

Section 6.101 – Comprehensive Development – South Skirt Mountain (CD12) Zone

The intent of the CD12 Zone is to accommodate residential, commercial and light industrial uses.

6.101.01 Permitted Uses

- (1) Within that portion of the lands identified as “Area I – One or Two Family Residential”, on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
 - (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Assisted living**;
 - (c) **Bed and breakfast in a one-family dwelling**, on **lots** of 550 m² (5,920.2 ft²) or greater in **lot area** and subject to Section 3.09;
 - (d) **Charitable facility**;
 - (e) **Community care facility**;
 - (f) **Community garden**;
 - (g) **Cultural facility**;
 - (h) **Dwelling, one-family**;
 - (i) **Dwelling, two-family**, on **lots** with a **lot area** greater than or equal to 750 m² (8,072.9 ft²), a **lot width** not less than 13 m (42.7 ft) and a **building envelope** width not less than 11 m (36.1 ft), subject to Section 3.07;
 - (j) **Group daycare**, subject to Subsection 3.26.02;
 - (k) **Home occupation**, subject to Section 3.09;
 - (l) **Hospital**;
 - (m) **Recreation facility, indoor**;
 - (n) **School**;
 - (o) **Secondary suite in a one-family dwelling**, on **lots** with a **lot area** less than 550 m² (5,920.2 ft²), subject to Section 3.08;
 - (p) **Two-family dwellings** on lots with areas greater than or equal to 300 m² (3,229 ft²) and widths not less than 10m (33 ft); (*Bylaw No. 1864*)
 - (q) The keeping of not more than four **boarders in a one-family dwelling**;
 - (r) **Townhouse**;

- (s) **Uses accessory** to a **principal use** permitted in this Article; and
 - (t) **Uses** permitted by Section 3.01 of this Bylaw.
- (2) Within those portions of the lands identified as “Area II – Multi-Family Residential” on the CD12 Zone map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) **Apartment;**
 - (b) **Apartment, senior citizens;**
 - (c) **Assisted living ;**
 - (d) **Uses accessory** to a **principal use** permitted in this Article; and
 - (e) **Uses** permitted by Article 6.101.01(1) of this Bylaw.
- (3) Within those portions of the lands identified as “Area III” – Mixed-Use Multi-Family Residential” on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) Commercial **uses** in a mixed-use **building**, including:
 - (i) **Bakery;**
 - (ii) **Medical Clinics** and accessory related commercials uses;
 - (iii) **Office;**
 - (iv) **Personal service establishment;**
 - (v) **Recreation facility, indoor;**
 - (vi) **Restaurant;**
 - (b) **Retail store; Place of worship;**
 - (c) **Uses accessory** to a **principal use** permitted in this Article; and
 - (d) **Uses** permitted by Articles 6.101.01(1) and (2) of this Bylaw.
- (4) Within those portions of the lands identified as “Area IV – Neighbourhood Centre” on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Artist or craftsperson studio**, in enclosed **buildings;**
 - (c) **Assisted living;**
 - (d) **Bakery**, limited to a maximum of 220 m² (2,368.1 ft²) of **gross floor area;**

- (e) **Business support service;**
 - (f) **Catering;**
 - (g) **Charitable facility;**
 - (h) **Community garden;**
 - (i) **Cultural facility;**
 - (j) **Financial institution;**
 - (k) **Hospital;**
 - (l) **Hotel;**
 - (m) **Licensed premises;**
 - (n) **Medical Clinics** and accessory related commercial uses;
 - (o) **Office;**
 - (p) **Parking facility;**
 - (q) **Personal service establishment;**
 - (r) **Recreation facility, indoor;**
 - (s) **Recreation facility, outdoor;**
 - (t) **Restaurant;**
 - (u) **Retail store;**
 - (v) **Uses accessory** to a **principal use** permitted in this Article;
 - (w) **Uses** permitted by Section 3.01 of this Bylaw;
 - (x) **Uses** permitted by Articles 6.101.01(1), (2) and (3) of this Bylaw; and
 - (y) **Veterinary practice**, in enclosed **buildings**.
- (5) Within those portions of the lands identified as “Area V (a and b) – Commercial” on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Accessory commercial uses**, limited to the following:
 - (i) **Charitable facility;**
 - (ii) Conference and meeting facility;

- (iii) **Cultural facility;**
 - (iv) **Licensed premises;**
 - (v) **Recreation facility, indoor.**
- (c) **Car wash;**
 - (d) **Community garden;**
 - (e) **Financial institution;**
 - (f) **Financial institution, drive-through;**
 - (g) **Fitness centre;**
 - (h) **Gasoline service station;**
 - (i) **Hotel;**
 - (j) **Household equipment and appliance service and repair;**
 - (k) **Medical Clinics** and accessory related commercial uses;
 - (l) **Office;**
 - (m) **Parking facility;**
 - (n) **Personal service establishment;**
 - (o) **Recreation facility, indoor;**
 - (p) **Residential hotel;**
 - (q) **Restaurant;**
 - (r) **Restaurant, drive-through;**
 - (s) **Retail store;**
 - (t) **Transportation terminal;**
 - (u) **Uses accessory** to a **principal use** permitted in this Article; and
 - (v) **Uses** permitted by Section 3.01 of this Bylaw.
- (6) Within those portions of the lands identified as “Area VI – Commercial Mixed-Use” on the CD12 Zone Map attached as Schedule “X”, the following **uses** and no others are permitted:
- (a) **Accessory buildings and structures**, subject to Section 3.05;
 - (b) **Accessory commercial uses**, limited to the following;

- (i) **Charitable facility;**
- (ii) Conference and meeting facility;
- (iii) **Cultural facility;**
- (iv) **Group daycare**, subject to Subsection 3.26.02;
- (v) **Licensed premises;**
- (vi) **Office;**
- (vii) **Parking facility;**
- (viii) **Personal service establishment;**

- (c) **Apartment;**
- (d) **Apartment, senior citizens;**
- (e) **Car wash;**
- (f) **Community garden;**
- (g) **Dwelling, two-family**, subject to Section 3.07;
- (h) **Financial nstitution;**
- (i) **Financial institution, drive-through;**
- (j) **Gasoline service station;**
- (k) **Hotel;**
- (l) **Medical Clinics** and accessory related commercials uses;
- (m) **Office;**
- (n) **Recreation facility, indoor;**
- (o) **Recreation facility, outdoor;**
- (p) **Residential hotel;**
- (q) **Restaurant;**
- (r) **Restaurant, drive-through;**
- (s) **Retail store;**
- (t) **Townhouse;**

- (u) **Uses accessory** to a **principal use** permitted in this Article; and
- (v) **Uses** permitted by Section 3.01 of this Bylaw.

6.101.02 Subdivision Lot Requirements

- (1) In Areas I, II, III, and IV:
 - (a) No **lot** having a **lot area** less than 200 m² (2,152.8 ft²) or a **lot width** less than 6 m (19.7 ft) may be created by subdivision;
 - (b) No **lot** with a **lot area** greater than, or equal to 550 m² (5,920.2 ft²) may be created having a **lot width** less than 10 m (32.8 ft); and
 - (c) Despite Clause 6.101.02(1)(a), a **lot** having a **lot area** of no less than 70 m² (753.5 ft²) and a **lot width** no less than 4 m (13.1 ft) may be created by subdivision for a **townhouse use**.
- (2) In Areas V (a and b) and VI:
 - (a) No **lot** having a **lot area** less than 695 m² (7,480.9 ft²) may be created by subdivision; and
 - (b) No **lot** having a **lot width** less than 16 m (52.5 ft) may be created by subdivision.
- (3) No land may be subdivided unless, concurrently with the subdivision, the Owner has granted to the City a covenant under Section 219 of the *Land Title Act* restricting the **use** of the land being subdivided and the construction of **buildings** and **structures** on the land such that the land **use** and density regulations contained in the CD12 Zone including the provisions for bonus density in Article 6.101.04(3) are made applicable to the individual parcels created by the subdivision in a manner that is consistent with this Bylaw and the Official Community Plan.

6.101.03 Density of Development on Individual Lots

There may not be more than one **residential building**, exclusive of any garden suite or carriage suite on a **lot** with a **lot area** less than 750 m² (8,072.9 ft²).

6.101.04 Density of Development in the CD12 Zone

- (1) Within Area VI:
 - (a) The **floor area ratio** may not exceed 1.0 for **buildings** containing **uses** other than **residential uses** and **hotels**; and
 - (b) The **floor area ratio** may not exceed 2.0 for **buildings** containing **residential** or **hotel uses**.
- (2) There may not be more than 16 **dwelling units** in Areas I, II, III, IV, and V of the CD12 Zone.
- (3) Despite Article 6.101.04(2), land in Areas I, II, III, and IV of the CD12 Zone may be subdivided and land may be developed for more than 16 **dwelling units** if the owner of the land to be built upon has provided the following to the City:
 - (a) \$2,000 per **dwelling unit** towards the General Amenity reserve Fund; AND

- (b) A covenant charging the land in CD12 Zone, in terms satisfactory to the City, ensuring that land in an amount equal to at least 40% of the land area within the CD12 Zone, and in location satisfactory to the City, is dedicated as public land or protected as covenanted open space.
- (4) For the purposes of Article 6.101.04(3), a **dwelling unit** is authorized when a building permit authorizing the construction of the **dwelling unit** is issued, except that in the case of a subdivision of land into **lots** on which the CD12 Zone regulations permit the construction of a **one-family dwelling** or **two-family dwelling**, **dwelling units** are authorized on such **lots** when the **Approving Officer** approves the subdivision plan creating the **lots**.
- (5) For the purposes of Articles 6.101.04(3) a **dwelling unit** is defined as a single residential **lot** of not less than 550 m² (5,920.2 ft²) or a **one-family dwelling** on a **lot** not less than 550 m² (5,920.2 ft²).
- (6) For the purpose of Article 6.101.04(3):
 - (a) A **one-family dwelling** on a **lot** less than 550 m² (5,920.2 ft²) is deemed equivalent to 0.66 **dwelling units**;
 - (b) A **two-family dwelling** is deemed to be equivalent to 1.32 **dwelling units** (2 x 0.66); and
 - (c) A multi-family **dwelling unit (townhouse, or apartment)** is deemed equivalent to 0.61 **dwelling units**.
- (7) Provided that all of the requirements of Subsection 6.101.04 have been met, the maximum density of development within Areas, I, II, III, IV and V (a and b) of the CD12 Zone is as follows:
 - (a) Within Area II the **floor area ratio** may not exceed 3.0;
 - (b) Within Area III:
 - i. The commercial **uses** permitted by Clause 6.101.01(3)(b) may not exceed 600 m² (6,458.3 ft²) of **gross floor area**; and
 - ii. The **floor area ratio** may not exceed 7.0.
 - (c) Within Areas IV and V9 A) the combined **gross floor area** for **uses** other than **residential uses** may not exceed 6,000 m² (64,583.5 ft²);
 - (d) Within Area V9 B) the **gross floor area** for **uses** other than **residential uses** may not exceed 1,000 m² (10,763.9 ft²);
 - (e) Within Area VI, the **floor area ratio** may not exceed 7.0; and
 - (f) Within Area V (a and b):
 - (i) The **floor area ratio** may not exceed 1.0 for **buildings** containing only **uses** other than **hotels**; and
 - (ii) The **floor area ratio** may not exceed 2.0 for **buildings** containing **hotel uses**.

- (8) Under no circumstances may the total number of residential dwellings other than **secondary suites** and **assisted living apartments** and **care facilities** in Areas I, II, III and IV of the CD12 Zone exceed 2,600.

6.101.05 Lot Coverage

Within Area V (a and b) and VI, the **lot coverage** of all **buildings** and **structures** may not exceed 50%.

6.101.06 Height and Size of Principal Use Buildings

- (1) Within Area I, the **height of principal use buildings** may not exceed three storeys.
- (2) *(Deleted by Bylaw No. 1943)*
- (3) Within Area V (a and b) and VI, the **height of principal use buildings** may not exceed four storeys.

6.101.07 Setbacks

Within Area V (a and b) and VI, no **building** or **structure** may be located:

- (1) Within 7.5 m (24.6 ft) of any **front lot line**; or
- (2) Within 6 m (19.7 ft) of any **interior side lot line** that does not **abut** a **lot** in a **Commercial, Industrial** or **Business Park Zone**; or
- (3) Within 10 m (32.8 ft) of any **rear lot line** except that no **setback** is required from a **rear lot line** that **abuts** a **lot** in a **Commercial Zone, Industrial Zone, or Business Park Zone**; or
- (4) Within 6 m (19.7 ft) of any **exterior side lot line**.

6.101.08 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw, the following requirements apply to landscape screening in the CD12 Zone:

- (1) A continuous **landscape and screening area** not less than 3 m (9.8 ft) wide must be provided along the developed portion of each **lot** in Area V (a and b) and VI which **abuts** a **highway**, and a continuous **landscape and screening area** not less than 3 m (9.8 ft) wide or not less than 2.5 m (8.2 ft) in width containing a decorative fence not less than 1.8 m (5.9 ft) in **height** together with decorative planting must be provided along the developed portion of each **lot** in Area V (a and b) and VI which **abuts** a property in an **Agricultural, Residential, or Institutional Zone** other than the CD12 Zone.
- (2) The **landscape and screening area** may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows. The width of the **landscape and screening area** may include the width of any landscaped portion of the **abutting highway** that is contiguous with the **landscape and screening area** and not separated from it by any paved, graveled or concrete area.