

**BYLAW NO. 22Z2006**

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND  
THE CITY OF CALGARY LAND USE BYLAW 2P80  
(Land Use Amendment LOC2005-0089)**  
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**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 15<sup>th</sup> DAY OF MAY, 2006.

READ A SECOND TIME, AS AMENDED, THIS 15<sup>th</sup> DAY OF MAY, 2006.

READ A THIRD TIME, AS AMENDED, THIS 15<sup>th</sup> DAY OF MAY, 2006.

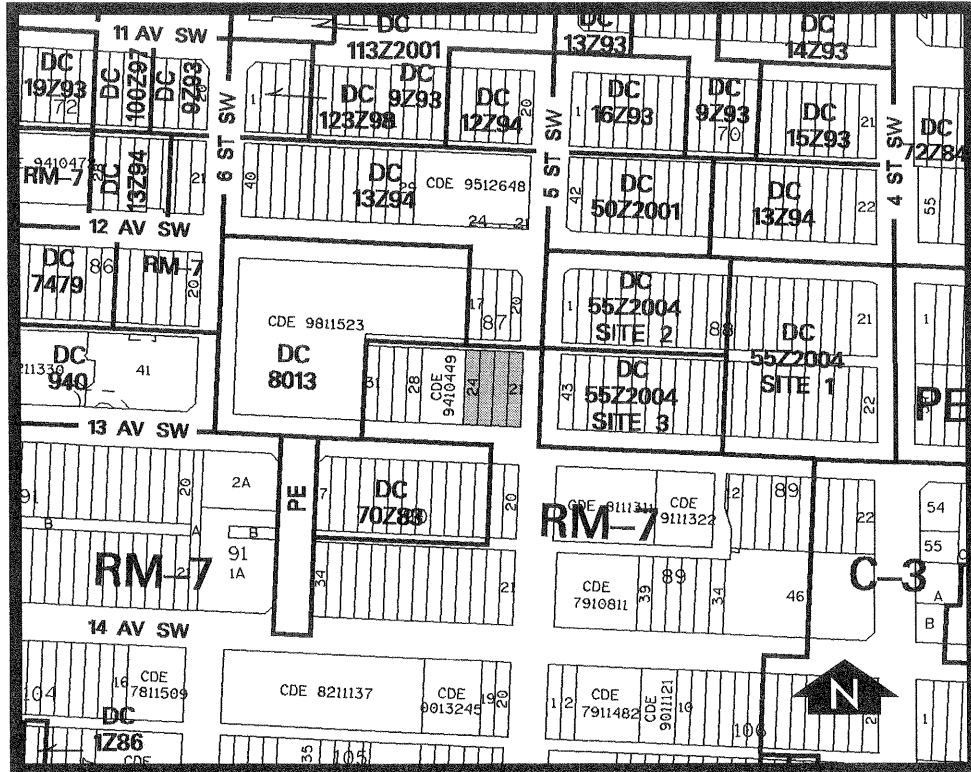
  
\_\_\_\_\_  
MAYOR

DATED THIS 19<sup>th</sup> DAY OF JUNE, 2006.

  
\_\_\_\_\_  
ACTING CITY CLERK

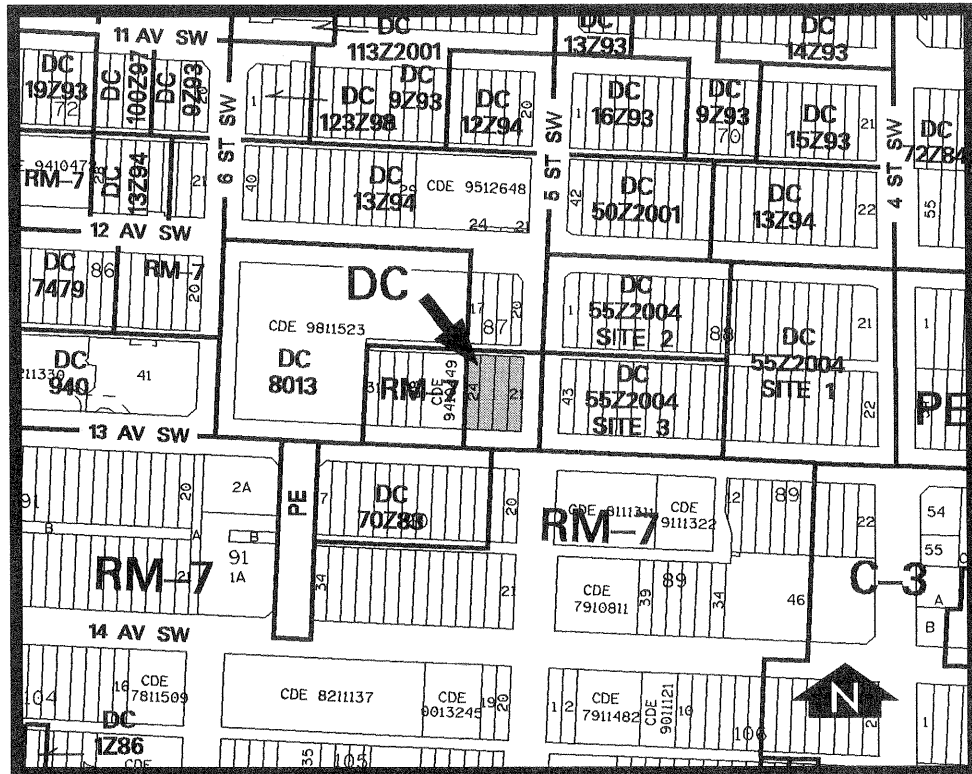
# Amendment LOC2005-0089 Bylaw 22Z2006

## SCHEDULE A



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## SCHEDULE B



### DC DIRECT CONTROL DISTRICT

#### 1. Land Use

The Permitted and Discretionary Uses of the RM-7 Residential High Density Multi-Dwelling district shall be the Permitted and Discretionary Uses respectively including the additional Discretionary Uses of:

- Live-work units
- Medical clinics
- Outdoor cafés
- Restaurant-food service only (C.U.)
- Restaurant – Licensed
- Take-out food services

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### SCHEDULE B

#### CONTINUED

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, but excluding any automotive uses.

#### 2. Development Guidelines

The General Rules of Residential Districts contained in Section 20 of Bylaw 2P80, shall apply to all uses and the Permitted Use Rules of the RM-7 Residential High Density Multi-Dwelling District shall apply to Permitted Uses and the Discretionary Use Rules of the RM-7 Residential High Density Multi-Dwelling District shall apply to the Discretionary Uses unless otherwise noted below:

##### (a) Yards

- (i) A minimum of 3 metres along all street frontages, with no side or rear yards required.
- (ii) long the west property line a minimum side yard of
  - (A) 1.2 meters for the southerlymost 24 meters of the site; and
  - (B) 5.0 meters for the northerly most 15 meters of the site.

##### (b) Parking

- (i) A minimum of 1.0 stalls for each residential unit;
- (ii) A minimum of 0.15 stalls per residential unit for visitor parking; and
- (iii) A minimum of 1.9 stalls for each live-work unit.

##### (c) Building Design

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

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## SCHEDULE B

### CONTINUED

- (ii) The podium shall be designed to be street orientated and shall include primary entrances to residential and/or commercial units directly fronting the public streets at grade;
  - (iii) There shall be a minimum of three dwelling units fronting 13 Avenue SW;
  - (iv) There shall be a minimum of two dwelling units/commercial bays fronting the street on 5 Street SW;
  - (v) A minimum setback of 6.0 metres from the west property line shall be required for all development above the second storey of the building; and
  - (vi) Interface with residential development at the westernmost edge of the site shall be of a high quality and well articulated to the satisfaction of the Approving Authority.
- (d) Landscaping
- (i) A minimum of 35 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 35 percent landscaping requirement;
  - (iii) All areas at grade that are not covered by building or required for access shall be landscaped; and
  - (iv) All areas at the top of the podium not required for access shall be landscaped.
- (e) Height
- (i) A maximum podium height of 14 metres; and
  - (ii) No height requirement for the tower of the building.

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## SCHEDULE B

### CONTINUED

(f) Density

The maximum gross floor area shall be:

- (i) A base of 5.0 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 13 Avenue and 5 Street SW; and
  - (B) retention and/or new planting of a minimum of 6 street trees; and
- (ii) A maximum of up to 7.0 F.A.R. where a contribution to the Beltline Community Investment fund is provided to the satisfaction of the Approving Authority. Such contribution shall be \$270.00 dollars per square meter of additional FAR, and shall be provided prior to release of development permit.

(g) Guidelines for Commercial Uses

- (i) Commercial uses shall be limited to the first and second storeys and shall have separate entry from that of the residential component of the building. This rule does not apply to live-work units; and
- (ii) Commercial Use shall only be allowed where direct pedestrian access fronts onto 5 Street S.W.;
- (iii) No individual commercial use shall exceed 120m<sup>2</sup> in net floor area; and
- (iv) the total amount of commercial space on the site shall not exceed 250m<sup>2</sup>.

(h) 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;

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### SCHEDULE B

#### CONTINUED

smoke; bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside of the live-work unit;

- (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 two 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.
- (i) Outdoor Cafe
- The use of outdoor speaker system(s) is prohibited.
- (j) Garbage Storage
- (i) Garbage and waste material shall be stored inside the building in a completely enclosed, lockable space;

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## SCHEDULE B

### CONTINUED

- (ii) The space for storage and collection of garbage shall be readily accessible for pick-up; and
  - (iii) Comprehensive recycling facilities shall be provided to the satisfaction of the Approving Authority at the development permit stage.
- (k) Size limit for Restaurant-Licensed, and Restaurant-Food Service only:
- (i) A maximum net floor area of 65 square meters, excluding kitchen area; and
  - (ii) There shall be a maximum of one Restaurant-Licensed or Restaurant-Food Service only on site.



BYLAW NO. 222 2006

ADVERTISED IN The Calgary Herald ON 2006/03/30

**2** BYLAW 2222006  
BELTLINE

To redesignate the land located at 1215 - 5 Street SW (Plan A1, Block 87, Lots 21 to 24) from RM-7 Residential High Density Multi-Dwelling District to DC Direct Control District to accommodate high density residential development with live-work and low intensity commercial uses.