BYLAW NO. 79Z2006

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE CITY OF CALGARY LAND USE BYLAW 2P80 (Land Use Amendment LOC2005-0125)

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 18th DAY OF JULY, 2006.

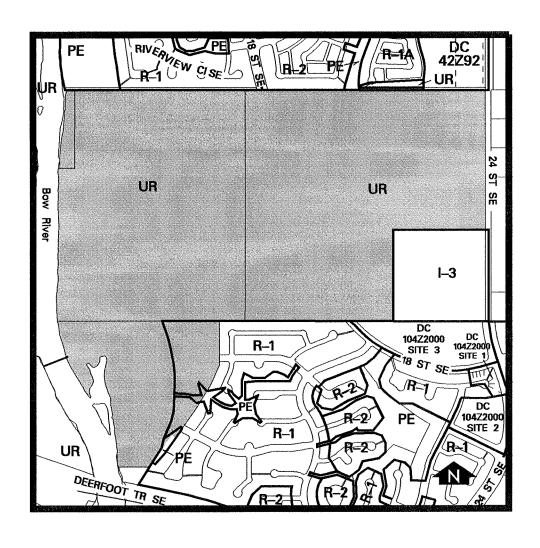
READ A SECOND TIME, AS AMENDED, THIS 18th DAY OF JULY, 2006.

READ A THIRD TIME, AS AMENDED, THIS 18th DAY OF JULY, 2006.

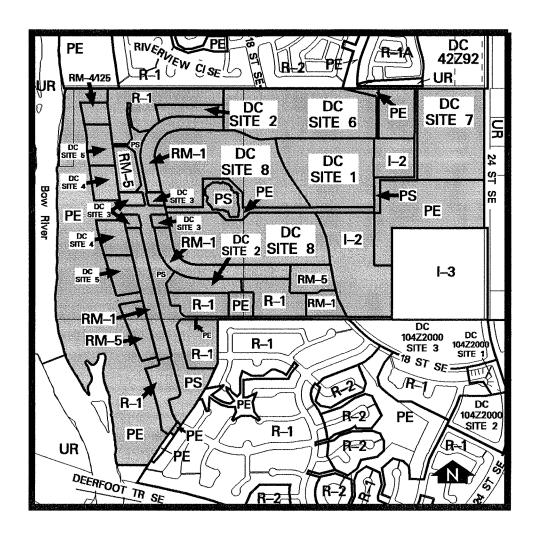
DATED THIS 24th DAY OF JULY, 2006.

ACTING CITY CLERK

SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Site 1 5.73 ha ± (14.16 acres ±)

1. Land Use

The Permitted and Discretionary Uses of the C-2 General Commercial District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively, excepting out amusement arcades, auto body and paint shops, automotive sales and rentals, automotive services, and automotive specialties.

SCHEDULE B

CONTINUED

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-2 General Commercial District shall apply to Permitted Uses and the Discretionary Use Rules of the C-2 General Commercial District shall apply to Discretionary Uses, unless otherwise noted below:

- (a) Building Height
 - (i) A maximum of 16 metres; and
 - (ii) Feature elements integrated into comprehensive building designs may exceed the height limit, to the satisfaction of the Approving Authority.
- (b) Gross Floor Area

A maximum of 0.5 times the site area.

- (c) Site & Building Design
 - (i) Development shall be pedestrian oriented consisting of, but not limited to:
 - (A) direct pedestrian routes between buildings and amenities; both on and off site pedestrian networks;
 - (C) predominantly smaller-scale businesses and shops;
 - (D) buildings predominantly placed along public street frontages with parking to the rear. Where this is not possible, a high quality edge treatment is required to the satisfaction of the Approving Authority;
 - (E) all building facades visible from boundary roads, the regional pathway to the south and the regional park to the east shall be architecturally treated to a similar standard as the front façades; and
 - (F) loading areas, ancillary storage, utility meters, garbage collection/compaction or other such services, shall be incorporated into the overall site design so that they are screened from view from all boundary roads and the regional pathway to the south.

SCHEDULE B

CONTINUED

(d) Development Concept Plan

To ensure comprehensive development, a Development Concept Plan for the entire site shall be submitted as part of any development permit application, to the satisfaction of the Approving Authority and include the following:

- (i) a site plan including possible building footprints, parking areas, and pedestrian circulation routes; and
- (ii) a landscape plan including details and standards for species type, size, number, and location. This plan shall also include proposed standards for the treatment of all required yards, boulevards, on-site circulation routes, interior on-site boulevard and road edge conditions.
- (e) Floodway / Floodplain

See Section 19.1 of Bylaw 2P80.

(f) Landfill setback

Any development falling within the temporary 450 metre setback from the dry waste landfill site shall comply with Section 13 of the Subdivision and Development Regulation 43/2002 until such time as the developer can demonstrate that the site is no longer affected by this setback.

Site 2 1.60 hectares \pm (3.95 acres \pm)

Land Use

The Permitted and Discretionary Uses of the R-1 Residential Single-Detached District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively, with the additional Discretionary Uses of studio suites and secondary dwelling units and child care facilities.

SCHEDULE B

CONTINUED

 For the purpose of this Bylaw, studio suite means a dwelling with a separate direct access at grade, situated entirely above the first floor of a private garage; and

For the purpose of this Bylaw secondary dwelling unit, means an additional dwelling unit on a lot designated for a single-detached dwelling only, within the basement of the principal dwelling.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 shall apply to all Uses and the Permitted Use Rules of the R-1 Residential Single-Detached District shall apply to Permitted Uses and the Discretionary Use Rules of the R-1 Residential Single-Detached District shall apply to Discretionary Uses, unless otherwise noted below:

(a) Density

A lot shall contain no more than one single-detached dwelling and may include either a studio suite or a secondary dwelling unit.

(b) Studio Suites

(i) Location

Notwithstanding Section 20(5)(g)(i) of Bylaw 2P80, no part of the garage may be used as part of a studio suite.

(ii) Building Height

A maximum of 10 metres for a building capable of accommodating a studio suite.

(iii) Lot Dimensions

A studio suite shall only be located on a lot containing a single-detached dwelling and having the following dimensions:

(A) A minimum lot area of 363 square metres;

SCHEDULE B

CONTINUED

- (B) A minimum lot width of 12 metres; and
- (C) A minimum lot depth of 30 metres
- (iv) Separation from Side Property Line

Buildings accommodating a studio suite shall have a minimum side yard of 1.2 metres.

(v) Separation from Rear Property Line

Buildings accommodating a studio suite shall have a minimum rear yard of 1.5 metres.

(vi) Floor Area

The gross floor area of a studio suite shall not exceed 63 square metres plus a loft.

(vii) Separation from Principal Building

Buildings accommodating a studio suite shall be located a minimum of 5 metres from the principal building.

(viii) Outdoor Amenity Space

Outdoor amenity space for a studio suite shall be a minimum area of 15 square metres and shall be provided at the rear of the principal building.

(c) Child Care Facilities

Only one child care facility shall be allowed within Site 2 and shall be located on a corner lot.

(d) Floodway / Floodplain

See Section 19.1 of Bylaw 2P80.

SCHEDULE B

CONTINUED

Site 3 0.66 hectares \pm (1.63 acres \pm)

Land Use

The Permitted and Discretionary Uses of the RM-1 Residential Low Density Multi-Dwelling District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively, with the additional Discretionary Use of stacked townhouses.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 shall apply to all Uses and the Permitted Use Rules of the RM-1 Residential Low Density Multi-Dwelling District shall apply to Permitted Uses and the Discretionary Use Rules of the RM-1 Residential Low Density Multi-Dwelling District shall apply to Discretionary Uses, unless otherwise noted below.

(a) Building Height

A maximum of 3 storeys not exceeding 11 metres.

(b) Driveways

All dwelling units shall only have vehicular access from a lane.

(c) Floodway / Floodplain

See Section 19.1 of Bylaw 2P80.

Site 4 1.94 hectares \pm (4.79 acres \pm)

1. Land Use

The Permitted and Discretionary Uses of the RM-6 Residential High Density Multi-Dwelling District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively with the additional Discretionary Uses of offices, personal service businesses, retail stores, restaurant -licensed, restaurant food service only and outdoor cafes.

SCHEDULE B

CONTINUED

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 shall apply to all Uses and the Permitted Use Rules of the RM-6 Residential High Density Multi-Dwelling District shall apply to Permitted Uses and the Discretionary Use Rules of the RM-6 Residential High Density Multi-Dwelling District shall apply to Discretionary Uses, unless otherwise noted below.

(a) Building Height

A maximum of 7 storeys not exceeding 23 metres.

- (b) Building Orientation and Design
 - (i) Building facades shall incorporate a high degree of visual interest through the provision of such design features as building or unit entries, porches, balconies, bay windows, roof dormers and pitched roofs; and
 - (ii) Building height and massing shall be mitigated by architectural features such as stepped back stories, terraces, balconies, windows, mixed dwelling types, landscaping and other forms of articulation.
- (c) Parking

In addition to the requirements of Section 18 of Bylaw 2P80, surface parking lots shall only be for visitor parking to the maximum number, or less, of the visitor stalls required by Bylaw 2P80. Entries to underground garages shall be sited and screened to reduce the visibility from Douglas Glen Grove SE and the river valley, to the satisfaction of the Approving Authority.

- (d) Commercial
 - (i) Commercial uses shall be limited to the first and second storey and shall have separate entry from that of the residential component of the building;
 - (ii) The gross floor area for the commercial component shall not exceed a maximum of 20 percent of the gross floor area of the building;

SCHEDULE B

CONTINUED

- (iii) Any side yard setback may be reduced to zero for the commercial component of the building where the yard abuts the PE (MR) parcel located between the two DC Site 4 sites to the satisfaction of the Approving Authority;
- (iv) Commercial facades on the ground floor shall incorporate prominent entrances, high degree of detailing and visual permeability.
- (v) No personal service business, restaurant -licensed, restaurant food service, office outdoor café or retail store shall be larger than 300 square metres; and
- (vi) No outdoor speakers shall be allowed.
- (e) Dwelling Units

No dwelling unit shall be located below any storey used for commercial purposes.

(f) Floodway / Floodplain

See Section 19.1 of Bylaw 2P80.

Site 5 2.16 hectares \pm (5.34 acres \pm)

1. Land Use

The Permitted and Discretionary Uses of the RM-5 Residential Medium Density Multi-Dwelling District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively with the additional Discretionary Uses of offices, personal service businesses, restaurant-licensed and restaurant food service only.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 shall apply to all Uses and the Permitted Use Rules of the RM-5 Residential Medium Density Multi-Dwelling District shall apply to Permitted Uses and the Discretionary Use Rules of the RM-5 Residential Medium Density Multi-Dwelling District shall apply to Discretionary Uses, unless otherwise noted below.

SCHEDULE B

CONTINUED

(a) Building Height

A maximum of 5 storeys not exceeding 16 metres.

- (b) Building Orientation and Design
 - (i) Building facades shall incorporate a high degree of visual interest through the provision of such design features as building or unit entries, porches, balconies, bay windows, roof dormers and pitched roofs; and
 - (ii) Building height and massing shall be mitigated by architectural features such as stepped back stories, terraces, balconies, windows, mixed dwelling types, landscaping and other forms of articulation.

(c) Parking

In addition to the requirements of Section 18 of Bylaw 2P80, surface parking lots shall only be for visitor parking to the maximum number, or less, of the visitor stalls required by Bylaw 2P80. Entries to underground garages shall be sited and screened to reduce the visibility from Douglas Glen Grove SE and the river valley, to the satisfaction of the Approving Authority.

(d) Commercial

- (i) Commercial uses shall be limited to the first and second storey and shall have separate entry from that of the residential component of the building.
- (ii) The gross floor area for the commercial component shall not exceed a maximum of 20 percent of the gross floor area of the building;
- (iii) Commercial facades on the ground floor shall incorporate prominent entrances, high degree of detailing and visual permeability such as windows and doorways and other openings;
- (iv) No personal service business, restaurant -licensed, restaurant food service, and offices, shall be larger than 300 square metres; and
- vi) No outdoor speakers shall be allowed.

(e) Dwelling Units

No dwelling unit shall be located below any storey used for commercial purposes.

SCHEDULE B

CONTINUED

(f) Floodway / Floodplain

See Section 19.1 of Bylaw 2P80.

Site 6 9.64 hectares ± (23.83 acres ±)

1. Land Use

a) The Permitted and Discretionary Uses of the I-1 Industrial Business Park District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively with the deletion of office, business or commercial establishments, excluding sector and regional shopping centres, gaming establishments-bingo and gaming establishments - casino, adult mini-theatres and the movement or storage of materials, goods or products and with the addition of the following:

The following uses are Permitted in existing buildings:

Personal service business
Accessory food service
Office
Financial institution
Athletic and recreational facilities
Laboratories
Public quasi public building (library)
Parking areas & structures
Power generation facility – Small
Essential public services
Radio, recording and television studio
utilities

Uses listed below are Discretionary Uses if they are located in new buildings or new additions to buildings:

Offices Laboratories

and the following uses are Discretionary Uses

Drinking establishments Medical clinics Outdoor cafés

SCHEDULE B

CONTINUED

Post secondary learning institution
Power generation facility – Mid-scale
Mechanical reproduction and printing establishments
Restaurants-food service only
Restaurants-licensed
Take out food service
Utility building.

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-1 Industrial Business Park District shall apply to Permitted Uses and the Discretionary Use Rules of the I-1 Industrial Business Park District shall apply to Discretionary Uses, unless otherwise noted below:

(a) Landscaping

- (i) A minimum depth of 20 metre along the north property line shall be provided in accordance with a landscape plan. Treed and bermed landscaping including coniferous trees that significantly screen views to and from the residential development to the north shall be submitted to the satisfaction of the Approving Authority as part of a development permit application; and
- (ii) A minimum 10 metre landscaped buffer along the west side of the property line abutting residential development on the west side of 18 Street SE shall be provided to the satisfaction of the Approving Authority.
- (iii) The developer shall provide continuous berms along the north boundary of site 6 to provide substantial screening for the adjacent homes to the satisfaction of the approving authority.

(b) Building Height

- (i) A maximum of 3 storeys and 14 metres; and
- (ii) Feature building elements may exceed the height, to the satisfaction of the Approving Authority.

SCHEDULE B

CONTINUED

- (c) Site Design
 - (i) Any rear or side building façade visible from a residential area, public street or open space shall have similar architectural treatment as the front façade; and
 - (ii) Buildings shall be designed and located to provide a quality pedestrian environment along streets deemed to be important pedestrian connections to the LRT station on 24 Street SE, to the satisfaction of the Approving Authority.
 - (iii) To require a minimum of 50 metres setback from building face to building face between homes on the north side of Quarry Park and the nearest office buildings.
- (d) Use Size

The following Uses have a limit of 300 square metres in area;

Personal service business Restaurant-food service only Restaurant –licensed

(e) Mechanical Screening

Where mechanical systems or equipment are located outside of a building, they shall be screened.

(f) Rooftop Mechanical

All rooftop mechanical equipment shall:

- be located to ensure that there are no undue adverse impacts on nearby residential uses:
- (ii) be screened or finished in a manner which is visually compatible with the design of the building; and
- (iii) provide noise attenuation, to the satisfaction of the Development Authority.

SCHEDULE B

CONTINUED

(g) Lighting

All outdoor lighting:

- (i) shall be directed downwards;
- (ii) shall be shielded to ensure light does not spill onto neighbouring parcels; and
- (iii) shall not be mounted higher than 9.0 metres.
- (h) Floodway / Floodplain

See Section 19.1 of Bylaw 2P80.

(i) Landfill setback

Any development falling within the permanent 300 metre or the temporary 450 metre setbacks from the landfill shall comply with Section 13 of the Subdivision and Development Regulation 43/2002.

Site 7 6.74 hectares± (16.66 acres±)

- Land Use
 - (a) The Permitted and Discretionary Uses of the I-1 Industrial Business Park District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively with the deletion of office, business or commercial establishments, excluding sector and regional shopping centres, gaming establishments-bingo and gaming establishments casino, adult mini-theatres and the movement or storage of materials, goods or products and with the addition of the following:

The following uses are permitted in existing buildings:

Personal service business
Accessory food service
Office
Financial Institution
Athletic and recreational facilities
Laboratories

SCHEDULE B

CONTINUED

Public quasi public building (library)
Parking areas & structures
Power generation facility – Small
Essential public service
Radio, recording and television studio
utilities

Uses listed below are Discretionary Uses if they are located in new buildings or new additions to buildings:

Offices

Laboratories

and the following uses are Discretionary Uses:

Drinking establishments

Medical clinics:

Outdoor cafés:

Post secondary learning Institution;

Power generation facility - Mid-scale;

Mechanical reproduction and printing establishments;

Restaurants-food service only

Restaurants-licensed

Take out food service;

Utility building.

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-1 Industrial Business Park District shall apply to Permitted Uses and the Discretionary Use Rules of the I-1 Industrial Business Park District shall apply to Discretionary Uses, unless otherwise noted below:

(a) Landscaping

(i) A minimum depth of 6.0 metre where a site abuts 24 Street SE to the satisfaction of the Approving Authority.

SCHEDULE B

CONTINUED

- (ii) The developer shall provide continuous berms along the north boundary of site 7 to provide substantial screening for the adjacent homes to the satisfaction of the approving authority.
- (b) Building Height
 - (i) A maximum of 3 storeys and 14 metres; and
 - (ii) Feature building elements may exceed the height limit, to the satisfaction of the Approving Authority.
- (c) Site Design
 - (i) Any rear or side building façade visible from a residential area public street or open space shall have similar architectural treatment as the front façade; and
 - (ii) Buildings shall be designed and located to provide a quality pedestrian environment along streets deemed to be important pedestrian connections to the LRT station on 24 Street SE to the satisfaction of the Approving Authority.
- (d) Use size

Personal service business shall have a maximum gross floor area of 300 square metres.

(e) Mechanical Screening

Where mechanical systems or equipment are located outside of a building, they must be screened.

(f) Rooftop Mechanical

All rooftop mechanical equipment shall:

(iv) be located to ensure that there are no undue adverse impacts on nearby residential uses:

SCHEDULE B

CONTINUED

- (v) be screened or finished in a manner which is visually compatible with the design of the building; and
- (vi) provide noise attenuation, to the satisfaction of the Development Authority.
- (g) Lighting

All outdoor lighting:

- (i) shall be directed downwards;
- (ii) shall be shielded to ensure light does not spill onto neighbouring parcels;
- (iii) shall not be mounted higher than 9.0 metres; and
- (iv) shall not be located within front and side yards.
- (h) Floodway / Floodplain

See Section 19.1 of Bylaw 2P80.

(i) Landfill setback

Any development falling within the permanent 300 metre setback from the landfill shall comply with Section 13 of the Subdivision and Development Regulation 43/2002.

Site 8 17.41 hectares ± (43.01 acres±)

- Land Use
 - (a) The Permitted and Discretionary Uses of the I-1 Industrial Business Park District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively with the deletion of permitted use of office, business or commercial establishments, excluding sector and regional shopping centres, gaming establishments-bingo and gaming establishments casino, adult mini-theatres, the movement or storage of materials, goods or products, child care facilities and with the addition of the following:

SCHEDULE B

CONTINUED

The following uses are Permitted in existing buildings:

Personal service business
Accessory food service
Office
Financial Institution
Athletic and recreational facilities
Laboratories
Public quasi public building (library)

Parking areas & structures
Power generation facility – Small
Essential public service
Radio, and television studio
Utilities

Uses listed below are Discretionary Uses if they are located in new buildings or new additions to buildings:

Offices Laboratories

and the following uses are Discretionary Uses

Drinking establishments
Medical clinics
Outdoor cafés
Post secondary learning Institution
Power generation facility – Mid-scale
Mechanical reproduction and printing establishments
Restaurants-food service only
Restaurants-licensed
Take out food service
Utility building.

SCHEDULE B

CONTINUED

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-1 Industrial Business Park District

shall apply to Permitted Uses and the Discretionary Use Rules of the I-1 Industrial Business Park District shall apply to Discretionary Uses, unless otherwise noted below:

(a) Building Setbacks

Buildings shall be setback a minimum of 6.0 metres from any adjacent street.

- (b) Landscaping & Parking Lot Landscaping
 - (i) A minimum 10.0 metre wide landscaped buffer including a minimum 2.0 metre high earth berm around the site periphery shall be provided.
 Trees, shrubs and other plantings shall provide year round screening to the satisfaction of the Approving Authority;
 - (ii) The parking lots will be landscaped to the satisfaction of the Development Authority; and
 - (iii) Landscaping may be hard landscaping where, to the satisfaction of the Approving Authority, the landscaping provided serves to reduce the visual impact of the parking lot or is deemed to be a public amenity space.
- (c) Building Height
 - (i) A maximum of 5 storeys and 22 metres; and
 - (ii) Feature building elements may exceed the height limit, to the satisfaction of the Development Authority.
- (d) Site Design
 - (i) Site design shall reflect a comprehensive development that presents an attractive interface to adjacent residential development and reflects a pedestrian environment including the following:

SCHEDULE B

CONTINUED

- (A) All required yards and any areas not required for parking or vehicular movement shall be landscaped to the satisfaction of the Approving Authority. Hard landscaping that provides amenity space may be allowed as determined by the Approving Authority;
- (B) Buildings located adjacent to residential areas shall be sited and designed to provide an enhanced pedestrian environment and frame the street;
- (C) Site design shall incorporate landscaping and/or building orientation/location to enhance the pedestrian experience along the internal regional pathway alignment to the satisfaction of the Approving Authority; and
- (D) A minimum 3 metre wide direct and largely contiguous landscaped pedestrian linkage from the north and a 5 metre pedestrian linkage from the south boundary street to the central PS/PE(MR) parcel must be provided to the satisfaction of the Approving Authority.

(e) Parking and Loading

- (i) The storage and maintenance of commercial vehicles shall only take place within screened buildings/structures, or below grade to the satisfaction of the Approving Authority; and
- (ii) Where a parking structure is provided, it shall be located and/or designed to minimise its visibility from public roads.
- (f) Floor Area Ratio

A maximum of 1.0 times the site area.

- (g) Site Design
 - (i) Any rear or side building façade visible from a residential area shall have similar architectural treatment as the front façade; and

SCHEDULE B

CONTINUED

- (ii) Buildings shall be designed and located to provide a quality pedestrian environment along streets deemed to be important pedestrian connections to the LRT station on 24 Street SE to the satisfaction of the Approving Authority.
- (h) Use Size

The following Uses have a limit of 300 square metres in area;

Personal service business; Restaurant-food service only; Restaurant –licensed.

(i) Mechanical Screening

Where mechanical systems or equipment are located outside of a building, they shall be screened.

(j) Rooftop Mechanical

All rooftop mechanical equipment shall:

- be located to ensure that there are no undue adverse impacts on nearby residential uses;
- ii) be screened or finished in a manner which is visually compatible with the design of the building; and
- iii) provide noise attenuation, to the satisfaction of the Development Authority.
- (k) Lighting

All outdoor lighting:

- (i) shall be directed downwards;
- (ii) shall be shielded to ensure light does not spill onto neighbouring parcels;
- (iii) shall not be mounted higher than 9.0 metres; and
- (iv) shall not be located within front and side yards.

SCHEDULE B

CONTINUED

(I) Floodway / Floodplain See Section 19.1 of Bylaw 2P80.

BYLAW NO. 7922006 ADVERTISED IN The Calgary Herald ON June 22, 2006

BYLAW 79Z2006 Douglasdale/Glen

To redesignate the land located on a portion of 2275-98 Ave. S.E. (portions of Section 13-23-1-5) from UR Urban Reserve District, R-1 Residential Single-Detached District, PE Public Park, School and Recreation District to R-1 Residential Single-Detached District, RM-1 Residential Low Density Multi-Dwelling District, RM-5 Residential Medium Density Multi-Dwelling District , 1-2 General Light Industrial District, PS Public Service District, PE Public Park School, and Recreation District and DC Direct Control District to accommodate an office park, commercial development and residential development.