

BYLAW NUMBER 12Z2008

**BEING A BYLAW OF THE CITY OF CALGARY TO
AMEND THE CITY OF CALGARY LAND USE BYLAW
2P80 AND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2007-0052)**

WHEREAS it is desirable to amend The City of Calgary Land Use Bylaw Number 2P80 and the Land Use Bylaw 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 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. 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 "C" to this Bylaw and substituting therefore that portion of the Land Use District Map shown as shaded on Schedule "D" of this Bylaw.
3. Paragraph 1 of this Bylaw comes into force on the date it is passed, and paragraph 2 of this Bylaw comes into force on June 1, 2008.


READ A FIRST TIME THIS 12TH DAY OF MAY, 2008.

READ A SECOND TIME THIS 2ND DAY OF NOVEMBER, 2009.

READ A THIRD TIME THIS 2ND DAY OF NOVEMBER, 2009.



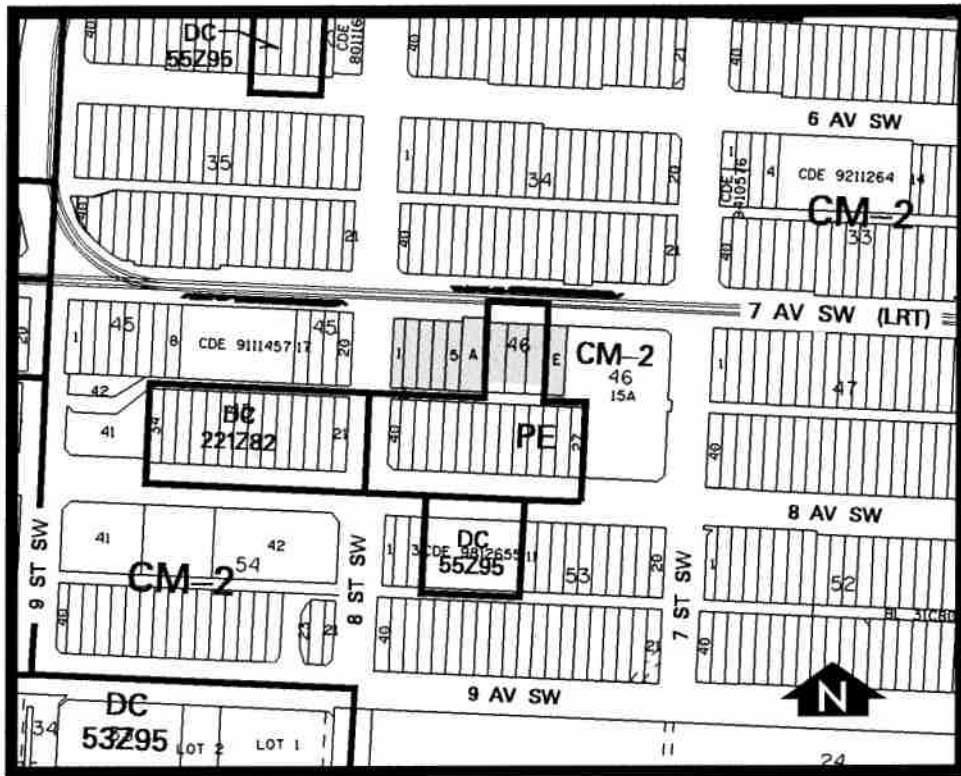
MAYOR
SIGNED THIS 2ND DAY OF NOVEMBER, 2009.



ACTING CITY CLERK
SIGNED THIS 2ND DAY OF NOVEMBER, 2009.

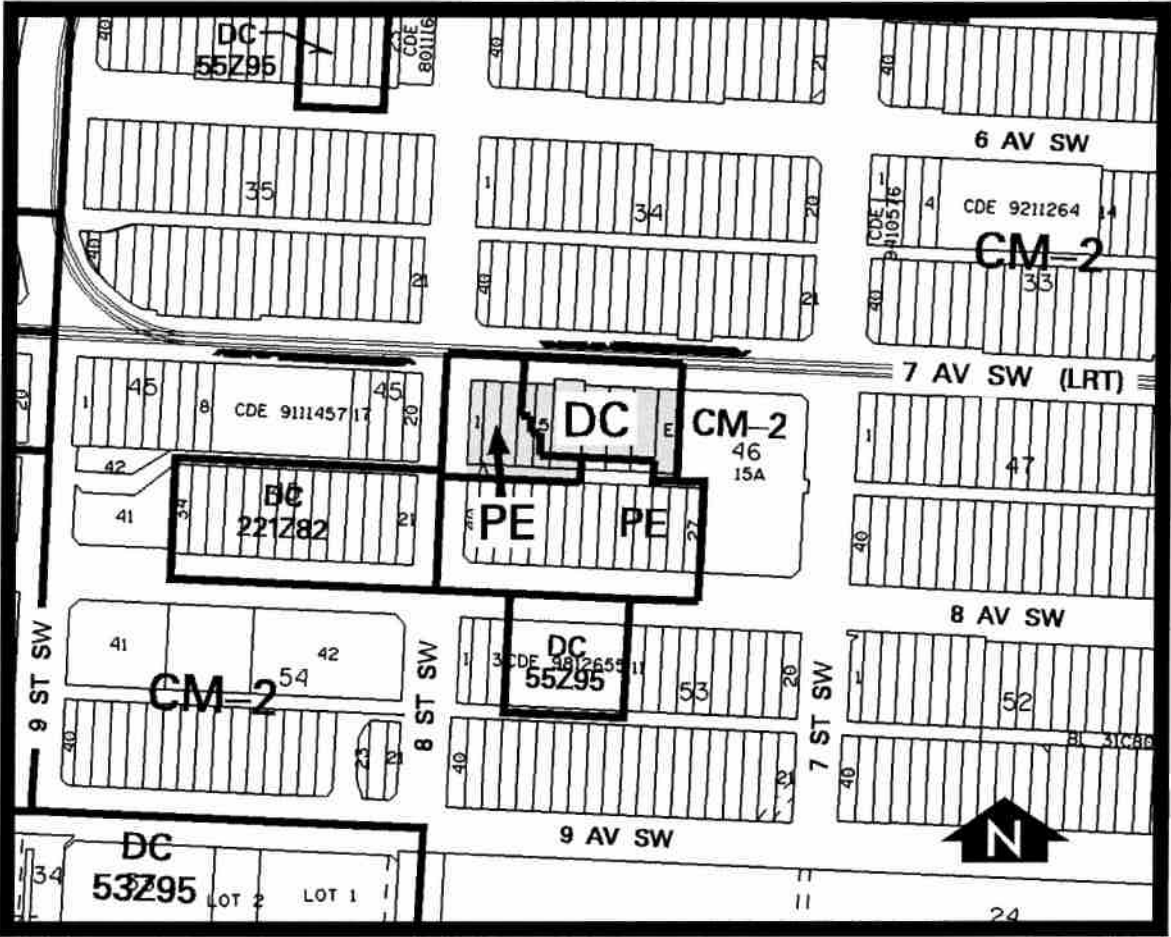
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

- 1. Land Uses
 - Permitted Uses
 - Essential public services
 - Parks and playgrounds
 - Utilities

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SCHEDULE B

CONTINUED

Within buildings existing on-site at the date of approval of this Bylaw:

Child care facilities
Dwelling units
Essential public services
Grocery stores
Home occupations - Class 1
Offices
Personal service businesses
Public and separate schools
Public and quasi-public buildings
Retail stores
Take out food service

Discretionary Uses

In addition to the following uses, those uses that are Permitted in buildings existing at the date of approval of this Bylaw shall be Discretionary in proposed buildings:

Accessory buildings
Apartment-hotels
Athletic and recreational facilities
Commercial schools
Drinking establishments (N.P.)
Entertainment establishments,
Financial institutions
Home occupations- Class 2 (N.P.)
Hostels
Hotels
Liquor stores (N.P.)
Mechanical reproduction and printing establishments
Medical clinics
Outdoor cafes (N.P.)
Parking areas (temporary)
Parking structures
Private clubs or organizations
Private schools
Public transportation facilities
Radio and television studios
Restaurant – food service only (C.U.)
Restaurant - licensed
Retail food stores
Signs – Class 1
Signs – Class 2
Veterinary clinics

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SCHEDULE B

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NOTE: N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4) of Bylaw 2P80.

Where an application is for a use listed as a Discretionary Use and is followed by the Letter "C.U.", the application shall not be refused by the Approving Authority on the grounds of use.

2. Development Guidelines

The General Rules for Downtown Districts contained in Section 42.1 and the General Rules for CM-2 Downtown Business District contained in Section 42.3 of Bylaw 2P80 shall apply unless otherwise noted below.

(a) Gross Floor Area:

The maximum gross floor area shall be:

- (i) A Base of 12.5 FAR; and
- (ii) A maximum of 21.0 FAR where the features indicated in Table 1 attached hereto and forming part of this bylaw of a type, location, and design required by and acceptable to the Approving Authority are provided.

(b) Shadow Protection on Century Gardens

New buildings shall not cast shadows beyond a line measured 20 metres into Century Gardens park, parallel to any exterior property line between the hours of 10:00am and 4:00pm on September 21.

(c) 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.

(d) Urban Design Guidelines

- (i) Uses that front onto 7 Avenue SW, the adjacent LRT platform, and the adjacent park space (revised Century Gardens Boundary) shall consist primarily of retail, personal service, and restaurant uses;

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SCHEDULE B

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- (ii) A maximum of two primary office entrance lobbies at grade for new development on site shall be allowed with a maximum width of 7.5 metres;
- (iii) Street front elevations shall be highly permeable using transparent glazing for at least 75% of all façade lengths, and provide multiple doorways to the street (a minimum total of six on the entire main floor of the building), allowing for pedestrian views directly into the business along the Façade;
- (iv) All mechanical equipment and associated structures, including those on any roof structure, shall be architecturally integrated into the building design;
- (v) Buildings abutting open space shall be sensitively designed to create a positive interface between the buildings and the open space, which clearly defines public, semi-private, and private open space; and
- (vi) On-site lighting, fixtures, furnishings and signage should be compatible with those proposed on public streets and lands.

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(e) Parking

In addition to the requirements of Section 18 of Bylaw 2P80, all parking shall be located within an underground parking structure.

(f) Landscaping and Amenity Space

All on-site horizontal surfaces other than private amenity space greater than 5.6 square metres in size, shall be usable and landscaped with a combination of hard and soft landscaping.

(g) +15 System

- (i) Development shall provide provision for connection through the +15 system by walkways. Walkways shall be oriented in north/south and east/west directions, continuous with existing and potential +15 routes on neighbouring sites, clearly and appropriately signed for pedestrians, and have a minimum unobstructed width of 4.5 metres;
- (ii) Development shall provide vertical movement between grade and the +15 level, through either interior stair, ramp, or escalator. This shall be a minimum unobstructed width of 2.0 metres;
- (iii) Development shall provide one elevator that provides access to both the grade and +15 levels; and
- (iv) Development shall provide contribution to the +15 fund in accordance with approved council policy.

(h) Signs

Third Party Advertising signs are prohibited.

(i) Outdoor Cafe

The use of outdoor speaker system(s) is prohibited.

(j) Drinking Establishment

A maximum net floor area of 300 square metres.

(k) Garbage, loading, and Recycling

- (i) Garbage containers and waste material must be stored inside a building and be architecturally integrated with the development;
- (ii) Recycling facilities must be provided for the development; and

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SCHEDULE B

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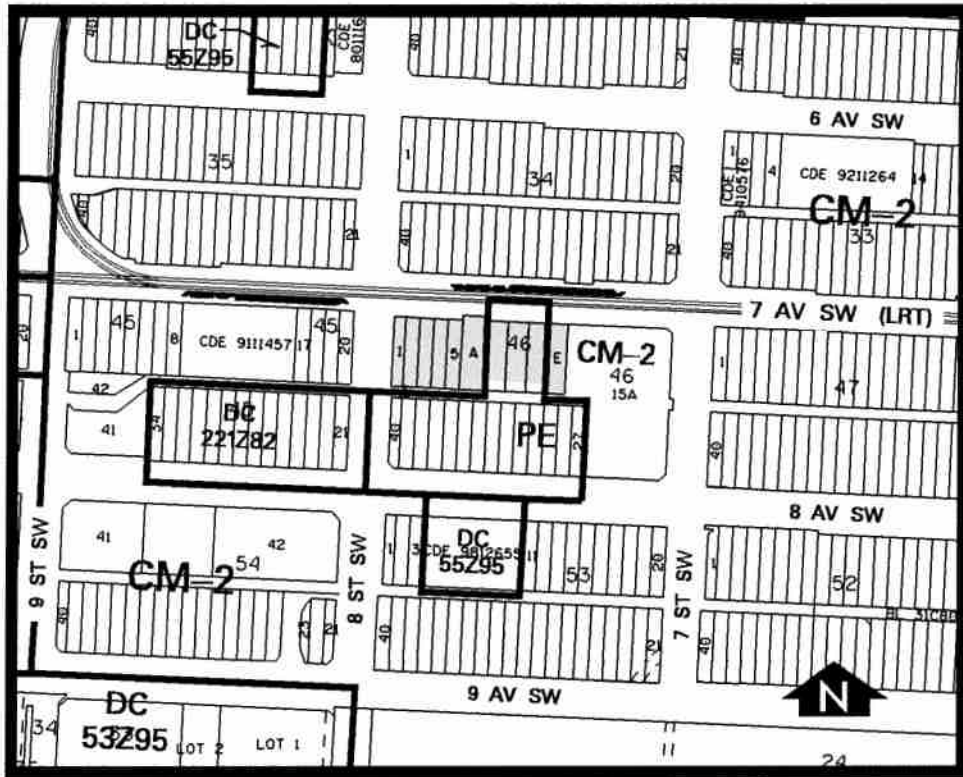
(iii) Facilities for the handling and disposal of secure/proprietary documents shall be provided within the building.

(l) Home Occupations

Home occupations shall comply with the rules contained in Section 20 of Bylaw 2P80.

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SCHEDULE C



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SCHEDULE D

