

## PART 13 MIXED-USE ZONES

### 1301 MU-1 Medium-Density Mixed-Use

#### (1) Intent

This zone provides for medium-*density* mixed-use developments up to 8 storeys in neighbourhood centres. Allows for *civic, commercial, residential*, and other uses that serve the local community.

#### (2) Permitted Uses

*Principal uses*, limited to:

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

## 1301 MU-1 Medium-Density Mixed-Use

- (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 unit*
- (i) *Non-accessory off-street parking*
- (j) *Public service*
- (k) *Townhouse*

*Accessory uses, limited to:*

- (l) *Accessory home occupation*
- (m) *Accessory institutional support services*
- (n) *Accessory retail, limited to liquor manufacturing*
- (o) *Accessory street vending*
- (p) *Lock-off units*

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

- (a) A *lock-off unit* is only permitted within the Evergreen Line Core and Shoulder Station areas as identified in Schedule “O” to this Bylaw.
- (b) A *public service use* is only permitted if there is no storefront.
- (c) Each *principal dwelling unit* for a *townhouse use* must be provided with a separate entrance having direct access to *finished grade*.

### **(4) Lot Size**

Not applicable in this zone.

**1301 MU-1 Medium-Density Mixed-Use**

**(5) Density and Residential Rental Tenure**

- (a) Subject to Sub-section (5)(b), all *buildings* and *structures* together for all permitted *uses* must not exceed a *gross floor area* of 3.0 times the *lot area*, of which a minimum *gross floor area* of 0.25 times the *lot area* must be for employment-generating *uses*.
- (b) 100% of the *gross floor area* for all *residential uses* is limited to *residential rental tenure* where all *buildings* and *structures* together for all permitted *uses* exceed a *gross floor area* of 2.5 times the *lot area*.
- (c) The following table is provided for convenience and illustrative purposes only. In the event of any conflict or inconsistency between this table and provisions of this Bylaw, the text of the Bylaw shall prevail:

<b>Location</b>	<b>Gross Floor Area times the Lot Area for all Permitted Uses</b>	<b>Residential Rental Tenure Limitation</b>	<b>Resulting Tenure Applicable to all Residential Uses</b>
All lots	≤2.5	No	Any residential tenure
	>2.5 up to 3.0	Yes	<i>Residential Rental Tenure</i>

**(6) Lot Coverage**

- (a) All *buildings* and *structures* together for all permitted *uses* must not exceed a *lot coverage* of 90%.

**(7) Buildings Per Lot**

- (a) One or more *principal buildings* may be located on a *lot*.

**(8) Setbacks**

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

**1301 MU-1 Medium-Density Mixed-Use**

<b><i>Building or Structure Type</i></b>	<b><i>Lot Lines Along a Street or Lane (metres)</i></b>	<b><i>Interior Side Lot Line not Abutting a Lane (metres)</i></b>	<b><i>Rear Lot Line not Abutting a Lane (metres)</i></b>
<i>All buildings and structures</i>	1.5	0.0	3.0

- (b) The setbacks under Sub-section (8)(a) are subject to increase or decrease as follows:
  - (i) the setback from the *lot* line along a *street* or *lane* is 3.0 metres for a *building* that does not contain employment-generating *uses* in the first *storey* fronting the *lot* line;
  - (ii) the setback from the *interior side lot line* abutting a *lot* zoned for a *residential use* in Part 10 or 12 of this Bylaw is 3.0 metres; and
  - (iii) in accordance with Sections 514, 518, 519 and 523.
- (c) No *building* or portion of *building* shall be located less than 10 metres from any opposing *building* face on the same *lot* or adjacent *lot* where the opposing *building* face contains windows or glazed doors to *habitable rooms* in an *apartment* or *townhouse use*.

**(9) Location of Uses**

- (a) Portions of *buildings* and *structures* fronting a *character street* or *mandatory commercial street frontage* must:
  - (i) contain employment-generating *uses* within the first *storey* of the *building*; and
  - (ii) only locate *dwelling units* within the second *storey* or above of the *building*.
- (b) Where a *tourist accommodation use* fronts a *character street* or *mandatory commercial street frontage*, *sleeping units* or *dwelling units* must be located within the second *storey* or above of the *building*.

**(10) Height**

- (a) All *buildings* and *structures* must not exceed a *height* of eight *storeys*.

## 1301 MU-1 Medium-Density Mixed-Use

- (b) Despite Sub-section (10)(a):
  - (i) if the *lot* is identified in Schedule “P” to this Bylaw and the *height* limit set out in Schedule “P” is seven *storeys* or less, all *buildings* and *structures* located on the *lot* must not exceed the *height* limit set out in Schedule “P”;
  - (ii) all *buildings* and *structures* located within 7.6 metres from any property line abutting a *lot* zoned R-1 or R-2 must not exceed a *height* of three *storeys*; and
  - (iii) all detached *accessory buildings* and *structures* must not exceed a *height* of three *storeys*.

### (11) Building Size

Not applicable in this zone.

### (12) Off-Street Parking and Loading

- (a) All *accessory off-street parking* must be provided as *concealed parking*.
- (b) The regulations under Part 7 apply.

### (13) Other Regulations

- (a) Each *dwelling unit* in a *building* containing an *apartment* or *townhouse use* must be provided with access to an on-site *common amenity area* or areas totaling not less than:
  - (i) 4.0 m<sup>2</sup> per *dwelling unit* where the *dwelling unit* is *purpose-built rental housing*; and
  - (ii) 5.0 m<sup>2</sup> per *dwelling unit* where Sub-section (13)(a)(i) does not apply.
- (b) The number of *studio dwelling units* must not exceed 30% of the total *dwelling units* in all *buildings*.
- (c) Despite the definition of “*lot*” contained in Part 2 of this Bylaw, a *lot* in the MU-1 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 MU-1 zone;
  - (ii) the parcels are subject of a development providing for the parcels to be developed together as a single development; and

**1301 MU-1 Medium-Density Mixed-Use**

(iii) there is registered against each such parcel a covenant under Section 219 of the Land Title Act in favour of the *City* requiring that such parcel be developed in accordance with Sub-section (13)(c)(i), and containing such other provisions as the *City* may require.

(d) The regulations under Part 2, Part 3, Part 4, Part 5, and Part 6 apply.