

PROPOSED

CPC2023-0227
ATTACHMENT 5

BYLAW NUMBER 69D2023

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2022-0197/CPC2023-0227)**

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 replacing it with 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 ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

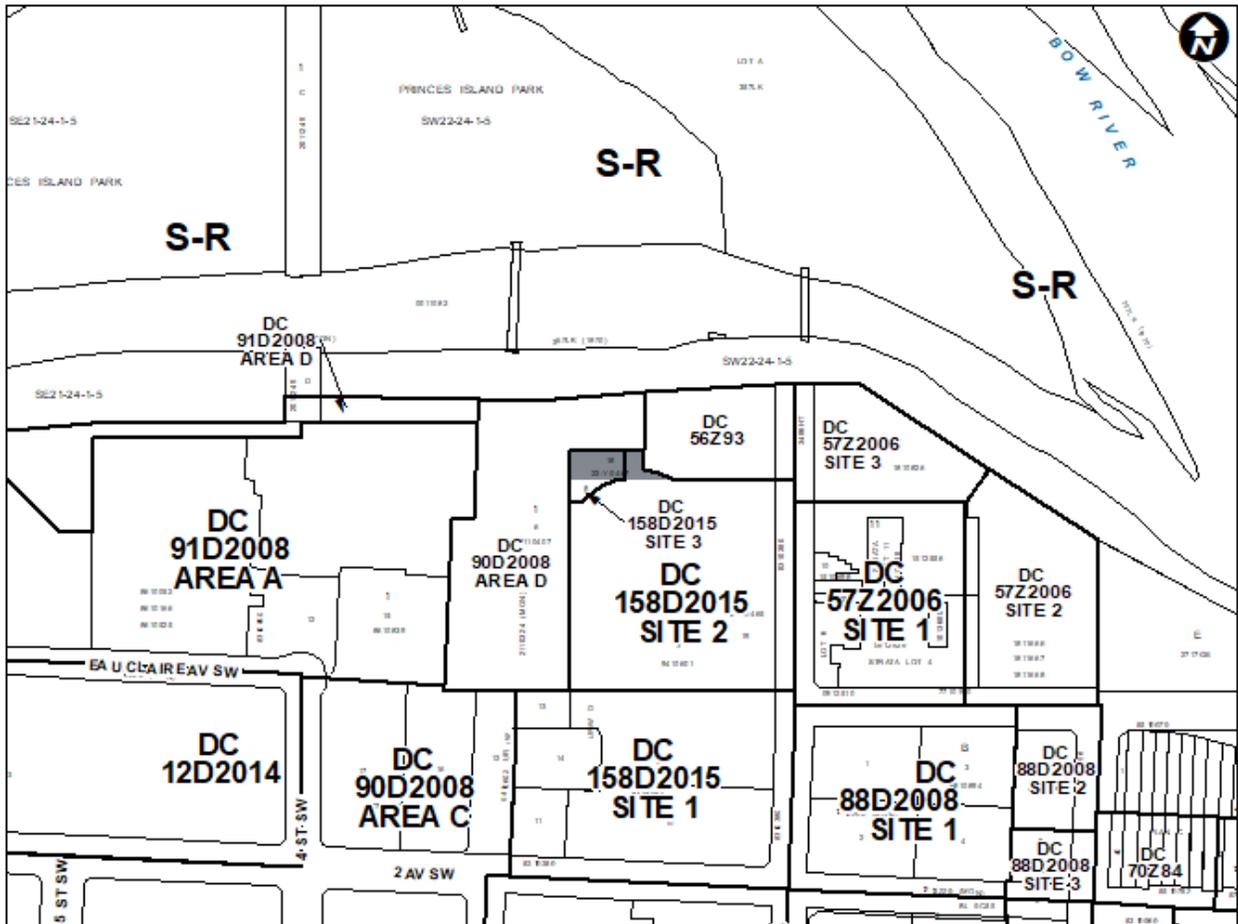
CITY CLERK

SIGNED ON _____

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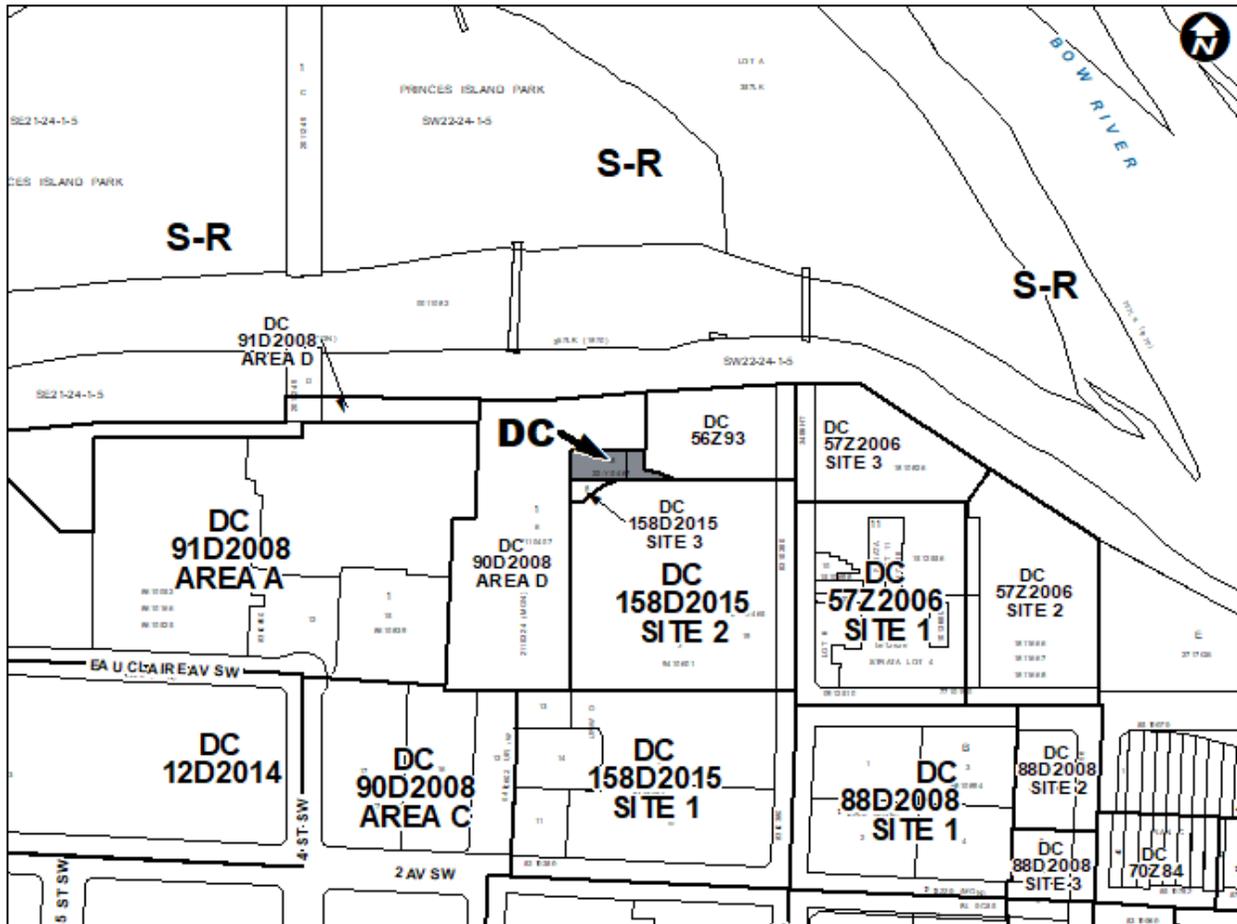
SCHEDULE A



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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) accommodate uses that are complementary to public amenity uses; and
- (b) accommodate a limited range of commercial uses and public indoor and outdoor recreation facilities for community use.

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 Bylaw.

Reference to Bylaw 1P2007

3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

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General Definitions

4 In this Direct Control District:

- (a) “**Eau Claire Plaza**” means those lands legally described, as of the date of adoption of this Direct Control District Bylaw, as Plan 8110407; Block 1; Lot 6.

Permitted Uses

5 The **permitted uses** of the Special Purpose – Community Service (S-CS) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the addition of:

- (a) **Artist’s Studio;**
- (b) **Food Kiosk;**
- (c) **Outdoor Café;**
- (d) **Restaurant: Food Service Only;** and
- (e) **Take Out Food Service.**

Discretionary Uses

6 The **discretionary uses** of the Special Purpose – Community Service (S-CS) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District:

- (a) with the addition of:
 - (i) **Accessory Food Service;**
 - (ii) **Amusement Arcade;**
 - (iii) **Brewery, Winery and Distillery;**
 - (iv) **Convenience Food Store;**
 - (v) **Drinking Establishment – Medium;**
 - (vi) **Drinking Establishment – Small;**
 - (vii) **Fitness Centre;**
 - (viii) **Restaurant – Licensed;**
 - (ix) **Retail and Consumer Service;**
 - (x) **Social Organization;**
 - (xi) **Special Function – Class 1;** and
 - (xii) **Specialty Food Store;** and
- (b) with the exclusion of:
 - (i) **Food Kiosk.**

Bylaw 1P2007 District Rules

7 Unless otherwise specified, the rules of the Special Purpose – Community Service (S-CS) District of Bylaw 1P2007 apply in this Direct Control District.

Sunlight Protection Areas

8 (1) The following sunlight protection areas must not be placed in greater shadow by a **development** as measured on September 21, at the times and locations indicated for each area, than were already existing on the date the **development permit** was applied for:

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- (a) The Riverbank (not including the Riverbank Promenade and between 3 Street and 7 Street SW): an area 20.0 metres wide abutting the southern top of bank of the Bow River, from 10:00 a.m. to 4:00 p.m., Mountain Daylight Time;
 - (b) The Riverbank Promenade (between 3 Street SW and 2 Street SW): an area 9.0 metres wide abutting the southern top of bank of the Bow River, from 10:00 a.m. to 4:00 p.m., Mountain Daylight Time;
 - (c) Barclay Parade (from the south boundary of Eau Claire Plaza to 2 Avenue SW): the westerly 8.0 metres of the right-of-way of Barclay Parade from 12:30 p.m. to 1:30 p.m., Mountain Daylight Time; and
 - (d) Barclay Parade (from the south boundary of Eau Claire Plaza to 2 Avenue SW): the easterly 8.0 metres of the right-of-way of Barclay Parade from 1:30 p.m. to 2:30 p.m., Mountain Daylight Time.
- (2) The ***Eau Claire Plaza*** must not be placed in greater shadow by a ***development*** as measured on September 21, at the times and locations indicated for each area, than were already existing on the date the ***development permit*** was applied for:
- (a) South of a line drawn parallel to and 52 metres northward from the south boundary of ***Eau Claire Plaza*** and east of a line drawn parallel to and 14.0 metres westward from the east boundary of ***Eau Claire Plaza***, from 10:00 a.m. to 12:30 p.m., Mountain Daylight Time;
 - (b) South of a line drawn parallel to and 34.0 metres northward from the south boundary of ***Eau Claire Plaza*** from 12:30 p.m. to 2:30 p.m., Mountain Daylight Time; and
 - (c) South of a line drawn parallel to and 34.0 metres northward from the south boundary of ***Eau Claire Plaza*** and east of a line drawn parallel to and 15.0 metres westward from the east boundary of ***Eau Claire Plaza***, at 2:30 p.m. to 4:00 p.m. Mountain Daylight Time.

Front, Rear and Side Setback Area

9 The minimum ***building setbacks*** are:

- (a) 0.0 metres from the north, west and east ***property line***;
- (b) 3.0 metres from the south ***property line***; and
- (c) The setback referenced in subsection (b) must remain free and clear of ***development*** or obstruction, including, but not limited to, door swings, planters, awnings, seating, and ***signs***.

Relaxations

10 The ***Development Authority*** may relax the rules contained in Section 7 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.