

**LAND USE AMENDMENT
UNIVERSITY DISTRICT (WARD 1)
SHAGANAPPI TRAIL NW AND 32 AVENUE NW
BYLAWS 11D2017, 12D2017, 13D2017, 14D2017 AND 15D2017**

MAP 25W

EXECUTIVE SUMMARY

The application proposes to redesignate a total area of 25.14 hectares (ha) ± (62.11 acres (ac)) in the University District community.

The scope of this application replaces various direct control bylaws included in the original Outline Plan and Land Use Amendment application (LOC2013-0062) approved by Council 2014 September 08 and redesignates a site currently designated Special Purpose – Community Institution (S-CI) District to Multi-Residential – High Density Low Rise (M-H1) District and Multi-Residential – High Density Medium Rise (M-H2) District. The subject site is located in the South Shaganappi Communities Area Plan (SSCAP). The SSCAP (and the Municipal Development Plan), both identify the subject lands as a Major Activity Centre (MAC) with design, consultation with adjacent communities, mixed land use, walkability and access to transit as important development considerations.

The application is in alignment with the vision and direction of the recently approved Outline and Land Use plan. The purpose of this redesignation accomplishes three main objectives:

- 1) to accommodate a boundary adjustment (land swap) between the University of Calgary and West Campus Development Trust (WCDT);
- 2) broaden the land uses that pertain to the Main Street and Central Park areas; and
- 3) allow for at grade surface parking which may accommodate short stay motor vehicle parking stalls, visitor parking stalls and laneway units.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 November 03

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 11D2017, 12D2017, 13D2017, 14D2017 and 15D2017; and

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1. **ADOPT** the proposed redesignation of 3.83 hectares \pm (9.46 acres \pm) located at 2500 University Drive NW, 3820 - 24 Avenue NW, 3921 - 32 Avenue NW (Portion of Plan 859JK, Block U; Portion of Plan 1512578, Block 1, Lots 1 and 2) from DC Direct Control District and Special Purpose – Community Institution (S-CI) District **to** Multi-Residential – High Density Low Rise (M-H1) District, Multi-Residential – High Density Medium Rise (M-H2) District, Special Purpose – Community Institution (S-CI) District and DC Direct Control District to accommodate commercial and park development, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 11D2017.
3. **ADOPT** the proposed redesignation of 8.77 hectares \pm (21.67 acres \pm) located at 2500 University Drive NW and 3921 - 32 Avenue NW (Portion of Plan 859JK, Block U; Portion of Plan 1512578, Block 1, Lot 1) from DC Direct Control District **to** DC Direct Control District to accommodate commercial and residential development, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 12D2017.
5. **ADOPT** the proposed redesignation of 5.92 hectares \pm (14.62 acres \pm) located at 3791 - 24 Avenue NW and 3921 and 3825 – 32 Avenue NW (Portion of Plan 1512578, Block 1, Lot 5; Plan 6672JK, Block OT; Portion of Plan 1512578, Block 1, Lot 1) from DC Direct Control District **to** DC Direct Control District to accommodate residential development, in accordance with Administration's recommendation; and
6. Give three readings to the proposed Bylaw 13D2017.
7. **ADOPT** the proposed redesignation of 5.02 hectares \pm (12.4 acres \pm) located at 3921 - 32 Avenue NW (Portion of Plan 1512578, Block 1, Lot 1) from DC Direct Control District **to** DC Direct Control District to accommodate commercial development, in accordance with Administration's recommendation; and
8. Give three readings to the proposed Bylaw 14D2017.
9. **ADOPT** the proposed redesignation of 1.60 hectares \pm (3.94 acres \pm) located at 3791 - 24 Avenue NW (Portion of Plan 1512578, Block 1, Lot 5) from DC Direct Control District **to** DC Direct Control District to accommodate commercial development, in accordance with Administration's recommendation; and
10. Give three readings to the proposed Bylaw 15D2017.

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REASON(S) FOR RECOMMENDATION:

The proposed Land Use Amendment achieves the Municipal Development Plan (MDP) and SSCAP policy objectives by establishing an appropriate mixture of land use typologies and aims to provide high quality urban design and public realm. In addition, the proposal is in alignment with an approved Outline and Land Use Plan for the University District which emphasizes the MDP and SSCAP policy objectives by providing a walkable community with strong transit connections; complete street network layout and design, parking; compatibility and transitioning with surrounding neighbourhoods; coordinating public investment decisions; and open spaces.

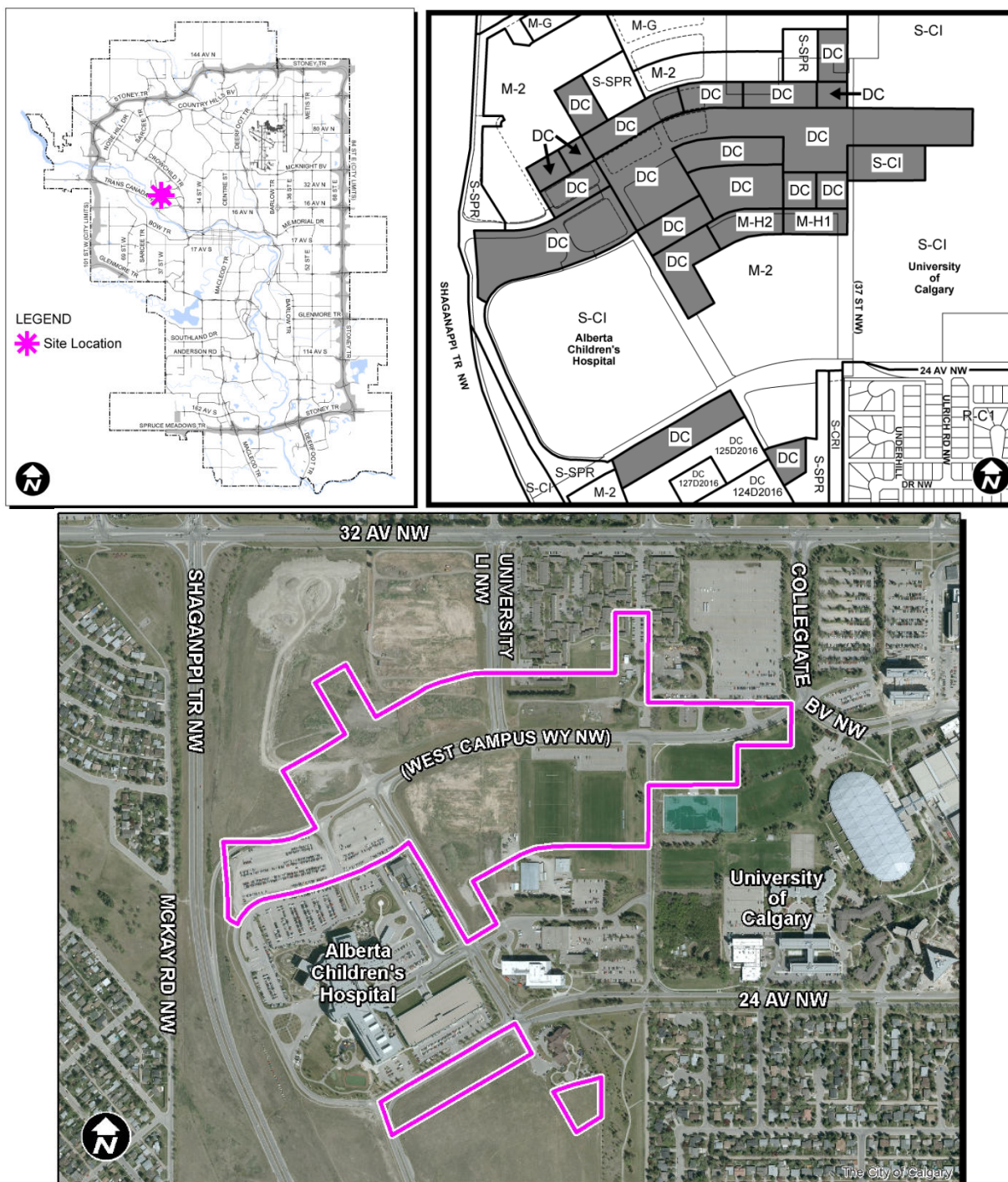
ATTACHMENTS

1. Proposed Bylaw 11D2017
2. Proposed Bylaw 12D2017
3. Proposed Bylaw 13D2017
4. Proposed Bylaw 14D2017
5. Proposed Bylaw 15D2017

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 3.83 hectares \pm (9.46 acres \pm) located at 2500 University Drive NW, 3820 - 24 Avenue NW, 3921 - 32 Avenue NW (Portion of Plan 859JK, Block U; Portion of Plan 1512578, Block 1, Lots 1 and 2) from DC Direct Control District and Special Purpose – Community Institution (S-CI) District **to** Multi-Residential – High Density Low Rise (M-H1) District, Multi-Residential – High Density Medium Rise (M-H2) District, Special Purpose – Community Institution (S-CI) District and DC Direct Control District to accommodate commercial and park development with guidelines (APPENDIX II).

Moved by: G.-C. Carra

Carried: 6 – 0

Absent: R. Wright and M. Foht

2. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 8.77 hectares \pm (21.67 acres \pm) located at 2500 University Drive NW and 3921 - 32 Avenue NW (Portion of Plan 859JK, Block U; Portion of Plan 1512578, Block 1, Lot 1) from DC Direct Control District **to** DC Direct Control District to accommodate commercial and residential development with guidelines (APPENDIX III).

Moved by: G.-C. Carra

Carried: 6 – 0

Absent: R. Wright and M. Foht

3. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 5.92 hectares \pm (14.62 acres \pm) located at 3791 - 24 Avenue NW and 3921 and 3825 – 32 Avenue NW (Portion of Plan 1512578, Block 1, Lot 5; Plan 6672JK, Block OT; Portion of Plan 1512578, Block 1, Lot 1) from DC Direct Control District **to** DC Direct Control District to accommodate residential development with guidelines (APPENDIX IV).

Moved by: G.-C. Carra

Carried: 6 – 0

Absent: R. Wright and M. Foht

4. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 5.02 hectares \pm (12.4 acres \pm) located at 3921 - 32 Avenue NW (Portion of Plan 1512578, Block 1, Lot 1) from DC Direct Control District **to** DC Direct Control District to accommodate commercial development with guidelines (APPENDIX V).

Moved by: G.-C. Carra

Carried: 6 – 0

Absent: R. Wright and M. Foht

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5. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 1.60 hectares \pm (3.94 acres \pm) located at 3791 - 24 Avenue NW (Portion of Plan 1512578, Block 1, Lot 5) from DC Direct Control District to DC Direct Control District to accommodate commercial development with guidelines (APPENDIX VI).

Moved by: G.-C. Carra

Carried: 6 – 0

Absent: R. Wright and M. Foht

Reasons for Approval from Mr. Friesen:

- I supported this change to Land Use as a relatively small adjustment that will allow flexibility for an excellent project at little cost to planning quality.

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AMENDMENT: Delete Direct Control District guideline 7(1)(f) and renumber the guideline accordingly.

Moved by: J. Gondek

WITHDRAWN

Absent: R. Wright and M. Foht

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Applicant:

B & A Planning Group

Landowner:

The Governors of the University of
Calgary

PLANNING EVALUATION

SITE CONTEXT

The subject site is located at the western edge of the University of Calgary, south of 32 Avenue NW, east of Shaganappi Trail NW and north of 16 Avenue NW. The lands are bordered by the communities of Montgomery (to the west), Varsity (to the north), University Heights (to the east) and Parkdale (to the south).

The topography of the site is relatively flat and is currently occupied by several sports fields, surface parking lots and vacant land.

Adjacent land uses consist of predominantly single detached residential in the Montgomery, Varsity and University Heights communities; however, there is a significant institutional presence in the area as the University of Calgary is located to the east, the Foothills Medical Centre is located to the southeast, and the Children's Hospital and Ronald McDonald House. The West Campus Development Trust (WCDDT) has been established by the University of Calgary to oversee the development of the University District (formerly West Campus) lands. The WCDDT model is a unique approach to land development as it is focused on optimizing the return on the land over the long term for the benefit of the University.

An Outline Plan was approved by CPC 2014 July 03 and a Land Use Redesignation was approved by Council 2014 September 08 for the complete University District lands (74.55 hectares (ha) ±).

Portions of the University District lands are currently undergoing stripping and grading work and a number of subdivision phases have already been approved or are in the review process.

LAND USE DISTRICTS

The University District vision for the subject site is to be a high density, mixed use community focused around a retail high street where commercial services and amenities will be located. It introduces a high density residential component to compliment the significant employment opportunities in the area that exist, with additional ones added through the development of the University District lands.

The redesignation proposes changes to an existing series of DC Direct Control land use Districts (highlighted in APPENDICES II to IV). A summary of the proposed changes includes:

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- 1) Main Street (Commercial – Corridor 1 (C-COR1) based DC District)
 - a) Provide additional discretionary uses including:
 - Food Kiosk;
 - Market;
 - Market – Minor;
 - Restaurant Food Service only – Large; and
 - Restaurant Licensed – Large.
 - b) Flexible use areas to accommodate larger format retail stores and supermarket.
 - c) Flexible use locations within buildings to further activate the Main Street.

This component of the proposed redesignation provides a land use that enhances its success by increasing the allowable use areas, accommodates a broader range of uses and directs active uses to the Main Street.

- 2) Central Park (Special Purpose – Central Park based DC District)
 - a) Provide additional discretionary uses including:
 - Convenience Store;
 - Fitness Centre;
 - Information Service Provider;
 - Retail & Consumer Service;
 - Specialty Food Service;
 - Take Out Food Service;
 - Artist Studio; and
 - Social Organization.

This component of the proposed redesignation increases discretionary uses to activate the Park while still limiting the total amount of cumulative building coverage.

- 3) Expansion of Commercial – Corridor 1 (C-COR1) based DC District
 - a) Two parcels presently zoned Multi-Residential – High Density Medium Rise (M-H2) and Commercial – Office (C-O) based DC districts located immediately west of the Central are to be added to the Main Street DC. This includes an additional ±0.79 ha of DC Site 1 and 2 (originally included in Bylaw 96D2014 and 95D2014) to a new C-COR1 based DC District).

This component of the proposed redesignation ensures a consistent land use and promotes active uses adjacent to the Central Park.

- 4) Boundary adjustment (land swap) between the University of Calgary and WCDT
 - a) The site presently included on the east end of the Main Street has now been retained by the University of Calgary for continued use of their athletic fields. They have exchanged these lands with lands south of the Central Park, which are now to be

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redesignated to a multi-residential land use. This exchange includes ± 1.02 ha of DC Site 1 (originally included in Bylaw 97D2014) to be redesignated to Special Purpose – Community Institution (S-CI) (for continued use for University of Calgary functions), with ± 1.35 ha of S-CI District lands to the standard rules of Multi-Residential – High Density Low Rise (M-H1) District and Multi-Residential – High Density Medium Rise (M-H2)) without modifiers.

This component of the proposed redesignation has a strategic location to better frame the Central Park with additional multi-residential.

- 5) Permit at grade parking within the DC sites throughout the University District.
 - a) Allows for surface parking primarily for short stay parking, visitor parking and parking associated with laneway dwelling units.

There is an existing regulation within the existing DC Bylaws that indicates that motor vehicle parking stalls for any use within the District shall be provided in a structured parking facility. Through a more detailed review, this will be overly restricting for future development permits, as it restricts all short term parking in a non-structured facility.

The proposed redesignation follows the intent of the University District vision by still requiring the vast majority of the vehicle parking to be within a structure facility, but also allows for some flexibility for future development to contain short term and limited surface parking provisions.

LEGISLATION & POLICY

Municipal Development Plan (MDP)

The subject lands are identified on the Urban Structure Map of the MDP (Map 1) as a Major Activity Centre (MAC). MACs are defined as areas of high job and population concentrations, located in strategic areas central to larger residential catchments and linked by the primary transit network. Key uses in these areas include at least one major institution; business and employment; high and medium density residential; and retail and supporting services.

The MDP outlines MAC policies related to: establishing an appropriate mixture of land use typologies; density and intensity; urban design; street network layout, design and multi-modal capacity; parking; compatibility and transitioning with surrounding neighbourhoods; coordinating public investment decisions; accessing the primary transit network; and open spaces and the public realm.

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South Shaganappi Communities Area Plan (SSCAP)

The South Shaganappi Communities Area Plan (SSCAP) provides the local area plan policy for the subject lands. This non-statutory plan provides a detailed vision and policy framework for development in the area. The SSCAP recognizes and supports the development of the University District lands as a MAC. It outlines policies related to urban design; transit connectivity; minimum intensity thresholds; mixture of land uses; consultation with adjacent communities; compatibility and transitioning with surrounding neighbourhoods; and environmental design and sustainability considerations.

The proposal meets the intent and aligns with the relevant policies.

TRANSPORTATION NETWORKS

The lands are framed by Shaganappi Trail NW to the west, 16 Avenue NW and 24 Avenue NW to the south, and 32 Avenue NW to the North. All of these roads exist as divided arterials, or a divided skeletal road (16 Avenue NW). The recommendations of the Shaganappi Trail Corridor Study was approved by Council 2015 February 9, and confirmed a long-term vision for the Shaganappi Trail corridor that provides for all modes of transportation.

Calgary Transit currently operates 4 routes with the area with additional routes surrounding the site providing a high level of service. In addition, Calgary Transit is undertaking two studies in the area: NW-HUB Transit Enhancement Study is investigating options to improve mobility, to, from and within the Major Activity Centre that University District is located in. The North Crosstown BRT is one of four new BRT routes added to The City of Calgary's primary transit network that will fill gaps in the existing transit network. The North Crosstown BRT will provide east-west connectivity across the city and provide service to major destinations like Foothills Medical Centre, Alberta Children's Hospital, SAIT, University of Calgary, McMahon Stadium, North Hill Centre, and the Genesis Centre. Capital funding for the North Crosstown BRT has been allocated and will provide service to University District. Because of this existing level of service, and planned increases, transportation analysis for this application projected a higher than average modal split towards public transit for this neighbourhood.

The site will be accessed through the existing interchange at University Boulevard NW and 16 Avenue NW, the existing signalized intersection at 24 Avenue NW and McLaurin Street NW, the existing intersection of 39 Street and 32 Avenue NW, and a new signalized intersection between University Avenue and Shaganappi Trail NW.

A Transportation Impact Assessment (Watt Consulting Group, 2014) was provided in support of the initial Land Use application (LOC2013-0062), has been accepted by the Transportation Department and is still applicable to this proposal. Recommended improvements to the transportation network within the report will be implemented during future construction phases.

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UTILITIES & SERVICING

Utilities and Servicing components were submitted previously at the Outline Plan stage, with details to be approved at the tentative plan stage. All proposed infrastructure is to be to City of Calgary specifications.

A second Land Use redesignation application has been submitted which proposes to redesignate the corner of Shaganappi Trail and 32 Avenue NW from Multi-Residential – Medium Profile (M-2) District, Special Purpose – City and Regional Infrastructure (S-CRI) District, Special Purpose – School, Park and Community Reserve (S-SPR) District and Undesignated Road Right-of-Way to accommodate residential development parcels, park space and an expanded storm pond facility. The intent is to provide enhancement features to this important intersection and provide some limited new development lands.

ENVIRONMENTAL ISSUES

There are no environmental issues associated with the site's development.

ENVIRONMENTAL SUSTAINABILITY

A key element integrated into the University District promoting environmental sustainability includes the achievement of LEED ND (Leadership in Energy and Environmental Design for Neighbourhood Development) Platinum certification. The University District neighbourhood development as a whole has been deemed environmentally superior, considering the development's location and access, its internal pattern and design, and its use of green technology and building techniques.

GROWTH MANAGEMENT

There are no further growth management concerns at this time.

PUBLIC ENGAGEMENT

Community Association Comments

The application was circulated to all the immediately surrounding communities with no objections: Montgomery, Parkdale, University Heights, Varsity, St. Andrews.

Citizen Comments

No comments received by CPC Report submission date.

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Public Meetings

The WCDT and City Administration actively attend the South Shaganappi Area Strategic Planning Group (SSASPG) every month. This group consists of community and institution stakeholders in the area. The proposed redesignation was presented numerous times prior to an official application (2015 December 02, 2016 January 14 and 2016 February 03) and the progress has been updated to the group every month since.

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APPENDIX I

APPLICANT'S SUBMISSION

West Campus Development Trust has requested B&A Planning Group to prepare a land use redesignation for 3791 & 3820 24th Ave NW, 3921 & 3825 32 Avenue NW, and 2500 University Drive NW within the University District. The site is vacant at present.

The subject site presently consists of a series of Direct Control land use designations conceived as part of the University District Master Plan. B&A Planning Group has submitted a land use redesignation application to accommodate a boundary adjustment between the University of Calgary & West Campus Development Trust and broaden the land uses that pertain the Main Street and Central Park. This amendment would result in a new Direct Control land uses to replace the following:

- Direct Control 98D2014 provides for the Central Park (±1.46 ha)
- Direct Control 97D2014 Site 1 and Site 2 based on the C-COR1 designation and provides for Main Street uses (±7.98 ha)
- Direct Control 96D2014 Site 2 based on the C-O designation (±0.39 ha)
- Direct Control 95D2014 Site 1 based on the M-H2 designation (±0.40 ha)
- S-CI provides for lands owned by the University of Calgary (±1.35 ha)

As we have been working through the previously submitted application; we became aware of the following parking restriction in all the Direct Control Districts within the University District:

“Motor vehicle parking stalls for any use within this Direct Control District shall be provided in an above grade or below grade parking structure;”

As this provision would not allow any surface parking related to short stay parking, visitor parking, or surface parking associated with laneway dwelling units; we have requested that this provision be amended and included with our original application. This would result in new Direct Control Districts for the following existing land use districts to address this item:

- Direct Control 95D2014 Site 1
- Direct Control 95D2014 Site 2
- Direct Control 95D2014 Site 3
- Direct Control 95D2014 Site 4
- Direct Control 95D2014 Site 5
- Direct Control 96D2014 Site 1
- Direct Control 96D2014 Site 2
- Direct Control 123D2016

As our application is supported by both the Municipal Development Plan and the South Shaganappi Communities Area Plan; we look forward to Administration's and Council's support of our application.

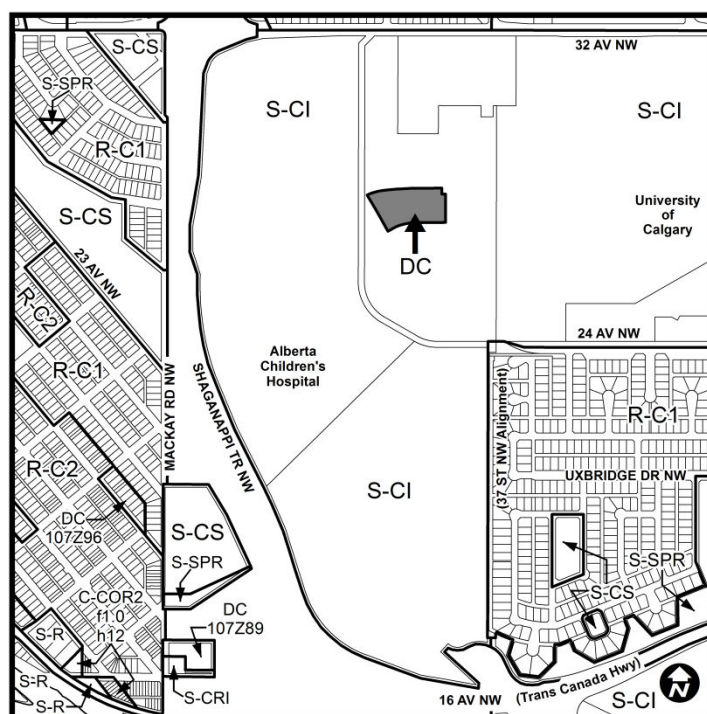
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APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

(Bylaw 1): (DC based on Special Purpose – Central Park (S-CP) District)



Purpose

1 This Direct Control District is intended to:

- (a) provide for **Parks**, open space, park utility facilities, and recreation facilities;
- (b) allow for **uses** which complement the open space nature of the **Park** while facilitating events and activities that add to the overall vibrancy of the community;
- (c) allow for the incorporation of below **grade** parking in the central park open space if the site is not dedicated as a Municipal Reserve;
- (d) allow for options in creation of the **Park** as either Municipal Reserve or as a publically accessible **Park** space provided through a means other than a Municipal Reserve; and

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- (e) allow **building** of an appropriate size and with beneficial **uses** that are sited and designed to be integrated in a manner that is complimentary within the **Park**.

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 following **uses** are **permitted uses** in this Direct Control District:

- (a) **Market;**
- (b) **Market Minor;**
- (c) **Natural Area;**
- (d) **Outdoor Recreation Area;**
- (e) **Park;**
- (f) **Park Maintenance Facility – Small;**
- (g) **Parking Lot – Structure;**
- (h) **Power Generation Facility – Small;**
- (i) **Sign – Class A; and**
- (j) **Utilities.**

Discretionary Uses

- 5 The following **uses** are **discretionary uses** in this Direct Control District:

- (a) **Artist's Studio;**
- (b) **Child Care Service;**
- (c) **Convenience Food Store;**
- (d) **Community Entrance Feature;**
- (e) **Community Recreation Facility;**
- (f) **Fitness Centre;**
- (g) **Food Kiosk;**
- (h) **Indoor Recreation Facility;**
- (i) **Information and Service Provider;**
- (j) **Library;**
- (k) **Museum;**
- (l) **Outdoor Café;**
- (m) **Restaurant: Food Service Only – Medium;**
- (n) **Restaurant: Food Service Only – Small;**

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- (o) Restaurant: Licensed - Medium;
- (p) Restaurant: Licensed - Small;
- (q) Retail and Consumer Service;
- (r) Parking Lot – Grade (temporary);
- (s) Special Function – Class 1;
- (t) Special Function – Class 2;
- (u) Social Organization;
- (v) Specialty Food Service;
- (w) Sign – Class B;
- (x) Sign – Class C;
- (y) Sign – Class D;
- (z) Sign – Class E;
- (aa) Take Out Food Service; and
- (bb) Utility Building.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the General Rules for Special Purpose Land Use Districts of Bylaw 1P2007 apply in this Direct Control District.

Development Plans

- 7 Comprehensive plans must be submitted to the **Development Authority** as part of a **development permit** application. These comprehensive plans must show all proposed **buildings** for the central **Park** area; outdoor patio areas; lighting; **Park** furniture; finalized landscaping plans; and all sidewalk / pathway connections in addition to the requirements of Bylaw 1P2007.

Use Rules

- 8 Section 671, as amended, of the Municipal Government Act, pertaining to use of reserve land applies.

Front, Rear and Side Setback Area

- 9 The **setback area** from every **property line** must have a minimum depth of 3.0 metres.

Building Height

- 10 The maximum **building height** for any **building** within this Direct Control District is 10.0 metres.

Building Coverage

- 11 The maximum cumulative **building coverage** on the **parcel** is 1,500 square metres.

Landscaping In Setback Areas

- 12 All **uses** must provide a minimum of: 1.0 trees and 2.0 shrubs for every 45.0 square metres within all **setback areas**.

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Access Requirements

- 13 (1) Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest **street**.
- (2) Where a **building** contains more than one **use**, every **use** that has an exterior **public entrance** must either:
- (a) have a sidewalk connecting the **public entrance** to the sidewalk referenced in subsection (1); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk or to the nearest **street**.
- (3) Every **building** on the **parcel** must have at least one sidewalk connecting the parking area to the **public entrances** of the **building**.
- (4) Every sidewalk provided must:
- (a) be a **hard surfaced landscaped area**;
 - (b) be a minimum width of 2.0 metres; and
 - (c) be raised above the surface of the parking area, when located in a parking area.

Parking Requirement

- 14 (1) The **Development Authority** may, upon request from the applicant, consider a relaxation of the required **motor vehicle parking stalls** and **visitor parking stalls** for a **development** where a parking study submitted as part of a **development permit** application demonstrates that the **motor vehicle parking stall** requirement or **visitor parking stall** requirements should vary from the requirements of this Direct Control District. 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** within a **Parking Lot - Structure** to be used for public access must be located beneath surface and may be used to satisfy minimum parking requirements for **uses** within this Direct Control District.

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Discretionary Use That Does Not Comply

15 The ***Development Authority*** may approve a ***development permit*** application for a ***discretionary use*** where the proposed ***development*** does not comply with all of the applicable requirements and rules of this Direct Control District if in the opinion of the ***Development Authority***:

- (a) the proposed ***development*** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- (b) the proposed ***development*** conforms with a ***use*** prescribed by this Direct Control District for that land or ***building***.

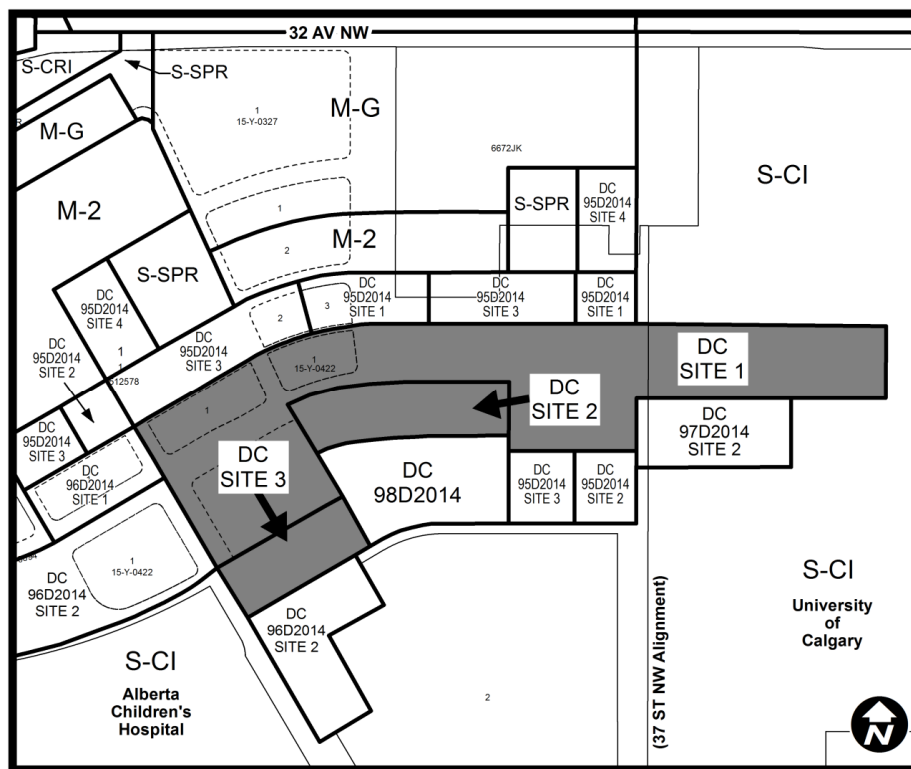
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APPENDIX III

PROPOSED DIRECT CONTROL GUIDELINES

(Bylaw 2): (DC based on Commercial – Corridor 1 (C-COR1) District)



Purpose

1 This Direct Control District 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;

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- (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;
- (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**;
- (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;
- (i) establish a high proportion of glazing on the ground floor of commercial **buildings**, to maximize natural illumination within **buildings** and create transparency, maximum visibility, and interest to the mutual benefit of retail owner and shopper;
- (j) establish where appropriate, recessed entrance ways to storefronts and include additional detailing, to portray and celebrate a sense of arrival;
- (k) incorporate architectural interest in the design of the **street** wall through the use of colour, change in **building** materials, and vertical and horizontal expression, to create interest along the **street** and contribute to the human scale of **street** spaces;
- (l) incorporate canopies extending out towards the **street** for weather protection purposes; and
- (m) have the majority of the **motor vehicle parking stalls** located within parking structures except in specific cases for **visitor parking stalls**, short stay parking and **lane** facing **units**.

Compliance with Bylaw 1P2007

- 2** Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply.

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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.

Bylaw 1P2007 Rules

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

Development Plans

- 5 Comprehensive plans must be submitted to the **Development Authority** as part of a **development permit** application. These comprehensive plans must show all proposed **buildings**; access locations, drive aisles, parking and loading areas; outdoor patio areas; lighting; park furniture; finalized landscaping plans; and all sidewalk / pathway connections in addition to the requirements of Bylaw 1P2007.

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.
- (2) There is no maximum **use area** requirement for **uses** located on upper floors of a **building** 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 930.0 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**.

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Location of Uses within Buildings

- 7 (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) **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) **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 of **buildings** to contain a minimum percentage of “Commercial Uses”.

Front Setback Area

- 8 (1) The **front setback area** for any **building** along the main retail **street** on the south side of the **street** must have a minimum depth of 0.0 metres and a maximum depth of 2.0 metres.
- (2) The **front setback area** for any **building** along the main retail **street** on the north side of the **street** must have a minimum depth of 3.0 metres and maximum depth of 6.0 metres.
- (3) In the event that a 0.0 metre setback is applied in subsection 8(1) inset doorways to allow for safe movement of pedestrians will be required.

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 submitted as part of a **development permit** application demonstrates that the **motor vehicle parking stall** requirement or **visitor parking stall** requirements should vary from the requirements of this Direct Control District Bylaw. This review will be subject to normal relaxation considerations as defined in Bylaw 1P2007 and may include provisions for

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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) short stay **motor vehicle parking stalls** where:
 - (i) a vehicle remains parked for no more than 4 hours at a time; and
 - (ii) there is convenient pedestrian access to the **street** level and publicly accessible **uses** within the **development**;
- (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 (± 17.01 acres (6.88 hectares))

Application

- 10 The provisions of sections 11 to 13 only apply to Site 1 of this Direct Control District.

Permitted Uses

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

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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) **Community Recreation Facility;**
- (b) **Dinner Theatre;**
- (c) **Food Kiosk;**
- (d) **Funeral Home;**
- (e) **Market;**
- (f) **Market – Minor;**
- (g) **Parking Lot – Grade (temporary);**
- (h) **Parking Lot – Structure;**
- (i) **Performing Arts Centre;**
- (j) **Restaurant Food Service Only – Large; and**
- (k) **Restaurant Licensed – Large.**

Building Height

- 13 (1) Unless otherwise referenced, the maximum ***building height*** is 23.0 metres;
- (2) The maximum ***building height*** for a **Hotel** is 53.0 metres measured above ***grade***.

Site 2 (± 2.73 acres (1.10 hectares))

Application

14 The provisions in sections 15 through 19 apply only to Site 2.

General Definitions

15 ***Publicly accessible amenity space*** means open space located on a privately owned ***parcel*** that is accessible to the public and designed for active or passive use, which may have some form of covering but is generally open air space that is not fully enclosed, and is in a location, form, and configuration acceptable to the ***Development Authority***.

Permitted Uses

16 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

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:

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- (i) Food Kiosk;
 - (ii) Market;
 - (iii) Market – Minor;
 - (iv) Restaurant Food Service Only – Large; and
 - (v) Restaurant Licensed – Large; and
- (b) with the exclusion of:
- (i) Addiction Treatment; and
 - (ii) Funeral Home.

Use Rules

- 18** A 25.0 per cent minimum open space **frontage** between the main retail **street** and the central **Park** must be provided.

Building Height

- 19** The maximum **building height** is 17.0 metres.

Site 3 (± 1.95 acres (0.79 hectares))

Application

- 20** The provisions in sections 21 through 24 only apply to Site 3 of this Direct Control District.

Permitted Uses

- 21** 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

- 22** 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) Food Kiosk;
 - (e) Market;
 - (f) Market - Minor;
 - (g) Parking Lot – Grade (temporary);
 - (h) Parking Lot – Structure;
 - (i) Performing Arts Centre;
 - (j) Restaurant Food Service Only – Large; and
 - (k) Restaurant Licensed – Large.

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Building Height

- 23** (1) Unless otherwise referenced in sections (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

- 24** The ground floor of ***buildings*** may contain "Commercial Uses", ***discretionary uses*** contained in section 22 of this Direct Control District and **Dwelling Units**.

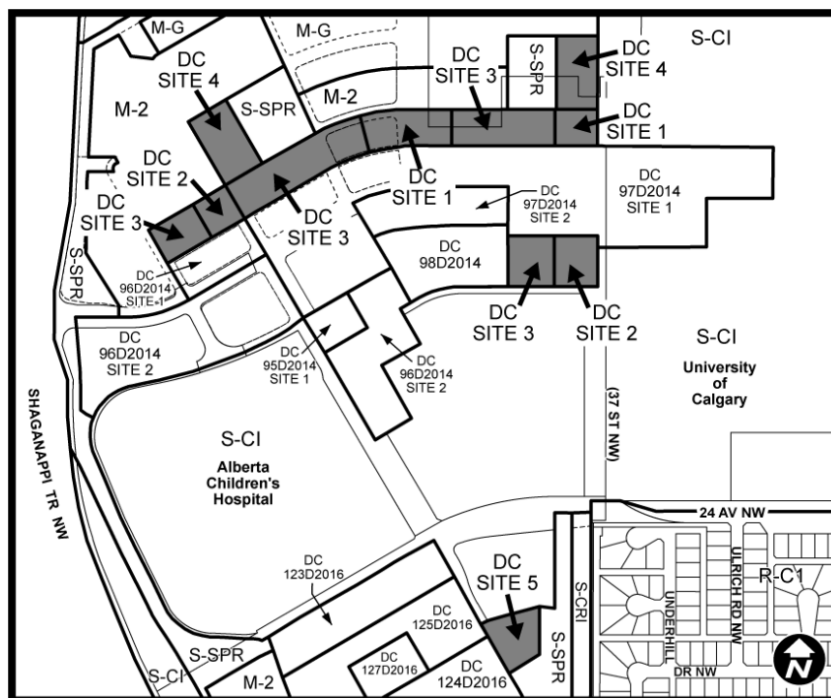
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APPENDIX IV

PROPOSED DIRECT CONTROL GUIDELINES

(Bylaw 3): (DC based on Multi-Residential Districts)



Purpose

1 The intent of this Direct Control District is to:

- (a) provide a diversity of multi-residential housing forms and **unit** size choices to attract a diversity of users;
- (b) create a residential fabric that builds community by having direct relationships to the **streets**, with animation at the ground level defined by useable front garden rooms, front porches, front entrances to the **street**, and human scale façade treatments and design elements;
- (c) allow for innovation in housing form in addition to the prescribed housing typologies, such as **suites** over garages, separate entries for above **grade** units in **Townhouses**, and home **Office** and studios.

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- (d) allow the flexibility for change in **use** for at **grade uses** on certain sites over time;
- (e) provide quality landmark higher **density** residential **buildings** that provide visual interest and a transition between the main **street** and the **residential district**;
- (f) provide **building** articulation to create quality streetscapes that may include human scale façade treatments, visible entrances that front the **street**, **building** fenestration and façade design detail to avoid flat façade appearances, and varied **balcony** forms - inset and protruding, designed as integral parts of the **building** rather than appearing to be "tacked on"; and
- (g) have the majority of the **motor vehicle parking stalls** located within parking structures except in specific cases for **visitor parking stalls**, short stay parking and **lane** facing **units**.

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.

Parking Requirements for all Sites

- 4** The **Development Authority** may, upon request from the applicant, consider a relaxation of the required **motor vehicle parking stalls** and **visitor parking stalls** for a **development** where a parking study submitted as part of a **development permit** application demonstrates that the **motor vehicle parking stall** requirement or **visitor parking stall** requirements should vary from the requirements of this Direct Control District Bylaw.

Parking Requirements for Sites 1, 2 and 3

- 5** (1) **Motor vehicle parking stalls** for any **use** within this Direct Control District must be provided in an above grade or below grade parking structure.
- (2) Notwithstanding subsection (1), a temporary **development permit** may be issued for **Parking Lot – Grade (temporary)**.
- (3) Notwithstanding subsection (1), the **Development Authority** may approve **motor vehicle parking stalls**, outside of a parking structure for the following purposes:
- (a) **visitor parking stalls**;

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- (b) **motor vehicle parking stalls** for **units** that face a **lane**; and
- (c) short stay **motor vehicle parking stalls** where:
 - (i) a vehicle remains parked for no more than 4 hours at a time; and
 - (ii) there is convenient pedestrian access to the **street** level and publicly accessible **uses** within the **development**.
- (4) **Motor vehicle parking stalls** located outside of a parking structure must not be located between a **building** and a commercial **street**.

Discretionary Use That Does Not Comply

6 The **Development Authority** may approve a **development permit** application for a **discretionary use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Direct Control District if in the opinion of the **Development Authority**:

- (a) the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the **use**, enjoyment or value of neighbouring properties; and the proposed **development** conforms with a **use** prescribed by this Direct Control District for that land or **building**.

Site 1 (± 2.27 acres (0.92 hectares))

Application

7 The provisions in sections 8 through 13 apply only to Site 1.

Purpose

8 Site 1 in this Direct Control District is intended to:

- (a) allow for additional **building height** on strategic **parcels** in order to create gateways to the main retail **street**, to create visual markers and landmarks, and to diversify housing type and **unit** options;
- (b) allow for flexibility in **building** articulation;
- (c) make use of design elements that contribute to diversity in **building** façade treatments. Design elements can include projecting roofs, trellises, sunscreens, extended wall planes, a change in wall materials or direction of materials (horizontal to vertical); and

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- (d) allow for a change in vertical and horizontal expression or a change in materials on the façades of **buildings** to differentiate the lower portion of a **building** (one to three **storeys**) intended to create a human scale relationship to the **street**, from the upper portion of a **building**.

Permitted Uses

- 9** The **permitted uses** of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 10** The **discretionary uses** of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Parking Lot – Grade (temporary).**

Bylaw 1P2007 Rules

- 11** Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 apply in this Direct Control District.

Building Height

- 12** The maximum **building height** is 50.0 metres.

Floor Area Ratio

- 13** The maximum **floor area ratio** is 9.3.

Site 2 (± 1.74 acres (0.70 hectares))

Application

- 14** The provisions in section 15 through 20 apply only to Site 2.

Purpose

- 15** Site 2 in this Direct Control District is intended to:

- (a) allow for additional **building height** on strategic parcels in order to create gateways to the main retail **street**, to create visual markers and landmarks, and to diversify housing type and **unit** options;
- (b) allow for flexibility in **building** articulation;
- (c) make use of design elements that contribute to diversity in **building** façade treatments. Design elements can include projecting roofs, trellises, sunscreens, extended wall planes, a change in wall materials or direction of materials (horizontal to vertical); and

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- (d) allow for a change in vertical and horizontal expression or a change in materials on the façades of **buildings** to differentiate the lower portion of a building (one to three **storeys**) intended to create a human scale relationship to the **street**, from the upper portion of a **building**.

Permitted Uses

- 16** The **permitted uses** of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 17** The **discretionary uses** of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:

- (a) **Parking Lot – Grade (temporary).**

Bylaw 1P2007 Rules

- 18** Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential - High Density Medium Rise (M-H2) District of Bylaw 1P2007 apply in this Direct Control District.

Building Height

- 19** The maximum **building height** is 44.0 metres.

Floor Area Ratio

- 20** The maximum **floor area ratio** is 7.0.

Site 3 (± 6.49 acres (2.63 hectares))

Application

- 21** The provisions in section 22 through 26 apply only to Site 3.

Purpose

- 22** Site 3 in this Direct Control District is intended to:

- (a) allow for flexibility in **building** articulation;
- (b) make use of design elements that contribute to diversity in **building** façade treatments. Design elements can include projecting roofs, trellises, sunscreens, extended wall planes, a change in wall materials or direction of materials (horizontal to vertical); and

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- (c) allow for a change in vertical and horizontal expression or a change in materials on the façades of **buildings** to differentiate the lower portion of a **building** (one to three storeys) intended to create a human scale relationship to the **street**, from the upper portion of a **building**.

Permitted Uses

- 23** 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

- 24** 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 addition of:

- (a) **Parking Lot - Grade (temporary).**

Bylaw 1P2007 Rules

- 25** Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential - High Density Low Rise (M-H1) District of Bylaw 1P2007 apply in this Direct Control District.

Building Height

- 26** The maximum **building height** is 26.0 metres.

Site 4 (± 2.95 acres (1.19 hectares))

Application

- 27** The provisions in sections 28 through 33 apply only to Site 4.

Purpose

- 28** Site 4 in this Direct Control District is intended to:

- (a) allow for mixed-use multi-residential **development** that can accommodate a **School Authority - School** or **School - Private** and **Child Care Services** as **permitted uses** on the first and second level of the **building** with residential above;
- (b) allow for interim **Office** and **Community Recreation Facility uses** prior to a school being utilized on the property; and

Permitted Uses

- 29** The **permitted uses** of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 are the **permitted uses** of this Direct Control District, with the addition of:

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- (a) Community Recreation Facility;
- (b) Office;
- (c) School Authority – School; and
- (d) School – Private.

Discretionary Uses

30 The *discretionary uses* of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District, with the deletion of:

- (a) Addiction Treatment.

Bylaw 1P2007 Rules

31 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential – Medium Profile (M-2) District of Bylaw 1P2007 apply in this Direct Control District.

Floor Area Ratio

32 The maximum *floor area ratio* is 3.6.

Building Height

33 The maximum *building height* is 21.0 metres.

Site 5 (± 1.18 acres (0.48 hectares))

Application

34 The provisions in sections 35 through 39 apply only to Site 5.

Purpose

35 Site 5 in this Direct Control District is intended to:

- (a) allow for **Multi-Residential Development**, such as apartments, to have shared entrances for upper *units*; and
- (b) create a unique area that will accommodate a mixture and diversity of housing *units* within a block including **Semi-detached Dwellings**, **Townhouse**, and apartment dwellings;

Permitted Uses

36 The *permitted uses* of the Multi-Residential – At-Grade (M-G) District of Bylaw 1P2007 are the *permitted uses* of this Direct Control District, with the addition of:

- (a) **Semi-detached Dwelling.**

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Discretionary Uses

- 37 The ***discretionary uses*** of the Multi-Residential – At-Grade (M-G) District of Bylaw 1P2007 are the ***discretionary uses*** in this Direct Control District.

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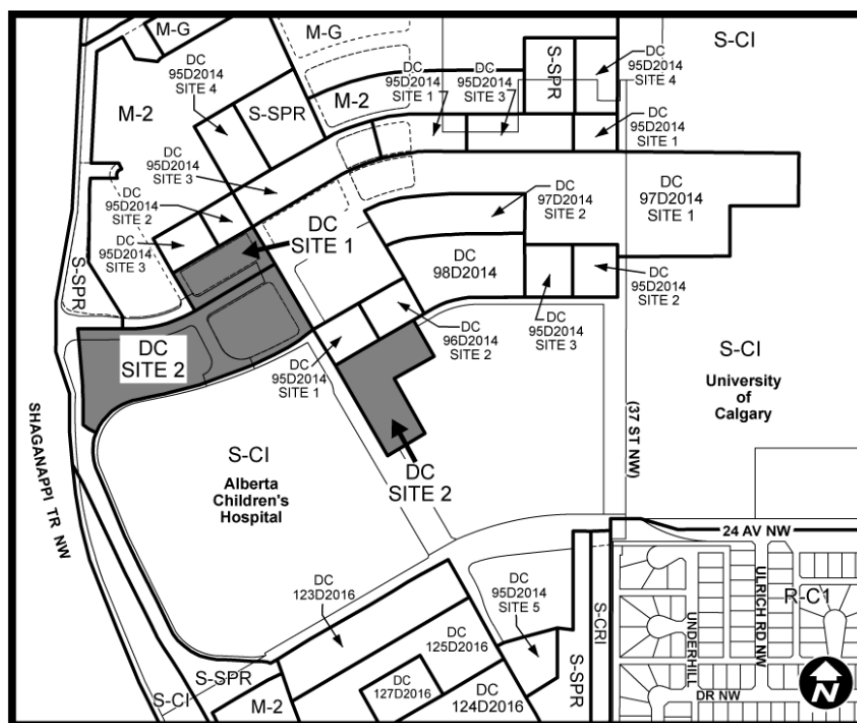
- 38 Unless otherwise specified in this Direct Control District, the rules of the Multi-Residential – At Grade Housing (M-G) District of Bylaw 1P2007 apply in this Direct Control District.

Building Form

- 39 Each ***unit*** at ***grade*** must have a separate and direct pedestrian access to ***grade*** for any ***unit*** fronting a ***street*** with the exception of **Assisted Living** and **Residential Care Units**.

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(Bylaw 4): (DC based on Commercial – Office (C-O) District)



1 This Direct Control District is intended to:

- (a) create a character of place for the employment precinct that is compact and urban in context;
- (b) provide a new **frontage** to the **Hospital**, with **building** addresses fronting the surrounding **Hospital streets**;
- (c) prescribe **building setbacks** that will create a pedestrian oriented environment where **frontages** and entrances are close to the sidewalk and **street** in order to engage the public realm;
- (d) provide a setback in keeping with the setback along the High Street on the north side of the main retail **street**;

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- (e) to allow for **Assisted Living** and **Residential Care** as a *permitted use* in selected Direct Control District Sites; and
- (f) have the majority of the **motor vehicle parking stalls** located within parking structures except in specific cases for short stay parking.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply.

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.

Bylaw 1P2007 Rules

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

Parking Requirements

- 5 (1) The **Development Authority** may, upon request from the applicant, consider a relaxation of the required **motor vehicle parking stalls** and **visitor parking stalls** for a **development** where a parking study submitted as part of a **development permit** application demonstrates that the **motor vehicle parking stall** requirement or **visitor parking stall** requirements should vary from the requirements of this Direct Control District Bylaw. 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 **Parking Lot – Grade (temporary)**.
- (4) Notwithstanding subsection (2), the **Development Authority** may approve **motor vehicle parking stalls**, outside of a parking structure for the following purposes:
- (a) short stay **motor vehicle parking stalls** where:
 - (i) a vehicle remains parked for no more than 4 hours at a time; and

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- (ii) there is convenient pedestrian access to the **street** level and publicly accessible **uses** within the **development**.
- (5) **Motor vehicle parking stalls** located outside of a parking structure must not be located between a **building** and a commercial **street**.

Discretionary Use That Does Not Comply

- 6 The **Development Authority** may approve a **development permit** application for a **discretionary use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Direct Control District if in the opinion of the **Development Authority**:
- (a) the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - (b) the proposed **development** conforms with a **use** prescribed by this Direct Control District for that land or **building**.

Site 1 (± 1.79 acres (0.73 hectares))

Application

- 7 The provisions in sections 8 through 13 apply only to Site 1.

Permitted Uses

- 8 The **permitted uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 9 The **discretionary uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
- (a) **Hotel**; and
 - (b) **Parking Lot – Grade (temporary)**.

Front Setback Area

- 10 The **front setback area** for any **building** along the main retail **street** on the north side of the **street** must have a minimum depth of 3.0 metres and a maximum depth of 6.0 metres.

Rear Setback

- 11 Where the **parcel** shares a **rear property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres.

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Side Setback Area

- 12 (1) Where the *parcel* shares a **side property line** with a **street**, or with an **LRT corridor**, the **side setback area** must have a minimum depth of 3.0 metres;
- (2) In all other cases, the setbacks in the Commercial – Office (C-O) District of Bylaw 1P2007 apply.

Building Height

- 13 (1) Unless otherwise specified in subsection (2), the maximum **building height** is 34.0 metres.
- (2) The maximum **building** height for a **Hotel** is 58.0 metres.

Site 2 (± 10.6 acres (4.29 hectares))

Application

- 14 The provisions in sections 15 through 20 apply only to Site 2.

Permitted Uses

- 15 The **permitted uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 16 The **discretionary uses** of the Commercial – Office (C-O) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
- (a) **Hotel**; and
 - (b) **Parking Lot - Grade (temporary)**.

Front Setback Area

- 17 The **front setback area** for all **parcels** within Site 2 must have a maximum depth of 3.0 metres.

Rear Setback

- 18 Where the *parcel* shares a **rear property line** with a **street**, the **rear setback area** must have a minimum depth of 3.0 metres.

Side Setback Area

- 19 (1) Where the *parcel* shares a **side property line** with a *parcel* designated as a **special purpose district**, or with an **LRT corridor** or **street**, the **side setback area** must have a minimum depth of 3.0 metres.

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- (2) In all other cases, the setbacks in the Commercial – Office (C-O) District of Bylaw 1P2007 apply.

Building Height

- 20 (1) Unless otherwise specified in subsection (2) and (3), the maximum **building height** is 34.0 metres.
- (2) Notwithstanding the above, the maximum **building height** is reduced to 18 metres when the **building** is within the flight path of the Children's **Hospital**.
- (3) The maximum **building height** for a **Hotel** is 58.0 metres, if the **building** is not within the flight path of the Children's **Hospital**.

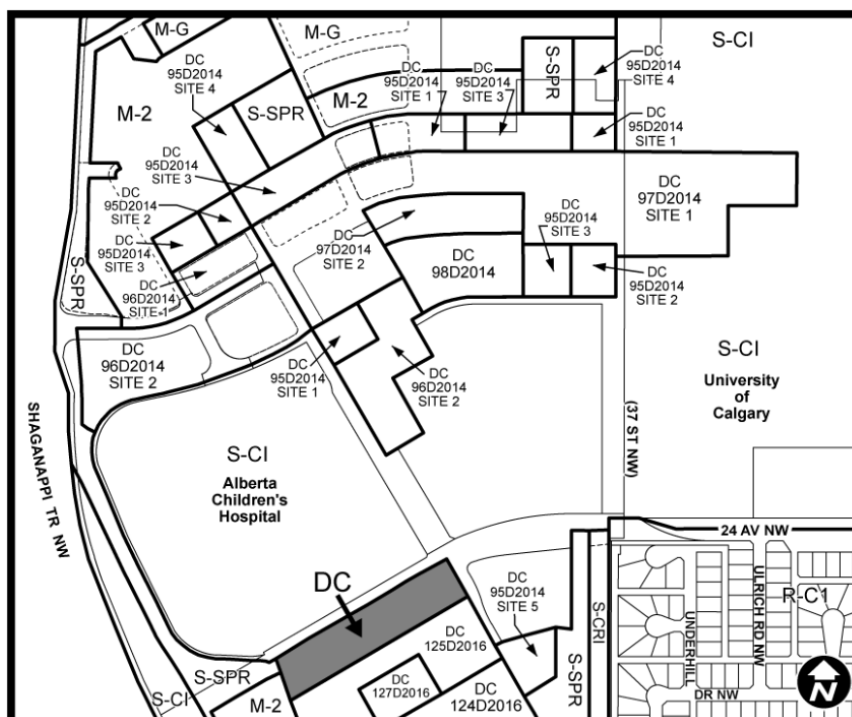
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APPENDIX VI

PROPOSED DIRECT CONTROL GUIDELINES

(Bylaw 5): (DC based on Commercial – Office (C-O) District)



Purpose

1 This Direct Control District is intended to:

- (a) create a character of place for the employment precinct that is compact and urban in context;
- (b) provide a new **frontage** to the **Hospital**, with **building** addresses fronting the surrounding **Hospital streets**;
- (c) prescribe **building setbacks** that will create a pedestrian oriented environment where **frontages** and entrances are close to the sidewalk and **street** in order to engage the public realm;
- (d) provide a setback in keeping with the setback along the High Street on the north side of the main retail **street**;

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- (e) allow for **Assisted Living** and **Residential Care** as a *permitted use* in selected Direct Control District Sites;
- (f) accommodate the additional *use* of **Parking Lot – Grade (temporary)** to provide temporary parking when required to enable redevelopment of the surrounding Provincial lands; and
- (g) have the majority of the *motor vehicle parking stalls* located within parking structures except in specific cases for short stay parking.

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 – Office (C-O) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District with the addition of:
- (a) **Assisted Living**; and
 - (b) **Residential Care**.

Discretionary Uses

- 5 The *discretionary uses* of the Commercial – Office (C-O) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District with the addition of:
- (a) **Parking Lot – Grade (temporary)**.

Bylaw 1P2007 Rules

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

Parking Requirements

- 7 (1) The *Development Authority* may, upon request from the applicant, consider a relaxation of the required *motor vehicle parking stalls* and *visitor parking stalls* for a *development* where a parking study submitted as part of a *development permit* application demonstrates that the *motor vehicle parking stall* requirement or *visitor parking stall* requirements should vary from the requirements of this Direct Control District Bylaw. This review will be subject to normal relaxation considerations as defined in Bylaw 1P2007 and may include

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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**, with the exception of **Parking Lot – Grade (temporary)** within this Direct Control District must be provided in an above **grade** or below **grade** parking structure.
- (3) Notwithstanding subsection (2), the **Development Authority** may approve **motor vehicle parking stalls**, outside of a parking structure for the following purposes:
 - (a) short stay **motor vehicle parking stalls** where:
 - (i) a vehicle remains parked for no more than 4 hours at a time; and
 - (ii) there is convenient pedestrian access to the **street** level and publicly accessible **uses** within the **development**; and
- (4) **Motor vehicle parking stalls** located outside of a parking structure must not be located between a **building** and a commercial **street**.

Discretionary Use That Does Not Comply

8 The **Development Authority** may approve a **development permit** application for a **discretionary use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Direct Control District if in the opinion of the **Development Authority**:

- (a) the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- (b) the proposed **development** conforms with a **use** prescribed by this Direct Control District 1P2007 for that land or **building**.

Front Setback Area

9 The **front setback area** must have a minimum depth of 0.0 metres and a maximum depth of 3.0 metres.

Rear Setback

10 (1) Where the **parcel** shares a **rear property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres.

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- (2) In all other cases, the setbacks in the Commercial – Office (C-O) District of Bylaw 1P2007 apply.

Side Setback Area

- 11 (1) Where the *parcel* shares a *side property line* with a *street*, or with a *LRT corridor*, the *side setback area* must have a minimum depth of 3.0 metres.
- (2) In all other cases, the setbacks in the Commercial – Office (C-O) District of Bylaw 1P2007 apply.

Building Height

- 12 The maximum *building height* is 18.0 metres.

Development Permit Requirements

- 13 A *development permit* for **Parking Lot – Grade (temporary)** must not be approved for a period exceeding thirty-six (36) months.