

SECTION 39E | CREATIVE MIXED USE DISTRICT (MUD-2)

(Bylaw 2518, 2017)

The intent of this zone is to accommodate a creative mixed use district comprised of artisan studios, office, service commercial and light industrial mixed with multi-family residential.

39E.1 PERMITTED USES

The Downtown South area is characterized by unique and creative building forms and a finely integrated mix of offices, service commercial, artisan/workshops, residences and light industrial uses. The zone allows for numerous uses to allow for flexible, unique and creative multi-use developments. Any new residential use must be in conjunction with a permitted industrial or commercial land use. The following principal and accessory uses and no others are permitted subject to Section 39E.6:

Use Category
alcoholic beverage manufacturing
apartment dwelling subject to 39E.6 and 39E.12
artisan
arts and culture
assembly
assisted living facility
bed and breakfast
business and professional office, major
business and professional office, minor
business service establishment
cinema
civic
community care facility
community garden
commercial recreation
electrical vehicle charging station
farmers' market
fitness centre
high technology
home occupation, residential

home occupation, office
hostel subject to 39E.14
indoor recreation
institutional
interpretive centre
light Industrial subject to 39E.12 and 39E.13
live-work unit subject to 39E.6 and 39E.12
marina oriented light industrial 39E.12 and 39E.15
neighbourhood commercial subject to 39E.14
nursery
pet daycare
pet grooming
research and development
school
small scale manufacturing 39E.12
tourist accommodation
Accessory Uses
accessory uses
accessory retail sales

39E.2 MAXIMUM LOT SIZE

Max Lot Area	Max Lot Width	Max Lot Depth
1120 sq. m	31 m	37 m

39E.3 MAXIMUM HEIGHT

There are two bonus height maximums permitted, one for high ground floor ceiling heights and another for dedicated usable open space for pedestrian circulation and social uses.

Principal Building	Accessory Building
10.68 m	4.58 m
Bonus Height	
<p>a) Where 75% of the ground floor ceiling height exceeds 5.0 m for the purpose of Industrial use, the maximum height of principal building will not exceed 15.6 m. The 75% can include a 5.0 m ceiling height that is separated by allowable mezzanine space.</p> <p>b) Where 20% of the lot area, in excess of requirements contained in Section 39E.16, is dedicated to common usable open space through active pedestrian circulation and social uses, which include at least two such elements as an accessible and lit courtyard with seating and public art, and is accessible to the public via registration of a statutory right of way in favour of the District, the maximum height of a principal building will not exceed 12.6m.</p> <p>c) The following structures are exempted from height maximums to accommodate rooftop patios: stairway or an elevator penthouse that provides access and egress to the roof and landscaping or perimeter railing required to accommodate a roof top patio.</p>	

39E.4 MAXIMUM LOT COVERAGE

Lot coverage shall not exceed 55% of the area of the lot.

39E.5 MINIMUM SETBACKS FOR PRINCIPAL BUILDINGS

If a lot line fronts onto:

a) Second Avenue
0 m building setback to encourage narrow shared streetscapes.
b) Third Avenue
2.5 m building setback to accommodate active transportation improvements and enhance street-building interface.
c) Cleveland Avenue
0 m building setback. Cleveland Avenue is a 25 m road right of way providing enough space to support active transportation and enhance street-building interface.
d) Main Street

0 m building setback. Main Street is a 25 m road right of way providing enough space to support active transportation and enhance street-building interface.
e) Vancouver Avenue
2.5 m building setback to enhance street-building interface.
f) Westminster St
2.5 m building setback to accommodate active transportation improvements and enhance street-building interface.
g) Laneway
1.52 m building setback to ensure laneway sightlines are maintained and laneway activation is enhanced where space is not used for drive aisles or parking stalls as per section 39E.8
h) Mid-block Corridor
Lot lines between properties shown on the sketch attached as "Schedule B" will have an interior side setback of 2.5 m to accommodate a neighbourhood corridor.

Where a lot line adjoins another lot line:

- a) A 0 m building setback will apply to all other interior setbacks not listed above to encourage continuous streetscape frontage unless additional corridors can be designed to promote site and area circulation.

Projections into required setbacks:

- b) Should the required lot line building setbacks be equal to or greater than 2.5 m, then an open and uncovered terrace, deck or patio higher than 5m above finish grade can project up to 1.5 m into this setback despite any other provision in this bylaw.

39E.6 RESIDENTIAL DENSITY

Unless permitted in Density Bonus subsection 39E.6 (a) or (b), the maximum Gross Floor Area for live-work and apartment use shall not exceed 50% of the total Gross Floor Area. Additional residential density is permitted subject to Density Bonus subsection 39E.6 (a) and (b), no combination can exceed the maximum gross floor area for live-work and apartment use beyond 70% of the gross floor area.

Density Bonus

- a) The maximum percentage of Gross Floor Area for live-work or apartment use shall not exceed 70% of the total Gross Floor Area provided that a Housing Agreement under Section 483 of the Local Government Act is registered on the land securing a minimum of 20% of all Live-work and/or Apartment units as purpose-built rental units for up to 60 years or the life of the building, whichever one is longer.

Or

- b) The maximum percentage of Gross Floor Area for live work or apartment use shall not exceed 60% of the total Gross Floor Area provided that 20% of the lot area, in excess of requirements contained in Section 39E.16, is dedicated to common usable open space through active pedestrian circulation and social uses, which include at least two such elements as an accessible and lit courtyard with seating and public art, and is accessible to the public via registration of a statutory right of way in favour of the District, the maximum height of a principal building will not exceed 12.6m.

39E.7 FENCING

Fencing shall be provided in accordance with Section 4.6 of this Bylaw.

39E.8 OFF-STREET PARKING, STORAGE AND DISPLAY

- a) Where 75% of the ground floor gross floor area ceiling height exceeds 5.0m for the purpose of Industrial use as per Section 39E.3 (a), all industrial use parking shall be calculated as 1.5 stalls per 100 m/sq.
- b) All residential parking must be accessed by the lane. No residential parking can block building loading bay entrances.
- c) No off-street parallel parking shall be allowed abutting the lane.
- d) All uses must comply with Section 41 despite 39E.8 (a),(b) & (c).

39E.9 OFF-STREET LOADING

- a) Despite 42.3 (b) and 42.4, if one or more loading space(s) is/are required through other uses, then no office building loading space is required.
- b) Where 75% of the ground floor gross floor area ceiling height exceeds 5.0 m for the purpose of Industrial use as per Section 39E.3 (a), then one off street loading bay space can be replaced with one on street loading space and must be clearly marked with signage and differentiated surface treatment.
- c) All other off-street loading spaces for buildings and uses shall be provided in accordance with Section 42 of this Bylaw despite 39E.9 (a) and (b).

39E.10 ACCESSORY BUILDINGS

All accessory buildings shall comply with the requirements of Section 4.4 of this Bylaw.

39E.11 SCREENING

Screening and landscaping shall be provided in accordance with Section 4.7 of this Bylaw.

39E.12 ODOUR, LIGHTING AND NOISE MITIGATION

The following measures apply to all residential use features:

- a) All ventilation ducts will contain a hood cover and acoustic lining.
- b) All windows shall be rated a minimum of 34-36 according to the sound transfer classification.
- c) Residential or live-work use shall only be permitted if a noise advisory covenant is registered on title of the property/unit advising of the industrial noise presence in the area and requiring that the owner of the property/unit present each occupant of the unit with the said covenant.

The following measures apply to all industrial, repair and manufacturing uses:

- d) Odors resulting from the use must be confined to the unit in which the use occurs as to avoid adverse effects to persons in neighbouring properties in the vicinity.
- e) The use should not discharge or emit odorous toxic or noxious vapours or matter, heat glare radiation electrical interference or excessive noise.
- f) The use should not use materials or processes that produce flammable or explosive vapours or gases under ordinary temperatures.

39E.13 LIGHT INDUSTRIAL USE CONDITIONS

Despite any provision of this Bylaw, Light Industrial use in MUD-2 Zone does not include medical, recreational or commercial cannabis production facilities.

39E.14 NEIGHBOURHOOD COMMERCIAL

Despite any provision of this Bylaw, Neighbourhood Commercial use in MUD-2 is limited to:

- a) A restaurant use shall be limited to a maximum of 50 seats

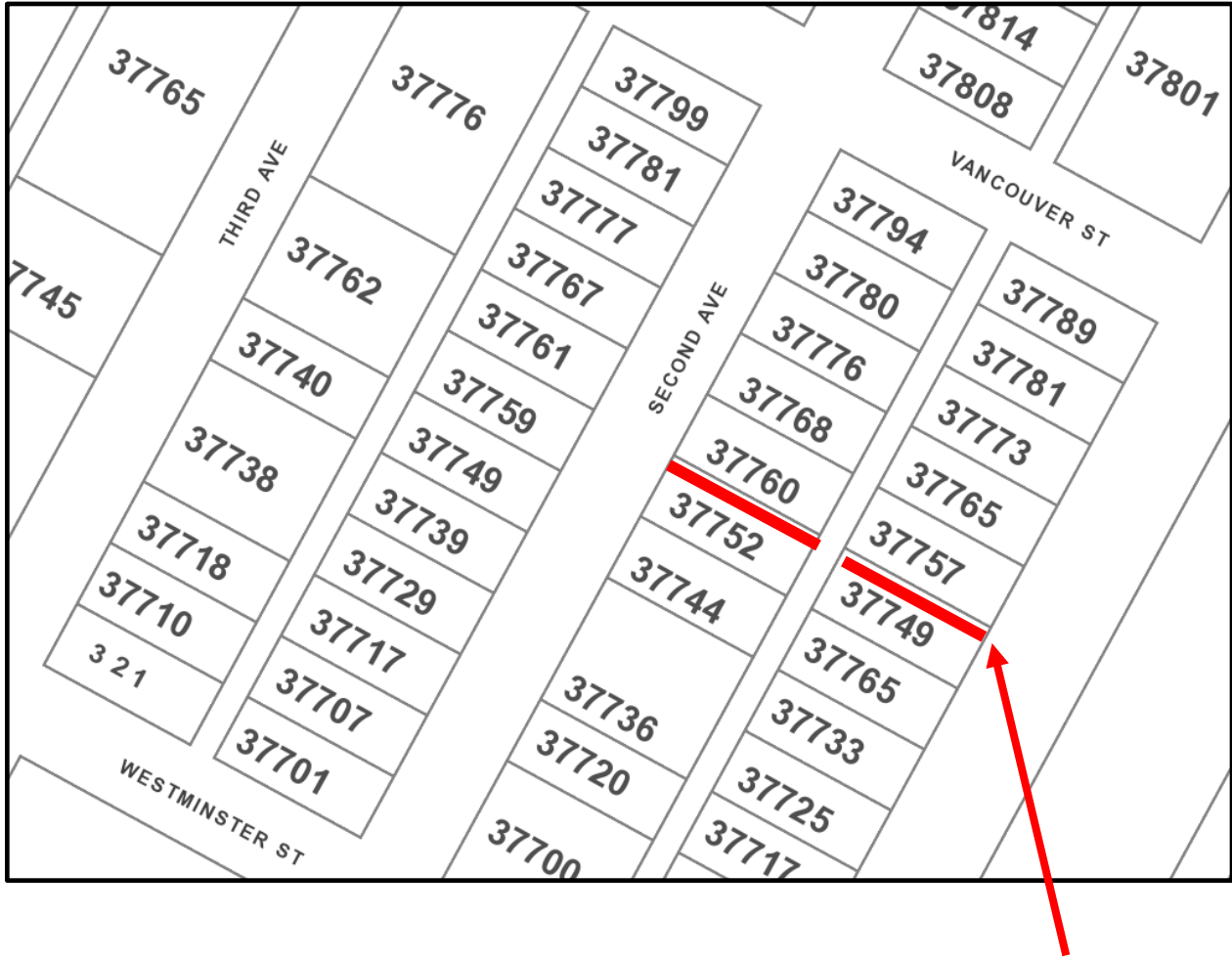
39E.15 MARINE-ORIENTED LIGHT INDUSTRIAL

Despite any provision of this Bylaw, Marine-oriented Light Industrial will be limited to only non-motorized water vessels or watercrafts.

39E.16 USEABLE OPEN SPACE

Despite any provision of this Bylaw, where a dwelling unit is proposed on a MUD-2 zoned property, the Common Useable Open Space requirements shall be reduced to a minimum of 10 square metres of common usable open space per dwelling unit provided that the space is developed to encourage outdoor active or passive recreational and social uses and shall include at least two of such elements as roof top patios, play or active structures, outdoor seating areas or decorative paved areas and walkways which do not serve as entrance walkways.

Schedule "B" to
District of Squamish Zoning Bylaw No. 2200, 2011
Amendment Bylaw (Creative Mixed Use District 2) No. 2518, 2017



To identify the location of Section 39E.5 (h) Mid-block Corridor