

## Proposed Direct Control District

### Purpose

- 1 This Direct Control District is intended to:
  - (a) provide for medium **density** mid-rise mixed-use **development** in compliance with the policies of the applicable local area redevelopment plan; and
  - (b) implement the **density** bonus provisions of the Hillhurst/Sunnyside Area Redevelopment Plan.

### 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.

### Reference to Bylaw 1P2007

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

### Permitted Uses

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

### Discretionary Uses

- 5 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 1P2007 District Rules

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

### Floor Area Ratio

- 7 (1) Unless otherwise referenced in subsection (2), the maximum **floor area ratio** is 2.8.
- (2) The maximum **floor area ratio** may be increased to 5.0 in accordance with the **density** bonus provisions contained in section 8 of this Direct Control District.

### Density Bonus

- 8 (1) For the purposes of this section: “Cash Contribution Rate” means: \$17.85 per square metre for the year 2018. The Cash Contribution Rate will be adjusted annually on January 1 by the **Development Authority**, based on the Statistics Canada Consumer Price Index for Calgary.

- (2) A **density** bonus may be earned by a contribution to the Hillhurst/Sunnyside Community Amenity Fund, such that:

Cash Contribution Amount = Cash Contribution Rate x Total floor area in square metres above the **floor area ratio** of 2.8.

## Proposed Direct Control District

- (3) A **density** bonus may be earned by the provision of an off-site improvement in accordance with Section 3.1.5.4 of the Hillhurst/Sunnyside Area Redevelopment Plan, where the allowable bonus floor area in square metres is equal to the cost of construction of the off-site improvement divided by the Cash Contribution Rate, such that:

Allowable bonus floor area = Total construction cost of the off-site improvement / Cash Contribution Rate.

Total construction cost will not include any construction costs necessary to fulfill the infrastructure requirements of a **development permit** for a **development** equal to or less than a **floor area ratio** of 2.8. Details of the construction cost will be determined through the **development permit** process.

### Building Height

- 9 The maximum **building height** is 32.0 metres.

### Location of Uses Within Buildings

- 10 The following **uses** must not be located on the ground floor of a **building** facing the commercial **street**:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Catering Service – Minor;**
- (d) **Counselling Service;**
- (e) **Custodial Care;**
- (f) **Dwelling Unit;**
- (g) **Office;**
- (h) **Medical Clinic;**
- (i) **Medical Marihuana Counselling;**
- (j) **Payday Loan;**
- (k) **Place of Worship – Medium;**
- (l) **Place of Worship – Small; and**
- (m) **Residential Care.**

### Development Authority – Powers and Duties

- 11 The **Development Authority** may relax the rule of section 9 of this Direct Control District provided the test for relaxation as set out in Part 2 of Bylaw 1P2007 is met.