

PROPOSED

PUD2019-0452
ATTACHMENT 1

BYLAW NUMBER 42P2019

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (PUD2019-0452)

WHEREAS it is desirable to amend the Land Use Bylaw 1P2007, as amended;

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 City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:

(a) Delete Section 13(32)(a) and replace with the following:

“(a) **Artist’s Studio;**

(a.1) **Convenience Food Store;”**

(b) Delete “; and” and replace with “;” in section 25(1)(q).

(c) Delete “.” and replace with “;” in section 25(1) (r) (ii).

(d) Delete “.” and replace with “;” in section 25(1)(s).

(e) Insert the following new subsections 25(1)(t) and (u):

“(t) “pop-up uses” that comply with the rules of section 134.2; and

(u) “interim uses” that comply with the rules of section 134.3.”

(f) Insert the following new sections:

Pop-up Uses

134.2 (1) In this section and in section 25, “pop-up uses” means any one or more of the following:

(a) **Amusement Arcade;**

(b) **Artist's Studio;**

(c) **Auction Market - Other Goods;**

(d) **Billiard Parlour;**

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- (e) **Cinema;**
 - (f) **Computer Games Facility;**
 - (g) **Conference and Event Facility;**
 - (h) **Counselling Service;**
 - (i) **Fitness Centre;**
 - (j) **Indoor Recreation Facility;**
 - (k) **Information and Service Provider;**
 - (l) **Instructional Facility;**
 - (m) **Library;**
 - (n) **Market;**
 - (o) **Medical Clinic;**
 - (p) **Museum;**
 - (q) **Office;**
 - (r) **Performing Arts Centre;**
 - (s) **Pet Care Service;**
 - (t) **Print Centre;**
 - (u) **Retail and Consumer Service;**
 - (v) **Specialty Food Store;**
 - (w) **Veterinary Clinic;** and
 - (x) educational, recreational, sporting, social, and worship activity that includes, but is not limited to a wedding, circus, birthday, trade show, and ceremony.
- (2)** “Pop-up uses” may occur where:
- (a) the “pop-up uses” are located:

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- (i) in M-H1, M-H2, M-H3, M-X1, M-X2, in all **commercial districts**, in I-G, I-B, I-E, I-C, I-R, in all **mixed use districts**, in CC-MHX, CC-ET, CC-EIR, CC-EMU, CC-EPR, and CR20-C20/R20; and
- (ii) on a **parcel** designated as a Direct Control District, designated after the effective date of this Bylaw, and the Direct Control District is based on the land use districts listed in subsection (i);
- (b) the “pop-up uses” operate, excluding the time used to erect the activity, for a maximum of:
 - (i) 4 consecutive days; and
 - (ii) 50 cumulative days in a calendar year;
- (c) the **use area** is located on the ground floor of a **building** or within an enclosed shopping mall; and
- (d) outside display of merchandise related to the activity:
 - (i) is within 6.0 metres of a **public entrance**; and
 - (ii) is not located in a **setback area**, a parking area or on a sidewalk if it impedes pedestrian movement.

Interim Uses

- 134.3 (1)** In this section and in section 25, “interim uses” means any one or more of the following:
- (a) **Artist’s Studio**;
 - (b) **Information and Service Provider**;
 - (c) **Office**;
 - (d) **Print Centre**;
 - (e) **Retail and Consumer Service**; and
 - (f) **Specialty Food Store**.
- (2)** “interim uses” may occur where:
- (a) the “**Interim Uses**” are located:

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- (i) in M-H1, M-H2, M-H3, M-X1, M-X2, in all **commercial districts**, in I-B, I-E, I-C, in all **mixed use districts**, in CC-MHX, CC-ET, CC-EIR, CC-EMU, CC-EPR, and CR20-C20/R20; and
 - (ii) on a **parcel** designated as a Direct Control District, designated after the effective date of this Bylaw, and the Direct Control District is based on the land use districts listed in subsection (i);
- (b) the “interim uses” operate, excluding the time used to erect the activity, for a maximum of:
 - (i) 6 consecutive months; and
 - (ii) 6 months in a calendar year;
- (c) the **use area** is located on the ground floor of a **building** or within an enclosed shopping mall; and
- (d) outside display of merchandise related to the activity:
 - (i) is within 6.0 metres of a **public entrance**; and
 - (ii) is not located in a **setback area**, a parking area or on a sidewalk if it impedes pedestrian movement.”
- (g) Insert the following new subsection in section 232:
 - “(b.1) may display merchandise related to the **use** outside of a **building**, provided the merchandise:
 - (i) is within 6.0 metres of a **public entrance** of the **use**; and
 - (ii) is not located in a **setback area**, a parking area or on a sidewalk if it impedes pedestrian movement;”
- (h) Delete sections 232.1 and 1245(3)(aa) in their entirety.
- (i) Delete “**Market – Minor**” and replace with “**Market**” in sections 740(3)(r.1), 759(3)(t.1), 778(3)(q.1), 798(3)(z.1), 863(3)(q.1), 882(3)(p.1), 1164(3)(t.1), 1181(3)(q.1), 1255(3)(y), 1261(3)(p), 1267(3)(q), 1273(h), 1367(3)(p), and 1377(3)(v).
- (j) Insert the following new subsection in sections 637(1), 648(1), 659(1), 670(1) and 680(1):
 - “(a.1) **Artist’s Studio**;”

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- (k) Insert the following new subsection in section 702(2):
“(h.1) **Information and Service Provider;**”
- (l) Insert the following new subsection in section 703(3):
“(j.2) **Market;**”
- (m) Insert the following new subsection in section 723(3):
“(n.2) **Market;**”
- (n) Insert the following new subsection in section 814(2):
“(b.1) **Artist’s Studio;**”
- (o) Insert the following new subsection in section 829(3)(b):
“(i.1) **Artist’s Studio;**”
- (p) Delete “and” in subsection 823(3)(b)(xvi).
- (q) Insert the following new subsection in section 829(3)(b):
“(xvi.1) **Specialty Food Store; and**”
- (r) Delete Section 845(a) and replace with the following:
“(a) **Artist’s Studio;**
(a.1) **Auction Market – Other Goods;**”
- (s) Insert the following new subsection in section 845:
“(n.1) **Information and Service Provider;**”
- (t) Insert the following new subsection in section 845:
“(p.1) **Office;**”
- (u) Insert the following new subsection in section 845:
“(q.3) **Print Centre;**”
- (v) Insert the following new subsection in section 845:
“(cc.2) **Specialty Food Store;**”

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- (w) Delete Section 851 and replace with the following:
 - “(1) Only one **use area** in a **building** in the Commercial – Regional 1 District must be equal to or greater than 3600.0 square metres.
 - “(2) The maximum **use area** for an **Office** is 360.0 square metres.”
- (x) Delete subsection 862 (2) (c.1), and replace with the following:
 - “(c. 1) **Artist’s Studio**;
 - “(c.2) **Beverage Container Quick Drop Facility**.”
- (y) Delete subsection 882(3)(a) and replace with the following:
 - “(a) **Artist’s Studio**;
 - “(a.1) **Auto Service – Major**.”
- (z) Delete subsection 924(2)(a) and replace with the following:
 - “(a) **Artist’s Studio**;
 - “(a.1) **Cannabis Counseling**.”
- (aa) Insert the following new subsection in section 1133(2):
 - “(d.1) **Information and Service Provider**;
- (bb) Delete “**Market-Minor**” form Schedule A.

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2. This Bylaw comes in to force two weeks after the date of approval.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____