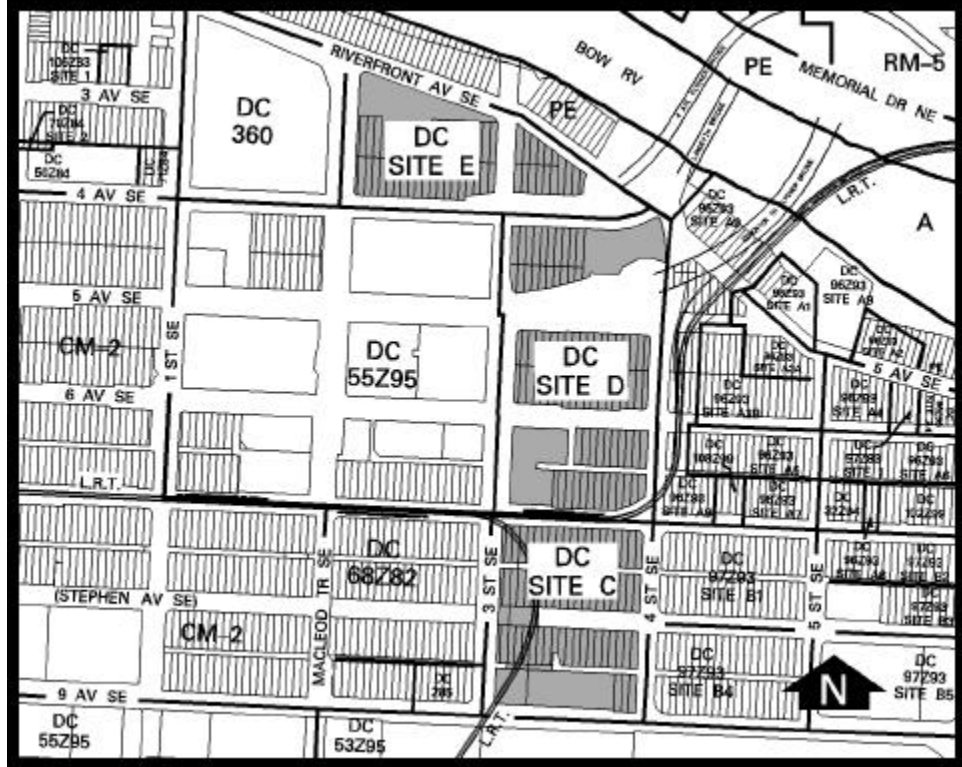


Amendment # AM2001/085
Bylaw # 20Z2002
Council Approval: June 17 2002

SCHEDULE B



DC DIRECT CONTROL DISTRICT

1. LAND USES

(a) Permitted Uses for Sites C, D and E

- Home occupations – Class 1
- Parks and playgrounds
- Signs – Class 1 (except for Freestanding temporary signs)
- Utilities

(b) Discretionary Uses for Sites C, D and E

- Accessory buildings
- Accessory food services
- Amusement arcades

Apartment buildings
Apartment-hotels
Athletic and recreational facilities
Billiard parlours
Child care facilities
Commercial schools
Dwelling units
Entertainment establishments
Essential public services
Financial establishments
Grocery stores
Home occupations – Class 2 (N.P.)
Hostels
Hotels
Laboratories
Liquor stores
Live-work units (N.P.)
Lodging houses
Mechanical reproduction and printing establishments
Medical clinics
Motion picture production facilities
Offices
Outdoor cafes (N.P.)
Parking areas (temporary)
Personal service businesses
Power Generation Facilities, Mid-scale
Power Generation Facilities, Small-scale
Private clubs and organizations
Private schools
Public and quasi-public buildings
Public and separate schools
Radio and television studios
Restaurant/drinking establishments
Restaurants-food service only
Retail stores
Signs - Class 2
Special care facilities
Stacked townhouses
Take-out food services
Townhouses
Universities, colleges, provincial training centres
Utility Buildings

N.P.: Notice posting is mandatory for these uses in accordance with Section 10(4) of Land Use Bylaw 2P80.

- (i) For the purposes of this Bylaw "Live-work units" shall mean the use of a dwelling unit by the resident for work purposes which may include offices, personal service businesses and retailing of goods produced on-site.

- (ii) Residential uses include Apartment buildings, Dwelling units, Home occupations, Hostels, Live-work units, Special care facilities, Stacked townhouses and Townhouses. All other uses in the Discretionary Use List in Section 1 (b) will be considered non-residential uses.

2. DEVELOPMENT GUIDELINES

(a) Permitted Use Rules

Permitted Uses shall conform with the Permitted Use Rules contained in Sections 51 PE Public Parks, Schools and Recreation District and 20(11) General Rules for Residential Districts or Bylaw 2P80 unless otherwise noted.

(b) Discretionary Use Rules

(i) Compliance with other rules:

The General Rules for Residential Districts contained in Section 20(11), the General Rules for Downtown Districts contained in Section 42.1 of Bylaw 2P80 shall apply unless otherwise noted below.

(ii) Density:

(A) The maximum total Floor Area Ratio (FAR) allowed on any site in Areas C, D and E shall be 7.0.

(B) Where dwelling units in a townhouse form are proposed as part of a comprehensive development, with each dwelling unit having a separate, direct entrance from grade, the total floor area of such dwelling units shall not be included in the calculation of the Floor Area Ratio.

(C) Heritage Sites – Density Transfer

(I) If a building is designated as a municipal heritage site, a total density of 7.0 F.A.R., after deducting the area of the existing building, shall be available for density transfer to sites in Areas C, D or E. A density transfer agreement that is satisfactory to the City Solicitor shall be registered against the certificate of title of the heritage site.

(II) Where a heritage feature such as a facade will be retained on-site or where a heritage feature from off-site, acceptable to the Approving Authority, is proposed to be reconstructed, additional density up to a maximum of 1.0 FAR of the site originally covered by the heritage building footprint may be permitted, to the satisfaction of the Approving Authority.

(iii) Yards

(A) Site C only:

(I) Front Yards and Side Yards Adjacent to a Street or Public Open Space

- Minimum - none.
- Maximum - 3 metres.
- Above 21 metres – a minimum of 4 metres from the ground floor façade.

(II) Side Yards and Rear Yards (for portions of buildings above 21 metres)

- Minimum – 5 metres, except no yard is required adjacent to a lane.

(III) Side Yards and Rear Yards (for portions of buildings 21 metres and below)

- none required.

(B) Sites D and E

(I) Front Yard: Minimum - 3 metres adjacent to a street or as may be required adjacent to an LRT station and right-of-way to the satisfaction of the Approving Authority.

(II) Other Yards: to the satisfaction of the Approving Authority.

(iv) Landscaping

All yards adjacent to a street shall be landscaped to the satisfaction of the Approving Authority.

(v) Building form and siting:

(A) Minimum building height (site C only)

Except for utility buildings, 9 metres adjacent to a street.

(B) Riverbank Sunlight

No building shall place in shadow an area 20 metres wide abutting the top of the south bank of the Bow River, as determined by the Approving Authority, from 10:00 a.m. to 4:00 p.m., Mountain Daylight Time on September 21st except areas already in shadow as a result of buildings constructed at the date that the Development Permit application is made.

(C) Ground Floor Commercial (Site C and the north side of 7 Avenue SE)

(I) Active Building Uses

Where development is proposed adjacent to 7 Avenue SE and 8 Avenue SE, a minimum of 50 percent of the ground floor area of the building shall be designed and built to accommodate non-office uses.

(II) Window Standard

Windows shall be at least 50 percent of the ground level wall area adjacent to 8 Avenue. Ground level wall areas include all exterior wall areas up to 3 metres above the finished grade. The requirement does not apply to ground floor residential development.

Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows set into the wall. Display cases attached to the outside wall do not qualify. The bottom of the windows shall be no more than 1.2 metres above the adjacent exterior grade.

Ground floors of building facades of non-residential uses facing a street shall be designed to break the appearance of buildings fronting 8 Avenue SE into modules of 4.5 metres to 11 metres or such other building module that the Approving Authority considers appropriate.

Ground floor building facades of individual non-residential uses fronting 8 Avenue SE shall not exceed 11 metres in width.

(D) Sites Fronting Streets and Public Open Spaces

Portions of the ground floor of buildings fronting streets and public open spaces shall be designed and built to accommodate non-parking uses.

(E) Plus 15

(I) In areas C and D all development abutting 3rd Street SE requires provision for +15 walkways to the satisfaction of the Approving Authority;

(II) Development abutting 4 Avenue SE between Macleod Trail SE and 3 Street SE shall make provision for required +15 walkways to the satisfaction of the Approving Authority.

- (III) All development adjacent to the south leg of the LRT right-of-way in Area C shall require the provision of +15 walkways over the LRT right of way to the satisfaction of the Approving Authority;
- (IV) All +15 bridges and walkways shall be climate controlled unless otherwise approved by the Approving Authority;
- (V) Where +15 walkways are provided the Approving Authority may allow additional density pursuant to the Bonus Density Table of Section 42.3 of Bylaw 2P80.

(vi) Amenity Space

Amenity space may be provided to the satisfaction of the Approving Authority.

(vii) Access

- (A) All entrances to retail, restaurant/drinking establishment and restaurant food services and personal service businesses abutting 7 Avenue SE and 8 Avenue SE shall be directly accessible from the sidewalk.
- (B) No direct vehicular access shall be permitted from or to 8 Avenue SE between the LRT right-of-way and 4 Street SE except within 25 metres of the LRT right-of-way. Vehicular access to sites shall be in a manner satisfactory to the Approving Authority.
- (C) All vehicular access shall be designed to minimize its impact on pedestrian movement and the adjacent streetscape.

(viii) Outside Storage

Outside storage of any materials, equipment or products including but not limited to the storage of trucks and trailers, is prohibited.

(ix) Garbage Storage

Garbage and waste material shall be stored in accordance with the Waste By-law and shall be located within buildings.

(x) Parking and Loading

- (A) Unless otherwise authorized by the Approving Authority, on-site parking and loading shall be in accordance with the provisions of Section 18 of Bylaw 2P80.
- (B) Required parking stalls shall be provided in parking structures. Visitor parking for residential uses and limited short-term parking may be provided at-grade to the satisfaction of the Approving Authority.

(C) Parking for bicycles at the minimum rate of 1 space per dwelling unit shall be available in a secure and convenient location on-site in residential or mixed-use buildings. For commercial uses, secure and convenient bicycle storage shall be provided as determined by the Approving Authority.

(D) All at-grade or above-grade parking shall be landscaped and screened to the satisfaction of the Approving Authority.

(I) Architectural Integration

Any façade of a parking structure abutting a street or open space to which the public has access or adjacent to the LRT right-of-way shall be designed to screen parked vehicles from public view and shall be designed as an integral part of the development, to the satisfaction of the Approving Authority.

(II) Building Materials and Finishes

Parking structures shall be compatible with the principal building in building form and finishing materials; the pattern, size, shape and number of window openings; the glazing and screening of window openings; and surface treatments, to the satisfaction of the Approving Authority.

(E) Where loading facilities are proposed adjacent to a street the loading doors shall be consistent with the design of the building façade and be physically recessed from the building facade.

(F) Parking areas (temporary) shall be provided only for short term parking (i.e. maximum of 4 consecutive hours of parking only).

(G) In Site C, non-residential uses abutting a sidewalk or public open space shall have direct, grade-level access to the public space.

(xi) Floodway/floodplain regulations:

See Section 19.1 of Bylaw 2P80.

(xii) Signs

Signs shall comply with the Sign Appendix of Bylaw 2P80, with the following exceptions:

(A) Electronic message centres and message signs are prohibited.

(B) Roof identification signs are prohibited.

(C) Projecting identification signs may be allowed on buildings with a non-residential component.

- (D) Freestanding identification signs may be allowed on properties with a non-residential component.
 - (E) Painted wall identification signs are prohibited.
 - (F) Third-party advertising signs are prohibited.
 - (G) Window identification signs may be allowed in windows of the non-residential portion of buildings.
- (xiii) Setbacks
- (A) Right-of-way Setbacks
See Section 17 of Bylaw 2P80.
 - (B) LRT Setback
When considering an application for a site adjacent to the LRT right-of-way, the Approving Authority shall determine the required building setback from the LRT right-of-way.
- (xiv) Live-work Units
- (A) Dwelling units shall not have an at-grade entrance separate from the entrance to any work component of the unit.
 - (B) The working area shall not exceed 50 percent of the total floor area.
 - (C) Live-work units shall have access directly from grade.
 - (D) One non-resident employee or business partner may work on site.
 - (E) Each live-work unit may have one non-illuminated identification sign with a maximum area of 0.1 square metres.
- (xv) Projections
- Awnings and canopies may extend 0.6 metres into a setback of 5 metres or less, and 1.5 metres into a setback of more than 5 metres, where the underside of the projection is a minimum of 2.75 metres above grade.
- (xvi) Corner Visibility Triangles
- May be required to the satisfaction of the Approving Authority.
- (xvii) Sidewalk Reconstruction
- Where sidewalks are reconstructed within the public right-of-way and setback areas along roadways, they shall conform with Section 42.1 of Land Use Bylaw 2P80. Sidewalk reconstruction on 8th Avenue SE shall conform with the policies approved by Council.

(xviii) Restaurant/Drinking Establishments and Entertainment Establishments

The rules contained in Section 33(7)(c) of Land Use Bylaw 2P80 shall apply.

(xix) Excavation, Stripping and Grading

The rule contained in Section 33(14) of Land Use Bylaw 2P80 shall apply.

(xx) Objects Prohibited or Restricted

The rules contained in Section 33(17) of Land Use Bylaw 2P80 shall apply.

(xxi) Floor Area

Accessory Food Service and Take-out Food Service.

A maximum gross floor area of 15 square metres.