

BYLAW NUMBER 69D2008

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2007-0042)**

WHEREAS it is desirable to amend the Land Use Bylaw Number 1P2007 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 Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and substituting therefor that portion of the Land Use District 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.

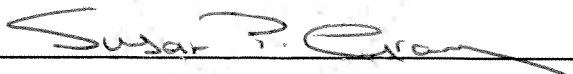
READ A FIRST TIME THIS 8th DAY OF SEPTEMBER, 2008.

READ A SECOND TIME, AS AMENDED, THIS 8th DAY OF SEPTEMBER, 2008.

READ A THIRD TIME, AS AMENDED, THIS 8th DAY OF SEPTEMBER, 2008.



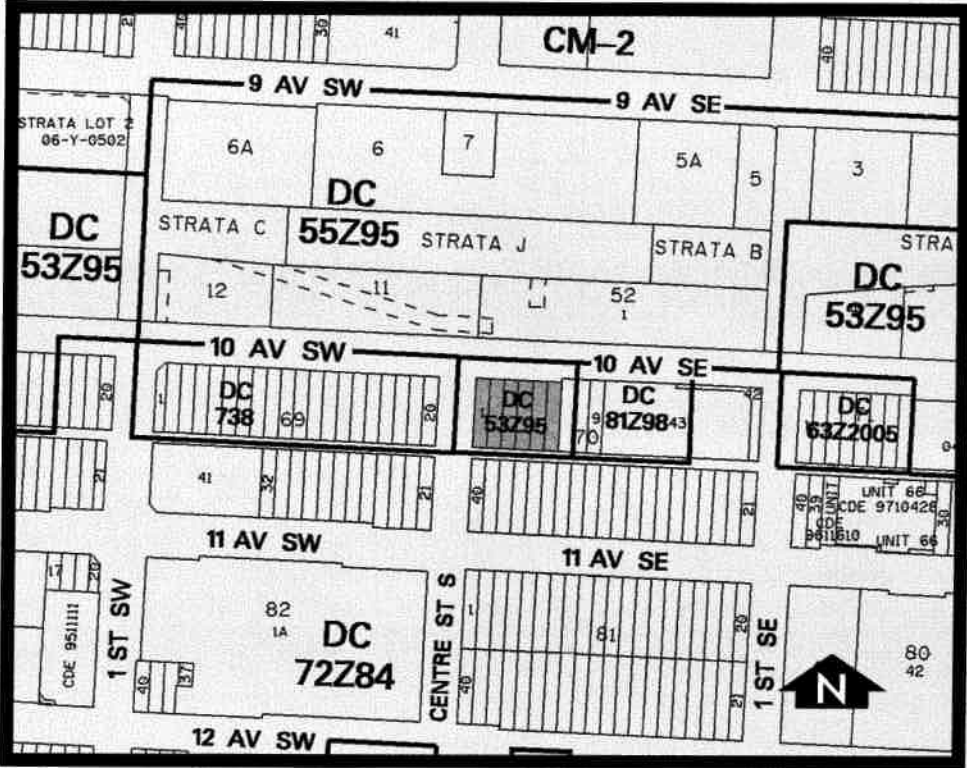
MAYOR
SIGNED THIS 22nd DAY OF SEPTEMBER, 2008.



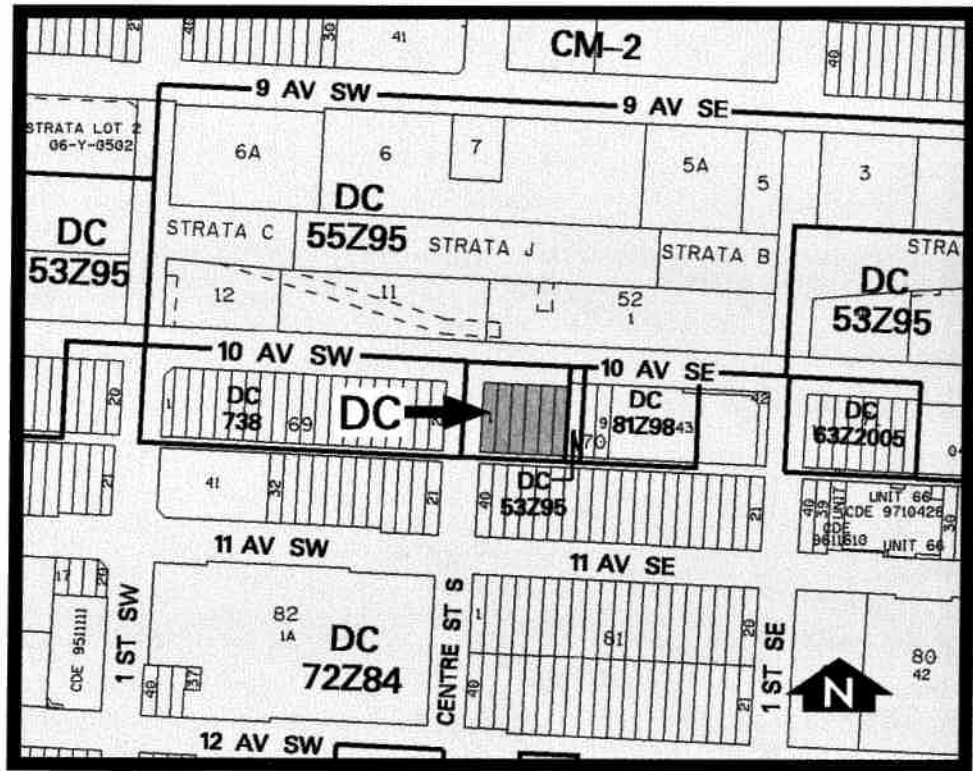
ACTING CITY CLERK
SIGNED THIS 22nd DAY OF SEPTEMBER, 2008.

AMENDMENT LOC2007-0042
BYLAW NUMBER 69D2008

SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. Land Use

The Permitted and Discretionary Uses of the CM-2 Downtown Business District of Part 10, Bylaw 1P2007 shall be the Permitted and Discretionary Uses respectively, with the additional Discretionary Use of Live-work units (N.P.) and the deletion of the following Uses:

- Amusement arcades
- Automotive sales and rentals
- Automotive services
- Automotive specialties
- Gaming establishment - bingo
- Signs – class 2.

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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.

2. Development Guidelines

The General Rules for Downtown Districts contained in Section 42.1, Part 10 of Bylaw 1P2007 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 F.A.R. for residential/mixed use development; and
 - (iii) The maximum F.A.R. prescribed in subsections (i) and (ii) may be increased from 5.0 F.A.R. to a maximum of 8.0 F.A.R. for commercial development, and from 8.0 F.A.R. to a maximum of 12.0 F.A.R. 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 1.5 metres adjacent to 10 Avenue SE;
 - (ii) A minimum of 3.0 metres adjacent to Centre Street S; and
 - (iii) No requirement for all other yards.
- (c) Parking

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SCHEDULE B

CONTINUED

In addition to the requirements of Section 18, Part 10 of Bylaw 1P2007, 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.
 - (iii) A parking relaxation may be considered for dwelling units equal to or less than 37.16 square metres (400 square feet) in the area at the discretion 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;
 - (ii) Landscaped areas contained either at grade or at the top of a podium may 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 residential floor plates higher than 36 metres above grade shall have a maximum gross floor area of 930 square metres.
- (g) Building Height

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SCHEDULE B

CONTINUED

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) The working area shall not exceed 50 percent of the total floor area;
 - (ii) Signage is limited to the interior of the building;
 - (iii) No aspect of the operation shall be visible from outside the building;
 - (iv) There shall be no outside storage of material, goods or equipment on or immediately adjacent to the site;
 - (v) Except at-grade, no live-work unit shall be located on the same story as a purely residential use; and
 - (vi) No live-work unit shall be located on a storey above a purely residential use.
- (j) Outdoor Cafe

The use of outdoor speaker system(s) is prohibited.
- (k) Recycling Facilities

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

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SCHEDULE B

CONTINUED

Home occupations shall comply with the rules contained in Section 20, Part 10 of Bylaw 1P2007.

(m) Existing Uses

Any use approved by the Approving Authority and 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.

(n) Dwelling Unit Maximum

The maximum overall number of dwelling units shall not exceed 224.