

APPLICANT SUBMISSION

Land Use Redesignation Application LOC 2014-0054

CITY OF CALGARY
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ITEM Distribution
Redesignation
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This submission for Land Use Redesignation is intended to replace the existing DC District Bylaw with a new DC District Bylaw to create a more dynamic mixed-use addition to the neighbourhood. The vision for the redevelopment of the Eau Claire Market site is iconic, vibrant, populated and diverse, incorporating residential, retail, hotel, office and entertainment uses. Working with adjacent community stakeholders and a number of City departments, we are confident that this project will meet the Centre City vision, and the goals of the Eau Claire ARP.

1. A PRIMARILY RESIDENTIAL MIXED-USE DEVELOPMENT WITH OFFICE

Mixed-use projects create vibrant pedestrian-oriented communities when the variety of uses attract people at different times, animating the streets, and, in this case, Eau Claire Plaza, over a longer duration of the day. Office uses provide daytime patrons critical to year-round economic viability for the retail. Residents of the development support these same businesses in the evenings and on weekends. This mixed-use strategy promotes diversity and vitality 24/7, allowing residents to live, work and play in a complete and livable neighbourhood.

In keeping with the Eau Claire ARP, the proposed development is a primarily residential mixed-use development targeting 1,000 new homes. The proposal includes:

- 1,097,000 sf of residential uses - 8,000 sf more than the current bylaw.
- 359,000 sf of retail, restaurant and entertainment uses with over 70% of the frontages active storefronts.
- 636,000 sf of office - 336,000 more than the current bylaw achieved through bonusing -providing a significant direct investment into the revitalization of Eau Claire Plaza or transit enhancements.

The southeast corner of the Eau Claire Market site is surrounded by three existing and approved office developments. Placing an office tower at this corner allows for synergies with the surrounding buildings and provides quick access for commuters should a Green Line station be located on 2nd Street.

2. DISTRIBUTION OF DENSITY

The site sits between the taller forms of the Downtown Core and the low- to mid-rise residential character of the Eau Claire neighbourhood. The Project, responding to its unique location, transitions between these two dramatic heights by sloping down from the southern edge to the northern edges of the site. In order to ensure this, different development criteria is applied to two different sites:

- Site 1, the southern site, proposes higher allowable densities and heights. It includes a mixed-use podium, an office tower and 2 residential towers – one with a hotel. The proposed maximum cumulative density for Site 1 is 10.0 FAR.
- Site 2, the northern site, proposes a lower density, focusing on a mix of residential and commercial uses with townhouses at grade to compliment the surrounding residential neighbours. The proposed maximum cumulative density for Site 2 is 4.0.

The proposed development density has been developed in response to the following Eau Claire ARP Goals:

5.2.1 To encourage the redevelopment of the Eau Claire area as a primarily residential neighbourhood, with commercial uses concentrated close to the downtown commercial core and the Barclay Mall.

5.2.4 To create an overall built form which responds to its unique location between the downtown commercial core and the Bow River, and adjoining Prince's Island.

6.0B.1.2 Since the Eau Claire Market was built in 1993, it has become a special site for the Eau Claire Community, the Centre City and Calgary. Although the success of the Market itself and its integration with the community has not been fully realized, the components of achieving that success are better understood. Innovative approaches to developing the site and buildings with a mix of uses to enhance "vitality" and "livability" and the evolution of the Eau Claire community as a primarily residential community have provided the opportunity to revitalize this area of the community with a new vision that better meets the policies within the ARP. A new generalized land use of a mixed-use precinct for the Eau Claire Market site provides an opportunity to implement new policies that will achieve more livable and vibrant redevelopment.

6.0B.4.1 To facilitate primarily residential mixed-use buildings that will provide an increase of approximately 1000 residential units and contribute towards a residential population of approximately 5000 people for Eau Claire.

3. SUNLIGHT PROTECTION

The Project meets the ARP's residential density goals and creates a vibrant addition to the Eau Claire neighbourhood while:

- Maintaining access to sunlight at the South Bank of the Bow River and Barclay Mall on Sep. 21.
- Maintaining full access to sunlight for Eau Claire Plaza throughout summer months – specifically April 21 and Aug. 21, between 10am and 2:30pm.
- Shadowing the Eau Claire Plaza less than surrounding development and current on-site buildings on Sep. 21 between 10am and 2:30pm.

The existing context places an average of 11% of Eau Claire Plaza in shade between 10am and 2:30pm on September 21. The Project adds shadow to 9.5% of the Plaza at 10am, reducing the added shadow to 1.5% of the plaza area by the noon hour. The proposed limits to shadowing do allow some shadows in the morning hours, but ensures more access to sunlight through the afternoon hours.

4. RELOCATING THE HISTORIC SMOKESTACK

Using current heritage standards, guidelines from Calgary and Canada as the starting point, a comprehensive proposal has been designed to address the heritage designation of the Eau Claire Smokestack. After reviewing several options, we propose to keep the Smokestack on the original site of the bus barns but move it about 150 metres north, adjacent to Eau Claire Plaza with views to the River and redesignated in this new location. The Smokestack will be relocated in a single piece at the onset of the initial phase of construction. Further, the Owner will retain the same responsibility for the maintenance of the Smokestack that already exists today. Lastly, with the exception of the original location, all other character defining elements in the Heritage Bylaw are retained in the design, and the Smokestack's landmark value and contribution to the public realm are significantly improved through the creation of a public, educational space that surrounds the Smokestack at its proposed new location.

5. COMMITMENTS

We will process a DP application for a portion of Site 1 and attach those plans to the bylaw before second and third reading by Council. This process provides the City certainty for Phase 1 and provides our team the opportunity to obtain feedback from Council prior to the detailed design development stage.

We also propose to attach a Concept Plan to the DC Bylaw showing conceptual tower configuration and massing.

6. RESPONDING TO THE COMMUNITY

We have met numerous times with key community stakeholders, including the Eau Claire Community Association, the Chinese Cultural Centre and the Calgary Downtown Association. Responding to their input, we have reduced the overall height and density of the project and ensured it is a primarily residential addition to the neighbourhood. We continue to hear their support for many provisions of our application. In November 2013 and May 2015, the community attended open houses at the existing market, and in October 2015, a townhall was hosted jointly with the Eau Claire Community Association. We received written feedback from approximately 150 people.

Public support and concerns were submitted to the City and are summarized as follows:

- Overall support for moving the Smokestack.
- Overall support for connection to the +15 system, to be considered at a DP phase.
- Overall support for the additional office use, and additional density.
- General indifference about the minimal amount of additional shadow on Eau Claire Plaza.

- Some concerns about traffic and parking impacts.

Harvard continues to work with the City's Transportation Department. The proposed parking plan meets the current bylaw and is in keeping with the City Centre's Parking Policy. A full traffic impact assessment has been submitted in the land use application.

7. BETWEEN CPC HEARING AND FIRST READING

Since CPC, we have hosted a townhall jointly with the Eau Claire Community Association, met with various Heritage Organizations and opened a dialogue with Calgary Transit. We will continue to work with Calgary Transit on an integrated design should the routing of the Green Line be along 2nd Street. In response to these stakeholder's concerns, we have worked with City Administration to:

- Simplify the DC Bylaw by replacing general sections with a core district.
- Add sections to the DC Bylaw related to the commitments
- Revise allowable densities and heights in the DC Bylaw to address certainty of design and residential densities.

A summary of the proposed changes to the DC bylaw is attached to this applicant's submission.

8. CONCLUSION

The existing Eau Claire Market site has not realized its potential and yet it is a focal point of the City and consistently attracts Calgarians and visitors alike. The site is host to over 150 public events and celebrations annually. The time is now to transform and enhance this unique and special place in the heart of Calgary. Harvard Developments Inc. respectfully requests your support of this application.



Summary of Key Changes to DC Bylaw Since CPC

1. Format – Standardize the DC

- revised format only of certain sections to more closely replicate City standards

2. Core District – Simplify the DC

- replaced sections 9-17 with a core district – Commercial Residential District Part 13 Division 1

3. Shadows – Articulate Specific Areas of Shadow

- amended subsection 18(2), which details only those areas of shadow we require for the Concept Plan design

4. Concept Plan – Greater Certainty re Design and Residential Commitment

- added the Concept Plan, which applies to both Sites 1 and 2, as a DC schedule [section 20]

5. Site 1 – Greater Certainty re Design and Residential Commitment

- reduced cumulative maximum FAR from 11.0 to 10.0 [section 23(1)]
- increased minimum residential FAR from 3.5 to 4.0 [section 23(2)]
- reduced podium height from 30 m to 20 m except where shown on Concept Plan [section 25(1) etc.]
- reduced maximum height of tower from 135 m to 127 m
- increased minimum residential FAR that must be constructed before office use from 3.5 to 4.0 [section 32]
- added the requirement that any DP application must conform with the DP plans attached as a DC schedule [section 33]

6. Site 2 – Greater Certainty re Design and Residential Commitment

- increased minimum residential FAR from 1.75 to 2.0 [section 35(2)]
- restricted towers to residential use only [section 35(4)]
- amended restriction on large restaurants so they cannot front onto the northern edge of Site 2 [section 38]

PROPOSED DC DIRECT CONTROL DISTRICT GUIDELINES

Eau Claire Market Site

Purpose

1 This Direct Control District is intended to provide:

- (a) a primarily residential and commercial **development** to meet the needs of the workers, visitors and local and regional users, and in recognition of the site as a destination for retail **uses** where flexible and creative **development** encourages an exciting and energetic environment;
- (b) a mix of residential, commercial, **Office** and cultural **uses**;
- (c) intensive **development** where intensity is measured by **floor area ratio**; and
- (d) a **building** form that is street oriented at **grade**.

Compliance with Bylaw 1P2007

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

Reference to Bylaw 1P2007

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

General Definitions

4 In this Direct Control District:

- (a) “**commercial uses**” means all of the **discretionary uses** in this Direct Control District other than:
 - (i) **residential uses**;
 - (ii) **Child Care Service**;
 - (iii) **Community Entrance Feature**;
 - (iv) **Community Recreation Facility**;
 - (v) **Home Occupation – Class 2**;
 - (vi) **Indoor Recreation Facility**;
 - (vii) **Library**;
 - (viii) **Office**;
 - (ix) **Parking Lot – Grade**;
 - (x) **Parking Lot – Grade (Temporary)**;
 - (xi) **Performing Arts Centre**;
 - (xii) **Power Generation Facility – Small**;
 - (xiii) **Residential Care**;
 - (xiv) **School Authority – School**;
 - (xv) **School Authority – Major**;
 - (xvi) **School Authority – Minor**;
 - (xvii) **Service Organization**;
 - (xviii) **Sign – Class C**;
 - (xix) **Sign – Class E**;

- (xx) **Special Function – Class 2;**
 - (xxi) **Temporary Residential Sales Centre;** and
 - (xxii) **Utility Building.**
- (b) "**podium**" means that portion of a **building** located below 20.0 metres above **grade**, except where shown in Schedule C to be 30.0 metres above **grade**.
- (c) "**residential uses**" means one or more of the following **uses**:
- (i) **Assisted Living;**
 - (ii) **Dwelling Unit;**
 - (iii) **Hotel;**
 - (iv) **Live Work Unit;**
 - (v) **Multi-Residential Development;** and
 - (vi) **Townhouse.**
- (d) "**tower**" means that portion of a **building** above the **podium**.

Defined Uses

5 In this Direct Control District "**Temporary Marketing Centre**":

- (a) means a **use**:
- (i) where **units** are offered for sale to the public;
 - (ii) that may include sales offices and displays of materials used in the construction of the **units** that are offered for sale; and
 - (iii) that must occur in a **unit**, which may be temporarily modified to accommodate the **use**, or in a temporary **building**;
- (b) must not operate for longer than 4 years;
- (c) does not require **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

Sites 1 and 2

Application

6 The provisions in sections 7 through 20 apply only to Site 1 and Site 2.

Permitted Uses

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

- (a) **Accessory Residential Building;**
- (b) **Park;**
- (c) **Protective and Emergency Service;** and
- (d) **Sign – Class D.**

Discretionary Uses

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

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Artist's Studio;**
- (d) **Assisted Living;**

- (e) **Auction Market – Other Goods;**
- (f) **Catering Service – Minor;**
- (g) **Child Care Service;**
- (h) **Community Entrance Feature;**
- (i) **Community Recreation Facility;**
- (j) **Computer Games Facility;**
- (k) **Convenience Food Store;**
- (l) **Cultural Support;**
- (m) **Dinner Theatre;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**
- (p) **Dwelling Unit;**
- (q) **Financial Institution;**
- (r) **Fitness Centre;**
- (s) **Food Kiosk;**
- (t) **Health Services Laboratory – With Clients;**
- (u) **Home Occupation - Class 2;**
- (v) **Hotel;**
- (w) **Indoor Recreation Facility;**
- (x) **Instructional Facility;**
- (y) **Library;**
- (z) **Liquor Store;**
- (aa) **Live Work Unit;**
- (bb) **Market;**
- (cc) **Market – Minor;**
- (dd) **Medical Clinic;**
- (ee) **Multi-Residential Development;**
- (ff) **Museum;**
- (gg) **Outdoor Café;**
- (hh) **Outdoor Recreation Area;**
- (ii) **Parking Lot – Grade;**
- (jj) **Parking Lot - Grade (Temporary);**
- (kk) **Performing Arts Centre;**
- (ll) **Pet Care Service;**
- (mm) **Place of Worship – Small;**
- (nn) **Post Secondary Learning Institution;**
- (oo) **Power Generation Facility – Small;**
- (pp) **Print Centre;**
- (qq) **Radio and Television Studio;**
- (rr) **Residential Care;**
- (ss) **Restaurant: Food Service Only – Large;**
- (tt) **Restaurant: Food Service Only – Medium;**
- (uu) **Restaurant: Food Service Only – Small;**
- (vv) **Restaurant: Licensed – Large;**
- (ww) **Restaurant: Licensed – Medium;**
- (xx) **Restaurant: Licensed – Small;**
- (yy) **Retail and Consumer Service;**
- (zz) **School – Private;**
- (aaa) **School Authority – School;**
- (bbb) **School Authority Purpose – Major;**
- (ccc) **School Authority Purpose – Minor;**

- (ddd) **Service Organization;**
- (eee) **Sign – Class C;**
- (fff) **Sign – Class E;**
- (ggg) **Special Function – Class 2;**
- (hhh) **Specialty Food Store;**
- (iii) **Supermarket;**
- (jjj) **Take Out Food Service;**
- (kkk) **Temporary Residential Sales Centre;**
- (lll) **Townhouse;**
- (mmm) **Utility Building;** and
- (nnn) **Veterinary Clinic.**

Bylaw 1P2007 General Rules

- 9** Unless otherwise specified, the rules for Commercial Residential Districts in Part 13 Division 1 of Bylaw 1P2007 apply to this Direct Control District.

Sunlight Protection Areas

- 10 (1)** The following sunlight protection areas should not be placed in greater shadow by a **development** as measured on September 21, at the times and locations indicated for each area, than were already in shadow as the result of an existing or approved **development**:
- (a) Riverbank (not including the Riverbank Promenade and between 3 and 7 Streets SW): an area 20.0 metres wide abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m., MDT;
 - (b) Riverbank Promenade (between 3 Street SW and Centre Street): an area 9.0 metres wide abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m., MDT;
 - (c) Barclay (3 St SW) Mall: the westerly 8.0 metres of the right-of-way and setback area of the Barclay Mall, from 12:30 p.m. to 1:30 p.m., MDT; and
 - (d) Barclay (3 St SW) Mall: the easterly 8.0 metres of the right-of-way and setback area of the Barclay Mall, from 1:30 p.m. to 2:30 p.m., MDT.
- (2)** The Eau Claire Plaza (the "Plaza") should not be placed in greater shadow by a **development** as measured on September 21, at the times indicated, than were already in shadow as the result of an existing or approved **development** excepting:
- (a) south of a line drawn parallel to and 52 metres from the south boundary of the Plaza and east of a line drawn parallel to and 14 metres from the east boundary of the Plaza, from 10:00 a.m. to 12:30 p.m., MDT; and
 - (b) south of a line drawn parallel to and 34 metres from the south boundary of the Plaza from 12:30 p.m. to 2:30 p.m., MDT.

Location of Uses within Buildings

- 11** Office **uses** must not be located on the ground floor of a **building**.

Use Area

- 12 (1) Unless otherwise referenced in this section or in sections 26 and 37, the maximum **use area** for **uses** located on the ground floor of a **building** is 1200.0 square metres.
- (2) The maximum **use area** of a **Financial Institution** when located on the ground floor of a **building** is 465.0 square metres of **public area**.

Motor Vehicle Parking Stalls

- 13 (1) For **Dwelling Units** or **Live Work Units**:
- (a) the minimum **motor vehicle parking stall** requirement is 0.5 stalls per **unit**;
 - (b) the maximum number of **motor vehicle parking stalls** that may be provided is:
 - (i) 1.0 stalls per **unit** where the **unit's gross floor area** is less than or equal to 125.0 square metres; and
 - (ii) 2.0 stalls per **unit** where the **unit's gross floor area** is greater than 125.0 square metres; and
 - (c) the **visitor parking stall** requirement is 0.1 stalls per **unit**.
- (2) For a **Hotel**, the minimum number of required **motor vehicle parking stalls** is 1.0 per 3.0 guest rooms.
- (3) The following **uses** require a parking study to determine the required minimum number of **motor vehicle parking stalls**, **bicycle parking stalls – class 1** and **bicycle parking stalls – class 2**:
- (a) **Indoor Recreation Facility**;
 - (b) **Library**;
 - (c) **Museum**;
 - (d) **Performing Arts Centre**; and
 - (e) **Post-secondary Learning Institution**.
- (4) For **Office**, the minimum number of required **motor vehicle parking stalls** is 0.7 per 100.0 square metres of **gross useable floor area**, which must be provided:
- (a) 50 per cent as stalls; and
 - (b) 50 per cent as cash in lieu.
- (5) For all other **uses**, the minimum required **motor vehicle parking stalls** is the requirement referenced in Part 4 of Bylaw 1P2007.
- (6) Payments made under subsection (4)(b) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** with respect to Part 13 of Bylaw 1P2007, at the time the payment is made.

Short Stay Parking Stalls

- 14 (1) A maximum of 24.0 additional **motor vehicle parking stalls** may be provided as **parking area – short stay** stalls where such stalls are:
- (a) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (b) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public; and
 - (c) prominently signed at the street level indicating the availability and conditions of use of such stalls.
- (2) Additional **motor vehicle parking stalls** as provided in subsection (1) are not subject to subsections 13(4) through 13(6).

Use of Parking Areas

- 15 (1) All **uses** may share an entrance to areas of a parking structure.
- (2) **Motor vehicle parking stalls and bicycle parking stalls** required for **uses** on Site 1 and Site 2 may be shared and supplied on any one Site or both Sites, but those such stalls required for **residential uses** (except **Hotel**) must be physically separated from stalls for other **uses**.
- (3) Notwithstanding subsection (2), **motor vehicle parking stalls and bicycle parking stalls** required for **Office use** must be physically separated from stalls for **residential uses** (except **Hotel**).

Bicycle Parking Stall Requirements

- 16 (1) Unless otherwise referenced in this section, the minimum number of required **bicycle parking stalls – class 1** and **class 2** is the requirement referenced in Part 4 of Bylaw 1P2007.
- (2) For an **Office**, the minimum number of required:
- (a) **bicycle parking stalls – class 1** is 2.0 per 1000.0 square metres of **gross usable floor area**; and
 - (b) **bicycle parking stalls – class 2** is 2.0 per 1000.0 square metres of **gross usable floor area**.
- (3) For a **Dwelling Unit** or **Live Work Unit**, the minimum number of **bicycle parking stalls – class 1** is 0.5 per **unit** for **developments** with greater than 20.0 **units**.
- (4) Where **bicycle parking stalls – class 1** are required for an **Office** in a proposed **building**, the following amenities must be provided:
- (a) lockers at a ratio of 1.0 per 4.0 **bicycle parking stalls – class 1**; and
 - (b) where a minimum of 25.0 **bicycle parking stalls – class 1** are required:

- (i) private change rooms at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater;
- (ii) showers at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater; and
- (iii) an unobstructed area for bicycle maintenance which must:
 - (A) be a minimum of 6.0 square metres; and
 - (B) have no minimum dimensions less than 2.0 metres.

Location of Bicycle Parking Stalls

- 17** **Bicycle parking stalls – class 1** must be located at **grade** or within the first parking level directly below **grade**.

Roof

- 18** The roof of any **podium** must be a **landscaped area** and roof-top equipment must be screened.

Concept Plan

- 19** All **development permit** applications must conform to the Concept Plan attached to this Bylaw as Schedule C, except where relaxed by the **Development Authority** in accordance with Sections 31 and 36 of Bylaw 1P2007.

Site 1(±1.46 hectares)

Application

- 20** The provisions in sections 21 through 33 apply only to Site 1.

Additional Discretionary Uses

- 21** The following **uses** are additional **discretionary uses** in this Direct Control District:
- (a) **Cinema**; and
 - (b) **Office**.

Floor Area Ratio

- 22** (1) The cumulative total maximum **floor area ratio** is 10.0.
- (2) The minimum **floor area ratio** is 4.0 for **residential uses**.
- (3) The minimum **floor area ratio** is 0.9 for **commercial uses**.
- (4) Subject to subsection (5), the maximum **floor area ratio** is 1.9 for **Office use**.
- (5) The maximum **floor area ratio** for **Office use** may be increased from the maximum **floor area ratio** listed in subsection (4), in accordance with the bonus incentive provisions contained in section 23.
- (6) The cumulative **floor area ratio** for **residential uses** must be greater than the cumulative **floor area ratio** for **Office use**.

Incentive Density Calculation Method

- 23 (1) The **floor area ratio** in subsection 22(4) may be increased by up to an additional 2.2 through **transit enhancements** or a financial contribution to **Eau Claire Plaza Revitalization Fund**.
- (2) The amount of additional **gross floor area** achieved by providing the **transit enhancements** or financial contribution to the **Eau Claire Plaza Revitalization Fund** set out in subsection (1) is calculated by dividing the cost of the **transit enhancements** or contribution amount to the **Eau Claire Plaza Revitalization Fund** by the Incentive Rate 1 of Part 13 Division 3 of Bylaw 1P2007 as established by Council, and amended from time to time.
- 24 For purposes of section 23:
- (a) "**transit enhancement**" means the construction of structures either as part of a **building** or as a separate structure that provides shelter from the elements to transit service users and that provide an amenity and design standard exceeding standard transit facilities; and
- (b) "**Eau Claire Plaza Revitalization Fund**" means a civic fund into which financial contributions made towards additional **floor area ratio** in accordance with the incentive provisions of section 23.

Maximum Height

- 25 (1) The maximum **podium** height is 20 metres from **grade**, except where shown in Schedule C.
- (2) The maximum **building height** is 127 metres from **grade**.

Use Area

- 26 For **Retail and Consumer Service, Supermarket**, or a **Supermarket** combined with any other **use**, there may be one such maximum **use area** of 3600.0 square metres and one such maximum **use area** of 2400.0 square metres on the ground floor of a **building**.

Location of Uses within Buildings

- 27 **Office uses** may only be located in a **building** located at the northwest corner of 2 Avenue and 2 Street SW.

Building Setbacks

- 28 The minimum **building setback** from a **property line** shared with a **street** is 0.0 metres.

Tower Separation

- 29 The minimum separation distance between **towers** must be 18.0 metres.

Floor Plate Restrictions

- 30 (1) Each floor of a **tower** containing **Assisted Living, Dwelling Units, Hotel suites**, or **Live Work Units**, has a maximum:
- (a) **floor plate area** of 1600.0 square metres; and
- (b) horizontal dimension of 85.0 metres.
- (2) Each floor of a **tower** containing primarily **Offices** has a maximum:

- (a) **floor plate area** of 3000.0 square metres; and
- (b) horizontal dimension of 85.0 metres.

Connections

- 31 A vehicular connection extending Riverfront Avenue SW between 2 Street SW and 3 Street SW with sidewalks along its full length on both the north and south sides must be completed as part of the first phase of the Site 1 **development permit** application.

Phasing

- 32 No development completion permit for **Office use** will be issued until a development completion permit for the minimum **floor area ratio** of 4.0 for **residential uses** has been issued for Site 1.

Development Permit Requirements

- 33 A **development permit** application must conform to the plans attached to this Bylaw as Schedule D.

Site #2 (±1.41 hectares)

Application

- 34 The provisions in sections 35 through 41 apply only to Site 2.

Floor Area Ratio

- 35 (1) The cumulative maximum **floor area ratio** is 4.0.
- (2) The minimum **floor area ratio** is 2.0 for **residential uses**.
- (3) The cumulative **floor area ratio** for **residential uses** must be greater than the cumulative **floor area ratio** for all other **uses**.

Maximum Height

- 36 (1) The maximum **podium** height is 20 metres from **grade**.
- (2) The maximum **building height** is 70 metres from **grade**.

Use Area

- 37 For **Retail and Consumer Service, Supermarket**, or a **Supermarket** combined with any other **use**, there may be one such maximum **use area** of 3600.0 square metres and one such maximum **use area** of 2400.0 square metres on the ground floor of a **building**.

Location of Uses within Buildings

- 38 (1) **Restaurant: Licensed – Large** must not front the northernmost boundary of Site 2.
- (2) Only **residential uses** may be located in a **tower**.

Building Setbacks

- 39 The minimum **building setbacks** are:
- (a) 0.0 metres from a **property line** shared with a **street**;
 - (b) 11.0 metres from the west **property line** shared with Eau Claire Plaza; and

- (c) 20.0 metres from the north **property line**.

Tower Separation

- 40** The minimum separation distance between **towers** must be 18.0 metres.

Floor Plate Restrictions

- 41** Each floor of a **tower** containing **Assisted Living, Dwelling Units, Hotel suites, or Live Work Units**, has a maximum:
- (a) **floor plate area** of 1600.0 square metres; and
 - (b) horizontal dimension of 85.0 metres.

Site #3 (±0.083 hectares)

Application

- 42** The provisions in sections 43 through 45 apply only to Site 3.

Permitted Uses

- 43** The **permitted uses** of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the addition of:
- (a) **Child Care Service**, where located within existing approved **buildings**.

Discretionary Uses

- 44** The **discretionary uses** of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
- (a) **Fitness Centre**;
 - (b) **Restaurant: Licensed – Large**;
 - (c) **Restaurant: Licensed – Small**; and
 - (d) **Retail and Consumer Service**.

Development Guidelines

- 45** Unless otherwise specified, the rules of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 apply in this Direct Control District.

