

**BYLAW NUMBER 38D2009**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2008-0092)**

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**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;

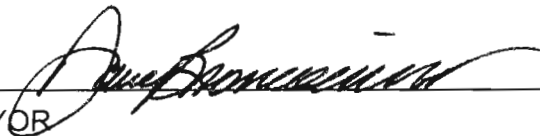
**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

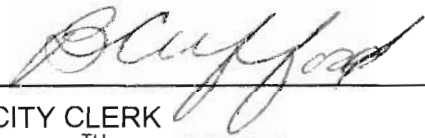
1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including 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 9<sup>TH</sup> DAY OF MARCH, 2009.

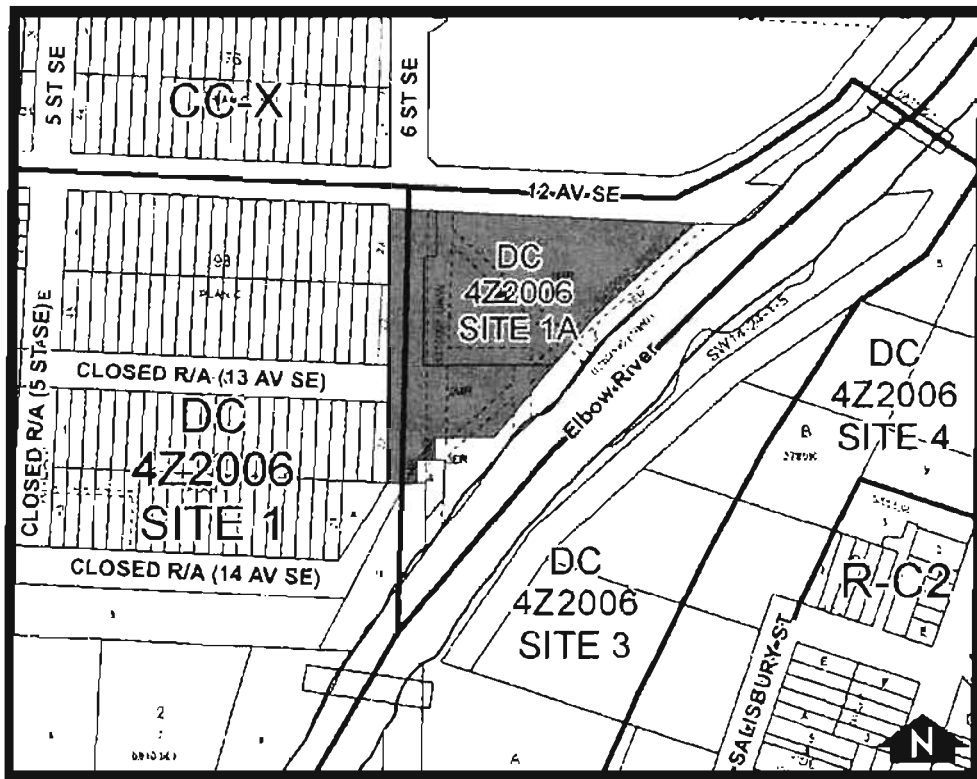
READ A SECOND TIME THIS 9<sup>TH</sup> DAY OF MARCH, 2009.

READ A THIRD TIME THIS 9<sup>TH</sup> DAY OF MARCH, 2009.

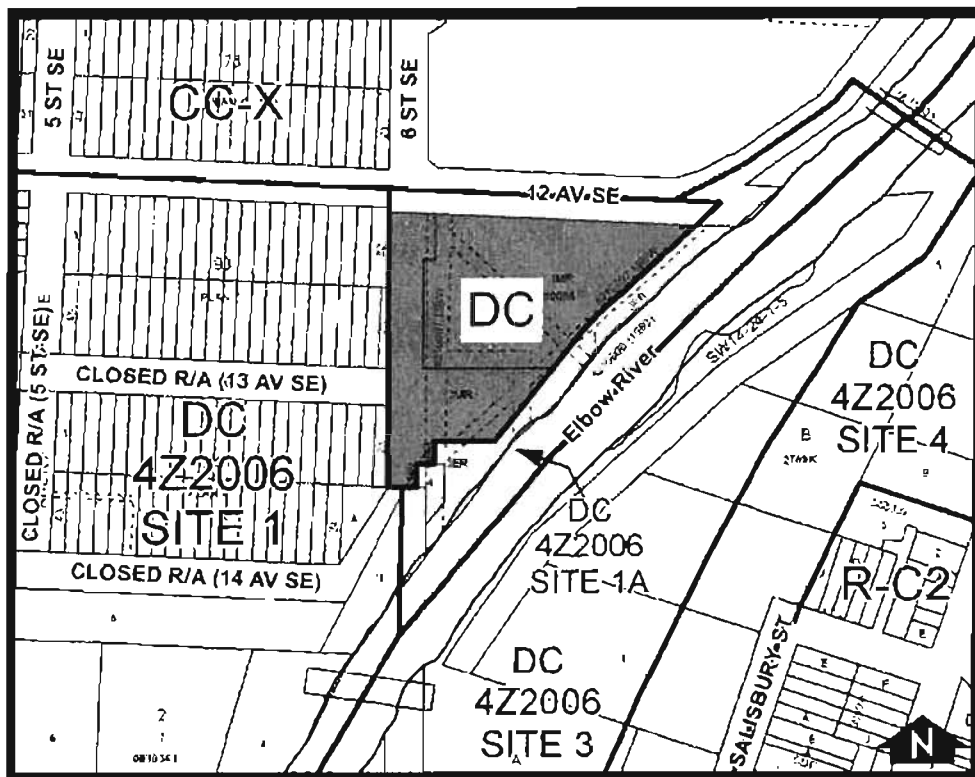
  
\_\_\_\_\_  
MAYOR  
SIGNED THIS 9<sup>TH</sup> DAY OF MARCH, 2009.

  
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ACTING CITY CLERK  
SIGNED THIS 9<sup>TH</sup> DAY OF MARCH, 2009.

SCHEDULE A



SCHEDULE B



**DC DIRECT CONTROL DISTRICT**

**Purpose**

1 This Direct Control District is intended to:

- (a) accommodate a range of indoor and outdoor recreation activities;
- (b) provide for complementary *uses* located within *buildings* supporting indoor and outdoor recreation activities;

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- (c) be applied to **parcels** of various sizes with greater range of use intensities;
- (d) provide for the long-term development of Stampede Park as a year-round, multi-use facility in a park-like setting;
- (e) contribute to Calgary's urban vitality, to link with the local community and to preserve and promote southern Alberta's unique western heritage and values;
- (f) integrate a range of compatible **uses** that include open space, entertainment, gaming, education, interpretative, exhibition, agricultural and viable commercial facilities; and
- (g) ensure that these uses evolve in accordance with a long-range concept plan, function efficiently, take account of the community context, and are sensitive to the river valley environment and to the cultural heritage of the site.

**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 Definitions**

- 4 "**Concept Plan**" means a long-range, conceptual and physical development framework for the evolution of Stampede Park as a year-round multi-use facility in a park like setting. The **Concept Plan** addresses the integration of a range of compatible **uses** and ensures that these **uses** function efficiently and take account of the community context, the river valley environment and the cultural heritage of the site.

**Defined Uses**

- 5 In this Direct Control District:

- (a) "**Amphitheatre**" means sloped ground or rising tiers of seats arranged around a performance space that may include a stage or bandstand;
- (b) "**Athletic and Recreational Use**" means a **use** associated with a team, organization or other organized group that may include but is not limited to sports, performing arts, marching bands, outdoor performers, etc.;
- (c) "**Flea Market**" means a **use** where a variety of goods may be offered for sale to the general public, either in a **building** or in an outside environment;

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- (d) “**Indian Village**” means an area set aside to celebrate the cultural heritage of First Nations, including but not limited to teepees, displaced crafts or artifacts, permanent stages or other performance spaces and ancillary commercial **uses**;
- (e) “**Laboratory**” means a facility used for scientific experiments or tests, including but not limited to the care and testing of animals;
- (f) “**Livestock Accommodation**” means permanent or temporary indoor or outdoor facilities for the shelter or confinement of animals, including but not limited to barns, sheds, pens, runs and enclosures;
- (g) “**Market**” means a **use** where vendors provide goods for sale directly to the public, where the goods may be sold both inside and outside of a **building**, where the vendors may change on a frequent or seasonal basis and where the goods being sold are live animals, finished consumer goods, food products, produce, handcrafted articles, antiques or second hand goods; and
- (h) “**Trade and Exhibition Facility**” means a **building** accommodating the display of commercial, cultural, educational or goods and services, and may include ancillary commercial uses, supporting administrative and/or interpretive uses.

**Permitted Uses**

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

- (a) **Natural Area;**
- (b) **Park;**
- (c) **Protective and Emergency Service;**
- (d) **Utilities.**

(2) The following **uses** are **permitted uses** in this Direct Control District if they are located within **buildings** existing at the date of passage of this Direct Control District Bylaw:

- (a) **Accessory Liquor Service;**
- (b) **Amphitheatre;**
- (c) **Athletic and Recreational Use;**
- (d) **Catering Service – Major;**
- (e) **Catering Service – Minor;**
- (f) **Cinema;**
- (g) **Dinner Theatre;**
- (h) **Drinking Establishment – Medium;**
- (i) **Drinking Establishment – Small;**
- (j) **Emergency Shelter;**
- (k) **Financial Institution;**

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- (l) **Fitness Center;**
- (m) **Flea Market;**
- (n) **Food Kiosk;**
- (o) **Hotel;**
- (p) **Indian Village;**
- (q) **Indoor Recreation Facility;**
- (r) **Instructional Facility – Inside;**
- (s) **Instructional Facility – Outside;**
- (t) **Laboratory;**
- (u) **Library;**
- (v) **Livestock Accommodation;**
- (w) **Market;**
- (x) **Museum;**
- (y) **Office;**
- (z) **Outdoor Café;**
- (aa) **Outdoor Recreation Area;**
- (bb) **Park Maintenance Facility – Small;**
- (cc) **Parking Lot – Grade;**
- (dd) **Parking Lot – Structure;**
- (ee) **Post Secondary Learning Institution;**
- (ff) **Power Generation Facility – Small;**
- (gg) **Restaurant: Food Service Only – Large;**
- (hh) **Restaurant: Food Service Only – Medium;**
- (ii) **Restaurant: Food Service Only – Small;**
- (jj) **Restaurant: Licensed – Large;**
- (kk) **Restaurant: Licensed – Medium;**
- (ll) **Restaurant: Licensed – Small;**
- (mm) **Retail Store;**
- (nn) **School – Private;**
- (oo) **School Authority - School;**
- (pp) **School Authority Purpose – Major;**
- (qq) **School Authority Purpose – Minor;**
- (rr) **Seasonal Sales Area;**
- (ss) **Service Organization;**
- (tt) **Sign – Class A;**
- (uu) **Sign – Class B;**
- (vv) **Sign – Class C;**
- (ww) **Sign – Class D;**
- (xx) **Social Organization;**
- (yy) **Special Function Tent – Commercial;**
- (zz) **Special Function Tent – Recreational;**
- (aaa) **Spectator Sports Facility;**
- (bbb) **Temporary Shelter;**
- (ccc) **Trade and Exhibition Facility; and**
- (ddd) **Utility Building.**

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**Discretionary Uses**

- 7 (1) **Uses** listed in subsection 6 (2) are **discretionary uses** within this Direct Control District if they are located in proposed **buildings**. **Discretionary uses** that are also listed as **permitted uses** shall not be refused by the **Development Authority** on the grounds of **use**.
- (2) The following **uses** are **discretionary uses** within this Direct Control District:
- (a) **Billiard Parlour;**
  - (b) **Child Care Service;**
  - (c) **Community Entrance Feature;**
  - (d) **Community Recreation Facility;**
  - (e) **Drinking Establishment – Large;**
  - (f) **Dwelling Unit;**
  - (g) **Kennel;**
  - (h) **Liquor Store;**
  - (i) **Medical Clinic;**
  - (j) **Motion Picture Filming Location;**
  - (k) **Motion Picture Production Facility;**
  - (l) **Night Club;**
  - (m) **Performing Arts Centre;**
  - (n) **Place of Worship – Small;**
  - (o) **Power Generation Facility – Medium;**
  - (p) **Print Center;**
  - (q) **Proshop;**
  - (r) **Radio and Television Studio;**
  - (s) **Sign – Class E; and**
  - (t) **Sign – Class F.**

**Bylaw 1P2007 District Rules**

- 8 Unless otherwise specified, the rules of the S-R Special Purpose – Recreation District of Bylaw 1P2007 apply in this Direct Control District.

**Use Rules**

- 9 (1) **Special Function Tent – Commercial** and **Special Function Tent – Recreational** must not be erected for a period longer than 90 cumulative days in one calendar year.

**Concept Plan**

- 10 (1) The **Concept Plan** shall be prepared by the applicant for any **development permit** as outlined below.

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(2) Approval and Effect

The applicant for any **development permit** shall submit a **Concept Plan** for the entire Direct Control District to accompany and form part of the application and the applicant shall ensure and certify to the **Development Authority** the compatibility of the **development permit** application and the **Concept Plan**. The **Development Authority** shall require a comprehensive **Concept Plan** for review at the time of the first **development permit** application following approval of this Direct Control District and shall require amendments to the **Concept Plan**, where required to respond to changing conditions, at the time each subsequent **development permit** application is considered.

(3) Scope

The **Concept Plan** shall include detailed concepts with respect to:

- (a) Development phasing, including interim uses and landscaping treatment of sites prior to full development;
- (b) Landscaping;
- (c) Pedestrian, cyclist and vehicular circulation and transportation infrastructure proposals to improve access and provide pedestrian, cyclist and transit connectivity to adjacent lands;
- (d) Regional pathways in accordance with the Pathway & Bikeway Plan Technical Report (2000) and Implementation Plan (2001);
- (e) Pedestrian and bicycle access from the regional pathways to major facilities within the Direct Control District;
- (f) Parking for vehicles, including bicycle parking in accordance with City standards;
- (g) Options for mitigation of the potential impact of development on archaeological and historical resources, including potential heritage buildings and sites;
- (h) Relationships with the adjacent communities and co-ordination with plans for adjacent areas, including the Beltline and Centre City plans;
- (i) Edge conditions and interface between sites adjacent to or abutting the boundary of this Direct Control District and all adjoining properties; and
- (j) Floodway and floodplain guidelines.



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(4) Elbow River Environment

(a) Riparian Environment

Where possible, provisions shall be made for the protection and enhancement of the environment alongside the river, below the top of bank, including but not limited to the natural interface of the riparian and aquatic habitats.

(b) Regional Pathway

(i) Any development along the eastern/southern edge of the river, above the top of bank, shall make provision for a continuous pathway to form part of the regional pathway system; and

(ii) A pathway along the western/northern edge of the river, above the top of bank, may be provided to form part of the regional pathway system, subject to ensuring a safe separation between people and animals in this area and consultation with Horse Racing Alberta, the community and other affected stakeholders.