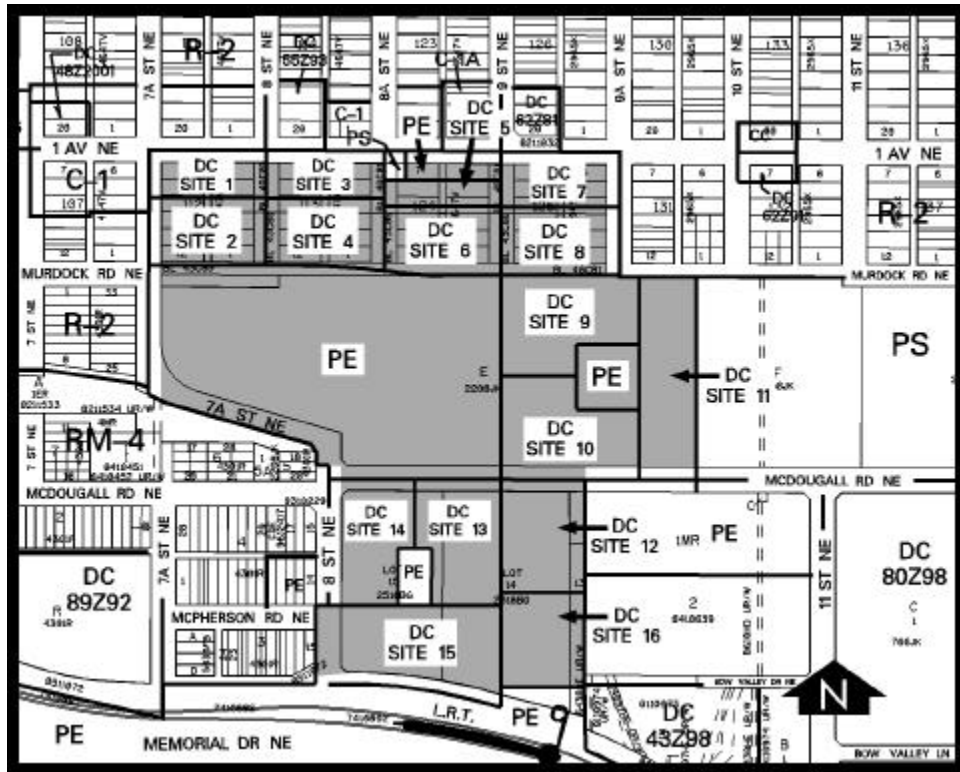


**Amendment # LOC2001-0027  
Bylaw # 41Z2002  
Council Approval May 27 2002**

**SCHEDULE B**



**DC DIRECT CONTROL DISTRICT**

**Site 1 (0.198 hectares), Site 3 (0.198 hectares), Site 5 (0.110 hectares) and Site 7 (0.250 hectares)**

1. Land Use
  - (a) Permitted Uses

Except for utilities, essential public services, and parks and playgrounds, the following uses shall be permitted only within existing buildings:

- Financial institutions (Sites 1 and 3 only)
- Grocery stores
- Home occupations – Class 1
- Medical clinics
- Offices

Personal service businesses  
 Retail stores  
 Signs—Class 1  
 Take-out food services  
 Veterinary clinics

(b) Discretionary Uses

Accessory food services  
 Apartment buildings (Sites 5 and 7 only)  
 Athletic and recreational facilities  
 Billiard parlours  
 Child care facilities  
 Commercial schools  
 Dwelling units  
 Home occupations – Class 2 (N.P.)  
 Liquor stores  
 Live-work units  
 Outdoor cafes (N.P.)  
 Power Generation Facilities – Small Scale  
 Private club or organization  
 Public or quasi-public buildings  
 Restaurant/drinking establishments  
 Restaurants—food service only  
 Special care facilities  
 Stacked townhouses (Sites 5 and 7 only)  
 Townhouses (Sites 5 and 7 only)

For the purpose of this Bylaw, “Live-work unit” means a type of dwelling unit used by the resident for work and living purposes which may include, but is not limited to, offices, personal service businesses, and selling of goods produced on-site, such as crafts or other similar small scale items.

**Note:** N.P.- Notice Posting is mandatory for these uses in accordance with Section 10(4) of Bylaw 2P80.

2. Development Guidelines

The General Rules for Commercial Districts contained in Section 33 of Bylaw 2P80 shall apply unless otherwise noted or added below:

(a) Yards

(i) No yards abutting a public thoroughfare are allowed except:

(A) A minimum depth of 1.2 metres where the yard abuts 1 Avenue NE shall be required; and

- (B) A minimum depth of 3 metres where the yard abuts a public thoroughfare for apartment buildings, stacked townhouses and townhouses shall be required.
  - (ii) No yards shall be allowed between buildings.
- (b) Residential Density
  - (i) A maximum of 111 units per hectare (45 units per acre) for Sites 1, 3 and 7; and
  - (ii) A maximum of 98 units per hectare (40 units per acre) for Site 5.
- (c) Building Height
  - (i) A maximum of 3 storeys not exceeding an overall height of 11 metres, except for Site 5, which shall be a maximum of 2 storeys not exceeding an overall height of 10 metres; and
  - (ii) Building height shall be measured by creating a line parallel to grade along each building elevation and separated vertically from grade by the maximum building height. Such line may be exceeded only by:
    - (A) part of the building, on no more than one building elevation; and
    - (B) ancillary structures.
- (d) Building Orientation and Design
  - (i) Drive-in or drive-through facilities shall not be permitted;
  - (ii) Building facades fronting onto a public thoroughfare shall have a minimum length of 15 metres on Sites 1 and 3; and
  - (iii) The ground floor geodetic elevation shall not exceed the geodetic elevation of the adjacent public sidewalk on 1 Avenue NE by more than 0.3 metres.
- (e) Building Conversion

The ground floor of residential buildings on Sites 5 and 7 shall be designed and built so as to be capable of accommodating a range of non-residential uses.

## (f) Dwelling Units

- (i) Dwelling units shall have an entrance separate from the entrance to any non-residential component of the building;
- (ii) Dwelling units shall not be located below the second storey of the building on Sites 1 and 3; and
- (iii) All main floor dwelling units on Sites 5 and 7 fronting onto a public thoroughfare shall have an entrance with direct access to grade and the front yard.

## (g) Live-Work Units

- (i) That portion used for work purposes shall be restricted to the ground floor only and shall not exceed 50 percent of the gross floor area of the live-work unit;
- (ii) A maximum of one non-resident employee may work within the live-work unit unless otherwise allowed by the Approving Authority;
- (iii) Signage shall be non-illuminated and shall be compatible with the residential neighbourhood to the satisfaction of the Approving Authority; and
- (iv) Live-work units shall be limited to those uses which do not create a nuisance by way of electronic interference, dust, noise, odour, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside the live-work unit.

## (h) Amenity Space

Amenity space (private or common) shall be provided to the satisfaction of the Approving Authority.

## (i) Maximum Floor Area for Non-Residential Uses

- (i) Accessory Food Service  
A maximum gross floor area of 15 square metres.
- (ii) Outdoor Café  
A maximum gross floor area of 25 square metres.
- (iii) Restaurant/Drinking Establishment and Restaurant-Food Service Only

- (A) A maximum net floor area of 75 square metres, excluding kitchen area; and
- (B) The gross floor area shall not exceed 20 percent of the gross floor area of the ground floor of any building.

(iv) Take-out Food Service

A maximum net floor area of 15 square metres, excluding kitchen area.

(v) Liquor Store

- (A) A maximum gross floor area of 110 square metres; and
- (B) The gross floor area shall not exceed 20 percent of the gross floor area of the ground floor of any building.

(j) Parking and Loading

The requirements of Section 18 of Bylaw 2P80 shall apply unless otherwise noted or added below:

- (i) A minimum of 1.25 parking stalls, which includes visitor parking, shall be provided per dwelling unit;
- (ii) A minimum of 2 on-site parking stalls shall be provided for each live-work unit;
- (iii) A minimum of 1 parking stall per 7 square metres of net floor area excluding kitchen area shall be provided for ground floor restaurant/drinking establishments and restaurants-food services only;
- (iv) Required parking for ground floor non-residential uses may be provided by on-street parking located within 200 meters of the principal building, provided such parking stalls are located within the area bounded by the south side of 1 Avenue NE, the east side of 7A Street NE, the west side of 9A Street NE and the north side of Murdock Road NE all to the satisfaction of the Approving Authority;
- (v) A minimum of 25 percent of the required parking for ground floor non-residential uses shall be provided on-site;
- (vi) On-site parking shall not be allowed within 3 metres of a public thoroughfare;

- (vii) On-site surface parking shall only be allowed at the rear of the building;
  - (viii) Vehicular access to a site shall not be allowed off 1 Avenue NE and shall be in a location to the satisfaction of the Approving Authority;
  - (ix) Parking structures shall not project more than 1 metre above grade; and
  - (x) Loading space shall be provided to the satisfaction of the Approving Authority.
- (k) Screening
- Visual screening of the site shall be provided to the satisfaction of the Approving Authority.
- (l) Outside Storage
- No outside storage shall be allowed.
- (m) Signs
- See Appendix in Bylaw 2P80.
- (n) Airport Vicinity Regulations
- See Section 19 of Bylaw 2P80.
- (o) Floodway, Floodplain and Overland Flow Area Special Regulations
- See Section 19.1 of Bylaw 2P80.

**Site 2 (0.320 hectares), Site 4 (0.320 hectares), Site 6 (0.315 hectares), Site 8 (0.32 hectares), Site 9 (0.414 hectares), Site 10 (0.414 hectares), Site 11 (0.532 hectares), Site 12 (0.438 hectares), Site 13 (0.379 hectares), and Site 14 (0.379 hectares)**

1. Land Use

(a) Permitted Uses

Accessory buildings  
Essential public services  
Home occupations – Class 1  
Parks and playgrounds  
Utilities

## (b) Discretionary Uses

Apartment buildings (C.U.)  
 Child care facilities (N.P.)  
 Dwelling units  
 Home occupations – Class 2 (N.P.)  
 Live-work units  
 Power Generation Facilities - Small Scale  
 Public or quasi-public buildings  
 Signs  
 Special care facilities  
 Stacked townhouses

For the purpose of this Bylaw, “Live-work unit” means a type of dwelling unit used by the resident for work or living purposes which may include, but is not limited to, offices, personal service businesses and selling of goods produced on-site, such as crafts or other similar small scale items.

**Note:** N.P.- Notice Posting is mandatory for these uses in accordance with Section 10(4) of Bylaw 2P80.

C.U.- Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b) of Bylaw 2P80.

## 2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of Bylaw 2P80 shall apply unless otherwise noted or added below:

## (a) Yards

- (i) No yard shall abut the south boundary of Site 12;
- (ii) No yards shall be allowed between buildings;
- (iii) For Sites 11 and 12, a minimum depth of 6 metres shall be required from the east boundary of each site; and
- (iv) All yards abutting a public thoroughfare shall be 3 metres in depth except:

## (A) Sites 9 and 10:

- (I) A minimum depth of 3 metres and a maximum depth of 12 metres shall be required where the yards face the open space between Sites 9 and 10; and
- (II) A minimum depth of 3 metres and a maximum depth of 6 metres shall be required where the yards about 9A Street NE.

## (B) Sites 13 and 14:

- (I) A minimum depth of 3 metres and a maximum depth of 12 metres shall be required where the yards about McPherson Square NE;
- (II) A minimum depth of 3 metres and a maximum depth of 6 metres shall be required where the yards about McPherson Road NE or any public access easement on the site; and
- (III) A minimum depth of 9.8 metres shall be required where the yards about McDougall Road NE.

## (b) Density

- (i) A maximum of 247 units per hectare (100 units per acre) for Sites 2 and 8;
- (ii) A maximum of 296 units per hectare (120 units per acre) for Sites 4 and 6; and
- (iv) A maximum of 321 units per hectare (130 units per acre) for Sites 9, 10, 11, 12, 13 and 14.

## (c) Building Height

- (i) A minimum of 4 storeys with a minimum height of 14 metres;
- (ii) A maximum of 6 storeys, not exceeding an overall height of 20 metres, except:
  - (A) A maximum of 4 storeys, not exceeding an overall building height of 14 metres for buildings on:
    - (I) Site 2 within 20 metres of the property line along 7A Street NE;
    - (II) Site 8 within 20 metres of the property line along 9A Street NE; and



- (III) Site 11 within 20 metres of the property line along Murdock Road NE.
  - (B) A maximum of 7 storeys, not exceeding an overall building height of 23 metres for buildings on Sites 9, 10 and 11; and
  - (C) A maximum of 8 storeys, not exceeding an overall building height of 26 metres for buildings on Sites 12, 13 and 14.
- (iii) Building height shall be measured by creating a line parallel to grade along each building elevation and separated vertically from grade by the maximum building height. Such line may be exceeded only by:
  - (A) part of the building, on no more than one building elevation; and
  - (B) ancillary structures.
- (d) Building Orientation and Design
  - (i) All primary building entrances shall face onto a street;
  - (ii) Dwelling units on the ground floor of buildings shall have the appearance of individual dwelling units;
  - (iii) All ground floor dwelling units, fronting onto a public thoroughfare or park shall provide an entrance with direct access to grade;
  - (iv) Above the second or third storey, all building facades fronting onto a public thoroughfare or park shall be stepped back a minimum of 1 metre from the lower storeys;
  - (v) Building facades fronting onto a public thoroughfare shall have a minimum length of 10 metres on Site 9, 10, 11, 13 and 14;
  - (vi) Building facades fronting onto a public thoroughfare shall have a minimum overall length of 30 metres on Sites 2, 4, 6, 8, and 12;
  - (vii) The lower two storeys of buildings shall be constructed to the minimum required yard abutting public thoroughfares, except recesses may be allowed within the building façade for entrances and private outdoor amenity areas only; and
  - (viii) Private amenity space for ground floor dwelling units may be located in the front yard, provided the issues of privacy, security, light, and access are addressed to the satisfaction of the Approving Authority.

(e) Projections

- (i) Projections into a front yard shall not be permitted except:
  - (A) Eaves may project over or onto a front yard to a maximum of 0.6 metres;
  - (B) Windows may project over or onto a front yard to a maximum of 0.3 metres; and
  - (C) Landings, porches or canopies may project over or onto a front yard to a maximum of 0.9 metres.
- (ii) No minimum area restrictions shall apply to landings.

(f) Live-Work Units

- (i) That portion used for work purposes shall be restricted to the ground floor only and shall not exceed 50 percent of the gross floor area of the live-work unit;
- (ii) A maximum of one non-resident employee may work within the live-work unit unless otherwise allowed by the Approving Authority;
- (iii) Signage shall be non-illuminated and shall be compatible with the residential neighbourhood to the satisfaction of the Approving Authority; and
- (iv) Live-work units shall be limited to those uses which do not create a nuisance by way of electronic interference, dust, noise, odour, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside the live-work unit.

(g) Amenity Space

Amenity space (private or common) shall be provided to the satisfaction of the Approving Authority.

(h) Patios and Courtyards

Courtyard walls not exceeding 1 metre in height, which enclose a private outdoor amenity space may, when structurally integrated with the principal building, project to the property line.

## (i) Landscaping

- (i) All yards shall be landscaped to the satisfaction of the Approving Authority;
- (ii) A minimum of 25 percent of the site area at grade, or within 1 vertical metre of grade, shall be landscaped. A minimum of 60 percent of the 25 percent minimum requirement shall be permeable;
- (iii) Except for City boulevards, trees shall be planted in the overall minimum ratio of one tree per 30 square metres of landscaped area to be provided;
- (iv) Section 20(18)(b)(v) of Bylaw 2P80 does not apply;
- (v) Only deciduous trees shall be allowed on yards abutting public thoroughfares; and
- (vi) A minimum of 10 percent of all trees planted on Sites 2, 4, 6, 8, 11 and 12 shall be coniferous trees.

## (j) Retaining Walls and Fences

Notwithstanding Section 8(2)(h) of Bylaw 2P80:

- (i) The height of an exposed retaining wall or other building wall located within a front yard shall not exceed 1 metre unless otherwise allowed by the Approving Authority; and
- (ii) The height of a fence above grade measured at any point along the fence line, including the height of any retaining wall, which represents a logical vertical extension of the fence, shall not exceed 1.8 metres unless otherwise allowed by the Approving Authority.

## (k) Parking and Loading

The requirements of Section 18 of Bylaw 2P80 shall apply unless otherwise noted or added below:

- (i) A minimum of 1.25 parking stalls, which includes visitor parking, shall be provided per dwelling unit north of McDougall Road NE;
- (ii) A minimum of 2 on-site parking stalls shall be provided for each live-work unit;
- (iii) No on-site surface parking shall be allowed in a front yard or within 6 metres of a public thoroughfare;
- (iv) On-site surface parking shall be screened from public thoroughfares to the satisfaction of the Approving Authority;

- (v) Parking structures shall not project above grade, however, parking structures may project above grade on Site 12 provided the parking structure is not visible from 9 Street NE;
- (vi) Loading space shall be provided to the satisfaction of the Approving Authority; and
- (vii) Vehicular access shall be in a location to the satisfaction of the Approving Authority and shall not be allowed from:
  - (A) 9 Street NE or the street between Sites 9 and 10 extending from 9 Street NE to 9A Street NE for development on Sites 9 and 10;
  - (B) 9 Street NE for development on Site 12; and
  - (C) 9 Street NE or McPherson Square NE for development on Sites 13 and 14.

(l) Outside Storage

No outside storage shall be allowed.

(m) Signs

See Appendix in Bylaw 2P80.

(n) Airport Vicinity Regulations

See Section 19 of Bylaw 2P80.

(o) Floodway Floodplain and Overland Flow Area Special Regulations

See Section 19.1 of Bylaw 2P80.

**Site 15 (0.55 hectares) and Site 16 (0.410 hectares)**

1. Land Use

(a) Permitted Uses

Except for utilities, essential public services, and parks and playgrounds, the following uses shall be permitted only within existing buildings:

Home occupations – Class 1  
Personal service businesses

Retail stores  
 Signs – Class 1  
 Take-out food services  
 Veterinary clinics

(b) Discretionary Uses

Accessory food services  
 Amusement arcades  
 Apartment buildings  
 Athletic and recreational facilities  
 Billiard parlors  
 Child care facilities  
 Commercial schools  
 Dwelling units  
 Entertainment establishments  
 Financial institutions (C.U.)  
 Grocery stores  
 Home occupations – Class 2 (N.P.)  
 Hotels  
 Laboratories  
 Liquor stores  
 Live-work units  
 Mechanical reproduction and printing facilities (C.U.)  
 Medical clinics (C.U.)  
 Offices (C.U.)  
 Outdoor cafes (N.P.)  
 Power Generation Facilities - Small Scale  
 Private club or organization  
 Private schools  
 Public or quasi-public buildings  
 Restaurant/drinking establishments  
 Restaurants-food service only  
 Special care facilities  
 Universities, colleges and provincial training centers

For the purpose of this Bylaw, “Live-work unit” means a type of dwelling unit used by the resident for work and living purposes which may include, but is not limited to, offices, personal service businesses, selling of goods produced on-site, such as crafts or other similar small scale items.

**Note:** N.P.- Notice Posting is mandatory for these uses in accordance with Section 10(4) of Bylaw 2P80.

C.U.- Certainty of Land Use Only is afforded applications that meet the requirements of Section 11(2)(b) of Bylaw 2P80.

## 2. Development Guidelines

The General Rules for Commercial Districts 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) Yards

No yards are allowed except:

- (i) A minimum depth of 6 metres on Site 15 where the yard abuts Memorial Drive NE and a minimum depth of 6 metres from the east boundary of Site 16 shall be required;
- (ii) A minimum depth of 3 metres for apartment buildings or ground floor dwelling units where the yard abuts McPherson Road NE and 9 Street NE and the south boundary of Site 16 shall be required; and
- (iii) Buildings on Site 15 shall be constructed up to 20.2 metres from the west boundary of Site 15.

### (b) Building Height

- (i) A maximum of 34 metres;
- (ii) A minimum of 4 storeys with a minimum height of 14 metres; and
- (iii) Building height shall be measured by creating a line parallel to grade along each building elevation and separated vertically from grade by the maximum building height. Such line may be exceeded only by:
  - (A) part of the building, on no more than one building elevation; and
  - (B) ancillary structures.

### (c) Building Orientation and Design

- (i) Above the second or third storey all building facades that front onto a public thoroughfare or park shall be stepped back a minimum of 1 metre from the lower storeys; and
- (ii) All primary building entrances shall face a street.

(d) Apartment Buildings and Dwelling Units

- (i) A maximum density of 321 units per hectare (130 units per acre);
- (ii) Dwelling units on the ground floor of the building shall have the appearance of individual dwelling units;
- (iii) All ground floor dwelling units, fronting onto a public thoroughfare shall provide an entrance with direct access to grade;
- (iv) Projections into a front yard shall not be permitted except:
  - (A) eaves may project over or onto a front yard to a maximum of 0.6 metres;
  - (B) windows may project over or onto a front yard to a maximum of 0.3 metres; and
  - (C) landings, roofs or canopies may project over or onto a front yard to a maximum of 0.9 metres.
- (v) No minimum area restrictions shall apply to landings;
- (vi) Amenity space (private or common) shall be provided to the satisfaction of the Approving Authority; and
- (vii) Retaining Walls and Fences

Notwithstanding Section 8(2)(h) of Bylaw 2P80:

- (A) The height of an exposed retaining wall or other building wall located within a front yard shall not exceed 1 metre unless otherwise allowed by the Approving Authority; and
- (B) The height of a fence above grade measured at any point along the fence line, including the height of any retaining wall, which represents a logical vertical extension of the fence, shall not exceed 1.8 metres unless otherwise allowed by the Approving Authority.

(e) Non-Residential Uses

- (i) Floor Area
  - (A) Section 37(5)(a) of Bylaw 2P80 shall not apply; and

- (B) No restriction shall apply to the net floor area of restaurant-food service only, restaurant/drinking establishments and entertainment establishments.
  - (ii) No drive-in or drive-through facility shall be allowed.
- (f) Live-Work Units
  - (i) That portion used for work purposes shall be restricted to the ground floor only and shall not exceed 50 percent of the gross floor area of the live-work unit;
  - (ii) A maximum of one non-resident employee may work within the live-work unit unless otherwise allowed by the Approving Authority;
  - (iii) Signage shall be non-illuminated and shall be compatible with the residential neighbourhood to the satisfaction of the Approving Authority; and
  - (iv) Live-work units shall be limited to those uses which do not create a nuisance by way of electronic interference, dust, noise, odour, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside the live-work unit.
- (g) Landscaped Area
  - (i) All yards shall be landscaped to the satisfaction of the Approving Authority;
  - (ii) A landscaped area located on the building may be credited toward the required landscaped area at the discretion of the Approving Authority;
  - (iii) Where the number of dwelling units provided is less than 50 percent of the maximum number of dwelling units allowed on a site, an outdoor landscaped area shall be provided to the satisfaction of the Approving Authority;
  - (iv) Where the number of dwelling units provided exceeds 50 percent of the maximum number of dwelling units allowed on a site, a minimum of 25 percent of the site shall be landscaped;
  - (v) Trees shall be planted in the overall minimum ratio of one tree per 30 square metres of landscaped area to be provided; and
  - (vi) Only deciduous trees shall be allowed in yards abutting McPherson Road NE and 9 Street NE.



## (h) Parking and Loading

The requirements of Section 18 of Bylaw 2P80 shall apply unless otherwise noted or added below:

- (i) On-site surface parking shall only be allowed at the rear of a building;
  - (ii) Loading space shall be provided to the satisfaction of the Approving Authority;
  - (iii) On-site surface parking areas visible from public thoroughfares shall be visually screened to the satisfaction of the Approving Authority;
  - (iv) A minimum of 2 on-site parking stalls shall be provided for each live-work unit; and
  - (v) Parking Structures:
    - (A) On Site 16 shall not be visible from 9 Street NE or from the south boundary of Site 16;
    - (B) On Site 15 shall not be visible from 9 Street NE and McPherson Road NE; and
    - (C) Shall be architecturally integrated with the building to the satisfaction of the Approving Authority.
- (i) Pedestrian Connection to LRT
- Development on Site 16 shall provide for pedestrian connection to the LRT pedestrian ramp to the satisfaction of the Approving Authority.
- (j) Outside Storage
- No outside storage shall be allowed.
- (k) Signs
- See Appendix in Bylaw 2P80.
- (l) Airport Vicinity Regulations
- See Section 19 of Bylaw 2P80.
- (m) Floodway, Floodplain and Overland Flow Area Special Regulations
- See Section 19.1 of Bylaw 2P80.