

BYLAW NO. 91Z2005

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment # LOC2001-0038)**

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 19th DAY OF SEPTEMBER, 2005.

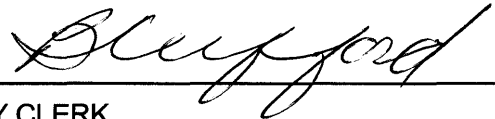
READ A SECOND TIME, AS AMENDED, THIS 3rd DAY OF OCTOBER, 2005.

READ A THIRD TIME, AS AMENDED, THIS 3rd DAY OF OCTOBER, 2005.



DEPUTY MAYOR

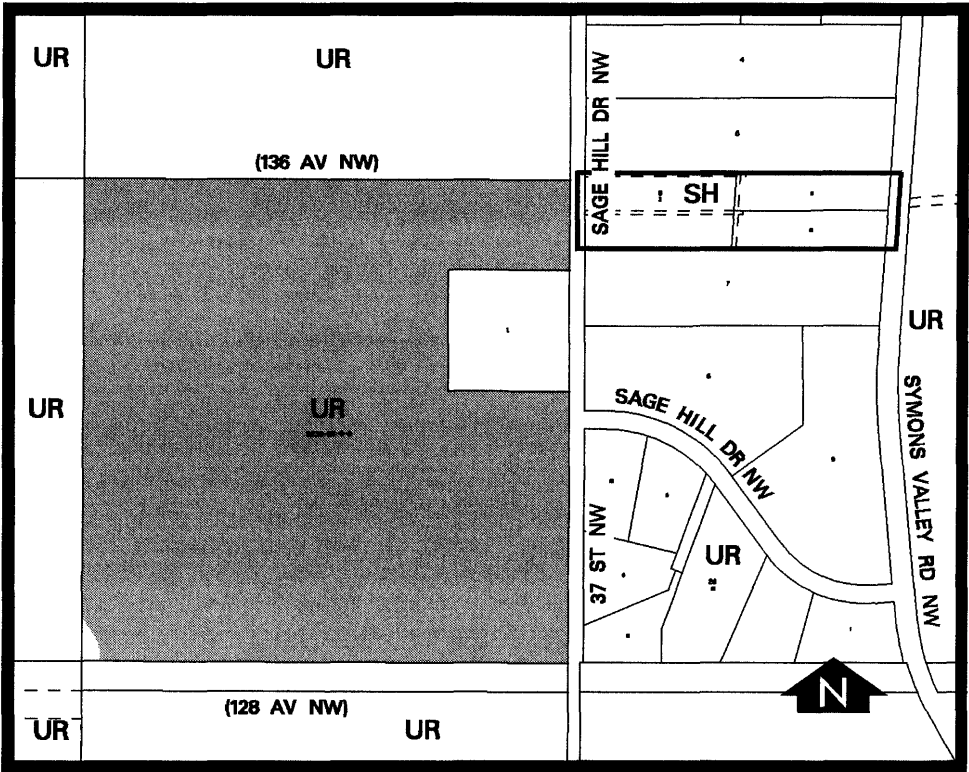
DATED THIS 18th DAY OF OCTOBER, 2005.



ACTING CITY CLERK

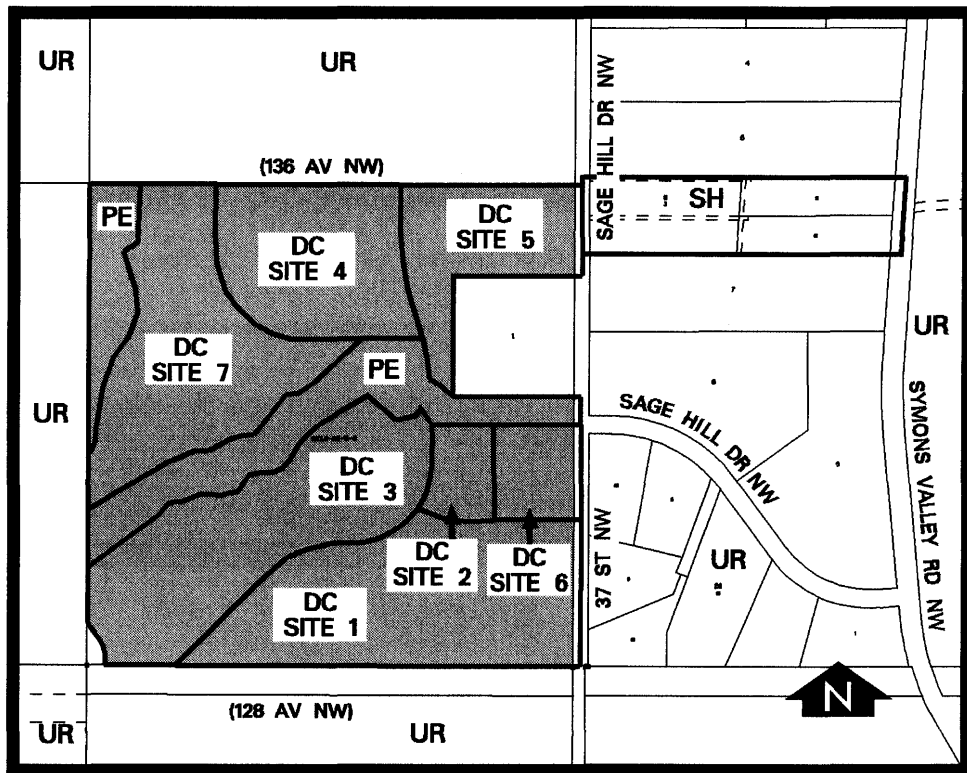
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

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SCHEDULE B

CONTINUED

**Site 1 10.1 ha ± (25.0 ac ±), Site 2 1.0ha ± (2.5ac ±), Site 3 7.1ha ± (17.5ac ±),
Site 4 6.29ha ± (15.5ac ±) and Site 5 4.2ha ± (10.5ac ±)**

1. Land Use

The Permitted and Discretionary Uses of the C-5 Shopping Centre Commercial District shall be the Permitted and Discretionary Uses respectively

- (a) with the exclusion of automotive services, automotive specialties, bottle return depots and public and quasi-public buildings (churches) from Site 3, and
- (b) with the deletion of sector (community) shopping centre and the substitution thereof of a regional shopping centre as a Discretionary Use.

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) Concept Plan

- (i) With each Tentative Plan and Development Permit application for a regional shopping centre, a site concept plan shall be submitted for the entire area of the subject site.
- (ii) The site concept plan shall
 - (A) show anticipated building use, building footprints, building orientation, pedestrian circulation systems, parking areas, vehicular access/egress, internal roads, servicing between parcels, essential public services, outside storage and seasonal merchandise areas, open space, landscaping, pedestrian circulation to/from and within the site, any public amenity spaces and other information determined necessary by the Approving Authority,

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SCHEDULE B

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- (B) provide for integration of the access/egress points, regional pathway, landscaping and other elements between the subject site and the adjacent lands to the satisfaction of the Approving Authority, and
 - (C) be updated and resubmitted, as required by the Approving Authority, with each subsequent Tentative Plan and Development Permit application for a regional shopping centre.
- (b) Density
- (i) The maximum Floor Area Ratio (FAR) for Site 1, Site 2, Site 4 and Site 5 respectively shall be 0.27.
 - (ii) The maximum FAR for Site 3 shall be 0.30.
 - (iii) Notwithstanding sub-paragraph (i), dwelling units within Site 4 and Site 5, shall not be included in the FAR calculation provided that a transportation impact analysis is submitted in conjunction with a development permit application that demonstrates that suitable transportation network capacity is available to serve the dwelling units to the satisfaction of the Approving Authority.
 - (iv) Notwithstanding subparagraph (ii),
 - (A) medical clinics, personal service businesses and offices located on the second storey of any building within Site 3 to a maximum gross floor area of 3,700 square metres shall not be included in the FAR calculation, and
 - (B) dwelling units located above grade within Site 3 to a maximum of 500 units shall not be included in the FAR calculation, and
 - (C) the maximum FAR allowed on Site 3 may be increased where it can be demonstrated through the submission of a transportation analysis that increased traffic from the additional development can

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be accommodated by the transportation network to the satisfaction of the Approving Authority.

- (v) The total gross floor area of a hotel, office, residential or other non-retail portion of Site 1, Site 2, Site 3, Site 4 and Site 5 respectively shall not exceed the total gross floor area of the retail portion.
- (vi) A minimum of 90 percent of the retail uses by gross floor area on Site 1, Site 4 and Site 5 respectively shall contain more than 930 square metres of gross floor area.
- (vii) A maximum of one retail use on Site 4 may contain more than 6410 square metres of gross floor area.
- (viii) A retail use within Site 3 shall not exceed 930 square meters of gross floor area
- (ix) Notwithstanding subclause (viii), Site 3 may contain:
 - (A) one retail food store with a maximum 5,100 square meters of gross floor area, and
 - (B) one retail store with a maximum of 2,790 square meters of gross floor area.
- (c) Phasing
 - (i) In conjunction with the initial development permit application for a regional shopping centre, a phasing plan shall be submitted showing the approved and remaining gross floor area allowed within Site 1, Site 2, Site 3, Site 4 and Site 5.
 - (ii) The phasing plan shall be updated and resubmitted, as required by the Approving Authority, with each subsequent Development Permit application for a regional shopping centre.
- (d) Parking and Loading Regulations
 - (i) Section 18 of Bylaw 2P80 shall apply.

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SCHEDULE B

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- (ii) Notwithstanding subparagraph (i) parking requirements applicable to Site 3 may be reduced subject to submission of a Parking Analysis for the site to the satisfaction of the Development Authority that determines that a reduced parking standard is appropriate.
 - (iii) In addition to the requirements of Sections 33 and 39(5)(e) of Bylaw 2P80
 - (A) one tree shall be provided per fifteen parking stalls and
 - (B) 1.85 square metres of additional landscaping shall be provided per parking stall.
 - (iv) The additional landscaping required in subparagraph (iii)(B) may be hard landscaping where such landscaping serves to reduce the visual impact of the parking lot to the satisfaction of the Approving Authority.
 - (v) No parking stall shall be located more than 50 metres from a landscaped area.
- (e) Pedestrian Connections
- (i) A continuous pedestrian route between building entrances shall be achieved through the use of sidewalks or clearly defined walkways of a minimum width of 1.8 metres.
 - (ii) Pedestrian connections, through the use of sidewalks or clearly defined walkways of a minimum width of 1.8 metres, shall be provided in locations determined by the Approving Authority to connect the entrances of buildings with transit stops.
 - (iii) All pedestrian connections shall be enhanced, to the satisfaction of the Approving Authority, through the use of architectural streetscape elements such as decorative walls, colonnades, archways, landscaping and walkway lighting.

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- (f) Building Design
 - (i) Front facades shall incorporate architectural details, including windows, that add visual interest and de-emphasize the building mass and scale to the satisfaction of the Approving Authority.
 - (ii) All facades visible from public or private roadways shall be architecturally treated to a similar standard as the front façade to the satisfaction of the Approving Authority.
 - (iii) Seasonal merchandising, sales or display may be allowed where
 - (A) it can be demonstrated that the activities will not have an adverse impact on pedestrian movements, and
 - (B) their location and design is to the satisfaction of the Approving Authority.
 - (iv) Where possible, buildings shall be located adjacent to major roads or along the edge of primary internal drive aisles to create a sense of enclosure on the roadways to the satisfaction of the Approving Authority.
 - (v) Development shall present a unifying architectural theme through features including, but not limited to, exterior finishing material, colours, pedestrian and vehicle lighting, street furniture and roof screening to the satisfaction of the Approving Authority.
 - (vi) The façades of all buildings abutting or backing onto the natural ravine, shall contain one or more secondary entrances, to be designed to allow for a public customer access and incorporate visual permeability, which may include but not be limited to windows, doors, patios, or other type of openings to address interface issues to the satisfaction of the Approving Authority.
 - (vii) Recycling facilities shall be provided within a site to the satisfaction of the Approving Authority.

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SCHEDULE B

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Site 1, Site 2 and Site 3

The following guidelines shall apply only to Site 1, Site 2 and Site 3.

(g) **Transportation Network Improvements**

Development within Site 1, Site 2 and Site 3 combined shall not exceed a maximum gross floor area of 37,200 square metres until such time as

- (i) the ultimate transportation network improvements necessary to serve development, as determined by the Approving Authority, have been constructed, or
- (ii) a transportation analysis is submitted to the satisfaction of the Approving Authority identifying the nature and timing of the transportation network improvements necessary to accommodate development, and
- (iii) a Special Development Agreement, which details the costs and timing related to transportation improvements as identified through the transportation analysis, is entered into and registered where possible against the title of the subject lands to the satisfaction of the General Manager of Transportation.

Site 3

The following development guidelines shall apply only to Site 3.

(h) **Site Layout**

- (i) The internal roads for Site 3 shall be substantially similar in their location to the Internal Roads shown on the Internal Road and Building Location Plan for Site 3, labelled as Map 1 and attached to this Bylaw as Schedule C.
- (ii) Buildings within Site 3 shall
 - (A) be located within the Building Area as shown on Map 1 and attached to this Bylaw as Schedule C; and

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- (B) provide for a storefront appearance facing onto the Internal Roads.
- (i) Internal Roads
 - (i) Each side of an internal road as shown on Map 1 shall contain
 - (A) minimum 2.4 metre wide sidewalks,
 - (B) boulevards with trees,
 - (C) on-street parking spaces, and
 - (D) street furniture, including benches, waste receptacles and bicycle parking facilitiesto the satisfaction of the Approving Authority.
 - (ii) An Internal Road as shown on Map 1 shall contain a tree-lined median to the satisfaction of the Approving Authority.
 - (iii) On-street parking within the Primary Pedestrian Internal Road Overlay as shown on Map 1 shall be provided as diagonal parking to the satisfaction of the Approving Authority.
 - (iv) Buildings within the Building Area abutting the Primary Pedestrian Internal Road Overlay as shown on Map 1 shall
 - (A) not be setback from the sidewalk unless the setback results in an improved pedestrian environment,
 - (B) provide for one or more entrances onto the sidewalk,
 - (C) orient the front façade toward the street and incorporate visual permeability on the first storey, which may include, but not be limited to, windows, doors and other types of openings, and

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- (D) except for restaurants, have a front façade every 7.5 metres or less in length that is different in terms of its exterior architectural appearance from any other front façade within the same building,

to the satisfaction of the Approving Authority

- (j) Plaza

A plaza, consisting of a park and other passive recreational amenities, shall be provided within Site 3 to the satisfaction of the Approving Authority.

- (k) Pedestrian Bridge

- (i) A pedestrian bridge shall be constructed across the ravine by the developer connecting Site 3 and Site 7.

- (ii) A public pedestrian connection shall be provided from the pedestrian bridge across the ravine through Site 3 to a public road to the satisfaction of the Approving Authority.

Site 4 and Site 5

The following development guidelines shall apply only to Site 4 and Site 5.

- (l) Market Impact

- (i) A development permit application for a regional shopping centre within Site 4 or Site 5 shall not be approved until such time as lots capable of accommodating 5,500 dwelling units have been approved within Symons Valley through Tentative Plans of Subdivision.

- (ii) Notwithstanding subparagraph (i), a Development Permit application for a regional shopping centre within Site 4 or Site 5 may be approved where it can be demonstrated to the satisfaction of the Approving Authority through the submission of a market analysis, subject to confirmation by peer review, that approval of the shopping centre prior to approval of Tentative Plans of Subdivision for lots capable of accommodating a minimum of 5,500 dwelling units will not have a significant impact on the planned function of existing or designated commercial centres.

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(m) Transportation Impact

Development within Site 4 and Site 5 shall not be approved until

- (i) the ultimate transportation improvements necessary to serve development on the sites, as determined by the Approving Authority, have been constructed, or
- (ii) a transportation analysis is submitted to the satisfaction of the Approving Authority identifying the nature and timing of the transportation network improvements necessary to accommodate development, and
- (iii) a Special Development Agreement, which details the costs and timing related to transportation improvements as identified through the transportation analysis, is entered into and registered against the title to the subject lands, to the satisfaction of the General Manager of Transportation.

Site 6 1.51 ha ± (3.73ac ±)

1. Land Use

- (a) The Permitted Uses of the PS Public Service District shall apply.
- (b) Discretionary Uses

Municipally owned or operated public parking areas (C.U.)
Public administration buildings (C.U.)
Public plaza
Signs-Class 2
Utility buildings

- (c) The following Discretionary Uses shall be allowed as an accessory use to a parking structure.

Accessory food service
Athletic and recreational facilities
Grocery stores
Offices
Personal service businesses

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SCHEDULE B

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Restaurant – food service only
Retail Stores
Take-out food services

2. Development Guidelines

The General Rules for Special Districts contained in Section 48 of Bylaw 2P80 shall apply to all uses and the Permitted and Discretionary Use Rules of the PS Public Service District shall apply to the permitted uses and the Discretionary Use Rules of the PS Public Service District shall apply to the discretionary uses unless otherwise noted below:

(a) Accessory Uses

- (i) Except for offices and athletic and recreational facilities, all other accessory uses shall be located on the ground floor of a parking structure.
- (ii) The total combined gross floor area for the accessory uses shall not exceed 2787 square metres.

Site 7 9.64ha ± (23.8ac ±)

1. Land Use

The Permitted and Discretionary Uses of the RM-7 Residential High Density Multi-Dwelling District shall be the Permitted and Discretionary Uses respectively

- (a) with the exclusion of single-detached dwellings, and
- (b) with the addition of the discretionary use of Live-Work Units (N.P.).

For the purpose of this Bylaw, "Live-Work Units" means the use of a dwelling unit by the resident for work purposes that may include, but is not limited to, offices, personal service businesses, retailing of goods produced on site, craft production or other similar small scale production activities, excluding any automotive related uses.

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SCHEDULE B

CONTINUED

2. Development Guidelines

(a) Concept Plan

With each Tentative Plan and Development Permit application, a site concept plan shall

- (i) be submitted for the entire area of the site, and
- (ii) show building footprints, open space and landscaping, pedestrian circulation systems, internal drive aisles or roads, access/egress points, parking areas and other information determined necessary by the Approving Authority.

(b) Density

- (i) A maximum of 169 units per net developable hectare (68 units per net developable acre) shall be allowed.
- (ii) A minimum of 45 units per net developable hectare (18 units per net developable acre) shall be allowed.

(c) Commercial

Commercial uses shall only be allowed where it can be demonstrated through the submission of a transportation analysis to the satisfaction of the Approving Authority, that increased traffic resulting from the additional commercial development can be accommodated by the transportation infrastructure.

(d) Building Orientation and Parking

- (i) Buildings adjacent to Sage Hill Road N.W. shall front directly onto this road to the satisfaction of the Approving Authority.
- (ii) Residential units adjacent to the natural ravine shall provide for at-grade unit entrances facing onto the ravine to the satisfaction of the Approving Authority.

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SCHEDULE B

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(iii) Parking for buildings adjacent to Sage Hill Road N.W. shall be at the rear of the building, the side of the building or underground, and be appropriately screened to the satisfaction of the Approving Authority.

(e) **Pedestrian Connection**
A public walkway/pathway connection shall be provided from the pedestrian bridge across the ravine through Site 4 to a public road to the satisfaction of the Approving Authority.

(f) **Pedestrian Walkway**
A walkway shall be provided along the ravine as part of the 40 percent landscaping requirement to the satisfaction of the Approving Authority.

(g) **Open Space**
A portion of the 40 percent landscaping requirement shall be provided as amenity space to meet the recreational needs of the residents, to the satisfaction of the Approving Authority.

(h) **Live-Work Units**

(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 that is detectable to normal sensory perception outside of the Live-Work Unit.

(ii) Dwelling units shall not have an at-grade entrance separate from the entrance to any work component of the unit.

(iii) The working area shall not exceed 50 percent of the total floor area of the dwelling unit.

(iv) A maximum of one non-resident employee or business partner may work on site.

(v) Each Live-Work Unit may have one non-illuminated identification sign with a maximum area of 0.1 metres.

(vi) Each Live-Work Unit shall have separate direct primary access at grade.

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SCHEDULE B

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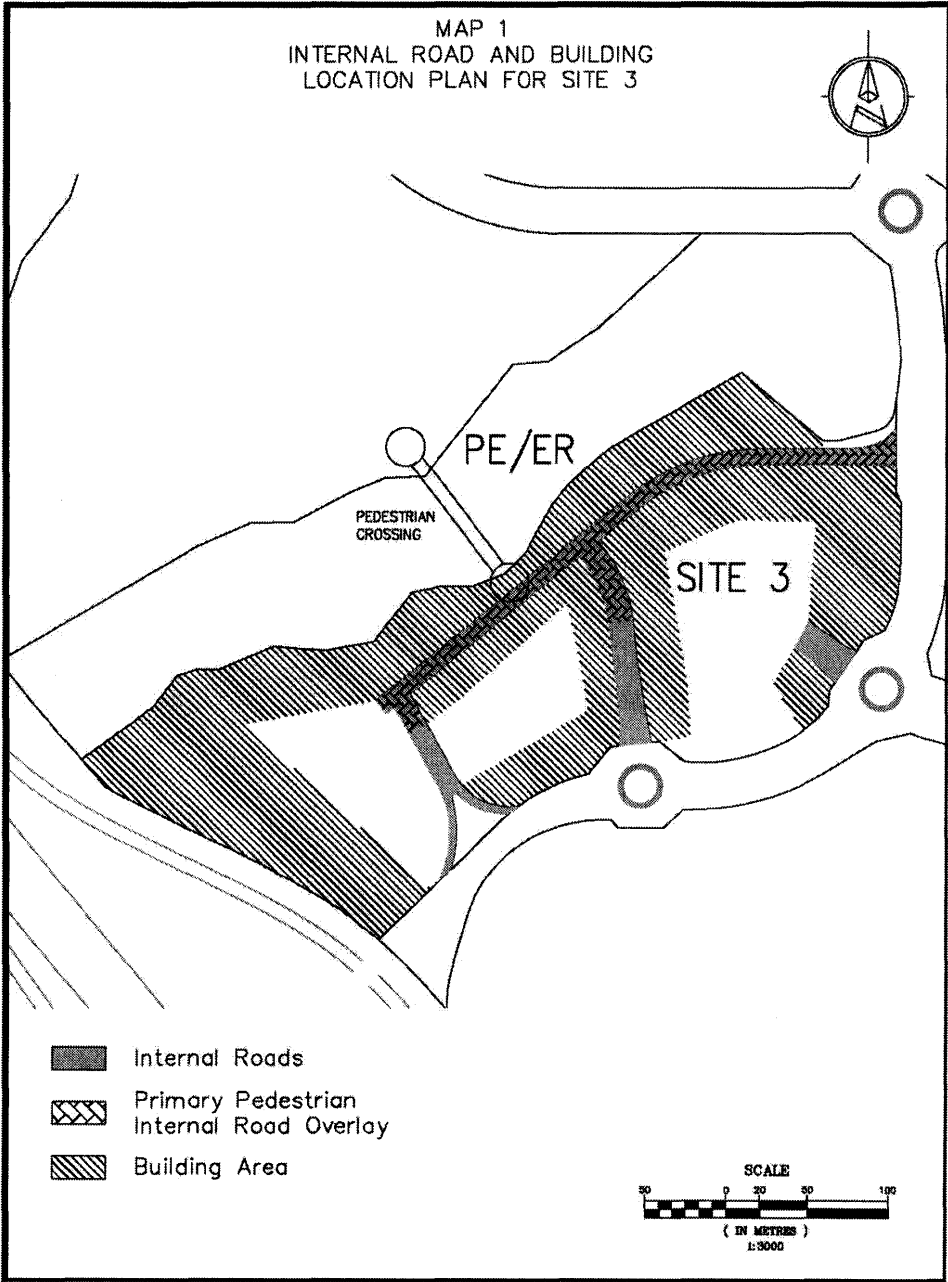
- (i) Commercial

Notwithstanding subsection (d) (i) of the Section 32, RM-7 Residential High Density Multi-Dwelling District, commercial uses may be allowed where a site fronts onto any public street.

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SCHEDULE B

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BYLAW NO. 9122005

ADVERTISED IN The Calgary Sun ON Sept. 01.05

17 BYLAW 9122005
SYMONS VALLEY

To redesignate the land located at 3655 Sage Hill Drive NW (a portion of the SE ¼ Section 36-25-2-5) from UR Urban Reserve District to PE Public Park, School and Recreation District and DC Direct Control District to accommodate a regional commercial centre site, a transit hub/park-n-ride and a multi-dwelling residential site.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/91Z2005


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APPROVED AS TO CONTENT



HEAD – ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM

 Aug 10/05

CITY SOLICITOR

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
