

20.25 Residential / Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) – Capstan Village (City Centre) *[Bylaw 9135, Dec 17/14]*

20.25.1 Purpose

The **zone** accommodates artist residential tenancy studio (ARTS) units and high-rise apartments within the **City Centre**, plus a limited amount of **commercial use** and compatible **secondary uses**. Additional **density** is provided to achieve, among other things, **City** objectives in respect to the **City Centre** arts district, **affordable housing units**, **child care**, amenity, **commercial use**, and the Capstan Canada Line station.

20.25.2 Permitted Uses

- artist residential tenancy studio (ARTS) units
- **child care**
- **congregate housing**
- **housing, apartment**
- **housing, town**
- **live/work dwelling**

20.25.3 Secondary Uses

- **amenity space, community**
- **animal grooming**
- **boarding and lodging**
- **broadcast studio**
- **community care facility, minor**
- **education, commercial**
- **government service**
- **health service, minor**
- **home-based business**
- **hotel**
- **library and exhibit**
- **liquor primary establishment**
- **manufacturing, custom indoor**
- **microbrewery, winery and distillery**
[Bylaw 9490, Mar 21/16]
- **office**
- **park**
- **parking, non-accessory**
- **private club**
- **recreation, indoor**
- **religious assembly**
- **restaurant**
- **retail, convenience**
- **retail, general**
- **retail, second hand**
- **service, business support**
- **service, financial**
- **service, household repair**
- **service, personal**
- **studio**
- **vehicle rental, convenience**
- **veterinary service**

20.25.4 Permitted Density

1. The maximum **floor area ratio** is 1.2, together with an additional 0.1 **floor area ratio** provided that it is entirely used to accommodate **amenity space**.

2. Notwithstanding Section 20.25.4.1, the reference to “1.2” is increased to a higher **floor area ratio** of “2.5”, provided that:
- a) the **site** is located in the Capstan Station Bonus Map area designated by the **City Centre Area Plan**;
 - b) the **owner** pays a sum into the **Capstan station reserve** as specified in Section 5.19 of this bylaw;
 - c) the **owner** grants to the **City**, via a statutory **right-of-way**, **air space parcel**, or fee simple, as determined at the sole discretion of the **City**, rights of public use over a suitably landscaped area of the **site** for **park** and related purposes at a rate of 5.74 m² per **dwelling unit** or 6,810.4 m², whichever is greater;
 - d) prior to occupancy of the **building**, the **owner**:
 - i) provides within the **building** not less than four **affordable housing units** and the combined **habitable space** of the total number of **affordable housing units** would comprise at least 5% of the total residential **building** area, excluding the **building** area of artist residential tenancy studio (ARTS) units; and
 - ii) enters into a **housing agreement** with respect to the **affordable housing units** and registers the **housing agreement** against title to the **lot**, and files a notice in the Land Title Office; and
 - e) prior to occupancy of any **building** within the area shown cross-hatched and indicated as “A” in Section 20.25.4, Diagram 2, the **owner**:
 - i) provides within the area shown cross-hatched and indicated as “A” in Section 20.25.4, Diagram 2, not less than 17 artist residential tenancy studio (ARTS) units and the combined habitable space of the total number of artist residential tenancy studio (ARTS) units would comprise at least 1,393.5 m²; and
 - ii) enters into a **housing agreement** with respect to the artist residential tenancy studio (ARTS) units and registers the **housing agreement** against title to the **lot**, and files a notice in the Land Title Office.
3. If the **owner** of a **lot** has paid a sum into the **Capstan station reserve** and provided a suitably landscaped area of the **site** for **park** and related purposes, **affordable housing units**, and artist residential tenancy studio (ARTS) units under Section 20.25.4.2, Sub-Sections (b), (c), (d), and (e) respectively, an additional 1.0 **density bonus floor area ratio** is permitted, provided that:
- a) the **lot** is located in the Village Centre Bonus Area designated by the **City Centre Area Plan**;
 - b) the **owner** uses the additional 1.0 **density bonus floor area ratio** only for non-residential purposes, which non-residential purposes shall provide, in whole or in part, for **convenience retail uses** (e.g. large format grocery store; drug store), **minor health services**, pedestrian-oriented **general retail**, or other **uses** important to the viability of the Village Centre as determined to the satisfaction of the **City**;
 - c) the **owner** uses a maximum of 49% of the **gross floor area** of the **building**, including the additional 1.0 **density bonus floor area ratio** (i.e. the **gross floor area** of the additional **building** area), for non-residential purposes;
 - d) the **owner** grants to the **City**, via **air space parcel**, at least 5% of the additional 1.0 **density bonus floor area ratio** (i.e. the **gross floor area** of the additional **building** area) or 1,428.4 m², whichever is greater, for **child care**, **community amenity space**,

and **minor health service**, to the satisfaction of the **City**, and locates the entirety of the area granted to the **City** within the area shown cross-hatched and indicated as “B” in Section 20.25.4, Diagram 2; and

- e) the **owner** provides 250 **parking spaces** for shared **commercial/residential use** and grants rights of public use over 50% of the **parking spaces**, secured via a statutory **right-of-way, air space parcel**, or alternative means, as determined at the sole discretion of the **City**, within the area shown cross-hatched and indicated as “A” in Section 20.25.4, Diagram 2.

4. For the area within the **City Centre** shown cross-hatched in Section 20.25.4, Diagram 1, notwithstanding Section 20.25.4.2, the reference to “2.5” is increased to a higher **floor area ratio** of “3.418” and, notwithstanding Section 20.25.4.3, the reference to “1.0” is increased to a higher **floor area ratio** of “1.462”, provided that the:

- a) **owner** complies with the conditions set out in Sections 20.25.4.2(a), (b), (c), and (d) and Sections 20.25.4.3(a), (b), (c), (d), and (e);
- b) **owner** dedicates not less than 5,529.0 m² of land to the **City** as **road**;
- c) **owner** transfers not less than 5,000.4 m² of land to the **City** as fee simple for **park** purposes, which shall include a suitably landscaped area of the **site** transferred by the **owner** to the **City** in compliance with Section 20.25.4.2(c), provided that such area is transferred to the **City** as fee simple;
- d) maximum total combined **floor area** for the **site** shall not exceed 126,575.4 m², of which the **floor area** of residential **uses** shall not exceed 98,008.0 m² and the floor area of other **uses** shall not exceed 28,567.4 m²; and
- e) maximum **floor area** for the areas shown cross-hatched and indicated as “A”, “B”, “C”, and “D” in Section 20.25.4, Diagram 2, shall not exceed:
 - i) for “A”: 35,144.1 m² for residential uses, including at least 843.8 m² of **habitable space** for **affordable housing units**, and nil for other **uses**;
 - ii) for “B”: 39,194.5 m² for residential **uses**, including at least 979.9 m² of **habitable space** for **affordable housing units**, and 1,688.5 m² for other **uses**;
 - iii) for “C”: 15,732.2 m² for residential **uses**, including at least 1,980.4 m² of **habitable space** for **affordable housing units**, and nil for other **uses**; and
 - iv) for “D”: 7,937.2 m² for residential **uses**, including at least 1,026.6 m² of **habitable space** for **affordable housing units**, and 26,878.9 m² for other **uses**.

Diagram 1

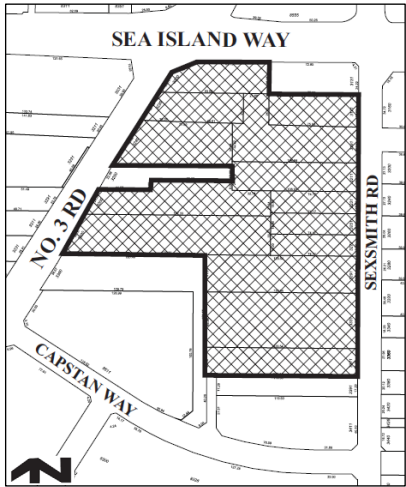
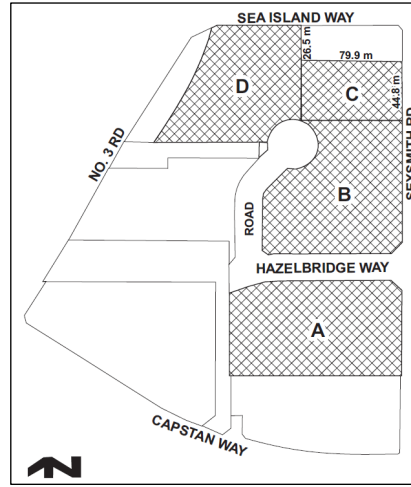


Diagram 2



5. There is no maximum **floor area ratio** for **non-accessory parking** as a **principal use**.

20.25.5 Permitted Lot Coverage

1. The maximum **lot coverage** for the areas shown cross-hatched and indicated as “A”, “B”, “C”, and “D” in Section 20.25.4, Diagram 2, is 90% for **buildings** and **landscaped** roofs over **parking spaces**.

20.25.6 Yards & Setbacks

1. Minimum **setbacks** shall be:
 - a) for Canada Line **setbacks**, measured to a **lot line**:
 - i) for **dwelling units**, **amenity space**, and **child care**: 20.0 m, but may be reduced to 10.0 m if a proper interface is provided as specified in a Development Permit approved by the **City**; and
 - ii) for other **uses**: 6.0 m;
 - b) for **road** and **park setbacks**, measured to a **lot line** or the boundary of an area granted to the **City**, via a statutory **right-of-way** or **air space parcel**, for **road** or **park** purposes: 6.0 m, but may be reduced to 3.0 m if a proper interface is provided as specified in a Development Permit approved by the **City**;
 - c) for **interior side yard setbacks**, measured to a **lot line** or the boundary of an area granted to the **City**, via a statutory **right-of-way** or **air space parcel**, for **road** or **park** purposes: 6.0 m, but may be reduced to 0.0 m if a proper interface is provided as specified in a Development Permit approved by the **City**; and
 - d) for parking situated below finished **grade**, measured to a **lot line**: 0.0 m.

20.25.7 Permitted Heights

1. The maximum **building height** shall be:
 - a) 47.0 m geodetic north of Hazelbridge Way; and

- b) 35.0 m south of Hazelbridge Way, but may be increased to 47.0 m geodetic if a proper interface is provided with adjacent **buildings** and areas secured by the **City**, via statutory **right-of-way**, **air space parcel**, fee simple, or other means as determined to the satisfaction of the **City**, for **park** purposes, as specified in a Development Permit approved by the **City**.
2. The maximum **height** for **accessory buildings** is 5.0 m.
3. The maximum **height** for **accessory structures** is 12.0 m.

20.25.8 Subdivision Provisions

1. The minimum **lot** area for the areas shown cross-hatched and indicated as “A”, “B”, “C”, and “D” in Section 20.25.4, Diagram 2, shall be:
 - a) for “A”: 9,000 m²;
 - b) for “B”: 8,800 m²;
 - c) for “C”: 3,200 m²; and
 - d) for “D”: 7,000 m².

20.25.9 Landscaping & Screening

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

20.25.10 On-Site Parking and Loading

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the provisions of Section 7.0, EXCEPT that for the purpose of minimum number of **parking spaces**:
 - a) **City Centre** Parking Zone 1 rates shall apply;
 - b) the minimum on-site parking requirements for **town housing**, **apartment housing**, and mixed **commercial/residential uses** shall not be less than 1.0 space for residents per **dwelling unit**; and
 - c) Artist residential tenancy studio (ARTS) units shall be treated as **affordable housing units**.
2. Notwithstanding Section 20.25.10.1, if the **owner** has provided:
 - a) **child care**, **community amenity space**, and **minor health service** within the area shown cross-hatched and indicated as “B” in Section 20.25.4, Diagram 2, under Section 20.25.4.3(d), the minimum combined total number of **parking spaces** for the **uses** shall be 32, all of which shall be located within area “B”; and
 - b) 250 **parking spaces** for shared **commercial/residential use** within the area shown cross-hatched and indicated as “A” in Section 20.25.4, Diagram 2, and granted rights of public use over 50% of the **parking spaces** under Section 20.25.4.3(e):
 - i) the minimum combined total number of **parking spaces** required for non-residential **uses** within the area shown cross-hatched and indicated as “D” in Section 20.25.4, Diagram 2, shall be reduced by 250; and

- ii) the minimum number of residential visitor **parking spaces** within the areas shown cross-hatched and indicated as “A”, “B”, “C”, and “D” in Section 20.25.4, Diagram 2, may be reduced by 50%.

20.25.11 Other Regulations

1. For the purposes of this bylaw, arts residential tenancy studio unit or ARTS unit:
 - a) means a **dwelling unit** providing space for sleeping, living, washrooms, and **kitchen**, together with space designed to facilitate the use of the **dwelling** for arts-related **home-based business** purposes including painting, pottery, dance, choreography, non-amplified music, composing, conducting, arranging, recording, writing, media arts, photography, print making, or carving;
 - b) shall be **town housing**;
 - c) shall have a minimum **habitable space** of 74.0 m², of which at least 25.0 m², provided as one contiguous space, shall have a minimum clear height of 4.5 m measured from the surface of the finished floor to the surface of the finished ceiling.

[Bylaw 9723, Jul 17/17]

2. **Telecommunication antenna** must be located a minimum 20.0 m above the ground (i.e., on a roof of a **building**).
3. 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.