floor Area Ratio**

20 (1) The maximum **floor area ratio** is 4.5.

**Building Height and Cross Section**

21 (1) The minimum **building height** is 12.0 metres.

(2) Unless otherwise referenced in subsection (3), the maximum **building height** is 26.0 metres.

(3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:

(a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**; and

(b) 26.0 metres measured from **grade** at a distance greater than 5.0 metres of that shared **property line**.

22 Section 17(4) does not apply to the **property line** shared with Southport Way SW.

**Site 2 (0.41 ha/1.01 ac)**

23 The provisions in sections 24 through 25 apply only to Site 2.

**Floor Area Ratio**

24 The maximum **floor area ratio** is 4.5.

**Building Height and Cross Section**

25 (1) The minimum **building height** is 12.0 metres.

(2) Unless otherwise referenced in subsection (3), the maximum **building height** is 42.0 metres.

(3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:

(a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**; and

(b) 42.0 metres measured from **grade** at a distance greater than 5.0 metres of that shared **property line**.

**Site 3 (0.85 ha/2.10 ac)**

26 The provisions in sections 27 through 28 apply only to Site 3.

**Floor Area Ratio**

27 (1) The maximum **floor area ratio** is 3.5.

- (2) A minimum of 20.0 per cent of the **gross floor area** of **buildings** must contain **commercial uses**.

**Building Height and Cross Section**

- 28 (1) The minimum **building height** is 12.0 metres.  
(2) Unless otherwise referenced in subsection (3), the maximum **building height** is 26.0 metres.  
(3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:  
(a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**; and  
(b) 26.0 metres measured from **grade** at a distance greater than 5.0 metres of that shared **property line**.

**Site 4 (0.87 ha/2.15 ac)**

- 29 The provisions in sections 30 through 31 apply only to Site 4.

**Floor Area Ratio**

- 30 (1) The maximum **floor area ratio** is 5.0.  
(2) A minimum of 20.0 per cent of the **gross floor area** of **buildings** must contain **commercial uses**.

**Building Height and Cross Section**

- 31 (1) The minimum **building height** is 12.0 metres.  
(2) Unless otherwise referenced in subsection (3), the maximum **building height** is 42.0 metres.  
(3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:  
(a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**;  
(b) 42.0 metres measured from **grade** at a distance greater than 5.0 metres from that shared **property line**.

**Site 5 (0.76 ha/1.88 ac)**

- 32 The provisions in sections 33 through 35 apply only to Site 5.

**Floor Area Ratio**

- 33 The maximum **floor area ratio** is 5.0.

**Use Area**

- 34 In addition to the **use area** rules specified in section 10 of this Direct Control District, the following shall apply to Site 5:

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- (a) For **buildings** located **adjacent** to a **parcel** designated as Special Purpose – School, Park and Community Reserve (S-SPR), a minimum of 300.0 square metres of **floor area** must be allocated to **commercial uses** located at **grade** and facing the **parcel** designated as Special Purpose – School, Park and Community Reserve (S-SPR).

**Building Height and Cross Section**

- 35** (1) The minimum **building height** is 12.0 metres.
- (2) Unless otherwise referenced in subsection (3), the maximum **building height** is 50.0 metres.
- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**;
- (b) 50.0 metres measured from **grade** at a distance greater than 5.0 metres from that shared **property line**.
- (4) Where a **parcel** shares a northern **property line** with a **parcel** designated as a **special purpose district**, the maximum **building height** is:
- (a) 12.5 metres measured from **grade** within 12.0 metres of that shared **property line**;
- (b) 20.5 metres measured from **grade** between 12.0 metres and 30.0 metres from that shared **property line**; and
- (c) 50.0 metres measured from **grade** at a distance greater than 30.0 metres from that shared **property line**.
- (5) Where a **parcel** shares a southern **property line** with a **parcel** designated as a **special purpose district**, the maximum **building height** is:
- (a) 12.5 metres measured from **grade** within 8.0 metres of that shared **property line**; and
- (b) 50.0 metres measured from **grade** at a distance greater than 8.0 metres from that shared **property line**.

**Site 6 (0.80 ha/1.98 ac)**

- 36** The provisions in sections 37 through 38 apply only to Site 6.

**Floor Area Ratio**

- 37** The maximum **floor area ratio** is 4.5.

**Building Height and Cross Section**

- 38** (1) The minimum **building height** is 12.0 metres.

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- (2) Unless otherwise referenced in subsections (3) and (4), the maximum **building height** is 70.0 metres.
- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 12.5 metres measured from **grade** within 5.0 metres of that shared **property line**; and
  - (b) 70.0 metres measured from **grade** at a distance greater than 5.0 metres from that shared **property line**.
- (4) Where a **parcel** shares a **property line** with a **special purpose district**, the maximum **building height** is:
- (a) 12.5 metres measured from **grade** within 9.0 metres of that shared **property line**;
  - (b) 16.5 metres measured from **grade** between 9.0 metres and 70.0 metres from that shared **property line**; and
  - (c) 70.0 metres measured from **grade** at a distance greater than 70.0 metres from that shared **property line**.