PART 21 COMPREHENSIVE DEVELOPMENT ZONES

2006 CD-1 Comprehensive Development Zone - 1

(1) Intent

This zone provides for a comprehensive mixed use development as described in the Waterfront Village Centre Neighbourhood Plan in the Citywide Official Community Plan. The zone emphasizes medium to high density *residential* development in combination with a variety of employment generating *business uses* and institutional *uses*, including public parks and open space.

This zone is divided into 10 Land Use Designations (A to J) as set out in Schedule 'A' to this zone.

(2) Permitted Uses

(a) The following *uses* or combination of *uses* and no others are permitted in the Land Use Designations for this zone:

	Land Use Designation									
Use:	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**
Commercial limited to:										
grocery stores	♦	♦								
the retail sale and rental of personal goods*	♦	♦		♦	♦			♦		
the retail sale and rental of *household* and business goods		♦			♦	♦		♦		
the retail sale and rental of goods manufactured or wholesaled by same business					♦	♦				
personal service establishments	♦	♦		♦	♦					
household service establishments		♦			♦					
restaurants, other than *drive-in businesses*	♦	♦		♦	♦					
public house	♦	♦			♦					
offices	♦	♦		♦	♦	♦		♦		
trade schools					♦	♦				
entertainment and recreation facilities**	♦	♦			♦					
animal hospitals, veterinary, day-care centres, grooming services		♦			♦					
studios for artists	♦	♦		♦	♦	♦				
liquor stores and *accessory*	♦	♦			♦					

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	Land Use Designation									
Use:	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**
liquor stores										
Apartment	♦	♦	♦							
Townhouse	♦	♦	♦							
Industrial limited to: the distributing, storing and wholesaling of household and *business* goods					♦	♦				
the light manufacturing of household and *business* goods						♦				
software development and computer integrated manufacturing					♦	♦				
engineering, computing, testing, communication and drafting services to industry					♦	♦				
Assembly limited to: child care services		♦	♦					♦	♦	♦
cultural and recreational purposes, meeting rooms		♦						♦	♦	♦
education, schools other than public schools		♦			♦	♦				♦
Civic limited to: Parks							♦	♦		
Playgrounds							♦	♦		
Waterways							♦			
Accessory uses							♦	♦		
Libraries		♦						♦	♦	
Museums	♦							♦	♦	
Government offices		♦			♦			♦	♦	
School, public								♦		♦
School, commercial, trade										♦
Public Service		♦				♦	♦			
Accessory advertising	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Accessory home occupation	♦	♦	♦							
Accessory off-street parking	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Accessory off-street loading	♦	♦		♦	♦	♦		♦	♦	♦
Accessory open storage						♦				
Non-accessory off-streetparking		♦	♦			♦		♦		

* excludes pawn shops

** excludes amusement arcades and electronic, bingo facilities, casino gaming or electronic gaming facilities

(b) In (a) above, the symbol ♦ indicates that the *use* is permitted.

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(c) Notwithstanding (a) commercial *uses* that are accessory to the principal *use* are permitted in Land Use Designations J.

(3) Conditions of Use

(a) *Commercial* uses, except the following, must be enclosed within a *building*:

(i) the retail sale of Christmas trees during the month of December;

(ii) carnival rides, circuses and similar *commercial* promotional activities for a period not in excess of seven days, notwithstanding that *accessory off-street parking space*s required by this bylaw may not be usable for that period;

(iii) outdoor seating, where accessory to a *restaurant use* or public house *use*;

(iv) a pickup window accessory to a *restaurant use* only accessible by pedestrians;

(v) outdoor sale and display of retail goods, where accessory to a *commercial use*.

(b) A *commercial use* that is *accessory* to the *principal use* of the land or *building* is only permitted in the first *storey* of any *building* or *structure* and must not accommodate more than 150 sq.m. of the *gross floor area*.

(c) A c*ommercial use* must not exceed 2,325 sq.m. *gross floor area* on the first *storey* of any lot designated A in Schedule 'A' to this zone.

(d) An *apartment* or *townhouse use* is permitted if:

(i) all *off-street parking* for the *use* is *concealed parking*;

(ii) no advertising or *accessory advertising use* is located above or extends above any non-residential *storey* of the *building* and does not negatively impinge on residential units;

(iii) notwithstanding (ii) above temporary *advertising* for events or the real estate sales may be permitted.

(e) An *accessory home occupation use* must comply with the regulations under Section 508(3).

(f) *Assembly* uses, except accessory outdoor play area as required by the Provincial Licensing Authority and cultural and recreational uses not conducted in a building must be enclosed within a *building*.

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(g) A *liquor store* or *accessory liquor store*:

(i) must only permit public access from the exterior of the *building*;

(ii) must not permit public access from within the *liquor store* to other *uses* within the same *building*;

(iii) may contain a *beverage container return centre* as an *accessory use* when contained wholly within a *building*;

(h) *Industrial* uses:

(i) must be enclosed within a *building*.

(ii) must not include the manufacture of hazardous goods.

(i) An *accessory open storage* use:

(i) is permitted only where the land upon which it is located is surfaced with asphalt, concrete or other dust-free surface;

(ii) must not provide for or allow storage of materials or goods liable to produce or give off dust or other particulate matter that may become wind-borne;

(iii) must not be located in the area between any front *building* face and a *street*, and must be completely screened by a solid decorative fence or substantial landscaping or both, not less than 1.8 metres in *height*; and

(iv) must not provide or allow for the storage of goods or materials above a *height* of 1.8 metres.

(j) An *off-street parking use* at *finished grade* that does not form part of an *underground parking* structure or a *basement* must be bounded by a landscape area not less than 0.6 metres wide.

(4) Lot Size

Not applicable in this zone.

(5) Density

(a) All *buildings* and *structures* with a permitted *residential use* together shall have a maximum *gross floor area* of 377,400 sq.m. and shall not exceed 3,700 dwelling units, nor be less than 3,200 dwelling units when all *residential* development within this zone is complete.

(b) The permitted *industrial use* in all *buildings* and *structures* together shall not exceed a maximum *gross floor area* of 74,320 sq.m.

(c) The permitted *commercial use* in all *buildings* and *structures* together shall not exceed a maximum *gross floor area* of 25,545 sq.m.

(d) All *buildings* and *structures* together shall have a minimum *gross floor area* and maximum *gross floor area* times the lot area, using the lot numbers as identified in Schedule 'A' to this zone, as follows:

Lot Number	Minimum	Maximum
1a	1.05	1.24
1b	0.86	1.02
2	0.63	0.74
3	0.54	0.64
4	0.80	1.20
5a	0.59	0.69
5b	0.55	0.87
6a	0.65	0.80
6b	0.74	1.08
7a	0.58	0.69
7b	3.86	4.76
8a	0.60	1.20
8b	0.43	1.50
9	2.96	3.68
10	2.68	3.35
11	1.80	2.27
12	1.67	2.11
13	1.52	1.95
14	1.47	1.89
15	2.05	2.55
16	1.94	2.42
17	3.44	4.21
18	1.49	1.93
19a, 19b	3.05	4.45
20a, 20b	2.70	4.10
21a, 21b	1.95	5.20
22a, 22b	2.55	6.10
23	0.69	0.81
24	0.10	0.75

(e) Notwithstanding paragraph (d) above any *building* or *structure* used for a *public school* must not exceed a gr*oss floor area* of 0.5 times the lot area.

(6) Lot Coverage

(a) All *buildings* and *structures* must not be less than nor exceed the corresponding lot coverage per *storey:*

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Lot	1st *Storey* to 4th *Storey*		5th *Storey* to 6th *Storey*		Above 6th *Storey*	
	Min%	Max%	Min%	Max%	Min%	Max%
1a	35	75	N/A	40	N/A	N/A
1b	35	75	N/A	40	N/A	N/A
2	35	75	N/A	N/A	N/A	N/A
3	35	75	N/A	N/A	N/A	N/A
4	35	75	N/A	N/A	N/A	N/A
5a	35	75	N/A	40	N/A	N/A
5b	50	90	N/A	N/A	N/A	N/A
6a	35	75	N/A	N/A	N/A	N/A
6b	50	90	N/A	N/A	N/A	N/A
7a	35	75	N/A	N/A	N/A	N/A
7b	70	90	N/A	40	N/A	30
8a	70	80	N/A	N/A	N/A	N/A
8b	25	50	N/A	N/A	N/A	N/A
9	75	85	N/A	35	N/A	20
10	75	85	N/A	35	N/A	20
11	80	90	N/A	25	N/A	N/A
12	40	75	N/A	40	N/A	20
13	80	90	N/A	N/A	N/A	N/A
14	80	90	N/A	N/A	N/A	N/A
15	80	90	N/A	N/A	N/A	N/A
16	80	90	N/A	N/A	N/A	N/A
17	80	90	N/A	25	N/A	20
18	50	60	N/A	25	N/A	20
19a	80	90	N/A	25	N/A	20
19b	80	90	N/A	25	N/A	20
20a	80	90	N/A	25	N/A	20
20b	80	90	N/A	25	N/A	20
21a	80	90	N/A	30	N/A	20
21b	80	90	N/A	60	N/A	20
22a	80	90	N/A	25	N/A	20
22b	80	90	N/A	35	N/A	30
23	75	85	N/A	N/A	N/A	N/A
24	20	75	N/A	N/A	N/A	N/A

(b) In (a) above, N/A indicates that lot coverage is not applicable.

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(c) Notwithstanding (a) above any *accessory* o*ff-street parking use* must not exceed 60% lot coverage.

(d) Notwithstanding paragraphs (a) (b) and (c) above lot coverage does not apply to underground parkades at *finished grade* or private outdoor space.

(7) Buildings Per Lot

Not applicable in this zone.

(8) Setbacks

(a) *Building*s and *structure*s must be sited no closer than the corresponding setbacks from lot lines as set out in Schedule 'B' to this zone.

(b) Notwithstanding paragraph (a) above siting requirements do not apply to *underground parking* structures or a *basement* provided that these are not greater than 0.75 metres (2.5 feet) above finished grade and notwithstanding Section 514(3) contained in Part 5 of this bylaw, no landscape setback is required.

(c) Notwithstanding paragraphs (a) and (b) above siting requirements do not apply to private outdoor space at *finished grade*.

(d) No *building* or portion of a *building* shall provide less than 8.0 metres between any opposing *building* faces which contain windows or glazed doors to *habitable room*s of a *residential use*.

(e) Despite paragraph (d) above, all portions of a *building* exceeding six *storey*s in *height* must be set back a minimum of 35 metres from another *building* which exceeds six *storey*s in *height*.

(f) Notwithstanding Section 519(2)(a) contained in Part 5 of this bylaw there is no Fraser River setback for any *building* or *structure* on land designated D in lot 18 on Schedule 'A' of this zone.

(g) Notwithstanding Section 519(4)(a) contained in Part 5 of this bylaw, fill material will be allowed within the setback areas.

(9) Location of Uses

(a) The following uses are not permitted in the first *storey* portion of a *building* which fronts the 'Main Retail Street' as set out in Schedule 'A' of this zone:

(i) *apartment* or *townhouse* use;

(ii) *accessory home occupation*;

(iii) driveway accesses for *off-street parking use*;

(iv) Notwithstanding (i) above, glazed lobbies, entrance ways, waiting or reception areas may be located within 3 metres from any first *storey* wall of the *building* adjoining the 'Main Retail Street' as set out in Schedule 'A' of this zone, provided that all glazed lobbies, entrance ways, waiting or reception areas in the first *storey* of the *building* together, do not exceed a total width of the greater of 4 metres or 5 percent of the total *building* face.

(b) *Commercial* uses are only permitted in the first *storey* of any *building* adjoining the 'Main Retail Street' as set out in Schedule 'A' to this zone.

(c) *Commercial uses* with a storefront entrance directly on the 'Main Retail Street' as set out in Schedule 'A' of this zone shall occupy a minimum floor space depth of 10 metres measured from the front and side face of the *building*.

(d) An *apartment* and *townhouse use*:

(i) must be located above a *storey* used for *apartment* or *townhouse use*;

(ii) must be located above all *storey*s used for a permitted *commercial use*;

(iii) despite sub-paragraph (i) and (ii), may be in the same *storey* as a *commercial* use as long as it is not fronting 'Main Retail Street' as set out in Schedule 'A' of this zone and where separated by a firewall with no exits, entrances, stairs, corridors or floor space common to both uses;

(iv) Notwithstanding (iii) above, glazed lobbies, entrance ways, waiting or reception areas may be located within 3 metres from any first *storey* wall of the *building* adjoining the 'Main Retail Street' as set out in Schedule 'A' of this zone, provided that all glazed lobbies, entrance ways, waiting or reception areas in the first *storey* of the *building* together, do not exceed a total width of the greater of 4 metres or 5 percent of the total *building* face.

(e) Access to *off-street parking use* must not adjoin the 'Main Retail Street' as set out in Schedule 'A' of this zone.

(f) *Industrial* uses are not permitted to adjoin the 'Main Retail Street' as set out in Schedule 'A' of this zone unless a *building* or *structure* with an *industrial use* is a minimum of 75 metres from the 'Main Retail Street' as set out in Schedule 'A'.

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(10) Height

(a) *Buildings* and *structures* must not exceed the maximum *heights* as follows:

Lot	Maximum *height* *storeys* (metres)
1a, 1b, 5a	5 (30 m)
2, 6a	4 (25 m)
3, 7a, 8a	3 (15 m)
4, 24	4 (20 m)
5b, 6b, 13, 14, 15, 16, 23	4 (20 m)
7b	27 (86 m)
8b	4 (20 m)
9, 12, 22b	18 (60 m)
10	24 (80 m)
11	6 (25 m)
17	34 (110 m)
18	20 (65 m)
19a	38 (120 m)
19b	32 (105 m)
20a, 22a	28 (90 m)
20b	33 (105 m)
21a	35 (110 m)
21b	6 (25 m)

(b) Notwithstanding paragraphs (a) and (b) above *buildings* and *structures* fronting the 'Main Retail Street' as set out in Schedule 'A' of this zone shall not exceed 4 *storeys* (15 metres) in height.

(c) Notwithstanding paragraph (b), *buildings* and *structures* in lots 11, 12, 17 and 18 that exceed 4 storeys are to have a minimum setback of 18 metres from the 'Main Retail Street' as set out in Schedule 'A' of this zone.

(d) Notwithstanding (a) above *building* and *structures* in a lot designated as D in Schedule 'A' of this zone, shall not exceed two *storeys* (10 metres) and may be a stand alone *building* or integrated into the first *storey* of *buildings and structures* with a different use on the same lot.

(e) Notwithstanding paragraph (a) above *buildings* and *structures* in lot 8b shall not exceed 2 *storeys* in height provided that the *principal use* is a *public school*.

(f) Notwithstanding all of the paragraphs above, rooftop mechanical rooms, elevator machine rooms, rooftop mechanical enclosures used to screen equipment, antennas, trellises, canopies, handrails, rooftop landscaping and architectural details that are accessory to a *building* or *structure* are not included in the *height* and shall not exceed an additional 8.0 metres.

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(11) Building Size

Not applicable in this zone.

(12) Off-Street Parking and Loading

Notwithstanding Part 7 of this bylaw, the following regulations apply:

(a) Off-street vehicle parking space for *buildings* and *uses* shall be provided in accordance with the following table:

USE	VEHICLE PARKING REQUIREMENTS
Apartment and *Townhouse use*	Bachelor or Studio: 0.9 *parking spaces* per *dwelling unit*; 1 Bedroom: 1.0 *parking spaces* per *dwelling unit*; 2 Bedroom: 1.1 *parking spaces* per *dwelling unit*; 3+ Bedroom: 1.25 *parking spaces* per *dwelling unit*; Visitor Parking: 0.10 *parking spaces* per *dwelling unit*.
Commercial uses	2.5 *parking space* per 100 m^2 *gross floor area* inclusive of 0.5 *parking spaces* per 100 m^2 staff parking.
Industrial use	1.5 *parking spaces* per 100 m^2 of *gross floor area*
Civic use, limited to child care services *Public School*	1 *parking spac*e per 10 students
Institution	3.5 spaces per 100 m^2 *gross floor area*
Permitted *uses,* limited to those found in *buildings* or *structures* designated 'I' in Schedule 'A'	10 *parking spaces*

(b) Off-street bicycle parking space shall be provided for the *use* or *buildings* as identified and in accordance with the following table:

USE	BICYCLE PARKING REQUIREMENTS
Commercial and *Industrial Building*	1 space / 500 m^2 for employees + 1 bicycle rack with six spaces per *building*
Residential *Apartment Use*	1 space /*dwelling unit* for residents + one rack with six spaces per residential lot for visitors
Commercial use, limited to recreation and entertainment and *civic use*	1 space for employees + 1 space per 200 m^2 *gross floor area*.
Institutional	1 space per 10 students

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(13) Other Regulations

(a) Despite the definition of *lot* contained in Part 2 of this bylaw, a lot in this zone is as outlined in Schedule 'A' and may consist of two contiguous parcels of land (specifically lots 19a, 19b, 20a, 20b, 21a, 21b, 22a, 22b) where:

(i) the *use* of land and *gross floor area*s of *building*s on such parcels taken together comply with the provisions of this zone; and

(ii) the lots are the subject of a development permit providing for the lots to be developed together as a single development.

(b) Lots with b*uildings* for *apartment* or *townhouse use* must be provided with a common indoor amenity space or spaces, which may include a common lounge, recreational space, kitchen or similar facilities, as follows:

(i)

Lot	**Private Indoor Amenity space per lot (sq.m.)**
5b, 6b	0
7b, 10, 12, 18	140
9, 11, 20a, 22b	185
13, 14, 15, 16, 21b	93
17, 19a,	279
19b, 20b, 21a, 22a	232
Total	**3,251**

(ii) Lot 8A designated as I on Schedule 'A' shall have a minimum *gross floor area* of 3,485 sq.m. and a maximum *gross floor area* of 4,180 sq.m.

(iii) The *gross floor area* of the indoor amenity space is not included in the calculation of *residential gross floor area.*

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READ A FIRST TIME this_____day of _____, 1995.

READ A SECOND TIME this_____day of _____, 1995.

READ A THIRD TIME this _____day of _____, 1995.

RECONSIDERED, FINALLY PASSED AND ADOPTED and the seal of the Corporation affixed this _____day of _____, 1995.

_____MAYOR

_____CLERK