

BYLAW NUMBER 272D2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2017-0345/CPC2018-1075)**

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 ON DECEMBER 10, 2018

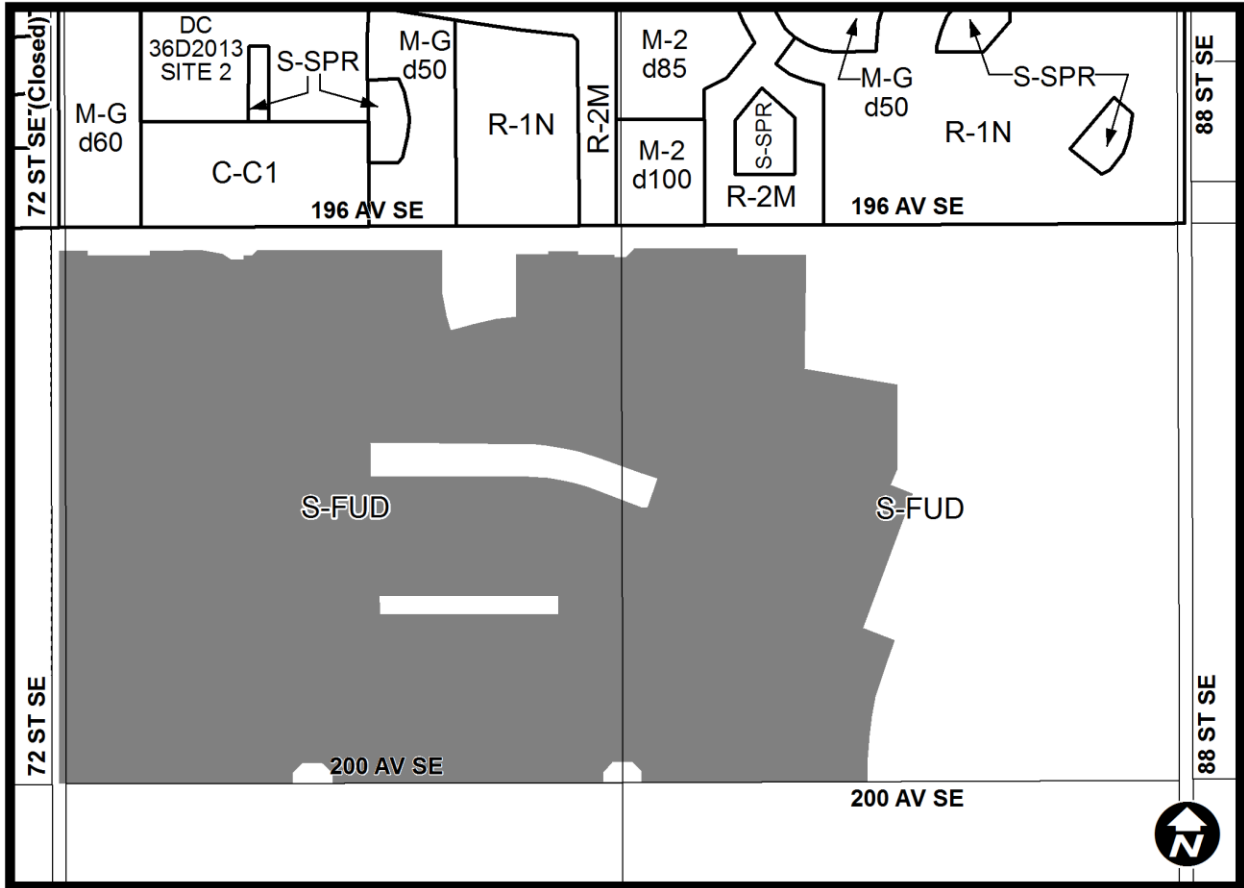
READ A SECOND TIME ON DECEMBER 10, 2018

READ A THIRD TIME ON DECEMBER 10, 2018

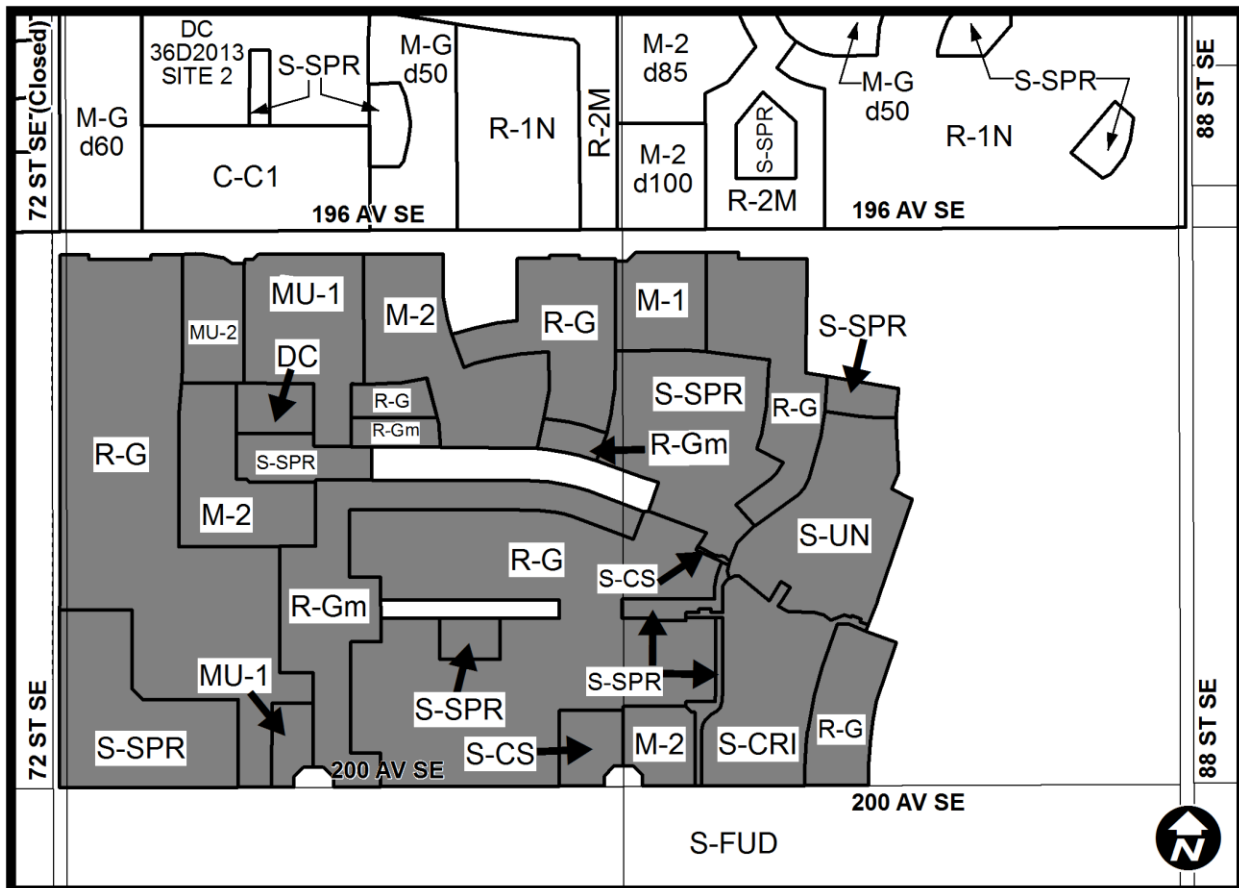
MAYOR
SIGNED ON DECEMBER 10, 2018

ACTING CITY CLERK
SIGNED ON DECEMBER 10, 2018

SCHEDULE A



SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to:

- (a) allow for a **Residents' Facility**, to be operated similarly to a **Community Recreation Facility**, without **motor vehicle parking stall** requirements; and
- (b) Allow for privately owned land to be used as a public gathering space for the neighbourhood, with a select range of **permitted uses** and **discretionary uses** which complement the **Residents' Facility** and open nature of the space, while facilitating events and activities that add to the overall vibrancy of the community.

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 In this Direct Control District:

- (a) “**public art installation**” means art of any kind that is permanently suspended, attached to the ground or other surface, or otherwise integrated into a **development**. It is privately owned and maintained by the land owner and must be an original piece of art in any style, expression, genre or media.

Defined Uses

- 5 In this Direct Control District:

- (a) “**Residents' Facility**” means a **use**:
- (i) operated by, or on behalf of a Residents' or Homeowners' Association whose membership is funded through mandatory resident fees and generally serves the residents of specific neighbourhoods with the purpose of:
 - (A) providing programs, facilities or services;
 - (B) providing sporting, educational, social, recreational or other activities; and
 - (C) where members of the facility, and when permitted, the general public, may participate in food growing, recreation and leisure activities;
 - (i) that may have **amenity space** within a **building**; and
 - (ii) that may have outdoor recreation space, equipment and **public art installations** on the same **parcel** as the **building**.
- (b) “**Resident Food Production**” means a **use**:
- (i) where land is used both inside and outside of a **building** for the purpose of producing, processing, packaging, shipping and the sale of food related products;
 - (ii) that may include hothouses, hot boxes, containers/modular forms, garden boxes, raised garden beds, greenhouses, gazebos, **public art installations**, washrooms and compost bins;
 - (iii) that may include hydroponics, aquaponics, aquaculture and vertical growing;

**AMENDMENT LOC2017-0345/CPC2018-1075
BYLAW NUMBER 272D2018**

- (iv) that may have small sheds for maintenance equipment and materials; and
- (v) that may include outdoor storage of materials associated with the **use**, including composting.

Permitted Uses

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

- (a) **Natural Area;**
- (b) **Park;**
- (c) **Park Maintenance Facility – Small;** and
- (d) **Power Generation Facility – Small.**

Discretionary Uses

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

- (a) **Accessory Liquor Service;**
- (b) **Market;**
- (c) **Outdoor Café;**
- (d) **Residents' Facility;**
- (e) **Resident Food Production;**
- (f) **Restaurant: Food Service Only;**
- (g) **Restaurant: Food Service Only – Small;**
- (h) **Restaurant: Licensed – Small;**
- (i) **Restaurant: Neighbourhood;**
- (j) **Social Organization;**
- (k) **Special Function – Class 2;** and
- (l) **Take Out Food Service.**

Building Height

- 8** (1) Except as provided in subsection (2), the maximum **building height** is 12.0 metres.
- (2) There is no maximum **building height** for a **public art installation** that is part of an approved **development permit**.

Front, Rear and Side Setback Areas

9 Each **setback area** must have a minimum depth of 3.0 metres.

Access Requirements

- 10** (1) Every **building** on a **parcel** must have at least one sidewalk connecting the main entrance to a public sidewalk, or, in the case where there is no public sidewalk, to the nearest **street**.
- (2) 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 referenced in subsection (1); or

**AMENDMENT LOC2017-0345/CPC2018-1075
BYLAW NUMBER 272D2018**

- (b) have a sidewalk connecting the **public entrance** to a public sidewalk or to the nearest **street**.
- (3) Every sidewalk provided must:
 - (a) be a **hard surfaced landscaped area**; and
 - (b) be a minimum width of 2.0 metres.

Motor Vehicles Parking Stall Requirement

- 11 (1) There are no required **motor vehicle parking stalls** for **Residents' Facility, Resident Food Production** or **Market**.
- (2) For all other **uses**, the requirement for **motor vehicle parking stalls** is in accordance with Part 4 of Bylaw 1P2007.

Bicycle Parking Stalls Requirement for Residents' Facility

- 12 (1) The minimum number of **bicycle parking stalls – class 2** for a **Residents' Facility** is 10.
- (2) There is no requirement for **bicycle parking stalls – class 1**.

Resident Food Production Rules

- 13 (1) The rules in Section 14 apply only to **Resident Food Production**.
- (2) An application for **Resident Food Production** that involves hydroponics, aquaponics, aquaculture or similar operations must provide a letter, signed by a qualified professional, indicating that odour will not be a detectable outside of the parcel.