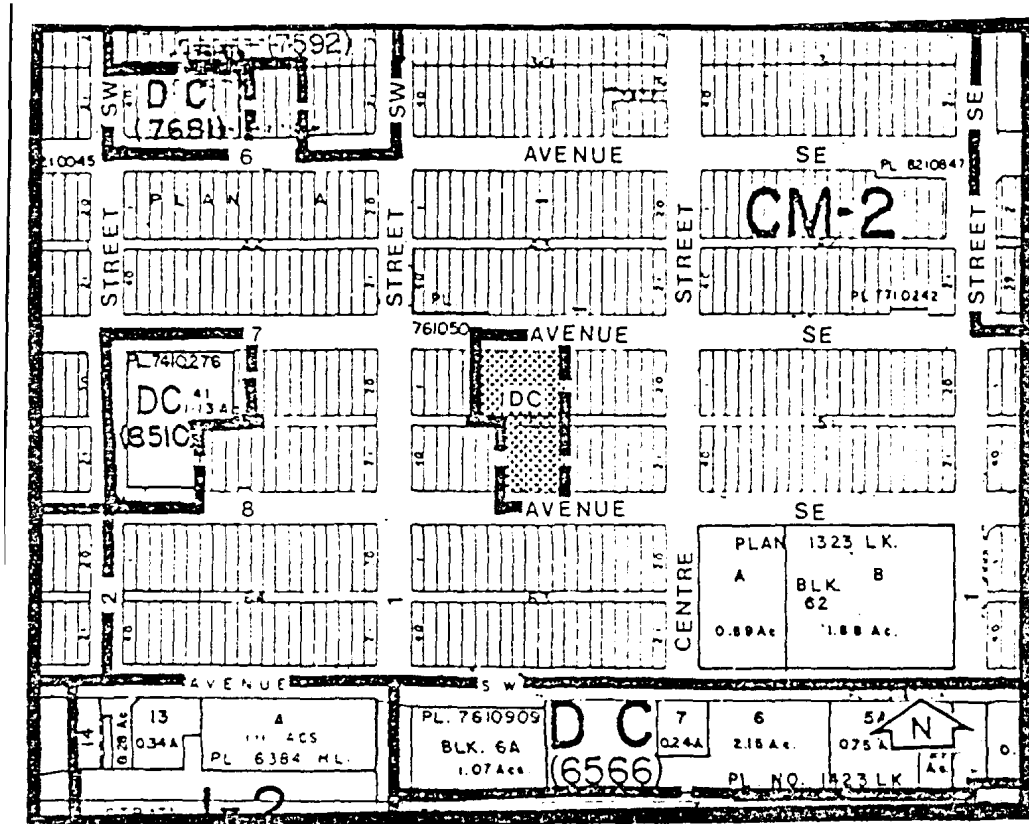


Amendment No. 82/150
Bylaw No. 26Z83
Council Approval: 14 March 1983

SCHEDULE B



1. Land Use

The land use shall be for a comprehensively designed commercial development which may include any of the uses found in the CM-2 District of By-law 2P80, plus restaurants and lounges.

2. Development Guidelines

The General Rules for Commercial Districts contained in Section 33 of By-law 2P80 and the Permitted and Discretionary Use Rules of the CM-2 (Central Business Commercial District) shall apply unless otherwise noted below.

a) Height

Maximum building height shall be 29 storeys not exceeding 114 metres (374 ft.) for phase 1, and 52 storeys not exceeding 201 metres (660 ft.) (excluding mechanical penthouse) for Phase 2.

b) F.A.R.

Maximum floor area ratio shall be 20.1:1. Any floor area totally or partially above grade shall be included in the F.A.R. calculations.

Any development in excess of 18.0:1 F.A.R. shall require density transfer from Heritage sites and/or payment for off-site improvements as set out in (g) below.

c) Parking

A maximum of 50% of the required parking, calculated at the rate of 1 stall/140 net m², may be provided on site with the remainder being provided by a cash-in-lieu payment at the prevailing rate at the time of the development permit application.

d) +15

The following +15 elements, shall be constructed at the developer's sole expense:

- lane plaza, approximately 4.5 m wide, connecting the proposed development to the +15 bridge across 1st Street;
- bridge across 1st Street to the Hudon's Bay Store;
- bridge and L.R.T. patrons waiting area across 7 Avenue S.W. connecting the L.R.T. platform and the proposed development to the Colonel James Walker Park;
- all public spaces within the development at the +15 level and all connections to public spaces at other levels.

The timing of construction of such facilities shall be determined by the Approving Authority having regard to the density proposed in each phase, with the exception of the 7th Avenue bridge which shall be constructed as part of Phase 1.

Approval of these guidelines does not imply City approval of the proposed +15 provisions insofar as they affect City-owned land. The developer must secure, to the satisfaction of the Approving Authorities, all permits, licenses and agreements, including those with adjoining land owners.

e) Access

No direct vehicular access or egress shall be permitted from or to 7th or 8th Avenues S.W.

f) By-lawed Setback

No building or structure shall be permitted within the 2.134 metre by-lawed setbacks on 7th Avenue S.W.

g) Off-Site Contribution

A. Prior to the release of a development permit which would result in development of the site in excess of 18.0:1 F.A.R., the applicant shall enter into an agreement with the City to:

- i) make payment or to construct off-site improvements as directed by the City to an equivalent amount based on a rate to be established by Council for any development in excess of 18.0:1 F.A.R.; and/or
- ii) enter into one or more agreements with those parties in a position to transfer density from proposed or designated heritage sites to the subject site, at a rate to be determined between the parties, for any development in excess of 18.0:1 F.A.R.

B. The cash-in-lieu payment or value of construction in A above shall be inflated at an inflation rate to be determined by the Approving Authority from the time of approval of a Development Permit until the time of payment or construction. The phasing of the payment and/or construction shall be determined by the Approving Authority at the Development Permit stage.

h) 7th Avenue Improvement

As part of Phase I, the developer at his expense, shall as an off-site improvement construct a widened sidewalk, including plants and trees where appropriate, on the south side of 7th Avenue east from 1st St. S.W. to the western edge of the L.R.T. platform substantially in the manner and at the location shown in the plans to the satisfaction of the City Engineer and Development Officer.

i) Shared Parking

That prior to the release of the development permit, the applicant shall enter into arrangements with the adjacent Central United Church relative to the use of parking for church functions, such arrangements to be to the satisfaction of the Approving Authority.

j) Lane Cover and Density

Prior to the release of the development permit for the second phase of the project, the developer will enter into an agreement with the City which permits the lane covering to be constructed in accordance with the Code requirements then in force. In the event that the lane covering cannot be built (for any reason including non-compliance with the Codes) then the developer may obtain the 3.0 F.A.R. attributable to lane cover and bridge by means of off-site contribution as per Guideline g).

k) Development Plans

Approval of this application does not constitute approval of a development permit. Comprehensive plans, including building design, site layout, exterior finishes and colour, landscaping, parking and accesses shall subsequently be submitted to the Approving Authorities as part of a development permit application. In considering such an application, the Approving Authorities shall ensure the building appearance, site layout and density conform substantially to the plans and renderings submitted to City Council during their consideration of By-law 26Z83.