

BYLAW NUMBER 86D2008

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2008-0056)**

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 THIS 11TH DAY OF MAY, 2009.

READ A SECOND TIME AS AMENDED THIS 11TH DAY OF MAY, 2009.

READ A THIRD TIME AS AMENDED THIS 11TH DAY OF MAY, 2009.



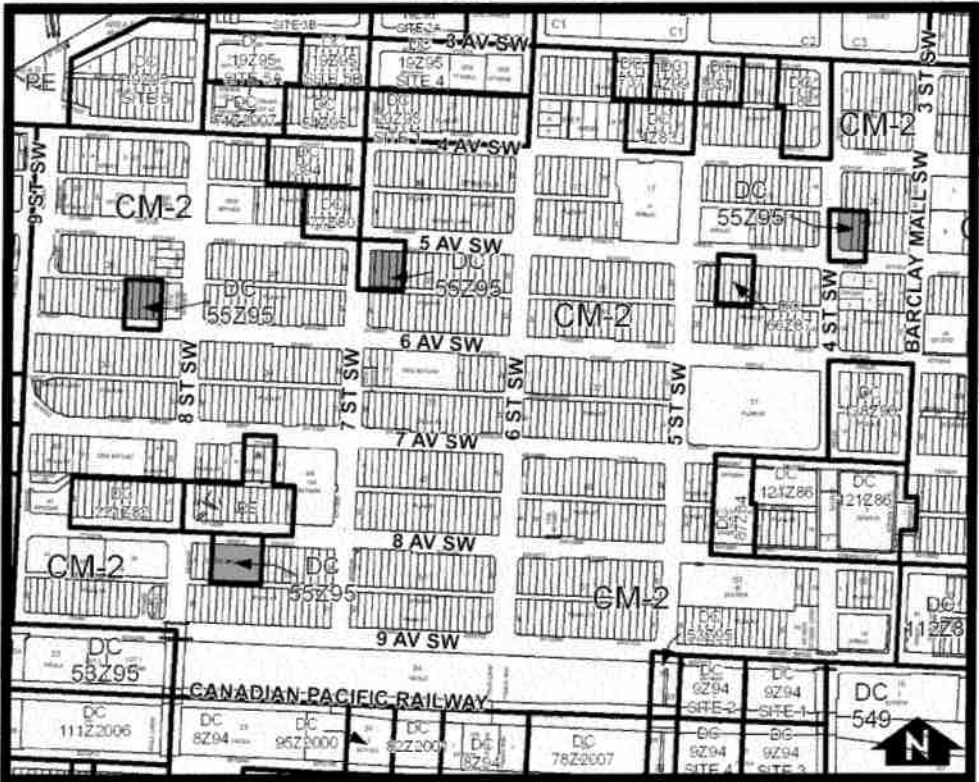
MAYOR
SIGNED THIS 25TH DAY OF MAY, 2009.



ACTING CITY CLERK
SIGNED THIS 25TH DAY OF MAY, 2009.

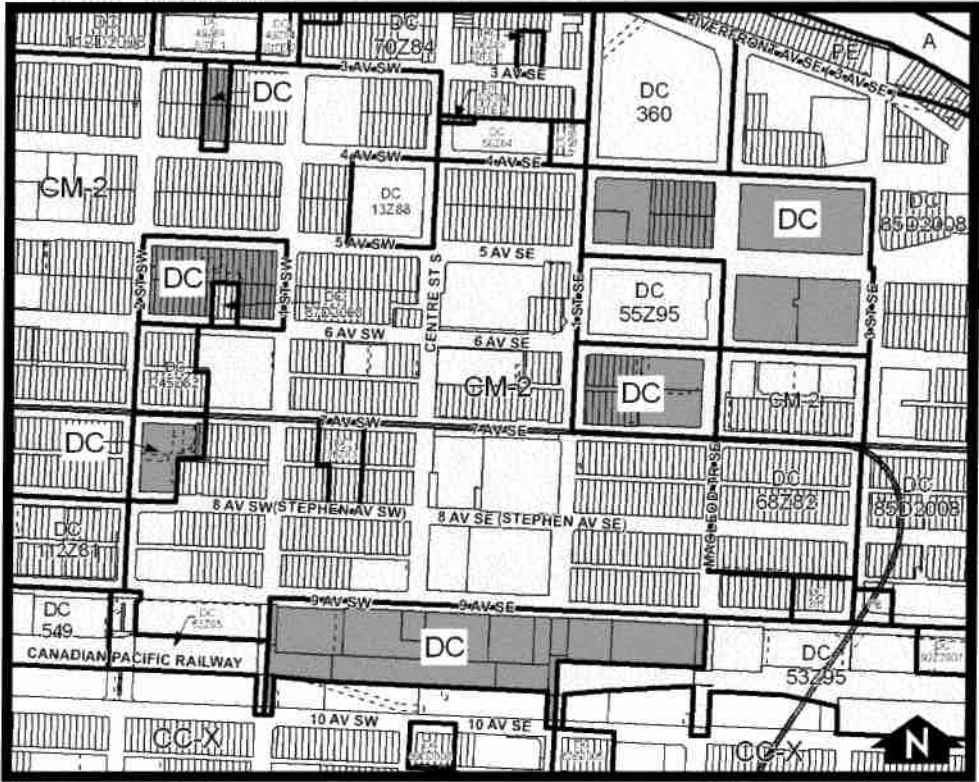
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SCHEDULE A-2

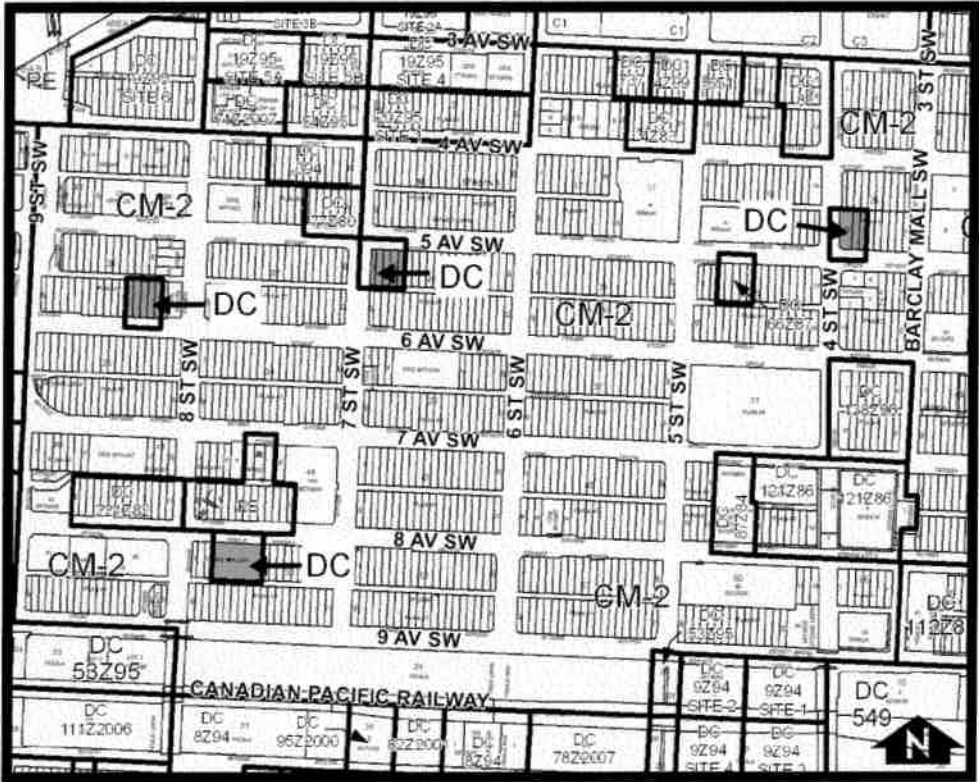


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SCHEDULE B-1



SCHEDULE B-2



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to allow, as herewith provided, the permitted and discretionary land uses and development rules of the CM-2: Downtown Business District on certain sites in the Downtown area.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of sections 1 through 4 of Part 1, sections 21(1),(2) and 22 of Part 2, and Part 10 of Bylaw 1P2007 apply to this Direct Control District.

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Reference to Bylaw 1P2007

- 3 Unless otherwise specified within this Direct Control District, a reference to a section in Part 10 of Bylaw 1P2007 is a reference to the section as it existed on the date of passage of this Bylaw.

Defined Uses

- 4 In this Direct Control District,
- (a) "Restaurants" means an establishment where food is prepared and served on the premises for sale to the public; and may include entertainment which is ancillary to the preparation and service of food.
 - (b) "Senior citizens housing" means any multiple dwelling constructed in compliance with The Senior Citizens Housing Act.

Permitted Uses

- 5 (1) The following uses are permitted uses in this Direct Control District:
- (a) Home occupations - Class 1
- (2) Notwithstanding any other requirement of this bylaw, proposed or existing uses of a site shall be permitted uses on the site if they have been approved on or before July 18, 1995 and by a development permit that has not expired.

Discretionary Uses

- 6 The following uses are discretionary uses in this Direct Control District:

- (a) Amusement arcades
- (b) Apartment buildings (C.U.)
- (c) Apartment-hotels
- (d) Athletic and recreational facilities
- (e) Automotive sales and rentals
- (f) Automotive services
- (g) Automotive specialties
- (h) Billiard parlours
- (i) Child care facilities
- (j) Commercial schools (C.U)
- (k) Community association buildings
- (l) Drinking establishments
- (m) Dwelling Units
- (o) Entertainment establishments
- (p) Essential public services (C.U.)

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- (q) Excavation stripping and grading
- (r) Financial establishments (C.U.)
- (s) Gaming establishment - bingo
- (t) Grocery stores (C.U.)
- (u) Home occupations- Class 2 (N.P.)
- (v) Hotels
- (w) Laboratories
- (x) Liquor stores
- (y) Lodging houses
- (z) Mechanical reproduction and printing establishments
- (aa) Medical clinics (C.U.)
- (bb) Offices
- (cc) Outdoor cafes (N.P.)
- (dd) Parking areas (temporary)
- (ee) Parking structures
- (ff) Parks and Playgrounds
- (gg) Personal service business (C.U.)
- (hh) Private clubs or organizations
- (ii) Private schools (C.U.)
- (jj) Public and quasi-public buildings(C.U.)
- (kk) Public and separate schools(C.U.)
- (ll) Public transportation facilities
- (mm) Radio and television studios
- (nn) Restaurants
- (oo) Retail food stores (C.U.)
- (pp) Retail stores (C.U.)
- (qq) Senior citizens housing
- (rr) Signs
- (ss) Special care facilities
- (tt) Stacked townhouses
- (uu) Townhouses
- (vv) Universities, colleges and provincial training centres (C.U.)
- (ww) Utilities
- (xx) Veterinary clinics

Development Guidelines

- 7 (1)** The General Rules for Downtown Districts contained in Section 42.1 in Part 10 of Bylaw 1P2007 and the Permitted and Discretionary Use Rules of the CM-2: Downtown Business District contained in Section 42.3 in Part 10 of Bylaw 1P2007 shall apply unless otherwise noted below:

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- (2) A proposed or existing structure may be developed, redeveloped or continue to exist provided that:
 - (a) there is no variation whatsoever, except as may be allowed pursuant to Section 11(1)(a)(iii) in Part 10 of Bylaw 1P2007, to comply with other applicable legislation; and,
 - (b) it has been approved by a development permit that has not expired on or before the date of passage of this bylaw.

Parking and Loading

- 8 Parking and loading shall be in accordance with the provisions of Section 18 in Part 10 of Bylaw 1P2007 as amended from time to time.