

## DC DIRECT CONTROL DISTRICT

### Proposed Direct Control XX D 2012 to replace DC 118Z2007 (**Dec 6** 2012)

#### Purpose

- 1 This Direct Control District is intended to:
- (a) provide for mixed use development in an urban setting adjacent to a LRT Station;
  - (b) provide opportunities for residential, retail and office uses to be in the same **building**;
  - (c) offer pedestrian connections from public sidewalks to a pedestrian bridge linking to the Erlton LRT station;
  - (d) address **building** location, **setback areas**, and **landscaping** that create sensitive interface treatment with adjacent **residential district**.

#### Compliance with Bylaw 1P2007

- 2 (1) Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.
- (2) Unless otherwise specified, the general rules for Commercial Land Use Districts (Part 7, Division 1 of 1P2007) shall apply in 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.

#### Rules

- 4 (1) For the purposes of this Direct Control District, the **building height** will be measured from the required main floor elevation, as stipulated in the City's Floodway and Flood Fringe mapping for this site, minus 0.6m, to the top of the building, not including ancillary structures.

#### Permitted Uses

- 5 (1) The following **uses** are **permitted uses** in this Direct Control district:
- (a) **Park**;
  - (b) **Sign – Class A**;
  - (c) **Sign – Class B**;
  - (d) **Sign – Class D**;
  - (e) **Special Function Tent – Recreational**; and
  - (f) **Utilities**.
- (2) The following **uses** are **permitted uses** in this district if they are located within approved **buildings**:
- (a) **Accessory Food Service**;
  - (b) **Catering Service – Minor**;
  - (c) **Child Care Service**;
  - (d) **Convenience Food Store**;
  - (e) **Counselling Service**;
  - (f) **Drinking Establishment – Medium**;
  - (g) **Drinking Establishment – Small**;

## DC DIRECT CONTROL DISTRICT

- (h) Dwelling Unit;
- (i) Financial Institution;
- (j) Fitness Centre;
- (k) Health Services Laboratory – With Clients;
- (l) Home Based Child Care – Class 1;
- (m) Home Occupation – Class 1;
- (n) Information and Service Provider;
- (o) Library;
- (p) Medical Clinic;
- (q) Museum;
- (r) Office;
- (s) Outdoor Café;
- (t) Pet Care Service;
- (u) Power Generation Facility – Small;
- (v) Print Centre;
- (w) Protective and Emergency Services;
- (x) Radio and Television Studio;
- (y) Restaurant: Food Service Only - Large;
- (z) Restaurant: Food Service Only - Medium;
- (aa) Restaurant: Food Service Only - Small;
- (bb) Restaurants Licensed – Large;
- (cc) Restaurants Licensed – Medium;
- (dd) Restaurants Licensed – Small;
- (ee) Retail and Consumer Service;
- (ff) Service Organization;
- (gg) Specialty Food Store;
- (hh) Supermarket;
- (ii) Take Out Food service;
- (jj) Temporary Residential Sales Centre; and
- (kk) Veterinary Clinic.

### Discretionary Uses

- 6 (1) **Uses** listed in subsection 5(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in this Direct Control district.
- (2) **Uses** listed in subsection 5(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** listed in this district that has been approved after the **parcel** was designated this Direct Control district.
- (3) The following **uses** are **discretionary uses** in this Direct Control district:
- (a) Accessory Liquor Service;
  - (b) Artist’s Studio;
  - (c) Billiard Parlour;
  - (d) Cinema;
  - (e) Computer Games Facility;
  - (f) Conference and Event Facility;
  - (g) Custodial Care;

## DC DIRECT CONTROL DISTRICT

- (h) **Drinking Establishment – Large;**
- (i) **Home Occupation – Class 2;**
- (j) **Hotel;**
- (k) **Indoor Recreation Facility;**
- (l) **Instructional Facility;**
- (m) **Liquor Store;**
- (n) **Live Work Unit;**
- (o) **Parking Lot – Grade (temporary);**
- (p) **Parking Lot – Structure;**
- (q) **Post-secondary Learning Institution;**
- (r) **Residential Care;**
- (s) **Seasonal Sales Area;**
- (t) **Sign – Class C;**
- (u) **Sign – Class E;**
- (v) **Sign – Class F;**
- (w) **Special Function Tent – Commercial; and**
- (x) **Utility Building.**

### Floor Area Ratio

**7** The maximum ***floor area ratio*** is 5.0;

- (1) In addition, the following shall apply:
  - (a) The maximum ***floor area ratio*** for the Residential group of uses shall not exceed 3.5;
  - (b) The maximum ***floor area ratio*** for the Office group of uses shall not exceed 1.0;
  - (c) The minimum ***floor area ratio*** for ***Retail and Consumer Service uses*** is 0.2, but shall not exceed 0.5; and
  - (d) There are no minimum ***floor area ratio*** requirement for all other uses.

### Building Height

**8** The maximum ***building height*** is 90.0 metres unless otherwise specified below:

- (1) The maximum ***building height*** for ***buildings*** within 10.0 metres of Erlton Road property line is 24.0 metres;
- (2) The maximum ***building height*** for ***buildings*** within 10.0 to 24.0 metres of Erlton Road property line is 48.0 metres

### Use Area

- 9**
- (1) Unless otherwise referenced in subsection (3), (4) and (5), the maximum ***use area*** for ***uses*** on the ground floor of ***buildings*** in this district is 465.0 square metres.
  - (2) Unless otherwise referenced in subsection (3), (4) and (5) there is no maximum ***use area*** requirement for ***uses*** located on upper floors in this district.

## DC DIRECT CONTROL DISTRICT

- (3) The maximum **use area** of a:
  - (a) **Supermarket**; or a **supermarket** combined with any other **use**, is 3665.0 square metres, applicable only to the portion of the **supermarket** that is on the ground floor;
  - (b) A **supermarket** shall not be developed as a stand-alone use on the site, but shall form part of a comprehensively designed development.
- (4) One (1) **retail and consumer service use** can have a maximum **use area** greater than 465.0 square meters but no greater than 1115.0 square metres on the ground floor.
- (5) The following **uses** do not have a **use area** restriction:
  - (a) **Hotel**.

### Location of Uses within Buildings

- 10 (1) No retail, office or commercial uses are to be located above any residential uses and shall have its own separate entrance from any residential component of the **building**.
- (2) **Retail and Consumer Service uses** shall primarily be oriented towards 24 and 25 Avenue frontages and then towards 22 Avenue and Macleod Trail;
- (3) Only **Retail and Consumer Service uses** that are intended to serve the local North Erlton community may be partially oriented to the Erlton Road frontage at the intersections of Erlton Road with 24 and 25 Avenues with a maximum of 20.0 metres retail **building** façade on Erlton Road at each of the intersections.

### Use Area Width

- 11 (1) The maximum width of a **use area** on the ground floor fronting the north side of 24 Avenue SW is 15.0 metres.
- (2) There is no maximum **use area** width applicable to any other building frontages.
- (3) A minimum of 5 separate **uses areas** fronting the north side of 24 Avenue SW must be accommodated within the building design.
- (4) A minimum of 3 separate **uses areas** fronting the south side of 24 Avenue SW must be accommodated within the building design.

### Use Area Discretion

- 12 Notwithstanding section 11, the development authority may relax the use area width requirements where:
  - (1) the **use area** fronting 24 Avenue contains any of the following uses:
    - (a) **Drinking Establishment – Large**;
    - (b) **Drinking Establishment – Medium**;
    - (c) **Outdoor Café**;

## DC DIRECT CONTROL DISTRICT

- (d) **Restaurant: Food Service Only - Large;**
- (e) **Restaurant: Food Service Only - Medium;**
- (f) **Restaurants Licensed – Large;**
- (g) **Restaurants Licensed – Medium; or**

- (2) the proposed **use** encourages active frontages and/or promotes strong street level activities and lively interfaces.

### Setback Area

- 13 (1) Residential development along Erlton Road SW shall have a minimum **building** setback of 2.0 metres;

- (2) There is no minimum setback requirement in all other cases.

### Building Design

- 14 (1) Pedestrian connections from the North Erlton Community and Lindsay Park/Talisman Sports Centre shall be provided through the development to the Erlton LRT Station;

- (2) Pedestrian connections shall provide for both vertical and horizontal connections;

- (3) The separation distance between buildings above the podium shall be a minimum of 24.0 metres;

- (4) All structures shall have exterior finish materials that require minimal maintenance during the life of the building; and

- (5) Where roof areas of more than 700 square metres occur on at grade retail buildings, the building shall contain a green roof covering at least 75% of the roof area. For the purpose of this bylaw, a green roof is a system of hard and soft landscaping which may include: plants, growing medium and root/waterproof membranes that act as a whole to maximize the available environmental benefits of the roof of any building that improves air temperature, air pollution, storm water quality, and provides open green space.

### Floor Plate Restrictions

- 15 (1) Development above the podium for residential group **uses** shall have a maximum floor plate size of 700.0 square metres **gross floor area**, which may be increased to 750.0 square metres subject to the policies in Section 2.1.3.2 (f) of the amended Erlton Area Redevelopment Plan and with the approval of the Approving Authority;

### Landscaping

- 16 (1) The following areas, except for vehicle access ways from public thoroughfares, shall be landscaped:

- (a) All yards where they are not used for vehicle circulation;

- (b) All on-site horizontal surfaces at grade and above, greater than 5.6 square metres in area, including rooftop amenity spaces and common decks; and

## DC DIRECT CONTROL DISTRICT

- (c) All City boulevards.
- (2) A detailed landscape plan shall be submitted and approved in conjunction with all Development Permits.

### Surface Parking

- 17 (1) **Parking Lot – Grade (temporary)** on the site shall only be provided along the alignments of 22, 24 and 25 Avenues and adjacent to Macleod Trail. No surface parking is allowed on the site adjacent to Erlton Road except for loading and unloading.

### Site Access

- 18 (1) Access to parking structures on the closed portion of 24<sup>th</sup> Avenue SW shall not be permitted.

### Minimum Required Motor Vehicle Parking Stalls

- 19 (1) Unless otherwise referenced in sub-section (2), the minimum number of **motor vehicle parking stalls**:
- (a) for each **Dwelling Unit** is:
    - (i) 0.75 **stalls** per **unit** for resident parking; and
    - (ii) 0.1 **visitor parking stalls**;
  - (b) for each **Live Work Unit** is:
    - (i) 1.0 **stalls** per **unit** for resident parking; and
    - (ii) 0.5 **visitor parking stalls**;
  - (c) for an **Office**, when located on floors above the ground floor is:
    - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
    - (ii) the cumulative number of stalls referenced in subsection (i) are reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
  - (d) for a **Retail and Consumer Service** is:
    - (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
    - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
    - (iii) where **Retail and Consumer Service uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum of 3.0 stalls; and
  - (e) for a **Child Care Service, Cinema, Conference and Event Facility**,

## DC DIRECT CONTROL DISTRICT

**Drinking Establishment – Large, Drinking Establishment – Medium, Home Occupation – Class 1, Home Occupation Class – 2, Hotel, Library, Museum, Restaurant: Food Service Only – Large, Restaurant: Food Service Only – Medium, Restaurant: Licensed – Large, Restaurant: Licensed – Medium, and Seasonal Sales Area** is the minimum requirement referenced in Part 4 of 1P2007;

- (f) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small, and Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**; and
- (g) for all other **uses** is 3.0 stalls per 100.0 square metres of **gross usable floor area**.

(2) For a **Computer Games Facility, Convenience Food Store, Drinking Establishment – Medium, Drinking Establishment – Small, Liquor Store, Outdoor Café, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail and Consumer Service**, located on the ground floor of a **building**, the minimum number of **motor vehicle parking stalls** is:

- (a) 0.0 stalls where a **building** contains a **Dwelling Unit** above the ground floor;
- (b) 0.0 stalls where the **use area** is less than or equal to 465.0 square metres, provided the **building** is only one **storey**;
- (c) 1.0 stalls per 100.0 square metres of **gross usable floor area** where the **use area** is greater than 465.0 square metres and where the **building** is only one **storey**;
- (d) in all other cases the minimum requirement referenced in subsections (1).

### Required Bicycle Parking Stalls

20 (1) The minimum number of **bicycle parking stalls – class 1** for:

- (a) each **Dwelling Unit** and **Live Work Unit** is:
  - (i) no requirement where the number of **units** is less than 20; and
  - (ii) 0.5 stalls per **unit** when the total number of **units** equals or exceeds 20; and
- (b) all other **uses** is the minimum requirement referenced in Part 4.

(2) The minimum number of **bicycle parking stalls – class 2** for:

- (a) each **Dwelling Unit** and **Live Work Unit** is:
  - (i) 2.0 stalls for **developments** of 20 **units** or less; and
  - (ii) 0.1 stalls per **unit** for **developments** of more than 20 **units**; and

## DC DIRECT CONTROL DISTRICT

- (b) all other **uses** is 5.0 per cent of the minimum number of **motor vehicle parking stalls**.