

**BYLAW NUMBER 33D2010**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT LOC2009-0099)**

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**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 8<sup>TH</sup> DAY OF MARCH, 2010.

READ A SECOND TIME THIS 8<sup>TH</sup> DAY OF MARCH, 2010.

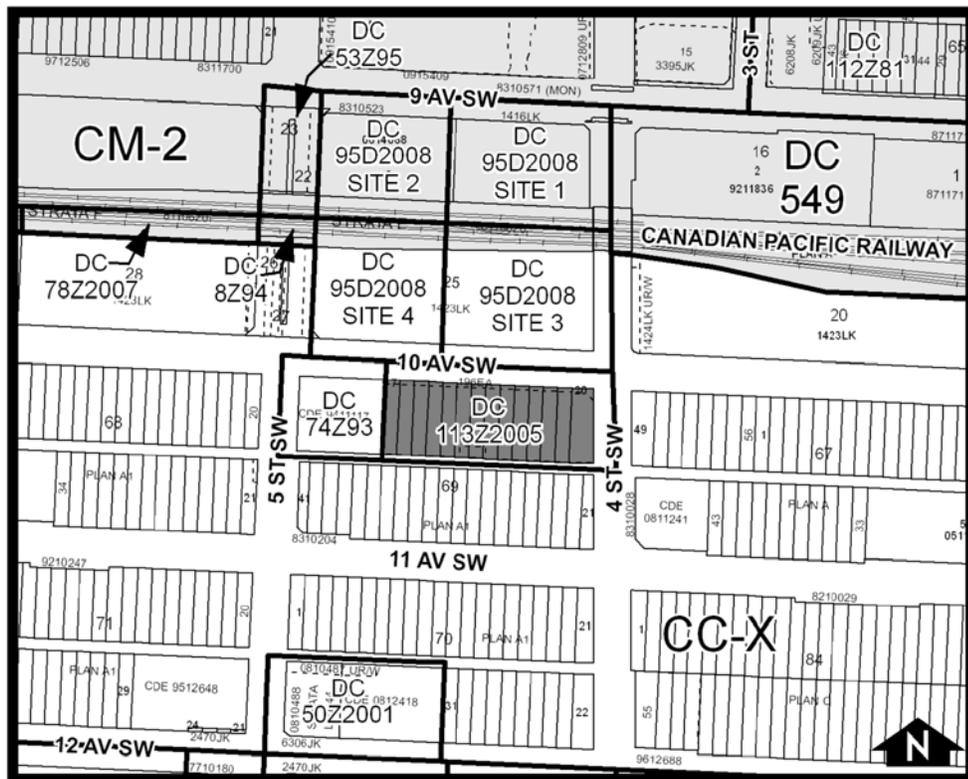
READ A THIRD TIME THIS 8<sup>TH</sup> DAY OF MARCH, 2010.

  
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MAYOR  
SIGNED THIS 8<sup>TH</sup> DAY OF MARCH, 2010.

  
\_\_\_\_\_  
ACTING CITY CLERK  
SIGNED THIS 8<sup>TH</sup> DAY OF MARCH, 2010.

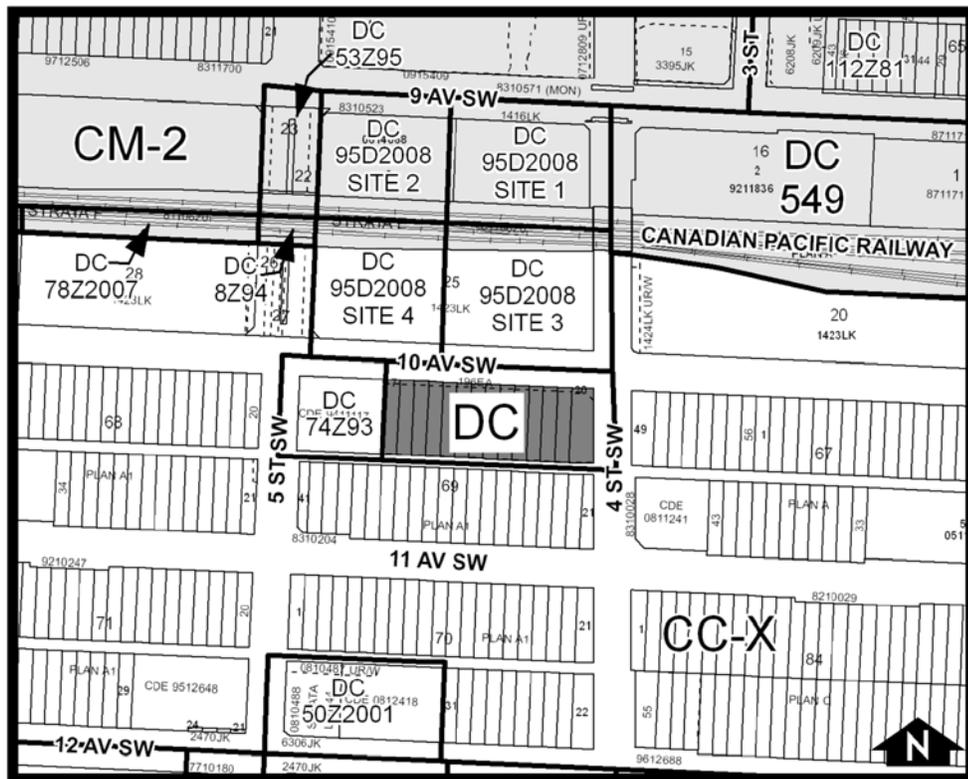
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**SCHEDULE A**



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**SCHEDULE B**



**DC DIRECT CONTROL DISTRICT**

**Purpose**

1 This Direct Control District:

- (a) is intended to provide for **development** that is characterized by **mixed use development** on site within the Centre City area of the city.

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**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, any reference to a section of Bylaw 1P2007 is deemed to a reference to the section as amended from time to time.

**Defined Terms**

- 4** In this Direct Control District For the purpose of the Bylaw;
- (a) **“Parking Area – Short Stay”** means an area for the parking of motor vehicles within a **Parking Lot - Structure** where;
    - (i) the vehicle remains parked for no more than four hours at one time;
    - (ii) the space must be located on the first two floors below **grade**; and
    - (iii) stalls must be clearly identified through appropriate signage.
  - (b) **“Parking Area – Long Stay”** means an area designated for the parking of motor vehicles within a **Parking Lot - Structure** where;
    - (iv) vehicles may remain parked for more than four hours at one time.
  - (c) **“Green Roof”** means
    - (i) a system of plants, growing medium and root/waterproof membrane and/or reflective membrane on the roof of any type of building at podium level;
    - (ii) a system which improves: air temperature, air pollution, storm water, and green space on levels above podium; and
    - (iii) a space which comprises 50 per cent of total project roof area.

**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 addition of:
- (a) **Parking Area – Short Stay**; and
  - (b) **Parking Area – Long Stay**.

**Bylaw 1P2007 District**

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

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**Setback Areas**

- 8 (a) **Setbacks** are not required at **grade** except for the **property line** shared with 4 Street SW. which requires a 2.0 metre **setback**.
- (b) In portions of the **building** above **grade**, required **setbacks** include the following:
- (i) A minimum of 4.0 metres from the north and south property lines must be required for all **development** above the fifth **storey** of the **building**; and
  - (ii) A minimum of 8.0 metres from the east and west **property lines** must be required for all **development** above the fifth **storey** of the **building**.

**Parking**

- 9 (a) The minimum number of **motor vehicle parking stalls** is 0.9 stalls for each **Dwelling Unit** and **Live Work Unit**.
- (b) The minimum number of **visitor parking stalls** is 0.15 stalls per **Dwelling Unit**.
- (c) The minimum number of **motor vehicle parking stalls** for all other uses is 1.0 stalls per 100 square metres of **gross usable floor area**.
- (d) Of those parking stalls which are not dedicated to specific **uses** within the **building** above **grade**, a minimum of 180 or 25 per cent, whichever is less, of the total number of stalls available for public use be allotted as **Parking Area – Short Stay**.

**Building Design**

- 10 The minimum separation between the facades of the two towers on the site is 26.0 metres.

**Landscaping**

- 11 (a) **Landscaped areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.
- (b) A landscape plan for the entire **development** must be submitted as part of each **development permit** application, where changes are proposed to the **building** or **parcel**, and must adhere to the following requirements;
- (i) A minimum of 40 per cent of the site area must be **landscaped area**;
  - (ii) **Landscaped area** contained either at **grade** or at the top of the podium are counted towards the 40 per cent landscaping requirement;
  - (iii) All areas at **grade** that are not covered by **building** must be **landscaped area**; and
  - (iv) All areas on the roof of the podium not required for access must be **landscaped area**.

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**Heights**

**12**

- (a) The maximum height is 16.0 metres above **grade** for a podium level.
- (b) The maximum **building height** is 100.0 metres for all other **buildings** on site.

**Density**

**13**

The maximum **floor area ratio**:

- (a) is 5.0, except as provided in subsections 15(b), 15(c), and 15(d) of this Direct Control District;
- (b) is 10.0 where the following features are provided:
  - (i) A minimum of 30 **Live Work Units**;
  - (ii) Public realm upgrades to include hard landscaped paving of the entire rear lane between 4 and 5 Street SW, hard landscaped paving of the public boulevards including sidewalks along 10 Avenue SW and 4 Street SW, and a minimum of 12 street trees;
  - (iii) Commercial **uses** at **grade** with a minimum of three individual storefront entries along 10 Avenue and/or 4 Street SW;
  - (iv) Artwork that is visible to the public placed at various locations on the site approved by the **Development Authority**; and
  - (v) Elements of Leadership in Energy and Environmental Design (LEED) construction that, in combination with site location and approved city policies, will allow the **building** to achieve the equivalent of a LEED Certified rating;
- (c) may be increased by 1.0 to a total of 11.0 where in addition to the provision of all features in 15(b) of this Direct Control District, one of the following features is provided;
  - (i) A Geothermal Heating System for the commercial component of the **building** is provided;
  - (ii) Where an alternative energy source such as wind or solar is utilized to the extent of the equivalent energy savings that a Geothermal Heating System for the commercial component of the **building** would provide; or

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- (iii) Contribution to the Beltline Community Investment Fund, the amount to be determined by calculation methods stipulated in the Beltline Area Redevelopment Plan, Section 5; and
- (d) may be increased by 1.0 to a total of 12 F.A.R. where, in addition to provision of all features in subsections 15(b)(i), 15(b)(ii), 15(b)(iii), 15(b)(iv), and 15(c) of this Direct Control District, the following features are provided:
  - (i) elements of LEED construction that, in combination with site location and approved city policies, will allow the **building** to achieve the equivalent of a LEED silver rating; and
  - (ii) a **Green Roof** is provided on the top of the podium of the **building**.

**Non-Residential Uses**

**14** Non-Residential **uses** must incorporate the following;

- (a) must be located on the first and second **storeys**; and
- (b) must have separate entry from that of the residential component of the **building**.

**Live Work Units**

**15**

- (a) Signage is limited to the interior of the **building**;
- (b) No aspect of the operation must be visible from the outside of the **building**;
- (c) There may be no outside storage of material, goods or equipment on, or immediately **adjacent** to the site;
- (d) A sign must be erected and maintained within the **building**, sufficiently visible, indicating that **Live Work Units** are allowable within the **development**;
- (e) No **Live Work Unit** may be located on the same **storey** as a purely residential **use**; and
- (f) No **Live Work Unit** may be located on a **storey** above a purely residential **use**.