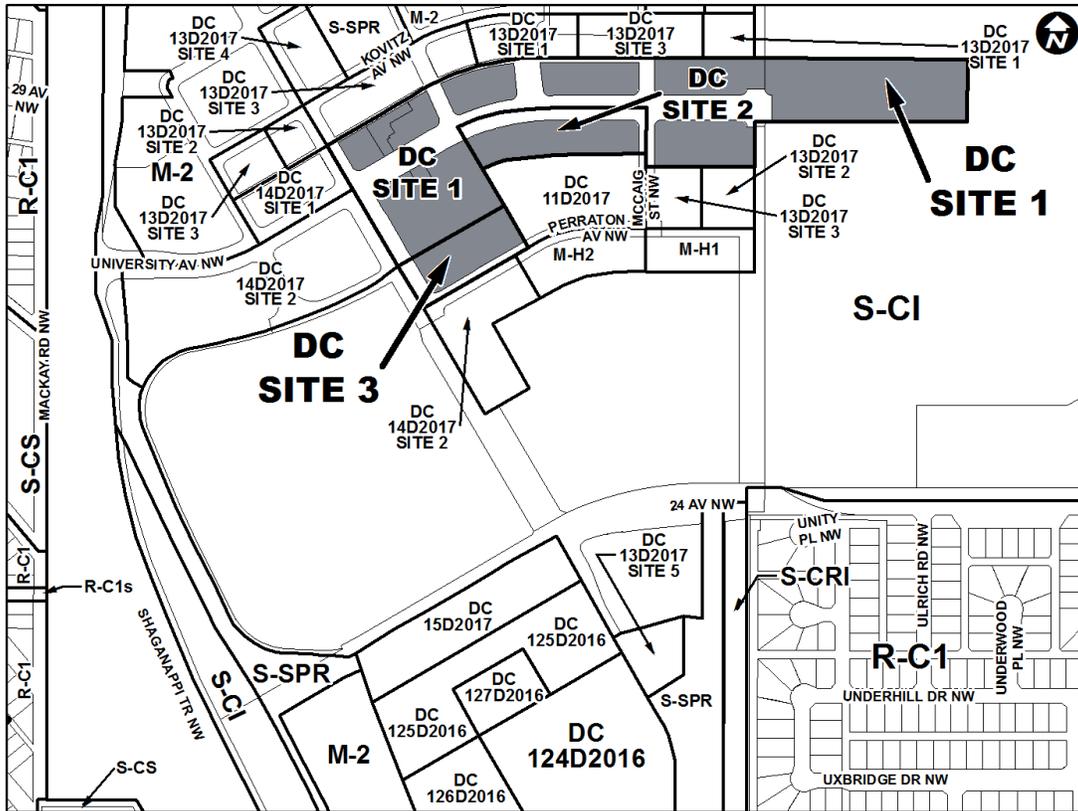


Proposed DC Direct Control District 1

SCHEDULE B



DIRECT CONTROL DISTRICT

Purpose

1 This Direct Control District Bylaw is intended to:

- (a) create a highly animated, urban, and compact high street environment for the main retail street;
- (b) establish a continuous commercial street wall on both sides of the street, allowing for visible access to open space amenities such as plazas and parks, and clear breaks for street intersections;
- (c) create plazas and parks to be inviting, easily accessible, and to have a relationship with abutting uses such as a restaurant or café;
- (d) prescribe building setbacks that will help to create a pedestrian oriented environment where frontages and entrances are close to the sidewalk and street in order to engage the public realm;
- (e) create a highly attractive, non-obstructive, and comfortable street environment for the pedestrian, considering: a balance of tree canopy for shade and sunny areas for café spill-over, the use of attractive and safe street paving, seating areas, and amenities such as bike racks and recycling bins;

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- (f) allow for flexible and diverse community amenities, services and attractive destinations along the main retail street;
- (g) allow for a majority of retail oriented commercial uses on the ground floor of buildings; and
- (h) allow for some commercial uses on the upper floors of buildings, in addition to office and residential uses, to encourage a highly mixed-use environment.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply in this Direct Control District Bylaw.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Bylaw 1P2007 Rules

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

Defined Uses

- 5 In this Direct Control District Bylaw;
- (a) “**Kennel – Urban**” means a *use*:
 - (i) where domestic animals are boarded overnight or for periods greater than 24 hours;
 - (ii) that may provide for the incidental sale of products relating to the services provided by the use;
 - (iii) that includes animal enclosures, pens, runs or exercise areas; and
 - (iv) there is no requirement for **motor vehicle parking stalls**.
 - (v) that requires a minimum of 1.0 **bicycle parking stalls – class 1** per 250.0 square metres of **gross usable floor area**.
 - (vi) that requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

Use Area

- 6 (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 1900.0 square metres.

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- (2) Unless otherwise referenced in subsection (3), there is no maximum **use area** requirement for **uses** located on upper floors of **buildings** in this Direct Control District.
- (3) The maximum ground floor **use area** of a:
 - (a) **Cinema**, or a **Cinema** combined with any other **use**, is 3300.0 square metres;
 - (b) **Performing Arts Centre**, or a **Performing Arts Centre** combined with any other **use** is 3330.0 square metres; and
 - (c) **Supermarket**, or a **Supermarket** combined with any other **use**, is 3800.0 square metres.
- (4) The following **uses** do not have a **use area** restriction:
 - (a) **Addiction Treatment**;
 - (b) **Assisted Living**;
 - (c) **Custodial Care**;
 - (d) **Hotel**; and
 - (e) **Residential Care**.

Location of Uses within Buildings

- 7 (1) Except as otherwise provided in this Direct Control District Bylaw the following **uses** must not be located on the ground floor of **buildings**:
- (a) **Addiction Treatment**;
 - (b) **Assisted Living**;
 - (c) **Catering Service – Minor**;
 - (d) **Counselling Service**;
 - (e) **Custodial Care**;
 - (f) **Health Services Laboratory – With Clients**;
 - (g) **Home Based Child Care – Class 1**;
 - (h) **Home Occupation – Class 1**;
 - (i) **Home Occupation – Class 2**; and
 - (j) **Residential Care**.
- (2) Except where otherwise provided in this Direct Control District Bylaw **Dwelling Units** must not be located on the ground floor of **buildings** fronting onto University Avenue NW.
- (3) Main entrances to multi-residential **buildings** and **Hotels** are allowed on University Avenue NW.
- (4) There is no requirement for buildings to contain a minimum percentage of “Commercial Uses”.

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Front Setback Area

- 8 (1) The **front setback area** for any **building** along the south side of University Avenue NW may have a maximum depth of 2.0 metres.
- (2) The **front setback area** for any **building** along the north side of University Avenue NW must have a minimum depth of 3.0 metres and maximum depth of 6.0 metres.

Parking Requirements

- 9 (1) The **Development Authority** may consider a relaxation of the required **motor vehicle parking stalls** and **visitor parking stalls** for a **development** where a parking study is submitted as part of a **development permit** application. This review will be subject to normal relaxation considerations as defined in Bylaw 1P2007 and may include provisions for shared management of **motor vehicle parking stalls** and **visitor parking stalls** when they are not occupied for their designated **uses**.
- (2) **Motor vehicle parking stalls** for any **use** within this Direct Control District must be provided in an above **grade** or below **grade** parking structure.
- (3) Notwithstanding subsection (2), a temporary **development permit** may be issued for surface parking.
- (4) Notwithstanding subsection (2), the **Development Authority** may approve **motor vehicle parking stalls**, outside of a parking structure for the following purposes:
- (a) **visitor parking stalls**;
 - (b) **motor vehicle parking stalls** for **units** that face a **lane**; and
 - (c) **parking area – short stay**.
- (5) **Motor vehicle parking stalls** located outside of a parking structure must not be located between a **building** and a commercial **street**.
- (6) **Motor vehicle parking stalls** within a **Parking Lot – Structure** to be used for public purposes may be used to satisfy minimum parking requirements for **uses** within this Direct Control District.

Site 1 (± 6.88 hectares)

Application

- 10 The provisions of sections 11 to 14 only apply to Site 1 of this Direct Control District Bylaw.

Permitted Uses

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

Proposed DC Direct Control District 1

(2) The following are additional **permitted uses** when located in approved **buildings**:

- (a) **Accessory Food Service;**
- (b) **Artist's Studio;**
- (c) **Billiard Parlor;**
- (d) **Catering Service – Minor;**
- (e) **Computer Games Facility;**
- (f) **Convenience Food Store;**
- (g) **Financial Institution;**
- (h) **Fitness Centre;**
- (i) **Food Kiosk;**
- (j) **Information and Service Provider;**
- (k) **Market;**
- (l) **Medical Clinic;**
- (m) **Office;**
- (n) **Outdoor Cafe;**
- (o) **Pet Care Service;**
- (p) **Print Centre;**
- (q) **Radio and Television Studio;**
- (r) **Restaurant: Food Service Only – Small;**
- (s) **Restaurant: Food Service Only – Medium;**
- (t) **Restaurant: Licensed – Small;**
- (u) **Restaurant: Neighbourhood;**
- (v) **Retail and Consumer Service;**
- (w) **Seasonal Sales Area;**
- (x) **Specialty Food Store; and**
- (y) **Takeout Food Service.**

Discretionary Uses

12 The **discretionary uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District, with the addition of:

- (a) **Amusement Arcade;**
- (b) **Community Recreation Facility;**
- (c) **Drinking Establishment – Large;**
- (d) **Dinner Theatre;**
- (e) **Funeral Home;**
- (f) **Kennel – Urban;**
- (g) **Parking Lot – Grade (temporary);**
- (i) **Performing Arts Centre;**
- (j) **Restaurant: Food Service Only – Large; and**
- (k) **Restaurant: Licensed – Large.**

Floor Area Ratio

13 There is no maximum **floor area ratio**.

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Building Height

- 14 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 27.0 metres.
- (2) The maximum **building height** for a **Hotel** is 53.0 metres.

Site 2 (± 1.10 hectares)

Application

- 15 The provisions in sections 16 through 20 apply only to Site 2 of this Direct Control District Bylaw.

Permitted Uses

- 16 (1) The **permitted uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.
- 11 (1) The **permitted uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.
- (2) The following are additional **permitted uses** when located in approved **buildings**:
- (a) **Accessory Food Service;**
 - (b) **Artist's Studio;**
 - (c) **Billiard Parlor;**
 - (d) **Catering Service – Minor;**
 - (e) **Computer Games Facility;**
 - (f) **Convenience Food Store;**
 - (g) **Financial Institution;**
 - (h) **Fitness Centre;**
 - (i) **Food Kiosk;**
 - (j) **Information and Service Provider;**
 - (k) **Market;**
 - (l) **Medical Clinic;**
 - (m) **Office;**
 - (n) **Outdoor Cafe;**
 - (o) **Pet Care Service;**
 - (p) **Print Centre;**
 - (q) **Radio and Television Studio;**
 - (r) **Restaurant: Food Service Only – Small;**
 - (s) **Restaurant: Food Service Only – Medium;**
 - (t) **Restaurant: Licensed – Small;**
 - (u) **Restaurant: Neighbourhood;**
 - (v) **Retail and Consumer Service;**
 - (w) **Seasonal Sales Area;**
 - (x) **Specialty Food Store; and**
 - (y) **Takeout Food Service.**

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Discretionary Uses

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

(a) with the addition of:

- (i) **Community Recreation Facility;**
- (ii) **Dinner Theatre;**
- (jj) **Drinking Establishment – Large;**
- (iii) **Kennel – Urban;**
- (iv) **Performing Arts Centre;**
- (v) **Restaurant: Food Service Only – Large; and**
- (vi) **Restaurant: Licensed – Large.**

(b) with the exclusion of:

- (i) **Addiction Treatment.**

Use Rules

18 A 25.0 per cent minimum open space **frontage** between University Avenue NW and the central **Park** must be provided.

Floor Area Ratio

19 There is no maximum **floor area ratio**.

Building Height

20 The maximum **building height** is 17.0 metres.

Site 3 (0.79 hectares)

Application

21 The provisions in sections 22 through 25 only apply to Site 3.

Permitted Uses

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

2) The following are additional **permitted uses** when located in approved **buildings**:

- (a) **Accessory Food Service;**
- (b) **Artist's Studio;**
- (c) **Billiard Parlor;**
- (d) **Catering Service – Minor;**
- (e) **Computer Games Facility;**
- (f) **Convenience Food Store;**
- (g) **Financial Institution;**
- (h) **Fitness Centre;**
- (i) **Food Kiosk;**
- (j) **Information and Service Provider;**
- (k) **Market;**

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- (l) **Medical Clinic;**
- (m) **Office;**
- (n) **Outdoor Cafe;**
- (o) **Pet Care Service;**
- (p) **Print Centre;**
- (q) **Radio and Television Studio;**
- (r) **Restaurant: Food Service Only – Small;**
- (s) **Restaurant: Food Service Only – Medium;**
- (t) **Restaurant: Licensed – Small;**
- (u) **Restaurant: Neighbourhood;**
- (v) **Retail and Consumer Service;**
- (w) **Seasonal Sales Area;**
- (x) **Specialty Food Store; and**
- (y) **Takeout Food Service.**

Discretionary Uses

23 The ***discretionary uses*** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the ***discretionary uses*** in this Direct Control District, with the addition of:

- (a) **Community Recreation Facility;**
- (b) **Dinner Theatre;**
- (c) **Funeral Home;**
- (d) **Kennel – Urban**
- (e) **Parking Lot – Grade (temporary);**
- (f) **Performing Arts Centre;**
- (g) **Restaurant: Food Service Only – Large; and**
- (h) **Restaurant: Licensed – Large.**

Floor Area Ratio

24 There is no maximum ***floor area ratio***.

Building Height

- 25** (1) Unless otherwise referenced in subsections (2) and (3), the maximum ***building height*** is 36.0 metres.
- (2) The maximum ***building height*** adjacent to the central **Park** is 26.0 metres.
- (3) The maximum ***building height*** for a **Hotel** is 53.0 metres.

Location of Uses within Buildings

26 **Dwelling Units, Assisted Living, Hotel, Live Work Unit** and **Residential Care** may be located on the ground floor of ***buildings***.

Relaxations

27 The ***Development Authority*** may relax the rules contained in Sections 4, 6, 8, 14, 20, 25 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.