

**CORPORATE PLANNING APPLICATIONS GROUP RECOMMENDATION:      Approval**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 2.19 hectares ± (5.40 acres ±) located at 2327, 2328, 2399, 2418 and 2425 Macleod Trail SW (Plan 0813116, Block 3, Lots 37 to 39; Plan 0813116, Block 8, Lots 37 and 38) from DC Direct Control District to DC Direct Control District to accommodate a transit oriented mixed use development, with the following guidelines:

**Purpose**

- 1 This Direct Control District is intended to:
  - (a) provide for a pedestrian and transit oriented mixed use development;
  - (b) provide for a range of commercial uses with some restrictions on size and location within **buildings**;
  - (c) provide for a range of multi-residential uses with a variety of built forms;
  - (d) provide for flexibility in the mix and intensity of uses, built form and size; and
  - (e) provide for **building** locations, **setback areas**, and **landscaping** that create sensitive interface treatment with adjacent residential developments.

**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.

**Permitted Uses**

- 4 (1) The **permitted uses** of the Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.
- (2) Despite the **uses** deemed to be **permitted uses** in Subsection 21(1) of Bylaw 1P2007 on all areas designated as Direct Control, the following **use** is prohibited in this Direct Control District:
  - (a) Special Function – Class 1.

**Discretionary Uses**

- 5 (1) The **discretionary uses** of the Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District:
  - (a) with the addition of:
    - (i) **Multi-Residential Development**;
    - (ii) **Parking Lot – Grade (temporary)**.

- (b) with the exclusion of:
  - (i) **Custodial Care;**
  - (ii) **Parking Lot – Grade;** and
  - (iii) **Parking Lot – Structure.**
- (2) Despite the **uses** deemed to be **discretionary uses** in Subsection 21(2) of Bylaw 1P2007 on all areas designated as Direct Control, the following **use** is prohibited in this Direct Control District:
  - (a) Special Function – Class 2.

### **Bylaw 1P2007 District Rules**

**6** Unless otherwise specified, the General Rules for Commercial Land Use Districts of Bylaw 1P2007 apply in this Direct Control District.

### **Floor Area Ratio**

- 7**
- (1) The maximum total **floor area ratio** over the entire site is 5.0.
  - (2) The maximum total **floor area ratio** over the entire site is 1.0 for commercial uses.
  - (3) The minimum total **floor area ratio** over the entire site is 1.0. for residential uses.

### **Building Height**

- 8**
- (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 90.0 metres.
  - (2) Where a **parcel** shares a **property line** with Erlton Road, the maximum **building height** is:
    - a) 24.0 metres measured from **grade** within 10.0 metres of that **property line**; and
    - b) 48.0 metres measured from **grade** at a distance between 10.0 metres and 22.0 metres from that **property line**.

### **Use Area**

- 9**
- (1) Unless otherwise referenced in subsection (2) and (3), there is no maximum **use area** requirement for commercial **uses**.
  - (2)
    - (a) Unless otherwise referenced in subsection (b), the maximum **use area** for commercial **uses** on the ground floor of **buildings** in this Direct Control District is 465.0 square metres.
    - (b) One (1) **retail and consumer service use** may have a maximum **use area** of 1115 square metres on the ground floor of **buildings**, subject to the use area width requirements in section 11 of this Direct Control District.

- (3) The maximum **use area** for a **supermarket** is 3800 square metres on the ground floor of **buildings**.

#### Location of Uses within Buildings

- 10 (1) No **Retail and Consumer Service uses** are to be located above residential **uses** and must have its own separate entrance from any residential component of the **building**.
- (2) Only **Retail and Consumer Service uses** must be oriented towards the 25 Avenue SW frontage and the private road, legally described as Lot 39, Block 3, Plan 0813116 (previously a part of 24 AV SW).
- (3) **Retail and Consumer Service uses** must not be oriented towards the Erlton Road SW frontage, except at the following locations:
- (a) at either corners of the intersection of Erlton Road SW with the private road, legally described as Lot 39, Block 3, Plan 0813116 (previously a part of 24 AV SW) for a maximum distance of 20.0 metres from the corner of the intersection; and,
- (b) at the intersection of Erlton Road SW with 25 Avenue SW for a maximum distance of 25.0 metres from the corner of the intersection.
- (4) A **supermarket** must not be developed as a stand-alone **use** on the site, but must form part of a comprehensively designed development.

#### Use Area Width

- 11 (1) Unless otherwise referenced in subsection (2) and (3), the maximum width of a **use area** on the ground floor fronting the private road, legally described as Lot 39, Block 3, Plan 0813116 (previously a part of 24 AV SW), is 15.0 metres.
- (2) The **use area** width may be relaxed by the **Development Authority** for the following **uses** where the test for relaxation set out in section 31 or 36 of Bylaw 1P2007 is met.
- (a) **Restaurant: Food Service Only - Large;**
- (b) **Restaurant: Food Service Only - Medium;**
- (c) **Restaurants Licensed - Large;** and
- (d) **Restaurants Licensed - Medium.**
- (3) There is no **use area** width requirement for a **supermarket**.

#### Front Setback Area

- 12 (1) Unless otherwise referenced in subsection (2), there is no minimum requirement for a **front setback area**;
- (2) For all development along Erlton Road, the **front setback area** must have a minimum depth of 2.0 metres.

### Rear Setback Area

13 There is no minimum requirement for a **rear setback area**.

### Side Setback Area

14 There is no minimum requirement for a **side setback area**.

### Building Design

15 (1) **Multi-Residential Development** above the podium must have a maximum floor plate size of 700.0 square metres **gross floor area**, which may be relaxed by the **Development Authority** to a maximum of 750.0 square metres where the test for relaxation set out in section 31 or 36 of Bylaw 1P2007 is met

(2) The separation distance between **buildings** above the podium must be a minimum of 24.0 metres.

### Landscaping in Setback Area

16 The landscape requirements of the Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007 are the landscape requirements in this Direct Control District.

### Vehicular Access

17 (1) Vehicular access to parking structures must not be provided from the private road, legally described as Lot 39, Block 3, Plan 0813116 (previously a part of 24 AV SW).

(2) Vehicular access to parking structures for non-residential uses must not be provided from Erlton Road SW.

(3) Vehicular access for commercial loading/unloading and waste and recycling pick up must not be provided from Erlton Road SW.

### Minimum Required Motor Vehicle Parking Stalls

18 (1) Unless otherwise referenced in subsections (2), (3) and (4) below, the minimum required motor vehicle parking stalls of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the minimum required **motor vehicle parking stalls** in this Direct Control District.

(2) The minimum required **motor vehicle parking stalls** for a supermarket is 3.5 stalls per 100 square metres of **gross usable floor area**.

(3) The minimum **motor vehicle parking stall** requirements for each **use** is the maximum **motor vehicle parking** stall requirement provided for each **use**.

(4) The minimum number of **motor vehicle parking stalls** is reduced by 10.0 per cent where a **building** that generates the parking requirement is located within 400.0 metres of an existing or approved Capital funded **LRT platform**.

(5) The **Development Authority** may consider a further relaxation of the required **motor vehicle parking stalls** for a development where a parking study submitted as part of a development permit application demonstrates that the **motor vehicle parking stalls** requirement should vary from the requirements of this Direct Control District, and the test for the relaxations set out in section 31

and 36 of Bylaw 1P2007 is met.

**Required Bicycle Parking Stalls**

**19** The minimum required bicycle parking stalls of the Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007 are the minimum required bicycle parking stalls in this Direct Control District.

**Phasing**

- 20**
- (1)** A phasing plan must be submitted with the first Development Permit application providing development sequencing information.
  - (2)** The private road, legally described as Lot 39, Block 3, Plan 0813116 (previously a part of 24 AV SW), must be constructed as part of phase 1 of the development.
  - (3)** The overhead pedestrian bridge must be constructed as part of phase 1 of the development,