

BYLAW NO. 63Z2005

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment # LOC2004-0061)**

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 JULY, 2005.

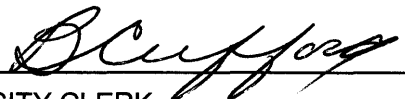
READ A SECOND TIME, AS AMENDED, THIS 23rd DAY OF JANUARY, 2006.

READ A THIRD TIME, AS AMENDED, THIS 23rd DAY OF JANUARY, 2006.



DEPUTY MAYOR

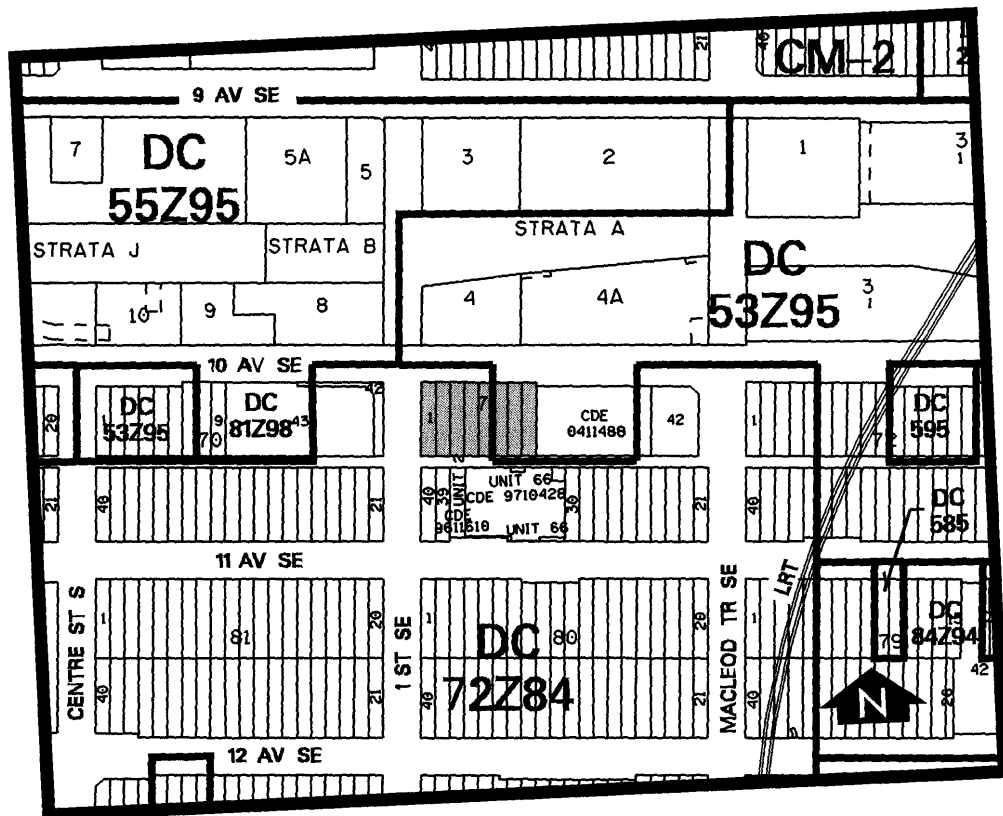
DATED THIS 7th DAY OF FEBRUARY, 2006.



ACTING CITY CLERK

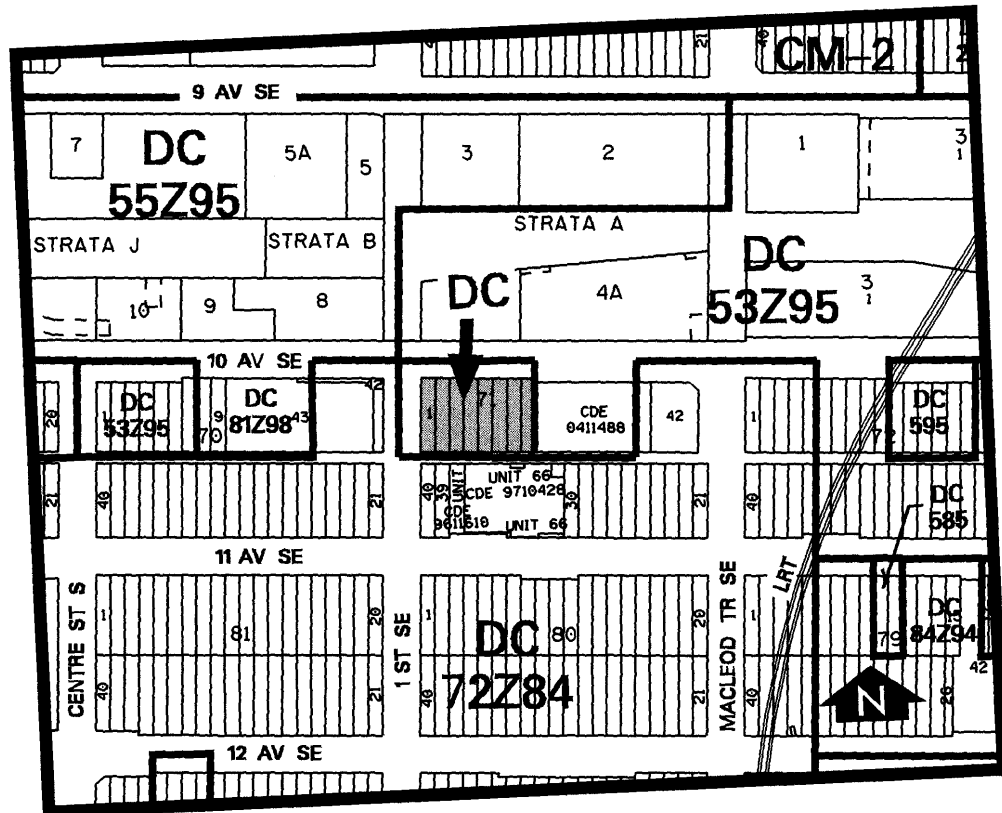
Amendment # LOC2004-0061
Bylaw # 63Z2005

SCHEDULE A



Amendment # LOC2004-0061 Bylaw # 63Z2005

SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. Land Use

The Land Use shall be for a comprehensively designed mixed-use building, which includes commercial and residential uses. 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:

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SCHEDULE B

CONTINUED

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

Automotive sales and rental
Automotive services
Automotive specialties
Parking structures
Signs – Class 2.

For the purpose of this Bylaw, “Live-work units” means the use of a dwelling unit by the resident for work purposes which may include but is not limited to offices, personal service businesses, retailing of goods produced on site, craft production or other similar small scale production activities, excluding any automotive related uses.

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

A maximum of 11.0 F.A.R. A bonus of 1.78 F.A.R. may be achieved through

- (i) a contribution to the Heritage Incentive Program Fund prior to release of a Development Permit on the site, to the satisfaction of the Approving Authority.
- (ii) incorporating elements of LEED (Leadership in Energy and Environmental Design) construction that will allow the building to achieve the equivalent of LEED Silver rating, if achievable at the development permit stage.

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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) Design, Character and Appearance

- (i) In consideration of the site's highly visible location, site development shall be of high quality and design, satisfactory to the Approving Authority;
- (ii) All structures shall have finishes which normally will not require reapplication during the life of the building and are an integral part of the cladding of the development; and
- (iii) Parking areas above grade shall be designed as an integral part of the development, to the satisfaction of the Approving Authority.

(d) Dwelling Units

- (i) No dwelling unit, other than a superintendent's or caretaker's apartment, shall be located below a commercial use;
- (ii) Amenity space shall be provided to the satisfaction of the Approving Authority; and
- (iii) Other than live-work units, dwelling units shall have an entrance separate from the entrance to any commercial component of the building.

(e) Landscaped Area

The following areas, except for accessways from public thoroughfares, shall be landscaped:

- (i) all yards where they are not used for vehicle circulation;

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SCHEDULE B

CONTINUED

- (ii) all on-site horizontal surfaces greater than 5.6 square metres in area that are overviewed by residential units and not required for parking or access; and
 - (iii) all adjoining City boulevards.
- (f) 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; and
 - (ii) the number of employees, outside of residents, of the live – work unit shall be limited to one.
- (g) A comprehensive recycling facility shall be provided at the Development Permit stage, to the satisfaction of the Approving Authority.
- (h) Development Plans

Approval of this application does not constitute approval of a development permit. Comprehensive plans shall be submitted to the Development Authority as part of a development permit application. In considering such an application, the Development Authority shall ensure that the building design and site layout substantially conform to the plans and renderings available to City Council during its consideration of this Bylaw. A reduction of density to 11 F.A.R. through a reduction in the number of storeys shall be considered substantially conforming.

BYLAW NO. 6322005

ADVERTISED IN The Calgary Herald **ON** June 23/05

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**BYLAW 6322005
BELTLINE**

To redesignate the land located at 201 – 10 Avenue SE (Plan A, Block 71, Lots 1 to 8) from DC Direct Control District to DC Direct Control District to accommodate high density mixed use development that is tied to plans.

BYLAW NO. 6322005

ADVERTISED IN The Calgary Sun **ON** June 30/05

**9 BYLAW 6322005
BELTLINE**

To redesignate the land located at 201 - 10 Avenue SE (Plan A, Block 71, Lots 1 to 8) from DC Direct Control District to DC Direct Control District to accommodate high density mixed use development that is tied to plans.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/63Z2005

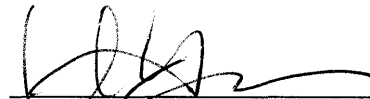
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APPROVED AS TO CONTENT



HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM

 June 22/05

CITY SOLICITOR

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
