

BYLAW NO. 23Z2005

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment # LOC2005-0012)**

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;

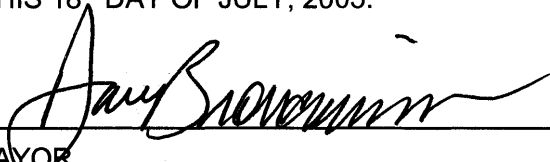
**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

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 18th DAY OF APRIL, 2005.


READ A SECOND TIME, AS AMENDED, THIS 18th DAY OF JULY, 2005.

READ A THIRD TIME, AS AMENDED, THIS 18th DAY OF JULY, 2005.



MAYOR

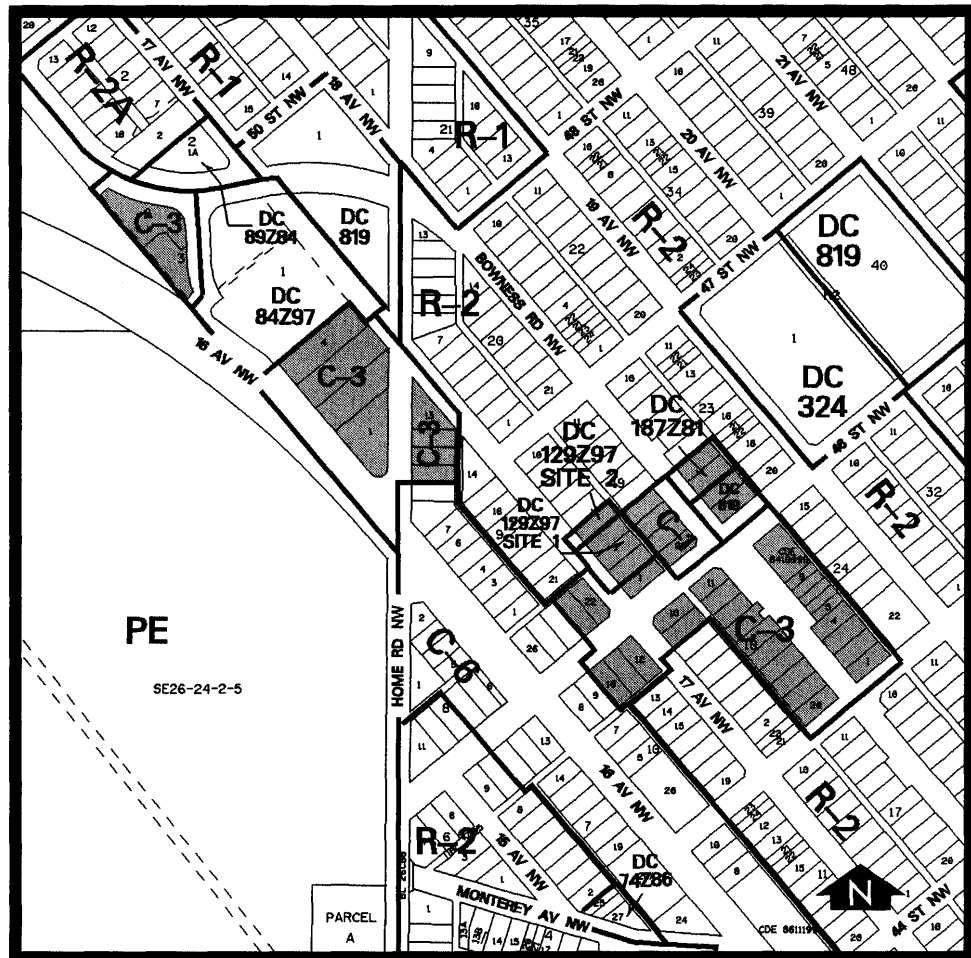
DATED THIS 15th DAY OF SEPTEMBER, 2005.



ACTING CITY CLERK

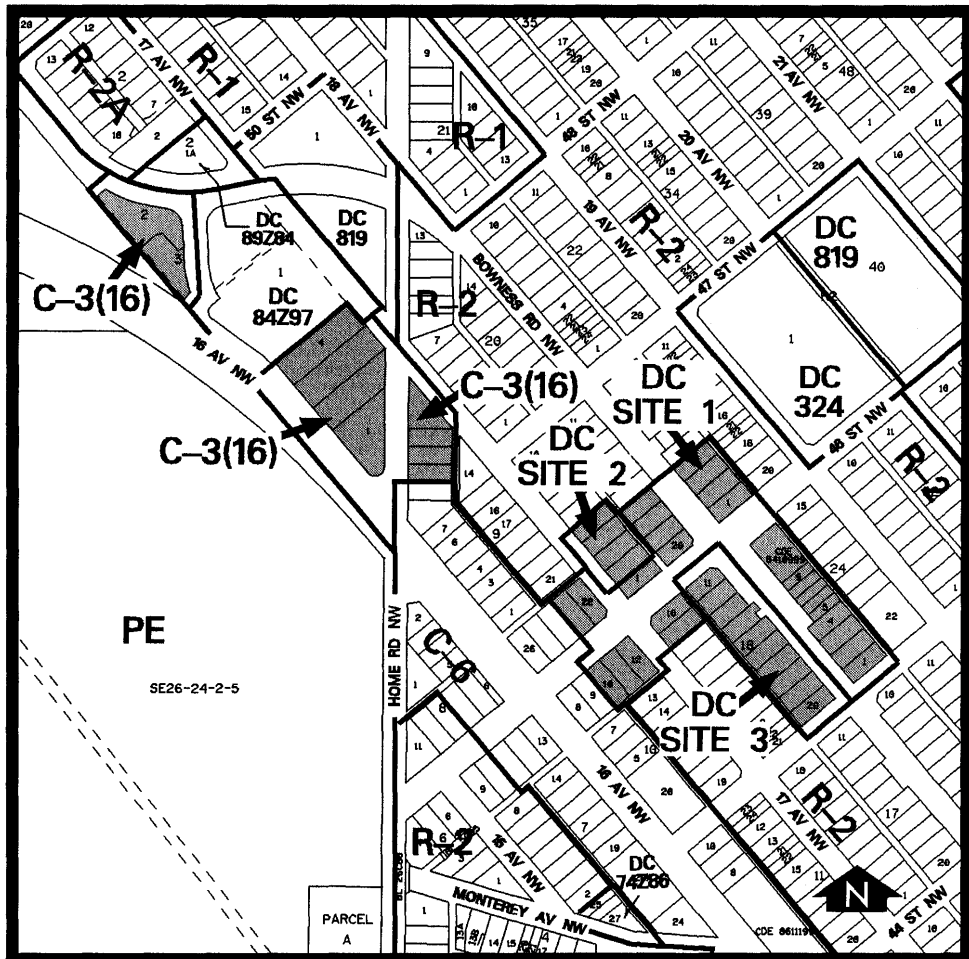
Amendment # LOC2005-0012 Bylaw # 23Z2005

SCHEDULE A



Amendment # LOC2005-0012
Bylaw # 23Z2005

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Amendment # LOC2005-0012

Bylaw # 23Z2005

SCHEDULE B

CONTINUED

Site 1

1. Land Use

The Permitted and Discretionary Uses of the C-3 General Commercial District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively excluding auto body and paint shops, automotive sales and rentals, automotive services, automotive specialities, and any use with a drive-in or drive through facility.

2. Development Guidelines

The General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules of the C-3 General Commercial District shall apply to Permitted Uses and the Discretionary Use Rules of the C-3 General Commercial District shall apply to Discretionary Uses unless otherwise noted below.

(a) Front Yards

- (i)** Any yard abutting Bowness Road NW, 46 Street NW or 17 Avenue NW shall be considered a front yard.
- (ii)** No minimum requirement.

(b) Building Height

A maximum of 3 storeys not exceeding 12 metres at any eaveline and 15 metres to the highest point of the roof.

(c) Commercial Component

The first storey shall only be used for commercial uses.

(d) Building Orientation

All buildings shall be oriented to the street.

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SCHEDULE B

CONTINUED

(e) Building Design

- (i) The design, character and appearance of a building shall be compatible with and complimentary to the surrounding area.
- (ii) The front façade of all buildings shall incorporate a high degree of visual interest through the provision of such design features as building or unit entries, fixed canopies, signage, balconies, roof dormers and pitched roofs.
- (iii) Each commercial unit on the first storey shall provide an entrance located along Bowness Road NW, 46 Street NW or 17 Avenue NW.
- (iv) Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.

Site 2

1. Land Use

The Permitted and Discretionary Uses of the RM-4 /125 Residential Medium Density Multi-Dwelling District shall be the Permitted and Discretionary Uses respectively, with the additional Discretionary Uses of financial institutions, personal service businesses, grocery stores, and liquor stores, all as accessory commercial uses and within two or three storey residential buildings.

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-4/125 Residential Medium Density Multi-Dwelling District shall apply to Permitted Uses and the Discretionary Use Rules of the RM-4 /125 Residential Medium Density Multi-Dwelling District shall apply to discretionary uses, unless otherwise noted below.

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SCHEDULE B

CONTINUED

(a) Front Yard

- (i) Any yard abutting 17 Avenue NW shall be considered a front yard;
- (ii) A minimum depth of 3.0 metres where only dwelling units are on the first floor or there is a mix of dwelling units and commercial uses on the first floor; and
- (iii) No minimum where the entire first storey has no dwelling units.

(b) Building Orientation

All buildings shall be oriented to the street.

(c) Building Design

- (i) The design, character and appearance of a building shall be compatible with and complimentary to the surrounding area;
- (ii) The front façade of all buildings shall incorporate a high degree of visual interest through the provision of such design features as building or unit entries, fixed canopies, signage, balconies, roof dormers and pitched roofs; and
- (iii) Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.

(d) Accessory Commercial Development

- (i) Financial institutions, personal service businesses, grocery stores and liquor stores are allowed only on the first storey; and
- (ii) Each financial institution, personal service business, grocery store, and liquor store, shall provide an entrance located along 17 Avenue NW.

(e) Screening

Parking areas shall be screened from public streets and residential areas to the satisfaction of the approving authority.

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SCHEDULE B

CONTINUED

- (f) Building Height
 - (i) Buildings shall be no more than 3 storeys;
 - (ii) Where all the floors are for residential use, or where less than 50 percent of the first storey of the first floor is used for accessory commercial uses (financial institutions, personal service businesses, grocery stores, liquor stores), the maximum height shall be 10 metres to the eaveline and 13 metres to the highest point of the roof; and
 - (iii) Where 50 percent or more of the first storey is used for accessory commercial uses (financial institutions, personal service businesses, grocery stores, liquor stores), the maximum height shall be 12 metres to the eaveline and 15 metres to the highest point of the roof.

Site 3

1. Land Use

The Permitted and Discretionary Uses of the C-3 General Commercial District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively excluding auto body and paint shops, automotive sales and rentals, automotive services, automotive specialties, and any use with a drive-in or drive through facility.

2. Development Guidelines

The General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules of the C-3 General Commercial District shall apply to Permitted Uses and the Discretionary Use Rules of the C-3 General Commercial District shall apply to Discretionary Uses unless otherwise noted below.

- (a) Front Yards
 - (i) Any yard abutting Bowness Road NW, 46 Street NW or 17 Avenue NW shall be considered a front yard.
 - (ii) No minimum requirement

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SCHEDULE B

CONTINUED

(b) Building Height

A maximum of 3 storeys not exceeding 12 metres at any eaveline and 15 metres to the highest point of the roof. A fourth storey may be allowed if substantial contributions to the pedestrian environment are achieved. These shall include, but not necessarily be limited to, the provision of Setbacks (covering a minimum area of 20% of the ground floor footprint), street furniture, landscaping, signage and detailed building design oriented to the pedestrian.

(c) Commercial Component

The first storey shall only be used for commercial uses.

(d) Building Orientation

All buildings shall be oriented to the street.

(e) Building Design

- (i) The design, character and appearance of a building shall be compatible with and complimentary to the surrounding area.
- (ii) The front façade of all buildings shall incorporate a high degree of visual interest through the provision of such design features as building or unit entries, fixed canopies, signage, balconies, roof dormers and pitched roofs.
- (iii) Each commercial unit on the first storey shall provide an entrance located along Bowness Road NW and/or 46 Street NW.
- (iv) Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/23Z2005


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APPROVED AS TO CONTENT



HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM

 March 21/05

CITY SOLICITOR

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
