

BYLAW NO. 37Z2005

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment # LOC2004-0093)**

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;

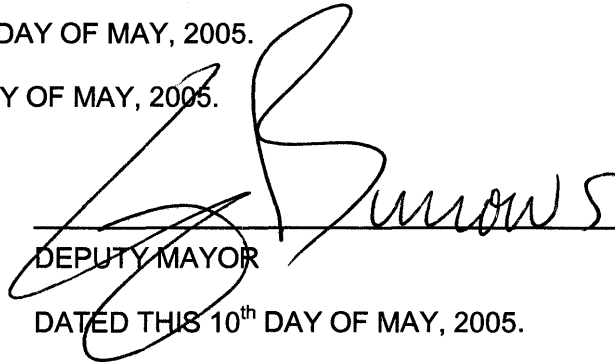
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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.

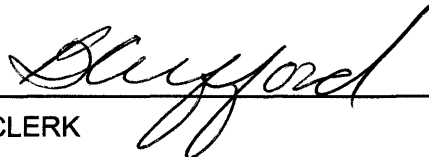
READ A FIRST TIME THIS 10th DAY OF MAY, 2005.

READ A SECOND TIME THIS 10th DAY OF MAY, 2005.

READ A THIRD TIME THIS 10th DAY OF MAY, 2005.



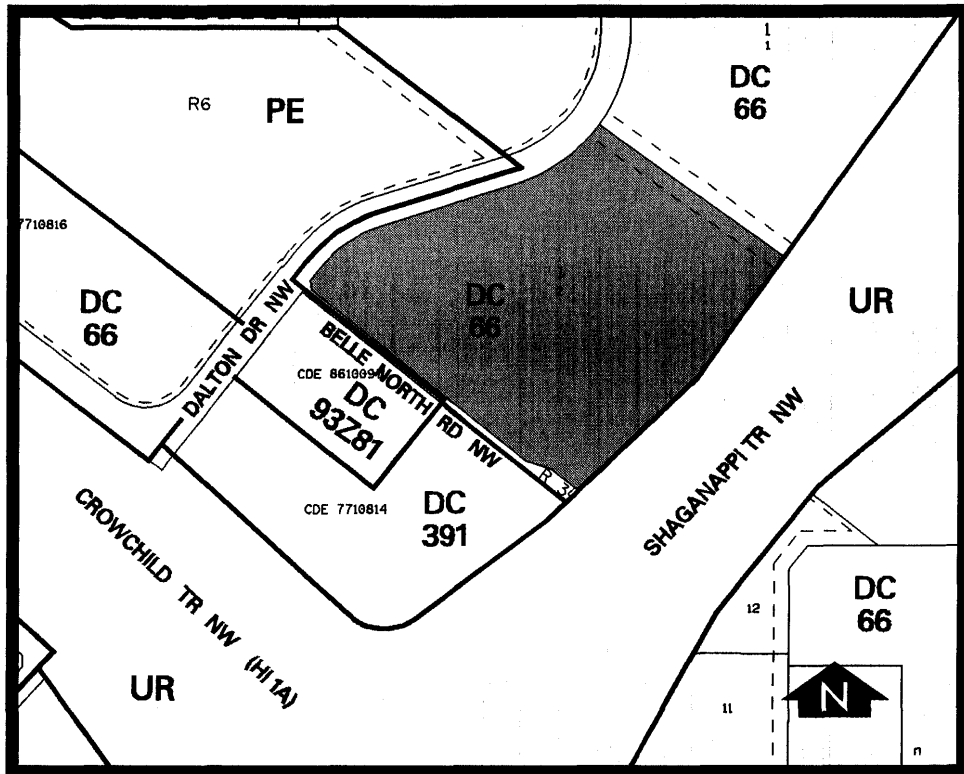
DEPUTY MAYOR
DATED THIS 10th DAY OF MAY, 2005.



DEPUTY CITY CLERK

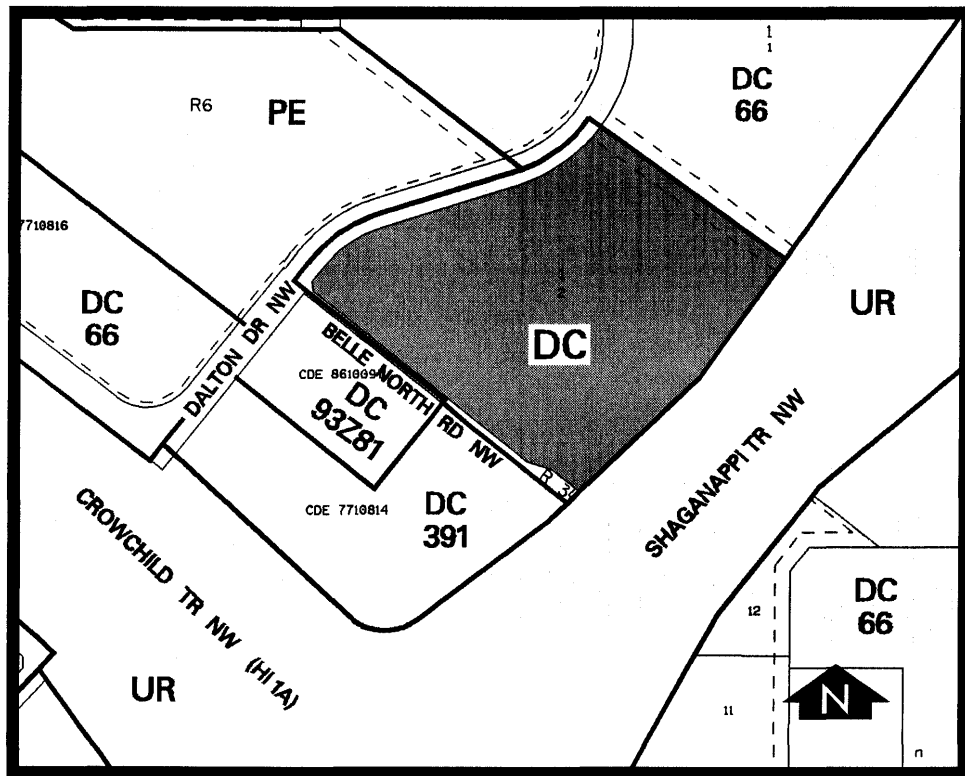
**Amendment # LOC2004-0093
Bylaw # 37Z2005**

SCHEDULE A



**Amendment # LOC2004-0093
Bylaw # 37Z2005**

SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. Permitted Uses

The following uses are permitted:

- Essential public services
- Parks and playgrounds
- Signs – Class 1
- Utilities

Amendment # LOC2004-0093 Bylaw # 37Z2005

SCHEDULE B

CONTINUED

The following uses shall be permitted only within existing buildings:

Personal service businesses
Power generation facility, small-scale
Restaurants – food service only
Retail food stores
Retail stores
Take-out food services

2. Permitted Use Rules

In addition to the General Rules for Commercial Districts contained in Section 33 of Land Use Bylaw 2P80, the following rules shall apply:

- (a) **Right-of-way Setbacks**
See Section 17 of Land Use Bylaw 2P80
- (b) **Parking and Loading Regulations**
See Section 18 of Land Use Bylaw 2P80
- (c) **Floor Area**

- (i) **Restaurant-Food Service Only**

Where a site abuts a residential district or a local street or a lane separating the site from a residential district, except where entrance to the premises is gained solely from within a building, a maximum net floor area of 75 square metres, excluding kitchen area; and

- (ii) **Take-out Food Service**

A maximum net floor area of 15 square metres, excluding kitchen area.

Amendment # LOC2004-0093 Bylaw # 37Z2005

SCHEDULE B

CONTINUED

(d) **Rules for Utilities and Essential Public Services**

The following rules shall apply to utilities and essential public service only:

(i) **Front Yard**

A minimum depth of 3 metres;

(ii) **Side Yard**

A minimum width of 3 metres where the side of the site abuts a residential district;

(iii) **Rear Yard**

A minimum depth of 3 metres where the rear of the site abuts a residential district; and

(iv) **Landscaped Area**

All minimum required front and side yards, except for access ways from public thoroughfares, shall be landscaped.

3. **Discretionary Uses**

In addition to the following uses, those uses that are Permitted in existing buildings, or which provide a drive-in or drive through facility, shall be Discretionary in proposed buildings:

Accessory food services
Athletic and recreational facilities
Automotive rentals
Automotive services
Automotive specialties
Child care facilities
Commercial schools

**Amendment # LOC2004-0093
Bylaw # 37Z2005**

SCHEDULE B

CONTINUED

Drinking establishments
Essential public services
Educational establishments
Entertainment establishments
Financial institutions
Funeral homes
Grocery stores
Hotels and motels
Laboratories
Liquor stores
Mechanical reproduction and printing establishments
Medical clinics
Motion pictures production studios
Offices
Outdoor cafes
Parking areas and parking structures
Personal service businesses
Private clubs and organisations
Private schools
Public and quasi-public buildings
Radio and television studios
Restaurants – licensed
Signs-Class 2
Special function tents (commercial)
Utilities
Utility building
Veterinary clinics

4. Discretionary Uses Rules

In addition to the General Rules for commercial Districts contained in Section 33 of Land Use Bylaw 2P80 and the Permitted Use Rules contained in Section (3) above, the following rules shall apply:

(a) Yards

Amendment # LOC2004-0093

Bylaw # 37Z2005

SCHEDULE B

CONTINUED

For this site, all yards shall have a minimum depth of 6 metres except where the site abuts another commercial site where no setback shall be required.

(b) Building Height

- (i) A maximum of 15 metres for the retail and shopping portion of the development; and
- (ii) A maximum of 45 metres for offices, medical clinics and hotels.

(c) Gross Floor Area

- (i) A maximum of 2.8 times the site area; and
- (ii) The total gross floor area of a hotel, office or other non-retail portion shall not exceed the total gross floor area of the retail and shopping portion of the development.

(d) Floor Area

- (i) Accessory Food Service

A maximum gross floor area of 15 square metres;

- (ii) Outdoor Café

A maximum gross floor area of 25 square metres where a site abuts a residential district or a local street or a lane separating the site from a residential district; and

- (iii) Drinking Establishment, Restaurant-Licensed and Entertainment Establishment

A maximum net floor area of 75 square metres, excluding kitchen area, where a site abuts a residential district or a local street or a lane

Amendment # LOC2004-0093 Bylaw # 37Z2005

SCHEDULE B

CONTINUED

separating the site from a residential district, except where entrance to the premises is gained solely from within a building.

(e) Development Site Area

A minimum of 1.6 hectares.

(f) Landscaped Area

(i) Soft landscaping shall be provided to an average width of 6 metres adjacent to the property line over the full length of the perimeter of the site except where the site abuts a commercial site; and

(ii) Soft landscaping shall be located to enhance:

(A) Around parking areas, and

(B) Alongside vehicular access ways, extending from the point of access to or from the development site to the nearest internal circulation roadway.

(g) Outside Storage

Outside storage shall be visually screened to a minimum height of 1.8 metres.

(h) Parking and Loading Regulations

(i) See Section 18 of Land Use Bylaw 2P80.

(ii) All outside loading spaces shall be visually screened and designed as an integral part of the development.

(i) Signs

See Sign Appendix of Land Use Bylaw 2P80.

6. Conditions Of Development

**Amendment # LOC2004-0093
Bylaw # 37Z2005**

SCHEDULE B

CONTINUED

See Section 11 of Land Use Bylaw 2P80.

BYLAW NO. 3722005

ADVERTISED IN the Calgary Herald **ON** 04/14/05

2 **BYLAW 3722005** **DALHOUSIE**
To redesignate the land located at 5404 Dalton Drive NW (Plan 7410037, Block 1, Lot 2) from DC Direct Control District to DC Direct Control District to accommodate a commercial development with the additional use of automotive rentals.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/37Z2005

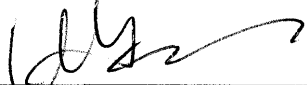
=====

APPROVED AS TO CONTENT



HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM

 April 13/05

CITY SOLICITOR

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
