DC Direct Control District Bylaw 64D2010

BYLAW NUMBER 64D2010

BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2019-0912)

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 2010 June 21.

READ A FIRST TIME THIS 7TH DAY OF JUNE, 2010.

READ A SECOND TIME, AS AMENDED, THIS 7TH DAY OF JUNE, 2010.

READ A THIRD TIME, AS AMENDED, THIS 7TH DAY OF JUNE, 2010.

DEPUTY MAYOR
SIGNED THIS 17TH DAY OF JUNE, 2010.

ACTING CITY CLERK
SIGNED THIS 17TH DAY OF JUNE, 2010.
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SCHEDULE A
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SCHEDULE B

DC DIRECT CONTROL DISTRICT

Purpose
1 This Direct Control District:

(a) is intended to provide for a mix of commercial, residential and a limited range of light industrial uses;

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(b) is intended for mixed uses that are sensitive to adjacent districts that allow residential uses;
(c) provides intense development where intensity is measured by floor area ratio;
(d) provides a building form that is street oriented at grade; and,
(e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve public benefit and amenities within the same community.

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) "average land value" means the average land value per square metre of buildable floor area for the area, or areas, so approved by Council and as amended from time to time;

(b) "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;

(c) "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; and

(d) "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.

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

6 The discretionary uses of the Centre City Mixed Use (CC-X) District 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 general rules of Part 11, Division 4: General Rules for Centre City Commercial Land Use Districts and Division 5: Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

8 (1) The minimum floor area ratio is 1.0 for new development.
(2) The maximum floor area ratio is 4.0 on the south side of 10 Avenue SW and 5.0 on the north side of 10 Avenue SW.
(3) The maximum floor area ratio specified in subsection (2) may be increased by a maximum of 2.0 floor area ratio in accordance with the bonus provisions contained in section 9.

Bonus Floor Area Ratio Earning Items

9 Any of the following items or combination thereof may be used to earn a density bonus up to 2.0 floor area ratio:

(a) 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);

(b) provision of publically accessible private open space where the allowable bonus floor area in square metres is equal to the total construction cost of the publically 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); and

(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).
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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 have 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 1,300.0 square metres; and
   (ii) horizontal dimension of 44.0 metres.

Front Setback Areas
11 The front setback area must have a minimum depth of 1.0 metres and a maximum depth of 4.0 metres.

Side Setback Areas
12 Unless otherwise referenced in subsection (2) there is no requirement for a side setback area from a property line shared with a parcel.

(2) The minimum side setback area from a property line shared with another parcel is 3.0 metres when the adjoining parcel is designated as Special Purpose – Community Service (S-CS) district.

(3) The minimum side setback area from a property line shared with street is 3.0 metres.

Rear Setback Area
13 Where the parcel shares a rear property line with an LRT corridor, or 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.

Vehicular Access
15 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.

Motor Vehicle Parking Stall Requirements
16 The minimum number of required motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls-class 1 and bicycle parking stalls – class 2 is the requirement specified in Sections 1157 and 1159 of Bylaw 1P2007.
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Site 1 1.00 ha ± (2.47 acres ±)
Application
17 Section 18 applies only to Site 1.

Building Height
18 The maximum building height is 49.0 metres.

Site 2 1.61 ha ± (3.98 acres ±)
Application
19 Section 20 applies only to Site 2.

Building Height
20 The maximum building height is 56.0 metres.

Site 3 2.84 ha ± (7.02 acres ±)
Application
21 Section 22 applies only to Site 3.

Building Height
22 The maximum building height is 36.0 metres.