

BYLAW NO. 40Z2007

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment LOC2006-0142)**

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;

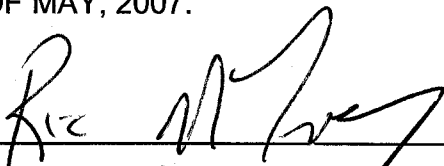
**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

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 7TH DAY OF MAY, 2007.

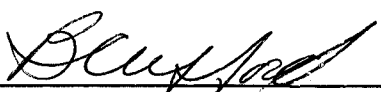
READ A SECOND TIME THIS 7TH DAY OF MAY, 2007.

READ A THIRD TIME THIS 7TH DAY OF MAY, 2007.



DEPUTY MAYOR

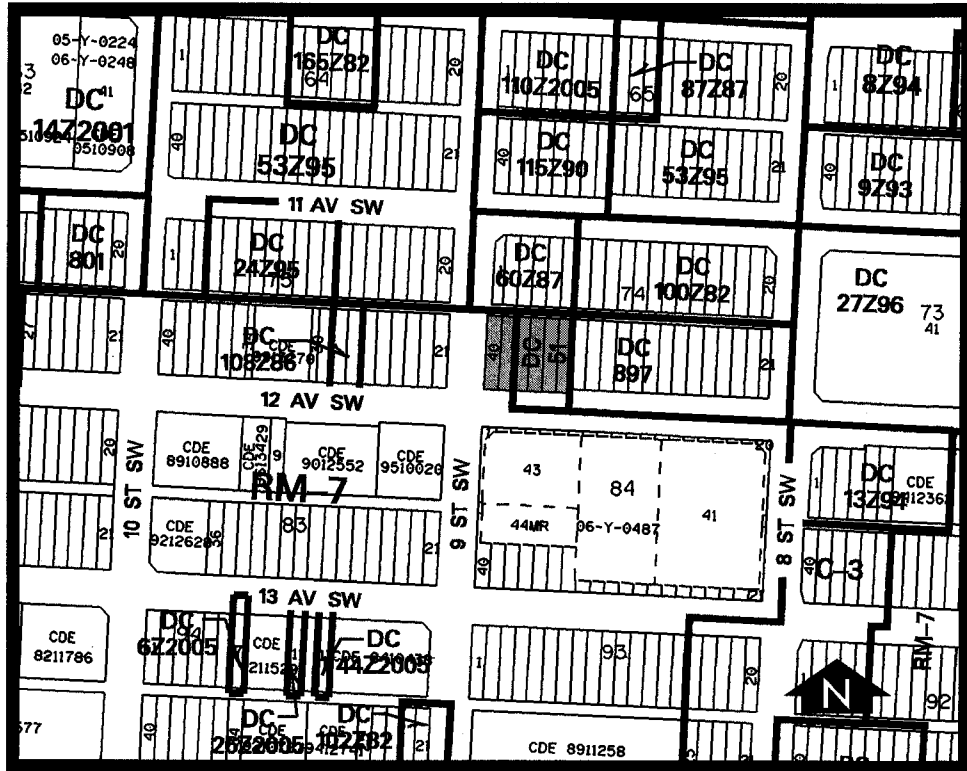
DATED THIS 7TH DAY OF MAY, 2007



ACTING CITY CLERK

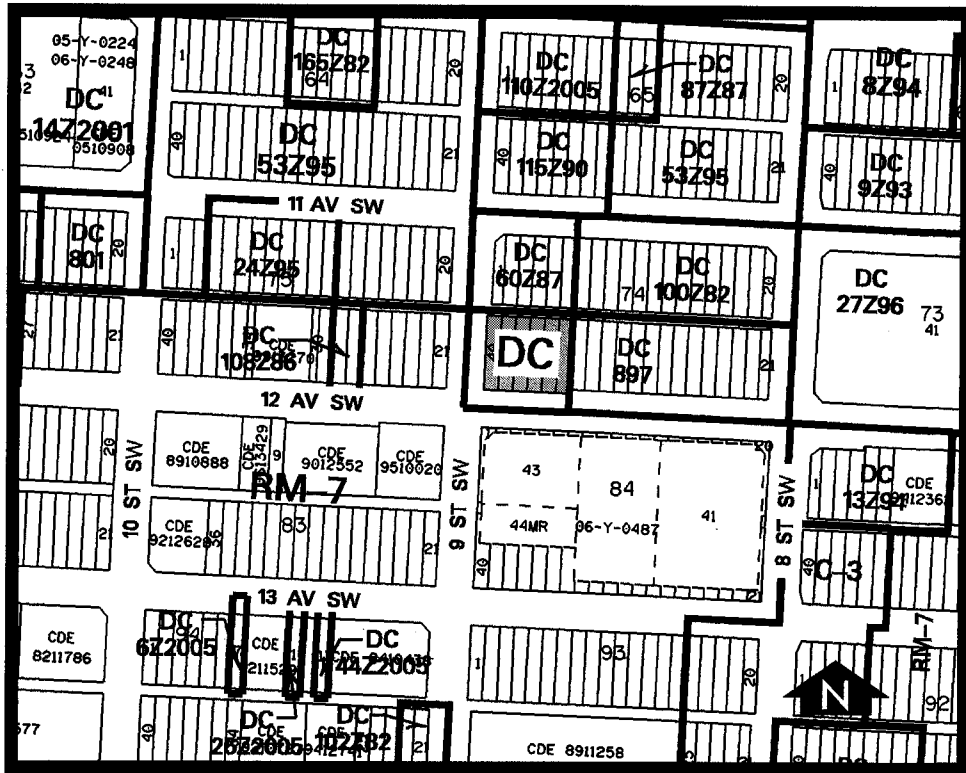
Amendment LOC2006-0142 Bylaw 40Z2007

SCHEDULE A



Amendment LOC2006-0142 Bylaw 40Z2007

SCHEDULE B



DC DIRECT CONTROL DISTRICT

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SCHEDULE B

CONTINUED

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 sales and rentals
Automotive services
Automotive specialties
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 maximum of 5.0 F.A.R. for commercial development;

(ii) A maximum of 8.0 FAR for residential/mixed use development; and

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SCHEDULE B

CONTINUED

- (iii) The maximum FAR prescribed in subsections (i) and (ii) may be increased from 5.0 FAR to a maximum of 8.0 FAR for commercial development, and from 8.0 FAR to a maximum of 12.0 FAR for residential/mixed use development respectively in accordance with the bonus provisions contained within the Beltline Area Redevelopment Plan as amended by City Council from time to time.
- (b) Yards
 - (i) A minimum of 3.0 metres adjacent to 9 Street SW;
 - (ii) A minimum of 1.5 metres adjacent to 12 Avenue SW; and
 - (iii) No yard requirement for all other yards.
- (c) Parking

In addition to the requirements of Section 18 of Bylaw 2P80, the following shall apply:

 - (i) a minimum of 0.9 stalls for each residential and live work unit; and
 - (ii) 0.15 stalls per residential unit for visitor parking, unless a lesser amount is demonstrated to the satisfaction of the Approving Authority;
- (d) Building Design

All uses at grade shall be street oriented and include entrances at grade directly fronting the public street.
- (e) Landscaping
 - (i) A minimum of 30 per cent of the site area plus all public boulevards shall be landscaped;

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SCHEDULE B

CONTINUED

- (ii) Landscaped areas contained either at grade or at the top of a podium shall be counted towards the 30 per cent landscaping requirement; and
 - (iii) All areas at grade that are not covered by building or driveway access shall be landscaped.

- (f) Floor Plate Size Restrictions
All floor plates higher than 36 metres above grade shall have a maximum Gross Floor Area of 650 square metres.

- (g) Building Height
No maximum height.

- (h) Guidelines for Commercial Uses
 - (i) Except uses at grade, no commercial uses shall be located on a same storey or above a residential use; and
 - (ii) Except for live-work units, commercial uses shall have separate entry from that of the residential component of the building.

- (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;

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SCHEDULE B

CONTINUED

- (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.
- (l) Recycling Facilities
Comprehensive recycling facilities shall be provided to the satisfaction of the Approving Authority.

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ADVERTISED IN Calgary Sun on Thursday April 12, 2007

**4 BYLAW 40Z2007
BELTLINE**

To redesignate the land located at 932 and 940 - 12 Avenue S.W. and 1112 - 9 Street S.W. (Plan A1, Block 74, Lots 35 to 40) from RM-7 Residential High Density Multi-Dwelling District and DC Direct Control District to DC Direct Control District to accommodate high density residential and/or commercial development.

BYLAW NO. 40Z2007

ADVERTISED IN Calgary Sun on Thursday April 19, 2007

**4 BYLAW 40Z2007
BELTLINE**

To redesignate the land located at 932 and 940 - 12 Avenue S.W. and 1112 - 9 Street S.W. (Plan A1, Block 74, Lots 35 to 40) from RM-7 Residential High Density Multi-Dwelling District and DC Direct Control District to DC Direct Control District to accommodate high density residential and/or commercial development.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/40Z2007

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APPROVED AS TO CONTENT



HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM



CITY SOLICITOR

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
