

BYLAW NUMBER 235D2023

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2023-0159/CPC2023-1015)**

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 DECEMBER 05, 2023

READ A SECOND TIME ON DECEMBER 05, 2023

READ A THIRD TIME ON DECEMBER 05, 2023

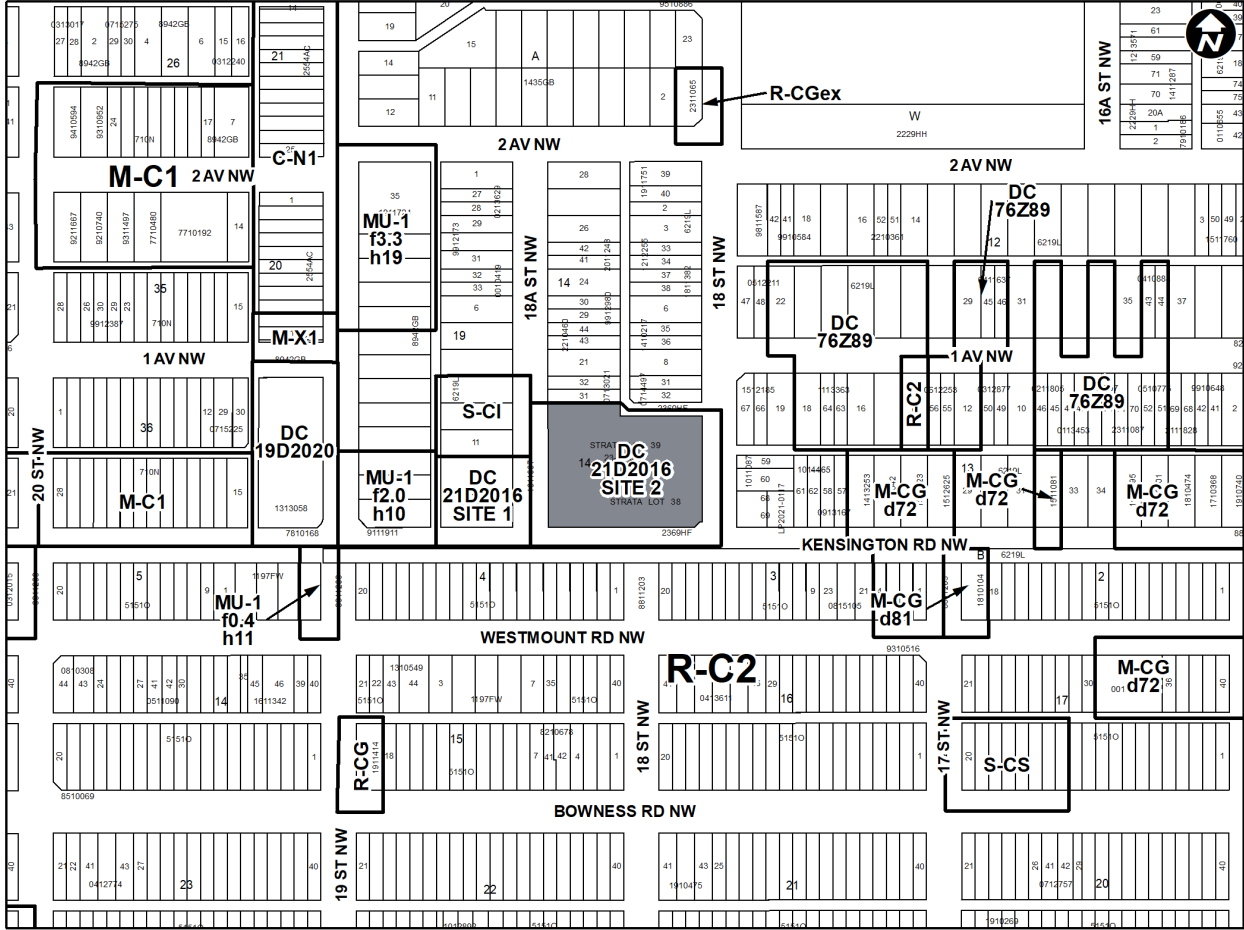


MAYOR
SIGNED ON DECEMBER 05, 2023

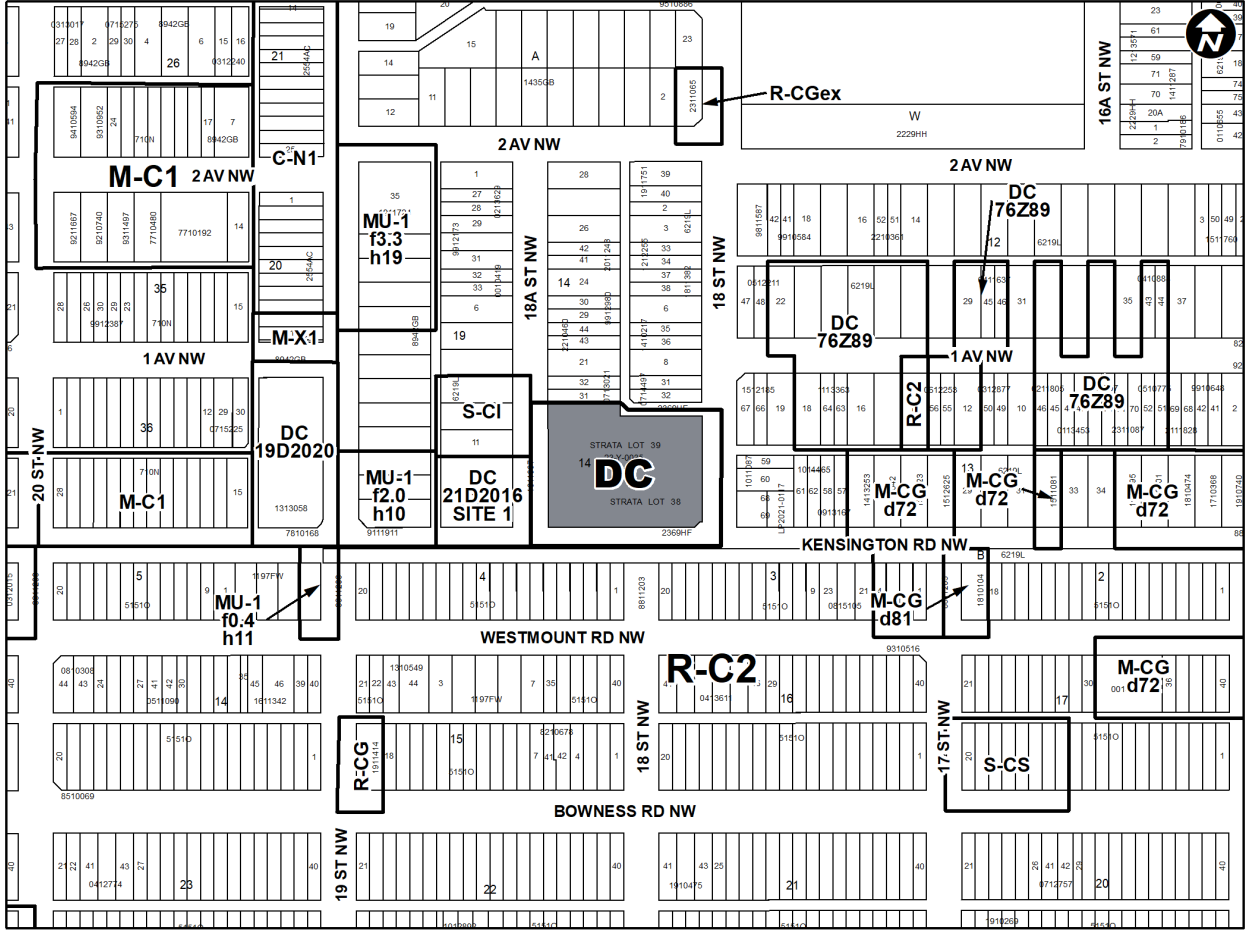
For 

CITY CLERK
SIGNED ON DECEMBER 05, 2023

SCHEDULE A



SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) provide for pedestrian-oriented, mid-rise, mixed-use development;
- (b) create a sensitive building design that responds to adjacent low-density development through massing, stepbacks and other design considerations to reduce the perception of building height;
- (c) allow for uses that generate pedestrian activity and contribute to an active street to be located on the ground floor of buildings; and
- (d) provide additional rules for liquor stores.

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 Bylaw, 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) “**Commercial Use**” means the *permitted uses* and *discretionary uses* of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit and Residential Care**.

Permitted Uses

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

Discretionary Uses

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

Bylaw 1P2007 District Rules

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

Building Orientation

- 8 (1) The main *public entrance* to a *building* must face a *property line* shared with a *street*.
- (2) The maximum *building setback* from a *property line* shared with Kensington Road NW is 4.0 metres, excluding those portions of the *building* that form recesses providing *amenity space* at *grade*, architectural interest or entrance recesses.
- (3) *Motor vehicle parking stalls* and *loading stalls* must not be located between a *building* and Kensington Road NW.

Building Façade

- 9 (1) The length of the *building* façade that faces Kensington Road NW must be a minimum of 80.0 per cent of the length of the *property line* it faces.
- (2) In calculating the length of the *building* façade, the depth of any required *setback areas* referenced in Section 15 of this Direct Control District will not be included as part of the length of the *property line*.

Vehicle Access

10 Vehicular access must not be from Kensington Road NW.

Location of Uses within Buildings

11 (1) The following **uses** must not be located on the ground floor of **buildings**:

- (a) **Assisted Living;**
- (b) **Catering Service – Minor;**
- (c) **Child Care Service;**
- (d) **Dwelling Unit;**
- (e) **Health Care Service;**
- (f) **Instructional Facility;**
- (g) **Live Work Unit;**
- (h) **Office;**
- (i) **Place of Worship – Small;**
- (j) **Post-secondary Learning Institution;**
- (k) **Residential Care;** and
- (l) **Veterinary Clinic.**

(2) There is no minimum **gross floor area** for **commercial uses** within a **building**.

(3) **Commercial uses** and **Live Work Units**:

- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**; and
- (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**.

Floor Area Ratio

12 The maximum **floor area ratio** is 4.3.

Building Height

13 (1) The minimum **building height** is 10.0 metres.

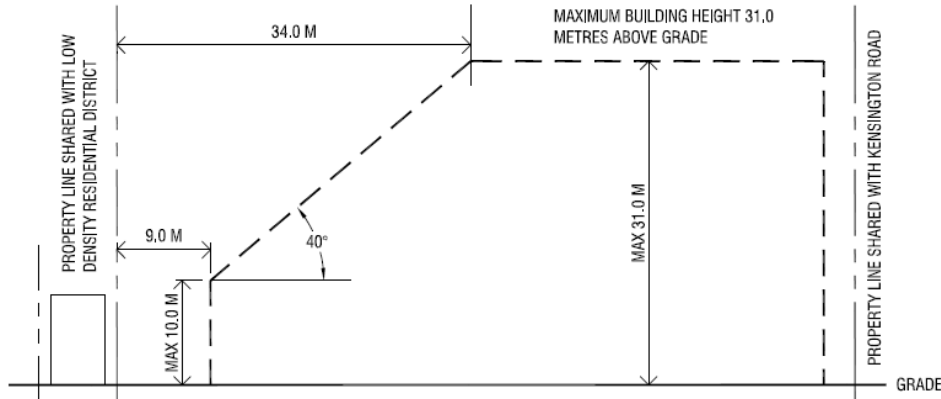
(2) The minimum height of the **storey** closest to **grade** containing **commercial uses** and facing a **street** is 6.0 metres.

(3) Unless otherwise referenced in subsection (4), the maximum **building height** is 31.0 metres.

(4) (a) the maximum **building height** within 9.0 metres of the **property line** shared with a **low density residential district** is 10.0 metres and increases proportionately at a 40.0 degree angle to a maximum of 31.0 metres measured at **grade** at a distance of 34.0 metres from the **property line** shared with a **low density residential district**, as shown on Illustration 1; and

- (b) notwithstanding the definition of **building height** in Bylaw 1P2007, **building height** in this section includes **ancillary structures**.

Illustration 1: Building Height in subsection 13(4).



Front Setback Area

14 There is no minimum requirement for a **front setback area**.

Rear Setback Area

- 15 (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) a **commercial district**, there is no requirement for a **rear setback area**;
 - (b) a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and
 - (c) a **special purpose district**, the **rear setback area** must have a minimum depth of 3.0 metres.
- (2) Where the **parcel** shares a **rear property line** with:
- (a) a **street**, the **rear setback area** must have a maximum depth of 3.0 metres, excluding those portions of the **building** that form recesses providing **amenity space** at **grade**, architectural interest, or entrance recesses;
 - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (c) a **lane**, in all other cases, there is no requirement for a **rear setback area**.

Side Setback Area

- 16 (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) a *commercial district*, there is no requirement for a *side setback area*;
 - (b) a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres; and
 - (c) a *special purpose district*, the *side setback area* must have a minimum depth of 3.0 metres.
- (2) Where the *parcel* shares a *side property line* with:
- (a) a *street*, the *side setback area* must have a maximum depth of 4.0 metres, excluding those portions of the *building* that form recesses providing *amenity space* at *grade*, architectural interest, or entrance recesses;
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres; and
 - (c) a *lane*, in all other cases, there is no requirement for a *side setback area*.

Projections Into Setback Areas

- 17 (1) Unless otherwise referenced in subsections (2), (3), (4) and (5) *buildings* must not be located in any *setback area*.
- (2) Eaves, architectural overhangs, and *balconies* on a *building* may project into any *setback area* to a maximum of 2.5 metres.
- (3) Parkade ramps, associated curbs, guard rails, and venting may project into any *setback area*.
- (4) Portions of a *building* below the surface of the ground may extend into any *setback area*, only when those portions are used as a parking structure.
- (5) *Signs* may be located in any *setback area*, and where so located, must be in accordance with Part 3, Division 5 of Bylaw 1P2007.

Building Design

- 18 (1) Façades facing a *street*, when located above the floor closest to *grade* containing *commercial uses*, must step back a minimum of 2.0 metres from the façade of the floor closest to *grade*, excluding *balconies* and façades that are for distinctive *building* articulation.
- (2) Façades facing a *street*, when located above 24.0 metres, must step back a minimum of 2.0 metres from the façade of the *storey* below.

- (3) The ground floor must provide minimum of two of the following features to articulate the base of the **building** and to distinguish the base of the **building** from the rest of the **building**:
 - (a) façade articulation;
 - (b) design elements, such as cornice lines, window bays, canopies;
 - (c) texture; or
 - (d) **building** materials.
- (4) The façade of **commercial uses** located on the floor closest to **grade**, and facing a **street** must provide windows with unobscured glass that:
 - (a) allow for views of the indoor space or product display areas; and
 - (b) occupies a minimum of 60.0 per cent of the façade between a height of 0.6 metres and 3.0 metres.

Liquor Store Separation Distance

- 19
- (1) Subsection 40(h) of Bylaw 1P2007 does not apply to this Direct Control District Bylaw.
 - (2) Subsection 225(d) of Bylaw 1P2007 does not apply to this Direct Control District Bylaw.
 - (3) The maximum **use area** of a **Liquor Store** is 500.0 square metres.
 - (4) A **Liquor Store** must face onto Kensington Road NW.

Relaxations

- 20
- The **Development Authority** may relax the rules contained in Sections 7 through 9 and 12 through 18 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.