

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,