

BYLAW NUMBER 209D2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2016-0139)

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 3RD DAY OF JULY, 2017.

READ A SECOND TIME THIS 3RD DAY OF JULY, 2017.

READ A THIRD TIME THIS 3RD DAY OF JULY, 2017.



MAYOR

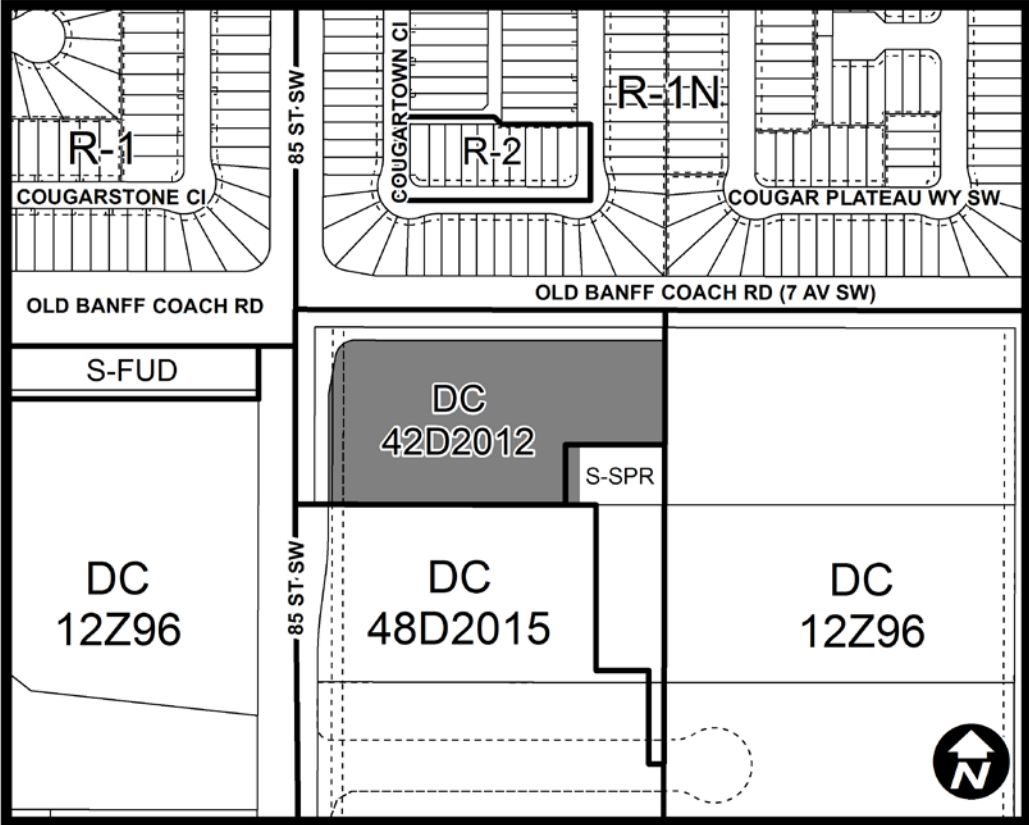
SIGNED THIS 3RD DAY OF JULY, 2017.



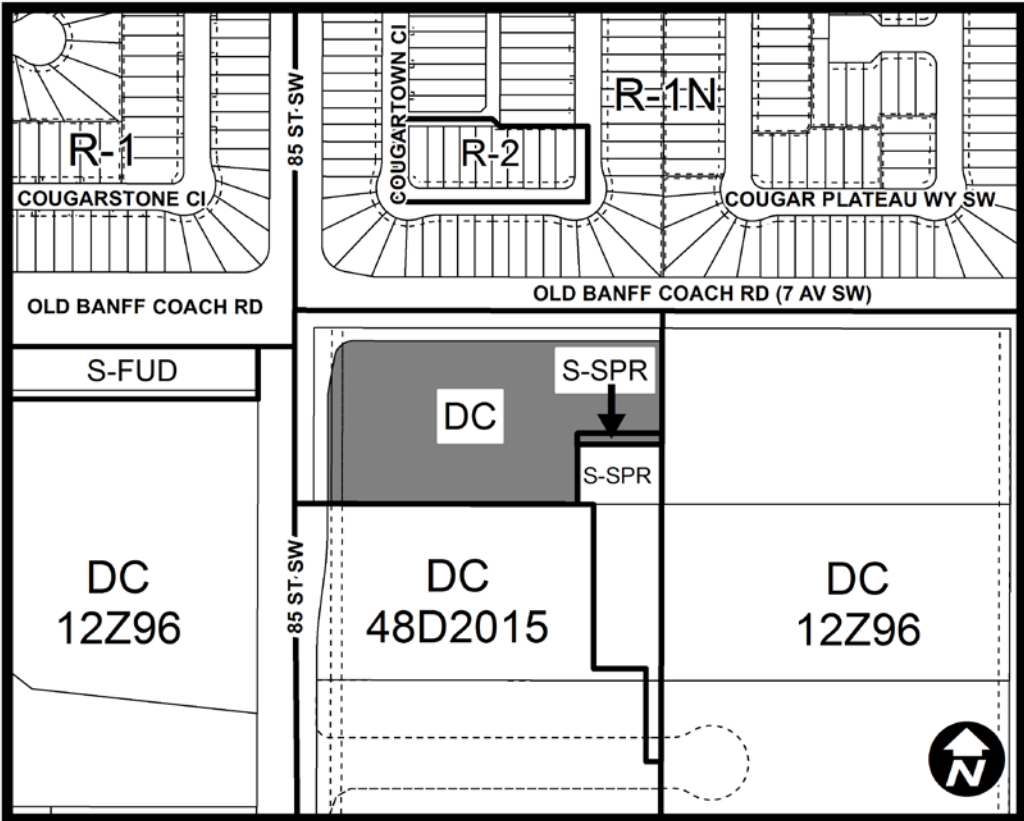
ACTING CITY CLERK

SIGNED THIS 3RD DAY OF JULY, 2017.

SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to be characterized by:
 - (a) neighborhood-scale, mixed-use **development** that allows for intensification over time;
 - (b) **buildings** that are close to the **street** and the public sidewalk;
 - (c) **development** that has limited **use** sizes and types;
 - (d) **development** that uses site and **building** design to integrate and interface with the adjacent **street, special purpose district parcels** and nearby residential area;

- (e) a high quality of **building** design, function, **landscaping**, materials and site design;
- (f) opportunities for residential and **Office uses** to occur on upper floors of **buildings** that contain commercial **uses**; and
- (g) opportunities for stand-alone residential **buildings**.

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 District, 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) “**animating features**” are defined as architectural features on **buildings** and within the public realm that create and encourage the use of the area by pedestrians and cyclists that include, but are not limited to, **patios, decks, entranceways, plazas, awnings, seating areas, bicycle parking stalls, pathways, transparent and semi-transparent windows.**
- (b) “**internal street**” means the private **street** that provides access within the immediate site and may be extended to provide access to the adjacent **parcels**.

Defined Uses

5 In this Direct Control District,

- (a) “**Child Care Facility**” means a **use**:
 - (i) where temporary care and supervision is provided to seven or more children:
 - (A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and
 - (B) for periods of less than 24 consecutive hours;
 - (ii) that may provide programming for the social, creative, educational and physical development of children; and
 - (iii) that includes day cares, pre-schools, out of school care and other programs where the primary purpose is the care of children;
 - (iv) where the operator may teach students the kindergarten education curriculum pursuant to the *School Act*.

- (b) must have **screening** for any outdoor play areas;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per two (2) employees at the **use** at any given time, or 1.0 stalls per 10 children, whichever is greater;
- (d) requires a minimum of 1.0 **pick-up and drop-off stalls** per 10 children;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

Permitted Uses

6 The **permitted uses** of the Commercial – Neighbourhood 1 (C-N1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

7 The **discretionary uses** of the Commercial – Neighbourhood 1 (C-N1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Child Care Facility**;
- (b) **Indoor Recreation Facility**;
- (c) **Restaurant: Food Service Only – Medium**;
- (d) **Restaurant: Licensed – Large**;
- (e) **Restaurant: Licensed – Medium**; and
- (f) **Veterinary Clinic**.

Bylaw 1P2007 District Rules

8 Unless otherwise specified, the rules of the Commercial – Neighbourhood 1 (C-N1) District of Bylaw 1P2007 apply in this Direct Control District.

Building Location and Orientation

- 9 (1) The maximum **building setback** for a **building** facing a **street** is 3.0 metres.
- (2) The maximum **building setback** for a **building** from a **property line** shared with a **special purpose district** is 3.0 metres.
- (3) **Motor vehicle parking stalls** and **loading stalls** must not be located between a **building** and a **street** or between a **building** and park space.

Building Façades

- 10 (1) The total combined length of all **building** façades that face a **street** must be a minimum of 60.0 percent of the length of the **property line** of a **parcel**.
- (2) **Animating features** must be provided along 60.0 percent of a **building** façade that faces 85 Street SW or the **internal street**.

Building Height

11 The maximum **building height** is 16.0 metres.

Density

12 The maximum **density** is 50 **units**.

Edge Treatments

- 13 (1) Parking areas must be visually screened from the **street** with **soft surfaced landscaping**.
- (2) One principle pedestrian entrance to the site must be located on the northwest corner and include **hard** or **soft surfaced landscaping**.
- (3) The **internal street** must provide curbs, gutters, sidewalks and street trees.
- (4) The area between a **building** and a **property line** shared with a **street** must include a **hard surfaced landscaped area** and may include the following **uses**:
- (a) **Outdoor Café.**
- (5) The area between a **building** and an **internal street** must:
- (a) be **hard** or **soft surfaced landscaped**; and
 - (b) have a sidewalk along the length of the **building**; and
 - (c) a pedestrian connection between the **building** and the **internal street**.

Use Area

- 14 (1) Unless otherwise referenced in subsections (2), the maximum **use area** for each **use** is 465.0 square metres.
- (2) The following **uses** do not have a **use area** restriction:
- (a) **Assisted Living;**
 - (b) **Custodial Care;**
 - (c) **Dwelling Units; and**
 - (d) **Residential Care.**

Location of Uses within Buildings

- 15 (1) Except when located in a stand-alone **building**, the following **uses** must not be located on the ground floor of a **building**:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care; and**
 - (d) **Residential Care.**

- (2) **Outdoor Cafés** may be located above the first storey of a commercial **building** provided that the **use** is completely separated from a **residential district** by a **building** or an intervening **major street**.
- (3) **Dwelling Units** may be located in a stand-alone **building** where:
 - (a) there are more than 25 **units** in a single **building**; and
 - (b) **motor vehicle parking stalls** are accommodated underground.