

BYLAW NUMBER 64D2012

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007
(LAND USE AMENDMENT LOC2012-0020)**

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;

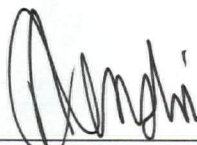
NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

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 5TH DAY OF NOVEMBER, 2012.

READ A SECOND TIME, AS AMENDED, THIS 5TH DAY OF NOVEMBER, 2012.

READ A THIRD TIME, AS AMENDED, THIS 5TH DAY OF NOVEMBER, 2012.



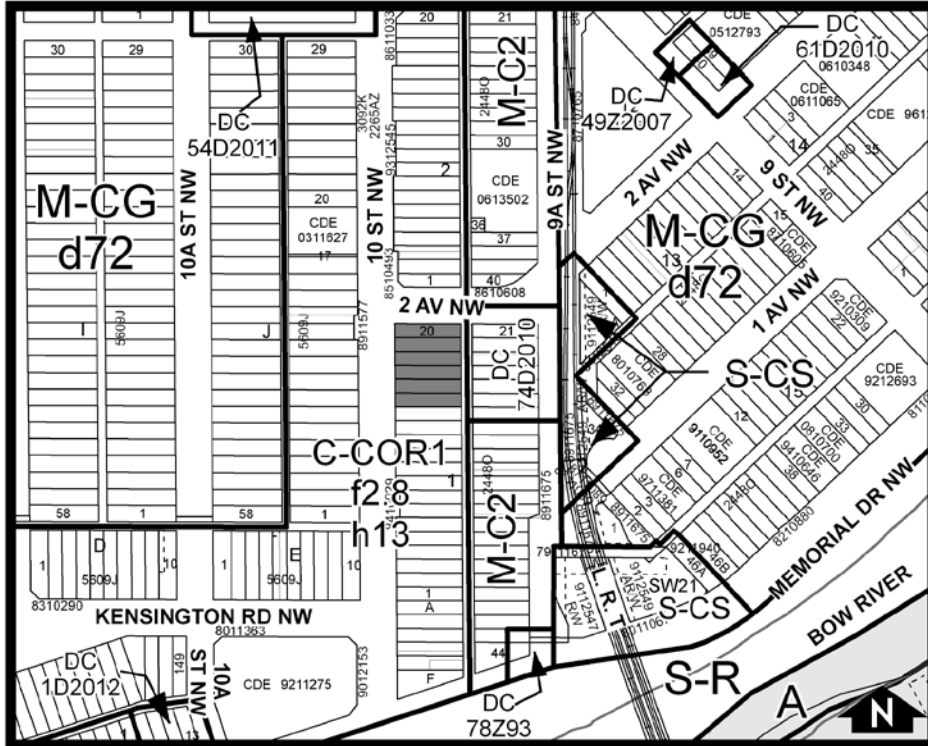
MAYOR
SIGNED THIS 26TH DAY OF NOVEMBER, 2012.



ACTING CITY CLERK
SIGNED THIS 26TH DAY OF NOVEMBER, 2012.

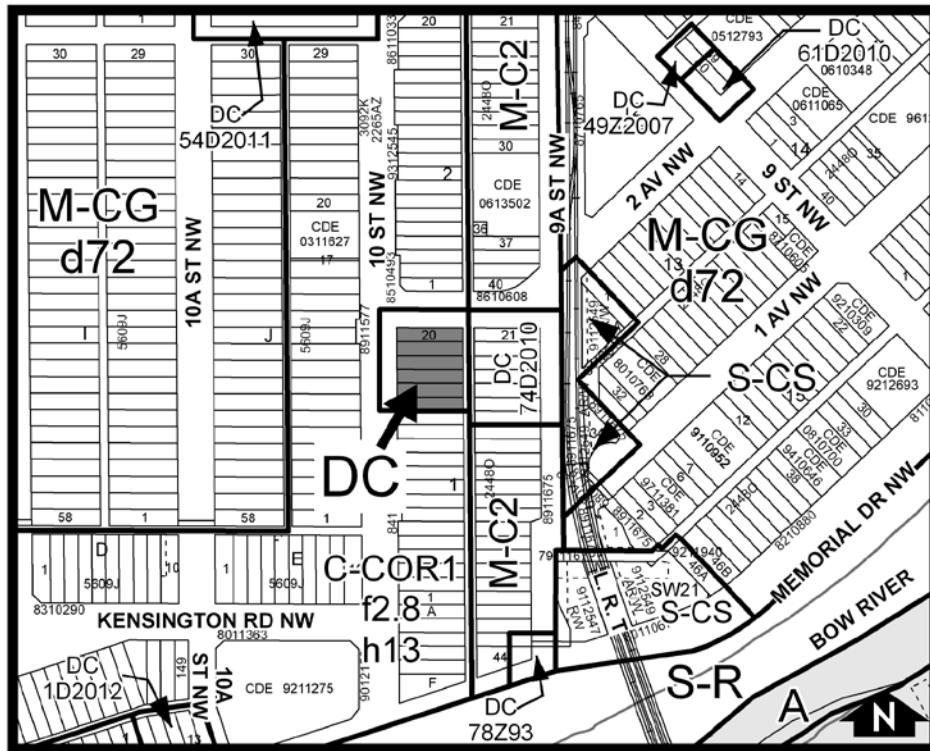
AMENDMENT LOC2012-0020
BYLAW NUMBER 64D2012

SCHEDULE A



AMENDMENT LOC2012-0020
BYLAW NUMBER 64D2012

SCHEDULE B



DC DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to:
 - (a) accommodate a pedestrian oriented mixed-use **development** in compliance with the policies of applicable the local area redevelopment plan;
 - (b) accommodate a range of **uses** with development guidelines to maintain the existing small scale retail commercial character along 10 Street NW; and,
 - (c) implement the density bonus provisions in the applicable local area redevelopment plan.

**AMENDMENT LOC2012-0020
BYLAW NUMBER 64D2012**

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 Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

- 7 (1) For the purposes of this section, “Cash Contribution Rate” means: \$17.30 per square metre. The Cash Contribution Rate shall be adjusted annually on January 1 by the **Development Authority**, based on the Statistics Canada Consumer Price Index for Calgary
- (2) Unless otherwise referenced in subsection (2), the maximum **floor area ratio** is 2.8.
- (3) The **floor area ratio** may be increased to a maximum of 5.0 in accordance with the bonus provisions contained in subsections (4) and (5).
- (4) A density bonus may be earned by a contribution to the Hillhurst-Sunnyside Park Improvement Fund, such that:
- Cash Contribution Amount = Cash Contribution Rate x Total floor area in square meters above 2.8 **floor area ratio**.
- (5) 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 ARP, 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.

**AMENDMENT LOC2012-0020
BYLAW NUMBER 64D2012**

Total construction cost shall not include any construction costs necessary to fulfill the infrastructure requirements of a **development permit** for a **development** equal to or less than 2.8 **floor area ratio**. Details of construction cost shall be determined through the **development permit** process

Building Height

8 The maximum **building height** is 26.0 metres.

Building Orientation

9 (1) The main **public entrance** for **uses** situated at ground floor must face the **property line** shared with a **street**.

(2) **Motor vehicle parking stalls** and **loading stalls** must not be located between a **building** and a **street**.

Building Façade

10 (1) The length of the **building** façade that faces a **street** must be a minimum of 80.0 percent of the length of the **property line** it faces.

(2) In calculating the length of the **building** façade, the depth of any required **building setback** will not be included as part of the length of the **property line**.

Vehicle Access

11 Vehicle access to the **parcel** must only be from the **lane**.

Use Area

12 (1) Unless otherwise referenced in subsection (3), the maximum **use area** for **uses** on the ground floor of **buildings** in this Direct Control District is 465.0 square metres.

(2) Unless otherwise referenced in subsection (3), there is no maximum **use area** requirement for **uses** located on upper floors in this Direct Control District.

(3) The maximum **use area** of a:

(a) **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres;

(b) **Cinema**, or a **Cinema** combined with any other **use**, is 550.0 square metres; and,

(c) **Supermarket** or a **Supermarket** combined with any other **use** is 2500.0 square metres.

AMENDMENT LOC2012-0020
BYLAW NUMBER 64D2012

Location of Uses within Buildings

- 13 (1) The following **uses** must not be located on the ground floor of **buildings**:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Catering Service – Minor;**
 - (d) **Child Care Service;**
 - (e) **Cinema;**
 - (f) **Counselling Service;**
 - (g) **Custodial Care;**
 - (h) **Financial Institution;**
 - (i) **Fitness Centre;**
 - (j) **Health Services Laboratory – with Clients;**
 - (k) **Instructional Facility;**
 - (l) **Medical Clinic;**
 - (m) **Office;**
 - (n) **Pawn Shop;**
 - (o) **Pet Care Service;**
 - (p) **Place of Worship – Small;**
 - (q) **Post-secondary Learning Institution;**
 - (r) **Radio and Television Studio;**
 - (s) **Residential Care;**
 - (t) **Social Organization;**
 - (u) **Supermarket; and**
 - (v) **Veterinary Clinic.**
- (2) Pedestrian access to **uses** situated above the ground floor must not be provided from 10 Street NW.
- (3) A minimum of 20.0 percent of the **gross floor area** of **buildings** in this Direct Control District must contain non-residential **uses**.

Building Setback

- 14 (1) Where a **parcel** shares a **property line** with a **street**, the minimum **building setback** at **grade** is 1.8 metres and the maximum is 5.0 metres.
- (2) Where a **parcel** shares a **property line** with a **lane**, the minimum **building setback** at **grade** is 0.0 metres.
- (3) Where a **parcel** shares a **property line** with another **parcel**, the minimum **building setback** is 0.0 metres.
- (4) The **building setback** may be relaxed by the **Development Authority** to provide for articulation of the **building** façade in terms of the massing guidelines of the applicable local area redevelopment plan.

**AMENDMENT LOC2012-0020
BYLAW NUMBER 64D2012**

- (5) For the purpose of this Direct Control Bylaw, Sections 787, 788 and 789 of Land Use Bylaw 1P2007 do not apply.

Parking

- 15** A minimum of 35 public parking stalls be available on site.