

BYLAW NO. 98Z2007

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80 AND
THE LAND USE BYLAW 1P2007 (LAND USE
AMENDMENT LOC2007-0024)**

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

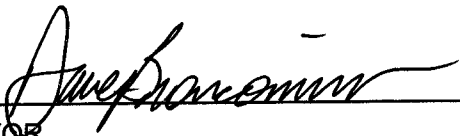
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The 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. 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 "C" to this Bylaw and substituting therefor that portion of the Land Use District Map shown as shaded on Schedule "D" of this Bylaw, including any Land Use Designation, or specific Land Uses and Development Guidelines contained in the said Schedule "D".
3. Paragraph 1 of this Bylaw comes into force on the date it is passed, and paragraph 2 of this Bylaw comes into force on June 1, 2008.

READ A FIRST TIME THIS 10th DAY OF SEPTEMBER, 2007.

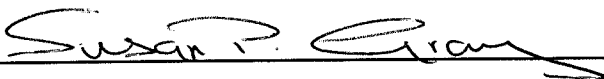
READ A SECOND TIME THIS 10th DAY OF SEPTEMBER, 2007.

READ A THIRD TIME THIS 10th DAY OF SEPTEMBER, 2007.



MAYOR

SIGNED THIS 10th DAY OF SEPTEMBER, 2007.

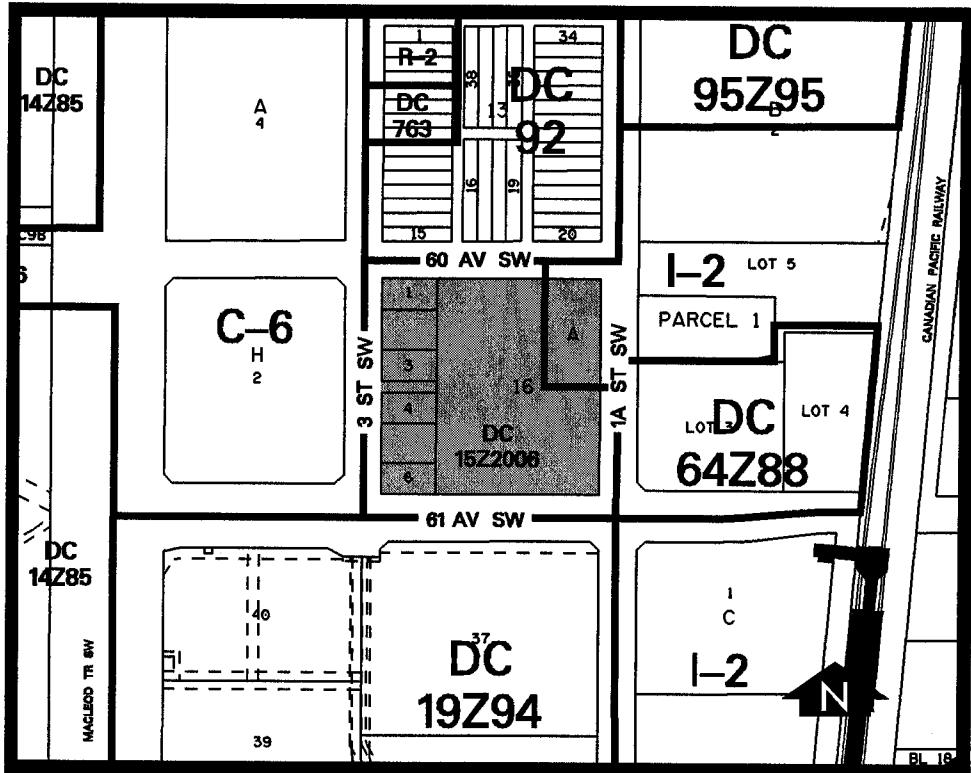


ACTING CITY CLERK

SIGNED THIS 10th DAY OF SEPTEMBER, 2007.

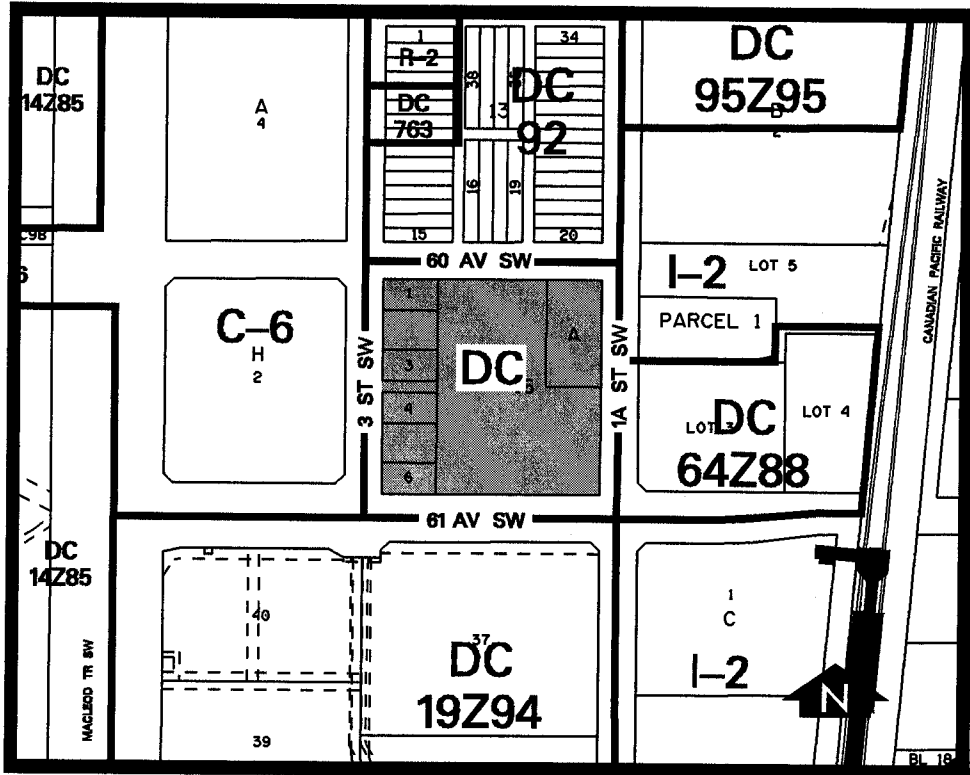
Amendment LOC2007-0024 Bylaw 98Z2007

SCHEDULE A



Amendment LOC2007-0024 Bylaw 98Z2007

SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. Land Use

Permitted Uses:

Home occupations - Class 1 and 2

Signs – Class I

Parks and playgrounds

Amendment LOC2007-0024 Bylaw 98Z2007

SCHEDULE B

Discretionary Uses:

Apartment buildings
Apartment-hotels
Assisted living accommodation
Child care facilities
Commercial schools
Dwelling units
Financial institutions
Grocery stores
Hotels
Laboratories
Liquor stores
Live-work unit
Mechanical reproduction and printing establishments
Medical clinics
Offices
Outdoor cafes
Personal service businesses
Private clubs or organizations
Private schools
Public or quasi-public buildings
Radio or television studios
Restaurants-food service only
Restaurants-licensed
Retail stores
Retail food store
Signs-class 2
Take-out food services
Utilities

For the purposes of this bylaw, “**assisted living accommodation**” means dwelling units modified in terms of kitchen and living space as a result of provision of such facilities as communal dining, social/recreational activities and housekeeping within the complex.

For the purposes of this bylaw, “**live-work unit**” means the use of a dwelling unit by the resident for work purposes which may include but is not limited to offices, personal service businesses, retailing of goods produced on site, craft production or similar small scale production activities, excluding automotive related uses.

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SCHEDULE B

2. Development Guidelines

The General Rules for Commercial Districts in Section 33 of Bylaw 2P80 shall apply, except as noted below:

(a) Gross Floor Area

- (i) A base F.A.R. of 5.0.
- (ii) At development permit stage, the base F.A.R. may be increased to a maximum 7.0 F.A.R. with the implementation of Density Bonuses;
- (iii) Density Bonuses, to the satisfaction of the Approving Authority, consist of items or features that provide a permanent or continuous benefit to the local community and falls into the following broad categories:
 - (A) Transportation Demand Management;
 - (B) Public Realm Improvements;
 - (C) Pedestrian Connectivity; and
 - (D) Sustainable Initiatives.
- (iv) Above grade parking structures to a maximum of 1.0 F.A.R. are excluded from the calculation of F.A.R.

(b) Building Setbacks

- (i) None required for non-residential development adjacent to any public thoroughfare;
- (ii) A minimum 3 metres for residential development adjacent to any public thoroughfare; and
- (iii) 61 Avenue SW setbacks shall be established from the ultimate right-of-way of said roadway as established at time of Development Permit Application(s).

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(c) Height

A maximum of 90 metres.

(d) Pedestrian Connections

At grade pedestrian connections shall be determined at the time of Development Permit, to the satisfaction of the Approving Authority.

(e) Parking

In addition to the requirements of Section 18 (1) of Bylaw 2P80;

- (i) Assisted living accommodation –1 stall per 3 units;
- (ii) Live-work unit –1 stall per unit; and
- (iii) Unused residential parking stalls may be utilized for non-residential uses until such time as required for the residential use.

(f) Phasing

The development of the site may occur in phases to the satisfaction of the Approving Authority.

(g) Landscaping and Amenity Space

The following areas, except for access ways from public thoroughfares, shall be landscaped to the satisfaction of the approving authority:

- (i) All yards not used for vehicle circulation;
- (ii) All on site horizontal surfaces greater than 5.6 square metres in size that are overlooked by residential units and not required for parking or access;
- (iii) All adjoining City boulevards;
- (iv) Each dwelling unit shall be provided with a private amenity space in accordance with Section 20 (17) of Bylaw 2P80; and
- (v) Where 50 percent or more of the gross floor area of a building is comprised of dwelling units, a minimum of 40 percent of the gross site area shall be provided as common amenity space for all residents through a combination of indoor and outdoor spaces.

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SCHEDULE B

- (h) Residential Uses
 - (i) A minimum of 25 percent of the F.A.R. shall be for residential uses;
 - (ii) Dwelling units shall not be located below any storey used for non-residential uses; and
 - (iii) No window of a living room or bedroom shall be located closer than a horizontal distance of 10 metres from the facing windows of any other building on the site.
- (i) Live-work units
 - (i) The resident shall be the operator of the live-work unit;
 - (ii) A maximum of one non-resident employee may work within the live-work unit;
 - (iii) Live-work units shall be limited to those uses which do not create a nuisance by 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 the live-work unit; and
 - (iv) The work component shall not exceed 50 percent of the gross floor area of the live-work unit.
- (j) Retail Uses
 - (i) Retail uses shall be limited to the first and second storeys of a building and each retail use shall have its own separate entry from any residential component of the building; and,
 - (ii) Retail uses abutting a sidewalk shall front onto it and have individual, direct, grade-level access to the sidewalk or any on-site pedestrian area.

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SCHEDULE B

- (k) Office Uses
 - (i) Office uses shall have its own separate entry from any residential component of the building; and
 - (ii) Office uses abutting a sidewalk shall front onto it and have individual, direct, grade level access to the sidewalk or any on site pedestrian area.
- (l) Retail Food Store
 - (i) A retail food store shall not exceed a maximum gross floor area of 1300 square metres; and
 - (ii) A retail food store shall not be developed as a stand alone use on the site; the use must form part of a comprehensively designed development.
- (m) Building Orientation and Design
 - (i) Building facades adjacent to a public thoroughfare shall incorporate architectural detailing that adds visual interest including, but not limited to, glazing, façade and roof details, awnings, arcades, patios, recesses or projections and varied building materials;
 - (ii) Buildings shall provide primary pedestrian entrances adjacent to public thoroughfares to provide ease of entrance, pedestrian movements, visual interest and maintain human scale;
 - (iii) Ground floor development adjacent to public thoroughfares shall contain uses such as retail, office, office with ancillary retail, personal service, restaurants and outdoor cafes;
 - (iv) Parking platforms, structures or garages shall have active street-level facades, including office, retail or restaurant uses, and/or building articulation to the satisfaction of the Approving Authority; and
 - (v) Buildings higher than 5 storeys shall be stepped back in order to maintain the human scale along adjoining sidewalks and to reduce shadow impacts on public streets.

Amendment LOC2007-0024 Bylaw 98Z2007

SCHEDULE B

(n) Signs

See Sign Appendix of Bylaw 2P80.

(o) Outdoor Storage

No outdoor storage shall be allowed.

(p) Public Infrastructure Improvements

(i) As a condition of development permit approval, required road and sidewalk improvements would be made to the satisfaction of the Approving Authority; and

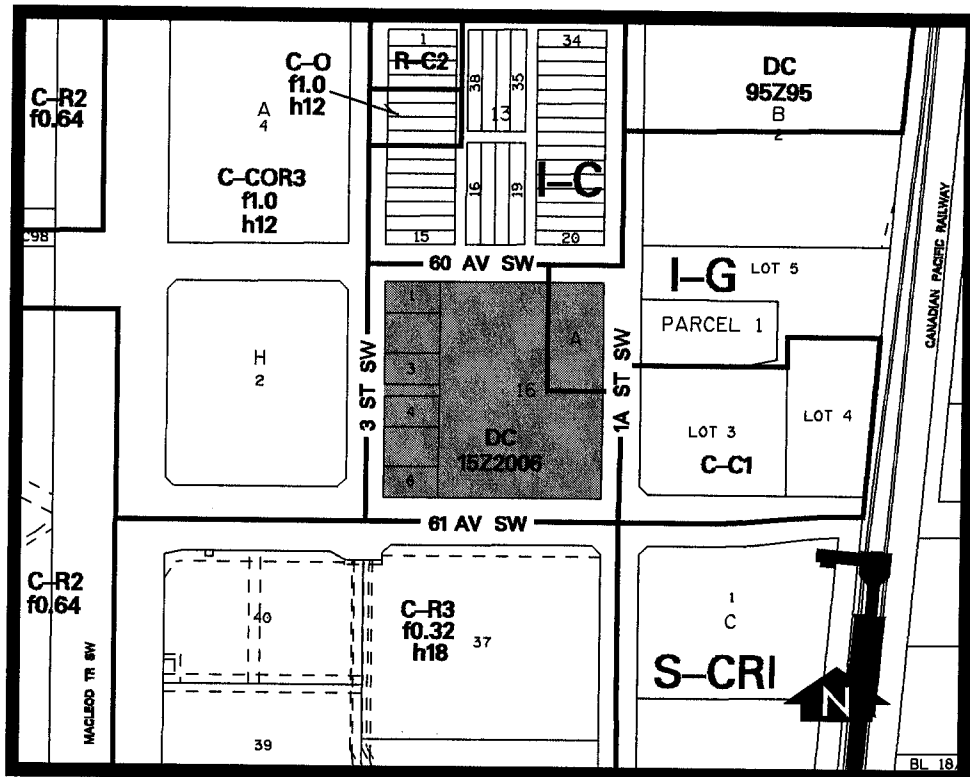
(ii) Subject to the review of a Transportation Impact Assessment at the time of development permit application, the applicant shall be required to enter into a Special Development Agreement with the City of Calgary for financial contributions for:

(A) provisions for above-grade pedestrian connections to a future +15 System to 61 Avenue SW; and

(B) intersection improvements at 61 Avenue SW / Macleod Trail SW including, but not limited to signalization, revised lane configuration, and grade-separated pedestrian crossings.

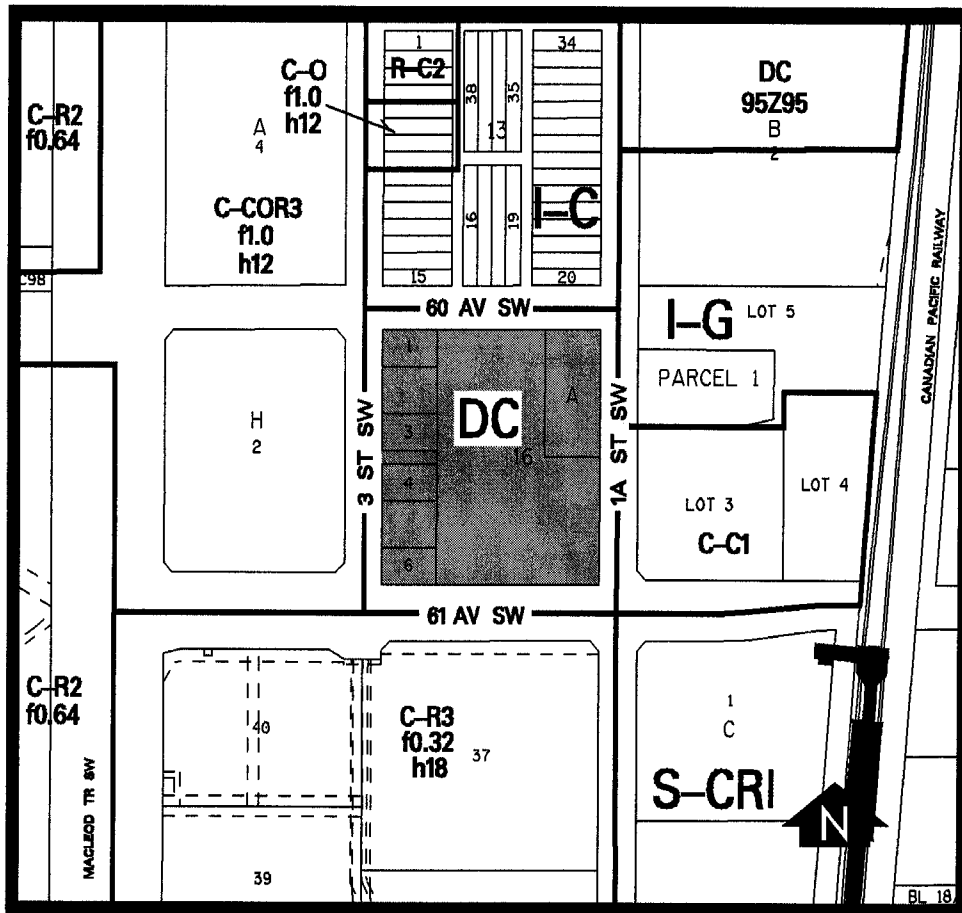
Amendment LOC2007-0024 Bylaw 98Z2007

SCHEDULE C



Amendment LOC2007-0024 Bylaw 98Z2007

SCHEDULE D



DC DIRECT CONTROL DISTRICT

1. Land Use

Permitted Uses:

Home occupations - Class 1 and 2

Signs – Class I

Parks and playgrounds

Amendment LOC2007-0024 Bylaw 98Z2007

SCHEDULE D

Discretionary Uses:

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Apartment-hotels
Assisted living accommodation
Child care facilities
Commercial schools
Dwelling units
Financial institutions
Grocery stores
Hotels
Laboratories
Liquor stores
Live-work unit
Mechanical reproduction and printing establishments
Medical clinics
Offices
Outdoor cafes
Personal service businesses
Private clubs or organizations
Private schools
Public or quasi-public buildings
Radio or television studios
Restaurants-food service only
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SCHEDULE D

2. Development Guidelines

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SCHEDULE D

(c) Height

A maximum of 90 metres.

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(e) Parking

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SCHEDULE D

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BYLAW NUMBER: 98Z2007

ADVERTISED IN THE Calgary Herald on Thursday August 16th, 2007

14 MANCHESTER INDUSTRIAL
BYLAW 98Z2007

To redesignate the land located at 203, 209 and 211 - 60 Avenue SW, 220 - 61 Avenue SW and 6120, 6126 and 6130 - 3 Street SW (Plan 379FS, Block A; Plan 4880AJ, Block 16; Plan 1923GM, Block 16, Lots 1 to 6 and laneway on Plan 5379GA) from I-2 General Light Industrial District and DC Direct Control District to DC Direct Control District to accommodate a mixed use development. (Bylaw 2P80)

To redesignate the land located at 203, 209 and 211 - 60 Avenue SW, 220 - 61 Avenue SW and 6120, 6126 and 6130 - 3 Street SW (Plan 379FS, Block A; Plan 4880AJ, Block 16; Plan 1923GM, Block 16, Lots 1 to 6 and laneway on Plan 5379GA) from I-G Industrial-General District and DC Direct Control District to DC Direct Control District to accommodate a mixed use development. (Bylaw 1P2007)

BYLAW NO. 98Z2007

ADVERTISED IN: Calgary Sun on Thursday August 23, 2007

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BYLAW 98Z2007

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TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/98Z2007

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APPROVED AS TO CONTENT



IAN COPE
HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM



SHARI SHIGEHIRO
CITY SOLICITOR

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
