

**BYLAW NUMBER 287D2017**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2016-0346)  
\*\*\*\*\***

**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 11<sup>TH</sup> DAY OF SEPTEMBER, 2017.

READ A SECOND TIME THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 2017.

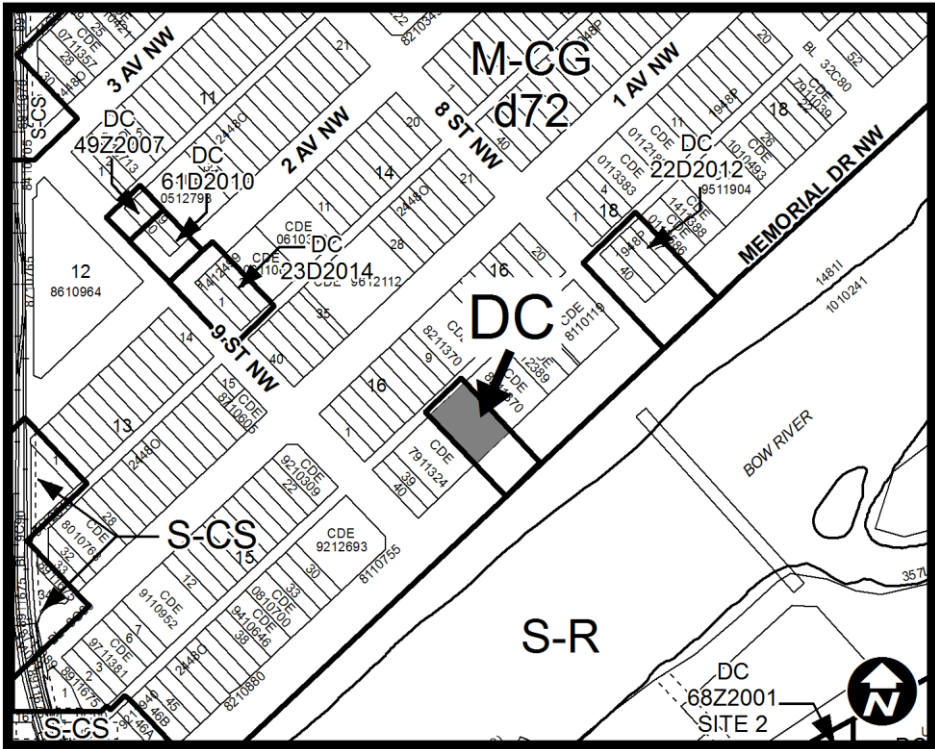
READ A THIRD TIME THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 2017.

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MAYOR  
SIGNED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 2017.

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ACTING CITY CLERK  
SIGNED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 2017.



**SCHEDULE B**



**DC DIRECT CONTROL DISTRICT**

**Purpose**

- 1 This Direct Control District is intended to:
  - (a) provide for a **Multi-Residential Development** in compliance with the policies of the applicable local area redevelopment plan;
  - (b) allow for a **building** form that responds to the surrounding context;
  - (c) establishes specific **building setback** and **building height** stepback requirements; and
  - (d) 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 Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

**Discretionary Uses**

- 5 The **discretionary uses** of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:

- (a) **Convenience Food Store;**
- (b) **Counselling Service;**
- (c) **Information and Service Provider;**
- (d) **Office;**
- (e) **Outdoor Café;**
- (f) **Place of Worship – Medium;**
- (g) **Place of Worship – Small;**
- (h) **Power Generation Facility – Small;**
- (i) **Print Centre;**
- (j) **Restaurant: Food Service Only – Small;**
- (k) **Restaurant: Neighbourhood;**
- (l) **Retail and Consumer Service;**
- (m) **Service Organization;**
- (n) **Specialty Food Store; and**
- (o) **Take Out Food Service.**

**Bylaw 1P2007 District Rules**

- 6 Unless otherwise specified, the rules of the Multi-Residential – High Density Low Rise (M-H1) 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 0.72.
- (2) The **floor area ratio** may be increased to a maximum of 3.35 in accordance with the bonus provisions contained in section 13 of this Direct Control District.

**Setback Area**

- 8 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 9 of this Direct Control District.

**Building Setbacks**

- 9 (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 6.0 metres.

- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** may be reduced to zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) The minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.

#### Building Height

- 10 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 22.0 metres.
- (2) Within 6.0 metres of the eastern **property line** of the **parcel**, the maximum **building height** is 17.0 metres.

#### Location of Units

- 11 **Units** may not be located above 17 metres in **building height**.

#### At Grade Orientation of Units

- 12 All **units** in a **Multi-Residential Development** that front onto Memorial Drive NW and that are located on the floor closest to **grade** must have:
  - (a) an individual, separate, direct access to **grade**; and,
  - (b) an entrance that is accessible from the **street** that the **unit** faces.

#### Density Bonus

- 13 (1) For the purposes of this section: "Cash Contribution Rate" means: \$17.85 per square metre for the year 2017. 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 0.72.
- (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.

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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 2.5. Details of the construction cost will be determined through the ***development permit*** process.