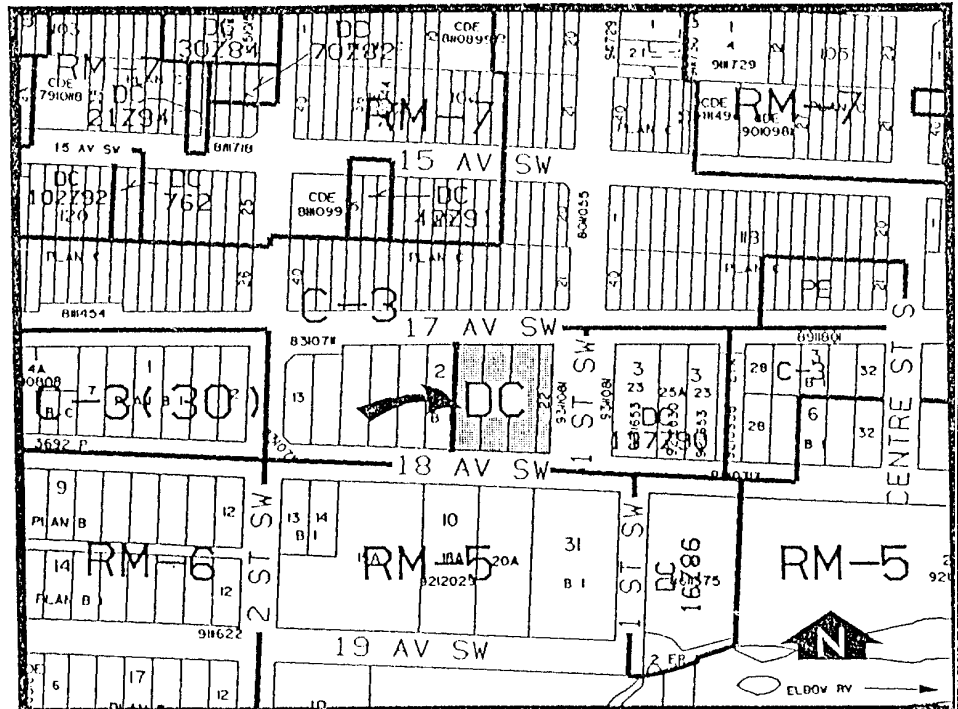


Amendment No. 95/033
Bylaw No. 58Z95
Council Approval: 18 July 1995

SCHEDULE B



1. Land Use

The land use shall be for a comprehensively-designed mixed-use building only. In the interim, the following shall be allowed as discretionary uses: parks and playgrounds and temporary surface parking. In addition, within the existing buildings: dwelling units, retail, restaurant, personal service businesses and office uses may be allowed as discretionary uses.

2. Development Guidelines

The General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 and the Permitted and Discretionary Use Rules of the C-3 General Commercial District shall apply unless otherwise noted below:

a. Density

Maximum density shall be in the order of 183 residential units and 1,869 m² of net commercial space.

b. Height

Maximum building height shall be 13 storeys not exceeding 38.5 metres at any eaveline (not including mechanical penthouse). The maximum height shall be located in the northwest corner of the site. The building form shall terrace down to the 1st Street Mall and the plaza space, to the satisfaction of the Approving Authority.

c. F.A.R.

Maximum floor area ratio shall be 4.19:1. Any floor are totally or partially above grade level shall be included in the F.A.R. calculations.

d. Landscaping

A detailed landscaping plan, including existing vegetation, shall be submitted to the Approving Authority for approval as part of a development permit application.

e. Landscaped Area

An at grade landscaped area in the order of 30 m x 32 m shall be made at the southeast corner of the site and incorporated into the plaza space to the satisfaction of the Approving Authority.

f. Vista

The massing of the proposed structure shall be designed to provide as much as possible an unobstructed vista of Saint Mary's Cathedral from the north along 1st Street SW to the satisfaction of the Approving Authority.

g. Retail Frontage

The grade level on 17th Avenue, 1st Street and the Plaza frontage shall be retail and/or uses which encourage pedestrian movement and activity, on a plaza, to the satisfaction of the Approving Authority.

h. Finishing Material and Detail Massing

The choice of finishing material and detail massing shall be influenced by the existing finishing materials and massing of the CN Station and Saint Mary's Cathedral, and the adjacent developments, to the satisfaction of the Approving Authority.

i. Bond

Prior to the release of the Development Permit, a bond or other surety shall be received, satisfactory to the Approving Authority, in conjunction with a signed legal agreement satisfactory to the City Solicitor regarding the phasing, construction and maintenance of the mall and plaza space.

j. Waiver

The Development Guideline found in Section 37(5)(a) and (b) of Bylaw 2P80 shall be waived for this application.

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. Temporary Surface Parking Areas

As an interim use, the temporary surface parking area shall be designed and developed in conformity with the relevant Council policies and standards to the satisfaction of the Approving Authority, with particular attention to the quality of landscaping and fencing in proximity to existing and potential residential uses.

m. Signage

Any signage on the subject site shall conform with the Sign Appendix (Section 59 of Bylaw 2P80), with the Approving Authority considering the appropriateness of the signage relative to existing and future uses in this area. All third-party advertising signs shall be prohibited.