

BYLAW NUMBER 56D2024

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2023-0095/CPC2023-1239)**

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 FEBRUARY 06, 2024

READ A SECOND TIME ON FEBRUARY 06, 2024

READ A THIRD TIME ON FEBRUARY 06, 2024

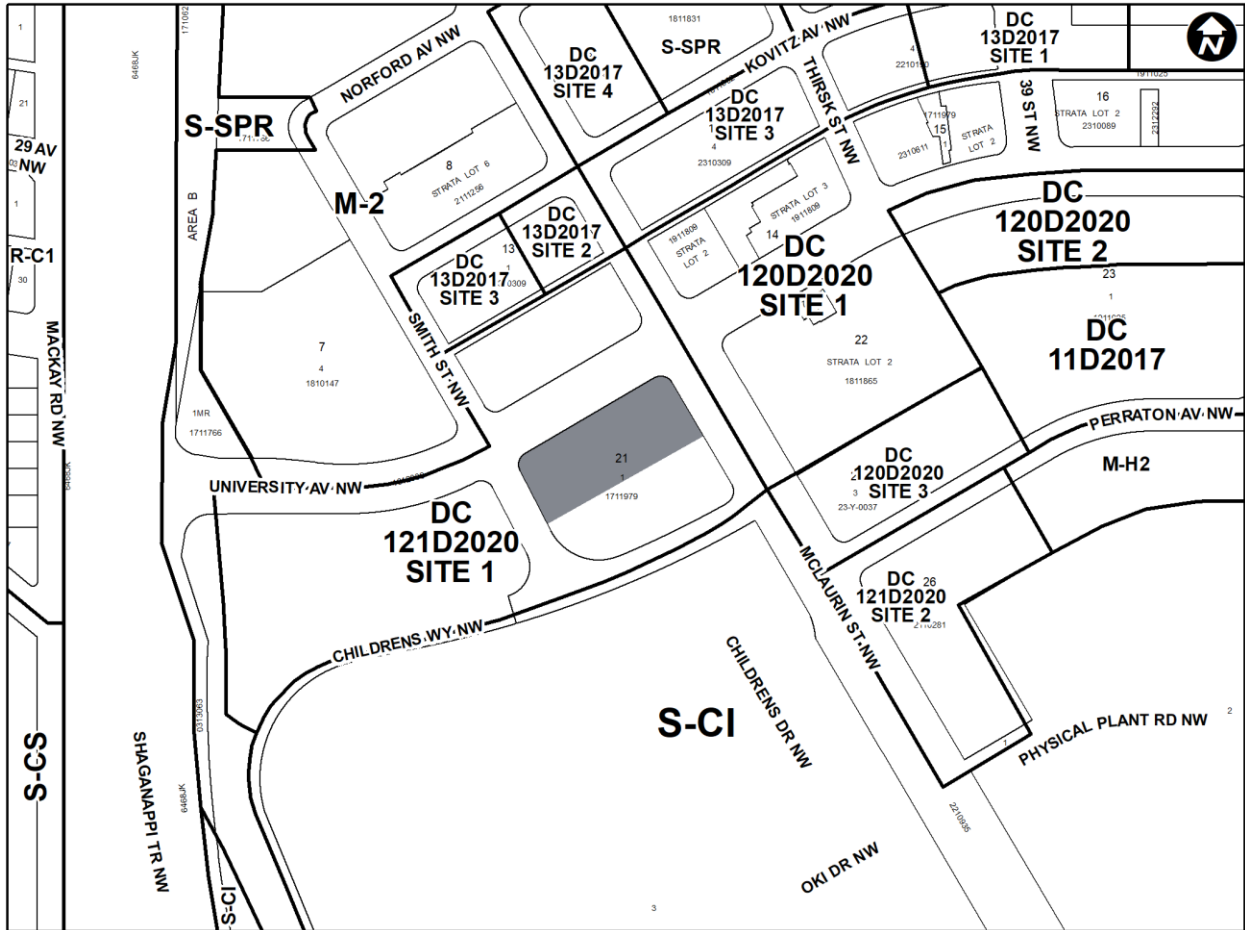
MAYOR
SIGNED ON FEBRUARY 06, 2024

for

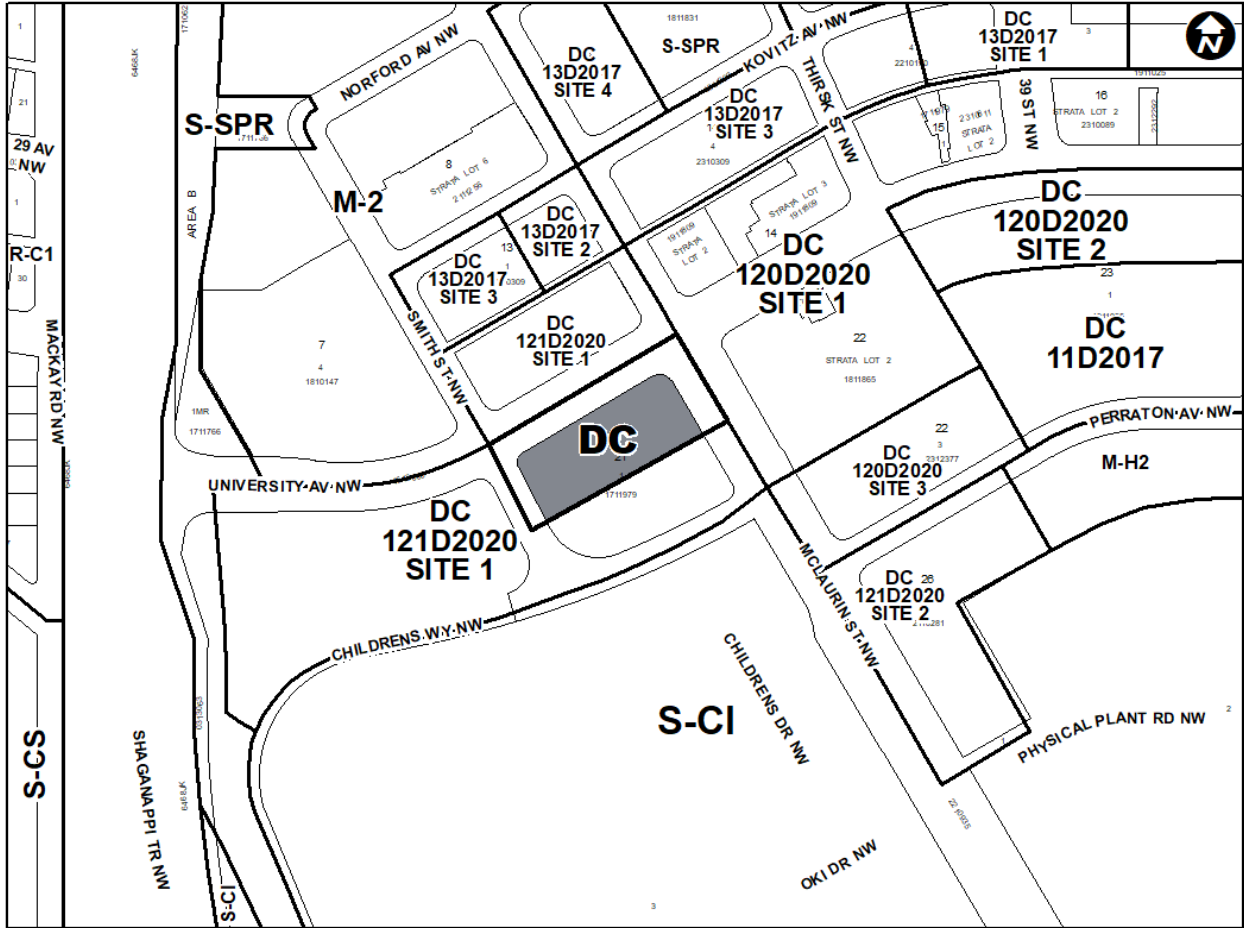
CITY CLERK
SIGNED ON FEBRUARY 06, 2024

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SCHEDULE A



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) prescribe building setbacks to create a pedestrian-oriented environment where frontages and entrances are close to the street to engage the public realm;
- (c) have the majority of the motor vehicle parking stalls located within parking structures; and
- (d) allow for flexible and diverse community amenities and services along the main retail street.

Compliance with Bylaw 1P2007

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- 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 following *uses* are *permitted uses* in this Direct Control District:

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

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

- (a) **Artist’s Studio;**
- (b) **Billiard Parlor;**
- (c) **Catering Service – Minor;**
- (d) **Computer Games Facility;**
- (e) **Convenience Food Store;**
- (f) **Financial Institution;**
- (g) **Fitness Centre;**
- (h) **Food Kiosk;**
- (i) **Health Care Service;**
- (j) **Home Based Child Care – Class 1;**
- (k) **Home Occupation – Class 1;**
- (l) **Information and Service Provider;**
- (m) **Library;**
- (n) **Museum;**
- (o) **Office;**
- (p) **Outdoor Cafe;**
- (q) **Park;**
- (r) **Pet Care Service;**
- (s) **Power Generation Facility – Small;**
- (t) **Print Centre;**
- (u) **Protective and Emergency Service;**
- (v) **Radio and Television Studio;**
- (w) **Restaurant: Food Service Only;**
- (x) **Restaurant: Licensed;**
- (y) **Retail and Consumer Service;**
- (z) **Service Organization;**
- (aa) **Seasonal Sales Area;**
- (bb) **Specialty Food Store; and**
- (cc) **Veterinary Clinic.**

Discretionary Uses

5 (1) **Uses** listed in subsection 4(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in this Direct Control District.

(2) The following **uses** are **discretionary uses** in this Direct Control District:

- (a) **Addiction Treatment;**
- (b) **Amusement Arcade;**
- (c) **Assisted Living;**
- (d) **Brewery, Winery and Distillery;**
- (e) **Cannabis Store;**
- (f) **Child Care Service;**
- (g) **Cinema;**
- (h) **Community Recreation Facility;**
- (i) **Conference and Event Facility;**
- (j) **Custodial Care;**
- (k) **Dinner Theatre;**
- (l) **Drinking Establishment – Large;**
- (m) **Drinking Establishment – Medium;**
- (n) **Drinking Establishment – Small ;**
- (o) **Dwelling Unit;**
- (p) **Food Production;**
- (q) **Funeral Home;**
- (r) **Home Occupation – Class 2;**
- (s) **Hotel;**
- (t) **Indoor Recreation Facility;**
- (u) **Instructional Facility;**
- (v) **Kennel;**
- (w) **Liquor Store;**
- (x) **Live Work Unit;**
- (y) **Parking Lot – Grade (temporary);**
- (z) **Parking Lot – Structure;**
- (aa) **Pawn Shop;**
- (bb) **Payday Loan;**
- (cc) **Performing Arts Centre;**
- (dd) **Place of Worship – Small;**
- (ee) **Post-secondary Learning Institution;**
- (ff) **Residential Care;**
- (gg) **Sign – Class C;**
- (hh) **Sign – Class E;**
- (ii) **Sign – Class F;**
- (jj) **Social Organization;**
- (kk) **Special Function – Class 2;**
- (ll) **Supermarket;**
- (mm) **Urban Agriculture; and**
- (nn) **Utility Building.**

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

Floor Area Ratio

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

Building Height

- 8 The maximum *building height* is 35.0 metres.

Use Area

- 9 (1) Unless otherwise referenced in subsections (3), 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 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.
 - (d) **Hotel** does not have a maximum *use area*.

Location of Uses within Buildings

- 10 (1) 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 Care Service;**
 - (g) **Home Based Child Care – Class 1;**
 - (h) **Home Occupation – Class 1;**
 - (i) **Home Occupation – Class 2; and**
 - (j) **Residential Care.**

- (2) **Dwelling Units** on the ground floor of a **building** must not front onto University Avenue NW.

Setback Areas

- 11 (1) The depth of all **setback areas** must not exceed the maximum **building setbacks** required in Section 12 of this Direct Control District Bylaw.
- (2) Sections 787, 788 and 789 of Land Use Bylaw 1P2007 do not apply to this Direct Control District.

Building Setbacks

- 12 (1) Where the **parcel** shares a **property line** with University Avenue NW, there is no requirement for a **building setback**, but where a **building setback** is provided, it must have a maximum depth of 2.0 metres.
- (2) Where the **parcel** shares a **property line** with McLaurin Street NW, there is no requirement for a **building setback**, but where a **building setback** is provided, it must have a maximum depth of 3.0 metres.
- (3) Where the **parcel** shares a **property line** with Smith Street NW, there is no requirement for a **building setback**, but where a **building setback** is provided, it must have a maximum depth of 3.0 metres.
- (4) Where the **parcel** shares a **property line** with a **lane**, there is no requirement for a **building setback**.

Parking Requirements

- 13 (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 with the following exceptions:
 - (a) a temporary **development permit** may be issued for **Parking Lot – Grade (temporary)**; and
 - (b) a single row of **motor vehicle parking stalls** may be located outside of a parking structure between a **building** and a **lane**.
- (3) **Motor vehicle parking stalls** within a **Parking Lot – Structure** may be used to satisfy minimum parking requirements for **uses** within this Direct Control District.

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Relaxations

- 14** The *Development Authority* may relax the rules contained in Sections 6, 8, 9, 11, and 12 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.