

BYLAW NUMBER 120D2020

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2020-0033/CPC2020-0844)**

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 therefore 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 SEPTEMBER 14^{MC}/₅ 2020

READ A SECOND TIME ON SEPTEMBER 14^{MC}/₅ 2020

READ A THIRD TIME ON SEPTEMBER 14^{MC}/₅ 2020

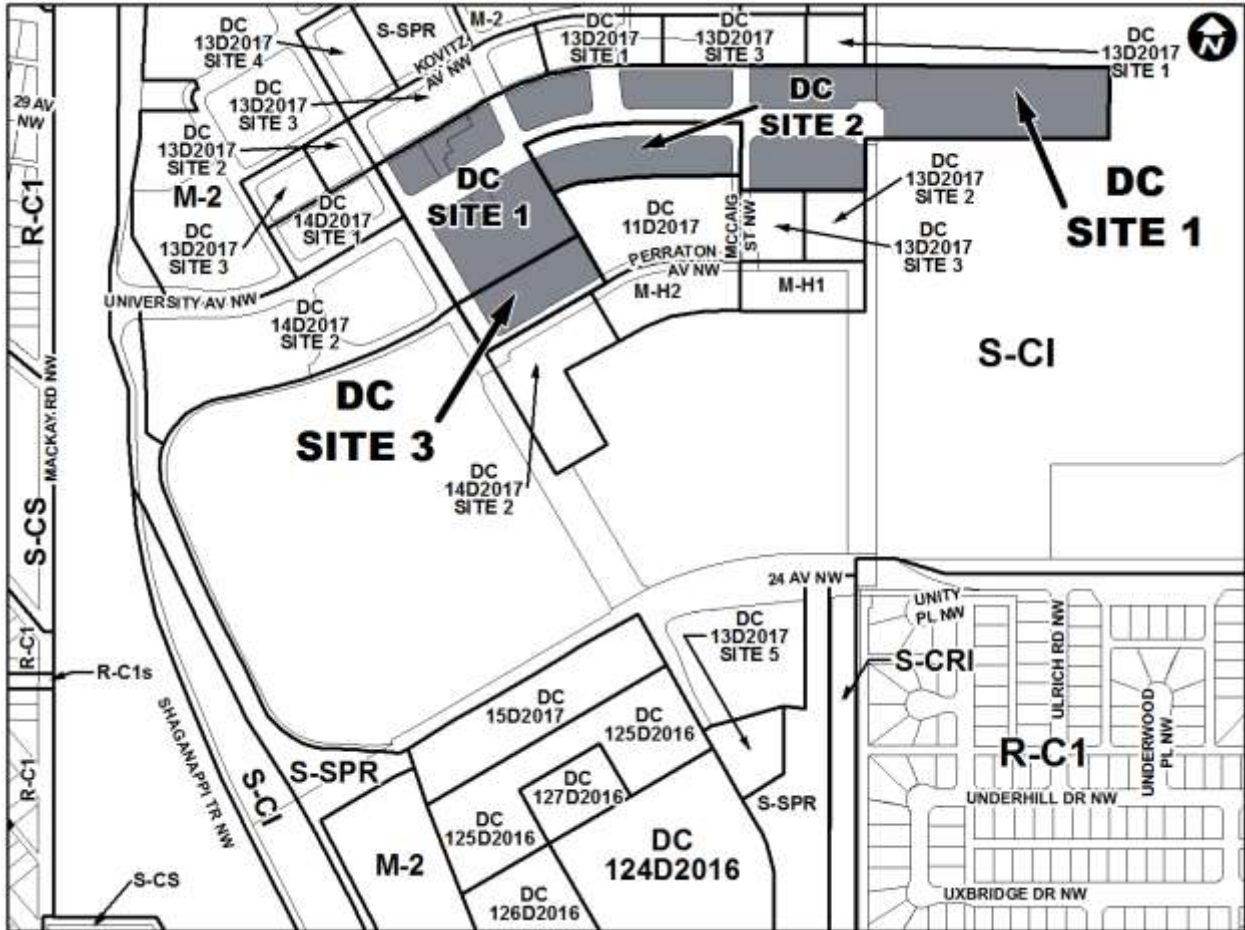


MAYOR
SIGNED ON SEPTEMBER 14^{MC}/₅ 2020



ACTING CITY CLERK
SIGNED ON SEPTEMBER 14^{MC}/₅ 2020

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) create a highly animated, urban, and compact high street environment for the main retail street;
- (b) establish a continuous commercial street wall on both sides of the street, allowing for visible access to open space amenities such as plazas and parks, and clear breaks for street intersections;
- (c) create plazas and parks to be inviting, easily accessible, and to have a relationship with abutting uses such as a restaurant or café;
- (d) prescribe building setbacks that will help to create a pedestrian oriented environment where frontages and entrances are close to the sidewalk and street in order to engage the public realm;

**AMENDMENT LOC2020-0033/CPC2020-0844
BYLAW NUMBER 120D2020**

- (e) create a highly attractive, non-obstructive, and comfortable street environment for the pedestrian, considering: a balance of tree canopy for shade and sunny areas for café spill-over, the use of attractive and safe street paving, seating areas, and amenities such as bike racks and recycling bins;
- (f) allow for flexible and diverse community amenities, services and attractive destinations along the main retail street;
- (g) allow for a majority of retail oriented commercial uses on the ground floor of buildings; and
- (h) allow for some commercial uses on the upper floors of buildings, in addition to office and residential uses, to encourage a highly mixed-use environment.

Compliance with Bylaw 1P2007

- 2** Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply in 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.

Bylaw 1P2007 Rules

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

Defined Uses

- 5** In this Direct Control District Bylaw;

- (a) “**Kennel – Urban**” means a *use*:
 - (i) where domestic animals are boarded overnight or for periods greater than 24 hours;
 - (ii) that may provide for the incidental sale of products relating to the services provided by the use; and
 - (iii) that includes animal enclosures, pens, runs or exercise areas.

Required Motor Vehicle Parking Stalls for Kennel - Urban

- 6** There is no requirement for *motor vehicle parking stalls* for **Kennel – Urban**.

Required Bicycle Parking Stalls for Kennel - Urban

- 7** (1) **Kennel – Urban** requires a minimum of 1.0 *bicycle parking stalls – class 1* per 250.0 square metres of *gross usable floor area*.

**AMENDMENT LOC2020-0033/CPC2020-0844
BYLAW NUMBER 120D2020**

- (2) **Kennel – Urban** requires a minimum of 1.0 *bicycle parking stalls – class 2* per 250.0 square metres of *gross usable floor area*.

Use Area

8

- (1) Unless otherwise referenced in subsections (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) Unless otherwise referenced in subsections (3) or (4), there is no maximum *use area* requirement for *uses* located on upper floors of *buildings* in this Direct Control District.
- (3) The maximum ground floor *use area* of a:
- (a) **Cinema**, or a **Cinema** combined with any other *use*, is 3300.0 square metres;
 - (b) **Performing Arts Centre**, or a **Performing Arts Centre** combined with any other *use* is 3330.0 square metres; and
 - (c) **Supermarket**, or a **Supermarket** combined with any other *use*, is 3800.0 square metres.
- (4) The following *uses* do not have a *use area* restriction:
- (a) **Addiction Treatment**;
 - (b) **Assisted Living**;
 - (c) **Custodial Care**;
 - (d) **Hotel**; and
 - (e) **Residential Care**.

Location of Uses within Buildings

9

- (1) Except as otherwise provided in this Direct Control District Bylaw the following *uses* must not be located on the ground floor of *buildings*:
- (a) **Addiction Treatment**;
 - (b) **Assisted Living**;
 - (c) **Catering Service – Minor**;
 - (d) **Counselling Service**;
 - (e) **Custodial Care**;
 - (f) **Health Services Laboratory – With Clients**;
 - (g) **Home Based Child Care – Class 1**;
 - (h) **Home Occupation – Class 1**;
 - (i) **Home Occupation – Class 2**; and
 - (j) **Residential Care**.
- (2) Except where otherwise provided in this Direct Control District Bylaw **Dwelling Units** must not be located on the ground floor of *buildings* fronting onto University Avenue NW.

**AMENDMENT LOC2020-0033/CPC2020-0844
BYLAW NUMBER 120D2020**

- (3) Main entrances to multi-residential **buildings** and **Hotels** are allowed on University Avenue NW.

Front Setback Area

- 10 (1) The **front setback area** for any **building** along the south side of University Avenue NW must have a maximum depth of 2.0 metres.
- (2) The **front setback area** for any **building** along the north side of University Avenue NW must have a minimum depth of 3.0 metres and maximum depth of 6.0 metres.

Parking Requirements

- 11 (1) The **Development Authority** may consider a relaxation of the required **motor vehicle parking stalls** and **visitor parking stalls** for a **development** where a parking study is submitted as part of a **development permit** application. This review will be subject to normal relaxation considerations as defined in Bylaw 1P2007 and may include provisions for shared management of **motor vehicle parking stalls** and **visitor parking stalls** when they are not occupied for their designated **uses**.
- (2) **Motor vehicle parking stalls** for any **use** within this Direct Control District must be provided in an above **grade** or below **grade** parking structure.
- (3) Notwithstanding subsection (2), a temporary **development permit** may be issued for surface parking.
- (4) Notwithstanding subsection (2), the **Development Authority** may approve **motor vehicle parking stalls**, outside of a parking structure for the following purposes:
- (a) **visitor parking stalls**;
 - (b) **motor vehicle parking stalls** for **units** that face a **lane**; and
 - (c) **parking area – short stay**.
- (5) **Motor vehicle parking stalls** located outside of a parking structure must not be located between a **building** and a **street**.
- (6) **Motor vehicle parking stalls** within a **Parking Lot – Structure** to be used for public purposes may be used to satisfy minimum parking requirements for **uses** within this Direct Control District.

Site 1 (± 6.88 hectares)

Application

- 12 The provisions of sections 13 to 16 only apply to Site 1 of this Direct Control District Bylaw.

Permitted Uses

- 13 (1) The **permitted uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw

**AMENDMENT LOC2020-0033/CPC2020-0844
BYLAW NUMBER 120D2020**

1P2007 are the *permitted uses* in this Direct Control District.

(2) The following are additional *permitted uses* when located in approved *buildings*:

- (a) **Accessory Food Service;**
- (b) **Artist's Studio;**
- (c) **Billiard Parlor;**
- (d) **Catering Service – Minor;**
- (e) **Computer Games Facility;**
- (f) **Convenience Food Store;**
- (g) **Financial Institution;**
- (h) **Fitness Centre;**
- (i) **Food Kiosk;**
- (j) **Information and Service Provider;**
- (k) **Market;**
- (l) **Medical Clinic;**
- (m) **Office;**
- (n) **Outdoor Cafe;**
- (o) **Pet Care Service;**
- (p) **Print Centre;**
- (q) **Radio and Television Studio;**
- (r) **Restaurant: Food Service Only – Small;**
- (s) **Restaurant: Food Service Only – Medium;**
- (t) **Restaurant: Licensed – Small;**
- (u) **Restaurant: Neighbourhood;**
- (v) **Retail and Consumer Service;**
- (w) **Seasonal Sales Area;**
- (x) **Specialty Food Store; and**
- (y) **Takeout Food Service.**

Discretionary Uses

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

- (a) **Amusement Arcade;**
- (b) **Community Recreation Facility;**
- (c) **Drinking Establishment – Large;**
- (d) **Dinner Theatre;**
- (e) **Funeral Home;**
- (f) **Kennel – Urban;**
- (g) **Parking Lot – Grade (temporary);**
- (i) **Performing Arts Centre;**
- (j) **Restaurant: Food Service Only – Large; and**
- (k) **Restaurant: Licensed – Large.**

Floor Area Ratio

15 There is no maximum *floor area ratio*.

Building Height

16 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 27.0 metres.

(2) The maximum **building height** for a **Hotel** is 53.0 metres.

Site 2 (± 1.10 hectares)

Application

17 The provisions in sections 18 through 22 apply only to Site 2 of this Direct Control District Bylaw.

Permitted Uses

18 (1) The **permitted uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

(2) The following are additional **permitted uses** when located in approved **buildings**:

- (a) **Accessory Food Service;**
- (b) **Artist's Studio;**
- (c) **Billiard Parlor;**
- (d) **Catering Service – Minor;**
- (e) **Computer Games Facility;**
- (f) **Convenience Food Store;**
- (g) **Financial Institution;**
- (h) **Fitness Centre;**
- (i) **Food Kiosk;**
- (j) **Information and Service Provider;**
- (k) **Market;**
- (l) **Medical Clinic;**
- (m) **Office;**
- (n) **Outdoor Cafe;**
- (o) **Pet Care Service;**
- (p) **Print Centre;**
- (q) **Radio and Television Studio;**
- (r) **Restaurant: Food Service Only – Small;**
- (s) **Restaurant: Food Service Only – Medium;**
- (t) **Restaurant: Licensed – Small;**
- (u) **Restaurant: Neighbourhood;**
- (v) **Retail and Consumer Service;**
- (w) **Seasonal Sales Area;**
- (x) **Specialty Food Store; and**
- (y) **Takeout Food Service.**

Discretionary Uses

19 The **discretionary uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District,

(a) with the addition of:

- (i) **Community Recreation Facility;**
 - (ii) **Dinner Theatre;**
 - (jj) **Drinking Establishment – Large;**
 - (iii) **Kennel – Urban;**
 - (iv) **Performing Arts Centre;**
 - (v) **Restaurant: Food Service Only – Large;**
 - (vi) **Restaurant: Licensed – Large; and**
- (b) with the exclusion of:
- (i) **Addiction Treatment.**

Use Rules

20 A 25.0 per cent minimum open space **frontage** between University Avenue NW and the central **Park** must be provided.

Floor Area Ratio

21 There is no maximum **floor area ratio**.

Building Height

22 The maximum **building height** is 17.0 metres.

Site 3 (± 0.79 hectares)

Application

23 The provisions in sections 24 through 28 only apply to Site 3.

Permitted Uses

24 (1) The **permitted uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

(2) The following are additional **permitted uses** when located in approved **buildings**:

- (a) **Accessory Food Service;**
- (b) **Artist’s Studio;**
- (c) **Billiard Parlor;**
- (d) **Catering Service – Minor;**
- (e) **Computer Games Facility;**
- (f) **Convenience Food Store;**
- (g) **Financial Institution;**
- (h) **Fitness Centre;**
- (i) **Food Kiosk;**
- (j) **Information and Service Provider;**
- (k) **Market;**
- (l) **Medical Clinic;**
- (m) **Office;**
- (n) **Outdoor Cafe;**
- (o) **Pet Care Service;**
- (p) **Print Centre;**

- (q) **Radio and Television Studio;**
- (r) **Restaurant: Food Service Only – Small;**
- (s) **Restaurant: Food Service Only – Medium;**
- (t) **Restaurant: Licensed – Small;**
- (u) **Restaurant: Neighbourhood;**
- (v) **Retail and Consumer Service;**
- (w) **Seasonal Sales Area;**
- (x) **Specialty Food Store; and**
- (y) **Takeout Food Service.**

Discretionary Uses

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

- (a) **Community Recreation Facility;**
- (b) **Dinner Theatre;**
- (c) **Funeral Home;**
- (d) **Kennel – Urban**
- (e) **Parking Lot – Grade (temporary);**
- (f) **Performing Arts Centre;**
- (g) **Restaurant: Food Service Only – Large; and**
- (h) **Restaurant: Licensed – Large.**

Floor Area Ratio

- 26** There is no maximum *floor area ratio*.

Building Height

- 27** (1) Unless otherwise referenced in subsections (2) and (3), the maximum *building height* is 36.0 metres.
- (2) The maximum *building height* adjacent to the central **Park** is 26.0 metres.
- (3) The maximum *building height* for a **Hotel** is 53.0 metres.

Location of Residential Uses

- 28** **Dwelling Units, Assisted Living, Hotel, Live Work Unit and Residential Care** may be located on the ground floor of *buildings*.

Relaxations

- 29** The *Development Authority* may relax the rules contained in Sections 4, 7, 8, 10, 16, 22, 27 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.