

C-7 and C-8 Districts Schedule

1 Intent

The intent of this Schedule is to encourage the transition of a predominantly industrial and commercial area into a mixed-use community with a strong residential component, while respecting the needs of existing development. Emphasis is placed on well-designed all-residential or mixed residential and commercial buildings. The C-8 District differs from the C-7 District in encouraging pedestrian-oriented retail uses at grade.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this District and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the C-7 and C-8 Districts

2.2.1.A • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:

- (a) no accessory building exceeds 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.6 m in height;
- (b) all accessory buildings are located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane;
- (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
- (d) not applicable; [Maximum width]
- (e) not applicable; and [Proximity to residential dwelling]
- (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor deck

- The Director of Planning may vary the maximum height, floor area and location regulations for accessory buildings and accessory uses except that the maximum height shall not, in any event, exceed the maximum prescribed in section 4.3.1 nor the floor space exceed 33⅓ percent of the gross floor area of the principal use.

2.2.1.C [Cultural and Recreational]

- Arts and Culture Indoor Event.
- Library.
- Museum or Archives.

2.2.1.I [Institutional]

- School - Elementary or Secondary.
- School - University of College.

2.2.1.O [Office]

- Financial Institution.
- General Office.
- Health Care Office.

2.2.1.S [Service]

- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- School - Business.

2.2.1.Z Any other use which is not specifically listed in section 2.2 but which was existing as of December 12, 1995.

2.2.2 The uses listed in section 2.2.2 shall be permitted in the C-8 District.

2.2.2.R [Retail]

- Grocery or Drug Store.
- Retail Store.

2.3 Conditions of Use

2.3.1 All uses listed in section 2.2 of this Schedule shall be carried on wholly within a completely enclosed building except for the following:

- parking and loading facilities;
- display of flowers, plants, fruits and vegetables; and
- outside storage for any use which complies with section 2.2.1.Z of this Schedule.

2.3.2 The Director of Planning may vary the use conditions of section 2.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- the submission of any advisory group, property owner or tenant.

3.2 Uses

3.2.1 The uses listed in section 3.2.1 may be permitted in the C-7 and C-8 Districts

3.2.1.A • Accessory Uses to any of the uses listed in this section, subject to the same provisions as section 2.2.1.A of this Schedule.

3.2.1.AG [Agricultural]

- Urban Farm - Class B.

3.2.1.C [Cultural and Recreational]

- Artist Studio.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Park or Playground.
- Rink.
- Swimming Pool.
- Theatre.
- Zoo or Botanical Garden.

3.2.1.D • Deposition or extraction of material so as to alter the configuration of the land.

3.2.1.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this Schedule.
- Infill.
- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, provided that:
 - (a) before making a decision the Director of Planning shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
 - (b) no housekeeping or sleeping units shall be created.
- Residential Unit associated with and forming an integral part of an artist studio.
- Seniors Supportive or Assisted Housing.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Public Authority Use.
- Social Service Centre.
- Community Care Facility – Class A.
- Community Care Facility – Class B.
- Group Residence.

3.2.1.M [Manufacturing]

- Bakery Products Manufacturing.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products and Appliances Manufacturing.
- Food or Beverages Products Manufacturing - Class B.
- Furniture and Fixtures Manufacturing.
- Ice Manufacturing.
- Jewellery Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing or Publishing.
- Textiles or Knit Goods Manufacturing.

- 3.2.1.O [Office]
- Health Enhancement Centre.
- 3.2.1.P [Parking]
- Parking Area.
- 3.2.1.R [Retail]
- Cannabis Store.
 - Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
 - Public Bike Share.
- 3.2.1.S [Service]
- Animal Clinic.
 - Auction Hall.
 - Bed and Breakfast Accommodation.
 - Catering Establishment.
 - Laboratory.
 - Laundromat or Dry Cleaning Establishment.
 - Neighbourhood Public House.
 - Repair Shop - Class B.
 - Production or Rehearsal Studio.
 - Restaurant - Class 1.
 - School - Arts or Self-Improvement.
 - School - Vocational or Trade.
 - Short Term Rental Accommodation.
 - Work Shop.
- 3.2.1.T [Transportation and Storage]
- Mini-storage Warehouse.
 - Storage Warehouse.
 - Taxicab or Limousine Station.
 - Works Yard.
- 3.2.1.U [Utility and Communication]
- Public Utility.
 - Radiocommunication Station.
 - Recycling Depot.
- 3.2.1.W [Wholesale]
- Lumber and Building Materials Establishment.
 - Wholesaling - Class A.
 - Wholesaling - Class B.
- 3.2.1.Z • Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
- 3.2.2 The uses listed in section 3.2.2 may be permitted in the C-7 District.
- 3.2.2.DW [Dwelling]
- Multiple Dwelling.

3.2.3 The uses listed in section 3.2.3 may be permitted in the C-8 District.

3.2.3.R [Retail]

- Gasoline Station - Full Serve.
- Gasoline Station - Split Island.
- Grocery Store with Liquor Store.
- Liquor Store.
- Pawnshop.
- Secondhand Store.
- Small-scale Pharmacy.
- Vehicle Dealer.

3.2.3.S [Service]

- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Wedding Chapel.

3.3 Conditions of Use

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) full serve and split island gasoline station, except that section 11.13.2 of this By-law continues to apply;
- (c) vehicle dealer;
- (d) taxicab or limousine station;
- (e) restaurant;
- (f) neighbourhood public house;
- (g) farmers' market;
- (h) public bike share; and
- (i) Urban Farm - Class B.

3.3.2 The Director of Planning may vary the use conditions of section 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.

4 Regulations

All uses approved under sections 2 and 3 of this Schedule shall be subject to the following regulations.

4.1 **Site Area** -- Not Applicable.

4.2 **Frontage** -- Not Applicable.

4.3 Height

4.3.1 The maximum height of a building shall be 12.2 m, except that for sites with front yards or exterior side yards adjacent to an R District, with or without the intervention of a street, the maximum height shall be 9.5 m for a distance of 4.6 m from the front or side property line adjacent the R District.

- 4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 13.8 m with respect to any development, to a height not exceeding 18.3 m to improve residential livability, and to a height not exceeding 24.4 m to facilitate the retention of heritage structures, provided the Director of Planning or the Development Permit Board, as the case may be, first considers:
- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.

4.4 Front Yard and Setback

- 4.4.1 In the C-7 District, a front yard with a minimum average depth of 3.1 m shall be provided except that the Director of Planning may reduce the depth of the required front yard where the development does not contain dwelling uses or community care facilities or group residences within 2.0 m of street grade, provided the Director of Planning first considers:
- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.
- 4.4.2 In the C-8 District, no front yard shall be permitted except that the Director of Planning may permit a front yard or front setback where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided, or a front setback to improve the livability of dwelling uses or community care facilities or group residences above grade, provided the Director of Planning first considers:
- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.
- 4.4.3 A setback of 1.2 m from the front property line shall be required for any parking area.

4.5 Side Yards and Setback

- 4.5.1 No side yard shall be required, except for corner sites where an exterior side yard with the same average depth as the front yard shall be provided.
- 4.5.2 Where a side yard is provided, although not required, the minimum width shall be .9 m.
- 4.5.3 In the case of a corner site, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.

4.6 Rear Yard and Setback

- 4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.
- 4.6.2 Any portion of a building containing residential uses, and any portion of a building above the first storey except for open roof decks at the second storey floor level, shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

- 4.6.3 The Director of Planning may reduce the minimum rear yard or rear setback to improve the livability of dwelling uses or community care facilities or group residences, provided the Director of Planning first considers:
 - (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (b) the submission of any advisory group, property owner or tenant.

4.7 Floor Space Ratio

- 4.7.1 (a) For uses permitted by section 2.2.1.Z of this Schedule, the floor space ratio shall not exceed the floor space ratio calculated using the building on the site as of December 12, 1995 except that the Director of Planning may permit an increase in the floor space ratio up to 2.25 provided that the Director of Planning first considers:
 - (i) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (ii) the submission of any advisory group or property owner or tenant.
- (b) For all other uses, the floor space ratio shall not exceed .75 except that the Director of Planning may permit an increase in the floor space ratio up to 2.25 provided that the Director of Planning first considers:
 - (i) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (ii) the submission of any advisory group or property owner or tenant.

4.7.2 The following shall be included in the computation of floor space ratio:

- (a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

4.7.3 The following shall be excluded in the computation of floor space ratio:

- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum floor area of 10 percent of the total permitted floor area, provided that for child day care facilities the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood; and
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

- 4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:
 - (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or deck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.8 (Reserved)

4.9 (Reserved)

4.10 Horizontal Angle of Daylight

- 4.10.1 Each habitable room must have at least one window on an exterior wall of a building.
- 4.10.2 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.
- 4.10.4 The Director of Planning may vary the horizontal angle of daylight requirement, if:
 - (a) the Director of Planning first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 4.10.5 An obstruction referred to in section 4.10.2 means:
 - (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any adjoining site.
- 4.10.6 A habitable room referred to in section 4.10.1 does not mean:
 - (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

4.15 Acoustics

- 4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

- 4.15.2 In the C-7 District, an acoustical report shall not be required for developments having only residential uses and not abutting 12th Avenue or the CPR rail right-of-way.