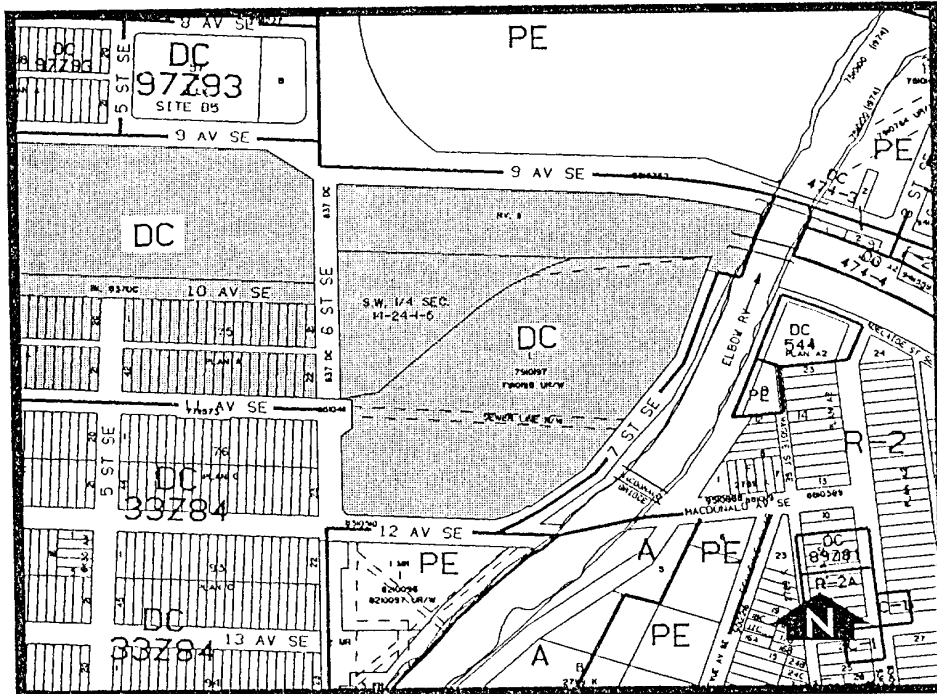
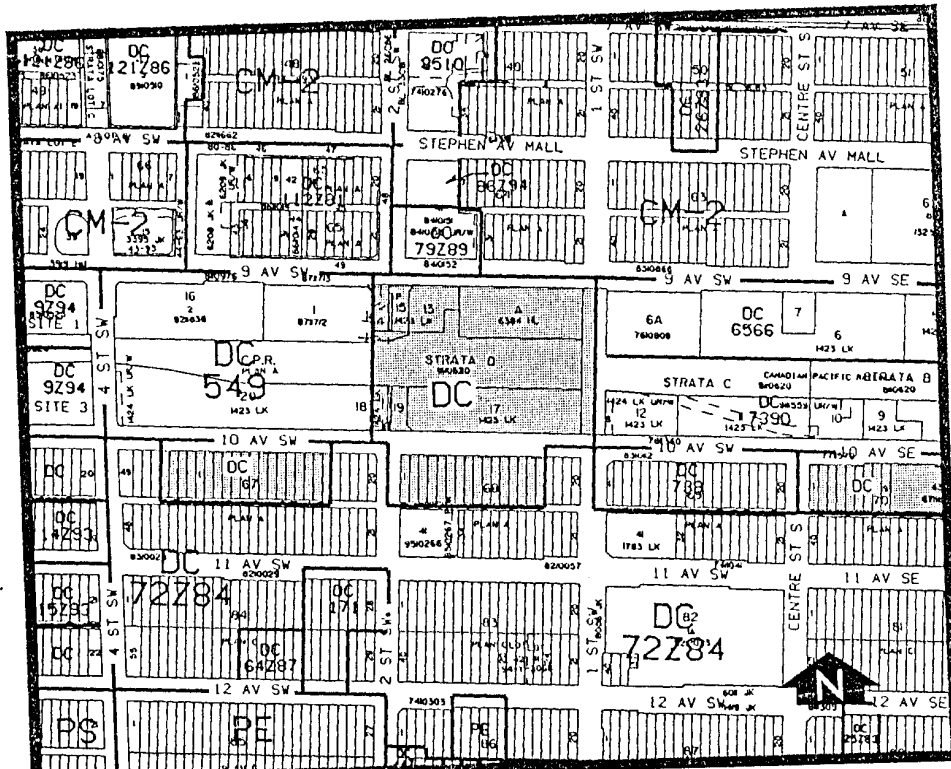
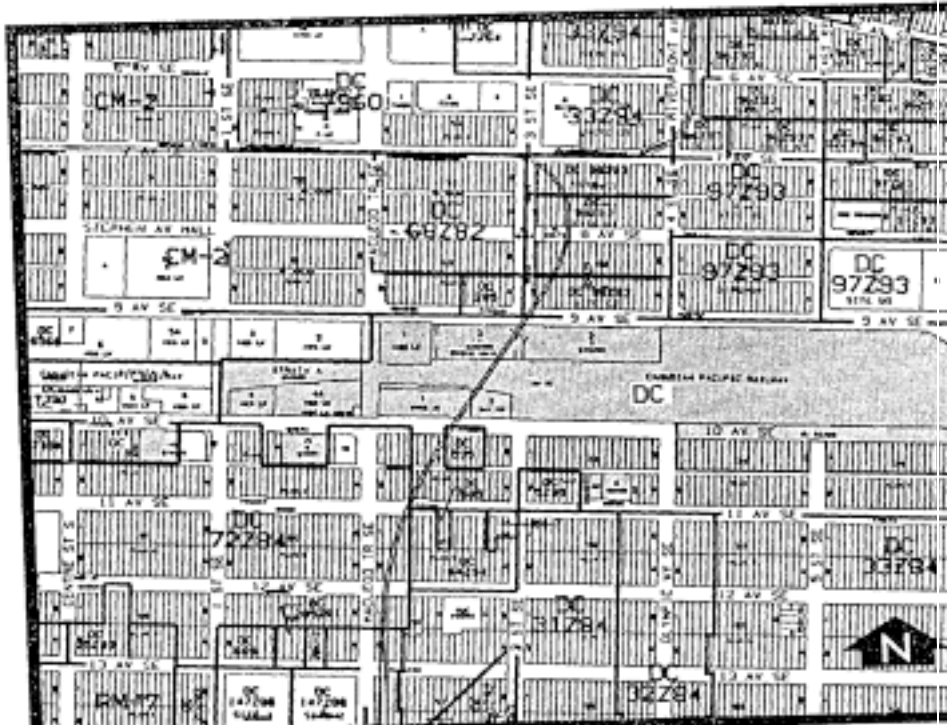
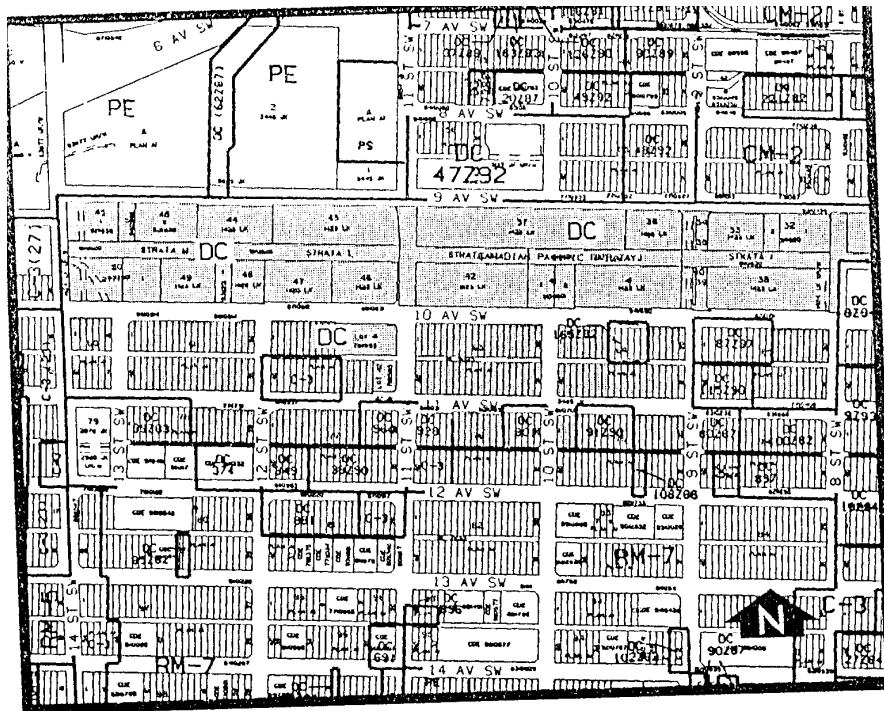
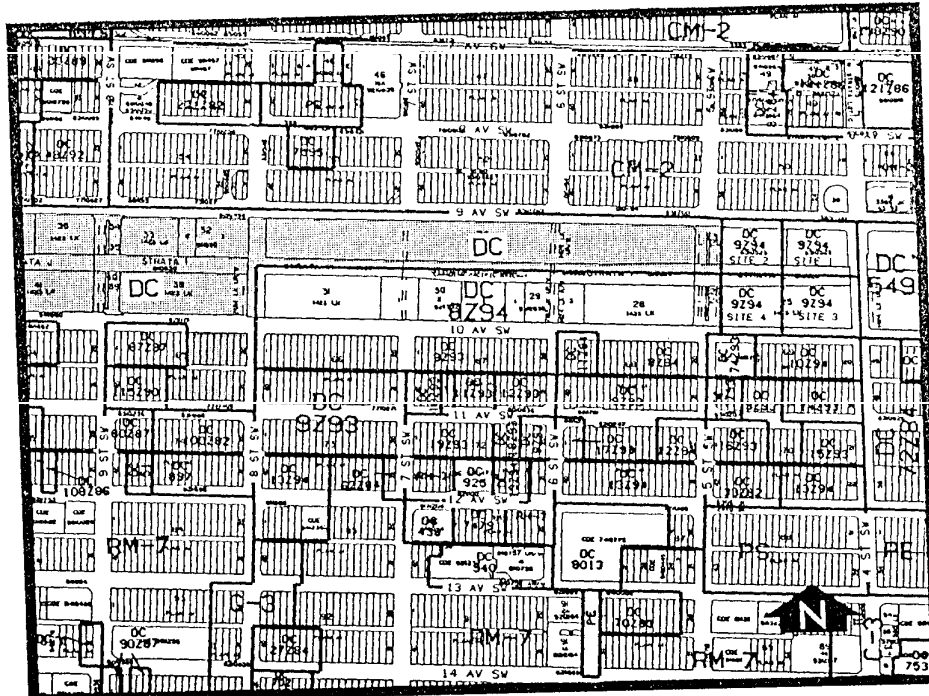


Amendment No. 95/044
Bylaw No. 53Z95
Council Approval: 17 July 1995

SCHEDULE B







1. PURPOSE

The purpose of this district is to provide for a mix of commercial, light industrial and residential uses which are compatible with each other in certain Downtown areas.

2. PERMITTED USES

- (a) The following shall be Permitted Uses:

Ancillary commercial uses
Essential public services
Parks and playgrounds
Utilities

- (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.

3. PERMITTED USE RULES

- (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) In addition to the General Rules for Downtown Districts contained in Section 42.1 of the City of Calgary Land Use Bylaw 2P80, the following rules shall apply:

(i) **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:

- (A) noise,
- (B) odour,

- (C) earthborne vibrations,
- (D) heat, or
- (E) high brightness light sources.

(ii) 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.

(iii) Building Height

A maximum of 12 metres.

(iv) Front Yard

- (A) Any front yard provided shall be appropriately treated with hard and soft landscaping to enhance the streetscape and to ensure adequate pedestrian space.
- (B) No parking shall be allowed in a front yard.
- (C) For the purpose of this Section, all street frontages shall be considered as front yards.

(v) Side Yards

A minimum width of 1.2 metres for each side yard except

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

(vi) Rear Yard

A minimum depth of 1.2 metres.

(vii) Landscaped Area

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

- (A) all front yards,
- (B) all minimum required side yards between the front and rear of a site where they are not used for vehicle circulation;

(C) all minimum required rear yards where the site abuts a residential district or development; and

(D) all adjoining City boulevards.

(viii) Outside Display Area

No outside display areas shall be allowed to the front or side of a principal building or in a required yard.

(ix) Outside Storage

No outside storage, including the storage of trucks and trailers, shall be allowed to the front, side or rear of buildings or in any required yard.

(x) Right-of-way Setbacks

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

(xii) Parking and Loading Regulations

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

(xiii) Airport Vicinity Special Regulations

The provisions of Section 19 of Bylaw 2P80 shall apply.

(i) Floodway Floodplain Special Regulations

The provisions of Section 19.1, as amended from time to time, of Bylaw 2P80 shall apply.

4. DISCRETIONARY USES

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

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

Signs

Universities, colleges and provincial training centres

Veterinary clinics
Veterinary hospitals

Warehouse stores

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

5. DISCRETIONARY USE RULES

In addition to the General Rules for Downtown Districts contained in Section 42.1 of the City of Calgary Land Use Bylaw 2P80, and the Permitted Use Rules contained in Section 3, the following rules shall apply:

(a) Dwelling Units

- (i) No dwelling unit shall be located below any storey used for commercial or industrial purposes.
- (ii) Dwelling units shall have an entrance separate from the entrance to any commercial or industrial component of the building.

(b) 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.

(c) Outside Display Areas

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.

(d) 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.

(e) Custodial Quarters

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

(f) Signs

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

6. CONDITIONS OF DEVELOPMENT

In addition to the land use rules for Discretionary Uses contained in Section 5, the Approving Authority may impose conditions on a development permit as provided for in Section 11(2)(a)(i) of the City of Calgary Land Use Bylaw 2P80.