

BYLAW NO. 111Z2006

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment LOC2006-0062)

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;

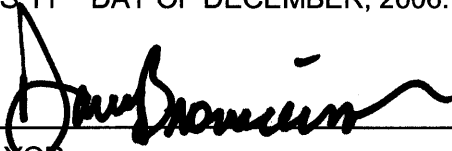
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 11TH DAY OF DECEMBER, 2006.

READ A SECOND TIME THIS 11TH DAY OF DECEMBER, 2006.

READ A THIRD TIME AS AMENDED THIS 11TH DAY OF DECEMBER, 2006.



MAYOR

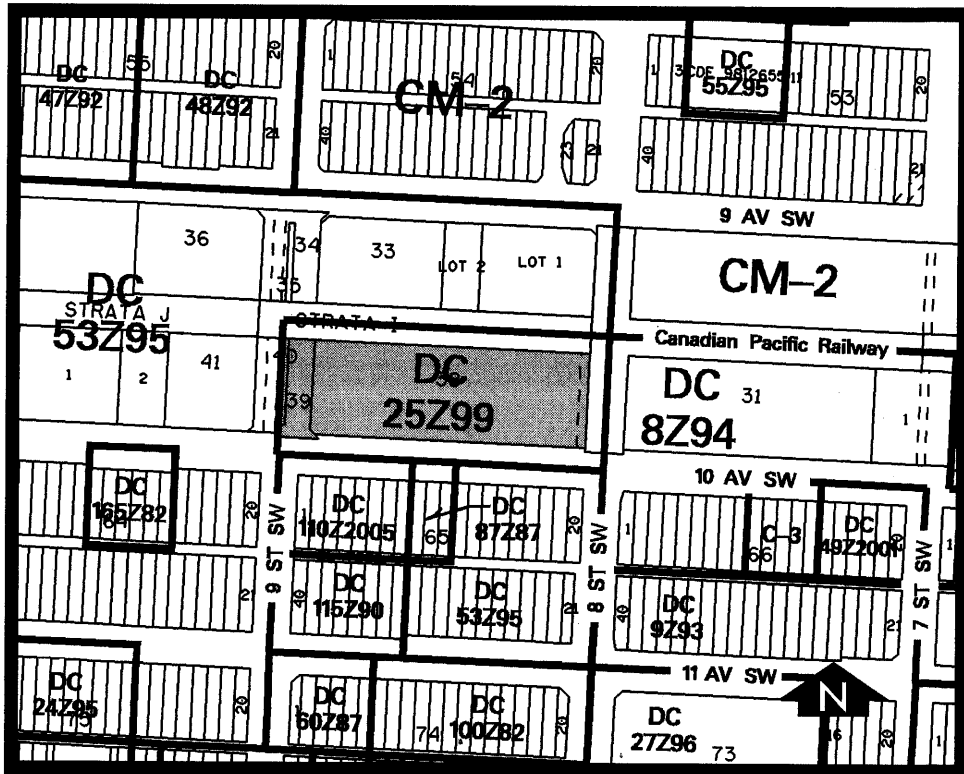
DATED THIS 14TH DAY OF DECEMBER, 2006



ACTING CITY CLERK

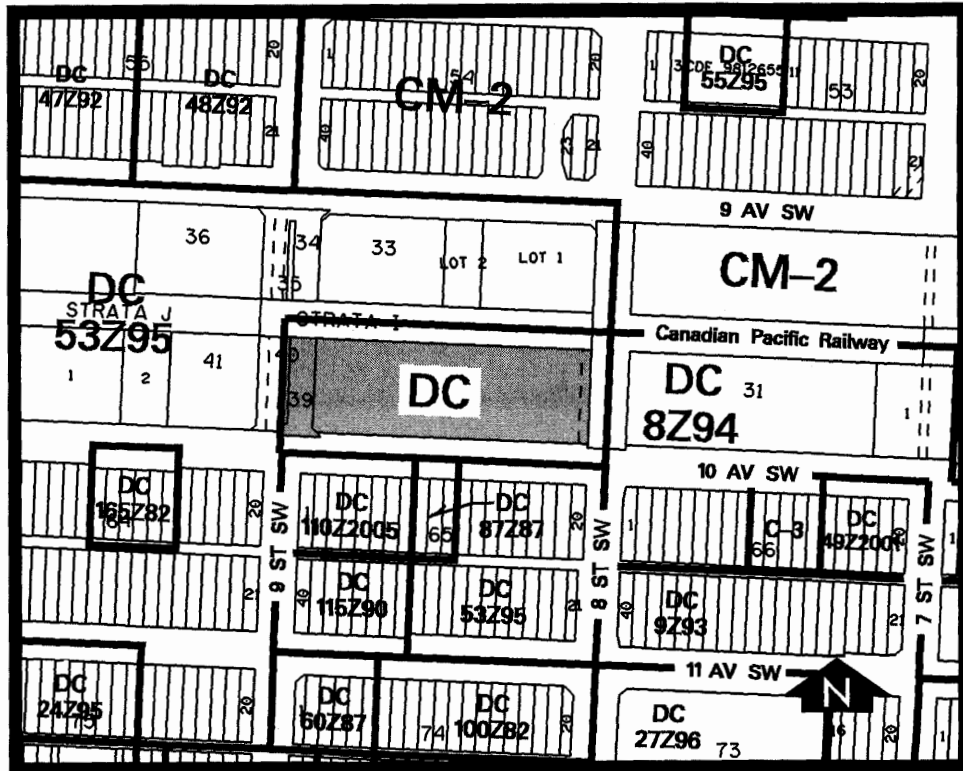
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. Land Use

The Permitted and Discretionary Uses of the CM-2 Downtown Business District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively, except for the following:

- (a) Live-work units (N.P.) shall be a Discretionary Use; and
- (b) the following uses shall be deleted:

Amusement Arcades
Automotive services
Automotive specialties

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SCHEDULE B

CONTINUED

Billiard Parlours
Gaming Establishment -- Bingo
Signs – Class 2.

For the purpose of this bylaw, "live-work unit" means a type of dwelling unit used by the resident for working and living purposes that may include, but is not limited to offices, personal service businesses and the selling of goods produced on site.

2. Development Guidelines

The General Rules for Downtown Districts contained in Section 42.1 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules of the CM-2 Downtown Business District shall apply to Permitted Uses and the Discretionary Use Rules of the CM-2 Downtown Business District shall apply to Discretionary Uses, unless otherwise noted below:

(a) Gross Floor Area

- (i) A base of up to 5.0 F.A.R. for commercial development;
- (ii) A base of up to 8.0 FAR for residential/mixed use development; and
- (iii) FAR may be increased from 5.0 to a maximum of 8.0 for commercial development, and from 8.0 to a maximum of 12.0 for residential/mixed use development in accordance with the bonus provisions contained within the Beltline Area Redevelopment Plan and amended by Council from time to time.

(b) Existing Uses

Notwithstanding any other requirement of this Bylaw, any use approved by the Approving Authority and existing as of the date of passage of this Bylaw, shall be deemed to be a Discretionary Use but if that use is discontinued for a period of six consecutive months or more, any future use of the land shall conform with the uses specified in this Bylaw.

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SCHEDULE B

CONTINUED

(c) Yards

A minimum yard of 1.5 metres adjacent to 10 Avenue SW.

(d) Parking

In addition to the requirements of Section 18, the following shall apply:

- (i) A minimum of 0.9 stalls for each residential and live work unit;
- (ii) 0.15 stalls per residential unit for visitor parking, unless a lesser amount is demonstrated to the satisfaction of the Approving Authority; and
- (iii) notwithstanding subparagraphs (i) and (ii), a maximum of 86 additional stalls may be provided within a parking area (temporary) located on the westerly most portion of the site for the users of the site.

(e) Building Design

- (i) All uses at grade shall be street oriented and include entrances at grade directly fronting the public street; and
- (ii) Parking areas above grade shall be designed as an integral part of the development to the satisfaction of the Approving Authority.

(f) Landscaping

- (i) A minimum of 25 per cent of the site area plus all public boulevards shall be landscaped;
- (ii) Landscaped areas contained either at grade or at the top of a podium shall be counted towards the 25 per cent landscaping requirement;
- (iii) All areas at grade that are not covered by building or driveway access shall be landscaped; and
- (iv) All areas at the top of the podium not required for access shall be landscaped.

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SCHEDULE B

CONTINUED

- (g) Building Height
 - No maximum height
- (h) Guidelines for Commercial Uses
 - (i) No commercial uses shall be located on a same storey or above a residential use; and
 - (ii) Commercial uses shall have separate entry from that of the residential component of the building. This rule does not apply to live-work units.
- (i) 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 which is detectable to normal sensory perception outside of the live-work unit;
 - (ii) The working area shall not exceed 50 percent of the total floor area;
 - (iii) A maximum of one non-resident employees or business partners may work on site;
 - (iv) Signage is limited to the interior of the building;
 - (v) No aspect of the operation shall be visible from outside the building;
 - (vi) There shall be no outside storage of material, goods or equipment on, or immediately adjacent to the site;
 - (vii) A sign shall be erected and maintained within the building, sufficiently visible to the satisfaction of the Development Authority, indicating that live-work units are allowable within the development;

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SCHEDULE B

CONTINUED

(viii) No live-work unit shall be located on the same story as a purely residential use; and

(ix) No live-work unit shall be located on a story above a purely residential use.

(j) Outdoor Cafe

The use of outdoor speaker system(s) is prohibited.

(k) Drinking Establishment

A maximum net floor area of 200 square metres.

(l) Recycling Facilities

Comprehensive recycling facilities shall be provided to the satisfaction of the Approving Authority.