

## PART 15 COMMERCIAL ZONES

### 1507 C-7 High Density Commercial

#### (1) Intent

This zone provides for mixed *use*, high *density* development in City Centre and Transit Village Neighbourhoods. It can accommodate a wide variety of *commercial*, *residential*, *civic* and other *uses* that support the necessary quality-of-life for complete neighbourhoods. The emphasis of this zone is pedestrian-friendly building form and diverse *uses* that contribute to vibrant, active and transit-supportive centres.

#### (2) Permitted Uses

The following *uses* and no others are permitted in this zone:

- (a) *Apartment*
- (b) *Assembly*
- (c) *Assembly child care*
- (d) *Child care*
- (e) *Civic*, limited to:
  - (i) community centres
  - (ii) libraries
  - (iii) museums
  - (iv) parks, squares and plazas
  - (v) public hospitals
  - (vi) *public schools*
- (f) *Commercial*, limited to:
  - (i) *business and household service*
  - (ii) *commercial recreation*
  - (iii) *commercial school*
  - (iv) *convenience retail*
  - (v) *entertainment facility*
  - (vi) *grocery store*
  - (vii) *liquor manufacturing*
  - (viii) *liquor primary establishment*
  - (ix) *liquor store, accessory liquor store, and wine store*

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- (x) *office*
- (xi) *personal service*
- (xii) *pet care service*
- (xiii) *restaurant*
- (xiv) *retail – general*
- (xv) *retail – personal goods*
- (xvi) *tourist accommodation*
- (g) *Congregate housing and care*
- (h) *Employment living*
- (i) *Non-accessory off-street parking*
- (j) *Public service*
- (k) *Townhouse*

*Accessory uses, limited to:*

- (a) *accessory home occupation*
- (b) *accessory retail, limited to liquor manufacturing*
- (c) *accessory street vending*
- (d) *lock-off units.*

### **(3) Conditions of Use**

- (a) *Commercial uses* must be enclosed within a *building*, except the following:
  - (i) carnival rides, circuses and similar *commercial* promotional activities for a period not in excess of seven days, notwithstanding that *accessory off-street parking spaces* required by this bylaw may not be usable for that period;
  - (ii) the outdoor display and sale of retail goods if located between the front of *building* and the property line or public right-of-way, whichever is closest, provided the display does not encroach upon the areas for parking, loading, pedestrian circulation or landscaping otherwise required under this Bylaw; and
  - (iii) a pickup window accessory to a *restaurant use* only accessible by pedestrians.
- (b) All *off-street parking* must be *concealed parking*.
- (c) A *townhouse use* is permitted only in conjunction with a multi-storey *apartment* development.
- (d) A *public service use* is only permitted if there is no storefront.

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**(4) Lot Size**

Not applicable in this zone.

**(5) Density**

- (a) All *buildings and structures* together must not exceed a base *density gross floor area* of 2.5 times the *lot area*.
- (b) An employment-generating *use* must occupy a minimum of 0.25 times the *lot area* of the base *gross floor area*, except in the City Centre as defined in the City Centre Area Plan, where an employment-generating *use* must occupy a minimum of 0.5 times the *lot area* of the base *gross floor area*.
- (c) The overall maximum base *density* of 2.5 times the *lot area* may be increased without limitation where the additional *density* accommodates employment-generating *uses*.
- (d) The overall maximum base *density* of 2.5 times the *lot area* may be increased as follows where the additional *density* accommodates *residential uses*:

<b>Density Step</b>	<b>Condition of Additional Density</b>	<b>Additional Gross Floor Area Ratio</b>	<b>Maximum Total Gross Floor Area Ratio</b>
Step 1	A financial contribution of 75% of the land value of the additional <i>density</i> towards amenities as identified in the Citywide Official Community Plan	Up to 0.5 times the <i>lot area</i>	3.0 times the <i>lot area</i>
Step 2	A financial contribution of 65% of the land value of the additional <i>density</i> towards amenities as identified in the Citywide Official Community Plan	Up to 0.5 times the <i>lot area</i>	3.5 times the <i>lot area</i>
Step 3	A financial contribution of 50% of the land value of the additional <i>density</i> , of which 50% will be towards amenities and 50% towards affordable housing as identified in the Citywide Official Community Plan	Up to 0.5 times the <i>lot area</i>	4.0 times the <i>lot area</i>
Step 4	A financial contribution of 35% of the land value of the additional <i>density</i> towards amenities as identified in the Citywide Official Community Plan	Up to 0.5 times the <i>lot area</i>	4.5 times the <i>lot area</i>
Step 5	A financial contribution of 25% of the land value of the additional <i>density</i> towards amenities as identified in the Citywide Official Community Plan (This step is only available for lands within the City Centre, as defined in the City Centre Area Plan)	Up to 0.5 times the <i>lot area</i>	5.0 times the <i>lot area</i>

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- (e) When additional *density* has been maximized under the provisions set out in Sub-section (5)(d), the *gross floor area* ratio may be further increased by up to 1.0 times the *lot area* when at least 20% of the additional *density* is used for *priority unit types* as identified in the Citywide Official Community Plan and the remainder of the additional *density* is used for *purpose-built rental* units.
- (f) In lieu of a financial contribution as identified in Sub-section (5)(d), the *City* may require the provision of an amenity, equivalent in value to the financial contribution, for the additional *density* allowed.
- (g) For the purpose of Sub-section (5)(f), the following amenities are eligible for consideration in an application of *density* bonus:
  - (i) public facilities;
  - (ii) space for community or non-profit groups that serve the community; and
  - (iii) extraordinary public realm improvements.
- (h) For each *accessible residential dwelling unit* and *adaptable unit* provided, 2 m<sup>2</sup> is excluded from the *gross floor area* calculation. The exclusion of 2 m<sup>2</sup> for *accessible residential dwelling units* and *adaptable units* shall only be applied to a maximum of 20% of all *dwelling units* within a *building*.
- (i) The following *lots* are designated as *strategic housing lots*:

<b>Parcel Identifier No.</b>	<b>Address</b>
018-588-833	567 Clarke Road
033-334-708	571 Clarke Road
003-334-724	577 Clarke Road
001-519-018	581 Clarke Road

- (j) On *lots* designated as *strategic housing lots*, the *density* may exceed the maximum *density* permitted under this zone, to a maximum of 1.0 additional *gross floor area* ratio, for the portion of the *gross floor area* that provides for *strategic housing*, if the *lot* maximizes the base *density* permitted under Sub-section (5)(a) and the *lot* maximizes bonus *density* permitted under Sub-section (5)(d).
- (k) All or part of the financial contribution identified in Sub-section (5)(d), Step 3 towards affordable housing will be waived if *below-market rental units* or *non market housing* rental units, each managed by a *third party housing partner*, are provided, in accordance with direction set out in the Citywide Official Community Plan. The amount of the financial contribution eligible to be waived will be equal to the value of the *below-market rental units* or *non market housing* rental units provided.

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- (l) All or part of the financial contribution identified in Sub-section (5)(d), Step 3 towards amenities may be waived under the following conditions:
  - (i) all of the financial contribution towards affordable housing has already been waived due to the provision of *below-market rental units* or *non market housing* rental units in accordance with Sub-section (5)(k); and
  - (ii) additional *below-market rental units* or *non market housing* rental units are provided, in accordance with direction set out in the Citywide Official Community Plan.

The amount of the financial contribution eligible to be waived will be equal to \$1.00 for every \$1.20 of the value of the additional *below-market rental units* or *non market housing* rental units provided.

**(6) Lot Coverage**

All *buildings* and *structures* combined must not exceed a *lot coverage* of 90%.

**(7) Setbacks**

- (a) All *buildings* and *structures* must be sited no closer to the *lot* lines than the corresponding setbacks set out below:

<i>Use</i>	<i>Lot Lines along a Street or Lane or Public Right-of-Way, whichever is closest (metres)</i>	<i>All other Lot lines not abutting a Street or Lane (metres)</i>
<i>All buildings and structures</i>	3.0	3.0
<i>All buildings and structures with a commercial use or civic use within the first four storeys</i>	1.5	0.0

- (b) Notwithstanding Sub-section (7)(a), where a *lot* is adjacent to a *lot* zoned for *residential use* or designated for *residential* in the Citywide Official Community Plan, a minimum 3 metres wide suitably landscaped area must be installed along the *lot* line abutting the adjacent *lot*.

**(8) Location of Uses**

- (a) When located along a *Character Street* or *Mandatory Commercial Street Frontage*, the first *storey* of a *building* shall contain active, pedestrian-oriented *commercial uses*.

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- (b) When a *tourist accommodation use* is located along a *Character Street* or *Mandatory Commercial Street Frontage*, *sleeping units* or *dwelling units* must be located above the first *storey* of the *building*.
- (c) When an *apartment use* is located along a *Character Street*, *Mandatory Commercial Street Frontage* or *Secondary Active Street Frontage*,
  - (i) *dwelling units* must be located above the first *storey* of the *building*; and
  - (ii) *dwelling units* must not be located below the *storeys* used in that *building* for a permitted employment-generating *use*.

### (9) Height

Not applicable in this zone.

### (10) Building Size

Not applicable in this zone.

### (11) Other Regulations

- (a) Despite the definition of *lot* contained in Part 2 of this bylaw, a *lot* in the C-7 Zone may consist of two or more contiguous parcels of land (including air space parcels) where:
  - (i) the *use* of land and *gross floor areas* of buildings on such parcels taken together comply with the provisions of the C-7 Zone;
  - (ii) the parcels are the subject of a development permit providing for the parcels to be developed together as a single development; and
  - (iii) a covenant is registered against each parcel under Section 219 of the Land Title Act in favour of the *City* requiring that such parcel be developed in accordance with Sub-section (11)(a)(i), and containing such other provisions as the *City* may require.
- (b) Each *dwelling unit* in a *building* for *apartment* or *townhouse* use must be provided with access to an on-site *common amenity area* or areas totaling not less than 5.0 m<sup>2</sup> per *dwelling unit*.
- (c) The number of *studio dwelling units* in any single *building* must not exceed 30% of all *dwelling units* in the *building*.
- (d) All other relevant sections of this Bylaw apply, including but not limited to general regulations in Part 5, regulations, relating to *subdivision* in Part 6, and regulations relating to parking and loading in Part 7.