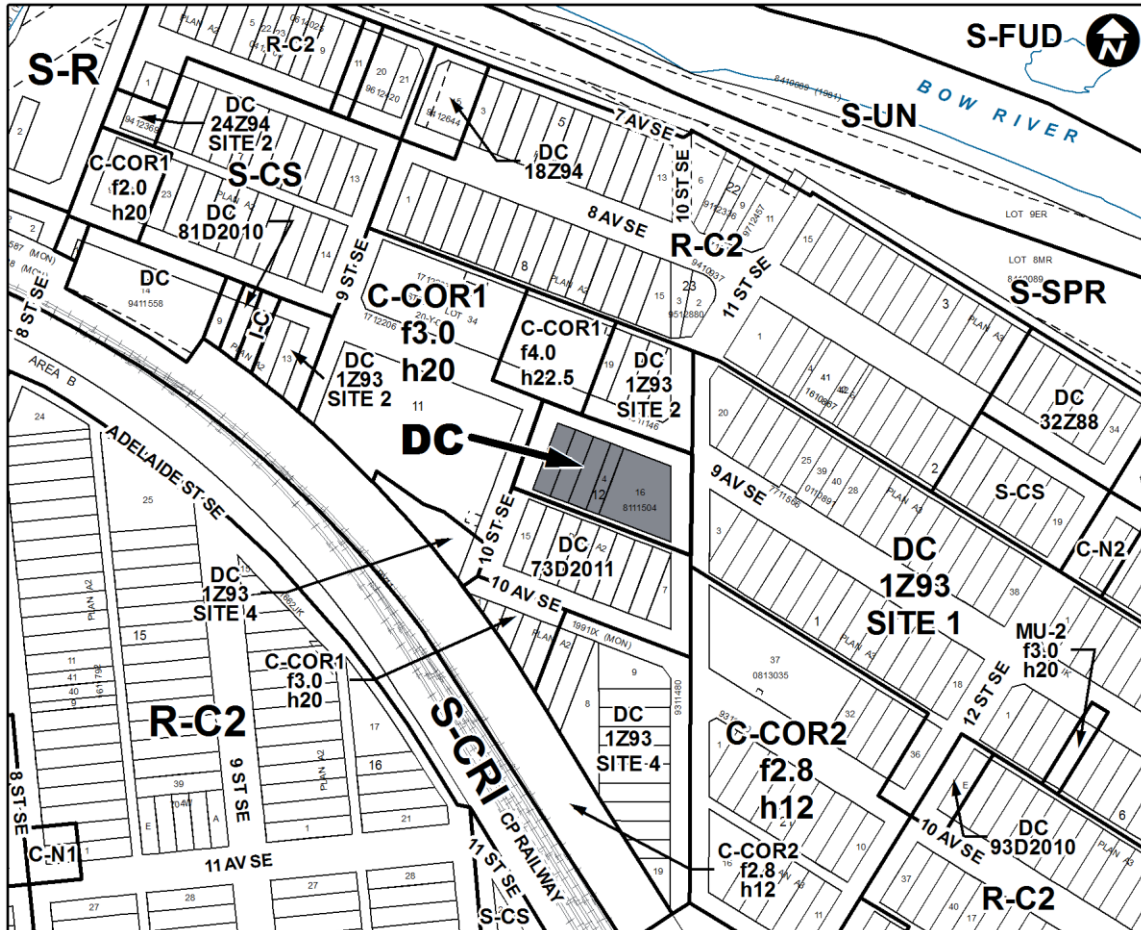




## Proposed DC Direct Control District

### SCHEDULE B



### DIRECT CONTROL DISTRICT

#### Purpose

1 This Direct Control District Bylaw is intended to:

- (a) accommodate mixed-use development where active commercial uses are required at grade to promote activity at the street level;
- (b) establish a base density and building height on a Main Street;
- (c) provide an opportunity for a density bonus over and above base density to achieve public benefit and provide amenities within the same community; and
- (d) create sensitive building transitions to the National Hotel.

## Proposed DC Direct Control District

### Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District Bylaw.

### Reference to Bylaw 1P2007

- 3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

### General Definitions

- 4 In this Direct Control District Bylaw:
- (a) “**bonus provisions**” means those items set out in Schedule C of this Direct Control District Bylaw which may be provided by a **development** in order to earn additional **floor area ratio**.

### Permitted Uses

- 5 The **permitted uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District Bylaw.

### Discretionary Uses

- 6 The **discretionary uses** of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District Bylaw.

### Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Mixed Use – Active Frontage (MU-2) District of Bylaw 1P2007 apply in this Direct Control District Bylaw.

### Floor Area Ratio

- 8 (1) Unless otherwise referenced in subsections (2), the maximum **floor area ratio** is 2.0.
- (2) The maximum **floor area ratio** may be increased to 6.5 in accordance with the **bonus provisions** set out in Schedule C of this Direct Control District Bylaw, provided that one of the **bonus provisions** used is the provision of publicly accessible private open space.

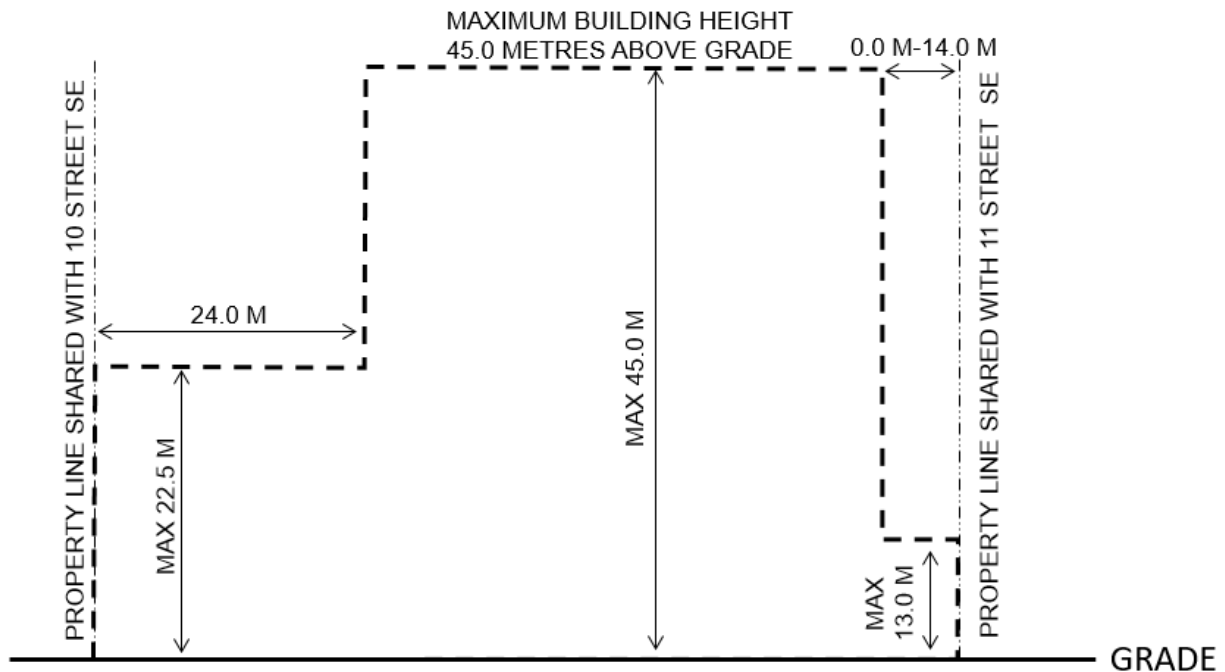
### Building Height

- 9 (1) Unless otherwise referenced in subsections (2), (3), and (4), the maximum **building height** is 45.0 metres.
- (2) Where the **parcel** shares a **property line** with 9 Avenue SE, the maximum **building height** is 22.5 metres measured from **grade** within 3.5 metres of the shared **property line**.
- (3) Where the **parcel** shares a **property line** with 10 Street SE, the maximum **building height** is 22.5 metres measured from **grade** within 24.0 metres of the shared **property line**.

### Proposed DC Direct Control District

- (4) Where the **parcel** shares a **property line** with 11 Street SE, the maximum **building height** is 13.0 metres measured from **grade** within 14.0 metres of the **property line** at the southeastern corner of the parcel, with the 14.0 metre setback from 11 Street SE decreasing in a linear fashion to 0.0 metres at the northeastern corner of the parcel, such that the area restricted to 13.0 metres in height forms a triangle.

Illustration 1: Building Height in subsection 9(3) and 9(4)



#### Floor Plate Restrictions

- 10 Each floor of a **building** located partially or wholly above 22.5 metres above **grade** has a maximum:
- (a) **floor plate area** of 900.0 square metres; and
  - (b) horizontal dimension of 37.0 metres.

#### Relaxations

- 11 The **Development Authority** may relax the rules contained in Sections 7, 9, and 10 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.

## Proposed DC Direct Control District

### SCHEDULE C

#### Provision of Public Amenities through Bonus System

##### 1.0 Bonus System

##### 1.1 Approach

**Development** sites can be developed up to the maximum **density** without providing any bonus items. In order to develop above the maximum **density** and up to the bonus maximum **density**, **developments** must provide one or more bonus items in exchange for a defined amount of additional **density**.

Any combination of bonus items can be used to earn additional **density**, provided that one of the **bonus provisions** used is the provision of publicly accessible private open space, subject to the discretion of the **Development Authority**, the local context of the proposed **development** site, and any rules set out in Land Use Bylaw 1P2007.

The contribution amount will be calculated at the time of **development permit** approval, based on the average land value per square metre of **gross floor area**.

**“Average land value”** in Schedule C of this Direct Control District Bylaw means the average land value per square metre of buildable **gross floor area** at the time of **Development Permit**. If no such value has been determined by **Council** in the applicable Area Redevelopment Plan at the time of **development permit** application, expert analysis in the form of a land valuation study or real estate appraisal report is to be prepared by a Licensed Real Estate Appraiser and provided to the **Development Authority** at the time of **development permit** application.

##### 2.0 Provision of Publicly Accessible Private Open Space

##### 2.1 Description

Publicly accessible private open space is defined as a portion of a private **development** site that is made available to the public for the life of the **development** through a legal agreement acceptable to The **City**, and is in a location, form and configuration and is constructed in a way that is acceptable to The **City**.

##### 2.2 Eligibility

Any **development** that can provide a publicly accessible private open space that is in a location, form and configuration that is acceptable to The **City** is eligible for this bonus. A publicly accessible private open space must:

- (a) have a minimum overall contiguous area of no less than 250.0 square meters, including a minimum width of 2.0 metres of private land immediately adjacent to 9 Avenue SE and 11 Street SE;
- (b) have sufficient width to allow for a plaza or plaza-like space on the 11 Street SE frontage;
- (c) be located at **grade** between the face of the **building** and the **property line**;
- (d) be maintained by the owner for the life of the **development**;
- (e) include street furniture elements including, but not limited to seating, bicycle racks, general and feature lighting; and

## Proposed DC Direct Control District

- (f) include canopy trees and soft landscaping elements where possible and appropriate.

### 2.3 Bonus Rate

The bonus is based on the cost of construction (excluding land costs) of the proposed space to be accessible by the public. Cost estimates shall be prepared by a Registered Landscape Architect or Professional Quantity Surveyor as part of the **development permit** application. The maximum incentive **floor area ratio** for this item is 2.0.

For example, if the cost to the applicant to construct the space is \$500,000.00 and the average land value per square metre of buildable floor area for the area is \$270.00 then the amount of the bonus floor area will be calculated as follows:

Total construction cost / (average land value x 75.0%) = Allowable Bonus Floor Area

\$500,000.00 / (\$270.00 x 75.0%) = 2,469.0 square metres

### 3.0 Provision of Public Art – On Site

#### 3.1 Description

Public art – on site means publicly accessible art of any kind that is permanently suspended, attached to a wall or other surface, or otherwise integrated into a development. It is privately owned and must be an original piece of art in any style, expression, genre or media, created by a recognized artist.

#### 3.2 Eligibility

Any **development** that can provide public art that is in a location, form and configuration that is acceptable to The **City** is eligible for this bonus. The artwork must be maintained by the owner for the life of the **development**, have a minimum value of \$200,000.00, as approved by The **City**, be located in a permanently and publicly accessible area; and located either outdoors, at **grade** and experienced from the public sidewalk; or on the **building's** exterior and experienced from the public sidewalk.

#### 3.3 Bonus Rate

The amount of additional floor area that may be earned through the provision of public art – on site will be determined based on the overall value of the artwork, as submitted by the applicant and accepted by the **City**. As with other bonus items, the floor area bonus will relate to the average land value per square metre of buildable floor area for the area. The maximum incentive **floor area ratio** for public art – on site is 1.0.

For example, if the total value of the artwork is determined to be \$500,000.00 and the average land value per square metre of buildable floor area for the area is \$270.00, then the amount of the bonus floor area will be calculated as follows:

Total cost of the artwork / (average land value x 75.0%) = Allowable Bonus Floor Area

\$500,000.00 / (\$270.00 x 75.0%) = 2,469.0 square metres

### 4.0 Contribution to Heritage Incentive Reserve Fund

#### 4.1 Description

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Financial contributions to The City of Calgary's Heritage Incentive Reserve Fund at the time of the **development permit** application.

### 4.2 Eligibility

Any **development** proposing to build above the maximum **density** allowed for the subject site is eligible to make a contribution to the Heritage Incentive Reserve Fund. The monetary contribution to The City of Calgary's Heritage Incentive Reserve Fund should be applied to Municipal Historic Resources along 9 Avenue SE in the community of Inglewood.

### 4.3 Bonus Rate

The contribution amount will be calculated at the time of **development permit** approval, based on the average land value per square metre of **gross floor area**.

For example, if the average land value is established to be \$270.00 per square metre, and the applicant is proposing to build 1,000.0 square metres of bonus floor area, then the amount of contribution will be calculated as follows:

Average Land value x Proposed amount of bonus **gross floor area** (metres squared) =  
Heritage Incentive Reserve Fund Contribution Amount

\$270.00 x 1,000.0 square metres = \$270,000.00

## 5.0 Provision of Affordable Housing Units

### 5.1 Description

Affordable housing units are non-market housing units provided within the **development**, owned and operated by The **City** or any bona fide non-market housing provider recognized by The **City**.

### 5.2 Eligibility

Any new **development** that can provide affordable housing units, in perpetuity, within a proposed **development** in a number and location, and of a design and with an operating plan acceptable to The **City**, is eligible for this bonus.

### 5.3 Bonus Rate

The allowable bonus floor area will be based on the total construction cost of the units to a standard acceptable to The **City**. Construction cost estimates shall be prepared by a Professional Quantity Surveyor and be provided at the time of development permit application.

For example, if the cost to the applicant to provide the units and associated parking stalls is \$500,000.00 and the average land value per square metre of buildable floor area for the area is \$270.00, then the amount of the bonus floor area will be calculated as follows:

Total construction cost / (average land value x 75.0%) = Allowable Bonus Floor Area

\$500,000.00 / (\$270.00 x 75.0%) = 2,469.0 square metres

Note: the provided affordable housing units and associated parking stalls shall not be included in the calculation of **gross floor area**.