

PROPOSED

CPC2025-0330
ATTACHMENT 2

BYLAW NUMBER 79D2025

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (LAND USE AMENDMENT LOC2024-0224/CPC2025-0330)

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

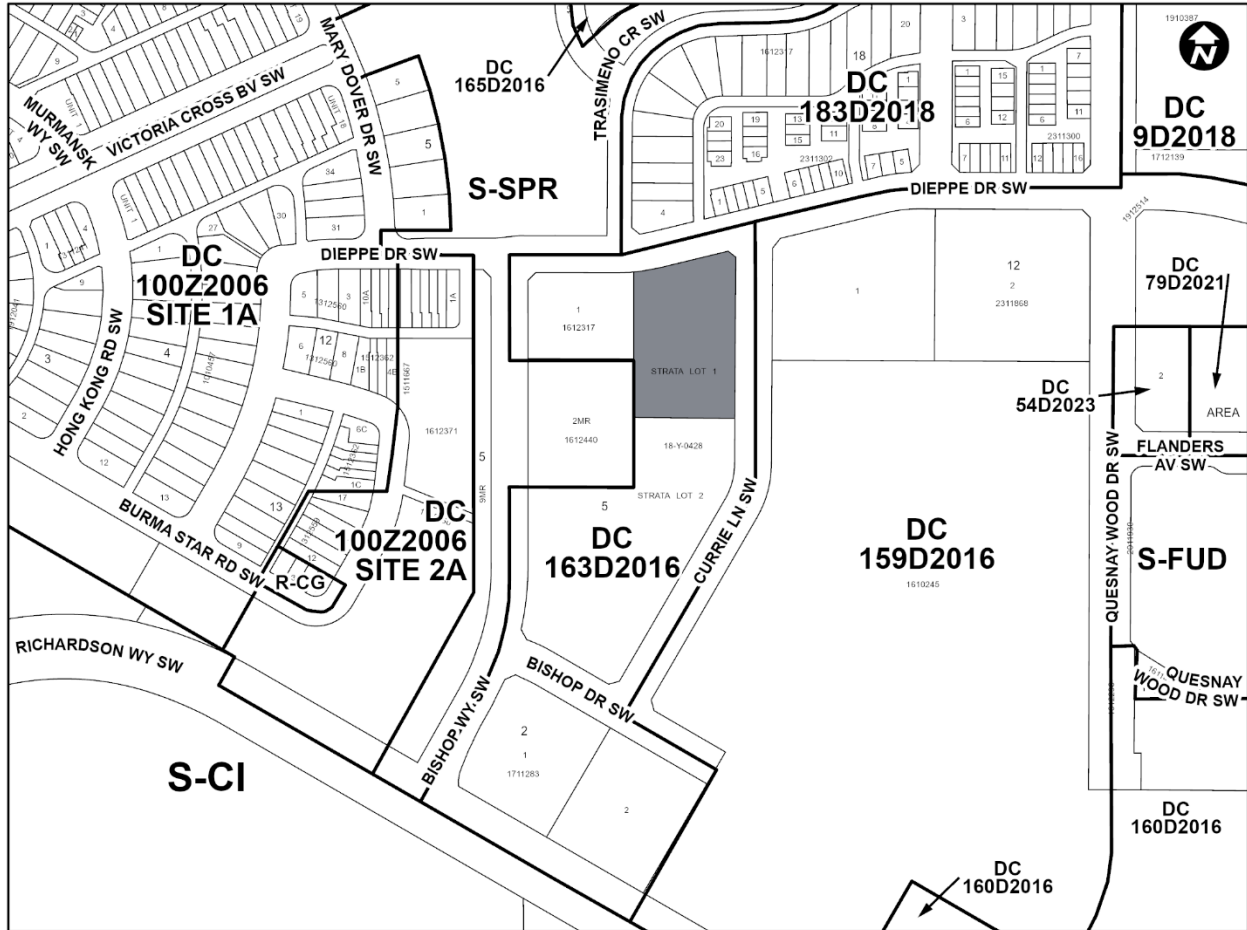
SIGNED ON _____

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SCHEDULE A

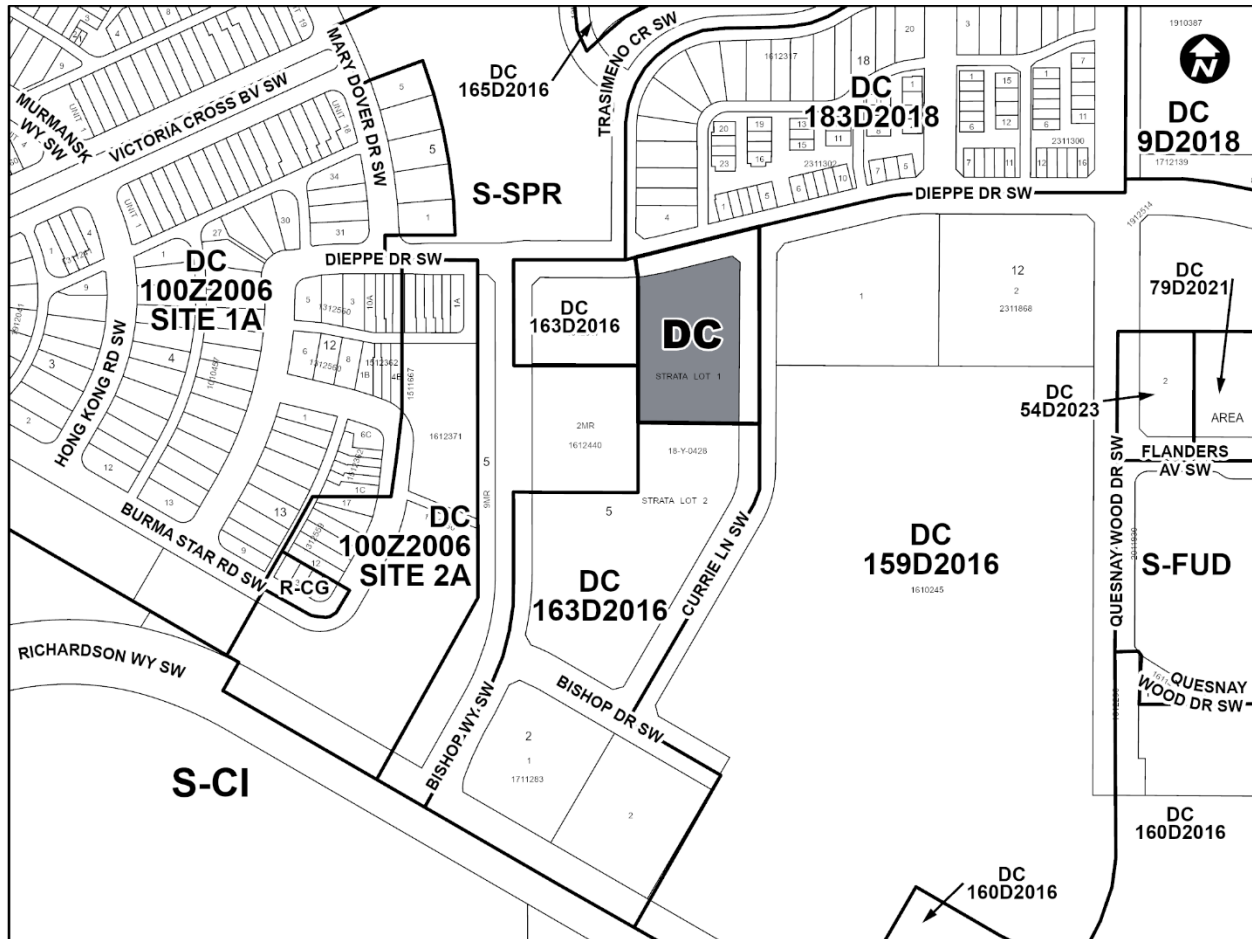


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SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) allow the redevelopment of the site in accordance with the aims of the CFB West Master Plan;
- (b) allow for a modified drive through use; and
- (c) allow for a variety of uses including commercial and multi-residential.

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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Defined Uses

4 In this Direct Control District:

- (a) **“Retail Drive Through”** means a ***use***:
 - (i) where services are provided to patrons who are in a motor vehicle; and
 - (ii) that must be approved with a **Retail and Consumer Service *use***.

Permitted Uses

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

- (a) **Accessory Residential Building;**
- (b) **Park; and**
- (c) **Protective and Emergency Service.**

Discretionary Uses

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

- (a) **Addiction Treatment;**
- (b) **Artist’s Studio;**
- (c) **Assisted Living;**
- (d) **Catering Service – Minor;**
- (e) **Child Care Service;**
- (f) **Convenience Food Store;**
- (g) **Custodial Care;**
- (h) **Dwelling Unit;**
- (i) **Financial Institution;**
- (j) **Fitness Centre;**
- (k) **Food Kiosk;**
- (l) **Health Care Service;**
- (m) **Health Services Laboratory – Without Clients;**
- (n) **Information and Service Provider;**
- (o) **Instructional Facility;**
- (p) **Live Work Unit;**
- (q) **Multi-Residential Development;**
- (r) **Office;**
- (s) **Outdoor Café;**
- (t) **Place of Worship – Small;**
- (u) **Power Generation Facility – Small;**
- (v) **Residential Care;**
- (w) **Restaurant: Food Service Only;**
- (x) **Restaurant: Licensed;**
- (y) **Retail and Consumer Service;**
- (z) **Retail Drive Through;**
- (aa) **Service Organization;**
- (bb) **Social Organization;**
- (cc) **Specialty Food Store; and**
- (dd) **Temporary Residential Sales Centre.**

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Building Height

7 The maximum **building height** in this Direct Control District is 30.0 metres.

Floor Plate Restrictions

8 The maximum **floor plate area** of each floor located partially or wholly above 26.0 metres above **grade** is 950.0 square metres, when a **building** contains **Dwelling Units, Hotel or Live Work Units**.

Building Design

9 All **buildings** fronting on a **street** must comply with the following general requirements:

- (a) the ceiling height of any non-residential **unit** on the first **storey** must be a minimum of 4.0 metres from **grade**;
- (b) the ceiling height of any residential **unit** on the first **storey** must not be less than 3.0 metres from **grade**;
- (c) a **unit** with any portion of its floor area located on the floor closest to **grade** must have an individual, separate, direct access to **grade**; and
- (d) any **unit** of the floor closest to **grade** must have a finished floor at a minimum of 0.4 metres above **grade**.

Building Setback Area

10 The minimum **building setback area** is:

- (a) 3.0 metres from Currie Lane SW or Dieppe Drive SW; and
- (b) zero metres in all other cases.

Location of Uses Within Building

11 (1) "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**.

(2) Where this section refers to "Commercial Uses", it refers to the listed uses in sections 5 and 6, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, and Residential Care**.

Retail Drive Through Rules

12 (1) A **Retail Drive Through** in this Direct Control District:

- (a) must not have outdoor speakers; and
- (b) may have a maximum of one service window.

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- (2) There may be a maximum of one **Retail Drive Through** in this Direct Control District.

Additional Retail Drive Through Rules

13 A **Retail Drive Through** in this Direct Control District:

- (a) must **screen** any drive through aisles that are **adjacent** to a residential **use**;
- (b) must not have any drive through aisles in a **setback area**;
- (c) must **fence** any drive through aisles, where necessary, to prevent access to a **lane** or **street**;
- (d) must not have pedestrian access into the **building** that crosses a drive through aisle;
- (e) must have a maximum of 3.0 vehicle stacking spaces for the purpose of queuing motor vehicles; and
- (f) does not require **bicycle parking stalls – class 1** or **class 2**.

Landscaped Area Rules

14 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.

- (2) Where changes are proposed to a **building** or **parcel**, a landscape plan must be submitted as part of each **development permit** application and must show at least the following:

- (a) the existing and proposed topography;
- (b) the existing vegetation and indicate whether it is to be retained or removed;
- (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscape areas**;
- (d) the types, species, sizes and numbers of plant material and the types of **landscaped areas**; and
- (e) details of the irrigation system.

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Specific Rules for Landscaped Areas

- 15 (1) A minimum of 20.0 per cent of the area of the **parcel** must be a **landscaped area**.
- (2) Any part of the **parcel** used for motor vehicle access, **motor vehicle parking stalls**, **loading stalls** and garbage or recycling facilities must not be included in the calculation of a **landscaped area**.
- (3) 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**.
- (4) 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 required by subsection (3); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk.
- (5) Every **building** on a **parcel** must have at least one sidewalk connecting the parking area to the **public entrances** of the **building**.
- (6) Where a sidewalk provided in satisfaction of this section is next to portion of a **building**, the sidewalk must extend along the entire length of that side of the **building**.

Planting Requirements

- 16 Any trees or shrubs provided in satisfaction of the **landscaped area** requirement must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

Low Water Irrigation System

- 17 (1) When a **low water irrigation system** is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.
- (2) When a **low water irrigation system** is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Amenity Space

- 18 (1) The required minimum **amenity space** is 5.0 square metres per **unit**.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
- (3) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the **amenity space** requirement.

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- (4) When **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per **unit** may be included to satisfy the **amenity space** requirement.
- (5) **Private amenity space** must:
- (a) be in the form of a **balcony, deck** or **patio**; and
 - (b) have no minimum dimensions less than 2.0 metres.
- (6) **Common amenity space**:
- (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**;
 - (c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres; and
 - (d) maybe located at or above **grade**.
- (7) A maximum of 50.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (8) **Common amenity space – outdoors**:
- (a) must provide a **balcony, deck** or **patio** and at least one of the following as permanent features:
 - i. a barbeque, or
 - ii. seating; and
 - iii. must be used in the calculation of the required **landscaped area** when located below 25.0 metres above **grade**.

Mechanical Screening

- 19 Mechanical systems or equipment that is located outside of a **building** shall be positioned, camouflaged, or screened from view of a **public space**, or from view of a **parcel** designated as **residential district** located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.

Garbage

- 20 Garbage containers and waste material must be stored inside a **building** that contains another approved **use**.

Recycling Facilities

- 21 Recycling facilities must be provided for every **building** containing **Dwelling Units** or **Office uses**.

Motor Vehicle Parking Stall Requirements

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- 22 (1) For **development** containing **Dwelling Units**, or **Live Work Units**, the minimum **motor vehicle parking stalls**:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 0.625 stalls for resident parking; and
 - (b) for each **Live Work Unit** is 0.1 **visitor parking stalls** per **unit**.
- (2) For **development** containing **Dwelling Units**, or **Live Work Units**, the maximum **motor vehicle parking stalls**:
- (a) for each **Dwelling Unit** or **Live Work Unit** less than 60 square metres is 1.0 stall per **unit**; and
 - (b) for each **Dwelling Unit** or **Live Work Unit** 60 square metres or greater is 2.0 stalls per **unit**; and
 - (c) for each **Dwelling Unit** or **Live Work Unit** is 0.15 **visitor parking stalls** per **unit**.
- (3) The maximum number of **motor vehicle parking stalls** for:
- (a) **Retail and Consumer Service** is 4.8 stalls per 100.0 square metres of total **gross usable floor area**;
 - (b) **Restaurant: Food Service Only**, or **Restaurant: Licensed** is 2.85 stalls per 10.0 square metres of **public area**; and
 - (c) for all other **uses**, no maximum applies.

Required Bicycle Parking Stalls

- 23 (1) The minimum number of **bicycle parking stalls – class 1** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - i. no requirement where the number of **units** is less than 20; and
 - ii. 0.5 stalls per **unit** where the total number of **units** is 20 or more; and
 - (b) all other **uses** is the minimum requirement of Part 4 of Bylaw 1P2007.

Relaxations

- 24 The **Development Authority** may relax the rules contained in Sections 7 through 11 and 13 through 23 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.