

BYLAW NUMBER 140D2022

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2022-0017/CPC2022-0819)**

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 SEPTEMBER 13, 2022

READ A SECOND TIME ON SEPTEMBER 13, 2022

READ A THIRD TIME ON SEPTEMBER 13, 2022

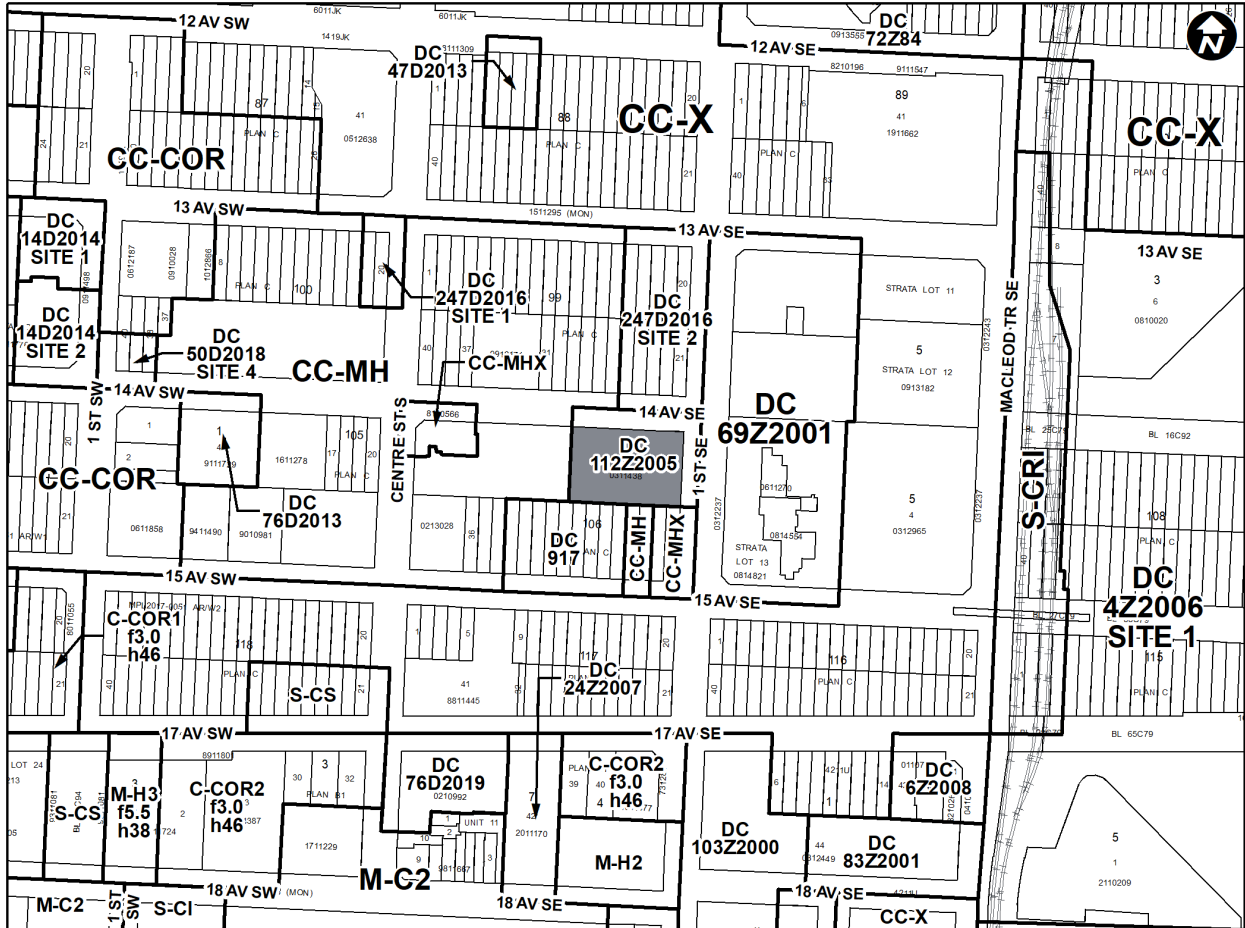


MAYOR
SIGNED ON SEPTEMBER 13, 2022

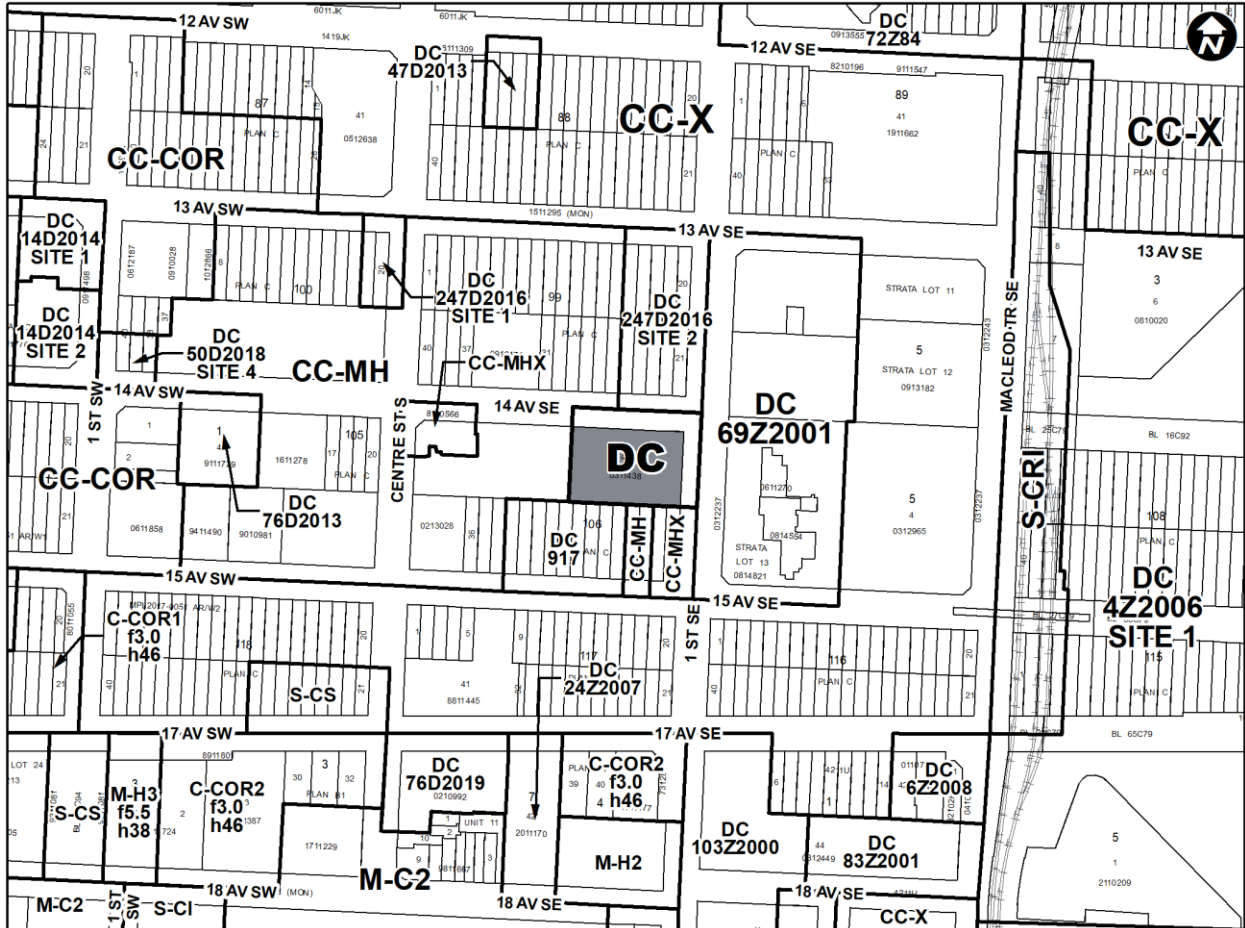


CITY CLERK
SIGNED ON SEPTEMBER 13, 2022

SCHEDULE A



SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District Bylaw is intended to allow for additional commercial uses within the existing building, without the requirement for residential uses, while considering the potential for residential uses at a future date.

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 **permitted uses** of the Centre City Multi-Residential High Rise Support Commercial District (CC-MHX) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.
- (2) The following uses are additional **permitted uses** in this Direct Control District if they are located within existing **buildings** approved before the effective date of this Direct Control District Bylaw:
- (a) **Accessory Food Service**; and
 - (b) **Pet Care Service**.

Discretionary Uses

- 5 (1) The **discretionary uses** of the Centre City Multi-Residential High Rise Support Commercial District (CC-MHX) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.
- (2) The following uses are additional **discretionary uses** in this Direct Control District if they are located within existing **buildings** approved before the effective date of this Direct Control District Bylaw:
- (a) **Conference and Event Facility**;
 - (b) **Financial Institution**;
 - (c) **Instructional Facility**;
 - (d) **Post-secondary Learning Institution**;
 - (e) **School – Private**; and
 - (f) **Veterinary Clinic**.

Bylaw 1P2007 District Rules

- 6 (1) Unless otherwise referenced in subsection (2), the rules of the Centre City Multi-Residential High Rise Support Commercial District (CC-MHX) of Bylaw 1P2007 are the only rules that apply to this Direct Control District Bylaw
- (2) For **development** within existing **buildings** approved before the effective date of this Direct Control District Bylaw
- (a) the rules of the Centre City Multi-Residential High Rise Support Commercial District (CC-MHX) of Bylaw 1P2007 do not apply; and
 - (b) the rules in Sections 7 through 15 of this Direct Control District Bylaw apply.

Setback Areas for Existing Buildings

- 7 (1) The depth of all **setback areas** must be equal to the minimum **building setback** required in Section 8 of this Direct Control District Bylaw.

Building Setbacks for Existing Buildings

- 8 (1) The **building setback** from the **property line** shared with 14 Avenue SE is zero metres.
- (2) The **building setback** from a **property line** shared with 1 Street SE is a

minimum of 1.5 metres and a maximum of 3.0 metres.

- (3) The minimum **building setback** from a **property line** shared with a **lane** or another **parcel** is zero metres.

Residential Amenity Space Rules for Development Within Existing Buildings

- 9 (1) A **patio** may be located in a **setback area** between a multi-residential **building** and a **property line** shared with a **street**.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
- (3) The required minimum **amenity space** is 5.0 square metres per **unit**.
- (4) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the minimum **amenity space** requirement.
- (5) When the **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per **unit** may be included to satisfy the **amenity space** requirement.
- (6) Where a **patio** is located within 4.0 metres of a **lane** or another **parcel**, it must be **screened**.
- (7) **Private amenity space** must:
- (a) be in the form of a **balcony**, **deck** or **patio**; and
 - (b) have no minimum dimensions of less than 2.0 metres.
- (8) **Common amenity space**:
- (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**;
 - (c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres;
 - (d) must not be located in a required **setback area**; and
 - (e) may be located at or above **grade**.
- (9) A maximum of 50.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (10) **common amenity space – outdoors** must provide a **balcony**, **deck** or **patio** and at least one of the following as permanent features:

- (a) a barbeque; or
- (b) seating.

Motor Vehicle Parking Stall Requirements Within Existing Buildings

- 10 (1)** Where a **building** contains three or more **units** with shared entrance facilities in a **Multi-Residential Development**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 0.75 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.1 **visitor parking stalls** per **unit**, and
 - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.
- (2)** Where a **building** contains three or more **units** with no shared entrance facilities in a **Multi-Residential Development**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 1.0 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.15 **visitor parking stalls** per **unit**, and
 - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.

Bicycle Parking Stall Requirements Within Existing Buildings

- 11 (1)** The minimum number of **bicycle parking stalls – class 1** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) no requirement where the number of **units** is less than 20; and
 - (ii) 0.5 stalls per **unit** where the total number of **units** equals or exceeds 20; and
 - (b) all other **uses** is the minimum requirement referenced in Part 4 of Bylaw 1P2007.
- (2)** The minimum number of **bicycle parking stalls – class 2** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) 2.0 stalls for **developments** of 20 **units** or less; and
 - (ii) 0.1 stalls per **unit** for **developments** of more than 20 **units**; and

- (b) all other *uses* is 5.0 per cent of the number of *motor vehicle parking stalls*.
- (c) *Bicycle parking stalls – class 1* provided for **Dwelling Units** and **Live Work Units** are for the exclusive use of residents.

Objects Prohibited or Restricted Within Existing Buildings

- 12
- (1) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an *actual front setback* area except engaged in loading or unloading.
 - (2) A *dilapidated vehicle* must not remain outside of a *building*.
 - (3) A *large vehicle* must not remain on a *parcel* except while engaged in loading or unloading.
 - (4) A satellite dish antenna greater than 1.0 metre in diameter must not:
 - (a) be located in an *actual front setback area* or in an *actual side setback area* of a *corner parcel*; or
 - (b) be illuminated.
 - (5) Subsection (4) does not apply to a satellite dish greater than 1.0 metre in diameter when the applicant demonstrates:
 - (a) compliance with subsection (4) would prevent signal reception; and
 - (b) the satellite dish will be located and screened to the satisfaction of the *Development Authority*.

Waste and Recycling Within Existing Buildings

- 13
- (1) Garbage containers and waste material must be stored inside the *main residential building*.
 - (2) Recycling facilities must be provided for every **Multi-Residential Development**.

Mechanical Screening for Existing Buildings

- 14
- Mechanical systems or equipment located outside of a *building* shall be positioned, camouflaged or screened from view of a *public space*, or from view of a *parcel* designated as a *residential district*, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above *grade*.

Use Area and Location of Uses Within Existing Buildings

- 15
- (1) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.
 - (2) **Outdoor Café uses** must:

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- (a) only be located between a ***street*** and the ***use*** to which it is subordinate;
and
- (b) not be located on the same block face where **Dwelling Units** or **Live Work Units** are located at ***grade***.

Relaxations

- 16** The ***Development Authority*** may relax the rules contained in Sections 6 through 15 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.