

BYLAW NUMBER 82D2009

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2009-0020)**

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;

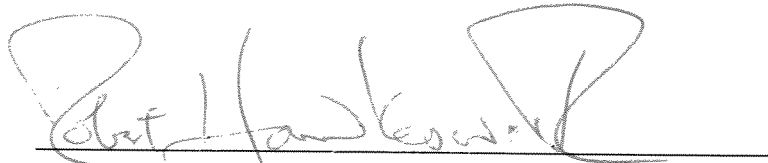
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 THIS 13TH DAY OF JULY, 2009.

READ A SECOND TIME AS AMENDED THIS 13TH DAY OF JULY, 2009.

READ A THIRD TIME AS AMENDED THIS 13TH DAY OF JULY, 2009.



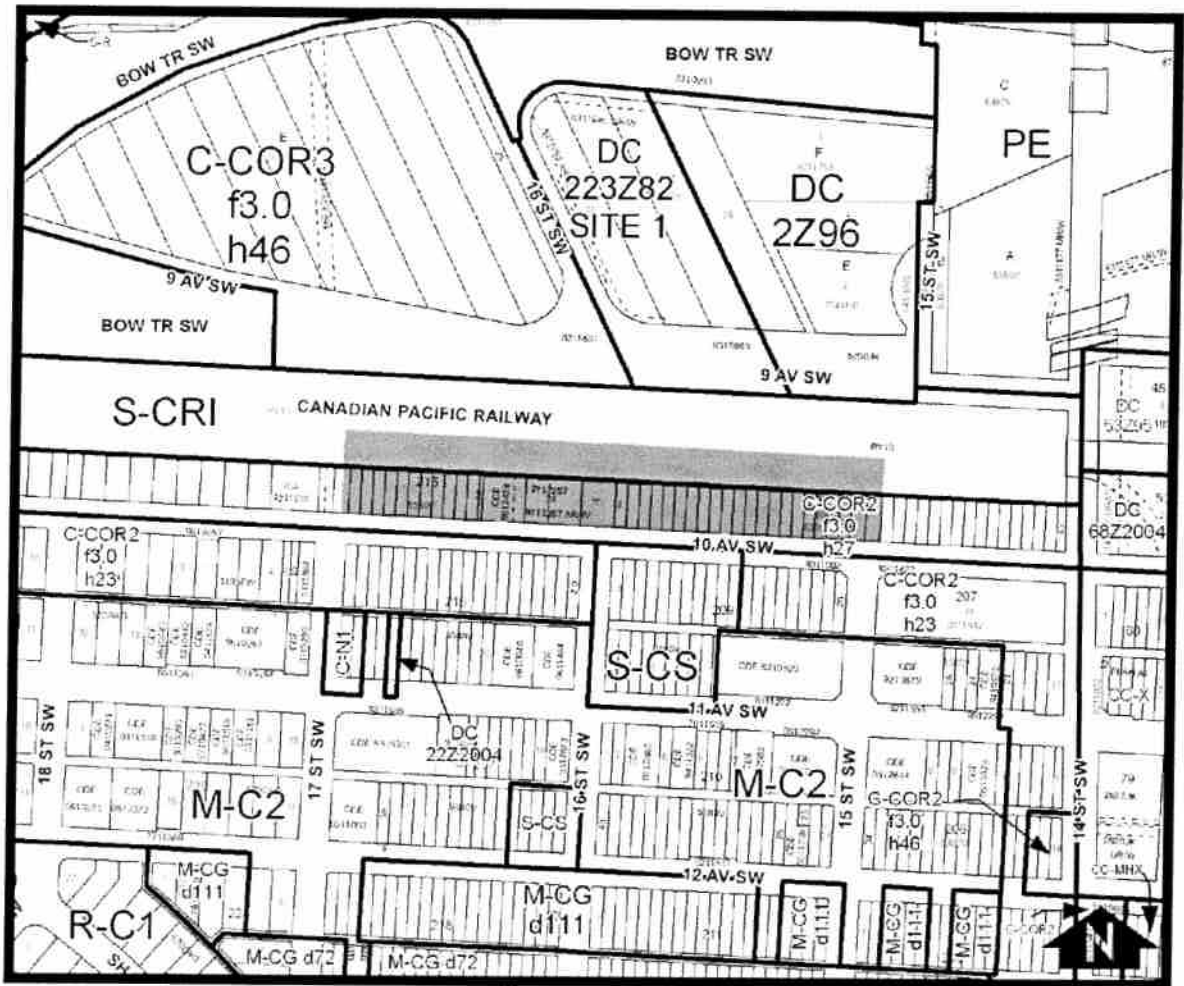
DEPUTY MAYOR
SIGNED THIS 6TH DAY OF AUGUST, 2009.



ACTING CITY CLERK
SIGNED THIS 6TH DAY OF AUGUST, 2009.

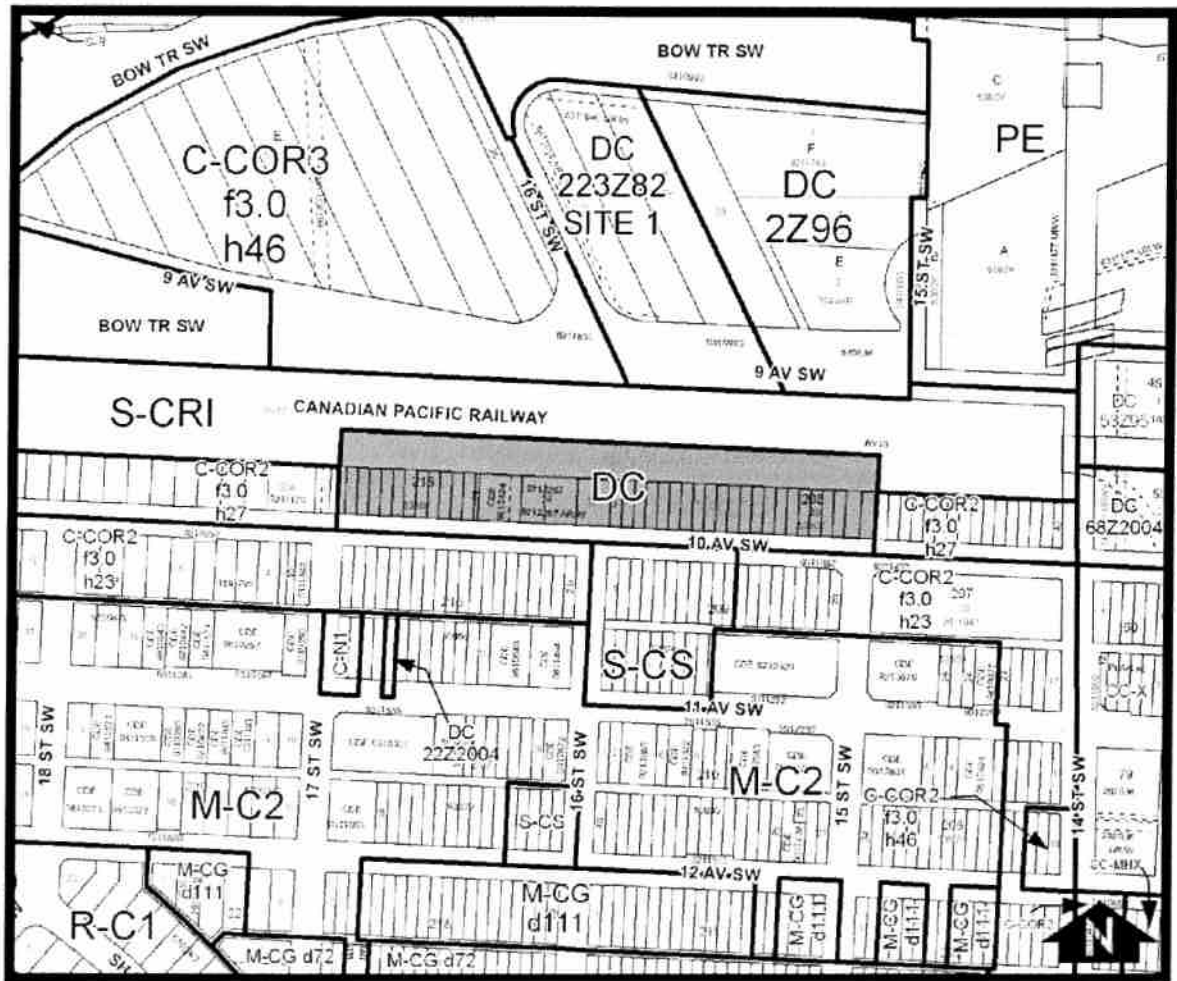
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SCHEDULE A



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SCHEDULE B



DC DIRECT CONTROL DISTRICT

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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**;
 - (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**; and,
 - (d) provides a **building** form that is street oriented at **grade**;
 - (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, 4 and 11 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 in a form acceptable to 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.

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.**

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Bylaw 1P2007 District Rules

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

Floor Area Ratio

- 8 (1) The minimum **floor area ratio** is 1.0.
- (2) The maximum **floor area ratio** is 5.0.
- (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) 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**).

Building Height

10 The maximum **building height** is 75.0 meters.

Front Setback Area

11 The **front setback area**, as measured from the **front property line** existing on the date of passage of this bylaw, must:

- (a) at **grade**, have a minimum depth of 2.2 metres and a maximum depth of 5.2 metres;
- (b) higher than 4.0 metres above **grade**, have a minimum depth of 1.2 metres;
- (c) below **grade**, have a minimum depth of 1.2 metres.

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Rear Setback Area

12 There is no requirement for a *rear setback area*.

Side Setback Area

13 There is no requirement for a *side 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.

Floor Plate Restrictions

15 Each floor of a *building* located partially or wholly above 36.0 metres above *grade*, and containing **Dwelling Units**, **Hotel suites** or **Live Work Units** has a maximum:

- (a) *floor plate area* of 930.0 square metres;
- (b) horizontal dimension of 44.0 metres.

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*.