

BYLAW NO. 43Z2006

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment LOC2005-0116)**

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 JUNE, 2006.

READ A SECOND TIME, AS AMENDED, THIS 19th DAY OF JUNE, 2006.

READ A THIRD TIME, AS AMENDED, THIS 19th DAY OF JUNE, 2006.



MAYOR

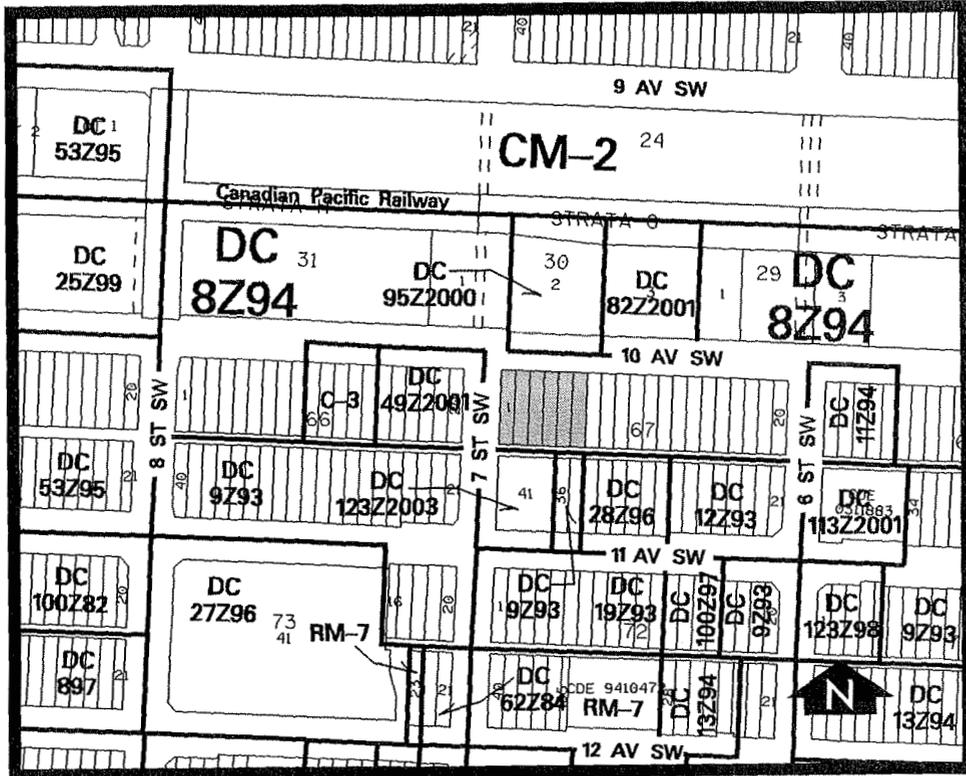
DATED THIS 10th DAY OF AUGUST, 2006.



ACTING CITY CLERK

Amendment LOC2005-0116 Bylaw 43Z2006

SCHEDULE A



Amendment LOC2005-0116 Bylaw 43Z2006

SCHEDULE B

CONTINUED

Automotive specialties
Billiard parlours
Gaming establishment -- Bingo
Parking structures
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) Density

The maximum gross floor area shall be:

- (i) A base of 8 F.A.R. where the following features are provided to the satisfaction of the Approving Authority:
 - (A) Enhanced public realm upgrades including but not limited to hard landscaped paving of the public boulevards including sidewalks along 10 Avenue SW and 7 Street SW; and
 - (B) Retention and/or new planting of a minimum of 4 street trees; and
- (ii) up to a maximum of 12 FAR where bonus features in accordance with the Beltline Area Redevelopment Plan, as amended from time to time, have been provided to the satisfaction of the Approving Authority.

Amendment LOC2005-0116 Bylaw 43Z2006

SCHEDULE B

CONTINUED

(b) Existing Uses

Notwithstanding any other requirement of this Bylaw, any use approved by the Approving Authority, 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.

(c) Yards

A minimum yard of 1.5 metres along 10 Avenue SW.

(d) Parking

(i) A minimum of 0.9 stalls for each residential and live-work unit;

(ii) A minimum of 0.15 stalls per residential unit for visitor parking;
and

(iii) All other uses shall provide a minimum of 1 stall per 100 square metres of net floor area.

(e) Building Design

(i) The project shall be comprised of one tower of residential/commercial development on a podium of commercial/residential/parking;

(ii) Buildings shall be designed to be street orientated and shall include primary entrances to commercial units directly fronting the public street at grade;

(iii) Parking areas above grade shall be designed as an integral part of the development, and to the satisfaction of the Approving Authority; and

Amendment LOC2005-0116 Bylaw 43Z2006

SCHEDULE B

CONTINUED

- (iv) The tower shall have a maximum floor plate of 750 square metres.
- (f) Landscaping
 - (i) A minimum of 30 percent of the site area plus all public boulevards shall be landscaped;
 - (ii) Landscaped areas contained either at grade or at the top of the podium shall be counted towards the 30 percent 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.
- (g) Height

A maximum podium height of 18 metres.
- (h) Guidelines for Commercial Uses
 - (i) The gross floor area for commercial uses shall not exceed a maximum of 75 percent of the gross floor area of the building;
 - (ii) Commercial uses shall have separate entry from that of the residential component of the building; and
 - (iii) No commercial use shall be located above a residential use.
- (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

Amendment LOC2005-0116

Bylaw 43Z2006

SCHEDULE B

CONTINUED

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;
 - (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 100 square metres, excluding kitchen area.

Amendment LOC2005-0116 Bylaw 43Z2006

SCHEDULE B

CONTINUED

(l) **Recycling Facilities**

Comprehensive recycling facilities shall be provided to the satisfaction of the Approving Authority at the development permit stage.

BYLAW NO. 43Z2006

ADVERTISED IN The Calgary Sun **ON** Jan 6/06/01

14 **BYLAW 43Z2006**
BELTLINE
To redesignate the land located at 731 & 739 - 10 Avenue SW (Plan A1, Block 67, Lots 1 to 6) from DC Direct Control District to DC Direct Control District to accommodate a mixed use commercial and residential development.