

BYLAW NUMBER 58D2010

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2010-0007)**

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.

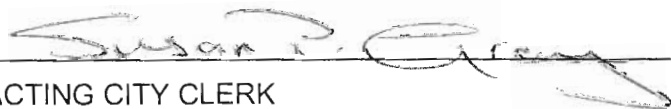
READ A FIRST TIME THIS 10TH DAY OF MAY, 2010.

READ A SECOND TIME THIS 10TH DAY OF MAY, 2010.

READ A THIRD TIME THIS 10TH DAY OF MAY, 2010.

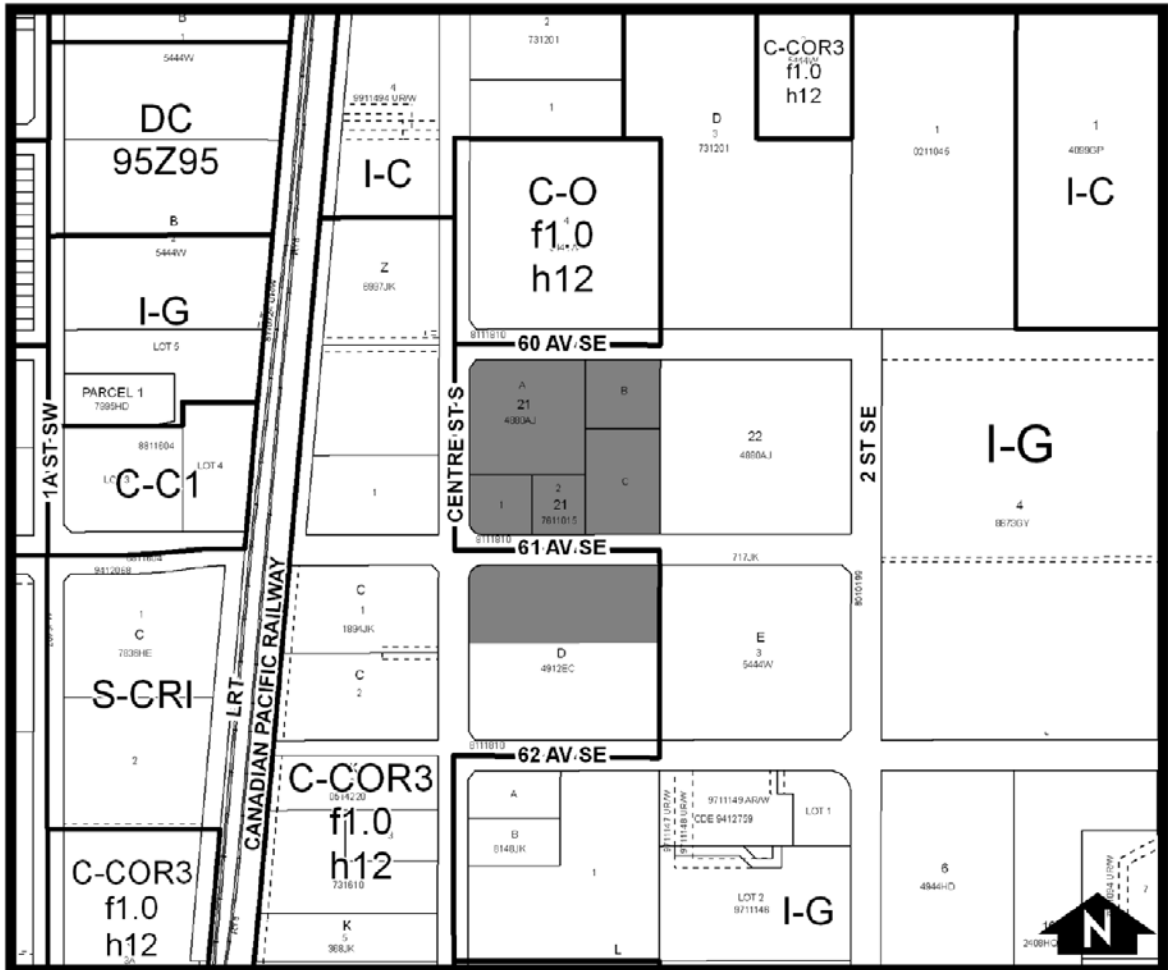


MAYOR
SIGNED THIS 10TH DAY OF MAY, 2010.

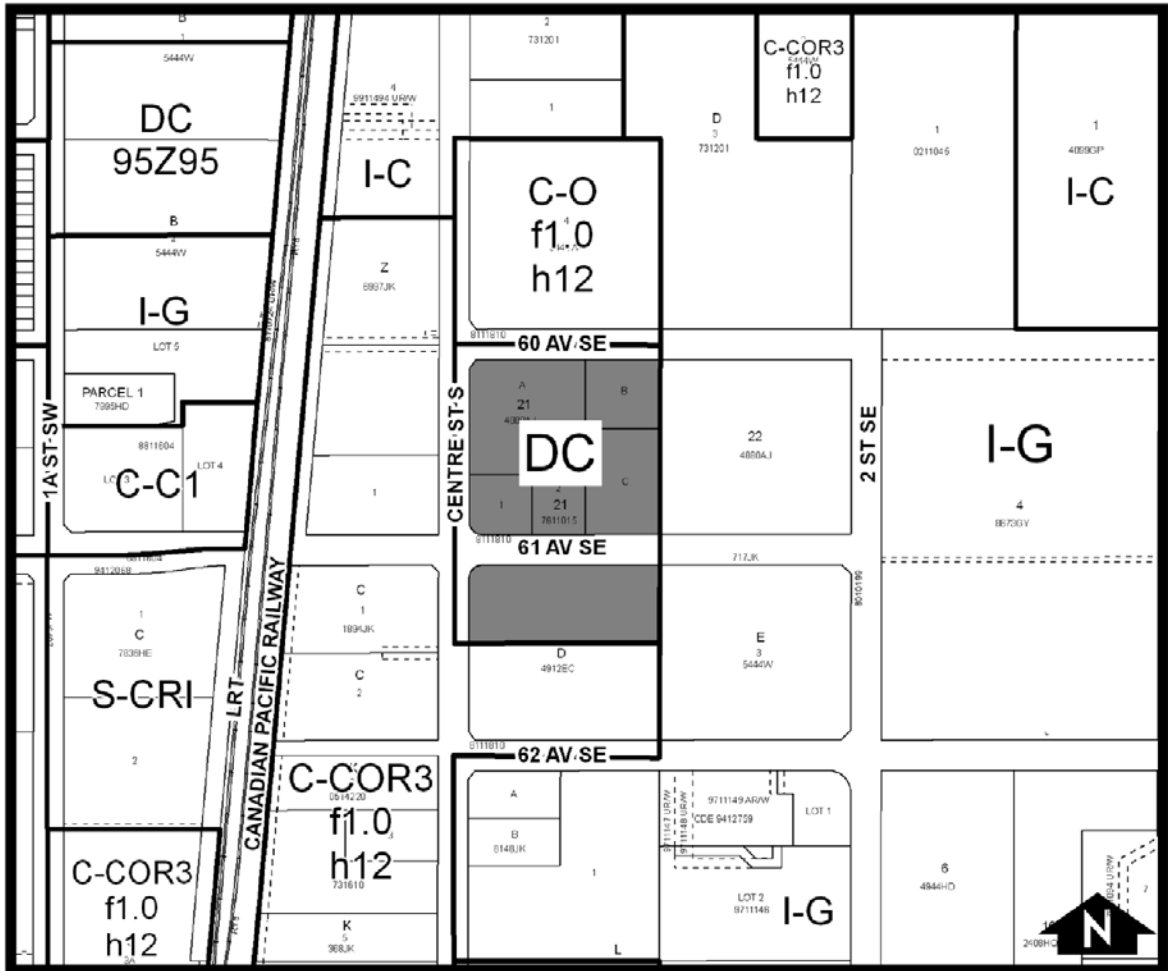


ACTING CITY CLERK
SIGNED THIS 10TH DAY OF MAY, 2010.

SCHEDULE A



SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to accommodate **development** that is characterized by:

**AMENDMENT LOC2010-0007
BYLAW NUMBER 58D2010**

- (a) land **uses** that support transit use including a wide range of transit services, civic functions and amenities;
- (b) prestige, high quality, manufacturing, research and office **developments**;
- (c) activities contained within **buildings**;
- (d) a limited range of small **uses** that provide services to the office and industrial **uses** within the immediate area;
- (e) pedestrian pathway connections to and between **buildings** and to transit;
- (f) a minimum and a maximum **floor area ratio**; and
- (g) the opportunity to earn additional **floor area ratio**, over and above the minimum base **floor area ratio** through the contribution to a **community investment fund**, or the provision of **publicly accessible private open space**.

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**” is defined as the average land value per square metre of buildable floor area for the area, or areas, approved by **Council** and as amended from time to time;
- (b) “**community amenity space**” is defined as floor area made available within the proposed **development**, in perpetuity to the **City**, in a form acceptable to the **City** for not for profit community purposes;
- (c) “**community investment fund**” is defined as a fund used for projects related to public realm improvements, including but not limited to park acquisition, park design, redevelopment or enhancement, streetscape design and improvements within **City** rights-of-way, implementation of urban design strategies and public art on public land; and
- (d) “**publicly accessible private open space**” is defined as a portion of a private **development parcel** that is made available to the public through a legal agreement approved by the **Development Authority**, and is in a location, form, configuration and constructed in a manner approved by the **Development Authority**.

Permitted Uses

- 5 The **permitted uses** of the Industrial – Business (I-B) District of Bylaw 1P2007 are the **permitted uses** of this Direct Control District.

Discretionary Uses

- 6 The **discretionary uses** of the Industrial – Business (I-B) District of Bylaw 1P2007 are the **discretionary uses** of this Direct Control District with the exclusion of:

- (a) **Drive Through;**
- (b) **Gas Bar;**
- (c) **Parking Lot – Grade;**
- (d) **Parking Lot – Structure;** and
- (e) **Self Storage Facility.**

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified in this Direct Control District, the rules of Industrial – Business (I-B) District of Bylaw 1P2007 apply in this Direct Control District.

Front Setback Area

- 8 There is no minimum requirement for **front setback area**, but where a **front setback area** is provided, it must have a maximum depth of 4.0 metres.

Rear Setback Area

- 9 There is no minimum requirement for **rear setback area**, but where a **rear setback area** is provided, it must have a maximum depth of 4.0 metres.

Side Setback Area

- 10 There is no minimum requirement for **side setback area**, but where a **side setback area** is provided, it must have a maximum depth of 4.0 metres.

Restricting Large Parking Areas

- 11 The total surface area containing the required drive aisles, **motor vehicle parking stalls** and vehicular access for a **development** must not exceed 2500.0 square metres.

Floor Area Ratio

- 12
- (a) The minimum **floor area ratio** is 1.0.
 - (b) The maximum **floor area ratio** is 2.0.
 - (c) The maximum **floor area ratio** specified in subsection 12(b) may be increased by a maximum of 1.0 **floor area ratio** in accordance with the bonus provisions contained in section 14.

Building Height

- 13
- (a) The minimum **building height** is 7.5 metres.
 - (b) The maximum **building height** is 30.0 metres.

Bonus Floor Area Ratio Earning Items

- 14 Any of the following items or combination thereof may be used to earn a density bonus:

**AMENDMENT LOC2010-0007
BYLAW NUMBER 58D2010**

- (a) provision of **publicly accessible private open space** within the development, where the allowable bonus floor area in square metres is equal to the total construction cost (excluding land costs) of the **publicly accessible private open space**, divided by the **average land value** per square metre 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 **community amenity space** within the development, where the allowable bonus floor area in square metres is equal to the total construction cost (excluding land costs) of the **community amenity space**, divided by the **average land value** per square metre buildable floor area multiplied by 0.75, such that:

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

- (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**)