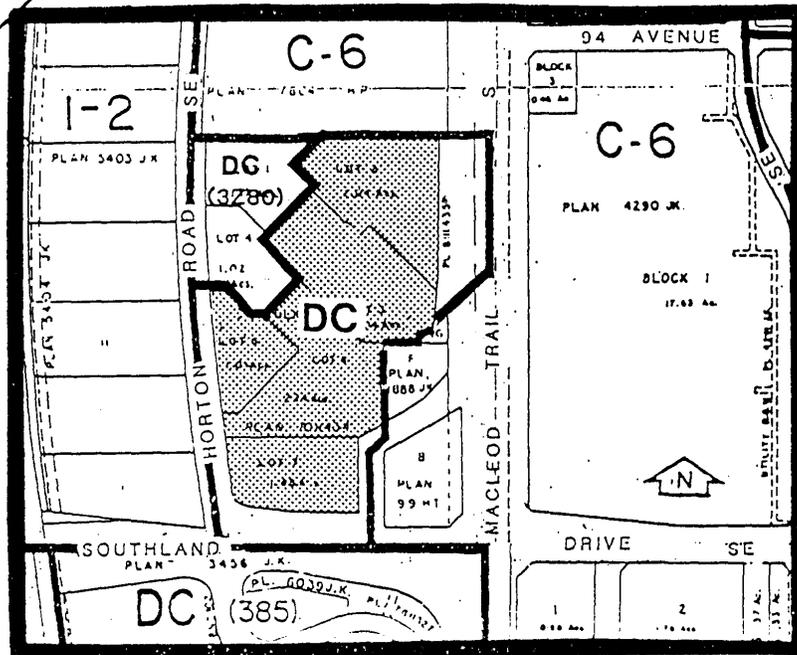


**Amendment No. 88/002
Bylaw No. 43Z88
Council Approval: 16 May 1988**

SCHEDULE B



1. Land Use

The land use shall be for a comprehensively-designed sector shopping centre comprised of up to six (6) separate buildings. The permitted uses shall be the permitted uses of the C-5 Shopping Centre Commercial District, excluding fast food restaurants. The discretionary uses shall be automotive specialties, commercial schools, drinking establishments, grocery stores and signs.

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 C-5 (Shopping Centre Commercial District) shall apply unless otherwise noted below.

A. Gross Floor Area

The total gross leaseable floor area shall not exceed 140,000 sq. ft. (F.A.R. - 0.37:1).

B.a. Restaurant Floor Area

For the purposes of this By-law, fast food restaurants shall be considered those uses whose primary purpose is to deliver their product by rapid counter or drive-through service in packaging that permits off-premise consumption or whose operation and service is considered by the Approving Authority as generally being that of a fast food restaurant, these shall not include single-food facilities, such as ice cream parlors, coffee, muffin and donut shops, etc.

C. Yards

Notwithstanding Section 39(5)(a), the yards adjacent to the existing apartment buildings may be reduced provided the building design, roof surface treatment and screening of mechanical equipment reduces any adverse impacts on the adjacent residential properties to the greatest extent possible.

D. Parking

The development must accommodate, without relaxation of the Bylaw parking requirement, all of the site parking requirement within the future property lines (post interchange and road reconstruction).

E. Parking Areas

Large parking areas must be made visually discontinuous through the use of berms, planters, natural vegetation, terraces, and the like, to the satisfaction of the Approving Authority.

F. Access

Prior to construction of the Southland Drive/Macleod Trail interchange, the following accesses will be permitted:

- a. One temporary right turn in and out only access to Macleod Trail approximately 40 metres south of the north property line; and
- b. One temporary right turn in only access from Macleod Trail approximately 190 metres south of the north property line; and
- c. One only temporary right turns in and out only access to Southland Drive west of the service station property and east of the westbound left turn bay on Southland Drive; and
- d. One only all turns access to Horton Road for the retail shopping centre development located in such a way to provide a minimum of 100 metres between the southbound stop line on Horton Road at Southland Drive and

the northbound stopline on Horton Road at the site access. The location and design of this access is to take into account, to the extent possible, the existing and future access needs of the lands west of Horton Road; and

- e. One only all turns access to/from the fire hall for emergency vehicles only. This access is to be located south of the shopping centre access and to incorporate special control devices as may be deemed appropriate by the Director of Transportation to ensure its use by emergency vehicles only.

No other site accesses to the retail and fire hall development will be permitted. All accesses must be constructed to the satisfaction of the City Engineer at the sole cost of the developer. The final location and design of all accesses are subject to review and approval by the Director of Transportation.

G. Future Access

Major modifications to the site accesses will be required to ensure compatibility with the future interchange at Southland Drive/Macleod Trail. The developer must do the following:

- a. Close:
 - i. the temporary right in and out access to Macleod Trail and convert it to a right in only access; and
 - ii. the temporary right in only access from Macleod Trail; and
 - iii. the temporary right in and out only access to Southland Drive.

The legal agreement registered on title provides for the closure of these accesses without penalty to the City and saves the City harmless from all actions by the then owner or tenants due to the access modifications.

- b. Undertake all access modifications in (i), (ii) and (iii) above at the developer's sole cost.
- c.
 - i) Pay for the construction of a right turn out only access from the site to the southbound to east/westbound interchange ramp. The design and location of this right out only access is subject to the approval of the Director of Transportation but must be south of the ramp nose; and
 - ii) Pay for an additional lane on the southbound to east/westbound ramp between the site egress and Southland Drive; and
 - iii) Pay for all other additional costs of interchange construction incurred in order to accommodate the site egress on the interchange ramp, and modifications to the western interchange intersection to allow the southbound through movement to occur.

H. Off-Site Improvements

- a. The developer must, at his sole cost, and prior to opening of the development, reconstruct the median in Southland Drive to close the existing median break which currently provides access for the fire hall only.
- b. The developer must pay for a traffic signal at the intersection of Horton Road and the shopping centre access.
- c. The developer must pay for the interconnection of the signals at Horton Road/shopping centre access and Horton Road/ Southland Drive and for any special equipment needed for the fire hall to pre-empt these two signals.
- d. The developer must reconstruct the intersection of Southland Drive/Horton Road/Southport Road to provide:
 - i. eastbound and westbound - one left turn lane
- two through lanes
- one channelized right turn
 - ii. northbound and southbound - one left turn lane
- one shared through and left turn lane
- one channelized right turn
- e. The developer must pay for revised signals at the intersection of Southland Drive/Horton Road/Southport Road to accommodate the modifications described in Items 6(c) and 6(d) above.
- f. The developer must reconstruct Horton Road to provide:
 - i. a raised median between Southland Drive and the shopping centre access with a depression to accommodate emergency vehicle access to the fire hall; and
 - ii. two lanes northbound between Southland Drive and the northern limit of Lot 1 (existing apartment building); and
 - iii. two lanes southbound between the northern limit of Lot 1 and the shopping centre access; and
 - iv. three lanes southbound between the shopping centre access and Southland Drive;
 - v. or such other design as may be required by the Director of Transportation.

I. Land Dedications

The developer shall bear all costs relating to all of the necessary improvements to Horton Road, Southland Drive and Southport Road, as described above in points H.d. to H.f.

J. Public Sidewalk and Pedestrian Connections

The developer is to provide, at his sole cost, a public sidewalk on the east side of Horton Road between the northern property line of Lot 1 and Southland Drive.

The Developer is to provide pedestrian connections through his site as shown on the plan to the satisfaction of the Development Officer.

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.

L. That prior to the release of a development permit, the Developer shall enter into a development agreement in a form satisfactory to the City Solicitor and the Developer shall also enter into an Assumption Agreement in a form satisfactory to the City Solicitor with regard to the Servicing Agreement dated the 15th day of November, A.D. 1985.