

BYLAW NO. 111Z2005

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment # LOC2005-0076)**

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 5th DAY OF DECEMBER, 2005.

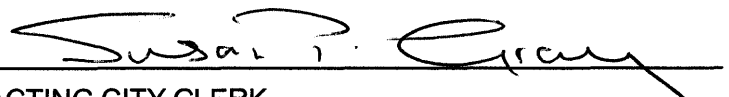
READ A SECOND TIME THIS 5th DAY OF DECEMBER, 2005.

READ A THIRD TIME THIS 5th DAY OF DECEMBER, 2005.



MAYOR

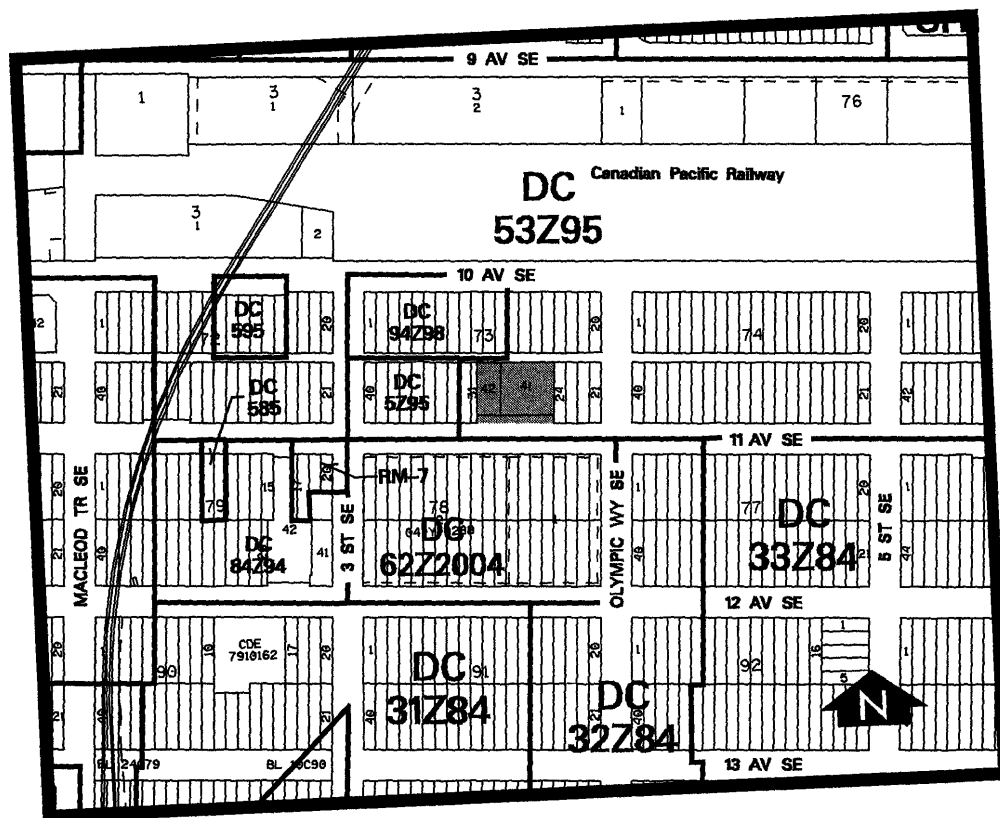
DATED THIS 5th DAY OF DECEMBER, 2005.



ACTING CITY CLERK

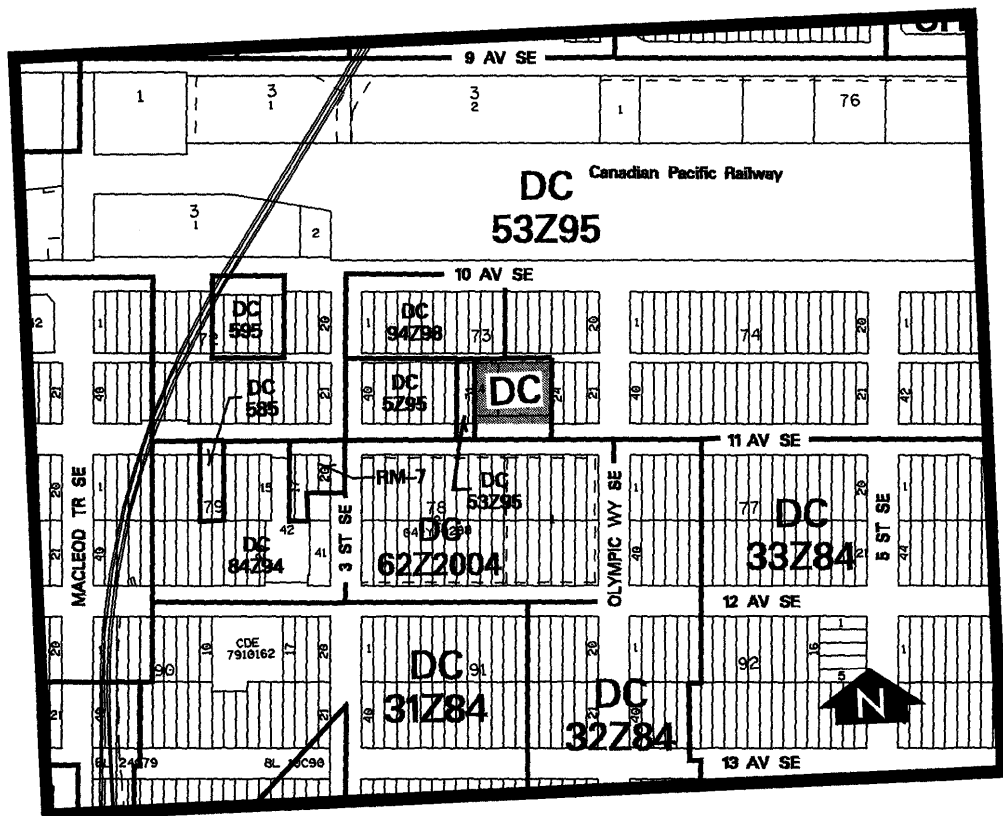
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. Land Use
 - (a) The following shall be Permitted Uses:
 - Ancillary commercial uses
 - Essential public services
 - Parks and playgrounds
 - Utilities

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SCHEDULE B

CONTINUED

- (b) The following shall be Permitted Uses only within existing buildings:
- Grocery stores
 - Home occupations - Class I
 - Offices
 - Personal service businesses
 - Retail stores
- (c) Notwithstanding any other requirement of this Bylaw, proposed or existing uses of a site shall be Permitted Uses on that site if they:
- (i) are included in the list of Permitted or Discretionary Uses in Section 2 or Section 4 of this Bylaw; and
 - (ii) have been the subject of:
 - (A) a building permit, a use permit, or a use certificate issued or approved on or before the date of this Bylaw, or
 - (B) a development permit which has been approved and has not expired on or before the date of this Bylaw.
- (d) In addition to the following uses, those uses that are Permitted Uses only within existing buildings as contained in Section 2 shall be Discretionary Uses in proposed buildings:
- Accessory buildings
 - Amusement arcades
 - Athletic and recreational facilities
 - Auction halls
 - Auto body and paint shops
 - Automotive sales and rental
 - Automotive services
 - Automotive specialties
 - Billiard parlours
 - Bottle return depots
 - Child care facilities
 - Cleaning, servicing, testing or repairing

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SCHEDULE B

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Commercial schools
Community association buildings
Crematoriums and columbariums
Custodial quarters
Drinking establishments
Dwelling units only within existing buildings
Entertainment establishments
Excavation, stripping and grading
Financial institutions
Flea markets
Gaming establishments - bingo
Greenhouses and nurseries
Home occupations - Class II (N.P.)
Hostels
Hotels
Laboratories
Liquor stores
Manufacturing, fabricating, processing, assembly, disassembly, production or packaging of materials, goods or products
Mechanical reproduction or printing establishments
Medical clinics
Movement or storage of materials, goods or products
Outdoor cafes (N.P.)
Parking areas (temporary)
Parking structures
Private clubs and organizations
Private schools
Public and separate schools
Public or quasi-public buildings
Public transportation facilities
Radio or television studios
Recreational and commercial vehicle repair, service, sales and rentals
Retail food stores
Restaurants – Food Service Only
Restaurants - Licensed
Signs
Universities, colleges and provincial training centres
Veterinary clinics

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SCHEDULE B

CONTINUED

Veterinary hospitals
Warehouse stores

Note: N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4) of Bylaw 2P80

2. Development Guidelines

The General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 and the General Rules for Downtown Districts contained in Section 42.1 of Bylaw 2P80 shall apply unless otherwise noted:

- (a) Notwithstanding any other requirement of this Bylaw, a proposed or existing structure may be developed, redeveloped, or continue to exist provided that
 - (i) there is no variation, whatsoever, except as may be allowed pursuant to Section 11(1)(a)(iii) of Bylaw 2P80, to comply with other applicable legislation; and
 - (ii) it has been approved on or before the date of passage of this Bylaw by a development permit that has not expired.

(b) Performance Standards

No use or operation shall cause or create any conditions which may be objectionable or dangerous beyond the boundary line of the site which contains it, including but not limited to the following:

- (i) noise,
- (ii) odour,
- (iii) earthborne vibrations,
- (iv) heat, or
- (v) high brightness light sources.

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SCHEDULE B

CONTINUED

(c) Ancillary Commercial Uses

Ancillary commercial uses may occupy up to 38 square metres or 10 per cent of the net floor area of the principal use, whichever is greater, to a maximum of 280 square metres.

(d) Building Height

A maximum of 12 metres except a maximum of 30 metres for hotels where the boundary of the site does not abut a residential district or development for which the height limit is 10 metres or less.

(e) Front Yard

Any front yard provided shall be appropriately treated with hard and soft landscaping to enhance the streetscape and to ensure adequate pedestrian space.

(f) Side Yards

A minimum width of 1.2 metres for each side yard except:

- (i) a minimum width of 6 metres where a side yard abuts a residential district or development;
- (ii) a minimum width of 6 metres where a side yard is used to provide vehicular access to the rear of the property; and
- (iii) no side yard is required where the wall of a structure is built of material which normally would not require maintenance.

(g) Rear Yard

A minimum depth of 1.2 metres.

(h) Landscaped Area

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SCHEDULE B

CONTINUED

The following areas shall be landscaped satisfactorily in accordance with Section 33(9) of Bylaw 2P80:

- (i) all front yards;
- (ii) all minimum required side yards between the front and rear of a site where they are not used for vehicle circulation;
- (iii) all minimum required rear yards where the site abuts a residential district or development; and
- (iv) all adjoining City boulevards.

(i) **Outside Display Area**

Outside display areas may be allowed to the front or side of a principal building provided that such displays are limited to examples of equipment or items related to the business or industry located on the site and serve to enhance the appearance and activity of the adjoining streetscape.

(j) **Outside Storage**

Outside storage, including the storage of trucks and trailers, shall be allowed to the side or rear of buildings provided that:

- (i) such storage areas do not include any required yards;
- (ii) the storage is visually screened from public thoroughfares and has no negative impact on adjoining uses, including but not limited to residential districts or developments; and
- (iii) all storage is related to the business or industry on the site.

(k) **Dwelling Units**

- (i) No dwelling unit shall be located below any storey used for commercial or industrial purposes; and

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SCHEDULE B

CONTINUED

(ii) Dwelling units shall have an entrance separate from the entrance to any commercial or industrial component of the building.

(l) Custodial Quarters

Custodial quarters shall be limited to one only for any industrial site and shall be part of a principal use building.

(m) Right-of-Way Setbacks

The provisions of Section 17 of Bylaw 2P80 shall apply.

(n) Parking and Loading Regulations

The provisions of Section 18 of Bylaw 2P80 shall apply.

(o) Signs

The provisions of the Sign Appendix of Bylaw 2P80 shall apply to a sign as if such sign were located in the CM-2 Downtown Business District.

BYLAW NO. 11122005

ADVERTISED IN The Calgary Sun ON Nov. 10. 05

2 BYLAW 11122005
BELTLINE
To redesignate the land located at 420 & 422 - 11 Avenue SE and a portion of 11 Avenue SE (Plan 8011156; Block 73, Lots 41, 42 and a portion of 11 Avenue SE) from Undesignated Road Right-of-Way and DC Direct Control District to DC Direct Control District to accommodate the inclusion of the existing parking area.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/111Z2005


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APPROVED AS TO CONTENT



HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM



CITY SOLICITOR

Nov. 9/05

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
