

SECTION 132 DC – DIRECT CONTROL

(1) GENERAL PURPOSE

This District is intended to enable Council to exercise control over the Use and Development of land or Buildings. The District provides for Developments that, due to their unique characteristics, innovative design or unusual Site constraints, require specific regulation unavailable in other Land Use Districts.

(2) VALIDITY

- (a) This District must not be applied to regulate matters that are normally regulated by subdivision or Development Permit approval conditions.
- (b) This District shall only be applied when Council deems appropriate and where the following conditions are met:
 - (i) The Development is considered appropriate for the Site, with regard for the policies and objectives of any Statutory Plan and compatibility with the scale and character of surrounding Development;
 - (ii) The use of any other District to accommodate the Development would result in potential conflicts with existing or future Developments, should the full Development potential of such District be utilized; or
 - (iii) The Development is of a unique form or design not contemplated or reasonably regulated by another District.

(3) DEVELOPMENT REGULATIONS

Council shall:

- (a) Determine the land Uses that are Permitted or Discretionary in the District;
- (b) Specify which Developments and Uses shall be decided upon by the Development Officer and by Council;
- (c) Impose standards and conditions considered appropriate to regulate the proposed Development or Use; and
- (d) Only allow Development that complies with an approved comprehensive plan of Development.

(4) ISSUE OF A DEVELOPMENT PERMIT

- (a) Prior to issuing a Development Permit, Council may hold a public hearing or hearings as deemed necessary.
- (b) Notice of a public hearing shall be provided in accordance with the *Municipal Government Act*.
- (c) Notice of a public hearing may contain a statement to the effect that:
 - (i) If no objection to the Development is received within the time prescribed in the notice, then the decision will proceed without further notice; or
 - (ii) If an objection to the Development is received, then a public hearing will be held on a date and time and place specified in the notice.