

BYLAW 83Z2007

**BEING A BYLAW OF THE CITY OF CALGARY TO AMEND
THE CITY OF CALGARY LAND USE BYLAW 2P80
(Land Use Amendment LOC2006-0156)**

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;

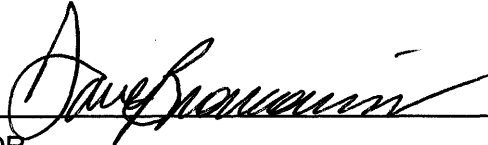
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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.

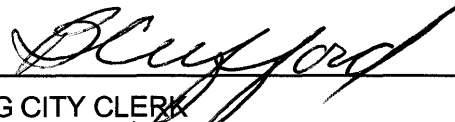
READ A FIRST TIME THIS 16th DAY OF JULY, 2007.

READ A SECOND TIME, AS AMENDED, THIS 16th DAY OF JULY, 2007.

READ A THIRD TIME, AS AMENDED, THIS 16th DAY OF JULY, 2007.



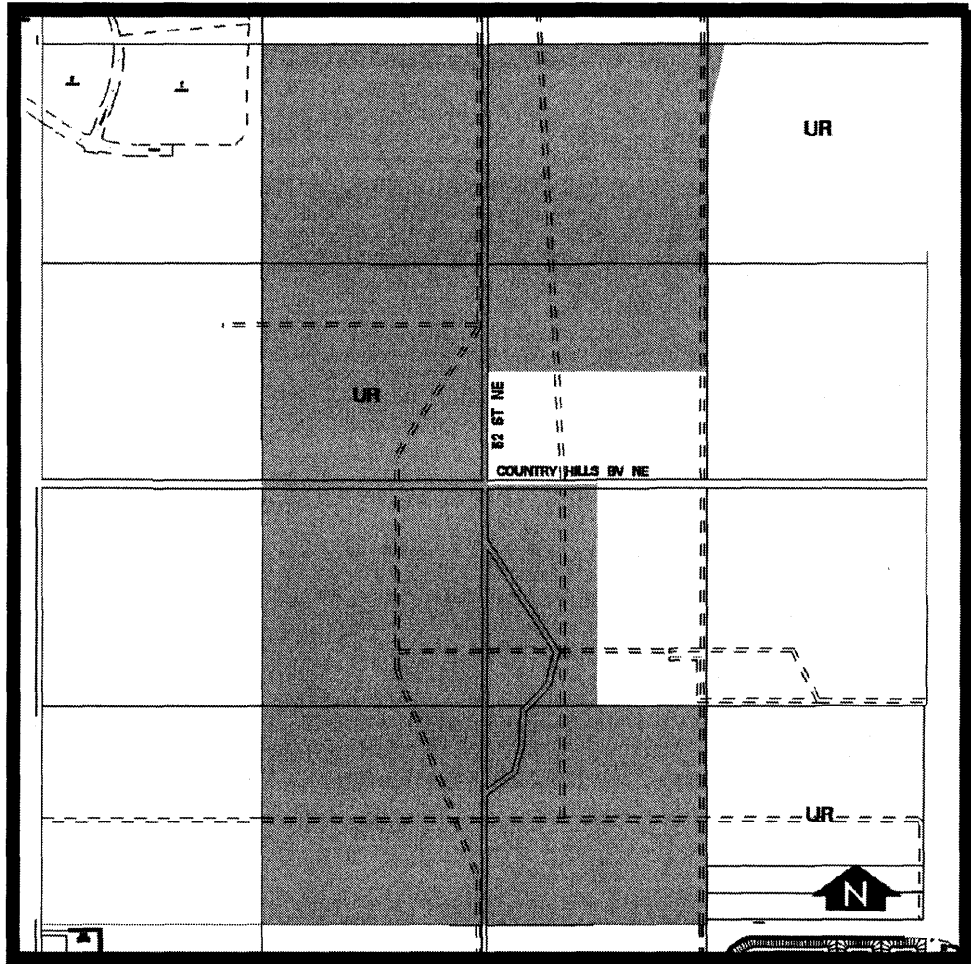
MAYOR
SIGNED THIS 26th DAY OF JULY, 2007.



ACTING CITY CLERK
SIGNED THIS 26th DAY OF JULY, 2007.

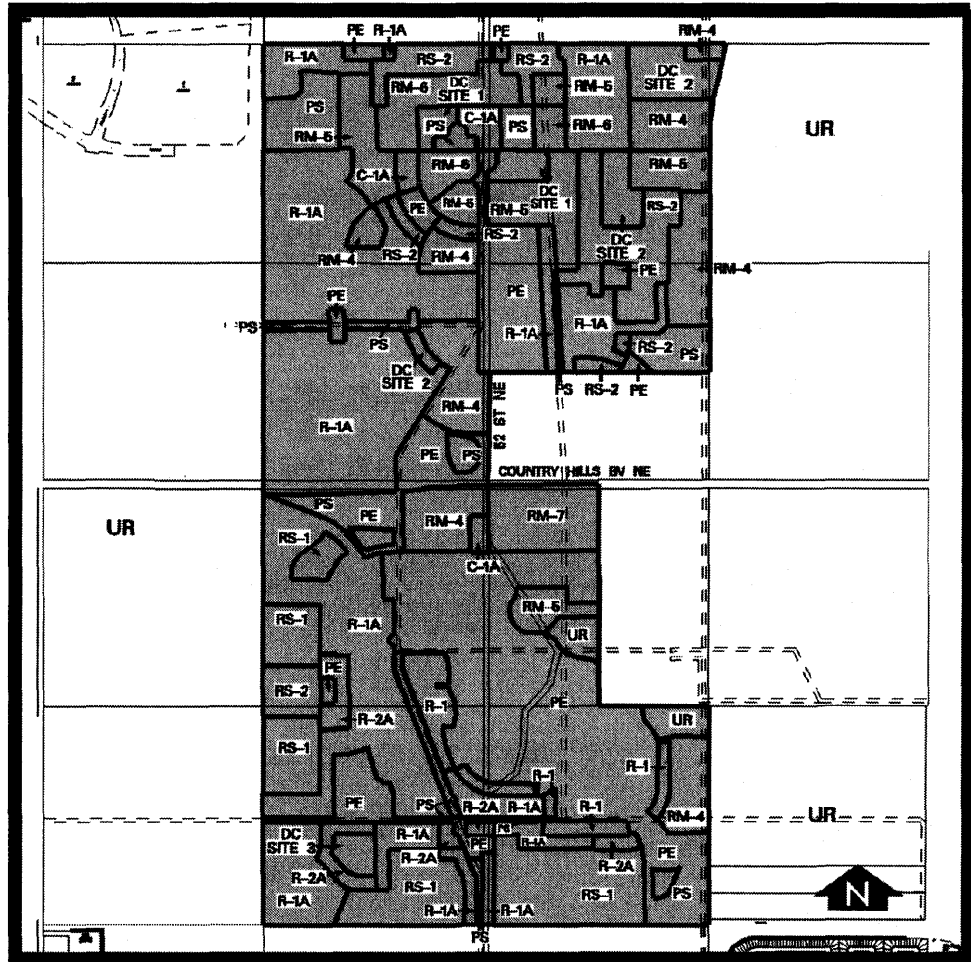
**Amendment LOC2006-0156
Bylaw 83Z2007**

SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

DC SITE 1
2.85ha± (7.04ac±)

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 with the additional Discretionary Use of Live-Work Unit.

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SCHEDULE B

CONTINUED

For the purpose of this Bylaw

- (a) "Live-Work Unit" means a use where a business is operated from a dwelling unit by the resident of the dwelling unit but does not include a Home Occupation Class 1 or Home Occupation Class 2.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 shall apply to all uses and the Permitted Uses Rules of the RM-7 Residential High Density Multi-Dwelling District shall apply to the 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) Minimum Density

The minimum density for parcels shall be 250 units per hectare.

- (b) 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;
- (iii) A maximum of one non-resident employee or business partner work on site;
- (iv) Signage shall be 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 equipments on or immediately adjacent to the site;
- (vii) Except at grade, Live-Work Units shall not be located on the same story as a residential use; and

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SCHEDULE B

CONTINUED

- (viii) Live-Work Units shall not be located on a storey above a residential use.

DC SITE 2 5.74ha± (14.18 ac±)

1. Land Use

The Permitted and Discretionary Uses of the RS-2 Residential Small Lot District shall be the Permitted and Discretionary Uses respectively with the additional Discretionary Use of Secondary suite.

In this Bylaw, Secondary Suite means an accessory dwelling unit:

- (a) that does not exceed 70.0 square metres of gross floor area, excluding the area covered by stairways;
- (b) that is located on the same parcel as a single-detached dwelling; and
- (c) that will only be approved as one of the following:
 - (i) "Secondary Suite - Attached Above Grade" where the secondary suite is located above the first storey of a single-detached dwelling;
 - (ii) "Secondary Suite - Attached at Grade" where the secondary suite is located at grade and is attached to the side or rear of a single-detached dwelling;
 - (iii) "Secondary Suite - Attached Below Grade" where the secondary suite is located below the first storey of a single-detached dwelling;
 - (iv) "Secondary Suite - Detached Garage" where the secondary suite is located above the first storey of a detached private garage; and
 - (v) "Secondary Suite - Detached Garden" where the secondary suite is detached and located at grade to the rear of the main residential building.

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SCHEDULE B

CONTINUED

2. Development Guidelines

The General Rules for Residential Districts of Bylaw 2P80 shall apply to all uses and the Permitted Use Rules of the RS-2 Residential Small Lot District shall apply to Permitted Uses and the Discretionary Use Rules of the RS-2 Residential Small Lot District shall apply to Discretionary Uses unless otherwise noted below:

(a) Secondary Suite

- (i) The minimum parcel width for a parcel containing a Secondary Suite - Detached Garage and Secondary Suite - Detached Garden shall be 13.0 metres;
- (ii) The minimum parcel width for a parcel containing all other secondary suite shall be 11.0 metres;
- (iii) The minimum parcel depth for a parcel containing a secondary suite shall be 30.0 metres;
- (iv) The minimum parcel area for a parcel containing a secondary Suite shall be 400.0 square metres;
- (v) A minimum of one parking stall shall be required for a Secondary Suite;
- (vi) For a Secondary Suite – Attached Above Grade, Secondary Suite - Attached at Grade and Secondary Suite-Attached Below Grade the minimum building setback:
 - (A) from a front property line shall be equal to or greater than the building setback from the front property line for the main residential building;
 - (B) from a rear property line shall be equal to or greater than the building setback from the rear property line for the main residential building; and
 - (C) from a side property line shall be equal to or greater than the buildings setback from the rear property line for the main residential building;

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SCHEDULE B

CONTINUED

- (vii) Secondary Suite – Detached Garage, the minimum building setback from any rear property line shall be:
 - (A) 1.5 metres for that portion of the building used as a Secondary Suite; and
 - (B) 0.6 metres for that portion of the building used as a private garage;
- (viii) For a Secondary Suite – Garden, the minimum building setback from a rear property line is 1.5 metres;
- (ix) For all Secondary Suites the minimum building setback from a side property line 1.2 metres; and
- (x) A minimum separation of 3.0 metres shall be required between the closest façade of the main residential building to the closest façade of the Secondary Suite – Detached Garage or the Secondary Suite-Detached Garden.
- (xi) A Secondary Suite shall have a private amenity space that:
 - (A) is located outdoors;
 - (B) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres; and
 - (C) shown on a plan approved by the Development Authority;
- (xii) For secondary suites a private amenity space may be provided in the form of a balcony, deck or patio;
- (xiii) There shall not be more than one Secondary Suite located on a parcel;
- (xiv) A secondary suite shall have a separate and direct access from grade; and
- (xv) The maximum building height shall be:

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SCHEDULE B

CONTINUED

- (A) 5.0 metres for a Secondary Suite- Detached Garden; and
- (B) equal to the building height of the Single Detached Dwelling that contains a Secondary Suite – Attached Above Grade.

DC SITE 3

1.67 ha± (4.13ac±)

1. Land Use

The Permitted and Discretionary Uses of the RM-4 Residential Medium Density Multi-Dwelling District of Bylaw 2P80 shall be the Permitted and Discretionary Uses respectively with the additional Discretionary Use of Convenience Food Stores.

For the purpose of this Bylaw “convenience food store” means a use:

- (i) where food and other daily household necessities are sold;
- (ii) that is entirely within a building;
- (iii) that has a maximum gross floor area of 300.0 square metres;
- (iv) that may display the items for sale within the use outside of a building a maximum distance of 6.0 metres from the public entrance of the use;
- (v) that may include within the total gross floor area of the use a limited seating area no greater than 7.5 square metres;
- (vi) that must not locate any outdoor display area in a required setback area, a parking area or on a sidewalk if it impedes pedestrian movement;
- (vii) that requires a minimum of 4.0 parking stalls per 100.0 square metres of gross usable floor area; and
- (viii) that requires a minimum of 1.0 bicycle parking stalls per 250.0 square metres of gross usable floor area.

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SCHEDULE B

CONTINUED

For the purpose of this Bylaw “gross usable floor area “ means for the purpose of calculating motor vehicle parking stalls, bicycle parking stalls and loading stalls, the total horizontal area of every enclosed floor and mezzanine used exclusively by a single use area in a building, and is measure from the exterior face of the exterior wall and the centerline of an interior partition wall that separates at least two uses, but does not include:

- (a) elevator shafts;
- (b) stairwells;
- (c) crawl spaces;
- (d) mechanical or electrical rooms
- (e) indoor garbage or recycling storage;
- (f) areas used for parking and loading;
- (g) areas below grade used for storage and not accessible to the public; and
- (h) common corridors and halls available to more than one use

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 Residential Medium Density Multi-Dwelling District shall apply to the Permitted Uses and the Discretionary Use Rules of the RM-4 Residential Medium Density Multi-Dwelling District shall apply to the Discretionary Uses, except as otherwise provided below.

- (a) Convenience Food Stores:
 - (i) convenience food stores must:
 - (A) be located on the floor closest to grade;
 - (B) be contained completely within the building;
 - (C) not be located above any Dwelling Unit;

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SCHEDULE B

CONTINUED

- (D) not share an internal hallway with Dwelling Units; and
 - (E) have a separate exterior entrance from that of the Dwelling Units;
- (ii) A maximum of 10.0 per cent of the gross floor area of all buildings on a parcel that contains a multi-dwelling development on a parcel may include Convenience Food Stores;
 - (iii) The maximum gross floor area for each Convenience Food Store shall be 300.0 square metres;
 - (iv) one Convenience Food Store shall be located on this site unless otherwise determined by the Approving Authority.
- (b) Parking
- In addition to Section 18 of Bylaw 2P80, parking for Convenience Food Stores shall:
- (i) be separated from residential parking areas;
 - (ii) provide pedestrian access to the uses;
 - (iii) be located a minimum distance of 5.0 metres from a parcel designated as a low density residential district in the case of a surface parking area.

BYLAW NUMBER: 83Z2007

ADVERTISED IN THE Calgary Herald on Thursday June 21, 2007



BYLAW 83Z2007 RESIDUAL SUB AREA 3I, 3P, 3R AND 3S

To redesignate the land located at 10010, 10011, 11800, 12313 and 12424-52 Street N.E., 12323-68 Street N.E., 5000, 5051 and 5555 Country Hills Boulevard N.E. and the closed roads (E 1/2 Section 27-25-29-4; W 1/2 Section 26-25-29-4; E 1/2 Section 22-25-29-4; W 1/2 Section 23-25-29-4; NE 1/4 Section 26-25-29-4; Plan 0712654, Area A and Area B; Plan 0712655, Area A; Plan 4261EZ within SW 1/4 Section 23-25-29-4) from UR Urban Reserve District and Undesignated Road Right-of-Way to R-1 Residential Single-Detached District, R-1A Residential Narrow Lot Single-Detached District, RS-1 Residential Small Lot District, RS-2 Residential Small Lot District, R-2A Residential Low Density District, RM-4 Residential Medium Density Multi-Dwelling District, RM-5 Residential Medium Density Multi-Dwelling District, RM-6 Residential High Density Multi-Dwelling District, RM-7 Residential High Density Multi-Dwelling District, C-1A Local Commercial District, PE Public Park, School and Recreation District, PS Public Service District and DC Direct Control District to accommodate multi-dwelling residential units and secondary suites and/or live work units and convenience food stores.

TO: CITY CLERK
FROM: DEVELOPMENT AND BUILDING APPROVALS
RE: LUB/83Z2007


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APPROVED AS TO CONTENT



HEAD - ORIGINATING BUSINESS UNIT

APPROVED AS TO FORM

 June 20/07

CITY SOLICITOR

BUDGET PROGRAM NO.
(if applicable)

DATE OF COUNCIL INSTRUCTION
(if applicable)
