

PART 6D

DCD-SD – SASKATCHEWAN DRIVE/ NORTH RAILWAY DIRECT CONTROL DISTRICT

6D.1 INTENT

- (1) The Saskatchewan Drive/ North Railway Direct Control District is intended to provide for the sensitive redevelopment of lands adjacent to the CPR mainline.
- (2) This Saskatchewan Drive/ North Railway Direct Control District implements the guidelines contained in:
 - (a) subsection 4.1.8 of the *Official Community Plan - Part B.6, Cathedral Area Neighbourhood Plan* respecting a Direct Control District; and
 - (b) subsection 3.6.7 of the *Official Community Plan - Part B.7, North Central Neighbourhood Plan* respecting a Direct Control District.

6D.2 APPLICATION

- (1) The regulations, standards, and requirements prescribed in Part 6D apply to all land uses and developments in the Saskatchewan Drive/ North Railway Direct Control District.
- (2) The regulations, standards, and requirements prescribed in Subsection 4.1.8 of the *Cathedral Area Neighbourhood Plan* and Subsection 3.6.7 of the *North Central Neighbourhood Plan*, subsection 4.1.8 of the *Cathedral Area Neighbourhood Plan* and subsection 3.6.7 of the *North Central Neighbourhood Plan* shall supersede where a regulation in Part 6D is inconsistent with any portion of the neighbourhood plan.
- (3) The requirements of Chapter 1 apply to all land uses, proposed land uses, development and proposed developments in the Saskatchewan Drive/ North Railway Direct Control District.

6D.3 BUILDING AND LAND USE REQUIREMENTS

3.1 PERMITTED AND DISCRETIONARY BUILDING TYPES

- (1) Table 6D.T1 lists building types that are permitted or discretionary in the Saskatchewan Drive/ North Railway Direct Control District.

- (2) Any building types other than those listed in Table 6D.T1 are prohibited in the Saskatchewan Drive/ North Railway Direct Control District.
- (3) A lot can contain multiple buildings that are permitted or discretionary in the Saskatchewan Drive/ North Railway Direct Control District.

TABLE 6D.T1: SASKATCHEWAN DRIVE/ NORTH RAILWAY DIRECT CONTROL DISTRICT BUILDING TYPES				
Sec.	Building Type	Permitted	Discretionary	Building Specific Regulations
T1.1	Building, Accessory	Permitted	---	---
T1.2	Building, Detached	Permitted	---	---
T1.3	Building, Row	<p>Permitted where the:</p> <p>(1) building does not contain a use in the dwelling land use class and meets the following conditions:</p> <p>(a) maximum building height is 15 metres or less;</p> <p>(b) the building does not adjoin a lot zoned residential or a lot containing a use in the dwelling land use class; and</p> <p>(c) the building is not on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is 11 metres or less.</p>	<p>Discretionary where the:</p> <p>(1) building is between 11 metres and 15 metres in height does not contain a use in the dwelling land use class and;</p> <p>(a) adjoins a lot zoned residential or a lot containing a use in the dwelling land use class; or</p> <p>(b) is on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is between 11 metres and 15 metres.</p>	---
T1.4	Building, Stacked	<p>Permitted where the:</p> <p>(1) building does not contain a use in the dwelling land use class and meets the following conditions:</p> <p>(a) maximum building height is 15 metres or less;</p> <p>(b) the building does not adjoin a lot zoned residential or a lot containing a use in the dwelling land use class; and</p> <p>(c) the building is not on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is 11 metres or less.</p>	<p>Discretionary where the:</p> <p>(1) building is between 11 metres and 15 metres in height does not contain a use in the dwelling land use class and;</p> <p>(a) adjoins a lot zoned residential or a lot containing a use in the dwelling land use class; or</p> <p>(b) is on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is between 11 metres and 15 metres.</p>	---

3.2 LAND USE REQUIREMENTS

- (1) Table 6D.T2 lists land uses and land use intensities that are permitted or discretionary in the Saskatchewan Drive/ North Railway Direct Control District, subject to compliance with:
 - (a) the land-use specific regulations in Table 6D.T2;
 - (b) the development standards in subpart 6D.4;
 - (c) the off-street parking requirements in subpart 6D.6;
 - (d) the landscaping, aesthetic screening requirements of subpart 6D.7; and
 - (e) the other regulations of this Bylaw.
- (2) Every discretionary use application for lands in the Saskatchewan Drive/ North Railway Direct Control District shall be evaluated for suitability based on the review criteria for discretionary uses prescribed in subpart 1E.3 of Chapter 1.
- (3) The following land uses are prohibited in the Saskatchewan Drive/ North Railway Direct Control District:
 - (a) any land use that is not listed in Table 6D.T2;
 - (b) any land use that is above the maximum intensity listed as permitted or discretionary in Table 6D.T2;
 - (c) any land use that fails to meet any of the applicable requirements laid out in this Bylaw; and
 - (d) any land use where hazardous waste or materials are warehoused, forwarded, or otherwise processed, handled or stored.

TABLE 6D.T2: SASKATCHEWAN DRIVE/ NORTH RAILWAY DIRECT CONTROL DISTRICT LAND USE CLASSIFICATION				
Sec.	Land Uses	Permitted	Discretionary	Land Use Specific Regulations
T2.1	<ul style="list-style-type: none"> • Agriculture, Animal Support • Industry, Food & Beverage • Industry, Laboratory • Industry, Light • Open Space, Active • Public Use, General • Retail Trade, Outdoor Lot • Retail Trade, Shop • Service Trade, Clinic • Service Trade, Light • Service Trade, Motor Vehicle – Light • Storage, Warehousing • Utility, General • Wholesale Trade, Indoor • Wholesale Trade, Outdoor 	Permitted	---	<p>(1) The “Open Space, Active” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” land use.</p> <p>(2) The measurement required in subsection (1) shall:</p> <p>(a) be a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” land use to the nearest portion of the lot with an “Open Space, Active” land use.</p> <p>(b) be assessed as of the date of receipt of a complete application as determined by the Development Officer.</p>
T2.2	<ul style="list-style-type: none"> • Office, Industry • Office, Professional 	Permitted if gross floor area is 300 square metres or less, per unit.	Discretionary if gross floor area is above 300 square metres but less than 1,000 square metres, per unit.	The gross floor area of all land uses in the “Office” land use class shall not exceed 1,000 square metres per lot.
T2.3	<ul style="list-style-type: none"> • Service Trade, Wash – Light 	---	Discretionary	<p>(1) All washing equipment shall be contained in a fully enclosed building, except for any entrance or exit.</p> <p>(2) In addition to other applicable requirements, where a “Service Trade, Wash – Light” is proposed on a lot that abuts a Sensitive Lot or Major Roadway, all entrances and exits shall be oriented to avoid negatively impacting the Sensitive Lot or Major Roadway.</p>
T2.4	<ul style="list-style-type: none"> • Drive-Through/Drive-In, Accessory • Food & Beverage, Lounge • Food & Beverage, Restaurant • Institution, Education • Transportation, Parking Lot 	---	Discretionary	---
T2.5	<ul style="list-style-type: none"> • Food & Beverage, Outdoor 	Permitted if dedicated outdoor area is less than 100 square metres per lot.	Discretionary if the sum of the gross floor area plus the dedicated outdoor area is greater than 10,000 square metres per lot.	---

6D.4 DEVELOPMENT STANDARDS IN THE SASKATCHEWAN DRIVE/ NORTH RAILWAY DIRECT CONTROL DISTRICT

4.1 DEVELOPMENT STANDARDS

The standards prescribed in Table 6D.T3 shall apply to all permitted non-residential buildings in the Saskatchewan Drive/ North Railway Direct Control District.

TABLE 6D.T3: SASKATCHEWAN DRIVE/ NORTH RAILWAY DIRECT CONTROL DISTRICT DEVELOPMENT STANDARDS		
Sec.	Development Criteria	Standards (Per Lot)
T3.1	Minimum Lot Area	500 square metres
T3.2	Minimum Lot Frontage	15 metres
T3.3	Minimum Front Yard Setback	0 metres*
T3.4	Minimum Rear Yard Setback	7.5 metres
T3.5	Minimum Single Side Yard Setback	0 metres*
T3.5	Minimum Total Side Yard Setback	3.0 metres
T3.6	Maximum Coverage	50%
T3.7	Maximum Floor Area Ratio	1.5
T3.8	Maximum Building Height	15 metres

Note:
* In no case shall a building be closer than 7.6 metres from the property line as identified in Figure 6D.F1.

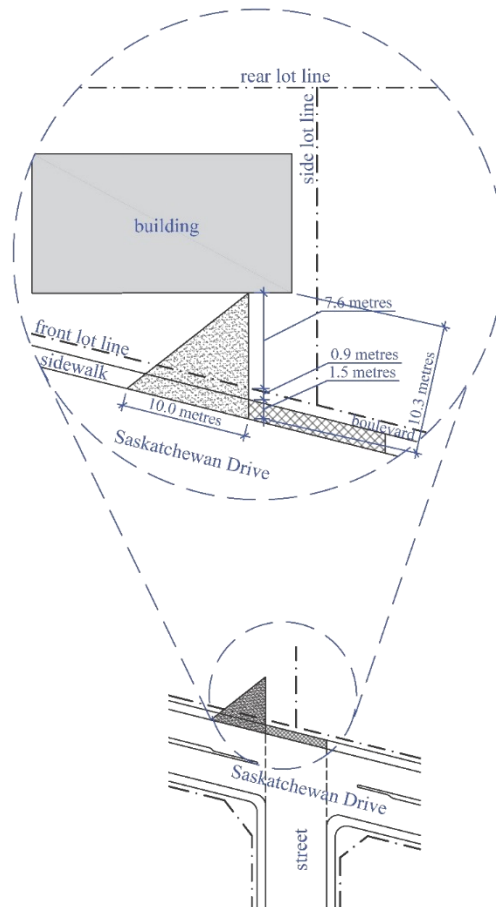


Figure 6D.F1: Minimum Setback from Access Crossing

4.2 LOT FRONTAGE

- (1) Where a lot's front lot line is curved, the lot frontage shall be measured as follows, as shown in Figure 6D.F2 below:
 - (a) the midpoint of the front lot line, relative to the side lot lines, shall be determined;
 - (b) a distance line perpendicular to the tangent and six metres in length shall be measured from the midpoint determined in clause 6D.4.2(1)(a); and
 - (c) the lot frontage shall be measured as a line perpendicular to the six metre distance line prescribed in clause 6D.4.2(1)(b).
- (2) On a corner lot, the lot frontage shall be measured as follows, as shown in Figure 6D.F3 below:
 - (a) a distance line perpendicular to the front lot line and six metres in length shall be measured from the front lot line;
 - (b) The lot frontage shall be measured as a line perpendicular to the six metre distance line prescribed in clause 6D.4.2(2)(a).

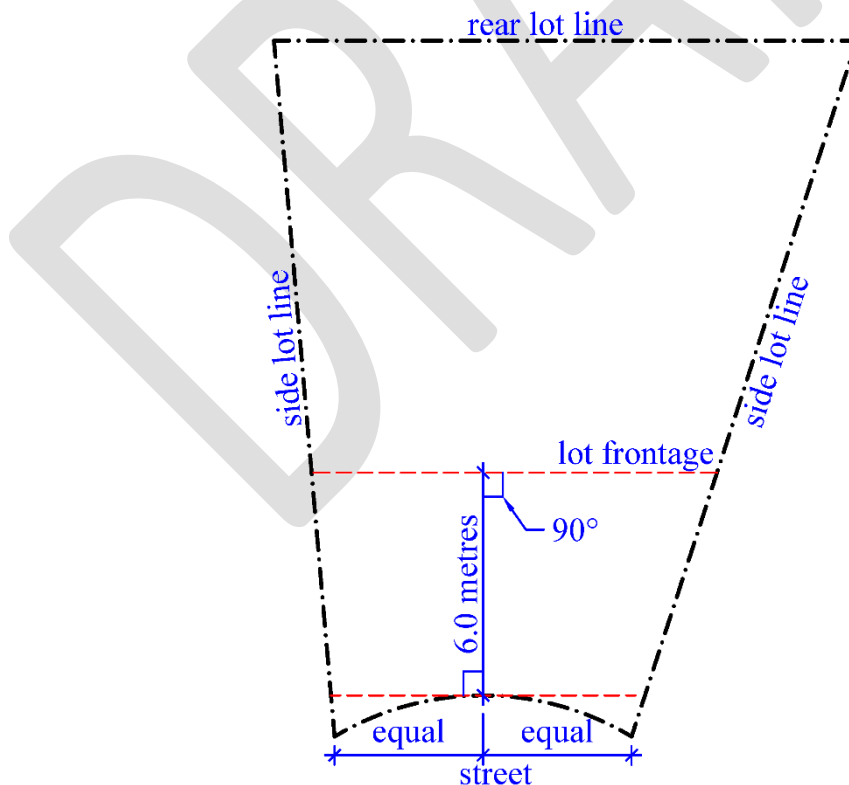


Figure 6D.F2: Minimum Lot Frontage on a Curved Front Lot

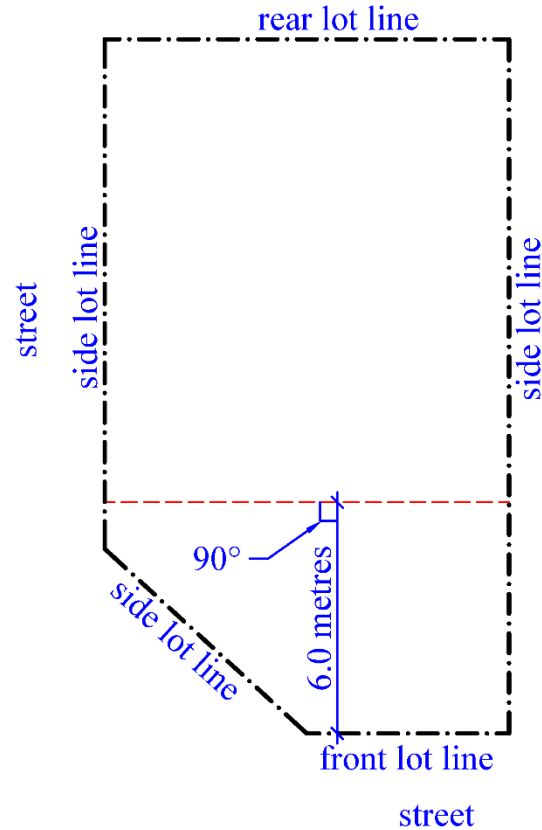


Figure 6D.F3: Minimum Lot Frontage on a Corner Lot

4.3 PERMITTED YARD ENCROACHMENTS

- (1) The minimum front yard, flankage side yard, interior side yard and rear yard specified by this Bylaw shall remain free from any encroachment, except as permitted by Table 6D.T4.
- (2) Permitted yard encroachments are subject to section 1E.1.9 of Chapter 1.
- (3) Minimum setback from lot line to a permitted encroachment shall be the lesser of the setback standards prescribed in Tables 6D.T3 and 6D.T4.

TABLE 6D.T4: SASKATCHEWAN DRIVE/ NORTH RAILWAY DIRECT CONTROL DISTRICT PERMITTED ENCROACHMENTS				
Sec.	Structure	Permitted Yard	Maximum Projection into Permitted Yard	Minimum Setback from Lot Line
T4.1	Fire escape	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	1.5 metres into any yard abutting lot zoned Residential or Mixed-Use, otherwise unrestricted.	150 millimetres from any abutting lot zoned Residential or Mixed-Use, otherwise unrestricted.
T4.2	Uncovered Balcony, Deck or Platform			
	(1) Portion that is 600 millimetres or more in height above grade.	<ul style="list-style-type: none"> • Front Yard • Interior Side Yard • Flankage Yard • Rear Yard 	1.5 metres into any yard abutting lot zoned Residential or Mixed-Use, otherwise unrestricted.	150 millimetres from any abutting lot zoned Residential or Mixed-Use, otherwise unrestricted.
	(2) Portion that is less than 600 millimetres in height above grade.	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	Unrestricted	Unrestricted
T4.3	Any balcony, porch, deck, or platform that is covered. Includes “Food & Beverage, Outdoor” land use subject to the land use requirements.	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	6.0 metres	1.5 metres from front lot line and 450 millimetres from side and rear lot lines.
T4.4	Steps above or below grade, Landings and Wheelchair ramps	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	Unrestricted	Unrestricted

4.4 HEIGHT EXCEPTIONS

- (1) Subject to subsection 6D.4.4(2), the maximum building height listed in Table 6D.T3 shall not apply to any of the following:
- (a) a spire;
 - (b) a belfry;
 - (c) a cupola;
 - (d) a dome;
 - (e) a chimney;
 - (f) a ventilator;
 - (g) a skylight;
 - (h) a water tank;
 - (i) a bulkhead;

- (j) a communication antenna; or
 - (k) a feature or mechanical appurtenance, usually situated above the roof level, that is, in the opinion of the Development Officer, similar to the above list.
- (2) The features mentioned in section subsection 6D.4.4(1):
- (a) may not include an elevator or staircase enclosure, or a mechanical penthouse;
 - (b) may not be used for human habitation; and
 - (c) shall be erected only to such minimum height or area necessary to accomplish the purpose they are to serve.

6D.5 ACCESSORY USES, BUILDING AND STRUCTURE

- (1) Unless specified otherwise, the minimum setback requirements and the maximum height of an accessory structure or building shall be the same as those of the principal building, as prescribed in Table 6D.T3.
- (2) Notwithstanding subsection 6D.5(1), an accessory structure or building may be located within a rear or side yard setback where it is:
 - (a) 10 square metres or less in area; and
 - (b) 4 metres or less in height.
- (3) All accessory structures or buildings shall be included in the calculation of the total site coverage calculation.

6D.6 PARKING, LOADING AND ACCESS

6.1 NO OBSTRUCTION

Parking stalls required by this Bylaw shall not be obstructed in any way by garbage receptacles, structures, equipment or materials which interfere with the ability of the parking stall to serve its function.

6.2 ACCESSIBLE PARKING STALLS

- (1) Notwithstanding any other provision in this Bylaw, a minimum of two per cent of the required number of parking stalls shall be provided in the form of accessible parking stalls in the Saskatchewan Drive/ North Railway Direct Control District.
- (2) Accessible parking stalls shall be clearly designated with signs above ground indicating their purpose.
- (3) Relative to the placement of non-accessible parking stalls, accessible parking stalls shall be located closest to the:
 - (a) the accessible building entrance, if it exists; or
 - (b) the building entrance with the shortest path of travel from the accessible parking stalls.

6.3 MOTOR VEHICLE REGULATIONS

- (1) All motor vehicle parking stalls, loading stalls and manoeuvring areas shall be located entirely on the same lot as the principal land use they serve except as provided by caveated parking, shared parking or shared maneuvering area in subpart 1F.3 of Chapter 1.
- (2) No motor vehicle parking stall, manoeuvring area, garage door, loading stall or loading bay shall be located in:
 - (a) an area provided to meet the total site landscaping area; or
 - (b) the front yard.

6.4 MINIMUM MOTOR VEHICLE PARKING REQUIREMENTS

- (1) Table 6D.T5 lists the minimum motor vehicle parking requirements for development in the Saskatchewan Drive/ North Railway Direct Control District.
- (2) If, in determining the number of required parking stalls, a fractional stall is calculated:
 - (a) any fraction up to and including one-half shall be disregarded; and
 - (b) any fraction over one-half shall be deemed to be equivalent to one full stall.

- (3) Unless otherwise specified in this Bylaw, tandem parking stalls shall not be used to meet minimum parking requirements.
- (4) Up to 30 per cent of the required parking stalls in any parking area may be designed as compact stalls.
- (5) All compact parking stalls shall be clearly designated with signs indicating their purpose.

TABLE 6D.T5: SASKATCHEWAN DRIVE/ NORTH RAILWAY DIRECT CONTROL DISTRICT PARKING REQUIREMENTS

Sec.	Land Use	Motor Vehicle
T5.1	All land uses	One stall is required per 175 square metres of total floor area.

6.5 MINIMUM LOADING REQUIREMENTS

- (1) On any lot containing buildings with a combined gross floor area of 1,401 to 10,000 square metres, one loading stall shall be required.
- (2) On any lot containing buildings with a combined gross floor area of 10,001 square metres or more, one loading stall shall be required in addition to the requirement mentioned in subsection 6D.6.5(1).
- (3) All loading stalls shall be clearly marked to indicate their purpose.
- (4) Notwithstanding subsections 6D.6.5(1) and (2), the Development Officer may decrease the number of required loading stalls.

6.6 BICYCLE PARKING REQUIREMENTS

- (1) For every 10 required motor vehicle parking stalls, whether to meet the parking requirement in Table 6D.T5 or not, there shall be either:
 - (a) one short-term bicycle parking stalls;
 - (b) 0.5 long-term bicycle parking stalls; or
 - (c) an equivalent combination of clauses 6D.6.6(1)(a) and (b).
- (2) If, in determining the number of required parking stalls, a fractional bicycle parking stall is calculated, any fraction will be rounded up to the next whole number.
- (3) Required short-term bicycle stalls shall be located closer to the building entrance than the motor vehicle parking stalls.

- (4) Required long-term bicycle stalls shall be located either:
 - (a) on the ground floor of the principal building(s) on the lot; or
 - (b) within a secure area close to the building entrance.
- (5) If the motor vehicle parking stalls are covered or located within a structure, then the bicycle parking stalls must also be covered or located within a structure.

6.7 RESTRICTIVE ACCESS

Access to Saskatchewan Drive shall be restricted to locations opposite corresponding intersections on the south side of Saskatchewan Drive. A Traffic Impact Study is required from any applicant wishing to alter the access shown in Figure 6D.F4.

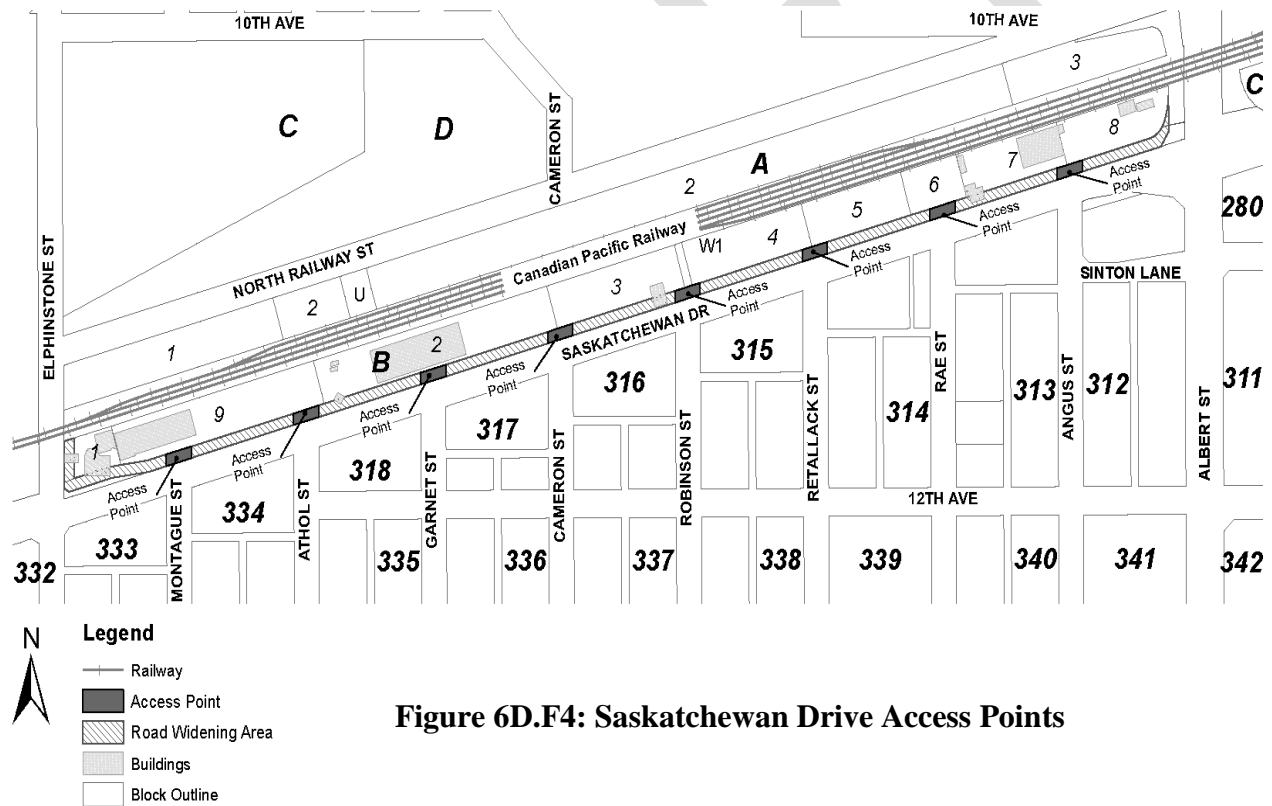


Figure 6D.F4: Saskatchewan Drive Access Points

6D.7 LANDSCAPING AND AESTHETIC SCREENING

7.1 MINIMUM TOTAL SITE LANDSCAPING REQUIREMENTS

- (1) Any lot in the Saskatchewan Drive/ North Railway Direct Control District requires a minimum total site landscaping area of five per cent.
- (2) Where a parking or loading area abuts a public street, a minimum 3.0 metre landscaped strip measured from the inside of the curb or the sidewalk shall be provided. The requirement of this subsection can be credited toward the fulfillment of the total site landscaping requirement prescribed in subsection 6D7.1(1).
- (3) If there is a conflict between the requirements anywhere in this bylaw, the most stringent requirement shall apply.
- (4) The landscaping requirements are for a principle use only.
- (5) All landscaping requirements shall be completed in accordance with the approved landscape plan by the end of the growing season in which the use of the building or site has taken place. When the use of a building has occurred after the end of the growing season, all required and approved landscaping features shall be completed by June 1 of the following growing season.

7.2 PLANTING RATIOS

The following planting ratios shall apply to all developments in the Saskatchewan Drive/ North Railway Direct Control District to meet the total site landscaping area as required by subsection 6D.7.1:

- (a) a minimum of one tree per 40 square metres of required site landscaping is required per lot;
- (b) for every ten metres along a registered road right of way, a minimum of one deciduous tree is required; and
- (c) a minimum of one shrub per 20 square metres of required site landscaping is required per lot.

7.3 INCLUDED LANDSCAPED AREAS

- (1) Exposed soil will only be considered toward the total site landscaping area in Open Space, Active used to grow plants or shrub beds.

- (2) The total site landscaping area, as required by subsection 6D.7.1, may include, but is not restricted to:
 - (a) parking area landscaping;
 - (b) major roadways landscape design areas (see Figure 6D.F5);
 - (c) boulevard areas;
 - (d) curbing; and
 - (e) any portion of required aesthetic screening.
- (3) Developments within the major roadways landscape design areas in Figure 6D.F5 may be subject to additional landscaping requirements.
- (4) Boulevard areas shall only be used to fulfil the total site landscaping requirement, subject to the approval of the Development Officer.

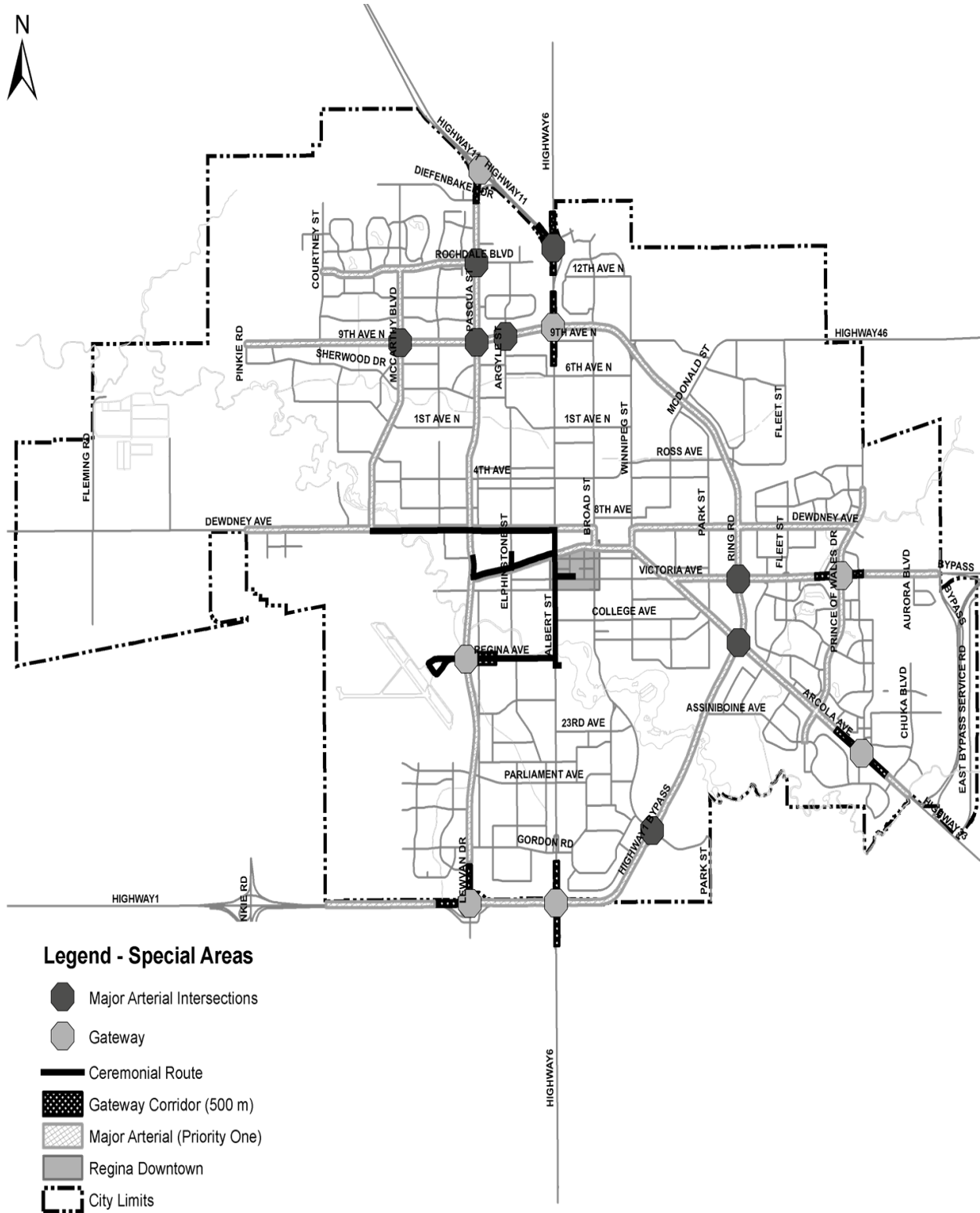


Figure 6D.F5: Major Roadways Landscape Design Map

7.4 PRESERVATION OF EXISTING PLANT MATERIAL

Where existing plant material on site is retained it may be credited toward the fulfillment of the total site landscaping requirement.

7.5 AESTHETIC SCREENING OF INCOMPATIBLE LAND USES

- (1) A proposed new development or substantial addition to an existing development on a lot in the Saskatchewan Drive/ North Railway Direct Control District shall provide aesthetic screening to a height of 1.83 metres along its abutting lot lines where the proposed development abuts a lot in a Residential zone.
- (2) In addition to other requirements of this Bylaw, the following activities and/or areas on a lot in the Downtown Direct Control District containing four or more dwelling units or a non-dwelling land use shall be aesthetically screened to a height of 1.83 metres or to the satisfaction of the Development Officer:
 - (a) any collection area for garbage, refuse or recycling;
 - (b) any manoeuvring area or loading / unloading bay.