

BYLAW NUMBER 40D2021

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2020-0113/CPC2021-0223)**

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 APRIL 12, 2021

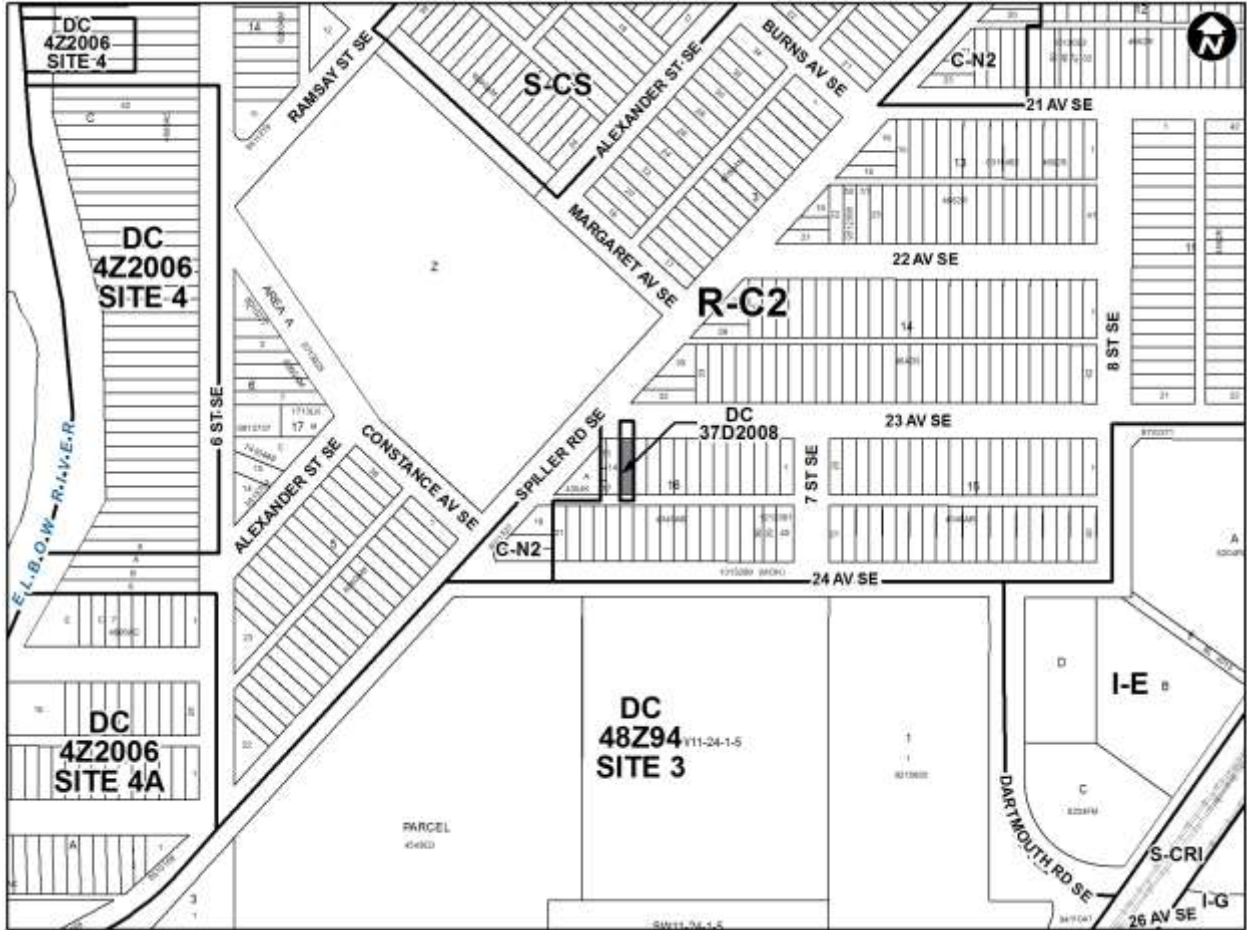
READ A SECOND TIME ON APRIL 12, 2021

READ A THIRD TIME ON APRIL 12, 2021

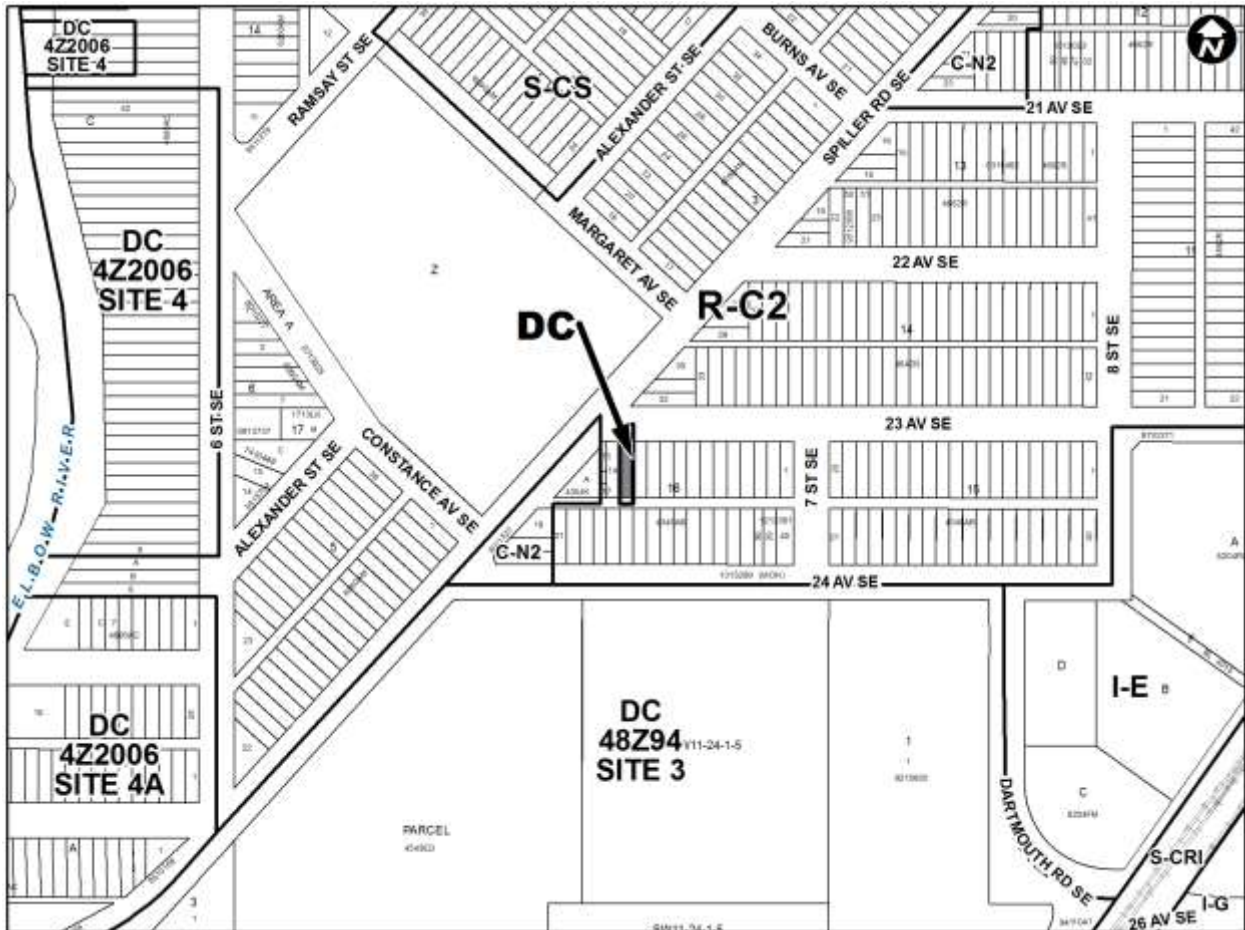
MAYOR
SIGNED ON APRIL 12, 2021

ACTING CITY CLERK
SIGNED ON APRIL 12, 2021

SCHEDULE A



SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District Bylaw is intended to support the adaptive reuse of an existing building and redevelopment of the site by accommodating residential and a range of commercial uses.

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.

Permitted Uses

4 (1) The following uses are *permitted uses* in this Direct Control District:

- (a) **Accessory Residential Building;**
- (b) **Home Based Child Care – Class 1;**
- (c) **Home Occupation – Class 1;**
- (d) **Park;**
- (e) **Sign – Class A;**
- (f) **Sign – Class B;**
- (g) **Sign – Class D; and**
- (h) **Utilities.**

(2) The following *uses* are *permitted uses* in this Direct Control District if they are located within an existing *building*:

- (a) **Accessory Food Service;**
- (b) **Artist’s Studio;**
- (c) **Convenience Food Store;**
- (d) **Counselling Service;**
- (e) **Dwelling Unit;**
- (f) **Live Work Unit;**
- (g) **Office;**
- (h) **Power Generation Facility – Small;**
- (i) **Protective and Emergency Service;**
- (j) **Retail and Consumer Service; and**
- (k) **Specialty Food Store.**

Discretionary Uses

5 (1) *Uses* listed in subsection 4(2) are *discretionary uses* if they are located in proposed *buildings* or proposed additions to existing *buildings* in this Direct Control District.

- (2) The following *uses* are *discretionary uses* in this Direct Control District:
- (a) **Catering Service – Minor;**
 - (b) **Fitness Centre;**
 - (c) **Medical Clinic;**
 - (d) **Pet Care Services;**
 - (e) **Restaurant: Food Service Only – Small;**
 - (f) **Restaurant: Neighbourhood;**
 - (g) **Service Organization;** and
 - (h) **Take Out Food Service.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Mixed Use – General (MU-1) District of Bylaw 1P2007 apply in this Direct Control District.

Building Height

- 7 (1) Unless otherwise provided in subsection (2), the maximum *building height* is 12.0 metres.
- (2) The maximum area of a horizontal cross section through a *building* at 10.5 metres above *average grade* must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the *building* between *average grade* and 9.0 metres.
- (3) The diagram provided below illustrates the rules of subsection (2).

Setback Area

- 8 (1) For any new or existing *development* wholly contained within the *building* that existed on the *parcel* at the date of passage of this Direct Control District Bylaw, the following *setback areas* apply:
- (a) there is no minimum *front setback area*;
 - (b) the *rear setback area* must have a minimum depth of 7.5 metres; and
 - (c) there is no minimum *side setback area*.
- (2) In all other cases:
- (a) the *front setback area* must have a minimum depth of 3.0 metres;
 - (b) the *rear setback area* must have a minimum depth of 7.5 metres; and
 - (c) the *side setback area* must have a minimum depth of 1.2 metres.

Relaxations

- 9 The **Development Authority** may relax the rules contained in Sections 6, 7 and 8 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.

Illustration: Section 7(2) of this Direct Control District Bylaw

