DC Direct Control District Bylaw 256D2018

BYLAW NUMBER 256D2018

BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT
LOC2018-0116/CPC2018-0990)

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 ON

OCTOBER 09 2018

READ A SECOND TIME ON

OCTOBER 09 2018

READ A THIRD TIME ON

OCTOBER 09 2018

MAYOR

SIGNED ON

OCTOBER 09 2018

ACTING CITY CLERK

SIGNED ON

OCTOBER 09 2018
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SCHEDULE A

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SCHEDULE B

DIRECT CONTROL DISTRICT

Purpose
This Direct Control District is intended to:

(a) enable development on constrained sites adjacent to the West LRT guideway;
(b) add significant density in close proximity to the Sunalta LRT station;
(c) provide an increased base density for residential mixed-use development when adjacent to the LRT guideway;
(d) enable residential units to be developed above the LRT guideway and catenary; and
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(e) add density in a gateway, transition area.

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.

General Definitions
4 In this Direct Control District,

(a) "affordable housing units" means non-market housing units provided within a development owned and operated by the City or by a housing provider approved by the City to provide non-market housing;

(b) "average land value" shall be determined by the Director of Community Planning at the time of development permit application;

(c) "community investment fund" means a fund used for projects related to public realm improvements, including but not limited to streetscape design and improvements within City rights-of-way, implementation of urban design strategies and public art on public land;

(d) "indoor community amenity space" means floor area provided for community purposes, including, but not limited to offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares and other social services, within the development, in perpetuity to the City and approved by the Development Authority;

(e) "low occupancy uses" means ancillary areas for storage, motor vehicle parking, bicycle storage facilities, vehicle loading areas, garbage loading and storage and mechanical and electrical equipment rooms;

(f) "publicly accessible private open space" means outdoor open space located on the development parcel that is made available to the public through a registered public access easement agreement, in a location, form, configuration and constructed in a manner approved by the Development Authority; and

(g) "universally accessible dwelling units" means units that are not affordable housing units and that meet the following enhanced accessibility standards:

(i) a smooth, unobstructed floor space of a minimum dimension of 1.8 metres in length and 1.8 metres in width
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in each kitchen, bathroom and hallway to enable the turning of a wheelchair or mobility device;

(ii) hallways with no changes in floor level;

(iii) a bedroom, kitchen and a bathroom on the same floor as the entrance to the unit;

(iv) a step-free entrance to the unit; and

(v) an accessible motor vehicle parking stall, with a minimum width of 4.0 metres, associated with each universally accessible dwelling unit.

Permitted Uses
5 The permitted uses of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the permitted uses in this Direct Control District.

Discretionary Uses
6 The discretionary uses of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the discretionary uses in this Direct Control District with the exclusion of:

(a) Night Club.

Bylaw 1P2007 District Rules
7 Unless otherwise specified, the rules of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio
8 (1) Unless specified below, the maximum floor area ratio is 5.0.

(2) The maximum floor area ratio in subsection (1) may be increased by a floor area ratio of 4.0 when this additional floor area is used for Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development or Hotel uses.

(3) The maximum floor area ratio in subsections (1) and (2) may be increased by a maximum of 3.0 when the following criteria are met:

(a) the development contains residential uses located above the highest geodetic elevation of the LRT catenary power lines adjacent to the lands contained in this Direct Control District; and

(b) the additional floor area ratio is used to construct low occupancy uses located on or above the second floor above grade but below the highest geodetic elevation of the LRT catenary power lines adjacent to the lands contained in this Direct Control District.
(4) The maximum floor area ratio referenced in subsections (1), (2) and (3) may be increased in accordance with the bonus provisions set out in section 9 of this Direct Control District, to a maximum total of 15.0.

Bonus Floor Area Ratio Earning Items
Any of the following items or combination may be used to earn a density bonus up to 3.0 floor area ratio:

(a) provision of affordable housing units within a development, where the allowable bonus floor area will be based on the total construction cost of the units to a standard acceptable to the City, such that:

Allowable bonus floor area = total construction cost / (average land value X 0.75) + gross floor area of affordable housing units;

(b) provision of universally accessible dwelling units, where the allowable bonus floor area will be based on the total area provided for the units, such that:

Allowable bonus floor area = gross floor area of universally accessible dwelling units;

(c) contribution to a community investment fund, as established by Council, where the allowable bonus floor area in square metres is equal to the contribution to the community investment fund, divided by the average land value per square metre of buildable floor area, such that:

Allowable bonus floor area = contribution / (average land value);

(d) provision of indoor community amenity space within the development, where the allowable bonus floor area in square metres is equal to the total construction or restoration cost of the indoor community amenity space, divided by the average land value per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (average land value X 0.75); and

(e) provision of publicly accessible private open space where the allowable bonus floor area in square metres is equal to the total construction cost of the publicly accessible private open space, divided by the average land value per square metre of buildable floor area multiplied by 0.75, such that:

Allowable bonus floor area = total construction cost / (average land value X 0.75);
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Floor Plate Restrictions
10 Each floor of a building located partially or wholly above 36.0 metres above grade, and containing:

(a) Dwelling Units, Hotel or Live Work Units has a maximum:

(i) floor plate area of 930.0 square metres; and
(ii) horizontal dimension of 44.0 metres; and

(b) Office has a maximum:

(i) floor plate area of 1300.0 square metres; and
(ii) horizontal dimension of 44.0 metres.

Front Setback Area
11 The front setback area has no minimum depth requirement and a maximum depth requirement of 4.0 metres.

Side Setback Area
12 There is no side setback area requirement.

Rear Setback Area
13 Where the parcel shares a rear property line with an LRT corridor or freight rail corridor, there is no requirement for a rear setback area.

Landscaping in Setback Areas
14 Where a setback area shares a property line with a street, the setback area must be a hard surfaced landscaped area that is level with the adjacent sidewalk.

Building Height
15 There is no maximum building height.

Vehicular Access
16 Where a parcel shares a rear property line or side property line with a lane, all vehicle access to the parcel must be from a lane.