

20.44 Commercial Mixed Use (ZMU44) – Broadmoor [Bylaw 10111, Apr 26/21]

20.44.1 Purpose

This **zone** provides for a limited range of **commercial uses** and services to the surrounding community, along with low rise **apartment housing** and other compatible **uses**.

20.44.2 Permitted Uses

- animal grooming
- child care
- government service
- health service, minor
- housing, apartment
- office
- restaurant
- retail, convenience
- retail, general
- service, business support
- service, financial
- service, household repair
- service, personal
- veterinary service

20.44.3 Secondary Uses

- boarding and lodging
- home business

20.44.4 Residential Rental Tenure

1. A **dwelling unit** located anywhere in this **zone** shall only be used for **residential rental tenure**.
2. For the purposes of this **zone**, “**market rental unit**” means a **dwelling unit** that is rented at prevailing market rates and may be subject to a **market rental agreement**.
3. For the purposes of this **zone**, “**residential rental tenure**” means, in relation to a **dwelling unit** in a multi-family residential **building**, occupancy of a **dwelling unit**, including a **market rental unit**, governed by a tenancy agreement that is subject to the *Residential Tenancy Act* (BC), as may be amended or replaced from time to time.

20.44.5 Permitted Density

1. The maximum **floor area ratio** is 1.08, together with an additional 0.1 **floor area ratio** provided that it is entirely used to accommodate indoor **amenity space**.
2. Notwithstanding the reference to the maximum **floor area ratio** of “1.08” in Section 20.44.5.1:
 - a) the maximum permitted **floor area ratio** for non-residential **uses** is 0.28 (exclusive of residential **building** entrance lobbies); and
 - b) the maximum permitted **floor area ratio** for **apartment housing** is 0.80 provided that the **owner**:
 - i) provides on the **site** no less than thirty-three (33) **market rental units** having a combined **floor area** of at least 2,230 m²; and

- ii) enters into a **market rental agreement** with respect to the **market rental units** and registered the **market rental agreement** against the title to the **lot**, and files a notice in the Land Title Office.

20.44.6 Permitted Lot Coverage

1. The maximum **lot coverage** for **buildings** is 40%.

20.44.7 Yards & Setbacks

1. The minimum **setback** to No. 3 Road is 2.0 m.
2. The minimum **setback** to Williams Road is 2.0 m.
3. The minimum **setback** to the east and north **lot line** is 20.0 m.
4. Notwithstanding Sections 20.44.7.1 and 20.44.7.2:
 - a) **awnings**, sunshades and canopies may project into the minimum **setback** for a distance of 1.8 m; and
 - b) **balconies** may project into the minimum **setback** for a distance of 0.6 m.
5. Notwithstanding Section 20.44.7.3, an **accessory building** containing bicycle parking may be located within the **setback** to the north **lot line** but shall be no closer to that **lot line** than 0.85 m, provided that the north side of the **accessory building** be landscaped and **screened** by a combination of shrubs, ornamental plants and vines.

20.44.8 Permitted Heights

1. The maximum **height** for **buildings** is 20.0 m.
2. The maximum **height** for **accessory buildings** and **accessory structures** is 5.0 m.

20.44.9 Subdivision Provisions/Minimum Lot Size

1. The minimum **lot area** is 2,800 m².

20.44.10 Landscaping & Screening

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0, except that:
 - a) Portions of the **lot** within 2.0 m of a **property line abutting** a **road** shall be treated and maintained with a combination of trees, shrubs, ornamental plants, lawn and hard surface; and
 - b) Where a lot **being** developed **abuts** a **lot** in a **zone** which permits a residential **use**, the **owner** shall erect and maintain a solid **fence** 2.0 m in **height** parallel to and within 1.0 m of the boundary line of the **adjacent zone**, except that the **owner** shall erect and maintain a solid **fence** 2.4 m in **height** parallel to and within 1.0 m of the east **lot line**; and
 - c) Notwithstanding Section 20.44.10.1.b), a **fence** located perpendicular to, and within 4.5 m of, a **lot line** which **abuts** a **road** shall not exceed 1.2 m in **height**.

20.44.11 On-Site Parking and Loading

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the standards set out in Section 7.0, except that the basic on-site parking requirement for **apartment housing** shall be 1.0 **vehicle parking space** per **dwelling unit**.
2. Notwithstanding Section 20.44.11.1, on-site **parking spaces** shall be located no closer than:
 - a) 2.0 m to a **lot line** which **abuts a road**;
 - b) 0.6 m from the north **lot line**; and
 - c) 1.2 m from the east **lot line**.

20.44.12 Other Regulations

1. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply.
2. Notwithstanding Section 20.44.2 and 20.44.3, **apartment housing, boarding and lodging, and home business uses** are only permitted on the second and upper floors of the **building** (exclusive of **building** entrance lobbies, which are permitted on the ground floor of the **building**).

