

BYLAW NUMBER 88D2010

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2010-0042)**

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;

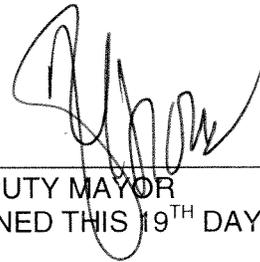
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 5TH DAY OF JULY, 2010.

READ A SECOND TIME THIS 5TH DAY OF JULY, 2010.

READ A THIRD TIME THIS 19TH DAY OF JULY, 2010.



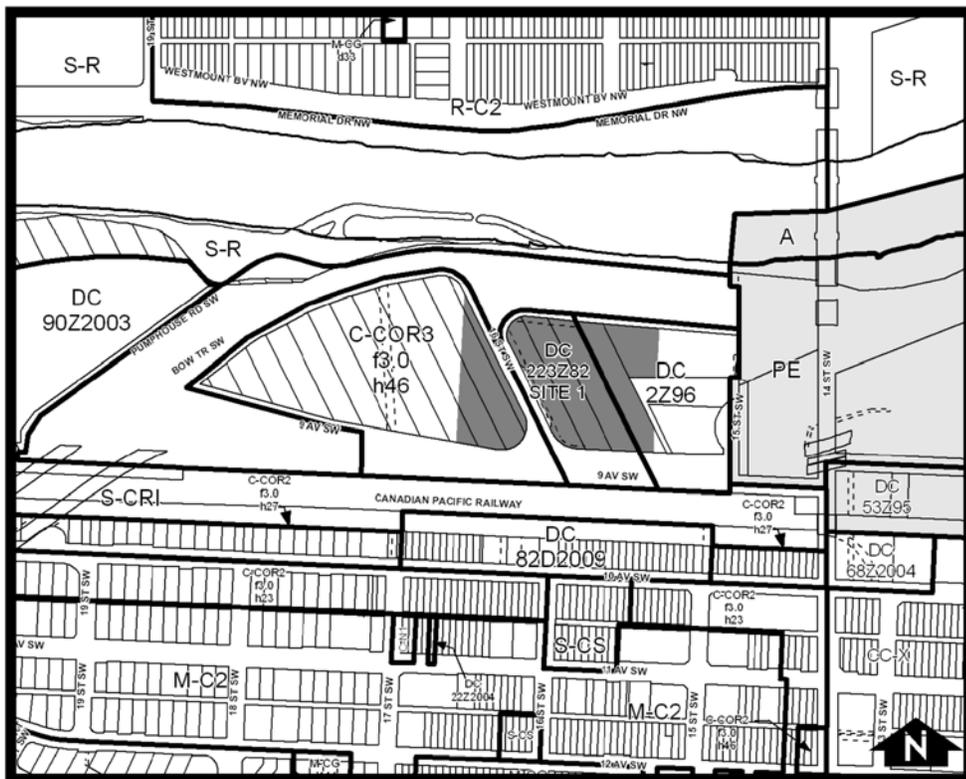
DEPUTY MAYOR
SIGNED THIS 19TH DAY OF JULY, 2010.



ACTING CITY CLERK
SIGNED THIS 19TH DAY OF JULY, 2010.

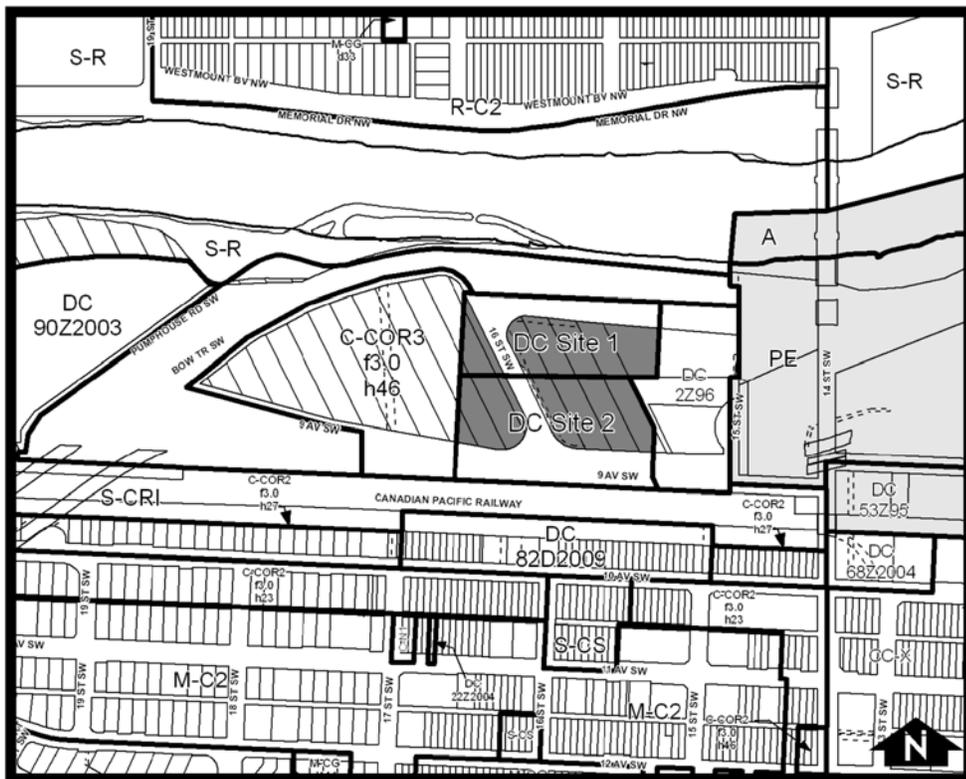
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District is intended to accommodate **development** that is characterized by:

- (a) land **uses** that support transit use;

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- (b) **development** that accommodates mid-rise mixed use **development** with active street oriented **uses**;
- (c) a minimum and a maximum **floor area ratio**; and
- (d) a minimum and a maximum **building height**.

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 Bylaw, 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) “Care or Residential Use” means **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, and Residential Care**.

Defined Uses

- 5** In this Direct Control District:

(1) “Temporary Marketing Centre”

- (a) means a **use**:
 - (i) where **units** are offered for sale to the public;
 - (ii) that may include sales offices and displays of materials used in the construction of the **units** that are offered for sale; and
 - (iii) that must only occur:
 - (A) in a **unit**, which may be temporarily modified to accommodate the **use**; or
 - (B) in a temporary **building**;
- (b) must not operate for longer than four (4) years;
- (c) does not require **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

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Permitted Uses

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

- (a) **Park;**
- (b) **Sign – Class A;**
- (c) **Sign – Class B;**
- (d) **Sign – Class D; and**
- (e) **Utilities.**

Discretionary Uses

7 (1) The following uses are *discretionary uses* within existing approved *buildings* existing at the date of this Direct Control District:

- (a) **Auto Body and Paint Shop;**
- (b) **Auto Service – Major;**
- (c) **Auto Service – Minor;**
- (d) **Inter-City Bus Terminal;**
- (e) **Large Vehicle and Equipment Sales;**
- (f) **Recreational Vehicle Sales;**
- (g) **Vehicle Rental – Major; and**
- (h) **Vehicle Sales – Major.**

(2) The *discretionary uses* of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the *discretionary uses* of this Direct Control District with the addition of:

- (a) All *uses* listed in Section 777 (2) of Bylaw 1P2007;
- (b) **Assisted Living;**
- (c) **Community Entrance Feature;**
- (d) **Food Kiosk;**
- (e) **Market;**

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- (f) **Performing Arts Centre;**
- (g) **Special Function Tent – Recreational;** and
- (h) **Temporary Marketing Centre.**

Bylaw 1P2007 District Rules

- 8** Unless otherwise specified in this Direct Control District, the rules of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 9** (1) The minimum **floor area ratio** is 2.0.
- (2) The maximum **floor area ratio** is:
- (a) 7.0 for Site 1; and
 - (b) 8.0 for Site 2.

Building Height

- 10** (1) The minimum **building height** is 7.5 metres.
- (2) The maximum **building height** is 44.0 metres.

Use Area

- 11** (1) Unless otherwise referenced in subsection (3) or (4), the maximum **use area** for **uses** on the ground floor of **buildings** in this Direct Control District is 1900.0 square metres.
- (2) There is no maximum **use area** requirement for **uses** located on the upper floors in this Direct Control District.
- (3) The maximum **use area** on the ground floor of a:
- (a) **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres;
 - (b) **Cinema**, or a **Cinema** combined with any other **use**, is 550.0 square metres; and
 - (c) **Supermarket**, or a **Supermarket** combined with any other **use**, is 5500.0 square metres.

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- (4)** The following **uses** do not have a **use area** restriction on the ground floor:
- (a) **Addiction Treatment;**
 - (b) **Custodial Care;**
 - (c) **Dwelling Unit;**
 - (d) **Hotel; and**
 - (e) **Live Work Unit.**

Location of Uses Within Buildings

12 (1) The following **uses** must not be located on the ground floor of **buildings**:

- (a) **Child Care Service;**
 - (b) **Counselling Service;**
 - (c) **Health Services Laboratory – with Clients;**
 - (d) **Instructional Facility;**
 - (e) **Medical Clinic;**
 - (f) **Office;**
 - (g) **Place of Worship – Small;**
 - (h) **Post-secondary Learning Institution;**
 - (i) **Residential Care;**
 - (j) **Social Organization; and**
 - (k) **Veterinary Clinic.**
- (2)** The following **uses** may not share an internal hallway with any **use** that is not a “Care or Residential Use”:
- (a) **Addiction Treatment**
 - (b) **Assisted Living**
 - (c) **Custodial Care**
 - (d) **Dwelling Units; and**
 - (e) **Residential Care.**

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Front Setback Areas

13 There is no minimum requirement for **front setback areas**, but where a **front setback area** is provided, it must have a maximum depth of 3.0 metres.

Rear Setback Areas

14 There is no minimum requirement for **rear setback areas**, but where a **rear setback area** is provided, it must have a maximum depth of 3.0 metres.

Side Setback Areas

15 There is no minimum requirement for **side setback areas**, but where a **side setback area** is provided, it must have a maximum depth of 3.0 metres.

Landscaping In Setback Areas

16 (1) Unless otherwise referenced in subsection (2), where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **hard surfaced landscaped area**.

(2) Where the **setback area** of a ground floor **Dwelling Unit** shares a **property line** with a **street**, the **setback area** must be landscaped with either a **hard surfaced landscaped area** or a **soft surfaced landscaped area**, or a combination of both.

Reductions of Minimum Motor Vehicle Parking Requirement

17 The minimum number of **motor vehicle parking stalls** is reduced by 10.0 per cent where a **building** that generates the parking requirement is located within 400.0 metres of an existing or approved capital funded **LRT platform**.