

**BYLAW NO. 113Z2005**

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND  
THE CITY OF CALGARY LAND USE BYLAW 2P80  
(Land Use Amendment # LOC2005-0031)**

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**WHEREAS** it is desirable to amend The City of Calgary Land Use Bylaw Number 2P80 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;

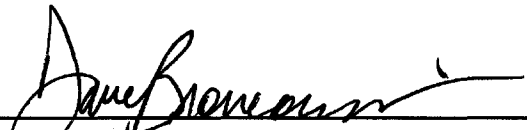
**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. The City of Calgary Land Use Bylaw, being Bylaw 2P80 of the City of Calgary, is hereby amended by deleting that portion of the Land Use Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use 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.

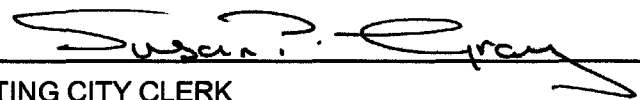
READ A FIRST TIME THIS 5<sup>th</sup> DAY OF DECEMBER, 2005.

READ A SECOND TIME, AS AMENDED, THIS 5<sup>th</sup> DAY OF DECEMBER, 2005.

READ A THIRD TIME, AS AMENDED, THIS 5<sup>th</sup> DAY OF DECEMBER, 2005.

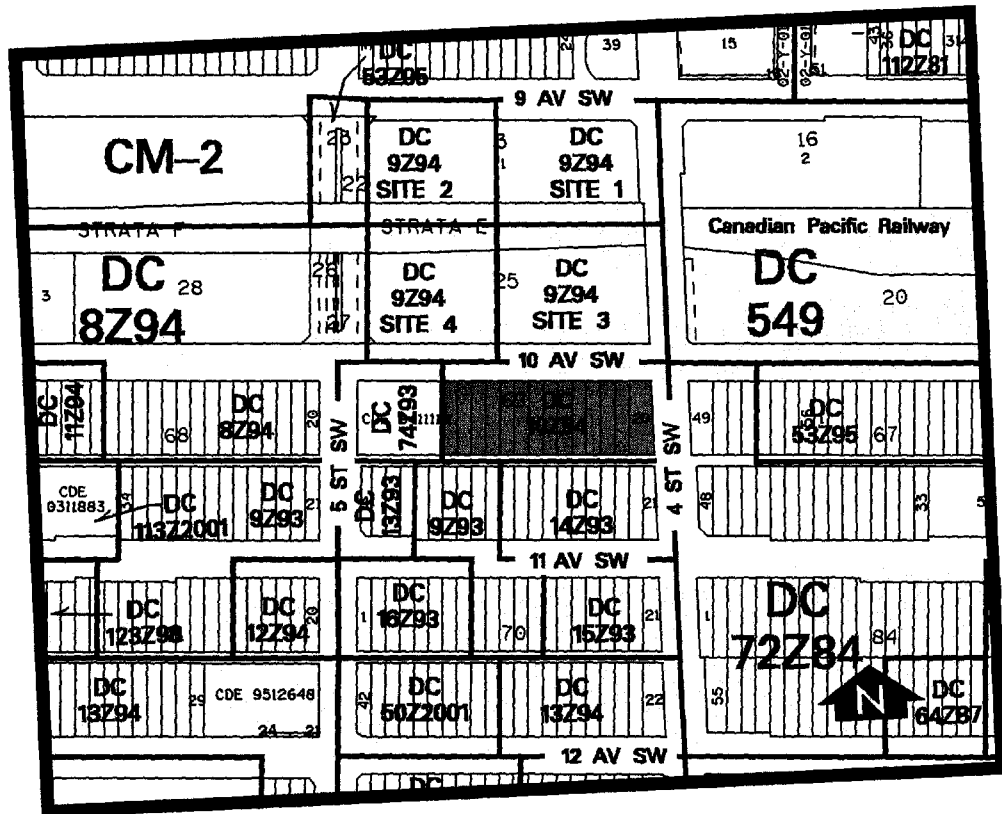
  
\_\_\_\_\_  
MAYOR

DATED THIS 15<sup>th</sup> DAY OF DECEMBER, 2005.

  
\_\_\_\_\_  
ACTING CITY CLERK

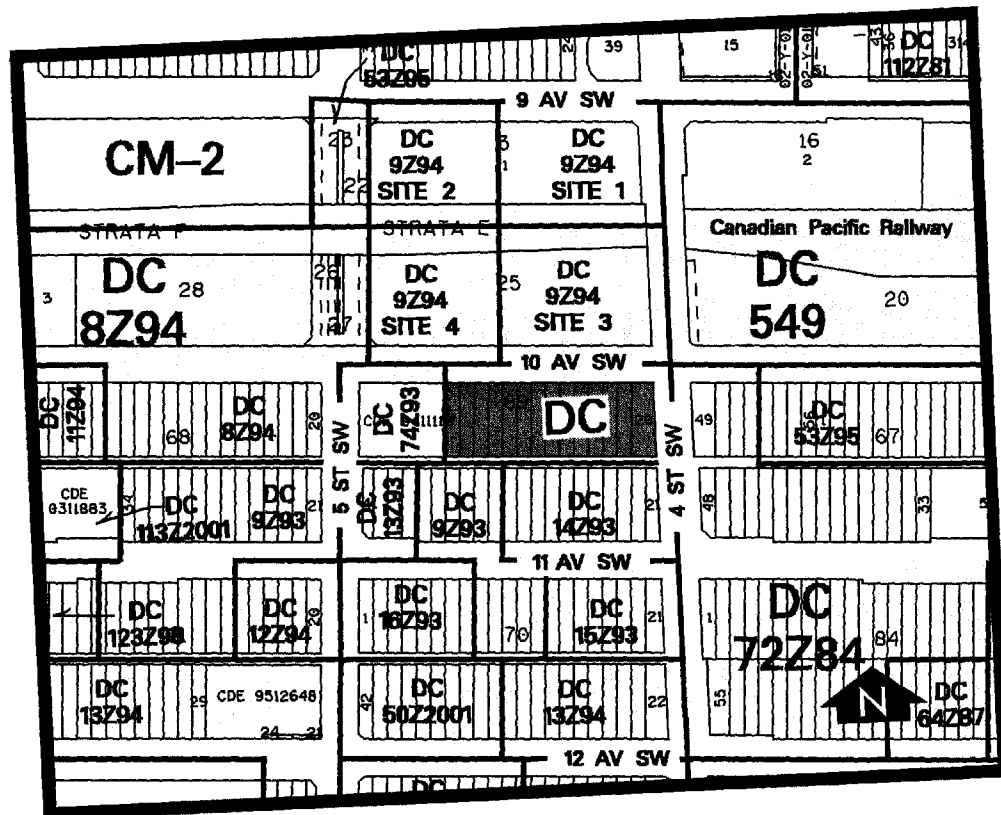
# Amendment # LOC2005-0031 Bylaw # 113Z2005

## SCHEDULE A



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## SCHEDULE B



### DC DIRECT CONTROL DISTRICT

1. Land Use

The land use is for a mixed use development with the Permitted and Discretionary Uses of the RM-7 Residential High Density Multi-Dwelling District as the Permitted and Discretionary Uses respectively including the additional Discretionary Uses of:

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### SCHEDULE B

#### CONTINUED

Accessory food services  
Athletic and recreational facilities  
Automotive Sales and Rental  
Commercial Schools  
Drinking establishments  
Financial institutions  
Liquor stores  
Live-work Unit  
Medical clinics  
Outdoor Café  
Private clubs and organizations  
Radio and television studios  
Restaurants-food service only (C.U.)  
Restaurants – Licensed  
Retail food stores (C.U.)  
Special function tents (commercial)  
Take-out food services  
Universities, colleges, and provincial training centers

For the purpose of this bylaw, “live-work unit” means a type of dwelling unit used by the resident for working and living purposes that may include, but is not limited to offices, personal service businesses and the selling of goods produced on site.

#### 2. Development Guidelines

The General Rules of Residential Districts contained in Section 20 of Bylaw 2P80, shall apply to all uses and the Permitted Use Rules of the RM-7 Residential High Density Multi-Dwelling District shall apply to Permitted Uses and the Discretionary Use Rules of the RM-7 Residential High Density Multi-Dwelling District shall apply to the Discretionary Uses unless otherwise noted below:

- (a) Yards
  - (i) No yards required at the main floor, except for a 2 metre side yard adjacent to 4 Street SW;

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### **SCHEDULE B**

#### **CONTINUED**

- (ii) A minimum of 4.0 metres from the north and south property lines shall be required for all development above the fifth storey of the building; and
  - (iii) A minimum of 8.0 metres from the east and west property lines shall be required for all development above the fifth storey of the building.
- (b) **Parking**
- (i) a minimum of 0.9 stalls for each residential and live-work unit;
  - (ii) a minimum of 0.15 stalls per residential unit for visitor parking; and
  - (iii) all other uses shall provide a minimum of 1 stall per 100 square metres of net floor area.
- (c) **Building Design**
- (i) The project shall be comprised of two towers of residential development on a podium of commercial/residential/parking;
  - (ii) Buildings shall be designed to be street orientated and shall include primary entrances to commercial units directly fronting the public street at grade;
  - (iii) Parking areas above grade shall be designed as an integral part of the development, to the satisfaction of the Approving Authority;
  - (iv) Interface with residential development at the westernmost edge of the site shall be of a high quality to the satisfaction of the Approving Authority; and
  - (v) There shall be a minimum separation between the two towers of 26 metres.
- (d) **Landscaping**
- (i) A minimum of 40 per cent of the site area plus all public boulevards shall be landscaped;
  - (ii) Landscaped areas contained either at grade or at the top of the podium shall be counted towards the 40 per cent landscaping requirement;

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#### CONTINUED

- (iii) All areas at grade that are not covered by building shall be landscaped; and
  - (iv) All areas at the top of the podium not required for access shall be landscaped.
- (e) Height
- (i) A maximum podium height of 16 metres; and
  - (ii) A maximum of 32 storeys not exceeding 100 metres for the east tower on the site and a maximum of 29 storeys not exceeding 91 metres for the west tower on the site.
- (f) Density
- The maximum gross floor area shall be:
- (i) A base of 5 F.A.R.;
  - (ii) 11 F.A.R. where the following features are provided to the satisfaction of the approving authority:
    - (A) A minimum of 30 live-work units;
    - (B) Enhanced public realm upgrades including but not limited to hard landscaped paving of the entire rear lane between 4 and 5 Street SW, hard landscaped paving of the public boulevards including sidewalks along 10 Avenue SW and 4 Street SW, and a minimum of 12 street trees;
    - (C) Commercial uses at grade with a minimum of three individual storefront entries along 10 Avenue and/or 4 Street SW;
    - (D) A Geothermal Heating System provided at initial construction of the building;

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## **SCHEDULE B**

### **CONTINUED**

- (E) Artwork that is visible to the public placed at various locations on the building; and
  - (F) Elements of Leadership in Energy and Environmental Design (LEED) construction that, in combination with site location and approved city policies, will allow the building to achieve the equivalent of a LEED Certified rating.
- (iii) 12 F.A.R. where, in addition to provision of all features in (ii) above, and in lieu of (ii)(F), the following features are provided to the satisfaction of the Approving Authority:
- (A) elements of LEED construction that, in combination with site location and approved city policies, will allow the building to achieve the equivalent of a LEED silver rating; and
  - (B) a green roof is provided on the top of the podium of the building.

For the purpose of this bylaw, a green roof:

- (A) is a system of plants, growing medium and root/waterproof membranes that act as a whole to maximize the available environmental benefits on the roof of any type of building;
  - (B) improves: air temperature, air pollution, storm water, and green space; and
  - (C) comprises 50 per cent of total project roof area.
- (g) Guidelines for Commercial/Institutional Uses

Commercial and institutional uses shall be limited to the first and second storeys and shall have separate entry from that of the residential component of the building. This rule does not apply to live-work units.

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### SCHEDULE B

#### CONTINUED

- (h) Live-Work Units
  - (i) Live-work units shall be limited to those uses that do not create a nuisance by the way of electronic interference; dust; noise; odour; smoke; bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside of the live-work unit;
  - (ii) The working area shall not exceed 50 percent of the total floor area;
  - (iii) A maximum of two non-resident employees or business partners may work on site;
  - (iv) Signage is limited to the interior of the building;
  - (v) No aspect of the operation shall be visible from outside the building;
  - (vi) There shall be no outside storage of material, goods or equipment on, or immediately adjacent to the site;
  - (vii) A sign shall be erected and maintained within the building, sufficiently visible to the satisfaction of the Development Authority, indicating that live-work units are allowable within the development;
  - (viii) No live-work unit shall be located on the same story as a purely residential use; and
  - (ix) No live-work unit shall be located on a story above a purely residential use.
- (i) Outdoor Cafe

The use of outdoor speaker system(s) is prohibited.
- (j) Size Limit for Drinking Establishment

A maximum net floor area of 100 square metres, excluding kitchen area.



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**SCHEDULE B**

**CONTINUED**

**(k) Garbage Storage**

**(i) Garbage and waste material shall be stored inside the building in a completely enclosed, lockable space; and**

**(ii) The space for storage and collection of garbage shall be readily accessible for pick-up.**

**(l) Recycling Facilities**

**Comprehensive recycling facilities shall be provided to the satisfaction of the Approving Authority at the development permit stage.**

BYLAW NO. 11322005

ADVERTISED IN the Calgary Sun ON Nov. 10.05

**4** BYLAW 11322005  
BELTLINE  
To redesignate the land located at 517 & 521R - 10 Avenue SW (Plan 196EA, Block 69, Lots 6 to 20) from DG Direct Control District to DC Direct Control District to accommodate high density residential uses, live work units, and commercial uses at grade.

TO: CITY CLERK  
FROM: DEVELOPMENT AND BUILDING APPROVALS  
RE: LUB/113Z2005

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APPROVED AS TO CONTENT

  
\_\_\_\_\_  
HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM

  
\_\_\_\_\_  
CITY SOLICITOR *Nov. 9/05*

BUDGET PROGRAM NO.  
(if applicable)

\_\_\_\_\_

DATE OF COUNCIL INSTRUCTION  
(if applicable)

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