

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 LOC2010-0012) *****

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.

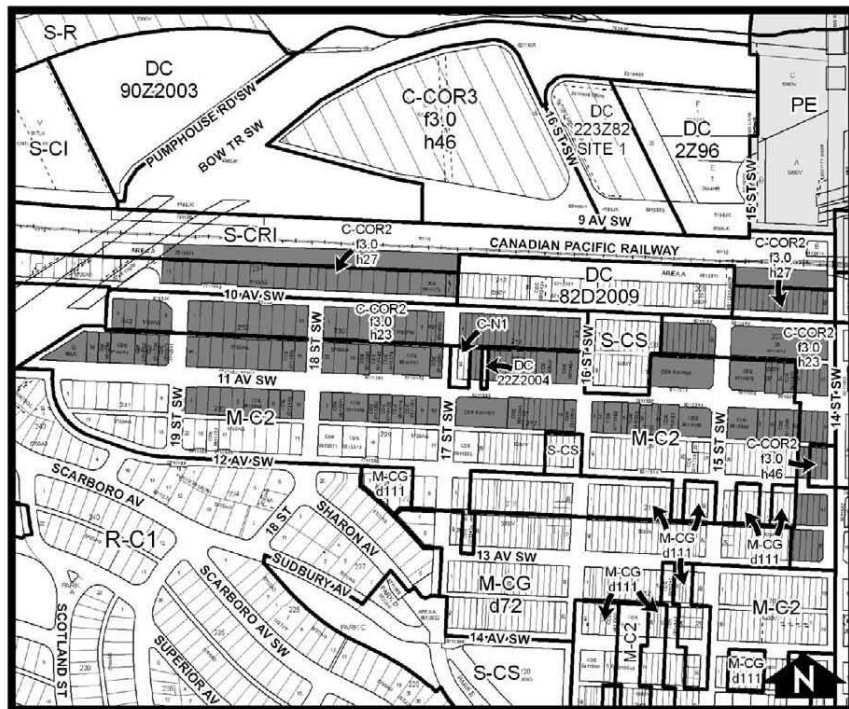


ACTING CITY CLERK
SIGNED THIS 17TH DAY OF JUNE, 2010.

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**AMENDMENT LOC2010-0012
BYLAW NUMBER 64D2010**

SCHEDULE A



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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:

$$\text{Allowable bonus floor area} = \text{total construction cost} / (\text{average land value} \times 0.75);$$
 - (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:

$$\text{Allowable bonus floor area} = \text{total construction cost} / (\text{average land value} \times 0.75); \text{ and}$$
 - (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:

$$\text{Allowable bonus floor area} = \text{contribution} / (\text{average land value}).$$

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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
- (1) 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.