

BYLAW 79Z2007

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment LOC2006-0069)

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.

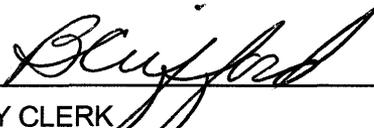
READ A FIRST TIME THIS 16th DAY OF JULY, 2007.

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

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



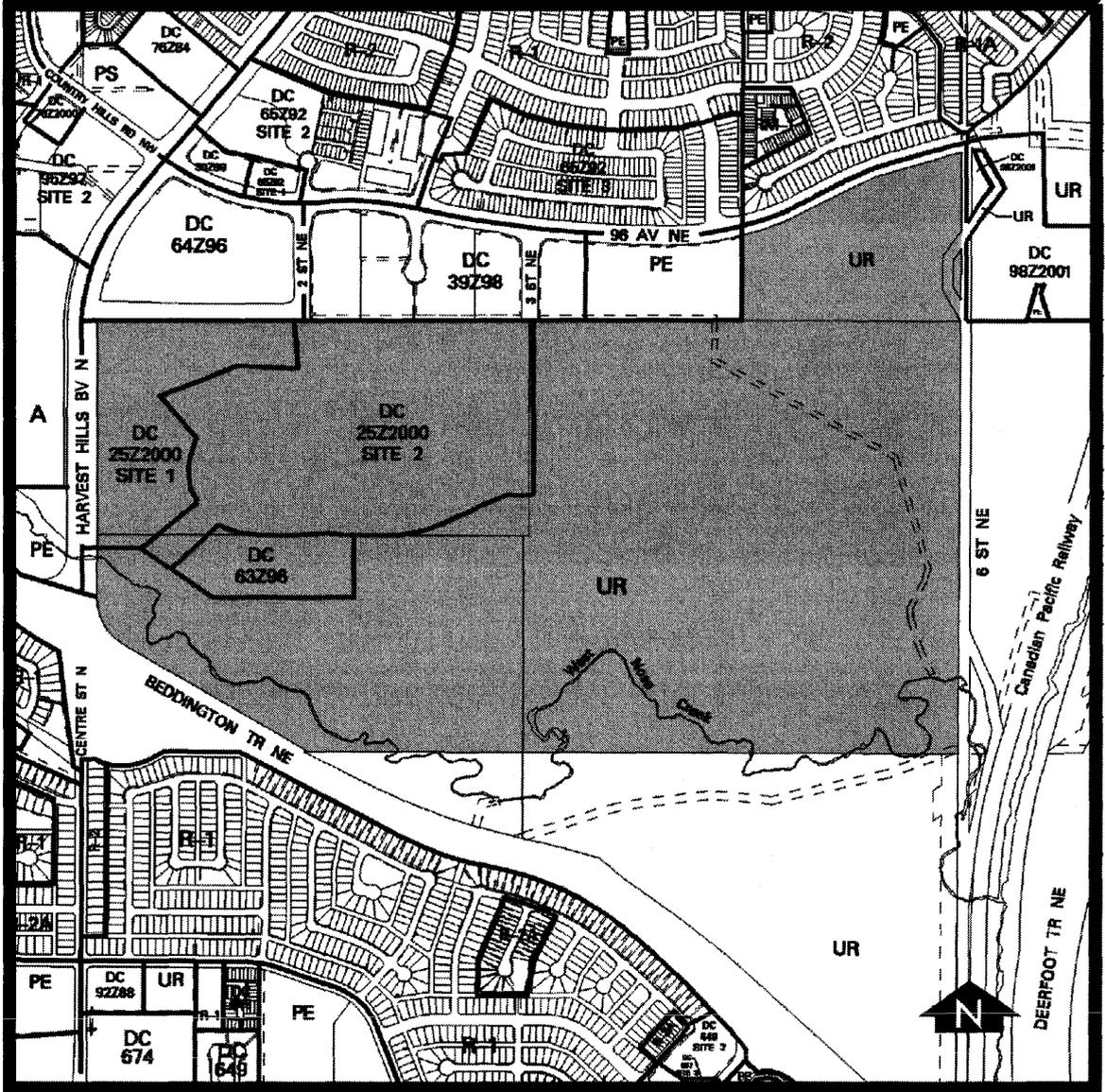
MAYOR
SIGNED THIS 16th DAY OF JULY, 2007.



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

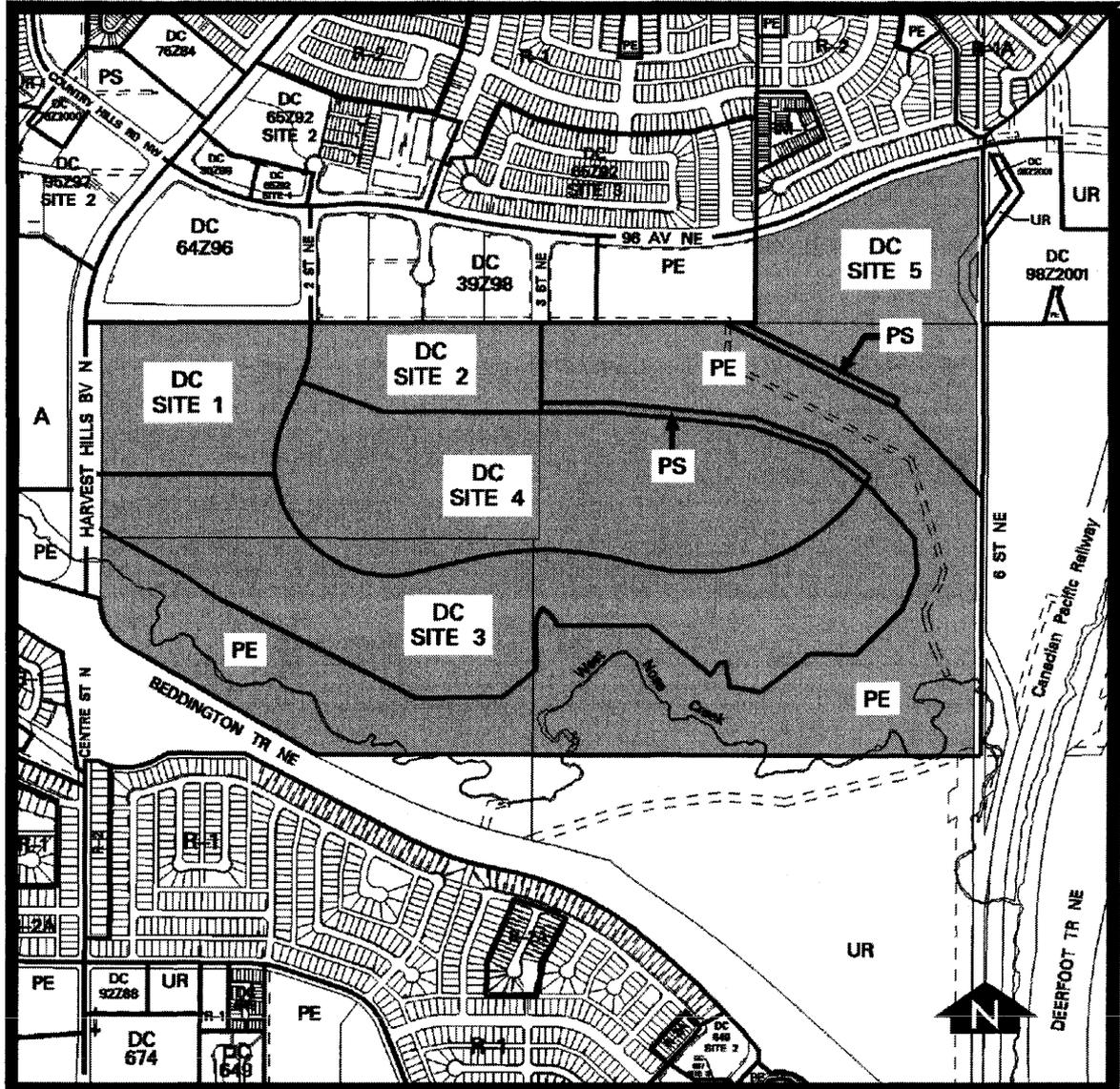
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

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SCHEDULE B

CONTINUED

Site 1

8.68 hectares ± (21.45 acres ±)

1. Land Use

(a) Permitted Uses

Except for Essential Public Services, Parks and Utilities, the following uses shall be permitted only in an approved shopping centre:

Offices
Essential public services
Parks
Signs, freestanding identification
Utilities

(b) Discretionary Uses

Shopping centre

The following uses may apply only within an approved shopping centre:

Accessory food services
Athletic and recreational facilities
Child care facilities
Commercial schools
Drinking establishments
Entertainment establishments
Financial institutions
Grocery stores
Hotels
Liquor stores
Outdoor cafes
Parking areas and structures
Power generation facility, small-scale
Power generation facility, mid-scale
Private clubs and organizations
Personal service business
Radio and television studios
Restaurant – food service only
Restaurants – licensed

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SCHEDULE B

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Retail stores
Retail food stores
Signs – class 1
Special function tents (commercial)
Take out food services
Veterinary clinics

- (c) In this Bylaw, shopping centre means a group of uses, including retail, office, personal service and other non-commercial establishments developed comprehensively on a site with shared parking, landscaping and other amenities.

2. Development Guidelines

The General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 shall apply to all Uses and the Permitted Use Rules of the C-5 Shopping Centre Commercial District shall apply to Permitted Uses and the Discretionary Use Rules of the C-5 Shopping Centre Commercial District shall apply to Discretionary Use Rules unless otherwise noted below:

(a) Maximum Gross Floor Area

- (i) A maximum of 8498 square metres (91,476 square feet) of the gross floor area of Site 1 may be developed for uses other than Offices;
and
- (ii) In conjunction with a development permit application for a Discretionary Use, an analysis shall be submitted to the satisfaction of the Approving Authority demonstrating compliance with (i) above.

(b) Floor Area Ratio

The gross floor area for all uses shall be a maximum of 1.0 times the site area.

(c) Parcel Area

The minimum area of a parcel shall be 8.7 hectares (21.45 acres).

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SCHEDULE B

CONTINUED

DC Site 2

6.14 hectares ± (15.17 acres ±)

1. Land Use

(a) Permitted Uses

Except for Essential Public Services, Parks and Utilities, the following uses shall be Permitted only within existing buildings:

Offices
Essential public services
Parks
Signs, freestanding Identification
Utilities

(b) Discretionary Uses

In addition to the following uses, the Permitted Uses contained in Subsection (a) shall be Discretionary Uses in proposed buildings:

Accessory food services
Catering service
Convenience store
Child care facilities
Financial institutions
Laboratories
Personal service business
Radio and television studios
Restaurant – food service only
Signs
University and colleges, provincial training facilities

2. Development Guidelines

The General Rules for Industrial Districts contained in Section 43 of Bylaw 2P80 shall apply to all Uses and the Permitted Use Rules of the General Light Industrial District shall apply to Permitted Uses and the Discretionary Use Rules of the I-2 General Light Industrial District shall apply to Discretionary Uses unless otherwise noted below:

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SCHEDULE B

CONTINUED

(a) Outside Storage

No outside storage shall be allowed on the site.

(b) Building Height

A minimum of 12 metres except a maximum of 18 metres for offices.

(c) Floor Area Ratio

The gross floor area for all uses shall be a maximum of 1.0 times the site area.

(d) Maximum Gross Floor Area

A maximum of 10 percent of the gross floor area of a building may contain uses other than offices.

Site 3

25.65 hectares ± (63.38 acres ±)

1. Land Use

(a) Permitted Uses

Except for Essential Public Services, Parks and Utilities, the following uses shall be permitted only in existing buildings:

Essential public services
Parks
Offices
Signs – freestanding identification
Utilities

(b) Discretionary Uses

In addition to the following uses, the Permitted Uses contained in Subsection (a) shall be Discretionary Uses in proposed buildings:

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SCHEDULE B

CONTINUED

Accessory food services
Ancillary commercial uses
Child care facilities
Commercial schools
Financial Institution
Laboratories
Mechanical Reproduction and printing establishments
Public and quasi-public buildings
Motion picture production facilities
Parking areas and structures
Power generation facility, small scale
Power generation facility, mid scale
Signs
Special function tents

2. Development Guidelines

The General Rules for Industrial Districts contained in Section 43 of By-Law 2P80 shall apply to all uses and the Permitted Use Rules of the I-2 General Light Industrial District shall apply to Permitted Uses and the Discretionary Use Rules of the I-2 General Light Industrial District shall apply to Discretionary Uses unless otherwise noted below:

(a) Outside Storage

No outside storage shall be allowed on the site.

(b) Building Height

A maximum of 12 metres except a maximum of 18 metres for offices.

(c) Floor Area Ratio

The gross floor area for all uses shall be a maximum of 1.0 times the site area.

(d) Existing Uses in this DC Direct Control District:

- (i) Where a use was being carried out on land that was designated DC Direct Control at the time of coming into force of this Bylaw; and

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SCHEDULE B

CONTINUED

- (ii) the use was not listed as a permitted or a discretionary use in the DC Direct Control District

That use on that land shall be deemed to be a discretionary use in this DC Direct Control District, but if that use is discontinued for a period of twelve consecutive months or more, any future use of the land shall conform with the uses specified in this DC Direct Control District.

DC Site 4

22.17 hectares ± (54.78 acres ±)

1. Land Use

(a) Permitted Uses

Except for Essential Public Services, Parks and Utilities, the following uses shall be permitted only in existing buildings:

- Offices
- Essential public services
- Parks
- Utilities

(b) Discretionary Uses

In addition to the following uses, the Permitted Uses contained in Subsection (a) shall be Discretionary Uses in proposed buildings:

- Accessory uses
- Accessory food services
- Ancillary commercial uses
- Cleaning, servicing, testing or repairing
- Child care facilities
- Commercial schools
- Laboratories
- Manufacturing, fabricating, processing, assembly, disassembly, production or packaging of materials, goods or products
- Printing establishments
- Motion picture production facilities
- Parking areas and structures
- Power generation facility, small-scale
- Power generation facility, mid-scale

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SCHEDULE B

CONTINUED

Radio and television studios
Signs

2. Development Guidelines

The General Rules for Industrial Districts contained in Section 43 of Bylaw 2P80 shall apply to all Uses and the Permitted Use Rules of the I-2 General Light Industrial District shall apply to Permitted Uses and the Discretionary Use Rules of the I-2 General Light Industrial District shall apply to Discretionary Uses unless otherwise noted below:

(a) Building Height

A maximum of 12 metres except a maximum of 18 metres for offices.

(b) Floor Area Ratio

The gross floor area for all uses shall be a maximum of 1.0 times the site area.

(c) Existing Uses in this DC Direct Control District

- (i) Where a use was being carried out on land that was designated DC Direct Control at the time of coming into force of this Bylaw; and
- (iii) the use was not listed as a permitted or a discretionary use in the DC Direct Control District.

That use on that land shall be deemed to be a discretionary use in this DC Direct Control District but if that use is discontinued for a period of twelve consecutive months or more, any future use of the land shall conform with the uses specified in this DC Direct Control District.

DC Site 5

13.29 hectares ± (32.85 acres ±)

1. Land Use

(a) Permitted Uses

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SCHEDULE B

CONTINUED

Except for Essential Public Services, Parks and Utilities, the following uses shall be permitted only within an approved shopping centre:

- Offices
- Essential public services
- Parks
- Utilities
- Signs – freestanding identification

(b) Discretionary Uses

Shopping Centre

The following uses may apply only within an approved shopping centre:

- Accessory food services
- Athletic and recreational facilities
- Child care facilities
- Commercial schools
- Drinking establishments
- Entertainment establishments
- Financial institutions
- Grocery stores
- Hotels and motels
- Liquor stores
- Office
- Outdoor cafes
- Parking areas and structures
- Power generation facility, small-scale
- Power generation facility, mid-scale
- Private clubs and organizations
- Personal service business
- Radio and television studios
- Restaurant – food service only
- Restaurants – licensed
- Retail stores
- Retail food stores
- Signs
- Special function tents
- Take out food services
- Veterinary clinics

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SCHEDULE B

CONTINUED

- (c) In this Bylaw, shopping centre means a group of uses, including retail, office, personal service and other non-commercial establishments developed comprehensively on a site with shared parking, landscaping and other amenities.

2. Development Guidelines

The General rules for Commercial Districts contained in Section 33 of Bylaw 2P80 shall apply to all Uses and the Permitted Use Rules of the C-5 Shopping Centre Commercial District shall apply to Permitted Uses and the Discretionary Use Rules of the C-5 Shopping Centre Commercial District shall apply to Discretionary Uses unless otherwise noted below:

- (a) Floor Area Ratio
 - (i) The gross floor area for office buildings shall be a maximum of 1.0 times the site area; and
 - (ii) The gross floor area for all other uses shall be a maximum of 0.5 times the site area.

BYLAW NUMBER: 79Z2007

ADVERTISED IN THE Calgary Herald on Thursday June 21, 2007

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HARVEST HILLS

To redesignate the land located at 9444 Harvest Hills Boulevard N.E., 655-96 Avenue N.E., 300 Beddington Trail N.E., 9284 Harvest Hills Boulevard N.E. and the closed road (Plan 9210818, Block 1; Portion of the SE 1/4 Section 22-25-1-5; Portion of the S 1/2 Section 15-25-1-5; Portion of the N 1/2 Section 15-25-1-5; Plan 7348BM which lies within the SE 1/4 Section 22-25-1-5) from UR Urban Reserve District, DC Direct Control District and Undesignated Road Right-of-Way to PS Public Service District, PE Public Park, School and Recreation District and DC Direct Control District to accommodate mixed commercial and industrial uses in a business park format.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/79Z2007

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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)
