

BYLAW 78Z2007

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment LOC2007-0012)**

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 16th DAY OF JULY, 2007.

READ A SECOND TIME THIS 16th DAY OF JULY, 2007.

READ A THIRD TIME THIS 16th DAY OF JULY, 2007.



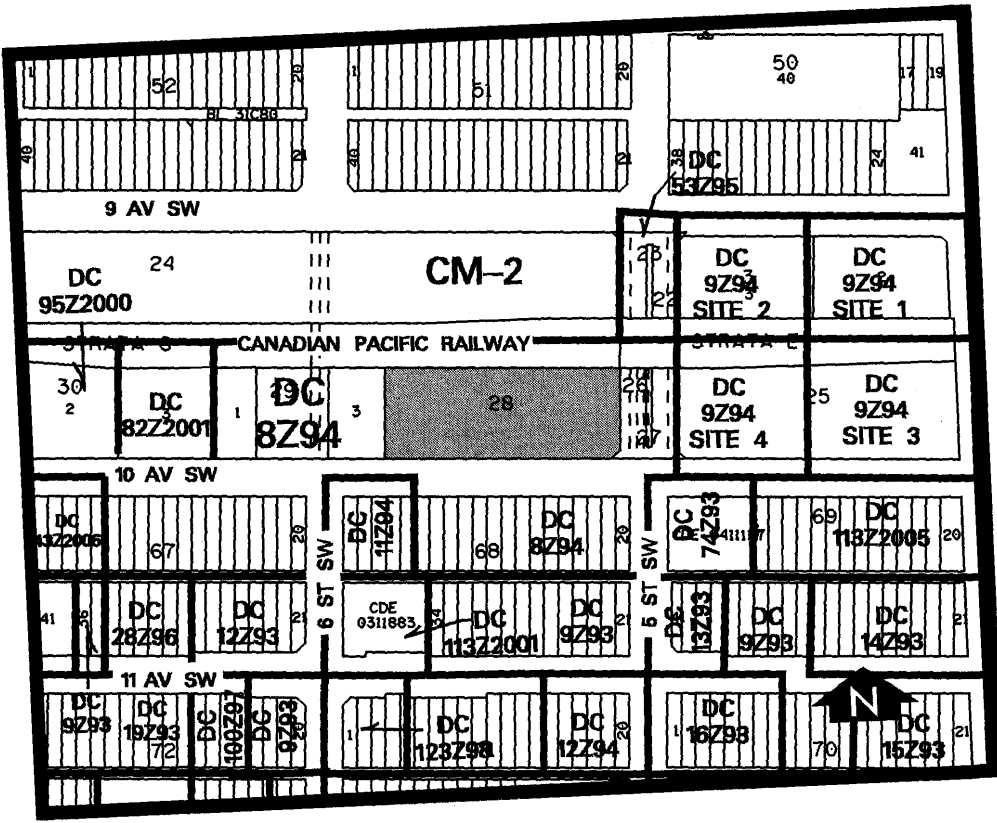
MAYOR
SIGNED THIS 16th DAY OF JULY, 2007.



ACTING CITY CLERK
SIGNED THIS 16th DAY OF JULY, 2007.

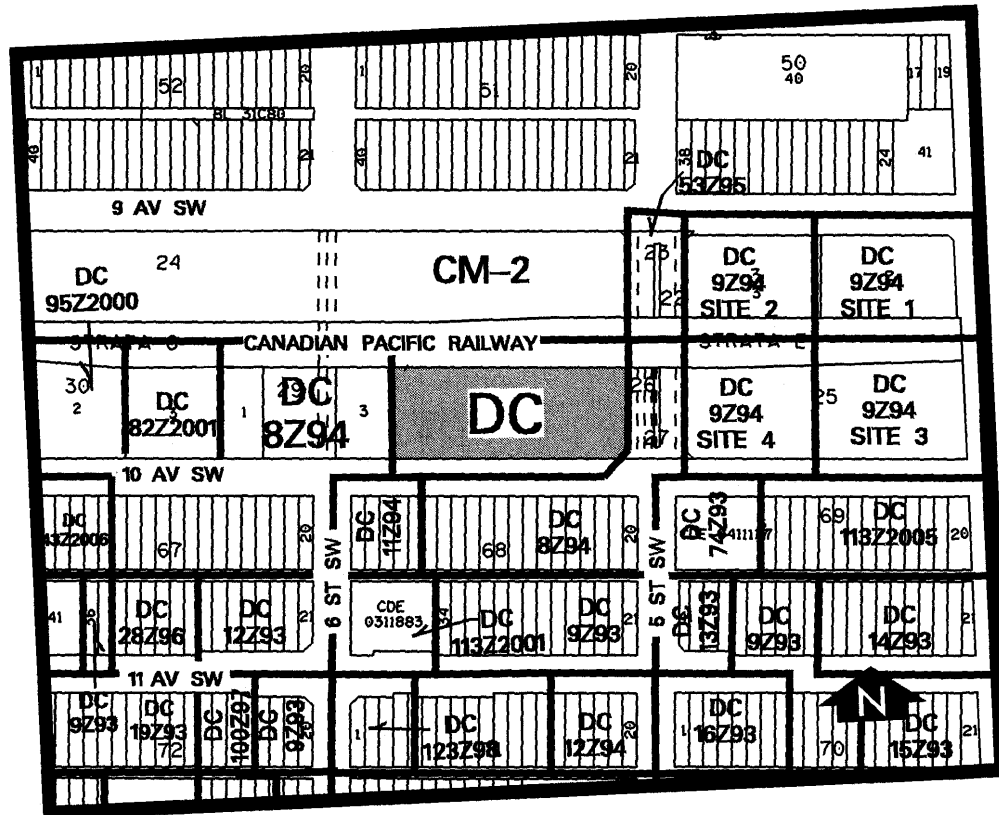
Amendment LOC2007-0012 Bylaw 78Z2007

SCHEDULE A



Amendment LOC2007-0012 Bylaw 78Z2007

SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. Land Use

The Permitted and Discretionary Uses of the CM-2 Downtown Business District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively, except for the following:

- (a) Live-work units (N.P.) shall be a Discretionary Use;
- (b) the following uses shall be deleted:

- Amusement arcades
- Automotive sales and rentals
- Automotive services
- Automotive specialties
- Gaming establishment - bingo
- Signs – class 2

Amendment LOC2007-0012

Bylaw 78Z2007

SCHEDULE B

CONTINUED

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 for Downtown Districts contained in Section 42.1 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules of the CM-2 Downtown Business District shall apply to Permitted Uses and the Discretionary Use Rules of the CM-2 Downtown Business District shall apply to Discretionary Uses, unless otherwise noted below:

(a) Gross Floor Area

- (i) A maximum of 5.0 F.A.R. for commercial development;
- (ii) A maximum of 8.0 F.A.R. for residential/mixed use development; and
- (iii) The maximum F.A.R. prescribed in subsections (i) and (ii) may be increased from 5.0 F.A.R. to a maximum of 8.0 F.A.R. for commercial development, and from 8.0 F.A.R. to a maximum of 12.0 F.A.R. for residential/mixed use development respectively in accordance with the bonus provisions contained within the Beltline Area Redevelopment Plan as amended by City Council from time to time.

(b) Yards

- (i) A minimum of 1.5 metres adjacent to 10 Avenue SW;
- (ii) A minimum of 3.0 metres adjacent to 5 Street SW; and
- (iii) No requirement for all other yards.

(c) Parking

In addition to the requirements of Section 18 of Bylaw 2P80, the following shall apply:

- (i) a minimum of 0.9 stalls for each residential and live-work unit; and

Amendment LOC2007-0012

Bylaw 78Z2007

SCHEDULE B

CONTINUED

- (ii) 0.15 stalls per residential unit for visitor parking, unless a lesser amount is demonstrated to the satisfaction of the Approving Authority.
- (d) Building Design

All uses at grade shall be street oriented and include entrances at grade directly fronting the public street.
- (e) Landscaping
 - (i) A minimum of 30 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 a podium may be counted towards the 30 per cent landscaping requirement; and
 - (iii) All areas at grade that are not covered by building or driveway access shall be landscaped.
- (f) Floor Plate Size Restrictions

All residential floor plates higher than 36 metres above grade shall have a maximum gross floor area of 950 square metres.
- (g) Building Height

No maximum height.
- (h) Guidelines for Commercial Uses
 - (i) Except uses at grade, no commercial uses shall be located on a same storey or above a residential use; and
 - (ii) Except for live-work units, commercial uses shall have separate entry from that of the residential component of the building.
- (i) Live-Work Units

Amendment LOC2007-0012

Bylaw 78Z2007

SCHEDULE B

CONTINUED

- (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 one non-resident employee or business partner 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) Except at grade, a live-work unit shall not be located on the same storey as a purely residential use; and
 - (viii) A live-work unit shall not be located on a storey above a purely residential use.
- (j) Outdoor Cafe
- The use of outdoor speaker system(s) is prohibited.
- (k) Drinking Establishment
- A maximum net floor area of 75 square metres.
- (l) Recycling Facilities
- Comprehensive recycling facilities shall be provided to the satisfaction of the Approving Authority.
- (m) Home Occupations

Amendment LOC2007-0012 Bylaw 78Z2007

SCHEDULE B

CONTINUED

Home occupations shall comply with the rules contained in Section 20 of Bylaw 2P80.

(n) Existing Uses

Any use approved by the Approving Authority and existing as of the date of passage of this Bylaw, shall be deemed to be a Discretionary Use but if that use is discontinued for a period of six consecutive months or more, any future use of the land shall conform with the uses specified in this Bylaw.

BYLAW NUMBER: 78Z2007

ADVERTISED IN THE Calgary Herald on Thursday June 21, 2007

**17 BYLAW 78Z2007
BELTLINE**

To redesignate the land located at 614-10 Avenue S.W. (Plan 1423LK, Block 28) from DC Direct Control District to DC Direct Control District to accommodate high density residential or commercial development.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/78Z2007


=====

APPROVED AS TO CONTENT



HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM



CITY SOLICITOR

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
