

BYLAW NO. 63Z2006

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment LOC2006-0051)**

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 17th DAY OF JULY, 2006.

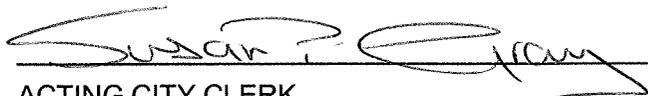
READ A SECOND TIME, AS AMENDED, THIS 17th DAY OF JULY, 2006.

READ A THIRD TIME, AS AMENDED, THIS 17th DAY OF JULY, 2006.



MAYOR

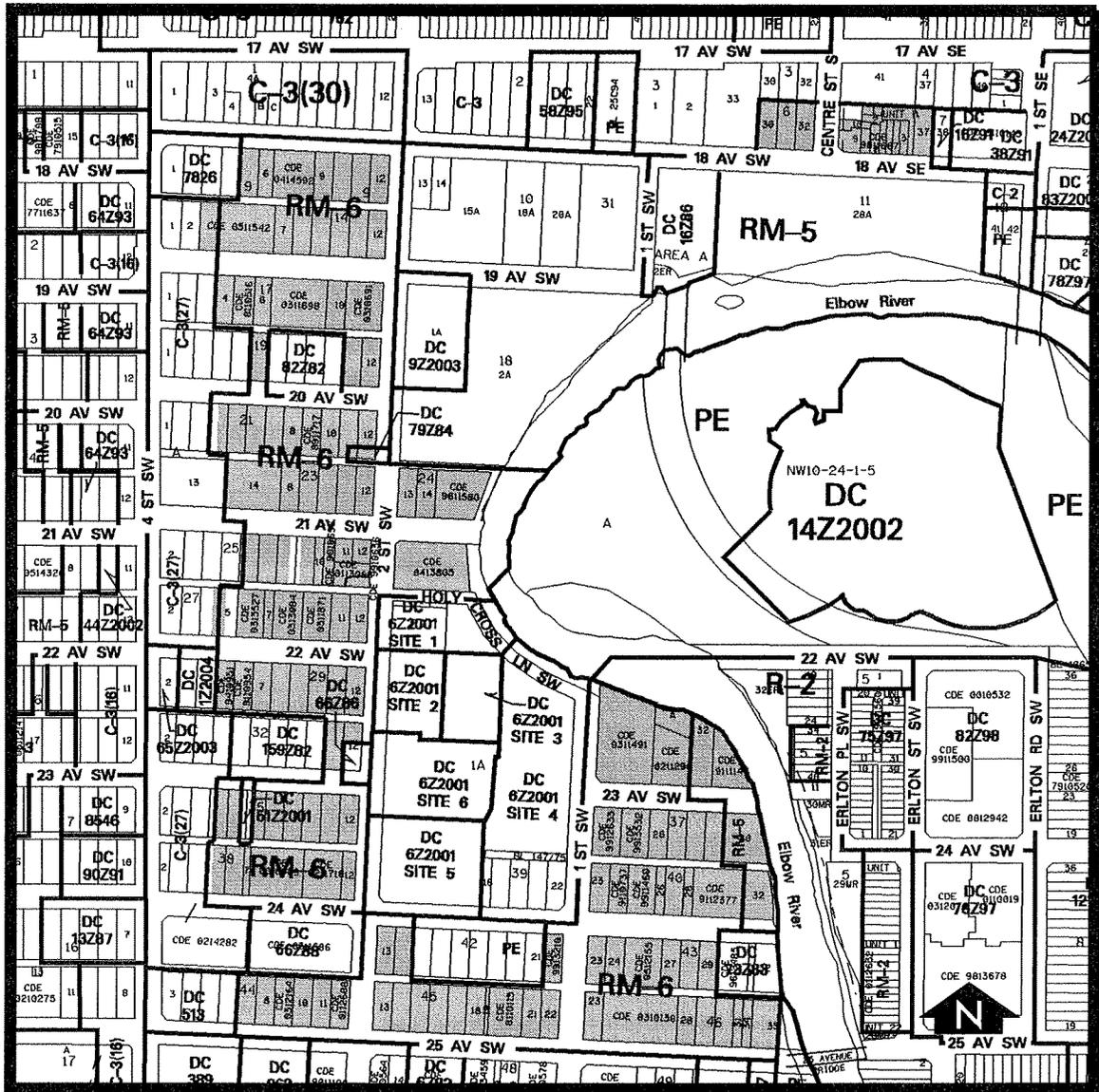
DATED THIS 24th DAY OF JULY, 2006.



ACTING CITY CLERK

Amendment LOC2006-0051 Bylaw 63Z2006

SCHEDULE A



Amendment LOC2006-0051 Bylaw 63Z2006

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Amendment LOC2006-0051 Bylaw 63Z2006

SCHEDULE B

CONTINUED

1. Land Use

The Permitted and Discretionary Uses of the RM-6 Residential High Density Multi-Dwelling District shall be the Permitted and Discretionary Uses respectively.

For the purpose of this Bylaw:

“Inventory of Potential Heritage Sites” means a list of sites that have been evaluated by the Calgary Heritage Authority according to the Council approved Heritage Evaluation Procedure, on the basis of their historical, architectural, and contextual significance.

“Live-Work Units” means the use of a dwelling unit by one or more of the residents of the unit as a residential living space in combination with an integrated work space.

“Street Oriented” means a building type that includes primary, individual entrances to all at grade dwelling units, has a direct pedestrian connection from this entrance to the public sidewalk, and is designed in accordance with the rules of this Bylaw.

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) Density

- (i) For the purpose of this bylaw, density is defined by floor area ratio; and
- (ii) A maximum floor area ratio of 3.5.

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SCHEDULE B

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(b) Height

A maximum of 5 storeys not exceeding 15 metres at any eaveline.

(c) Front Yard

A minimum depth of 3.0 metres and a maximum depth of 4.5 metres shall be provided adjacent to all streets.

(d) Side Yard

(i) A minimum depth of 3.0 metres for each side yard; and

(ii) A minimum depth of 1.2 metres for each side yard where the building is Street-Oriented.

(e) Rear Yard

(i) A minimum depth of 4.0 metres where abutting a rear lane or a PE district; and

(ii) A minimum depth of 6.0 metres where not abutting a rear lane or a PE district.

(f) Building Orientation and Design

(i) Developments shall address the co-ordination and integration of the following objectives all to the satisfaction of the Approving Authority:

(A) create an architectural form, massing and streetscape that are respectful of adjacent and surrounding residential development;

(B) minimize the appearance of the overall mass of the development through articulation;

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SCHEDULE B

CONTINUED

- (C) incorporate exterior finishing materials that are high quality, durable, and complementary to adjacent and surrounding residential development; and
 - (D) ensure that all facades visible from a street are architecturally treated to a similar standard as the front façade.
- (g) Sidewalk and Riverbank Sunlight
 - (i) No buildings on the south side of an avenue shall place in shadow the north sidewalk from 10:00 a.m. to 2:00 p.m., from March 21 to September 21 except areas already in shadow as a result of buildings existing at the date of adoption of this Bylaw and as determined by the Approving Authority; and
 - (ii) No building shall place in shadow an area 10 metres wide throughout abutting the top of the left bank of the Elbow River, as determined by the Approving Authority, from 10:00 a.m. to 2:00 p.m., from March 21 to September 21 except areas already in shadow as a result of buildings existing at the date of adoption of this Bylaw and as determined by the Approving Authority.
- (h) Live-Work Units
 - (i) In this Bylaw, the use of a live/work unit is for work purposes which 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;
 - (ii) The work portion of the live/work units must 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 of the live/work unit;
 - (iii) Each live-work unit shall have separate direct access at grade;

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SCHEDULE B

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- (iv) Where live-work units are on the same floor as dwelling units- the live work units shall not share an internal hallway with the dwelling units;
 - (v) The working area shall not exceed 50 percent of the total floor area;
 - (vi) Each live-work unit may have one non-illuminated identification sign with a maximum area of 0.1 square metres, that shall not deter from the residential nature of the building in which it is located, to the satisfaction of the Approving Authority;
 - (vii) Wherever possible and practical, building design and unit entrances shall orient outward to face the street; and
 - (viii) No more than one non-resident employee or business partner may work on site.
- (i) **Parking and Access**
- In addition to the requirements of Section 18 of Bylaw 2P80, the following rules shall apply:
- (i) No at-grade portion of any building adjacent to a public street shall be occupied by parking areas or parking structures;
 - (ii) Where a lane abuts a site, all vehicular access shall be from the lane only; and
 - (iii) Where no lane exists, doors allowing for vehicular access shall be consistent with the design of the building façade.
- (j) **Landscaped Areas**
- (i) A minimum of 35 percent of the site area plus all adjoining City boulevards shall be landscaped;
 - (ii) A minimum of 30 percent of the site area plus all adjoining City boulevards shall be landscaped where the building is Street-Oriented;

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- (iii) All areas adjacent to a street, lane, walkway, or common amenity space shall be landscaped to the satisfaction of the Approving Authority;
- (iv) Soft landscaping shall be located to enhance:
 - (A) pedestrian areas;
 - (B) building walls; and
 - (C) both in and around parking areas;
- (v) A landscaping plan containing an inventory of existing trees on the site, trees to be retained, removed or relocated, and any new trees to be planted shall be submitted as part of a development permit application;
- (vi) A landscaping plan for any landscaped area provided above building space, including underground parking structures, based on the site plan for the entire development must be provided and shall show, at minimum:
 - (A) the location of underlying slabs and adjacent walls;
 - (B) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
 - (C) depths of the growing medium for each planting area located above building floor area;
 - (D) the mature height and spread of all trees and shrubs; and
 - (E) the means of irrigating the planting areas located above building floor area; and
- (vii) To ensure the viability of trees over underground parking structures, or above building space, trees shall be planted in accordance with industry best practices, and to the satisfaction of the Approving Authority, to provide adequate space for the roots of trees planted in the front, side and rear yards of new developments.

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SCHEDULE B

CONTINUED

(k) Garbage

- (i) Garbage and waste materials shall be stored inside the building in a completely enclosed, lockable space;
- (ii) Neither garbage, nor any installation for its collection, storage, compaction or disposal, shall be visible from outside the building; and
- (iii) Recycling facilities for storage of materials for transfer shall be provided.

(l) Heritage Development

The Approving Authority may grant relaxations to the provisions of this District, if the opinion of the Senior Heritage Planner and the Approving Authority, such a relaxation would preserve buildings or sites included on the "Inventory of Potential Heritage Sites" and would be in keeping with the General Purpose of the District and would not adversely affect the amenities, use and enjoyment of neighbouring properties.

(m) Comprehensive Rear Yard Development

The Approving Authority may grant relaxations to the provisions of this District to permit comprehensively developed dwelling units in the rear yard of an existing residential building, if, in the opinion of the Approving Authority, such a relaxation would encourage the preservation or restoration of a single-detached dwelling or apartment and would be in keeping with the General Purpose of the District.

BYLAW NO. 0372006

ADVERTISED IN The Calgary Herald ON June 22, 2006

BYLAW 63 Z2006				
Street	Municipal Address	Legal Description	Existing Designation	Proposed Designation
18 Avenue SE	100, 102, 104, 106, 108, 110, 112, 112R, 114, 116, 118, 120	Plan B1, Block 7, Lot 37 CDE 9811667, Units 1-9 & 11	RM-5	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
18 Avenue SW	110	Plan B1, Block 6, Lots 30-32	RM-5	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
18 Avenue SW	305, 307, 309, 313, 315, 323, 329	Plan B1, Block 9, Lots 5,6, 9-11 CDE 0414592	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
19 Avenue SW	303, 304, 306, 308, 310, 311, 314, 316, 317, 318, 320, 322, 327, 329, 333	Plan B1, Block 14, Lots 7-12 Plan B1, Block 17, Lots 4,6,10 CDE 8110516, CDE 0310691 CDE 0311698	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
19 Avenue SW	330	CDE 0511542	C-3(27) & RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
20 Avenue SW	302, 305, 306, 307, 309, 313, 319, 321, 325, 326, 327, 329, 333	Plan B1, Block 19, Lots 6,11&12 Plan B1, Block 21, Lots 4-8, 10 & Pt of Lot 11 CDE 8911717	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
21 Avenue SW	230, 234, 238, 303, 304, 306, 310, 313, 314, 315, 317, 318, 319, 320, 321, 323, 325, 327, 328	Plan B1, Block 23, Lots 8-12 Plan B1, Block 24, Pt of Lot 13, Lot 14 Plan B1, Block 25, Lots 6-12 Plan 0512782, Block 23, Lot 14 CDE 9010656, CDE 9611580	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
22 Avenue SW	309, 310, 311, 315, 316, 317, 319, 321, 322, 324, 327, 329	Plan B1, Block 27, Lot 7 Plan B1, Block 29, Lots 7-10, Pt of Lot 11 CDE 9110954, CDE 9410951, CDE 0311871, CDE 0313084 CDE 0313527	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
22 Avenue SW	332	Plan B1, Block 27, Pt of Lots 4 & 5	C-3(27) & RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
23 Avenue SW	100, 105, 108	Plan 8910273, Block 34, Lot 32 Plan 0410267, Block 37, Lot 31 CDE 9111144	RM-5	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
23 Avenue SW	107, 109, 111, 112, 113, 115, 117, 125, 303, 305, 308, 309, 313, 315, 319, 321, 327, 329	Plan B1, Block 32, Lot 11 Plan B1, Block 35, Pts of Lots 5, 6&7, Lots 8-12 Plan B1, Block 37, Lots 26-29 CDE 9912633, CDE 9913532 CDE 0211296	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
23 Avenue SW	330	Plan B1, Block 32, Lot 5	C-3(27)	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
24 Avenue SW	104	CDE 0313083	RM-5	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R

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24 Avenue SW	110, 111, 119, 120, 121, 123, 126, 128, 135, 138, 139, 302, 308, 320, 326, 328, 332	Plan B-1, Block 38, Pt of Lot 5, Lot 6, Pt of Lot 7, Lot 12 Plan B1, Block 40, Lots 23,26-28 Plan B1, Block 43, Lots 23&24, 27-29 CDE 9110737, CDE 9112377 CDE 9911460, CDE 0010909 CDE 0211718, CDE 0512155	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
25 Avenue SW	102, 106, 120, 130, 140, 208, 210, 216, 218, 220, 222, 226, 228, 232, 236, 306, 308, 310, 312, 314, 318, 320, 322	Plan B1, Block 44, Lots 7 & 8, 10 & 11 Plan B1, Block 45, Lots 14-19, 21 Plan B1, Block 46, Pt of Lot 23, Lots 28-31 Plan 0312485, Block 46, Lots 34 & 35 CDE 8110115, CDE 8310130 CDE 0312164	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
1 Street SW	2204, 2406, 2410, 2411, 2413, 2414, 2415, 2416, 2417, 2421	Plan B1, Block 43, Lots 23 & 24 Plan B1, Block 45, Lot 22 Plan B1, Block 46, Pt of Lot 23 CDE 9311491, CDE 9913210	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
2 Street SW	1801, 2001, 2003, 2005, 2012, 2105, 2109, 2111, 2113, 2115, 2201, 2203, 2207, 2211, 2404, 2406, 2408, 2412, 2417	Plan B1, Block 9, Lot 12 Plan B1, Block 21, Pt of Lot 11 & Lot 12 Plan B1, Block 24, Pt of Lot 13 Plan B1, Block 27, Lots 11 & 12 Plan B1, Block 29, Pt of Lots 11 & 12 Plan B1, Block 32, Pt of Lot 12 Plan B1, Block 42, Lots 13 & 14 Plan B1, Block 45, Lot 13 CDE 9910636, Unit 1 CDE 0112688, CDE 0113086	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R
Holy Cross Lane SW	208	CDE 0413805	RM-6	DC for RM-6 uses, height limit of 5 storeys, 3.5 F.A.R

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ADVERTISED IN The Calgary Herald ON June 22, 2006

MISSION AREA REDEVELOPMENT PLAN PROPOSED REDESIGNATIONS
BYLAWS 6022006, 6122006 & 6322006

Legend			
F.A.R.	Floor Area Ratio	RM-3	Residential Medium Density Multi-Dwelling District
C-3(27)	General Commercial District (Maximum 27 metres in height)	RM-5	Residential Medium Density Multi-Dwelling District
C-3(30)	General Commercial District (Maximum 30 metres in height)	RM-6	Residential High Density Multi-Dwelling District
DC	Direct Control District	PE	Public Park, School and Recreation District