



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, July 26, 2018, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

Located on the traditional territory of the Esquimalt and Songhees People

Council is committed to ensuring that all people who speak in this chamber are treated in a fair and respectful manner. No form of discrimination is acceptable or tolerated. This includes discrimination because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or economic status. This Council chamber is a place where all human rights are respected and where we all take responsibility to create a safe, inclusive environment for everyone to participate.

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D. REQUESTS TO ADDRESS COUNCIL

D.1	<u>Ludo Bertsch: Myrtle Avenue Landscape Buffer, C1-L</u>
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D.5	<u>Peter Bell: Myrtle Avenue Landscape Buffer, C1-L</u>

D.6 Kealey Pringle: Myrtle Avenue Development

E. PROCLAMATIONS

E.1 "A Day of Happiness" - August 4, 2018

45

F. PUBLIC AND STATUTORY HEARINGS

*F.1 Rezoning Application No. 00549 and Development Permit Application No. 000490 for 2813-2887 Quadra Street, 2814-2890 Fifth Street, and 2780/82 Fifth Street

46

Council is considering an application which proposes 34 new residential units to be located within three new buildings on the existing parking lot and adjacent lot.

Addendum: Correspondence

F.1.a Public Hearing & Consideration of Approval:

163

- Motion to give 3rd reading to:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029
- Motion to adopt:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029
 - Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street) Bylaw (2018) No. 18-038
- Motion to approve Development Permit

F.2 Rezoning Application No. 00555 and Development Permit with Variances Application No. 00026 for 308 Menzies Street

180

Council is considering an application to permit retail and office uses in conjunction with a gas station.

F.2.a Public Hearing & Consideration of Approval

247

- Motion to give 3rd reading to:
 - Zoning Regulation Bylaw, Amendment Bylaw (No.

- **Motion to adopt:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1128) No. 18-065
- **Motion to approve Development Permit with Variances**

***F.3 Zoning Bylaw 2018**

250

Council is considering approval of Zoning Bylaw 2018 which proposes to divide the City into zones and to regulate and control the use of land and buildings within those zones.

Addendum: Correspondence

F.3.a Public Hearing & Consideration of Approval

415

- **Motion to give 3rd reading to:**
 - Zoning Bylaw 2018 No. 18-072
- **Motion to adopt:**
 - Zoning Bylaw 2018 No. 18-072

F.4 Administrative Amendment to Zoning Regulation Bylaw

480

Council is considering approval of a proposed administrative amendment to Zoning Regulation Bylaw No. 80-159 to exempt from that bylaw those areas of the City that will be regulated by Zoning Bylaw 2018.

F.4.a Public Hearing & Consideration of Approval

483

- **Motion to give 3rd reading to:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 18-082
- **Motion to adopt:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 18-082

F.5 Schedule C - Off Street Parking Regulations and Delegation of Minor Parking Variances

484

Council is considering approval of bylaws which propose new off-street parking regulations and the allowance of delegation of certain minor parking variances relating to small businesses.

- Motion to give 3rd reading to:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1130) No. 18-017
- Motion to adopt:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1130) No. 18-017
 - Land Use Procedures Bylaw, Amendment Bylaw (No. 7) No. 18-018

G. REQUESTS TO ADDRESS COUNCIL

G.1 Chris Zmuda: Disobey Victoria Bylaws

G.2 Mary Doody Jones: Assisting the Citizens to Save Gonzales Hill Park

G.3 Alex Robb: Cannabis Consumption Spaces in the City of Victoria

*G.4 Addendum: Ted Smith: Safe Consumption Site

*G.5 Addendum: Sariah Korneluk: Safe Consumption Site at VCBC

*G.6 Addendum: Julia Veintrop: On Site Consumption (Withdrawn)

*G.7 Addendum: David MacDonald: Condo Residents' Safety

603

H. UNFINISHED BUSINESS

H.1 Letter from the Minister of Environment and Climate Change

604

A letter of response dated June 29, 2018, regarding taking action on climate change, including extending carbon pricing throughout Canada.

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the July 19, 2018 COTW Meeting

607

I.1.a.a 350 Bay Street - Development Variance Permit
Application No. 00217 (Burnside)

An application regarding a proposal to add a new distillery and tasting room to the existing building and add to the number of seats in the existing brew-pub.

I.1.a.b	Late Night Advisory Committee Referral	
I.1.a.c	1415 Broad Street - Application for a Permanent Change to Hours of Service for a Liquor Primary License for the Victoria Event Centre <i>An application to the Liquor Licensing Agency for a permanent change of hours of liquor service to the Victoria Event Centre from 5:00 pm to 1:00 am daily, to 9:00 am to 2:00 am daily.</i>	
I.1.a.d	Motion Arising - Liquor License Policy	
I.1.a.e	Crystal Pool and Wellness Centre Replacement Project Update and Parking at Crystal Pool	
I.1.a.f	Crystal Pool Uses Requiring Park Dedication Removal Bylaw	
I.1.a.g	Accessibility at City Hall	
I.1.a.h	Adoption of Canadian Code of Advertising Standards	
I.1.b	Report from the July 26, 2018 COTW Meeting <u>Addendum: COTW Report</u>	609
*I.1.b.a	Urban Food Table	
*I.1.b.b	Victoria Airport Authority - Report to Nominators Presentation	
*I.1.b.c	Update Report: 1501 Haultain Street - Development Variance Permit Application No. 00066 (Fernwood) <i>An application to expand and renovate the exterior of the building and construct a third residential storey.</i>	
*I.1.b.d	Official Community Plan 5-Year Review	
*I.1.b.e	Climate Leadership Plan and Climate Action Program Update	
*I.1.b.f	Overnight Sheltering and Supports Program	
*I.1.b.g	Living Wage for Families	
*I.1.b.h	Sheltering Prohibition in Reeson Park and Quadra Park	

J. NOTICE OF MOTIONS

K. BYLAWS

K.1 Bylaw for Rezoning Application for 930 Fort Street 611

A report recommending:

1st and 2nd readings of: Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071

The bylaw is ready to proceed to Public Hearing and proposes to allow for a 12 storey, mixed use building with commercial on the ground floor and residential above.

K.2 Bylaw for Rezoning Application for 3175-3177 Harriet Road and 105 Burnside Road East 616

A report recommending:

1st and 2nd readings of: Zoning Regulation Bylaw, Amendment Bylaw (No. 1155) No. 18-068

The bylaw is ready to proceed to Public Hearing and proposes to allow for the retail sale of cannabis.

K.3 Bylaw for Rezoning Application for 356 Harbour Road 620

A report recommending:

1st and 2nd readings of: Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055

The bylaw is ready to proceed to Public Hearing and proposes to construct a Distillery/Brew Pub and Restaurant.

K.4 Bylaw for Tax Exemption for 727-729 Johnson Street 640

A report recommending:

1st, 2nd, and 3rd readings of: Tax Exemption (727-729 Johnson Street) Bylaw No. 18-062

The bylaw proposes to assist in the preservation and rehabilitation of the heritage building located at 727-729 Johnson Street.

Addendum: Revised Bylaw No. 18-062

K.5 Bylaw for Tax Exemption for 888 Government Street and 811-813 Wharf Street

654

A report recommending:

1st, 2nd, and 3rd readings of: Tax Exemption (888 Government Street / 811-813 Wharf Street) Bylaw No. 18-063

The bylaw proposes to assist in the preservation and rehabilitation of the heritage building located at 888 Government Street / 811-813 Wharf Street.

Addendum: *Revised Bylaw No. 18-063*

L. CORRESPONDENCE

M. NEW BUSINESS

***M.1 Reconsideration of Rezoning and Development Permit with Variances**
Application for 224 Superior Street

668

A Council Member Report on the reconsideration of Rezoning and Development Permit with Variance Application for 224 Superior Street.

Addendum: Report

N. QUESTION PERIOD

O. ADJOURNMENT



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, MARCH 8, 2018, AT 11:30 A.M.

PLACE OF MEETING:

Council Chambers, City Hall

PRESENT:

Mayor Helps in the Chair, Councillors Alto, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young

ABSENT:

Councillor Coleman

ABSENT FOR A PORTION:

Councillor Isitt

STAFF PRESENT:

J. Jenkyns – Acting City Manager; C. Coates – City Clerk; C. Royle – Deputy Fire Chief; B. Eisenhauer – Head of Engagement; S. Thompson – Director of Finance; T. Soulliere – Director of Parks, Recreation and Facilities; J. Tinney – Director of Sustainable Planning and Community Development; A. Hudson – Assistant Director, Development Services; P. Rantucci – Head of Strategic Real Estate; T. Zworski – City Solicitor; C. Mycroft – Manager of Executive Operations; A. M. Ferguson – Recording Secretary

GUEST:

J. Huggett – Project Advisor

CLOSED MEETING

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council convene a closed meeting that excludes the public under Sections 90(1) and/or (2) of the Community Charter; namely:

- *Section 90 1(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- *Section 90 1(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

Carried Unanimously

APPROVAL OF CLOSED AGENDA

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council approve the closed agenda.

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council approve the closed agenda with the following items on the consent agenda:

Item No. 1 – Minutes from the closed Meeting held December 14, 2017

Item No. 2 – Minutes from the closed Meeting held January 11, 2018

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council approve the closed agenda with the following items on the consent agenda:

Add Item No. 5 – Legal Advice

On the amendment:
Carried Unanimously

Main motion as amended:

That Council approve the closed agenda with the following changes:

Consent Agenda:

Item No. 1 – Minutes from the closed Meeting held December 14, 2017

Item No. 2 – Minutes from the closed Meeting held January 11, 2018

Other Item:

Add Item 5 – Legal Advice

On the main motion as amended:
Carried Unanimously

CONSENT AGENDA

1. Minutes from the closed Council Meeting held December 14, 2017

It was moved by Councillor Loveday, seconded by Councillor Alto, that the minutes from the Closed Council Meeting held December 14, 2017, be adopted.

Carried Unanimously

2. Minutes from the closed Council Meeting held January 11, 2018

It was moved by Councillor Loveday, seconded by Councillor Alto, that the minutes from the Closed Council Meeting held January 11, 2018, be adopted.

Carried Unanimously

NEW BUSINESS

1. Appointment

Council received a confidential report dated February 27, 2018, from the City Clerk regarding appointments.

The discussion and motion were recorded and kept confidential.

Councillor Isitt joined the meeting 11:36 am

UNFINISHED BUSINESS

1. Proposed Municipal Service

Council received a confidential report dated February 26, 2018, from the Head of Strategic Real Estate, the Director of Finance, the Project Advisor, and the Fire Chief regarding a proposed municipal service.

The discussion and motion were recorded and kept confidential.

2. **Legal Advice**

The City Solicitor provided Council with verbal legal advice.

The discussion and motion were recorded and kept confidential.

ADJOURNMENT

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the Closed Council meeting adjourn.
Time: 1:04pm.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, MARCH 22, 2018, AT 12:30 P.M.

PLACE OF MEETING:

Council Chambers, City Hall

PRESENT:

Mayor Helps in the Chair, Councillors Alto, Coleman, Loveday, Madoff, and Thornton-Joe

ABSENT:

Councillors Isitt and Lucas

**ABSENT FOR A PORTION
OF THE MEETING:**

Councillor Young

STAFF PRESENT:

J. Jenkyns – Acting City Manager; C. Coates – City Clerk; T. Zworski – City Solicitor; P. Rantucci – Head of Strategic Real Estate; P. Bruce – Fire Chief; B. Eisenhower – Head of Engagement; S. Thompson – Director of Finance; A. Hudson – Assistant Director of Community Planning; C. Moffatt – Assistant City Solicitor; C. Mycroft – Manager of Executive Operations; A. M. Ferguson – Recording Secretary

CLOSED MEETING

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council convene a closed meeting that excludes the public under Sections 90(1) and/or (2) of the Community Charter; namely:

- *Section 90 1(c) labour relations or other employee relations;*
- *Section 90 1(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*
- *Section 90 2(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;*

Councillor Young was not present at the time the closed meeting convened.

Carried Unanimously

APPROVAL OF CLOSED AGENDA

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council approve the closed agenda.

Councillor Young joined the meeting at 1:02 p.m.

Carried Unanimously

NEW BUSINESS

1. Legal Advice

Council received a confidential report dated March 19, 2018, from the Assistant City Solicitor regarding legal advice.

The discussion and motion were recorded and kept confidential.

2. Legal Advice

Council received a confidential report dated March 20, 2018, from the City Solicitor regarding legal advice.

The discussion and motion were recorded and kept confidential.

3. Intergovernmental Relations

Council received a confidential Council member motion dated March 21, 2018, from Mayor Helps regarding intergovernmental relations.

The discussion and motion were recorded and kept confidential.

Councillor Thornton-Joe withdrew from the meeting at 2:11 p.m. due to a pecuniary conflict of interest with the following item.

4. Intergovernmental Relations

Council received a confidential report dated March 21, 2018, from Mayor Helps regarding intergovernmental relations.

The discussion and motion were recorded and kept confidential.

All staff except the City Manager were excused from the meeting at 2:16 p.m.

5. Employee Relations (City Manager Review)

Council received a confidential update regarding the City Manager review.

ADJOURNMENT

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the Closed Council meeting adjourn.
Time: 2:29 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

July 5, 2018, 10:07 A.M.

COUNCIL CHAMBERS

CITY HALL, #1 CENTENNIAL SQUARE, VICTORIA, BC

To be held immediately following the Committee of the Whole Meeting

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, J. Tinney - Director of Sustainable Planning & Community Development, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, J. O'Connor - Manager of Financial Planning, N. Sidhu - Assistant Director of Parks, Recreation and Facilities, B. Dellebuur - Assistant Director of Transportation, C. Mycroft - Manager of Executive Operations, AK Ferguson - Committee Secretary, T. Zworski - City Solicitor

A. CONVENE COUNCIL MEETING

C. CLOSED MEETING

Moved By Councillor Madoff

Seconded By Councillor Coleman

MOTION TO CLOSE THE JULY 5, 2018 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

CARRIED UNANIMOUSLY

D. APPROVAL OF CLOSED AGENDA

Moved By Councillor Loveday

Seconded By Councillor Alto

That the agenda from July 5, 2018 meeting be adopted.

CARRIED UNANIMOUSLY

E. READING OF CLOSED MINUTES

E.1 Minutes from the closed meeting held June 7, 2018

Moved By Councillor Loveday

Seconded By Councillor Coleman

That the minutes from the closed meeting of June 7, 2018 be adopted.

CARRIED UNANIMOUSLY

E.2 Minutes from the closed meeting held June 21, 2018

Moved By Councillor Alto

Seconded By Councillor Loveday

That the minutes from the closed meeting of June 21, 2018 be adopted.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Land

Council received a Council Member motion regarding a land item.

The discussion and motion were recorded and kept confidential.

J. ADJOURNMENT

Moved By Councillor Coleman

Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 10:44 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

April 5, 2018, 10:53 A.M.

COUNCIL CHAMBERS

CITY HALL, #1 CENTENNIAL SQUARE, VICTORIA, BC

To be held immediately following the Committee of the Whole Meeting

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

STAFF PRESENT: J. Jenkyns - Acting City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Mycroft - Manager of Executive Operations, AM Ferguson - Committee Secretary, T. Zworski - City Solicitor, J. Handy - Senior Planner, L. Taylor - Senior Planner, M. Angrove - Planner, M. Betanzo - Senior Planner, B. Dellebuur - Assistant Director of Engineering

B. CLOSED MEETING

Moved By Councillor Coleman

Seconded By Councillor Alto

MOTION TO CLOSE THE APRIL 5, 2018 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section (90)(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section (90)(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Section (90)(1)(c) labour relations or other employee relations.

Section (90)(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

Section (90)(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

CARRIED UNANIMOUSLY

A. APPROVAL OF CLOSED AGENDA

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the agenda be approved.

Moved By Councillor Loveday

Seconded By Councillor Coleman

Amendment:

That the motion be amended as follows:

Switch the order of item E. 2 - Employee Relations, to the end of the agenda.

CARRIED UNANIMOUSLY

On the main motion:

Carried Unanimously

B. READING OF CLOSED MINUTES

B.1 Minutes from the closed Meeting held October 12, 2017

Moved By Councillor Coleman

Seconded By Councillor Loveday

That the Minutes of the closed Meeting held October 12, 2017, be adopted

CARRIED UNANIMOUSLY

E. NEW BUSINESS

E.1 Legal Advice

Councillor Lucas withdrew from the meeting at 11:05 a.m. due to a pecuniary conflict of interest with the following item.

Council received a confidential report dated April 4, 2018, from the City Solicitor providing legal advice.

The discussion and motion were recorded and kept confidential.

Councillor Lucas joined the meeting at 11:19 a.m.

E.3 Intergovernmental Relations

Council received a confidential Council member motion dated April 4, 2018, from Mayor Helps and Councillor Thornton-Joe regarding intergovernmental relations.

The discussion and motion were recorded and kept confidential.

Councillor Lucas withdrew from the meeting at 2:47 p.m.

All staff were excused from the meeting at 11:43 a.m.

E.2 Employee Relations

Council received a verbal update from Mayor Helps regarding Employee Relations.

G. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Closed Council Meeting be adjourned at 12:03 p.m.

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

April 12, 2018, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

ABSENT FOR A PORTION OF THE MEETING: Councillor Alto

STAFF PRESENT: J. Jenkyns - Acting City Manager, C. Coates - City Clerk, S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, A. Johnston - Planner, P. Martin - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Councillor Alto withdrew from the meeting at 6:30 pm.

Moved By Councillor Coleman

Seconded By Councillor Loveday

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. READING OF MINUTES

Moved By Councillor Coleman

Seconded By Councillor Loveday

That the following minutes be adopted:

1. Minutes from the evening meeting held February 22, 2018
2. Minutes from the evening meeting held March 8, 2018
3. Minutes from the evening meeting held March 22, 2018

CARRIED UNANIMOUSLY

C. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

C.1 Marg Gardiner: James Bay - Sharing Our Streets Project

Outlined why Council should adopt the recommendations included in the James Bay - Sharing Our Streets Project report.

C.2 Darrel Wood: James Bay - Sharing Our Streets Project

Outlined why Council should adopt the recommendations included in the James Bay - Sharing Our Streets Project report.

C.3 Emillie Parrish: James Bay - Sharing Our Streets Project

Outlined why Council should adopt the recommendations included in the James Bay - Sharing Our Streets Project report.

C.4 Tom Berkhout: James Bay - Sharing Our Streets Project

Outlined why Council should adopt the recommendations included in the James Bay - Sharing Our Streets Project report.

C.5 Douglas Curran: Realistic CAC Formula

Outlined why Council should revise the Community Amenity Contribution (CAC) policy.

C.6 Chris Zmuda: Negligent of City Management

Outlined why Council should review the allowance of cannabis dispensaries in the City.

D. PROCLAMATIONS

D.1 "St. George Day" - April 23, 2018

Moved By Councillor Coleman

Seconded By Councillor Lucas

That the following proclamation be endorsed:

1. "St. George Day" – April 23, 2018

CARRIED UNANIMOUSLY

D.2 "Human Values Day" - April 24, 2018

Moved By Councillor Coleman

Seconded By Councillor Lucas

That the following proclamation be endorsed:

1. "Human Values Day" – April 24, 2018

CARRIED UNANIMOUSLY

E. PUBLIC AND STATUTORY HEARINGS

E.1 777 Herald Street: Development Permit with Variances Application No. 00045

Development Permit with Variances Application No. 00045:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 777 Herald Street, in Development Permit Area 2, for purposes of constructing a 26 storey mixed-use building.

Alec Johnson (Planner): *Advised that the application is to construct a 26 storey mixed-use building facing Herald Street.*

E.1.a Opportunity for Public Comment & Consideration of Approval:

Mayor Helps opened the opportunity for public comment at 7:04 p.m.

Justin Filuk (Applicant): Provided information regarding the application.

Council discussed the following:

- That the application will create 176 stratified units.

There were no persons present to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 7:28 p.m.

Council discussed the following:

- That the application allows for people to live, work, and play in the Downtown neighbourhood.
- The supportability of the sky garden.
- Whether the change to the setback is appropriate for the City's skyline.
- The importance of the creation of additional parking spaces.

Moved By Councillor Thornton-Joe

Seconded By Councillor Lucas

That Council authorize the issuance of Development Permit with Variance Application No. 00045 for 777 Herald Street, in accordance with:

1. Plans date stamped January 24, 2018
2. Ensuring the ongoing provision and maintenance of the sky garden
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height from 72 metres to 75 metres
 - ii. reduce the massing step back from 13.2m to 2.1m, measured at the upper most storey of the building

- iii. reduce the minimum site area from 4480m² to 2100m²
4. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (5 to 3)

E.2 1928 Oak Bay Avenue: Development Permit with Variances Application No. 00069

Development Permit with Variances Application No. 00069:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1928 Oak Bay Avenue, in Development Permit Area 6A: Small Urban Villages, for purposes of constructing a two-story addition to the existing building to add seven dwelling units.

Alec Johnson (Senior Planner): *Advised that the application is to allow for a two-storey addition to the existing building, and to add seven dwelling units.*

E.2.a Opportunity for Public Comment & Consideration of Approval

Mayor Helps opened the opportunity for public comment at 7:48 p.m.

Wayne Hopkins (Applicant): Provided information regarding the application.

Nick Atkins (Oak Bay Avenue): Expressed concerns relating to the setbacks of the proposed application.

Council discussed the following:

- That the balconies will not be facing the neighbouring property.

Mayor Helps closed the opportunity for public comment at 7:52 p.m.

Council recessed at 7:56 p.m. and returned at 8:15 pm.

Councillor Alto returned at 8:15 p.m.

Moved By Councillor Coleman
Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit with Variances Application No. 00069 for 1928 Oak Bay Avenue, in accordance with:

1. Plans date stamped February 7, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the interior (east) setback from 2.40m to 0.00m;

- ii. reduce the flanking street (west) setback from 2.40m to 0.87m;
- iii. reduce the required number of parking stalls from 14 to 10.
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.3 1201 Fort Street and 1050 Pentrelew Place: Rezoning Application No. 00525, Development Permit with Variances Application No. 00035, and Associated Official Community Plan Amendment

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 23) No. 18-014:

To change the urban place designation for 1050 Pentrelew Place and the south portion of 1201 Fort Street from Traditional Residential to Urban Residential, and to change the boundary of Development Permit Area 7B (HC) – Corridors Heritage to include the south portion of 1201 Fort Street.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1140) No. 18-015:

To rezone land known as 1201 Fort Street and 1050 Pentrelew Place from the R1-B Zone, Single Family Dwelling District and the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, to the R3-AM-5 Zone, Mid-Rise Multiple Dwelling (Fort) District, to permit a six-storey multi-unit residential building, a four-storey multi-unit residential building and nine townhouse units.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a Development Permit for the land known as 1201 Fort Street and 1050 Pentrelew Place, in Development Permit Area 7B (HC) – Corridors Heritage, for the purposes of approving the form, character, exterior materials and landscaping of the proposed multi-unit residential and townhouse development.

Alec Johnson (Senior Planner): *Advised that the application is to construct a six-storey residential building, a four-storey residential building, and nine townhouse units.*

E.3. a. Public Hearing & Consideration of Approval

Mayor Helps opened the public hearing at 8:18 p.m.

Greg Matthews (Applicant): Provided information regarding the application.

Mike Miller (Applicant): Provided further information regarding the application.

Buck Perrin (Oak Bay Avenue): Expressed support for the application, in relation to the developer's positive history as a developer, and how the development will be a good fit for the area.

Lynne Barber (Oak Bay Avenue): Expressed support for the application, in relation to the developer's positive history as a developer, and how the development will be a good fit for the area.

Don Biberdorf (Oak Bay Avenue): Expressed support for the application, in relation to the public park pathway and architecture style.

Carola Kanaya (The Rise): Expressed support for the application, in relation to the added density that the development would create.

Nancy Poole (Oak Bay Avenue): Expressed support for the application, in relation to the developer's positive history as a developer, and the need for density in the area.

Ryan Campbell (Rockland Avenue): Expressed support for the application, in relation to the developer's positive history as a developer, and how the development will be a good addition to the area.

Ed McLain (Rocky Point Road): Expressed his neutrality for the application, and commented that any development will require the removal of trees.

Keyvan Shgania (Fairfield Road): Expressed support for the application, in relation to the added density that the development would create.

Brad Martin (Albert Avenue): Expressed support for the application, as it will be a positive addition to the area.

Lora-Beth Trail (Fort Street): Expressed concerns relating to the application, in relation to the size, density, and removal of heritage trees.

Lisa Aurora (Olive Street): Expressed concerns relating to the community consultation and land use application process, but expressed support for the application, in relation to development that will be created for future residents.

Deb Tilley (Linden Avenue): Expressed support for the application, in relation to the community consultation and resulting changes that occurred, and due to the need for increased density in the area.

Kate Vallana (Linden Avenue): Expressed concerns relating to the removal of the green space, but expressed support for the community consultation that was undertaken, and resulting changes, including the addition of new trees.

Anna Cal (Pentrelew Place): Expressed concerns relating to the application, in relation to the size and density of the proposed development.

Lindsay Brookes (Monterey Avenue): Expressed support for the application, as new housing in the area is needed.

Grant McNeill (Goldstone Heights): Expressed support for the application, in relation to the added density that the development would create.

Bindon Kinghorn (Manner Road): Expressed concerns relating to the application, in relation to the size and density of the proposed development, and lack of affordable housing in the current proposed application.

Daniel Hughes (St. Charles Street): Expressed support for the application, in relation to the developer's positive history as a developer, the architectural style, and how the development will be a good addition to the area.

David Wilkinson (Monterey Avenue): Expressed support for the application, as the development will be a positive addition to the area.

Karen Burgess (Linden Avenue): Expressed concerns relating to the application, due to the size, increased density, and removal of trees.

Jenny Marshall (Richardson Street): Expressed support for the application, due to the changes made to the development in relation to community consultation.

Miranda Worthy (Pentrelew Place): Expressed support for the application, due to the changes made to the development as a result of personal consultation with the developer.

Gary Barsalou (St. Charles Street): Expressed support for the application, in relation to the developer's positive history as a developer, and the need for densification.

Nicole Chaland (Chapman Street): Expressed support for the application, as densification is needed in the City.

Ron Dumonceau (Fort Street): Expressed support for the application, as the proposed development is more desirable than what the current zoning would allow.

Lloyd Ollila (Resident): Expressed concerns relating to the application, due to the size and density of the proposed development.

Tania Wegwitz (Camosun Street): Expressed support for the application, due to the increased densification and diversity of housing.

Bev Highton (Respite Close): Expressed support for application, in relation to the developer's positive history as a developer, and as it will be a good fit for the area.

Luke Mills (Ashton): Expressed support for the application, as increased density is needed in the City and as the development will be a good fit for the area.

Ross Van Patter (Brookside Road): Expressed support for the application, as it will be a positive addition to the City and the business community.

Rov Dosanjh (Fairfield Road): Expressed support for the application, due to the changes made to the development as a result of the community consultation.

Bill Aylesworth (Merle Avenue): Expressed support for the application, as it will be a good fit for the area.

Brett Hayward (McKenzie Street): Expressed support for the application, as it will be a good fit for the area.

Russ Lazaruk (Green Oaks Terrace): Expressed support for the application, as the development includes green space, and due to the community consultation that has been undertaken.

Eric Bramble (Ebert Street): Expressed support for the application, as the proposed development is more desirable than what the current zoning would allow, and the developer's positive history in the community.

Jamie Hammond (Representative of the Rockland Neighbourhood Association): Expressed concerns relating to the application, as they find that it is incompatible with the vision for the City and neighbourhood, and due to the massing and scale of the proposed development, and the lack of affordable housing on this site.

Council recessed at 10:27 p.m. and returned at 10:35 p.m.

Anthony Danda (Pentrelew Place): Expressed concerns relating to the application, due to it is not a good transition between the areas of the neighbourhood, and the lack of affordable housing on this site.

Brad Atchison (Fairfield Place): Expressed concerns relating to the application, due to the increased density, massing, and scale.

John Riopka (Academy Close): Expressed support for the application, as it will be a positive addition to the area.

Ted Hancock (Belmont Avenue): Expressed support for the application, in relation to his business relationship with Abstract Development.

Jack Petrie (Gonzales Avenue): Expressed support for the application, due to the increased density, and as it will be a good fit for the area.

Moved By Councillor Isitt

Seconded By Councillor Loveday

Motion to extend:

That the meeting be extended to 12:00 a.m.

CARRIED UNANIMOUSLY

Jaime Tiamer (Monterey Avenue): Expressed support for the application, as increased density and housing is needed in this area.

Resident (View Road): Expressed support for the application, as the development will help to complete this area, and provides a good transition between types of housing.

Paul Pallan (Songhees Road): Expressed support for the application, as the changes made as a result of the community consultation.

Council recessed at 11:07 p.m. and returned at 11:37 p.m.

Moved By Councillor Isitt
Seconded By Councillor Coleman

Motion to adjourn hearing:

That the Public Hearing be adjourned to the April 26, 2018 Council Meeting.

CARRIED UNANIMOUSLY

J. BYLAWS

J.1 Bylaws for Rezoning Application for 1122 Collinson Street

Moved By Councillor Coleman
Seconded By Councillor Lucas

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1131) No. 18-032

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Alto

That the following bylaw **be given first, second, and third readings:**

1. Housing Agreement (1122 Collinson Street) Bylaw (2018) No. 18-033

CARRIED UNANIMOUSLY

J.2 Bylaws for Rezoning Application for 71-75 Montreal Street

Moved By Councillor Lucas
Seconded By Councillor Coleman

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1133) No. 18-001.

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (3): Councillor Isitt, Councillor Madoff, and Councillor Young

CARRIED (6 to 3)

Moved By Councillor Coleman
Seconded By Councillor Alto

That the following bylaw **be given first, second, and third readings:**

1. Housing Agreement (71 and 75 Montreal Street) Bylaw (2018) No. 18-002

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe
OPPOSED (3): Councillor Isitt, Councillor Madoff, and Councillor Young

CARRIED (6 to 3)

Due to a medical emergency, all remaining items on the April 12, 2018 Council Agenda were referred to future meetings.

M. QUESTION PERIOD

N. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Coleman

That the Council meeting adjourn.
TIME: 11:43 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

April 26, 2018, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

STAFF PRESENT: J. Jenkyns - Acting City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, T. Zworski - City Solicitor, A. Johnston - Planner

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Coleman

Seconded By Councillor Alto

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt

Seconded By Councillor Alto

That Donald be added to the second Request to Address Council section of the meeting.

CARRIED UNANIMOUSLY

B. Poetry Reading by Yvonne Blomer, Poet Laureate

Yvonne Bloomer, Poet Laureate read a poem titled "In the box from the World Wildlife fund".

Yvonne then introduced a guest poet, John Barton, who read a poem titled "Twentieth century roadmap to architecture".

C. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman

Seconded By Councillor Loveday

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

C.1 Wendy Pattenden: Canadian Sport Institute-Pacific

Outlined for Council information regarding the Canadian Sport Institute-Pacific.

C.3 Shellie Gudgeon: Citizens' Assembly

Outlined why Council should adopt the principles presented for a citizens' assembly.

C.4 Mark Bernhardt: BC Energy Step Code

Outlined why Council should approve the BC Energy Step Code motion.

C.5 Chris Zmuda: Negligent of City Management

Outlined why Council should review the allowance of cannabis dispensaries in the City.

C.6 D'arcy Jones: 2910 Shelbourne Street

Outlined why Council should reconsider the motion regarding the rezoning application for 2910 Shelbourne Street.

D. PROCLAMATIONS

D.1 "Earth Day" - April 22, 2018

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Earth Day" - April 22, 2018

CARRIED UNANIMOUSLY

D.2 "Huntington Awareness Month" - May 2018

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Huntington Awareness Month" - May 2018

CARRIED UNANIMOUSLY

D.3 "International Internal Audit Awareness Month" - May 2018

Moved By Councillor Coleman

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "International Internal Audit Awareness Month" - May 2018

CARRIED UNANIMOUSLY

D.4 "MS Awareness Month" - May 2018

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "MS Awareness Month" - May 2018

CARRIED UNANIMOUSLY

D.5 "Neighbour Day" - May 6, 2018

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Neighbour Day" - May 6, 2018

CARRIED UNANIMOUSLY

D.6 "Highland Games Week" - May 14-21, 2018

Moved By Councillor Young

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Highland Games Week" - May 14 - 21, 2018

CARRIED UNANIMOUSLY

D.7 "North American Occupational Safety and Health Week" - May 7-13, 2018

Moved By Councillor Thornton-Joe

Seconded By Councillor Coleman

That the following proclamation be endorsed:

1. "North American Occupational Safety and Health (NOASH) Week" - May 7-13, 2018

CARRIED UNANIMOUSLY

D.8 "Child Abuse Prevention Month" - April 2018

Moved By Councillor Alto
Seconded By Councillor Coleman

That the following proclamation be endorsed:
1. "Child Abuse Prevention Month" - April 2018

CARRIED UNANIMOUSLY

D.9 "Thank a Youth Worker Day" - May 10, 2018

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That the following proclamation be endorsed:
1. "Thank a Youth Worker Day" - May 10, 2018

CARRIED UNANIMOUSLY

D.10 "National Organ and Tissue Donation Awareness Week" - April 22-28, 2018

Moved By Councillor Loveday
Seconded By Councillor Lucas

That the following proclamation be endorsed:
1. "National Organ and Tissue Donation Awareness Week" - April 22-28, 2018

CARRIED UNANIMOUSLY

E. BYLAWS

E.1 Bylaw for Rezoning Application for 425 Oswego Street

Moved By Councillor Loveday
Seconded By Councillor Lucas

That the following bylaw be given **first and second readings**:
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1153) No. 18-061

CARRIED UNANIMOUSLY

Moved By Councillor Loveday
Seconded By Councillor Coleman

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning -Application No. 00567, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000514 for 425 Oswego Street in accordance with:

1. Plans dated February 6, 2018;
2. Development meeting all Zoning Regulation Bylaw requirements;
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

E.2 Bylaw for Victoria West Neighbourhood Plan

Moved By Councillor Loveday

Seconded By Councillor Coleman

1. That Council **give first and second readings** to Official Community Plan, Amendment Bylaw (No. 25) No. 18-056, concerning Urban Place Designations and Development Permit Areas in the Victoria West Neighbourhood;
2. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2022 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
3. That Council consider approval of the Victoria West Neighbourhood Plan, 2018, at the same Council meeting at which the above Bylaws are considered and allow public comment.
4. That upon approval of the Victoria West Neighbourhood Plan, 2018, that Council rescind the Victoria West Neighbourhood Community Plan (1988).

Moved By Councillor Isitt

Seconded By Councillor Loveday

Amendment:

That the last sentence of the first paragraph on page 13 be amended to say the following:

"Until 1911, the main Lekwungen village was located on the harbor near Songhees Point, and oral histories tell of other villages along the shore."

CARRIED UNANIMOUSLY

Main motion as amended:

1. That Council **give first and second readings** to Official Community Plan, Amendment Bylaw (No. 25) No. 18-056, concerning Urban Place Designations and Development Permit Areas in the Victoria West Neighbourhood;
2. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2022 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.

3. That Council consider approval of the Victoria West Neighbourhood Plan, 2018, at the same Council meeting at which the above Bylaws are considered and allow public comment.
4. That upon approval of the Victoria West Neighbourhood Plan, 2018, that Council rescind the Victoria West Neighbourhood Community Plan (1988).
5. That the last sentence of the first paragraph on page 13 be amended to say the following:
"Until 1911, the main Lekwungen village was located on the harbor near Songhees Point, and oral histories tell of other villages along the shore."

CARRIED UNANIMOUSLY

E.3 Bylaw for Checkout Bag Regulations

Councillor Lucas withdrew from the meeting at 7:07 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a retail store that supplies plastic bags to its customers.

Moved By Councillor Loveday

Seconded By Councillor Alto

That the following bylaw **be given first, second, and third readings:**

1. Checkout Bag Regulation Bylaw, Amendment Bylaw (No. 1) No. 18-064

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Councillor Lucas returned to the meeting at 7:09 p.m.

E.4 Bylaw for Financial Plan

Moved By Mayor Helps

Seconded By Councillor Coleman

That the following bylaw **be adopted:**

1. Five Year Financial Plan Bylaw, 2018 No. 17-124

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Young

CARRIED (6 to 3)

E.5 Bylaw for 2018 Tax Rate

Moved By Councillor Coleman
Seconded By Councillor Lucas

That the following bylaw **be adopted**:

1. Tax Bylaw, 2018 No. 18-057

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (6 to 3)

E.6 Bylaw for 2018 Business Improvement Area

Moved By Councillor Lucas
Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted**:

1. Business Improvement Area Rate Bylaw, 2018 No. 18-054

CARRIED UNANIMOUSLY

E.7 Bylaw for 2018 Boulevard Tax

Moved By Councillor Coleman
Seconded By Councillor Loveday

That the following bylaw **be adopted**:

1. Boulevard Tax Bylaw, 2018 No. 18-053

CARRIED UNANIMOUSLY

E.8 Bylaw for Vehicles for Hire Amendments

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That the following bylaw **be adopted**:

1. Vehicles for Hire Bylaw, Amendment Bylaw (No. 18) No. 18-059

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (7 to 2)

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That Council approve the allocation of Parking Stands for a five year period until December 31, 2022 to:

1. Parking Stand 1, Black Beauty Line Victorian Carriage Tours Ltd.
2. Parking Stand 2, Capital City Tally Ho Sightseeing Company
3. Victoria Single Horse Drawn Carriage Tours Inc.

And further, that the annual fee payable for 2018 be \$1,170.00 for each Parking Stand.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young
OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (7 to 2)

E.9 Bylaw for Mobile Bicycle Miscellaneous Amendments

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the following bylaw **be adopted**:

1. Mobile Bicycle Vending Miscellaneous Amendments Bylaw No. 18-058

CARRIED UNANIMOUSLY

E.10 Bylaw for Animal Responsibility

Mayor Helps withdrew from the meeting at 7:37 p.m. as she owns chickens. Councillor Young assumed the Chair in her absence.

Moved By Councillor Thornton-Joe
Seconded By Councillor Madoff

That the following bylaw **be adopted**:

1. Animal Control Bylaw, Amendment Bylaw (No. 4) No. 18-050

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Madoff

That staff be directed to prepare an amendment to expand the definition for keeping female chickens to include other poultry or fowl.

CARRIED UNANIMOUSLY

Mayor Helps returned to the meeting at 7:47 p.m. and assumed the Chair.

F. REPORTS OF COMMITTEES (REORDERED)

F.1 Committee of the Whole

F.1.a Report from the April 19, 2018 COTW Meeting

1. Support in Principle for Francophone Games

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That Council support the Francophone Games in principle and direct staff to explore opportunities for support of the games and report back to Council.

CARRIED UNANIMOUSLY

2. Accessibility Projects - Options to Expedite in 2018

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

That Council approve the allocation of \$70,000 from the Accessibility Reserve Fund, for inclusion in the 2018 Financial Plan, in order to install audible/accessible pedestrian signals at the following locations:

1. Menzies/Superior
2. Government/Humboldt/Wharf
3. Quadra/Yates
4. Caledonia/Quadra
5. Fisgard/Quadra
6. Finlayson/Quadra

That Council recommits to expediting accessibility improvements in the City of Victoria and completing the City's Accessibility Framework in 2018.

And that Council direct staff to meet with the AWG to discuss the accessibility improvements of the two Douglas Street bus stops and other improvements, and report back to Council on a priority basis, including potential operational and capital requirement.

CARRIED UNANIMOUSLY

**3. 953 Balmoral Road - Rezoning Application No. 00598 & Development Permit with Variances Application No. 000506 (North Park)
*An application to construct a four-storey multi-unit building consisting of approximately 11 rental units.***

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

Rezoning Application No. 00598

That Council direct staff to work with the applicant to refine the proposal to encourage a better fit with the current neighbourhood context and to minimize potential negative impacts associated with a piecemeal approach to development in this area.

Development Permit with Variances Application No. 000506

That Council:

1. Direct staff to work with the applicant to revise the proposal to comply with the design guidelines and
 - i. minimize the impact of the east side yard setback by reducing the requested variance and by introducing additional design interventions to mitigate potential concerns related to privacy and overlook.
 - ii. reduce the site coverage and increase the open site space in order to provide private open space and high quality soft landscaping.
 - iii. provide a landscaping strip along the side and rear property lines to screen the parking.
 - iv. address Council's issue of the lack of affordability in this application and revisit discussions of entering into a housing agreement.
2. Refer the application to the Advisory Design Panel and report back to the Committee of the Whole following a review by the panel.

FOR (5): Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (4): Mayor Helps, Councillor Isitt, Councillor Madoff, and Councillor Young

CARRIED (5 to 4)

4. 2910 Shelbourne Street - Rezoning Application No. 00599 & Development Permit with Variances Application No. 000507 (Oaklands)

An application to allow the construction of a six-unit townhouse.

Moved By Councillor Alto
Seconded By Mayor Helps

Rezoning Application No. 00599

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00599 for 2910 Shelbourne Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Receipt of an executed 7.0m Statutory Right-of-Way off Shelbourne Street to the satisfaction of the City Solicitor.
2. Receipt of a letter from Modo indicating willingness to partner with the Applicant in providing a car share vehicle and car share memberships for each unit.
3. Receipt of a car share agreement that includes the purchase of one car share vehicle and car share memberships for all units (six in total) to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variances Application No. 000507

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00599, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit with Variances Application No. 000507 for 2910 Shelbourne Street in accordance with:

1. Plans date stamped February 23, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: reduce the lot width from 20.0m to 19.72m increase the number of units in an attached dwelling from 4 to 6 allow a roof deck reduce the setback to Shelbourne Street from 10.7m to 7.52m reduce the north side setback from 4.0m to 1.38m reduce the south side setback from 4.0m to 1.58m reduce the required parking from 9 vehicle stalls with 1 visitor stall to 6 stalls with no visitor stalls.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

5. **930 Fort Street - Rezoning Application No. 00593 & Development Permit with Variances Application No. 00502 (Downtown)**
An application to allow the construction of a 13-storey, mixed-use building containing 62 residential units and two ground-floor commercial units.

Moved By Councillor Thornton-Joe

Seconded By Councillor Coleman

Rezoning Application No. 00593

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00593 for 930 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Registration of legal agreements to the satisfaction of the Director of the Sustainable Planning and Community Development, securing an amenity contribution in the amount of \$270,675.74 toward the Local

Amenities Reserve Fund in accordance with the *City of Victoria Density Bonus Policy*.

2. Registration of legal agreements to the satisfaction of the Director of the Sustainable Planning and Community Development to secure frontage improvements including: raised concrete median, mid-block cross walk, raised crossing of protected bike lane and associated signs and paint markings, bike racks, and bollards on the north side of Fort Street.

Development Permit with Variance Application No. 00502

That Council direct staff to work with the applicant to revise the proposal for consistency with the Design Guidelines, including the following specific items, and to bring the revised proposal back to a future Committee of the Whole meeting:

1. provision of distinct, well-defined retail bays, consistent with the context along Fort Street.
2. revisions to the tower to address the uniform appearance, with particular attention to the north and side elevations.
3. revisions to the scale and materials of the podium to provide a more sensitive response to the immediate context within the Heritage Conservation Area.
4. Address the concerns of the Downtown Residents Association regarding the lack of an overhead door for the visitor car park.

CARRIED UNANIMOUSLY

6. 515 Chatham Street - Development Permit with Variances Application No. 00034 (Downtown)

An application to allow for construction of a five-storey, mixed-use building containing ground-floor commercial uses and residential units above.

Moved By Councillor Thornton-Joe

Seconded By Councillor Lucas

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00034 for 515 Chatham Street, in accordance with:

1. Plans date stamped March 13, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the height from 15m to 16.43m to the top of roof, and 17.73m to the top of the parapet.
3. That Council authorizes the Mayor and City Clerk to execute encroachment agreements, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:

- a. building encroachment(s) adjacent to Chatham Street and Store Street
- b. anchor-pinning in the City Right-Of-Way.
4. Preparation and execution by the applicant of a Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners to the satisfaction of City Staff.
5. Final plans to be in accordance with the plans date stamped March 13, 2018 to the satisfaction of City staff.
6. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F.1.b Report from the April 26, 2018 COTW Meeting

1. **2670 Fifth Street and 2625-2637 Quadra Street – Development Permit with Variance Application No. 00070**
An application to relocate the existing liquor retail store from a retail unit located towards the centre of the property, to a different unit located in the northeast portion of the property.

Moved By Councillor Loveday

Seconded By Councillor Coleman

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00070 for 2670 Fifth Street and 2625-2637 Quadra Street in accordance with:

1. Plans date stamped March 21, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - ii. increase the maximum floor area of a liquor store from 200m² to 594m²
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

2. Bylaw Officers

Moved By Councillor Coleman

Seconded By Councillor Loveday

That Council approve the appointment of Adam Sheffield:

1. as a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061);
2. as a Business Licence Inspector for the City of Victoria

And further that council approve the appointment of Sam Tschritter and Garry McHady:

1. as Bylaw Officers pursuant to section 2(a) of the Inspection Bylaw (06-061).

CARRIED UNANIMOUSLY

3. Downtown Victoria Business Association Presentation & Budget

Moved By Councillor Lucas

Seconded By Councillor Thornton-Joe

That Council approve the Downtown Victoria Business Association budget for 2018, as presented.

CARRIED UNANIMOUSLY

4. Johnson Street Bridge Quarterly Update

Moved By Councillor Alto

Seconded By Councillor Coleman

That Council receive the report for information.

CARRIED UNANIMOUSLY

5. 1007 Government Street and 604 Broughton Street – Rezoning Application No. 00631

An application to allow for the retail sale of cannabis in an existing building.

Moved By Councillor Madoff

Seconded By Councillor Lucas

That Council decline Rezoning Application No. 00631 for the property located at 1007 Government Street and 604 Broughton Street.

FOR (6): Mayor Helps, Councillor Alto, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Coleman, Councillor Isitt, and Councillor Loveday

CARRIED (6 to 3)

6. Recommended Adoption of BC Energy Step Code

Moved By Councillor Isitt

Seconded By Councillor Loveday

1. That Council adopt the following approach to the BC Energy Step Code, and direct staff to prepare the necessary building bylaw amendments as follows:
 - a. For new Part 9 buildings:
 - i. Step 1 building bylaw requirement starting on November 1st, 2018 for all new Part 9 buildings
 - ii. Step 3 building bylaw requirement starting on January 1st, 2020 for all new Part 9 buildings with the exception of small single family homes/garden suites
 - iii. Step 2 building bylaw requirement starting on January 1st, 2020 for all new small single family homes/garden suites
 - iv. The development of a tiered fee program to support Part 9 builders to use an energy advisor, conduct a mid-construction blower-door test, conduct a post-construction verification blower-door test, and obtain a home EnerGuide label.
 - b. For new Part 3 buildings:
 - i. Step 1 building bylaw requirement starting on November 1st, 201
 - ii. Step 3 building bylaw requirement starting on January 1st, 2020 for wood-frame midrise (under 6-storeys) residential building
 - iii. Step 2 building bylaw requirement starting on January 1st, 2020 for concrete highrise (over 6-storeys) residential buildings
 - iv. Step 2 building bylaw requirement starting on January 1st, 2020 for commercial office buildings.
2. That staff proceed with preparation of a sustainability checklist for rezoning and development permit application forms that reference Step Code requirements as well as other sustainable design elements that are reflective of City goals and policies.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

And that Council direct staff to notify the CRD and member municipalities of this action.

CARRIED UNANIMOUSLY

Main motion as amended:

1. That Council adopt the following approach to the BC Energy Step Code, and direct staff to prepare the necessary building bylaw amendments as follows:
2. For new Part 9 buildings:

- i. Step 1 building bylaw requirement starting on November 1st, 2018 for all new Part 9 buildings
 - ii. Step 3 building bylaw requirement starting on January 1st, 2020 for all new Part 9 buildings with the exception of small single family homes/garden suites
 - iii. Step 2 building bylaw requirement starting on January 1st, 2020 for all new small single family homes/garden suites
 - iv. The development of a tiered fee program to support Part 9 builders to use an energy advisor, conduct a mid-construction blower-door test, conduct a post-construction verification blower-door test, and obtain a home EnerGuide label.
3. For new Part 3 buildings:
- i. Step 1 building bylaw requirement starting on November 1st, 2018
 - ii. Step 3 building bylaw requirement starting on January 1st, 2020 for wood-frame midrise (under 6-storeys) residential building
 - iii. Step 2 building bylaw requirement starting on January 1st, 2020 for concrete highrise (over 6-storeys) residential buildings
 - iv. Step 2 building bylaw requirement starting on January 1st, 2020 for commercial office buildings.
4. That staff proceed with preparation of a sustainability checklist for rezoning and development permit application forms that reference Step Code requirements as well as other sustainable design elements that are reflective of City goals and policies.
5. And that Council direct staff to notify the CRD and member municipalities of this action.

CARRIED UNANIMOUSLY

7. Capital Regional District Royal McPherson Theatre Society Advisory Committee

Moved By Councillor Lucas
Seconded By Councillor Coleman

That Council appoint Councillor Loveday and Councillor Alto to the Royal McPherson Theatre Society Advisory Committee.

CARRIED UNANIMOUSLY

8. Mayors' Joint Report on Citizen's Assembly

Moved By Mayor Helps
Seconded By Councillor Alto

That Saanich and Victoria hold a joint Committee of the Whole meeting to determine which question both local governments will place on the October 20, 2018 municipal election ballot in order to receive elector assent to explore the costs and benefits of the amalgamation between the District of Saanich and the City of Victoria.

Amendment:

Moved By Councillor Isitt

That Saanich and Victoria hold a joint Committee of the Whole meeting to determine whether to place a question on the October 20, 2018 ballot.

On the amendment:

Defeated due to no seconder

On the main motion:

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Council recessed at 8:09 p.m. and reconvened at 8:14 p.m.

G. PUBLIC AND STATUTORY HEARINGS

G.1 1201 Fort Street and 1050 Pentrelew Place: Rezoning Application No. 00525, Development Permit with Variances Application No. 00035, and Associated Official Community Plan Amendment

Council continued the April 12, 2018 Public Hearing.

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 23) No. 18-014:

To change the urban place designation for 1050 Pentrelew Place and the south portion of 1201 Fort Street from Traditional Residential to Urban Residential, and to change the boundary of Development Permit Area 7B (HC) – Corridors Heritage to include the south portion of 1201 Fort Street.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1140) No. 18-015:

To rezone land known as 1201 Fort Street and 1050 Pentrelew Place from the R1-B Zone, Single Family Dwelling District and the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, to the R3-AM-5 Zone, Mid-Rise Multiple Dwelling (Fort) District, to permit a six-storey multi-unit residential building, a four-storey multi-unit residential building and nine townhouse units.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a Development Permit for the land known as 1201 Fort Street and 1050 Pentrelew Place, in Development Permit Area 7B (HC) – Corridors Heritage, for the purposes of approving the form, character, exterior materials and landscaping of the proposed multi-unit residential and townhouse development.

Councillor Isitt rejoined the meeting at 8:16 p.m.

Mayor Helps re-opened the public hearing at 8:16 p.m.

Paul Pallon (Songhees Road): (Continued due to interruption at previous meeting) Expressed support for the application, due to the positive community consultation that was undertaken, and it will be a positive addition to the neighbourhood.

Hans Rodenburgh (St. Charles Street): Expressed support for the application as it will allow them to age in place, in the neighbourhood, and will be a positive addition to the area.

Damon Parr-Pearson(Rockland Avenue): Expressed support for the application as it will be a positive addition to the neighbourhood.

Keray Stott (Chapman Street): Expressed support for the application as the increased density is beneficial for the City.

Donald Hamilton (Pentrelew Place): Expressed concerns relating to the application as the rezoning of the property to a new zone would not be a good fit for the neighbourhood.

Dave Brown (Davie Street): Expressed support for the application as increased density is needed in the City.

Sally Hamilton (Pentrelew Place): Expressed concerns relating to the application, as the increased mass, height, and density on the site are not a good fit for the neighbourhood.

Julie Angus (Pentrelew Place): Expressed support for the application, as the proposed new zoning is preferable over what would currently be allowed, and as the proposal would be a positive addition to the neighbourhood.

Joan Peggs (St. Andrews Street): Expressed support for the application, as the proposal would be a good fit for the neighbourhood, due to the continued availability of greenspace.

Ryan Bicknell (Sickally Road): Expressed support for the application, due to the positive community consultation that was undertaken, and positive addition of availability to greenspace and the public walkway.

Jeff Nelson (Gorge Road): Expressed support for the application, as the increased density will assist with housing affordability in the neighbourhood and the City.

Janet Simpson (Richardson Street): Expressed concerns relating to the application, as it will not be a good fit for the neighbourhood or the immediate neighbours.

Council recessed at 8:59 p.m. and reconvened at 9:05 p.m.

Dustin McConnell (Fort Street): Expressed support for the application, in relation to his positive relationship with the developer, and as increased density will be a benefit for businesses in the area.

Derek Russell (Wellington Street): Expressed support for the application, as the architecture will be a benefit for the neighbourhood.

Kim Nemec (Johnson Street): Expressed support for the application, as the increased density and housing will be a benefit for the City.

Samantha Sherman (Fort Street): Expressed support for the application, as it will be a good addition to the neighbourhood.

Jason Sherman (Fort): Expressed support for the application, as the addition of the greenspace and affordable housing is a benefit.

Joe Calenda (Oswego Street): Expressed support for the application, as the proposal would be a good fit for this transitional area, and due to the need for increased density.

Geanine Robey (Ormond Street): Expressed concerns relating to the application, as the proposal will not assist with affordability or housing demand in the City.

Lynne Biberdorf (Oak Bay Avenue): Expressed support for the application, as the design and proposed development will be a good fit for the neighbourhood.

Ken Micbrath (Shasta Place): Expressed support for the application as it will help to continue the Pemberton Trail, and will provide new housing in the neighbourhood.

Hilary Harley (Linden Avenue): Expressed concerns relating to the application, as the increased density and height is not a good fit for the neighbourhood.

Ronald Bell (Pentrelew Place): Expressed concerns relating to the application, as the proposed development would not be a good fit for the neighbourhood.

Diana Smardon (Richardson Street): Expressed concerns relating to the application and affordable housing in the City.

Nancy McGregor (Moss Street): Expressed concerns relating to the application, due to the loss of trees on the site.

Michelle Dobie (Linden Avenue): Expressed concerns relating to the application, as the proposed development will have a negative effect on the neighbouring residents.

Eric Swanson (Centre Road): Expressed support for the application, as the increased density and the inclusion of affordable rental housing would be a benefit for the City and neighbourhood.

John Davison (Wilmer Street): Expressed support for the application, as the increased density and the inclusion of affordable rental housing would be a benefit for the City.

Jennifer Gabriel (Rockland Avenue): Expressed support for the application, as it will be a positive addition to the neighbourhood.

Jesse Kliman (Broughton Street): Expressed support for the application, as it will be a positive addition to the neighbourhood.

Brian Merth (Richardson Street): Expressed concerns relating to the application, as it will create a view corridor.

Geoffrey Carrington (Oak Bay Avenue): Expressed support for the application, as there is a high demand for new development in the City.

Patrick Hyde-Lay (Longview Drive): Expressed support for the application, as new development is needed in the City.

Colin Brown (Romney Avenue): Expressed support for the application, as new development is needed in the City.

Sean Rogers (Craigflower Road): Expressed support for the application, as there is a high demand for new development in the City.

Art Hamilton (Moss Street): Expressed concerns relating to the application, as the proposed development will have a negative effect on the neighbouring residents.

David Marshall (Fort Street): Expressed support for the application, as the revisions made to the design have addressed concerns and created a supportable and reasonable development.

Lynnette Kissoon (Pentrelew Place): Expressed concerns relating to the application, as the proposal is not in line with the City's Official Community Plan and would not be a benefit to the community.

Casey Edge (Carey Road): Expressed support for the application, as new development is needed in the City and in the neighbourhood.

Kaela Douglas (Pentrelew Place): Expressed concerns relating to the application, as affordable housing is needed in the City.

Chris Douglas (Pentrelew Place): Expressed concerns relating to the application, as it will negatively effect the neighbourhood.

Susanne Rautio (Richmond Avenue): Expressed concerns relating to the application, as the amendments to the zoning and Official Community Plan are not supportable.

Ian Sutton (Rockland Avenue): Expressed mixed feelings regarding the application, due to the lack of affordable housing and community contributions.

Verna Stone (Fort Street): Expressed concerns relating to the application, due to the increased mass and density, loss of trees, and lack of affordable housing.

Moved By Mayor Helps

Seconded By Councillor Isitt

Motion to extend:

That the meeting be extended to 1:00 a.m.

CARRIED UNANIMOUSLY

Council recessed at 10:56 p.m. and reconvened at 11:08 p.m.

Karen Ayers (Foul Bay Road): Expressed concerns relating to the application, due to the increased density, height, and massing.

Patricia Kidd (Moss Street): Expressed concerns relating to the application, due to the overdevelopment in the City and loss of trees.

Tony Sezza (Rockland Avenue): Expressed support for the application, as new development of condominiums is needed in neighbourhoods outside of the downtown core.

John Sherbet (Linden Avenue): Expressed concerns relating to the application, as the proposal is not a good fit for the neighbourhood.

Darlene Mueller (Rockland Avenue): Expressed concerns relating to the application, as the proposal is not a good fit for the neighbourhood, and due to the loss of trees.

John Kirk (Linden Avenue): Expressed support for the application, due to the design of the development and as it will be a good fit for the area.

Jennifer Travelbea (Lansdowne Road): Expressed support for the application, due to the inclusion of green space and the need for increased housing and density in the City.

Sandra Shore (Fort Street): Expressed concerns relating to the application, as the increased density and lack of affordable housing is not supportable.

Gloria Back (Joan Crescent): Expressed concerns relating to the application, as it would not be a good fit for the neighbourhood.

Wayne Guggachuck (Douglas Street): Expressed concerns relating to the application, as it does not provide any benefit for the community and due to the loss of trees.

Annette Rosenberg (St. Charles Avenue): Expressed support for the application, as the proposal will fit in with the diverse housing stock in the neighbourhood.

Catherine Clinton (Pentrelew Place): Expressed concerns relating to the application, as the proposal would not be a good fit for the neighbourhood.

Patrick Marshall (Gorge Road East): Expressed support for the application, due to positive community consultation that was undertaken and as it will be a good addition to the neighbourhood.

Barbara Bone (Fort Street): Expressed concerns relating to the application, as the proposal would not be a good fit for the neighbourhood, and due to the split support and opposition for the application.

Helen Loubardeas (Niagara Street): Expressed concerns relating to the application, as the proposal would not be a good fit for the neighbourhood and due to the loss of trees.

Bob June (Manner Road): Expressed concerns relating to the application, as the proposal is not in line with the Official Community Plan.

Kam Lidder (Will Spencer Place): Expressed concerns relating to the application, due to the loss of green space and lack of affordable housing.

Mike Palmer (Crescent Road): Expressed support for the application, as the proposed development will be a good fit for the neighbourhood.

Paul McAddam (Rockland Avenue): Expressed concerns relating to the application, due to the lack of affordable housing as well as the speed of development in the City.

Clark Hartwood (Craigdarroch Road): Expressed concerns relating to the application, as the proposed new zoning is not supportable.

Max Ithim (Cook Street): Expressed support for the application, as the proposed development would be a good fit for the neighbourhood.

David Addams (King George Terrace): Expressed support for the application, as the proposed development would be a good fit for the neighbourhood.

Don Cal (Pentrelew Place): Expressed concerns relating to the application, as the increased height, massing, and density is not supportable.

Council discussed the following:

- *The community amenity contribution that would be provided by the applicant.*
- *Whether the trees on the property would be negatively impacted by the development.*
- *What type of development the current zoning would allow.*

Moved By Mayor Helps
Seconded By Councillor Isitt

Motion to extend:

That the meeting be extended to 1:15 a.m.

CARRIED UNANIMOUSLY

- *The developer's intention for 1010 Fort Street.*

Mayor Helps closed the public hearing at 1:01 a.m.

Consideration of the application will be continued at the Special Council Meeting on May 3, 2018.

H. QUESTION PERIOD

I. ADJOURNMENT

Moved By Councillor Loveday
Seconded By Councillor Alto

That the Council meeting adjourn.
TIME: 1:02 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

“A DAY OF HAPPINESS”

- WHEREAS** *Sri Sri Ravi Shankar, a globally well-known Humanitarian, Spiritual Teacher, and an ambassador of Peace, has inspired millions with his teachings, service projects, and focus on the traditions and benefits of yoga and meditation; and*
- WHEREAS** *the mission of Sri Sri Ravi Shankar is to uplift human values by transforming individuals, which in - turn transforms society and his vision is a stress - free and violence - free society, and he accomplishes his goals with travels around the world sharing his messages, and he has established organizations to carry out the mission and assist in providing solutions to world - wide concerns; and*
- WHEREAS** *founded in 1981 by Sri Sri Ravi Shankar, The Art of Living Foundation (AOLF) is an international non - profit educational and humanitarian organization and , as one of the largest volunteer - based associations, it is active in over 150 countries, and it focuses on human development, stress management and uplifting human values through service, including participating in major disaster and trauma relief efforts globally; and*
- WHEREAS** *Sri Sri Ravi Shankar established International Association for Human Values (IAHV) in 1997, and the organization provides programs for personal and social development, and its mission is to incorporate human values in all aspects of life with the goal of attaining a more just and sustainable world; and*
- WHEREAS** *The Art of Living Foundation and the International Association for Human Values volunteers have contributed more than one hundred million hours in social and community development programs over the years, impacting millions of individuals and improving their quality of life; and*
- WHEREAS** *, The Art of Living Victoria Chapter, with the goal of making Victoria a more peaceful and happy city that will set an example for the entire nation, is hosting Meditation 2.0- Beyond Mindfulness with Sri Sri Ravi Shankar on Saturday, August 4, 2018 at the Victoria Conference Center in Victoria, B.C., and the event provides the rare opportunity for attendees to meditate and discover secrets to long - lasting happiness in an interactive session with Sri Sri Ravi Shankar.*

NOW, THEREFORE *I do hereby proclaim the day August 4th, 2018 as “A DAY OF HAPPINESS” on the **TRADITIONAL TERRITORIES** of the **ESQUIMALT AND SONGHEES FIRST NATIONS** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.*

IN WITNESS WHEREOF, *I hereunto set my hand this 26th day of July, Two Thousand and Eighteen.*

**LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA**

**Sponsored by:
Lucky Sund
Art of Living Foundation**

J. BYLAWS

J.1 Bylaws for Rezoning Application for 2813-2887 Quadra Street, and 2814-2890 and 2780/82 Fifth Street

Moved By Councillor Alto
Seconded By Councillor Coleman

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Coleman

That the following bylaw **be given first, second, and third readings:**

1. Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street) Bylaw (2018) No. 18-038

CARRIED UNANIMOUSLY



Council Report

For the Meeting of July 26, 2018

To: Council **Date:** July 12, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Update Report for Rezoning Application No. 00549 and Development Permit Application No. 000490 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street**

RECOMMENDATION

That the following bylaws be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029

Further, that the following bylaw be given first, second, and third readings:

1. Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street) Bylaw (2018) No. 18-038

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of December 14, 2017 (attached), the applicant has fulfilled the conditions set by Council in relation to Rezoning Application No. 00549:

- Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
- Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
- Registration of a Statutory Right-of-Way for 2.72m along the entire frontage of Quadra Street.
- A restrictive covenant be registered on title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
- An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.

Respectfully submitted,



Michael Angrove
Planner
Development Services

JH



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


July 11, 2018

List of Attachments:

- Attachment A: Council Minutes dated December 14, 2017
- Attachment B: Bylaw No. 18-028
- Attachment C: Bylaw No. 18-029
- Attachment D: Bylaw No. 18-038

affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.

3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land Use Committee (CALUC) Community meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 000496

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00558, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000496 for 1303 Fairfield Road, in accordance with:

1. Plans date stamped October 10, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 12.00m to 15.60m
 - ii. increase the site coverage from 40% to 62.60%
 - iii. reduce the front setback (Moss Street) from 6.00m to 0.86m
 - iv. reduce the rear setback from 7.80m to 4.13m (to the building) and to 2.63m (to the balconies)
 - v. reduce the south side setback from 3.90m to 3.81m (to the building) and 0.00m (to the pergola)
 - vi. reduce the flanking street setback (Fairfield Road) from 6.00m to 0.62m
 - vii. reduce the vehicle parking requirement from 44 stalls to 16 stalls.
3. Refinement of trellis materials, colour and design to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.
5. Further consideration of the finishes on the tower element of the proposal."

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Isitt

Councillor Young returned to the meeting at 9:07 p.m.

11. Rezoning Application No. 00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas:

Rezoning Application No. 00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).

5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity. And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:
A site-specific zone be drafted to allow the following changes:
 1. Limiting development to the current existing situation for a maximum of 64 units.
 2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
 3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project lot, subject to the registration of an easement and a Section 219 covenant
 4. Additional floor area allowance for two laundry rooms and a caretaker's office.
 5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
 6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
 7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

12. Update Report - Rezoning Application No. 00591 for 1122 Collinson Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to the preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental for 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young
Opposed: Councillor Isitt

13. Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

1. Plans date stamped November 9, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:

REPORTS OF COMMITTEES

2. Committee of the Whole – December 14, 2017

11. Rezoning Application No. 00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas:

Rezoning Application No. 00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity. And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:

A site-specific zone be drafted to allow the following changes:

1. Limiting development to the current existing situation for a maximum of 64 units.
2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project lot, subject to the registration of an easement and a Section 219 covenant
4. Additional floor area allowance for two laundry rooms and a caretaker's office.
5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.

5. LAND USE MATTERS

5.5 Rezoning Application No.00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Committee received reports dated November 27, 2017, from the Director of Sustainable Planning and Community Development regarding an application to retain the existing rental townhouse development (Quadra Villa) and redevelop the parking lot and adjacent lot at 2780/82 Fifth Street for a 34-unit multiple-dwelling project (rental units).

Motion:

It was moved by Councillor Isitt, seconded by Councillor Alto:

Rezoning Application No.00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.

And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:

A site-specific zone be drafted to allow the following changes:

1. Limiting development to the current existing situation for a maximum of 64 units.
2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project

lot, subject to the registration of an easement and a Section 219 covenant

4. Additional floor area allowance for two laundry rooms and a caretaker's office.
5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The Development Permit lapsing two years from the date of this resolution.

Committee discussed:

- Urban design standards and the proposed surface parking.

CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report

For the Meeting of December 14, 2017

To: Committee of the Whole **Date:** November 27, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: **Rezoning Application No.00549 for 2813 – 2887 Quadra Street and 2814 – 2890 and 2780/82 Fifth Street**

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.

And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:

A site-specific zone be drafted to allow the following changes:

1. Limiting development to the current existing situation for a maximum of 64 units.
2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project lot, subject to the registration of an easement and a Section 219 covenant.
4. Additional floor area allowance for two laundry rooms and a caretaker's office.
5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
7. Reducing the setback requirement from the newly created interior lot line (south).

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding the Rezoning Application for the properties located at 2813-2887 Quadra Street and 2814-2890 Fifth Street and 2780/82 Fifth Street. The proposal is to retain the existing rental townhouse development (Quadra Villa) and redevelop the parking lot and adjacent lot at 2780/82 Fifth Street for a 34-unit multiple-dwelling project (rental units).

Two new zones would be created for each portion of the development that reflect the current and proposed uses. With the redevelopment of the parking lot, the existing surface parking would be redistributed to both development sites while at the same time accommodating the parking requirements for the new development. However, a total parking variance of 46 stalls is requested.

The following points were considered in assessing this application:

- The new development is within the range of building forms anticipated by the *Official Community Plan*, which considers ground-oriented multi-unit residential to mid-rise multi-unit residential. In terms of context and fit, the building form provides a good transition between the townhouses and the apartments to the south, and the largely single-family neighbourhood to the east. As the new development is subject to the requirements of Development Permit Area 16, the design and landscaping are addressed in more detail in the concurrent Development Permit Application report.
- In terms of policy support, the *Official Community Plan, 2012 (OCP)*, designates the site as Urban Residential (with the exception of 2780/82 Fifth, which is Traditional Residential) with a corresponding density of up to 2.0:1 FSR in strategic locations with a range of building forms and uses. Both parcels fall below the anticipated density, and neither exceed a 1:1 FSR.
- The applicant provided a report from Adept Transportation Solutions recommending a defined level of participation in a car share to mitigate the effects of the parking shortage. Staff support participation in a car share program to the level indicated.
- Both the existing development and the new project do not fully comply with the standards for siting, and as these siting changes are considered minor in nature and appropriate for the context, these variances will be incorporated into the zones.

BACKGROUND

Description of Proposal

The proposal can be viewed as two distinct developments with a shared off-street parking arrangement. The proposal is to:

- retain the existing 64-unit townhouse development (referred to in this report as Quadra Villa) and create a separate development parcel by severing the surface parking area located on the southern portion of the property
- develop the newly-created parcel, along with 2780/82 Fifth Street, as a 34 unit multiple dwelling rental development (referred to in the report as the new project).

Quadra Villa requires a rezoning as the new development will remove 2875m² of land area, thus, increasing the floor space ratio (FSR) of Quadra Villa, therefore, it no longer complies with its current density regulations of the R3-G Zone, Garden Apartment District. Additional floor area is also being added to this site for laundry rooms and a caretaker's office.

The redevelopment of the site has gone through a number of variations over the last several years, in which one version was presented to Council in January 2013. The ownership has changed since this time, as has some of the design approaches and the overall parking variance has been reduced. Specific details of the building design and landscaping are provided in the concurrent Development Permit Application report.

A parking variance is required for Quadra Villa and the siting for both projects does not meet siting requirements, which is explained in detail in the Analysis Section of this report.

Accessibility Impact Statement

The new project has 12 ground floor units that are generally accessible from individual ground-level entrances. The remainder of the units are accessed from a series of stairways and interconnected corridors (no elevator).

Affordable Housing Impacts

The applicant proposes the creation of 34 new residential market rental units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which will maintain the units as rental in perpetuity.

Sustainability Features

The applicant has identified a number of sustainability features for the new project which will be reviewed in association with the concurrent Development Permit Application for this property.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- bike racks for the new and existing units, along with bike storage for the new project
- bicycle lanes along Fifth Street
- retaining public access through the site.

Public Realm Improvements

The access to the property is from Quadra Street, thus, eliminating the main driveway access from Fifth Street; however, new access to the smaller parking pads would be installed. Fifth Street will become a shared bikeway. The applicant will be required to restore the frontage along Fifth Street through the Building Permit process.

Land Use Context

The parcel is bounded by three streets: Quadra Street, Topaz Avenue and Fifth Street. Overall, the area in the immediate vicinity of the subject site is a mixed residential neighbourhood and includes single-family homes, single-family homes with suites, duplexes, apartment buildings, rental conversions, and three and four-storey apartment buildings.

Quadra Village and Topaz Park are both within walking distance of the subject site.

Existing Site Development and Development Potential

There is currently a 64-unit townhouse project on the site known as Quadra Villa. The buildings were recently renovated which included refurbishing of the decks, replacement of all windows and upgrading of site drainage. The existing townhouses will remain as rentals.

The property is within the R3-G Zone, Garden Apartment District. Without a rezoning the property has limited redevelopment potential if the existing buildings are maintained as the maximum FSR (0.5:1) for the site has been achieved. The Garden Apartment District envisions relatively low-density multi-family residential buildings buffered by open space. The corresponding regulations to achieve this objective stipulate that the majority of units (70%) be limited to two-storeys in height. This zone also stipulates that 40% of the land must be maintained as open site space that is landscaped.

Without a rezoning, if the existing buildings are demolished, an equivalent residential floor area could be constructed; however, the number of units could increase as the zone provides for a smaller dwelling unit size. Other limiting factors would come into effect, such as site coverage, open site space requirements and parking requirements. A Development Permit would also be

required to redevelop under this scenario.

The additional lot added to the proposal (2780/82 Fifth Street) is currently in the R1-B Zone, Single Family Dwelling District. There is currently a duplex on this lot which will be demolished.

Data Table for Existing Quadra Villa

The following data table compares Quadra Villa with the existing R3-G Zone, Garden Apartment District. An asterisk (*) is used to identify where the proposal is less stringent than the existing zone and is generally a result of reducing the parcel size. The setbacks noted with a double asterisk (**) indicate Board of Variance approval in 2011 for setback reductions from Quadra and Fifth Streets, which was obtained to allow reconstruction of the decks and covered staircases. As a new zone will be drafted for this site, it is appropriate to incorporate these reduced setbacks into the zone, as these setbacks are appropriate for the context.

Zoning Criteria	Quadra Villa Existing rental units On subdivided lot	Zone Standard R3-G
Site area (m ²) - min.	7721	1858
Total floor area (m ²) - max.	5605.5*	3834
Density (Floor Space Ratio) - max.	0.73:1*	0.5:1
Dwelling unit size (m ²) - min.	77.1	33.5
Number of Buildings - max.	2	2
Height (m) - max.	8.3	11
Site coverage (%) - max.	39*	30
Open site space (%) - min.	48	40
Storeys - max.	2	2
Setbacks (m) - min.		
Front - Quadra	3.02**	7.62
Rear - Fifth	3.02**	7.62
Side (Topaz)	4.28*	7.62
Side (Interior)	1.25*	7.62
Separation Space Between Buildings (m) - min.	Exceeds requirement	6.1
Parking stalls on site - min.	16*	83 See Appendix 1
Parking separation from dwelling unit	1	1
Visitor parking - min.	0*	8
Bicycle storage (Class 1) - min.	Within units	0 (required for new development only)
Bicycle rack (Class 2) - min.	16 spaces	0 (required for new development only)

Data Table for New Project

An asterisk (*) is used to identify where the proposal is less stringent than a standard multiple dwelling zone (Traditional Residential Multiple Dwelling District). Note that a site-specific zone will be created, which will incorporate the variances.

Note 1: The setback from Quadra Street will be increased as building placement is refined.

Zoning Criteria	Proposal	Zone Standard RTM Zone
Site area (m ²) - min.	3578	920
Total floor area (m ²) - max.	1982	3578 Based on FSR
Density (Floor Space Ratio) - max.	0.56:1	1:1
Height (m) - max.	Block A – 11.15* Block B – 11.07* Block C – 10.94*	10.5
Site coverage (%) - max.	31%	50
Open site space (%) - min.	18*	30
Storeys - max.	3	3
Setbacks (m) – minimum		
Front – Quadra- building face	3.22* Note 1	6.0
Front- Quadra - balcony	1.87* Note 1	6.0
Rear – Fifth – building face	3.86*	4.0
Rear – Fifth - balcony	2.51*	4.0
Side (south) – building face	4.20*	4.0
Side (south) - balcony	2.85*	4.0
Side (north) – building face	1.25*	4.0
Side (north) - balcony	0.94*	4.0
Parking stalls - min.	65	44 See Appendix 1
Visitor parking - min.	8	4
Bicycle storage (Class 1) - min.	57	34
Bicycle rack (Class 2) - min.	3 – 6 space racks	3 – 6 space racks

Community Consultation

This proposal has been to the Community Association a number of times due to the passage of time, changes to the proposal, and the addition of 2780/82 Fifth Street. The two most recent letters from the Hillside Quadra Neighbourhood Action Committee are attached to this report.

ISSUES

The main issues associated with this project are:

- the *Official Community Plan*, 2012, strategic directions and compliance with the intent of the Garden Apartment concept and future development potential
- the location and amount of off-street parking.

ANALYSIS

Consistency with City Policy and Regulations

Official Community Plan (OCP) 2012

The *Official Community Plan*, 2012, identifies the Quadra Villa site within the Urban Residential Designation, which is the same designation as nearby apartment buildings located along Quadra Street and Hillside Avenue. This area is seen as an extension of the residential base within the neighbourhood, which provides the population to support the viability of Quadra Village and transit service along major transit routes.

The Urban Residential Designation envisions a built form that includes low-rise and mid-rise multi-unit buildings of up to approximately six storeys, with a corresponding density of up to 1.2:1, with higher densities (up to 2:1) considered in strategic locations for the advancement of plan objectives. This location is considered a strategic location (OCP Policy 6.23) as it is within 200m of a Large Urban Village (Quadra Village), and is located along an arterial road.

The OCP has an objective of accommodating 40% of all new population and housing growth in, or within, close walking distance of Town Centres and Large Urban Villages. In order to achieve this objective, properties designated Urban Residential that are close to Town Centres and Large Urban Villages will need to be developed at densities that are more aligned with the upper end of the density range (1.2:1 FSR to 2:1 FSR when other plan objectives are advanced). The subject property falls within close walking distance of a Large Urban Village making it a logical site for a higher density than proposed in the application.

The parcel at 2780/82 Fifth Street is in the Traditional Residential designation, with a corresponding upper FSR limit of 1:1. The amount of development on this site is less than the upper limit established within the OCP, and as such, in terms of density, it is consistent with the OCP. The Traditional Residential designation also envisions multi-unit buildings up to three storeys, if on arterial roads. As this parcel will be amalgamated into the development, it technically qualifies as being on an arterial road (Quadra Street).

Both projects fall below the density range anticipated in the OCP, with Quadra Villa at 0.73:1 and the new project at 0.56:1 FSR. While the upgrade and retention of Quadra Villa as family rental housing is desirable, the redevelopment of the remainder of the property can be viewed as underdevelopment of this site; however, without underground parking or a greater parking variance, the carrying capacity of the lot is approaching its maximum limit.

For ease of discussion, it may be easier to consider each project on its own merits.

First, Quadra Villa provides rental family housing (two and three bedroom units) that fills a need within the neighbourhood and the City. The renovation of the building will prolong the life of these units.

Second, the new project will provide a mix and variety of housing units in the area. The transition of building form and height is appropriate for the current adjacent land uses as the OCP does contemplate a full range of building forms and uses from ground-oriented multi-unit residential to mid-rise multi-unit residential. The main issue is that, in light of the OCP, the development may be considered an underuse of the site as higher densities were contemplated in these strategic sites.

Hillside-Quadra Neighbourhood Plan

The *Hillside-Quadra Neighbourhood Plan* does not anticipate redevelopment of this site, although the site abuts an area that is recognized for redevelopment potential to low-density townhouses (Fifth Street between Hillside Avenue and Vista Heights).

As the Plan was drafted in 1995, and Quadra Villa was already constructed (1968), it is likely that the rationale at that time was that Quadra Villa was not a likely candidate for redevelopment.

Consistency with Design Guidelines

The property is within Development Permit Area 16: General Form and Character. A concurrent Development Permit Application accompanies this report.

Zoning Regulation Bylaw

As the parcel size of Quadra Villa is reduced in area, rezoning is required as the existing units will exceed the density limitations of the current zoning. The new zone will recognize the current modified situation and will not provide for any further redevelopment. The siting of the existing buildings will also be incorporated into the zone as they are appropriate for the context. In addition, the proposed laundry rooms and caretaker's office along Topaz Avenue will be incorporated into the zone. The setback along Topaz Avenue (in excess of 4m) is seen as adequate along this frontage, and the addition of the laundry rooms and caretaker's office, will add some activity to the area.

A new zone will be required for the new project based on a modified multiple-dwelling district zone. The new project does not fully comply with height and siting requirements set out in the comparable zone, which is a relatively low-density multiple-dwelling district. The additional height is generally due to the third-storey floor to ceiling height and roof style, which will allow additional light into the upper units by way of clerestorey windows.

The setbacks along Quadra Street are appropriate for the development to provide a street presence for the units to reflect the more urbanized character of the area; however, due to the presence of the proposed Statutory Right-of-Way, the privacy of the proposed units fronting Quadra Street may be compromised should the City exercise the option to relocate the sidewalk within the Statutory Right-of-Way. Staff will continue to work with the architect to provide additional relief off this Right-of-Way by adjusting the siting of Block A. A recommendation in the Development Permit Report reflects this direction.

Along Fifth Street the new units transition to the established setbacks along Fifth Street.

Traffic and Parking Considerations

The main vehicular access to both developments is from Quadra Street. The Fifth Street

access has been eliminated. This is a change from previous proposals, where the main access was from Fifth Street. This has been considered positive as Fifth Street has been identified as a bicycle route; with the main vehicular access relocated to Quadra Street, this will eliminate potential conflicts with cycling on Fifth Street. As there are two parking pods of six stalls each on Fifth Street, traffic from the development on Fifth Street will not be totally eliminated.

The *Zoning Regulation Bylaw*, Schedule C, regulates on-site parking requirements. As the surface parking for Quadra Villa will be eliminated, the parking will be distributed across both development sites. The overall parking standard for both developments combined will not be achieved and a parking variance request of 46 stalls forms part of this application. The detailed calculations are provided in the appendix of this report, along with a Transportation Assessment provided by the applicant's transportation consultants, Adept Transportation Solutions. The consultant reviewed the amount of on-street parking available; however, it is generally required that parking demands be satisfied on-site and not reliant on the availability of on-street parking.

The consultant's report cites locational factors, such as access to public transit, walkability, cycling infrastructure and proximity to Quadra Village to support the request for a parking variance.

In order to mitigate the parking shortfall of 46 stalls, the transportation consultants have specifically recommended participation in a car share program. Staff recommended that the applicant be required to provide these specific measures:

- two car share cars to be provided to Modo at the applicant's expense
- membership to Car Share for all existing and proposed units (1 membership per unit)
- two car share stalls to be located on-site or on Fifth Street (to be determined depending on construction schedules and availability of on-street parking).

With respect to car share participation, a membership for each unit would run with the unit (not the occupant). As such, each unit would be entitled to use a vehicle subject to payment of the regular operating fees by the Modo user. In terms of timing, the existing units will be provided Modo memberships prior to the issuance of any building permits for the new project. This will serve to provide an additional alternative transportation option during the interim construction period. For the new project, a standard agreement to secure a car share will be executed that will be timed with the occupancy of the new units. It should be noted that the Modo vehicles will form part of the Modo fleet, and will be available for all Modo users.

Other mitigating factors include the provision of bicycle storage facilities (Class 1) and short-term bicycle parking (Class 2), which will be provided in compliance with the City's Bicycle Parking requirements for the new project. The Class 1 bike storage facilities provided on the ground level satisfy the Zoning Regulation Bylaw. The additional bike storage facilities are on the second and third level and are not as easily accessed for daily use, but would provide an alternative for longer-term or seasonal storage of bicycles.

The existing units are technically exempt from fully complying with the bicycle parking and storage requirements; however, the applicant is installing bicycle racks under every stairwell (16 spaces in total) to encourage the use of bicycles as a TDM measure.

There will be an immediate loss of on-site parking for Quadra Villa when the construction commences for the new project. The owner has advised that the current car ownership for Quadra Villa is 55 cars. The following strategies have been determined to off-set this impact:

- the parking pods providing 16 parking stalls on-site for Quadra Villa be constructed prior to the issuance of any building permits for the new project

- temporary parking be provided within the new project for 42 cars for the duration of construction. The applicant has provided a sketch plan illustrating this strategy.

This strategy will provide 58 parking stalls in total during the interim construction phase, which will accommodate the existing level of car ownership. In fact, this will provide more off-street parking than is currently available on-site for Quadra Villa.

Once construction is complete, and in order to satisfy the Schedule C requirements for the new development, the parking on the lot will be reconfigured as per the Site Plan (A-1.1), and while the parking demand for the new units will be satisfied, overall Quadra Villa will have a parking shortfall of 46 stalls.

CONCLUSIONS

The redevelopment of the Quadra Villa parking lot into 34 multiple-dwelling units adds a variety of housing forms to the area and represents a transitional fit among the established uses; however, the proposed density at 0.56:1 FSR is significantly below the *Official Community Plan* policies, which would consider densities up to 2.0:1 FSR in this strategic location. Given the limitations of the site, and without triggering any further variances, the density is justifiable.

The redevelopment of this site has a significant parking variance of 46 stalls. The Transportation Demand Analysis prepared by Adept Transportation Consultants indicates that the level of parking provided is sufficient if participation in a car share program is provided to the level specified in the report. Other locational factors support a reduction in the provision of off-street parking. In addition, the bicycle parking and storage facilities will be in compliance with City standards and should provide an additional measure to lessen car use.

ALTERNATE MOTION

That Council decline Application No. 00549 for the property located at 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street be declined.

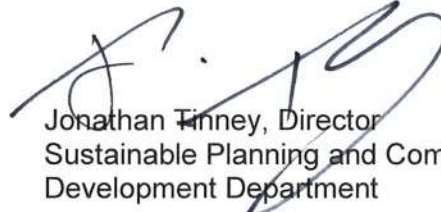
Respectfully submitted,



Lucina Baryluk, Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:



Date

Dec 7, 2017

Appendix 1

Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 Fifth Street and 2780/82 Fifth Street

Transportation Demand Management

The following table outlines the on-site parking situation, based on the Schedule C of the *Zoning Regulation Bylaw*.

On-Site Parking Stalls

	Existing	Proposed	Required	Variance
Quadra Villa 64 units	48 Stalls not marked, so number is approximate	16 (parking pods)	83 Ratio based on 1.3 per unit	67
New project 34 units	n/a	65 (on subdivided lot)	44 Ratio based on 1.3 per unit	Surplus 21 (to be dedicated to existing development)
Total for entire project (98 units)	n/a	81	127	46

Notes:

- Visitor parking allocation is 10% of the *provided* parking.
- The two Car Share stalls have been included in the calculation for available on-site parking stalls, as there is a potential that the stalls may be located on the street.

Parking Ratio Comparison

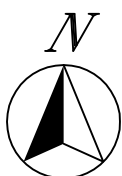
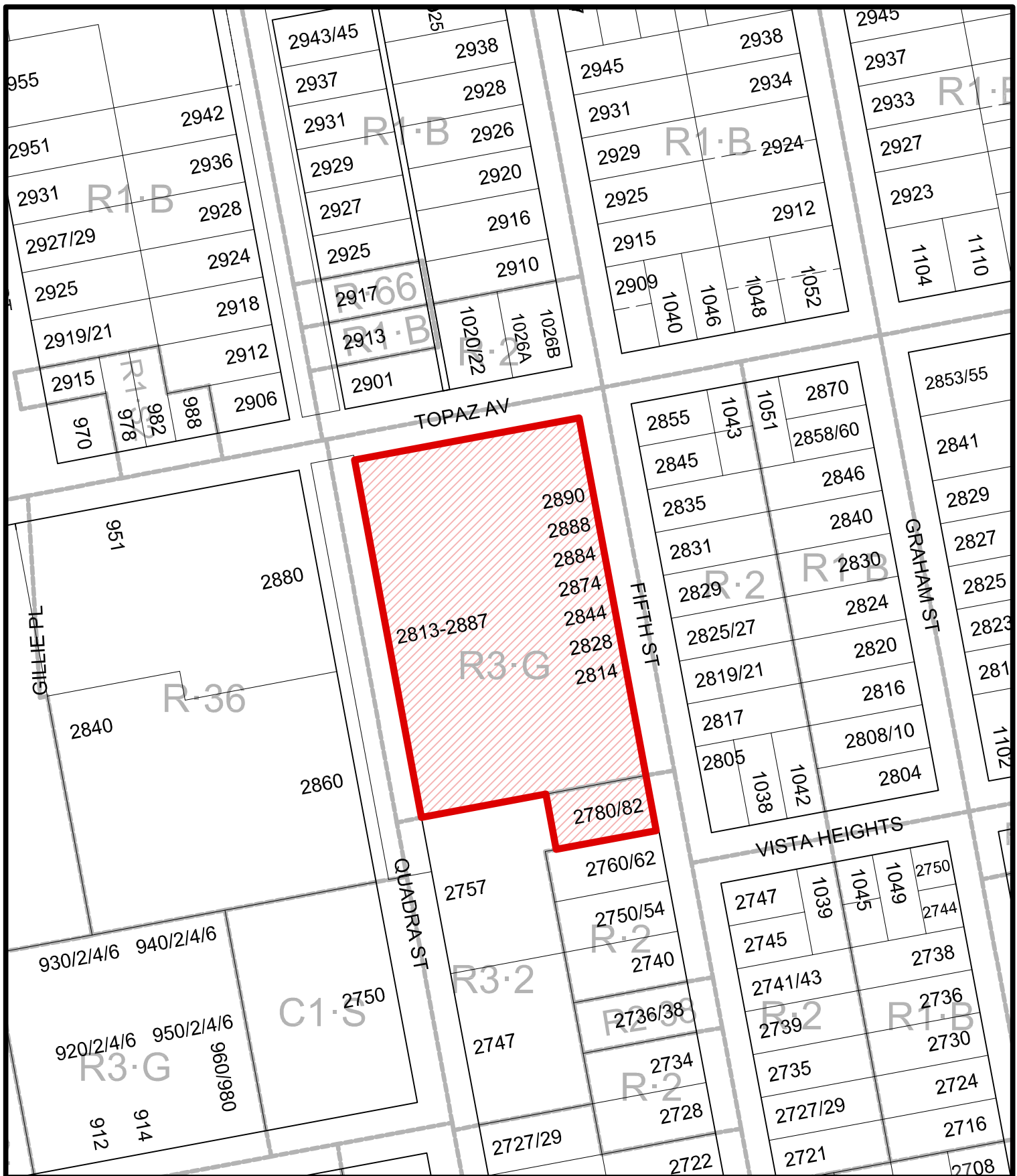
	Current parking ratio for existing units	Proposed parking ratio for total development	Average vehicle ownership rate for rental apartments	Operative parking ratio with TDM measures
Entire project (98 units)	0.75 per unit	0.82 per unit	0.71 per unit¹	1 per unit ²

Notes:

1. Based on 2012 data
2. Transportation Demand Measures (TDM) include Car share membership for all 98 units, provision of two car share vehicles, and allocation of two parking stalls for car share vehicles (on site or on the street)

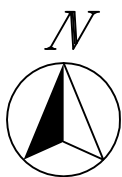
List of Attachments:

- Attachment A - Subject Map
- Attachment B - Aerial Map
- Attachment C -Plans dated August 8, 2017
- Attachment D - Letter from applicant to Mayor and Council dated September 29, 2017
- Attachment E - Architect's CPTED Analysis dated July 20, 2017
- Attachment F - Community Association Land Use Committee Comments dated March 2, 2016 and October 4, 2016
- Attachment G - Adept Transportation Solutions Report dated March 15, 2017
- Attachment H - Interim Parking Plan (Plan A002) provided by Architect
- Attachment I - Advisory Design Panel Minutes of May 31, 2017
- Attachment J - Correspondence (Letters received from residents)



2813 - 2887 Quadra Street,
2814 - 2890 Fifth Street & 2780/82 Fifth Street
Rezoning No.00549





CITY OF
VICTORIA

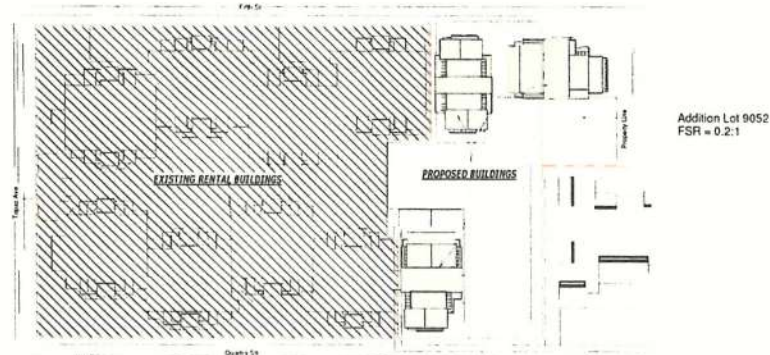
Consultants:

Architect:

Eric Barker Architect Inc.
Xavier Crespo (Architect AIBC)
727 Pandora Avenue, Victoria,
BC V8W 1N9
Ph: (250) 385-4565

Landscape Consultant:

Small and Russell Landscape Architects
Carole Russell (BCSLA)
3012 Manzer Road
Sooke, B.C.
V9Z 0C9
Ph: (250) 642-6967



4. Existing/Proposed Key Plan
1" = 500.0'



2. 3D View 3



3. Fifth Cover

EXISTING RENTAL BUILDINGS DATA

Civic Address:
2913-2987 Quadra St. & 2814-2890 Fifth St.
Victoria, B.C.

Legal Description:
PID: 003-551-784, Lot 1, Section 5, Victoria
District Plan 20678

Project Description:
Existing Residential Building - Quadra Villa
Owner: Pioneer Investments Ltd.

Current Zoning: R30

Data To Building

Site Area: 7721.68 m²
Site Coverage: 38.53%(2975.7 m²)
Open Site Area: 48.64%(3756.31 m²)
Total Floor Area: 5605.5 m²
F.S.R.: 0.726-1

Building Height: 8.3 m

No. of Storeys: 2

Setbacks Proposed

North side
Main Bldg.: 4.28 m
South side
Main Bldg.: 1.25 m
East Side
Main Bldg.: 3.02 m
West Side
Main Bldg.: 3.02 m

Parking Stalls: Total 16

Bicycle Parking: 64 Rack

Total number of units: 64

Unit Type: (32) 2 bedroom (32) 3 bedroom

Ground Oriented Units: 32

Minimum unit floor area: 77.1 m²

Total residential floor area: 5266.68m²

PROPOSED BUILDINGS DATA

Civic Address:
2913-2987 Quadra St. & 2814-2890 Fifth St.
Victoria, B.C.

Legal Description:
PID: 003-551-784, Lot 1, Section 5, Victoria
District Plan 20678
PID: 005-515-840

Project Description:
New Residential Building
Owner: Pioneer Investments Ltd.

Current Zoning: R30

Data To Building

Site Area: 3576.32 m²
Site Coverage: 30.22%(1081.51 m²)
Open Site Area: 18.38%(657.65 m²)
Total Floor Area: 1581.31 m²
F.S.R.: 0.554-1

Building Height: Block A 11.15 m
Block B 11.07 m
Block C 10.94 m

No. of Storeys: 3

Setbacks Proposed

North side
Main Bldg.: 1.09 m
South side
Main Bldg.: 2.85 m
East Side (Fifth St.)
Main Bldg.: 3.50 m
West Side (Quadra St.)
Main Bldg.: 1.87 m

Parking Stalls: Total 65

Bicycle Parking: 57 Class 1
10 Class 2

Total number of units: 34

Unit Type: (22) 1 bedroom, (12) 2 bedroom

Ground Oriented Units: 12

Minimum unit floor area: 40.03 m²

Total residential floor area: 1738.2 m²

SITE LOCATION

Block A		
Unit #	Unit Type	Area m2
1 A101	1 Bedroom	40.03
2 A102	2 Bedroom	66.55
3 A103	2 Bedroom	67.07
4 A104	1 Bedroom	44.6
5 A201	1 Bedroom	40.03
6 A202	2 Bedroom	66.55
7 A203	2 Bedroom	67.07
8 A204	1 Bedroom	44.6

9	A301	1 Bedroom	40.03
10	A302	2 Bedroom	66.55
11	A303	2 Bedroom	67.07
12	A304	1 Bedroom	44.6
Common Area			
Stairs, Storage, Garbage			116.83
Total Floor Area			771.58
12 Class 1 Bike Parking			
6 Class 2 Bike Parking			
Site Coverage			407.93

Block B		
Unit #	Unit Type	Area m2
13 B101	1 Bedroom	44.98
14 B102	1 Bedroom	40.45
15 B103	1 Bedroom	44.98
16 B104	1 Bedroom	40.45
17 B201	1 Bedroom	44.98
18 B202	1 Bedroom	40.45
19 B203	1 Bedroom	44.98
20 B204	1 Bedroom	40.45

21 B301	1 Bedroom	44.98
22 B302	1 Bedroom	40.45
23 B303	1 Bedroom	44.98
24 B304	1 Bedroom	40.45
Common Area		
	Stairs, Storage	62.43
	Total Floor Area	575.01
	9 Class 1 Bike Parking	
	6 Class 2 Bike Parking	
	Site Coverage	318.51

Block C			
	Unit #	Unit Type	Area m2
25	C101	2 Bedroom	67.04
26	C102	1 Bedroom	44.79
27	C103	1 Bedroom	40.26
28	C104	2 Bedroom	66.55
29	C201	2 Bedroom	67.04
30	C202	1 Bedroom	44.79
31	C203	1 Bedroom	40.26
32	C204	2 Bedroom	66.55

33	C301	2 Bedroom	67.04
34	C302	2 Bedroom	66.55
Common Area		Stairs, Storage	63.85
		Total Floor Area	634.72
		12 Class 1 Bike Parking	
		6 Class 2 Bike Parking	
		Site Coverage	355.07

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ERIC BARKER ARCHITECT INC.
727 Pandora Avenue, Victoria, BC V8W 1N9
Ph: (250) 385-4565

Drawing List

Sheet Number	Sheet Name
A-0.0	Cover Sheet
A-0.1	3D Views
A-0.3	Existing Site Survey
A-1.0	Site Plan
A-1.1	Grade Contour Lines
A-1.2	Shadow Study
A-1.3	Site Context
A-1.4	Site Context
A-1.5	Site Context
A-1.6	Site Context
A-2.0	Block A - L1
A-2.1	Block A - L2 & L3
A-2.2	Block B - L1
A-2.3	Block B - L2 & L3
A-2.4	Block C - L1
A-2.5	Block C - L2
A-2.6	Block C - L3
A-2.7	Roof Plan Blocks A, B, C
A-3.0	Elevations
A-3.1	Elevations
A-3.2	Elevations
A-3.3	Sheet Elevation
A-4.0	Sections
A-4.1	Sections
L1	Landscape Plan
L2	Landscape Plan
L3	Landscape Plan

3

2

Proposed Site Keyplan
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12. Rev. 4. 2017. New Photos Added
11. Rev. 3. 2017. New Photos Added
10. Rev. 15. 2017. New Photos Added
9. Rev. 15. 2017. New Photos Added
8. Rev. 15. 2017. New Photos Added
7. Rev. 15. 2017. New Photos Added
6. Rev. 15. 2017. New Photos Added
5. Rev. 15. 2017. New Photos Added

No. Date Description

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ATTACHMENT C



1. Aerial 1 South West



2. Aerial 3 South East



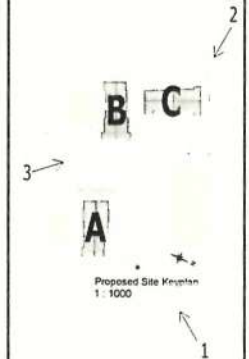
3. Aerial 2 North

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1111 PAMPANUA AVENUE SUITE 100, VANCOUVER, BC V6E 1V6
TEL: 604.681.1111 FAX: 604.681.1111 WWW: EBA.ABC



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Rezoning/Development
Permit
August 08, 2017

Quadra Villa

3D Views

201516
Date: Nov 16, 2016
Project: Quadra Villa
Checker: [Signature]

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Scale: 1:1000



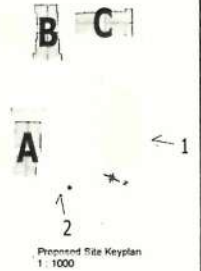
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2 3D View 2

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ERIC BARKER
ARCHITECT Inc.
211 HANCOCK AVENUE, 100 BLOOR ST. E.
SUITE 100, WILLOWDALE, ONTARIO M2H 1P1



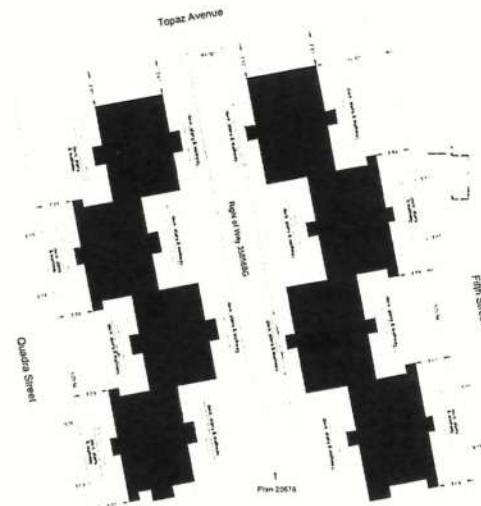
14 Aug 4, 2017 Rezoning/Development
No. Date Permit
B. MURPHY 2015 Friends/201516
Q. 2015 1:1000
Rezoning/Development
Permit
August 08, 2017
Quadra Villa
3D Views
Report number: 201516
Date: Nov 16, 2015
Prepared by: Xavier Grosse
Checked by: [Signature]
A-0.3
Scale: 1:1000

Site Plan of:
 - Lot 2, Plan 9052;
 - Lot 1, Plan 20678;
 Both of Section 5, Victoria District.

'Quadra Villas'



Total Site Area = 1.13 ha



8 November 2016
 McRae & Riley Land Surveying Inc.
 1111 1/2 St. James St. W.
 Victoria, BC V8M 1K1
 Tel: 250-383-1111
 Fax: 250-383-1112
 Email: info@mcraeand Riley.com

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1 Existing Site
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 ARCHITECT Inc.
 1111 1/2 St. James St. W.
 Victoria, BC V8M 1K1
 Tel: 250-383-1111
 Fax: 250-383-1112
 Email: info@mcraeand Riley.com

No.	Date	Description
1	8/14/2017	Revised drawing 2015 Project 201516

Rezoning/Development
 Permit
 August 08, 2017

Quadra Villa

Existing Site Survey

Project number	201516
Date	Nov 16, 2016
Drawn by	A. Barker
Checked by	Charles

A-1.0

Scale 1:500

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ERIC BARKER ARCHITECT INC.
 1000
 1000

B C

A

Proposed Site Keyplan
 1:1000

Civic Address:
 2813 2887 Quadra St. & 2814 2890
 Fifth St
 2780 Fifth St. Victoria B.C.
 Legal Description:
 PID: 003 551-784, Lot 1, Section 5,
 Victoria
 District: Plan 20678
 PID: 005 515-840

- 15 Aug 4 2017 Block not typical features
- 14 Aug 4 2017 Block C Features
- 13 Aug 4 2017 Block A Features
- 9 Mar 15 2017 Block A Features
- 8 Mar 15 2017 Block A Features
- 6 Mar 15 2017 Block A Features
- 4 Mar 15 2017 Block A Features
- 3 Mar 15 2017 Block A Features
- 1 Mar 15 2017 Block A Features

Rezone/Development
 Permit
 August 08, 2017

Quadra Villa

Site Plan

Author: 201516
 Date: Nov 16, 2016
 Drawn by: Kiefer Crespo
 Checked by: Checker

A-1.1

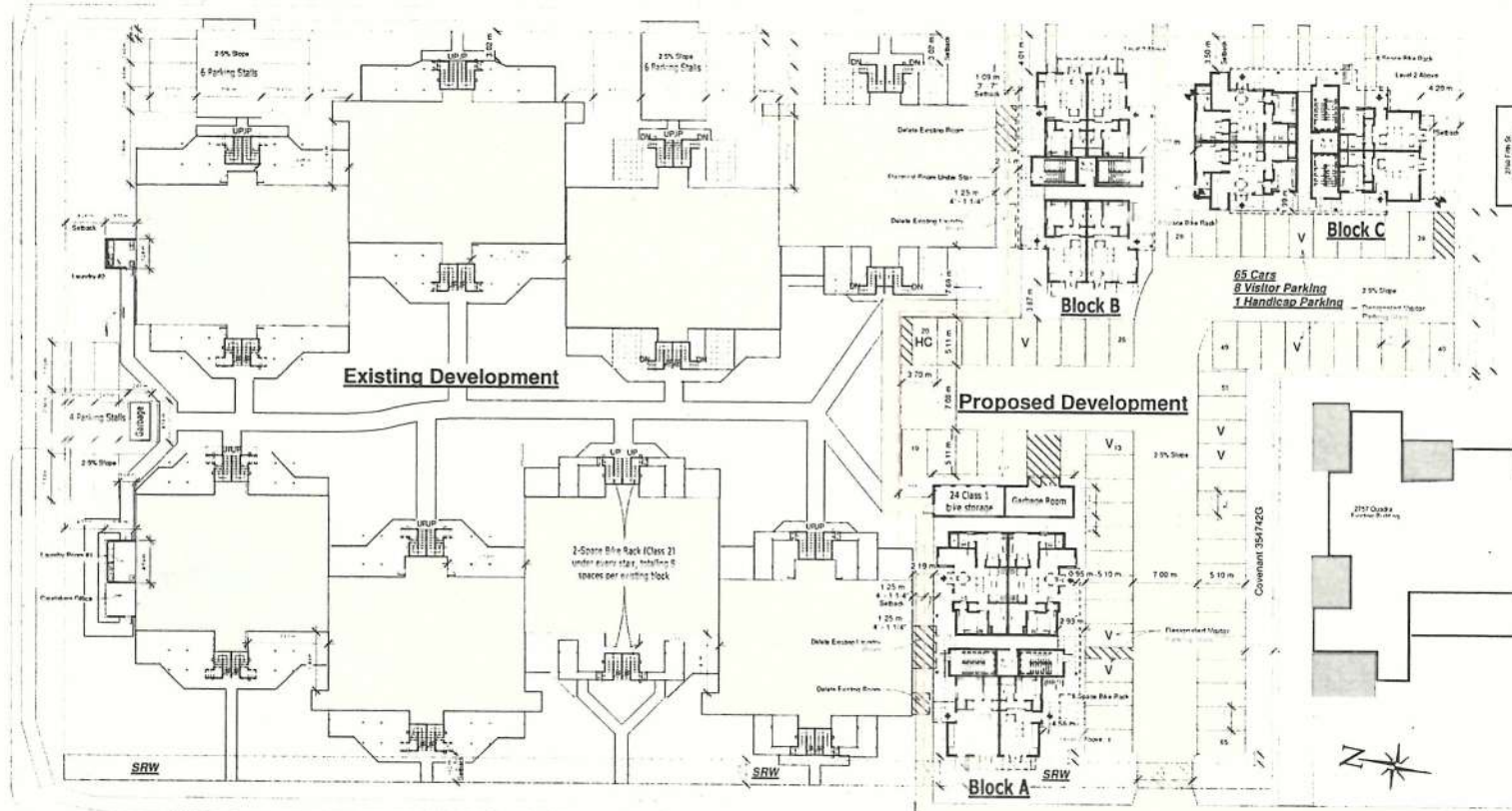
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FIFTH STREET

TOPAZ AVENUE

QUADRA STREET

1: Site Plan
 1:250

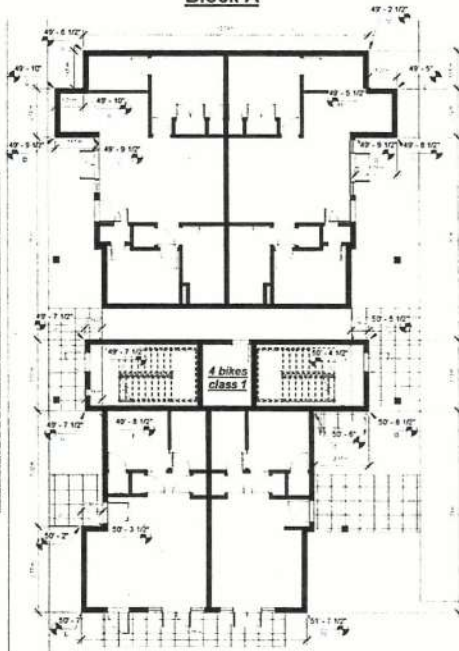


BLOCK A

Point	Elevation	Distance	Average Points
a	15.1		
b	15.19	1.65 A - B	24.98925
c	15.18	1.22 B - C	18.5257
d	15.17	2.13 C - D	32.32275
e	15.18	1.68 D - E	25.494
f	15.13	8.76 E - F	132.7578
g	15.13	0.73 F - G	11.0449
h	15.13	3.13 G - H	47.3569
i	15.15	0.73 H - I	11.0522
j	15.33	5.02 I - J	76.5048
k	15.29	0.91 J - K	13.9321
l	15.41	3.77 K - L	57.8695
m	15.74	9.7 L - M	151.0775
n	15.39	8.79 M - N	136.81635
o	15.46	2.37 N - O	36.55725
p	15.38	3.13 O - P	48.2646
q	15.36	0.75 P - Q	11.5275
r	15.17	8.76 Q - R	133.7214
s	15.16	1.78 R - S	26.9937
t	15.06	2.13 S - T	32.1843
u	15.07	1.22 T - U	18.7397
v	15	1.65 U - V	24.80775
		12.29 V - A	184.9645
		82.3	1257.14405

GRADE CALCULATION 15.2751

Block A



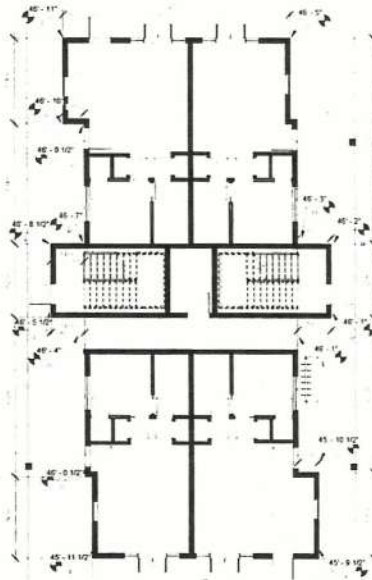
Level 1 A Grade Plan
1 : 100

BLOCK B

Point	Elevation	Distance	Average Points
a	14.29		
b	14.27	3.74 A - B	53.4072
c	14.26	0.91 B - C	12.98115
d	14.2	5.14 C - D	73.1422
e	14.23	1.48 D - E	21.0382
f	14.16	3.27 E - F	46.41765
g	14.12	1.48 F - G	20.9272
h	14.03	6.93 G - H	97.9375
i	14	3.56 H - I	49.8934
j	13.96	9.75 I - J	136.305
k	13.99	3.77 J - K	52.6875
l	14.05	6.72 K - L	94.2144
m	14.04	1.48 L - M	20.7866
n	14.07	3.27 M - N	45.95985
o	14.09	1.48 N - O	20.8384
p	14.14	8.89 O - P	125.48235
		9.75 P - A	138.59625
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GRADE CALCULATION 14.1052

Block B

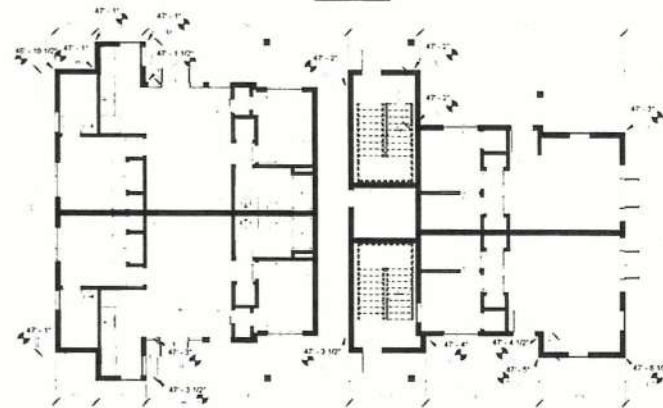
2 Level 1 B Grade Plan
1 100

BLOCK C

Point	Elevation	Distance	Average Points
a	14.28		
b	14.35	9.75 A - B	139.57125
c	14.4	3.77 B - C	54.19375
d	14.4	0.91 C - D	13.104
e	14.42	5.11 D - E	73.631
f	14.42	1.71 E - F	24.6582
g	14.44	8.43 F - G	121.6449
h	14.45	1.14 G - H	16.4673
i	14.49	5 H - I	72.35
j	14.44	1.14 I - J	16.4673
k	14.38	2.92 J - K	42.0188
l	14.37	12.44 K - L	178.825
m	14.37	3.1 L - M	44.547
n	14.36	1.15 M - N	16.51975
o	14.35	5 N - O	71.775
p	14.35	1.15 O - P	16.5025
q	14.35	8.43 P - Q	120.9705
r	14.28	1.65 Q - R	23.61975
		8.88 R - A	126.8064
	81.68		1173.6765

GRADE CALCULATION 14.3692

Block C

3. Level 1 C Grade Plan
1 : 100

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ERIC BARKER Member
ARCHITECT Inc.
237 MARSH AVE. #200, WILMINGTON, DE 19801
302.441.4444, FAX 302.441.4445 WWW.ERBARKER.COM

B C

A

Proposed Site Keyplan
1:1000

No	Date	Description
5	Mar 15 2017	Issueded R/R & Plan for the Program.
1	Mar 15 2017	Revised R/R & Plan
R	Current	decommissioned 2015 Projects/201511
Q	10/1/17	Sumit K. Schmitt/201511

Rezoning/Development
Permit
August 08, 2017

Quadra Villa

Grade Calculations

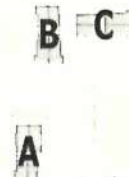
Project number	201516
Date	Nov 16, 2016
Project No.	Author
Checked By	Checker

A-1.2



PROJECT 10-20-23-01

ERIC BARKER
ARCHITECT INC.
222 PINE STREET, SUITE 200, DALLAS, TX 75201
214.591.8100, Fax 214.591.8100, www.ericbarker.com



Proposed Site Keyplan
1:1000

No.	Date	Description
1	10/10/2016	Initial Concept
2	10/10/2016	Initial Concept
3	10/10/2016	Initial Concept
4	10/10/2016	Initial Concept
5	10/10/2016	Initial Concept
6	10/10/2016	Initial Concept
7	10/10/2016	Initial Concept
8	10/10/2016	Initial Concept
9	10/10/2016	Initial Concept
10	10/10/2016	Initial Concept
11	10/10/2016	Initial Concept
12	10/10/2016	Initial Concept
13	10/10/2016	Initial Concept
14	10/10/2016	Initial Concept
15	10/10/2016	Initial Concept
16	10/10/2016	Initial Concept
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Rezoning/Development
Permit
August 08, 2017

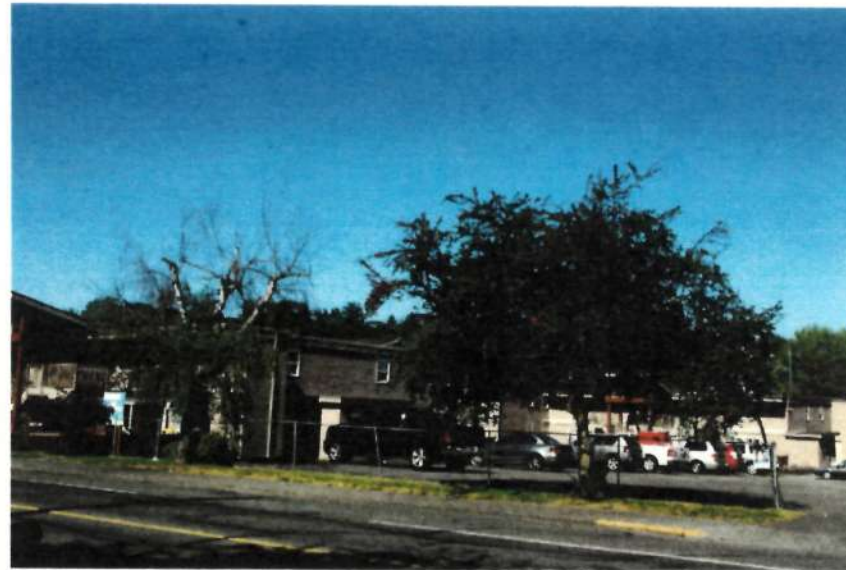
Quadra Villa

Shadow Study

Project Number: 201516
Date: Nov 16, 2016
Author: [Name]
Checker: [Name]

A-1.3

Scale: 1/8" = 1'-0"



8/4/2017 10:39:26 AM

ERIC BARKER ARCHITECT Inc.
122 PROSPECT AVENUE, SUITE 100, BOSTON, MA 02109
617.552.1234

12 Aug 4, 2017 Plan Sheets Annex
Re: Rezoning/Development Permit
August 08, 2017
Quadra Villa
Site Context

Report number: 201516
Date: Nov 16, 2016
Author: Author
Project: Project

A-1.4

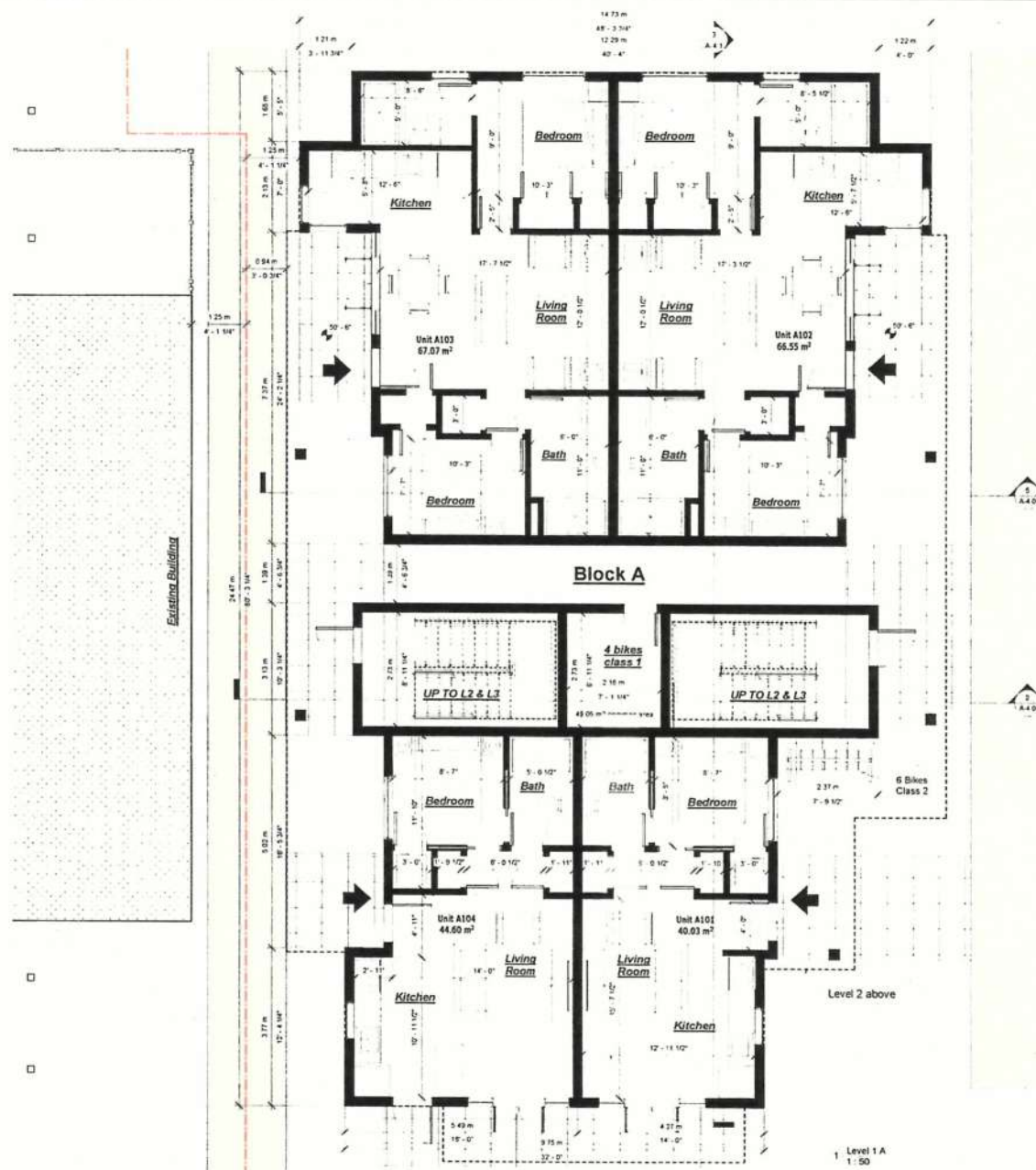
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8/4/2017 10:39:29 AM

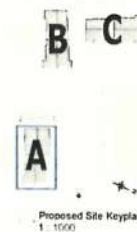
ERIC BARKER
ARCHITECT inc.
222 HAWTHORNE AVE. STE. 200, BOSTON, MA 02118
617.552.1111 FAX 617.552.1111

12 Aug 8, 2017 Title Sheet
No. Date Description
A-1.6 Current drawing: 2015 Project: 201516
Quadra Villa Rezoning/Development
Permit
August 08, 2017
Quadra Villa
Site Context
Project number: 201516
Date: Nov 16, 2016
Drawn by: Author
Checked by: Checker
A-1.6
Scale: 1" = 1'-0"



8/4/2017 10:39:31 AM

ERIC BARKER ARCHITECT INC.
121 KENNEDY ROAD, SUITE 101, DALLAS, TX 75244
(214) 343-8800 FAX (214) 343-8801



13 Aug 4, 2017 Block A Keyplan
5 Mar 15, 2017 Rezoning/Development Permit
1 Mar 10, 2017 Rezoning/Development Permit

Rezoning/Development Permit
August 08, 2017

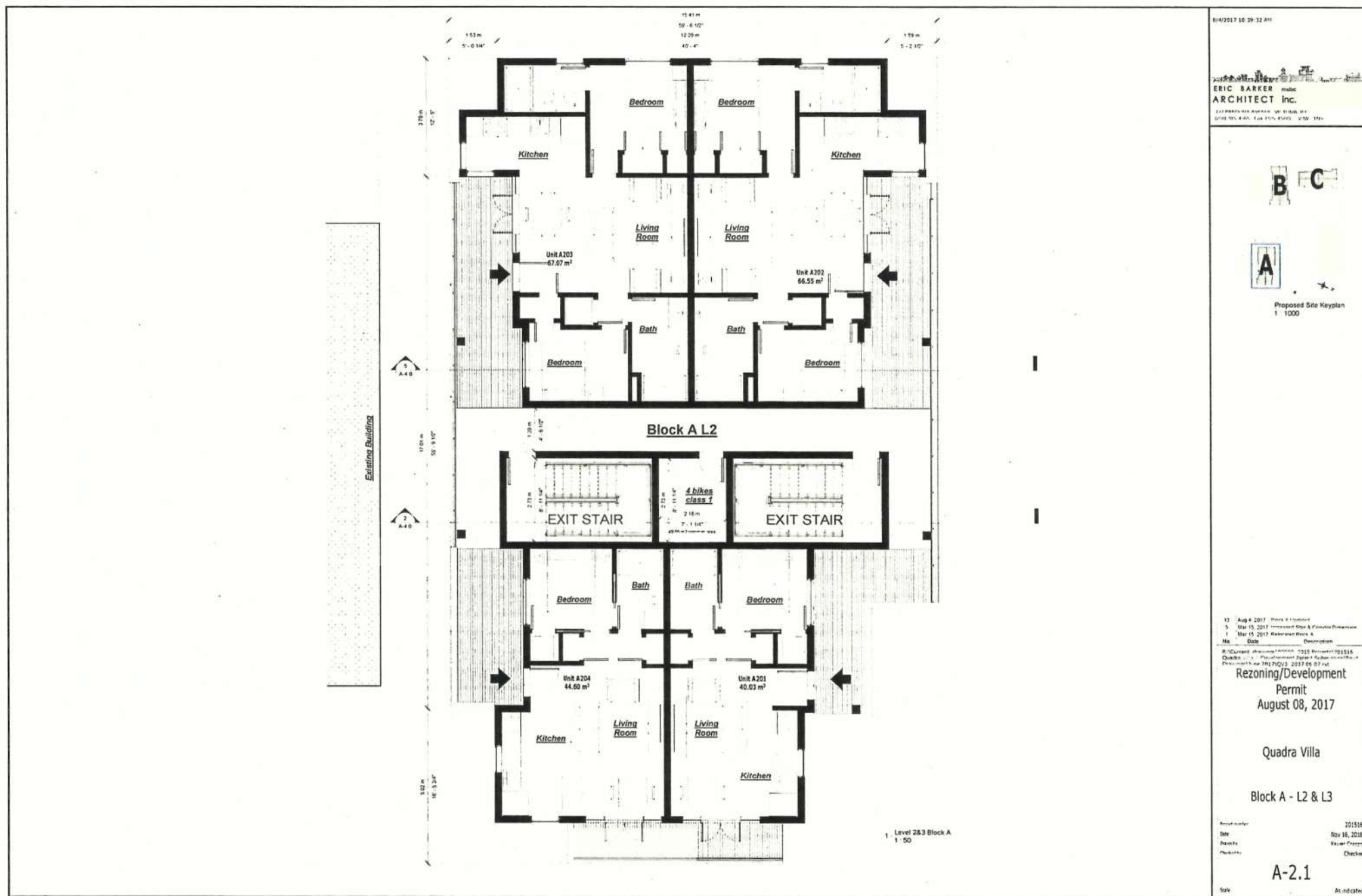
Quadra Villa

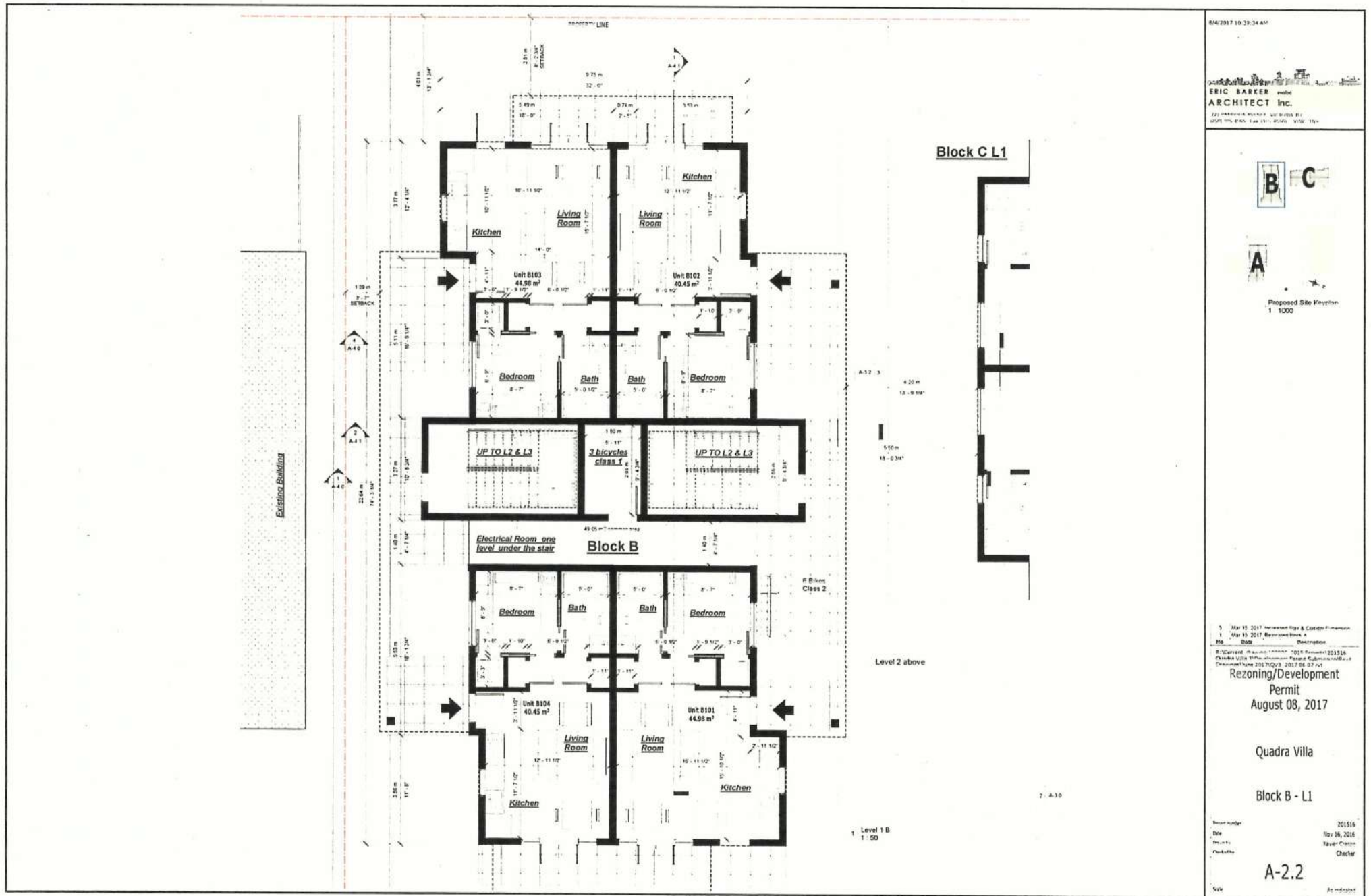
Block A - L1

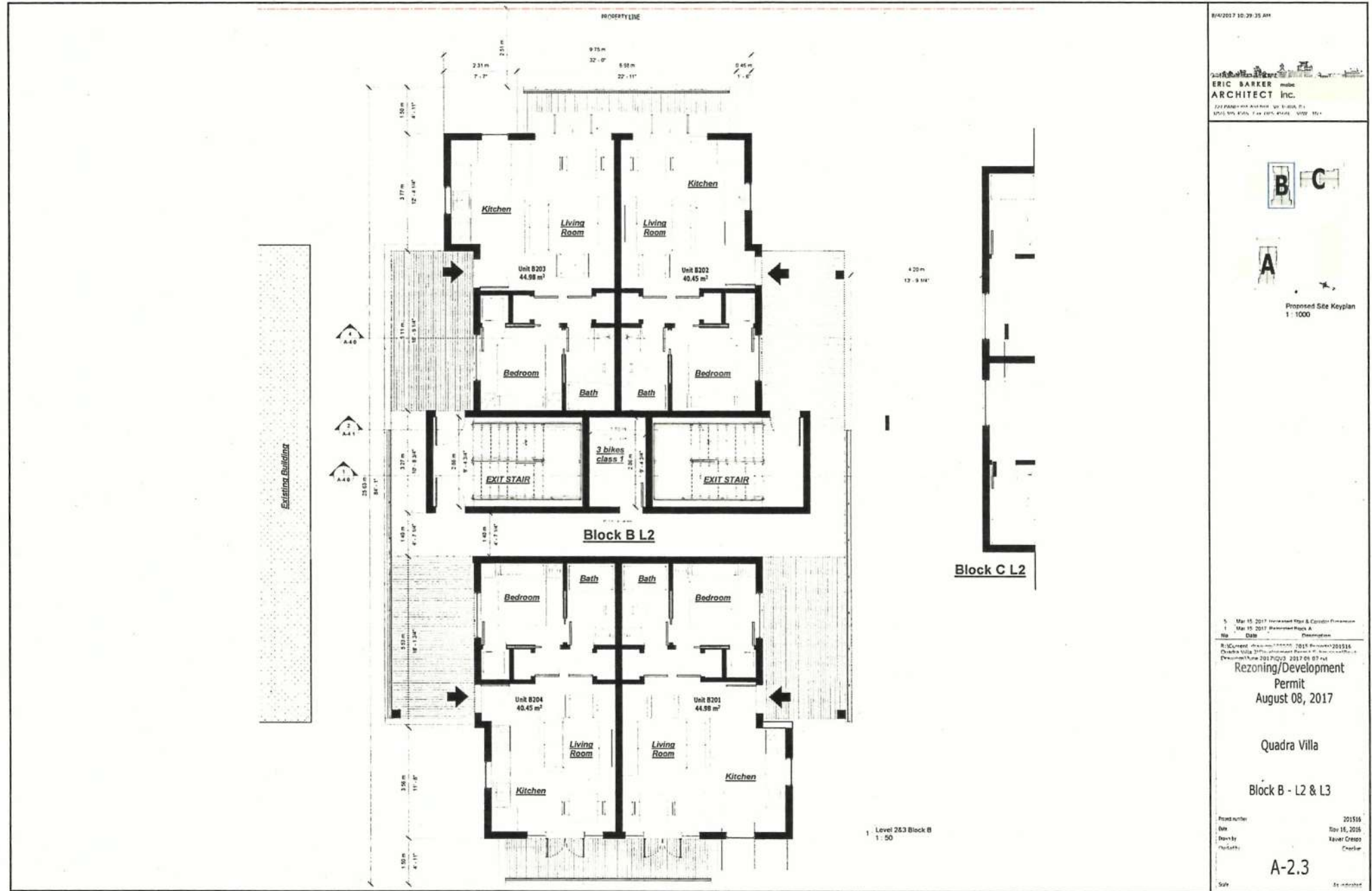
Project number: 201515
Date: Nov 16, 2016
Drawn by: Xavier Crespo
Checked by: [Signature]

A-2.0

Scale: As indicated







8/4/2017 10:39:34 AM

ERIC BARKER
ARCHITECT Inc.
222 HURONTARIO STREET, SUITE 100, K1R 1V5, ONTARIO
TEL: 905.876.1100 FAX: 905.876.1101

B C

A

Proposed Site Keyplan
1:1000

14 Aug 4 2017 Block C Home
5 Mar 15 2017 Intersect Wex & Canada Highway
2 Mar 15 2017 Intersect Wex & Canada Highway
No Date Description

8: Current drawing: 2015 Projects/201516
Quadra Villa
Permit
August 08, 2017

Rezoning/Development

Permit
August 08, 2017

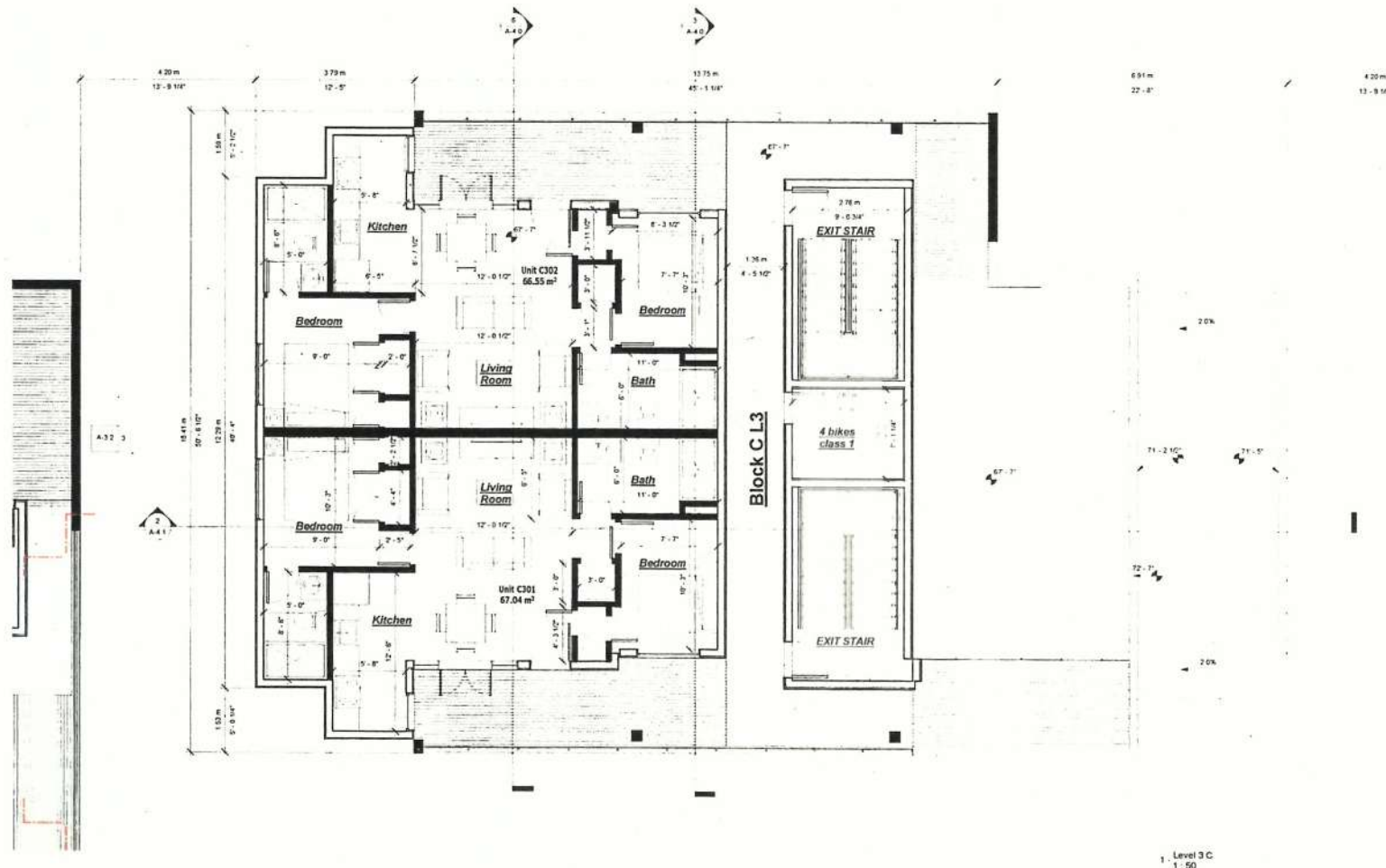
Quadra Villa

Block C L3

Project number: 201516
Date: Nov 16, 2016
Author: Author
Checker: Checker

A-2.6

Scale: As indicated



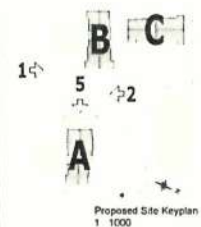
1. Level 3 C
1:50



Scale	As indicated
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04/2017 10:39:47 AM

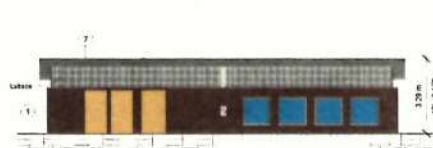
ERIC BARKER ARCHITECT INC.
122 PRINCE OF GEORGES RD. #100
DUNDAS, ONT. L9H 5K5



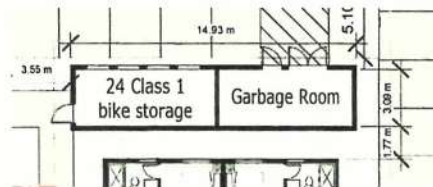
Materials Legend

Key Value	Keynote Text
1	Composite Wood Tone Panel
2	Fiber Cement (Beige)
3	Fiber Cement (Dark Grey)
4	Metal Railing with Glazing
5	Vinyl Windows (Grey)
6	Metal Fascia (Dark Grey)
7	Metal Trellis with Glazing
8	Fiber Cement Soffit

1. Mar 10, 2017 Reapproved Block A
2. Current Drawing 2015 Proposed 2015
3. Rezoning/Development Permit August 08, 2017
4. Quadra Villa
5. Elevations
6. Project number 201516
7. Date Nov 16, 2016
8. Author Xavier Proctor
9. Checker
10. A-3.0
11. Scale As indicated



5 Enclosure Front Elev.
1:100



ENCLOSURE PLAN

Block B



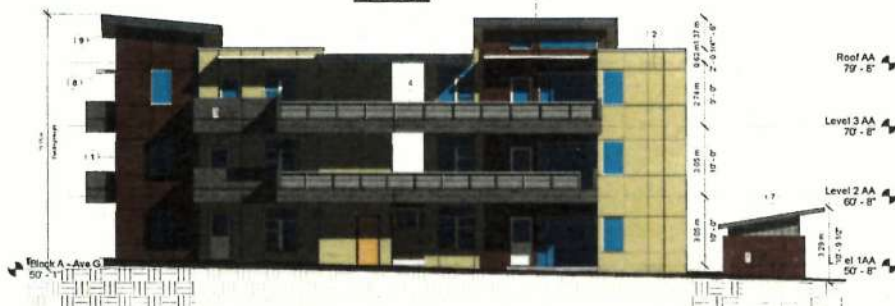
4 Blocks B North
1:100

Block A



1 Blocks A North
1:100

Block A



3 Blocks A South
1:100

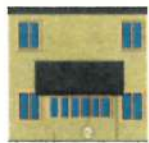
Block B



2 Blocks B South
1:100



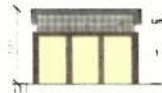
4 Laundry Side Elevation
1: 100



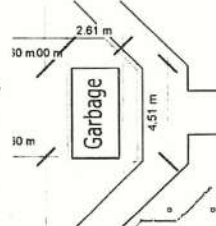
3 Laundry #1 Front Elev.
1: 100



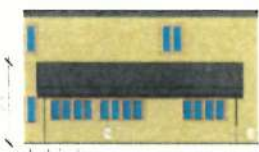
Laundry #2 Plan



6 Garbage Enclosure #2 Front
1: 100



Garbage #2 Plan



5 Laundry & Caretaker Front Elev
1: 100



Laundry #1 & Office Plan



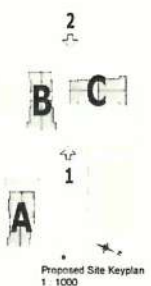
1 Block C&B West
1: 100



2 Block C&B East
1: 100

8/4/2017 10:39:53 AM

ERIC BAKER
ARCHITECT INC.
224 PRINCE OF GEORGE BLVD. 1ST FLOOR
SUITE 100, KENNESAW, GA 30144-1000



Proposed Site Keyplan
1: 1000

Materials Legend	
Key Value	Keynote Text
1	Composite Wood Tone Panel
2	Fiber Cement (Beige)
3	Fiber Cement (Dark Grey)
4	Metal Railing with Glazing
5	Vinyl Windows (Grey)
7	Metal Fascia (Dark Grey)
8	Metal Trellis with Glazing
9	Fiber Cement Soffit

14 Aug 8, 2017 Block B Elevation
3 Sep 11, 2017 Block C Elevation
2 Mar 15, 2017 Block B & C Elevation
1 Mar 15, 2017 Block B & C Elevation
Rev. Date Description

8/10/2017 10:39:53 AM 2015 Project 20151516
Quadra Villa Rezoning/Development
Permit
August 08, 2017

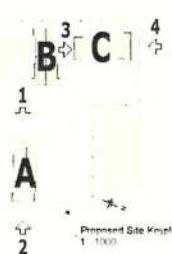
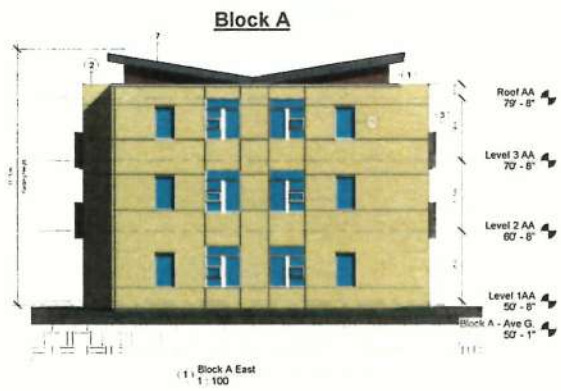
Quadra Villa
Elevations

Rev. Date Description
201516
Nov 16, 2016
Kaiser Concrete
Photo

A-3.1

Scale As indicated

ERIC BARKER
ARCHITECT Inc.
127 HANCOCK AVENUE, SUITE 100, BOSTON, MA 02114
617.552.8800 FAX 617.552.8801 WWW.ERICKBARKER.COM



Materials Legend

Key Value	Keynote Text
1	Composite Wood Tone Panel
2	Fiber Cement (Beige)
3	Fiber Cement (Dark Grey)
4	Metal Railing with Glazing
5	Vinyl Windows (Grey)
6	Metal Fascia (Dark Grey)
7	Metal Trellis with Glazing
8	Fiber Cement Soffit

No.	Date	Description
14	Aug 4 2017	Final Plan
13	Aug 4 2017	Block A Elevation

Rezoning/Development Permit
August 08, 2017

Quadra Villa

Elevations

Project number	201516
Date	Nov 16, 2015
Drawn by	Xavier Cresto
Checked by	

A-3.2



2 - Quadra Street Elevation
1 : 100

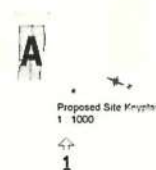
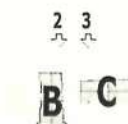


1 - Fifth Street Elevation
1 : 100



3 - Fifth Street profile

ERIC BARKER
ARCHITECT inc.
222 PARRIS AVE. #1000 VANCOUVER, BC V6M 3K7
604.681.4141 FAX 604.681.4142 WWW.ERICKBARKER.COM



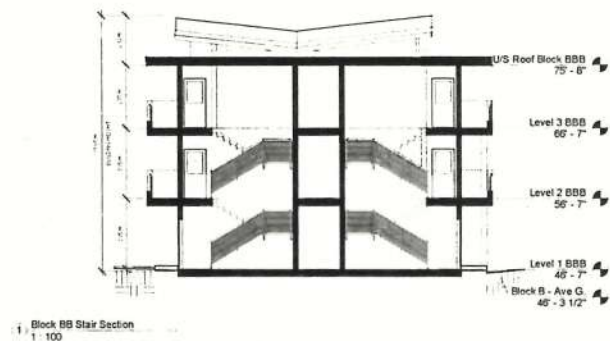
14 - Aug 4, 2017 Block C Elevation
13 - Aug 4, 2017 Block B Elevation
12 - 08/08/2017 Description
11 - 08/08/2017 2015 Permit 201515
10 - 08/08/2017 2015 Permit 201515
9 - 08/08/2017 2015 Permit 201515
8 - 08/08/2017 2015 Permit 201515
7 - 08/08/2017 2015 Permit 201515
6 - 08/08/2017 2015 Permit 201515
5 - 08/08/2017 2015 Permit 201515
4 - 08/08/2017 2015 Permit 201515
3 - 08/08/2017 2015 Permit 201515
2 - 08/08/2017 2015 Permit 201515
1 - 08/08/2017 2015 Permit 201515

Rezoning/Development
Permit
August 08, 2017

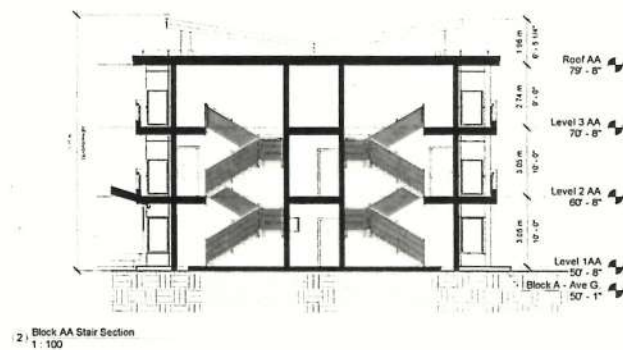
Quadra Villa

Street Elevation

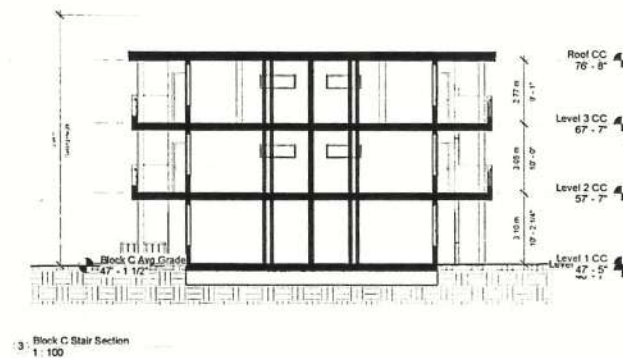
Project number 201515
Date Nov 16, 2016
Drawn by Xavier Crespo
Checked by Charles
Scale As indicated



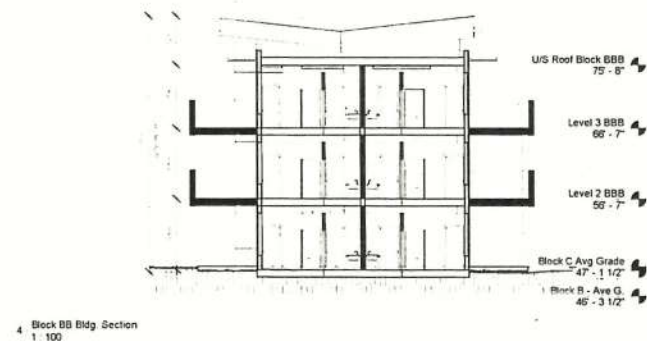
1. Block BB Stair Section
1:100



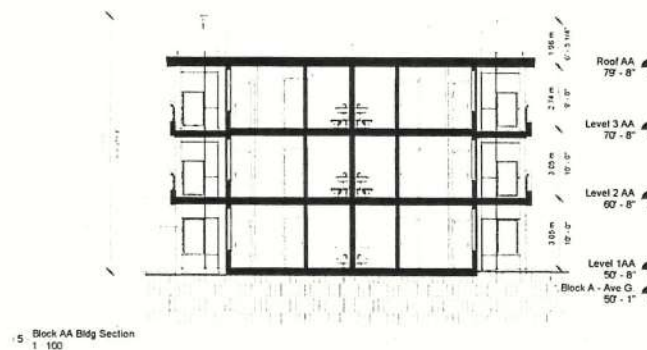
2. Block AA Stair Section
1:100



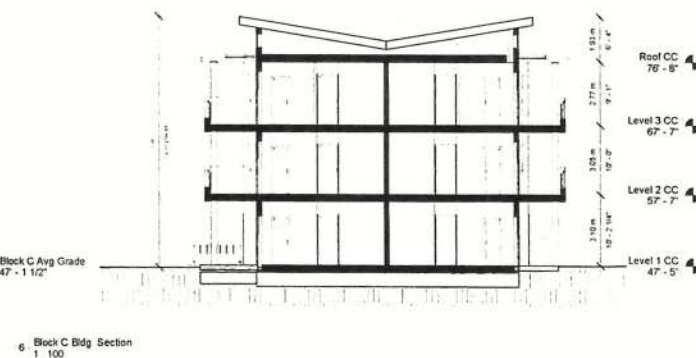
3. Block C Stair Section
1:100



4. Block BB Bldg. Section
1:100



5. Block AA Bldg. Section
1:100



6. Block C Bldg. Section
1:100

8/4/2017 10:40:14 AM

ERIC BARKER
ARCHITECT Inc.
222 PINEHURST AVENUE, SUITE 200, BOSTON, MA 02114
TEL: 617.552.1100 FAX: 617.552.1101



Proposed Site Keyplan
1:1000

No.	Date	Description
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3	Current	Revised 2015 Proposal 201516
4	Current	Revised 2015 Proposal 201516
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99	Current	Revised 2015 Proposal 201516
100	Current	Revised 2015 Proposal 201516

Rezoning/Development
Permit
August 08, 2017

Quadra Villa

Sections

A-4.0

201516
Nov 16, 2016
Randy Foster
Checker

Scale: As indicated

8/4/2017 10:40:16 AM

ERIC BARKER ARCHITECT INC.
121 E. 10TH AVE. SUITE 1000 DENVER, CO 80202
(303) 733-1111

Block B

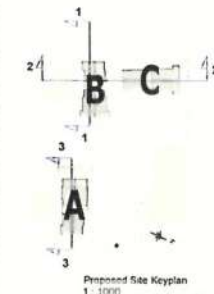


1. Block B Bldg Section
1" = 100'

Block A

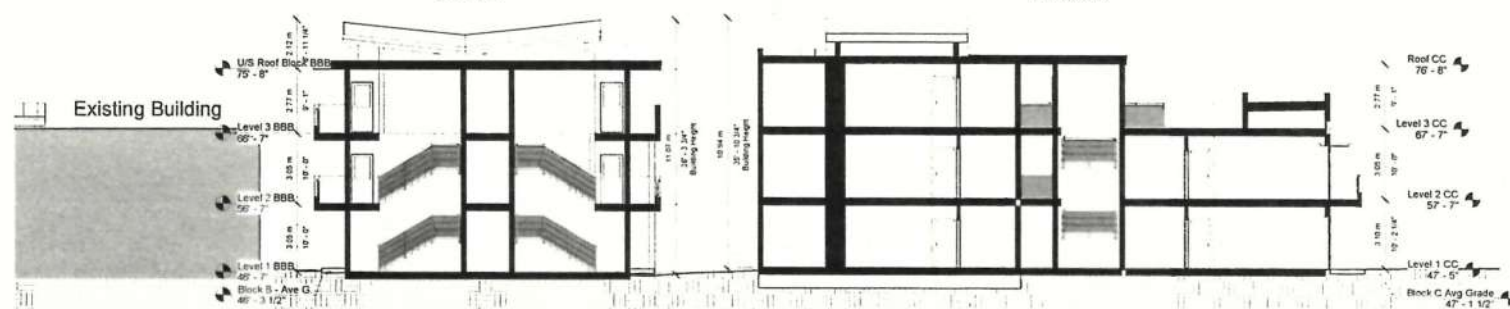


3. Block A Bldg Section
1" = 100'



Block B

Block C



2. Blocks B & C Bldg Section
1" = 100'

11 Aug 4 2017 Permit Application

Re: Current Application 2015 Permit 2015166

Quadra Villa 10th Avenue Project 2017 08 07-11

Rezoning/Development

Permit

August 08, 2017

Quadra Villa

Sections

Project Number 2015166

Date Nov 16, 2016

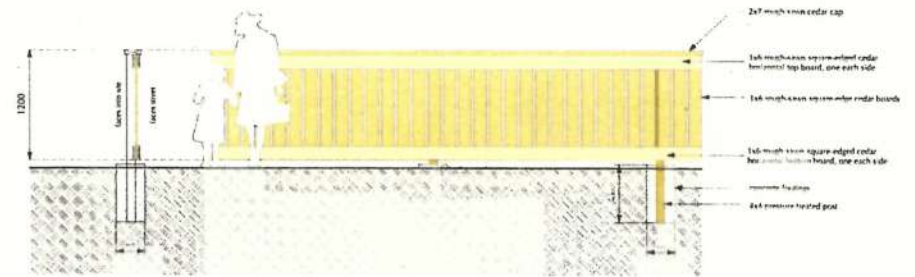
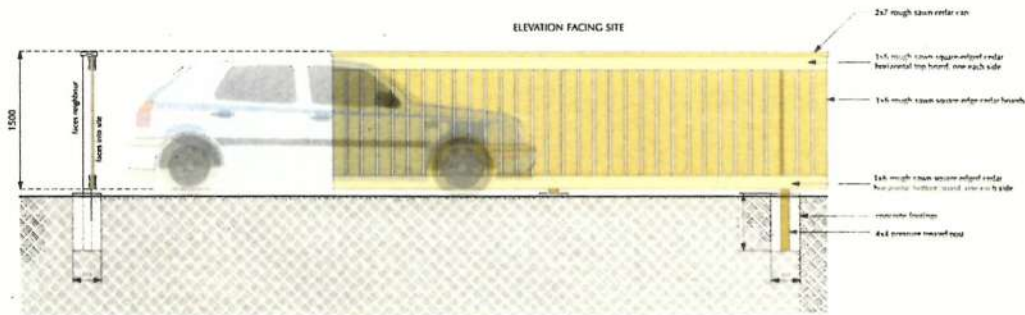
Author

Checker

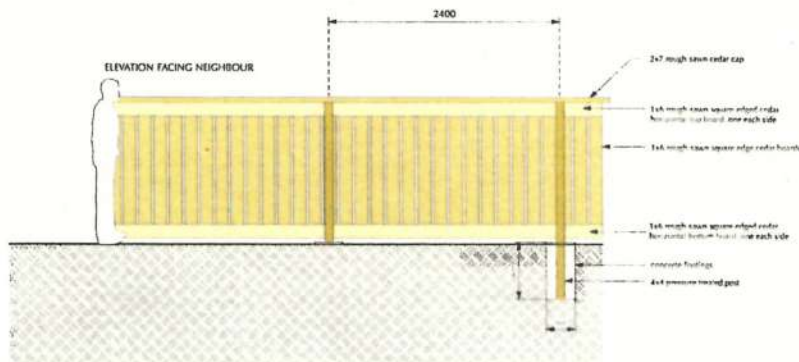
A-4.1

Scale As indicated

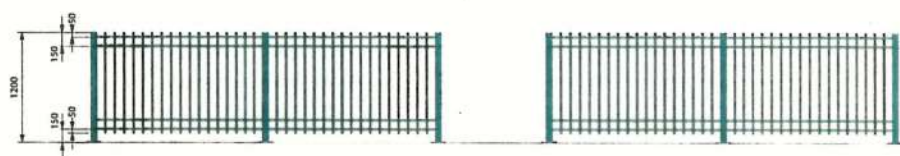
2 SOUTH PROPERTY LINE FENCE



3 QUADRA STREET FRONTAGE FENCE
ELEVATION FACING STREET IS SHOWN



2 ALUMINUM RAILINGS - FIFTH ST. & AROUND PATIOS



BOTANICAL NAME	COMMON NAME	CALIPER	QUANTITY
STREET TREES			
a. ACER RUBRUM 'ARMSTRONG'	COLUMBIAN RED MAPLE	8cm Caliper	4
TREES			
b. ACER CIRCINATUM	VINE MAPLE (NATIVE)	8-10 CM	3
c. CORYLUS BETULUS 'TASTEGIA'	COLUMBIAN HORNBEAM	5cm Caliper	8
d. CORNUS ROSEA SATOMI	SATOMI FLOWERING DOGWOOD	8-10 CM	3
e. NANNIOLA 'VULCAN'	RED FL. MAGNOLIA	5cm Caliper	3
f. NANNIOLA 'PERSICA' 'YIP'S VASE'	PINKWOOD TREE	5cm Caliper	5
SPECIMEN SHRUBS			
g. JAPANESE UNDO 'COMPACT'	STRAWBERRY TREE	CONT. SIZE	
h. HAMMILLIS X INTERMEDIA 'DIANE'	DIANE WITCH HAZEL	#2	
i. HYDRANGEA QUERCIFOLIA	OAKLEAF HYDRANGEA	#5	
j. NANNIOLA 'VULCAN'	TULIP NANNIOLA	#7	
		APPROX. NUMBERS	38
MASSING SHRUBS: AVERAGE SPACING 1.5M O.C. 2 PLANTS / BOX			
k. EUCALYPTUS 'TERRA'	MEXICAN ORANGE BLOSSOM	#2 POT	
l. EUCALYPTUS 'ALATIS' 'TUDY HAD'	ORANGE WINGED SPONDOUS	#2 POT	
m. NANNIOLA 'VULCAN'	TALL OREGON GRAPE (NATIVE)	#2 POT	
n. NANNIOLA 'VULCAN'	LOW OREGON GRAPE (NATIVE)	#1 POT	
o. NANNIOLA 'VULCAN'	HEAVENLY BAMBOO	#1 POT	
p. PRUNUS 'MAGNO' 'PUNILIO'	DIANE MOUNTAIN PINE	#2 POT	
q. PHILADELPHUS 'NOMEX'	MEXICAN ORANGE	#5 POT	
r. PRUNUS 'TIGER EYES'	GOLDEN BIRCH	#5 POT	
s. OSMANTHUS 'DELAVAY'	DELAWARE'S OSMANTHUS	#2	
t. ROSA 'RUGOSA'	RUGOSA ROSE	#2	
u. NANNIOLA 'VULCAN'	JAPANESE SILVER GRASS	#2 POT	
v. NANNIOLA 'VULCAN'	JAPANESE SILVER GRASS	#2 POT	
w. NANNIOLA 'VULCAN'	BLUE BLUEBERRY	#2 POT	
		APPROX. NUMBERS	290
GRASSES / PERENNIALS / GROUND COVERS: AVERAGE SPACING 0.5M O.C. 2 PLANTS / BOX			
x. ANTIPODARIUM 'LUNA' 'LUNA' 'VANCOUVER JADE'	WAXWAX	#1 POT	
y. BUXUS 'SEMPERVIRENS'	BUXUS	#1 POT	
z. COTONEASTER 'LOWFAST'	LOW BROWN COTONEASTER	#1 POT	
aa. HEMLOCK 'STELLA D'ORO'	DAY LILY YELLOW FL.	#1 POT	
ab. JUNCUS 'STONING'	STONING JUNCUS	#1 POT	
ac. LONICERA 'TIGGY'	DIANE SHRUBBY LONICERA	#1 POT	
PAVING PLANTING / HEDGING, AVERAGE SPACING 1.0M O.C., 90 LINES M.			
ad. BUXUS 'SEMPERVIRENS'	BUXUS	#1 POT	
ae. JUNCUS 'STONING'	MEXICAN ORANGE BLOSSOM	#2 POT	
af. PRACANTHA 'COCOA'	PRACANTHA	#2 POT	
		APPROX. NUMBERS	90

THIS SCHEDULE IS A GUIDE TO DIFFERENTIAL PLANTING PROPOSALS
TYPE, NUMBER AND SIZE WILL BE FINALIZED BY BUILDING PERMIT

1st June 2017, open numbers updated

ISSUED FOR DATE
APPROVALS AND REVISIONS
1.2 DESIGN PRESENTATION REVIEW 2017 06 01

QUADRA VILLA
QUADRA & FIFTH STREET
VICTORIA, B.C.

LANDSCAPE
DETAILS

Date 21/09/2016 Sheet
Drawn CAR
Checked JPS
Scale 1:25
L2



ISSUED FOR	DAYS
RECEIVED FOR DEPT OF AGRICULTURE	Sep 21-59
	Received Feb 18-60
	Received March 16-61
	Received Aug 07-62
	Received Oct 22-63

QUADRA VILLA
2835 QUADRA STREET
VICTORIA, BC.

LANDSCAPE PLAN
ADDITIONAL PARKING

Date 21/09/2016	Sheet
Drawn car	L3
Checked ajs	
Scale 1:200	



September 29/17

City of Victoria,
1 Centennial Square ,
Victoria , BC
V8W 1P6

Attention : Mayor and Council

Re : 2813 – 2887 Quadra St. & 2814 - 2890 Fifth St. and 2780/82 Fifth St

The proposal is located in the Quadra Village community- an inner-city neighborhood which is experiencing a renewal close to Downtown with a commercial core and excellent bus service. The site is the southern parking lot of Quadra Villa – a 64 unit rental community, substantially renovated in 2014 , that has a long waiting list because it offers large 2 and 3 bedroom units either on the ground or one level above with large private open spaces adjacent substantial public open green space. The client wanted the new project to maintain the qualities of independent access , close proximity to the ground and large patios/decks and add the dimension of smaller units to complement the existing larger units

The site was the subject of a re-zoning application for a 24 unit rental proposal in late 2015 . The client purchased a neighboring lot at 2780/2782 Fifth St and the application was withdrawn and re-designed to a 34 unit rental proposal .The new rental units will be on a separate lot sub-divided from the existing 64 rental units .

There are 12- 2 bedrm units in the 670-700 sf range and 22 -1 bedrm.units in the 400-500 sf range . Typically each block has central stairs with walkway access to each unit which doubles as the unit deck .The buildings are 3 stories in height to be in scale with the existing buildings and the neighborhood.

We are providing parking for 80 cars for 64 existing units and 34 new units – a total of 98 units on site – a parking ratio of .81.A parking study showed that 7 existing rental buildings in the neighborhood had 0.8 cars/ unit parking ratio .Our objective is to meet this parking ratio. To mitigate the parking variance, 2 car share cars will be provided as well as memberships for all 98 units . In addition, there will be significant bicycle parking that will exceed the municipal bicycle parking requirements . As well , because of the long waiting list for the units ,my client is able to qualify tenants for the existing units on the basis of car ownership. September of last year the car ownership level was 79 cars – 1.23 cras / unit. The incidence of car ownership has been reduced to 55 cars -.85 cars /unit- very close to objective with the new units .

The existing project has back to back units , half of which faced the surrounding streets . As the existing parking is largely located at the south end of the site , residents living at the north end of the site-would often park on the street it being more convenient. To mitigate this, we have added 3 parking" pods", housing 4 to 6 cars each on our site , located off Fifth and Topaz to provide more convenient parking and prevent on-street parking.

An objective of the project design was to improve the Fifth and Quadra Street streetscapes and fit into the context. This has been accomplished by positioning two blocks on Fifth with front doors and private yards engaging the street and screening views of the parking areas. Block C, which is adjacent a single family house, has been stepped from 3 to 2 stories to effect a scale transition. On Quadra ,one block has units facing the street and landscaping with low fencing blocking views of the parking lot . The new buildings are 3 stories to maintain a scale link to the existing 2 storey buildings and the surrounding community. The form of the new buildings mirror the shed roof form built above the stairs in the existing project .

In summary , the addition of smaller rental units to an existing community of larger rental units in the Quadra Village community close to commercial services and excellent public transport links is a worthy proposal .

Regards



Eric Barker Architect AIBC / LEED AP

July 20/2017

CPTED ANALYSIS - Site Plan of 2813 Quadra

The Analysis focused on the pedestrian linkages through the site between Fifth and Quadra and from Fifth between Blocks B & C to the parking lot. In addition, it studied the pedestrian path between each block to the parking area and the space between Block A and the garbage/re-cycling /bicycle storage.

CPTED principles depend on surveillance of the environment by residents living in the units and by residents and visitors moving through the environment at different times of the day and night. A strong definition of and visibility into private, semi-private and public open space complements the " eyes on the street " The structure of the space should not creat dead end " entrapment " areas . The public open space , in particular , requires effective lighting at night .

The analysis revealed that for the most part pedestrian linkages through the block and from Fifth to the parking lot meet good CPTED principles as unit front doors and private patios face the pathway putting it under constant surveillance and they are well lit . However the pedestrian paths between each block to the parking lot did not meet the standard established by these principles as they were not well lit and not readily visible . We are proposing keyed resident gates at either end to secure them and add lighting . Regarding the space between Block A and the garbage/re-cycling /bicycle storage again it suffers from a lack of visibility . We are proposing to secure the space with fencing at either end – it has a light



ERIC BARKER ARCHITECT INC. 

727 Pandora Avenue Victoria BC V8W 1N9 | eba@ericbarkerarchitect.ca | 250-385-4565
r:\current_drawings\00000_2015 projects\201516 quadra villa 3\correspondence\july 20.docx

By email to councillors@victoria.ca

4 October 2016

Dear Mayor and Council

Re: 2835-2855 Quadra Street and 2780-2782 Fifth Street

On 7 September 2016 the Hillside Quadra Neighbourhood Action Committee (NAC) hosted a community meeting related to a proposed development at the above address. Eric Barker, the architect for the project, made the presentation on behalf of the property owner Primex Investment. Twenty-five community members attended the meeting. This letter summarizes the comments and concerns of these meeting participants regarding the proposed development.

Over the past several years Primex Investment as well as previous owners have made other proposals related to development of the parking lot at the south end of this property. Additional comments relevant to the current development proposal are summarized in a letter to Mayor and Council from NAC dated 30 May 2016. Key community concerns and recommendations brought forward at the May meeting – in particular the recommendations to retain the existing driveway on Quadra Street, to relocate the garbage bins, and to maintain natural light for residents of the adjacent condo building – have been incorporated into the current proposal. The May NAC letter also describes measures that Primex Investments has proposed to address local concern about impacts of the proposed development on parking, which was also the main concern at the September meeting.

The current proposal incorporates a substantive change to the May proposal, as Primex Investment recently purchased the lot at 2780/2782 Fifth Street and proposes to make it part of the application to redevelop the adjacent parking property at 2835-2855 Quadra Street. The lot is currently zoned for duplex and would need to be rezoned for multifamily use.

The site at 2835-2855 Quadra currently provides 64 units of low-rise rental housing. The proposed development would provide 33 additional units of rental housing in three new buildings, bringing the total number of rental units on the site to 97. New rental units would range in size from 400 to 650 square feet and would include 15 one-bedroom units, and 18 two-bedroom units. The new buildings would be three storeys high. Ground level apartments would open to the exterior and those on floors two and three would be accessed from exterior stairwells. The portion of the site facing Fifth Street – currently an unused driveway – would be landscaped.

The proposed development would require a parking variance. Current rules would require 126 parking spaces for 97 units. The proponent is proposing to provide only 80 parking spots – including 64 in the main parking lot, and 16 additional spaces in three parking 'pods' built on what is currently greenspace at the perimeter of the property. The

proponent also proposes: bike storage on each floor of the three new buildings as well as a locked bike storage building for the use of all residents; and two car-share cars as well as car-share membership for all the residents of the complex—of both old and new buildings. We understand from the May meeting that these cars would be available to the wider community. Our May letter discusses other proposed parking mitigation measures.

Design

Meeting participants expressed generally favourable comments about the design of the proposed development, including the proposed diversity of building sizes and shapes. They were also positive about using the existing 'sea of asphalt' for housing. One participant expressed concern about shading of existing homes on the east side of Fifth Street, and Mr. Barker agreed to carry out a shading study. Another suggested that the design incorporate measures to discourage seagull nesting.

Social Impact

Many meeting participants expressed support for the proposed increase in the number of rental units in the neighbourhood. They expressed concerns, however, about the type of tenant the proposed development might attract. The lack of elevators in the design may discriminate in favour of young tenants who can 'carry the couch up three flights of stairs'. The size of the units (one and two bedroom) discriminates against families, and smaller units may attract transients and students – portrayed by some as out of place in the family oriented neighbourhood. Several meeting participants suggested that 'the units are too small and there are too many of them'. Other asked if the building owner would be willing to add a rental covenant to the new development, and make a commitment to include low income rental units. Mr. Barker promised to discuss this with the owner.

Rezoning of 2780-2782 Fifth Street

Several meeting participants expressed concern about the proposed rezoning of 2780-2782 Fifth Street from duplex to multi-family and encroachment on the residential nature of the neighbourhood. One meeting participant suggested 'we need to dream bigger' and identified the new duplex PassivHaus being built nearby as an example of such a bigger dream.

Parking

Many meeting participants expressed the concern that the proposed development would exacerbate the existing parking problems on Topaz Avenue and Fifth Street. Several meeting participants recommended that the proponent provide underground parking, noting that nearby condominium buildings all provide such parking. Mr. Barker indicated, however, that the cost of underground parking makes it prohibitive for a rental development of this size; marshy soil beneath the parking lot would add to the cost. One current building resident expressed concern about the proposal to convert existing green space in front of her unit to parking pods. Another meeting participant expressed concern about taking green space away from alleged 'low income people' living in the building.

CALUC process

Meeting participants complained that some of the tenants of the 2835-2855 apartment complex did not receive notices about the community meeting. This may be something the City could look into.

Thank you for considering community input in reviewing any formal proposal related to the above address.

Jenny Fraser
CALUC Chair,
Hillside-Quadra Neighbourhood Action Committee

c.c. Eric Barker

By email to the City of Victoria at caluc@victoria.ca

And to Leanne Taylor ltaylor@victoria.ca

2 March 2016

To Whom it May Concern:

Re : Proposed Rezoning for 2835-2855 Quadra Street

The Hillside Quadra Neighbourhood Action Committee (NAC) hosted two Community Meetings related to the proposed redevelopment of this property, on January 20th and February 10th, 2016.

Primex Investments has owned the property since 2014. Andrew Rennison, Principal of Primex, described the company as a family-run rental apartment business with 1400 units in its portfolio. He indicated that Primex invests for the long term and manages its own properties.

The 2.6 acre property currently supports 32 two-bedroom and 32 three-bedroom units – a total of 64 units. Primex is seeking to rezone the south end of the property from R3G (currently a parking lot) to a site-specific zone that would enable the construction of 24 additional rental units in two new buildings, for a total of 88 units.

Eric Barker, architect, described:

- The location of the two new buildings and the unit mix and sizes; 12 of the new units would be bachelors and the other 12 would be two-bedrooms.
- landscaping details and the pedestrian link between Fifth and Quadra; and
- parking and circulation plans, including bicycle storage.

Primex is seeking a parking variance – from the required 1.3 parking spaces per unit (for a total of 110) to 0.74 spaces per unit. The proposal would maintain 65 parking spaces on the site: 55 in the main parking lot and 10 in two smaller lots accessed from Topaz Avenue and Fifth Street. Mr. Rennison indicated that it is Primex's goal to reduce the number of cars on site to 64. He provided a handout describing proposed parking mitigation efforts including:

- Purchasing a car-share membership for each of the 88 rental units, and purchasing one car-share vehicle which would be parked on site and would also be available to other neighbourhood members of the car-share coop. The proponent indicated that car share participation would begin after Primex is assured the rezoning will be approved;
- Providing enhanced bicycle storage – exceeding City standards – on each level of the proposed new buildings; and
- Screening for tenants who do not have cars, providing incentives to tenants, and requesting tenants to sign a pledge to remain car-free. The owners indicate they have, though this approach, already reduced the number of vehicles on the property from 79 to 74 since October, 2015.

General Comments

Community members expressed no concerns about the design and location of the proposed apartment units. Several commented that the project ‘improves the look of the neighbourhood’. Others mentioned that the neighbourhood needs rental units. One resident of 2757 Quadra expressed appreciation for the new design which positions the new apartment units well away from his building, preserving his light and view.

Parking

The majority of the concerns expressed by participants at both community meetings related to parking. Meeting participants expressed support for the addition of a car-share component to the property, which they identified as a neighbourhood asset. They also supported the proposal to construct small parking ‘pods’ accessed from Fifth Street and Topaz Avenue.

They also indicated some concerns:

- The streets surrounding the proposed development are already full of parked vehicles; many of these vehicles belong to residents of the 2835-2855 Quadra Street apartments, who park on the street as it is more convenient to their units than is the parking lot at the south end of the property. While the proposed parking ‘pods’ would help address this problem, the addition of more units on the site might exacerbate it. Meeting participants discussed the potential expansion of the resident parking only restrictions.
- Parking on Fifth Street – particularly the on the 2700-block – is an issue with the Fifth Street Bar and Grill.
- The proposed parking plan does not address visitor parking; no visitor parking is provided.
- Some meeting participants expressed scepticism about the ability of Primex — even with screening, a no-car pledge, and car-share memberships—to ‘keep people from owning cars’ and to maintain the stated goal of 64 vehicles on-site.
- NAC notes that there would be no guarantee, should the property be sold in future, that the next owner would maintain the proposed parking alleviation measures.

Access to the Parking Lot

Many meeting participants asked why the plan proposes moving the entrance to the parking lot from Quadra Street to Fifth Street. They indicated that Fifth Street is already congested, in particular during the evening when patrons are arriving at and leaving from the Fifth Street Bar and Grill, and that the addition of traffic from the 2835-2855 Quadra Street apartments would create additional congestion on an already busy street. NAC notes, in addition, that Fifth Street is a signed bike route and is identified as part of the Biketoria network.

Meeting participants also identified positive reasons for maintaining the Quadra Street entrance – including the desire to calm traffic on this block of Quadra Street. Residents of 2757 Quadra – the building to the south of 2835-2855 Quadra Street – noted that the entrance to their underground parking lot is directly off Quadra, and that the presence of the adjacent driveway of 2835-2855 Quadra Street gives them space in which to merge from their driveway safely onto Quadra Street. They suggested that if the Quadra entrance to 2835-2855 Quadra Street is closed, the City should restrict parking to the immediate north and south of the underground parkade entrance for 2757 Quadra.

The Hillside Quadra Neighbourhood Action Committee (NAC) therefore urges Council to apply the Highway Access Bylaw Amendment and maintain the existing access to the site from Quadra Street, should this proposal proceed.

Landscaping

Residents of 2757 Quadra – the condo building to the south of the property – expressed their desire that landscaping along the southern property line not block the light for ground floor units. They also expressed their preference for smaller trees in this location – as tree roots have the potential to damage the (new) underground parking garage membrane and retaining wall at 2757 Quadra.

Location of the Waste Facilities

The site plan indicated that the garbage cans and recycling facilities would be located along the southern fence line of the property. Residents of 2757 Quadra expressed concern that this would result in noise and smells for those living on the north side of their building. The proponents indicated they would look into options for these facilities.

Thank you for considering the views of the Hillside Quadra community in reviewing this rezoning and development proposal.

Sincerely,

Jenny Fraser
Co-Chair, Hillside-Quadra CALUC

cc. Eric Barker
Hillside-Quadra Neighbourhood Action Committee

MAR 28 2017

Planning & Development Department
Community Planning Division
Adept Transportation Solutions
 PLANNING AND ENGINEERING

March 15, 2017

Mr. Eric Barker, MAIBC
 727 Pandora Street
 Victoria, BC V8W1N9

SUBJECT: QUADRA VILLA 3 EXPANSION PROJECT TRANSPORTATION ASSESSMENT

Introduction

In 2012 a Transportation Impact Assessment report was prepared for a proposed development scenario that was similar to the project now under consideration for the subject site¹. The assessment found that the site was well served by transit, sidewalks and cycling facilities and was consistent with many policies and objectives set out in the City of Victoria's Official Community Plan (OCP).

The existing "Quadra Villa" rental apartment complex consists of 64 rental apartments including 32 - 2 bedroom and 32 - 3 bedroom units. The smallest units are approximately 830 ft². It is our understanding that the current development plan for the site is for the addition of 34 new units for a total of 98 units. Of the new units, it is planned to develop 12 - 2 bedroom, and 22 - 1 bedroom units. It is planned that there will be a total of 81 off-street parking spaces, including 16 new spaces in parking pods off Fifth Street and Topaz Avenue. Adept Transportation Solutions (Adept) has been engaged by the property owner to determine an appropriate off-street parking supply for the site and to recommend strategies to minimize the parking demand and traffic impacts in support of a Rezoning / Development Permit application.

The Site location is shown in **Figure 1** on the following page.

Traffic Impacts

Trip generation for the project was estimated using the Institute of Transportation Engineering Manual of Trip Generation Rates, 9th Edition. The existing apartments generate 400 vehicle trips per day (vpd) while the proposed new apartments will likely generate an additional 220 vpd. Since the existing driveway from the site to Fifth Street will remain closed, there will be

¹ Bunt & Associates Engineering Ltd, Quadra Villa Site Upgrade & Expansion Project – Updated Parking Demand & Fifth Street Traffic Impact Study, September 2012

very little new traffic on Local roads, as most traffic will be directly to or from Quadra Street. No mitigation is required.

Figure 1 Project Location



On-Street and Off-Street Parking

The current Off-Street Parking Bylaw has a requirement of 1.3 spaces / apartment unit, which includes visitor parking. Applying this rate would result in an additional 47 off-street parking supply being provided. It should be noted that the existing development has an off-street parking supply of 48 stalls, or 0.75 parking spaces per unit.

There is currently unrestricted on-street parallel parking along the north and east frontages of the site. On the north side, there is space for approximately 15 vehicles to park along the southern side of Topaz Avenue; with space for approximately 18 vehicles on the western side of Fifth Street for the section abutting the east side of the site.

Due to it being unrestricted parking along these street sections, the parking is heavily used during weekdays by drivers outside of the neighborhood, and during weekday evenings and weekends by residents of the immediate area. However, some spaces are still left available.

On and off-street parking was surveyed between 11 PM and midnight on March 1, 2017. Forty (40) of the forty eight (48) off-street parking spaces were occupied (0.62 parking spaces per unit). On-street parking on Topaz Avenue and Fifth Street (both sides) was also surveyed during a typical weekday. During the day, forty-two (42) vehicles were parked and fourteen (14) parking spaces were still available. Overnight, thirty-nine (39) vehicles were parked and seventeen (17) spaces were left available.

It was not possible to determine how many of the vehicles parked on-street belonged to residents of Quadra Villa. If one half of the parked vehicles belonged to residents, the effective demand for parking would be 0.9 spaces per unit.

The following Table 1: – Parking Rates: Zone Comparison lists City of Victoria bylaw parking requirements of some other zones on the fringe of the downtown core, relevant to the subject site, where the City has recognized the 'location' and 'unit size' factors in accepting reduced off-street parking rates.

Table 1: Parking Rates - Zone Comparison

PARKING RATES - ZONE COMPARISON			
Project data: Quadra Villa Apartment Expansion - 24 New Units			
Zoning	Name and Address	Comments	Parking Requirement
R3-G	Proposed Development - Quadra Villa Apartments	Standard Parking Requirement for this zone	1.3 stalls / unit
R-36	2860-80 Quadra Street	Across Quadra Street from Subject Site	1.2 stalls / strata unit
R3-2	2747-67 Quadra Street	Directly South of Subject Site	1.3 stalls / unit
R-57	834 Johnson Street	Johnson St. Residential District	65 stalls / unit - underground parking
CD-7	Cook Street Village	Between Oscar and Chapman St	
	Development Area 1 and 2 - studio unit		.75 stalls / unit
	Development Area 1 and 2 - one bedroom unit		1 stalls / unit
	Development Area 2 - live / work unit		1.4 stalls / unit
CD-9	Dockside - Tyee Road	Across Johnson Street Bridge North of Esquimalt Rd	
	affordable housing		0 stalls / unit
	live / work units		1.5 stalls / unit
	multiple residential > or = to 70 m2		1 stalls / unit
	multiple residential < 70 m2		.75 stalls / unit
	studio residential < 40m2		.5 stalls / unit
	seniors housing		.25 stalls / unit
	work / live units		2 stalls / unit
R3-NP	1025 North Park (Pacifica Housing TH)	Between Cook and Vancouver St	9 stalls / multiple dwelling unit
RK-15	Proposed 1040 North Park	Along Cook Street near Royal Athletic Park	55 stalls / unit

Data from other properties has shown similar, low vehicle ownership for small rental properties with good access to alternate travel choice options. The information shown in Table 2 is somewhat dated, but is still believed to be relevant.

Table 2: Vehicle Ownership at Selected Properties in Victoria²

Pertinent Resident Vehicle Ownership Data as at March 31, 2009 and July 31 2012						
Project data: Quadra Villa Apartment Expansion - 34 Total Units						
Location No. on Map	Name of Complex	Type of MFR Unit	Address / Area	Number of Units	Approximate No. of Vehicles Owned by	Vehicle Ownership Rate (vehicles)
1	Quadra Villa (based on tenancy 3 yrs ago)	Rental Apartments	2722 Fifth Street Subject Site: north-east corner of Quadra Street & Topaz Avenue	64	47	0.73
2	Edith Gunning Court	Rental Apartments	125 Wilson Street Adjacent to Victoria West Park & across from Westside Village	33	23	0.70
3	Evergreen Terrace (previously Blanshard Court)	Rental Apartments	Bounded by Hillside Avenue, Dowler Place and Blanshard Street	119	93	0.78
4	Seawind Corners	Rental Apartments	510 Dalton Street At intersection with Esquimalt Road west of Catherine Street	11	5	0.45
5	* Nottingham Court	Rental Apartments	1035 Cook Street across from Castle Building Supply / Cubban Apartment complex	70	47	0.67
6	n/a	CMHC Townhouse Complex Rental	1021 Caledonia Avenue across from Royal Athletic Park	14	6	0.43
Average Rental Vehicle Ownership Rate				Totals:	311.00	221.00
* Indicates the resident vehicle information for this site is not based on the ICBC data.						
7	The Highlander	Strata Ownership Condominiums	1039 Caledonia Avenue across from Royal Athletic Park	12	9	0.75

² Ibid, p 13

Transportation Demand Management (TDM)

In order to reduce tenant vehicle ownership, a number of TDM strategies are recommended:

One potential TDM measure to reduce parking demand is the use of car share programs which can be used to offset the need for residential parking stalls. Current research indicates an offset of up to 5 spaces / car share vehicle is common. In this case, two car share vehicles could allow a reduction in required parking spaces from the bylaw rate of 112 spaces to 102 spaces, of which two spaces would be designated car-share spaces. However, through discussion with the car-share service providers, it is preferable that the car-share vehicles be located on-street to enhance visibility and service awareness. If the city were to consider dedicating two (2) spaces along the site frontage for exclusive use by car-share vehicles, the resultant off-street parking supply requirement would be reduced to 100 spaces.

Quadra Street is identified as a **Frequent Transit Service** route in BC Transit's "Transit Future Plan". While Quadra Street currently exhibits very good transit service, the long-term vision is for improved service and enhanced connectivity to regional and inter-regional destinations. For this particular development project, we feel an additional reduction in parking demand of 10% is reasonable in acknowledgement of future transit service improvements. This equates to a reduction of 10 off-street parking spaces, for a total requirement of 90 spaces.

The City of Victoria is a strong advocate for reducing vehicle traffic, ownership and associated parking demand and are embarking on several new initiatives to promote cycling as a primary travel mode within the city. With the strong commitments to improved transit service, enhanced cycling facilities and amenities; we believe these actions should be accompanied by reduced off-street parking requirements.

The current City of Victoria parking bylaw for the subject site's R3-G Zone does not recognize the important effect that unit size and location has in a reduced 'parking demand' rate for MFR strata projects. The City is currently reviewing these bylaw requirements and it is anticipated that existing requirements may be altered to reflect current planning initiatives in the city and the broader region.

Our recent 'project specific' research findings have determined that a parking variance as per our recommendation is warranted for this project; a reduction in the current 1.3 stalls / unit rate down to 0.8 stalls/per unit.

The justification for our recommended parking variance is as follows:

- Compatibility with the off-street parking requirements of other established zones relevant to this site, i.e. 0.75 spaces per 'studio' unit and 1.0 spaces per one-bedroom unit for the CD-7 COOK STREET VILLAGE DISTRICT zone, and 0.5 (<40m²) / 0.75 (<70m²) / 1.0 (>or =70m²) spaces per unit for the CD-9 DOCKSIDE GREEN DISTRICT in the 'North Harbour' area of Vic West.
- the smaller unit sizes of the subject project with the associated more affordable housing costs;
- proximity to the Quadra Village and Mayfair Shopping Centre (i.e. adjacent to numerous amenities) & relative proximity to the downtown area;

- well serviced by public transit and pedestrian / cycling infrastructure;
- the proposal includes provision of secure, weather protected bicycle parking;
- the rental units are likely mainly to be occupied by one or two people, many of whom may choose not to own an automobile;
- compatibility with the City of Victoria and the CRD adopted strategies for encouraging travel modes other than the automobile; and,
- the reduction in 'parking demand' afforded by implementation of our recommended TDM measures.

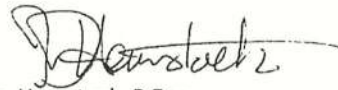
We trust this memo provides sufficient information for future discussions with City of Victoria planning and engineering staff regarding parking and access options for your proposed development site.

Yours truly,

Adept Transportation Solutions



Wayne Gibson, CTech
Principal

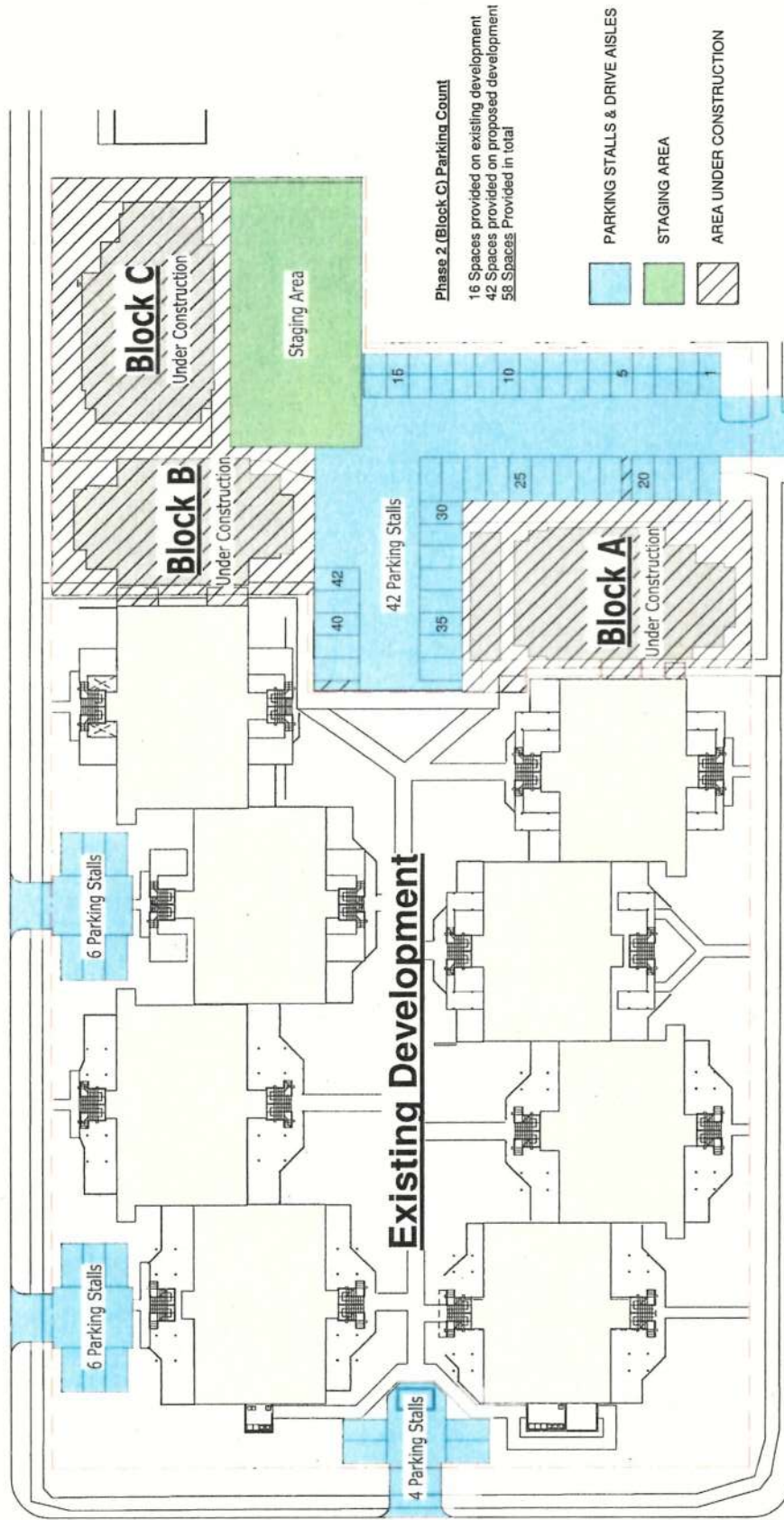


Jim Hemstock, P.Eng,
Senior Transportation Engineer


FIFTH STREET

TOPAZ AVENUE

QUADRA STREET



① Site Plan - Parking (Const. A, B & C)
1 : 500

 ERIC BARKER ARCHITECT INC. www.ericbarkerarchitect.com	727 Pandora Ave. Victoria, BC V8W 1Y9 Ph: (250) 385 4565	Quadra Villa	Parking - No Phasing			
			Date	Nov 16, 2016	Project No.	201516
			No.	Description	Date	
			15	Parking Layout Update	Aug 4, 2017	

A002

A002

**MINUTES OF THE
ADVISORY DESIGN PANEL MEETING
HELD WEDNESDAY MAY 31, 2017 AT 12:00 P.M.**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:05 P.M.

Panel Members Present: Christopher Rowe; Justin Gammon; Cynthia Hildebrand; Patricia Graham; Jesse Garlick; Erica Sangster; Mike Miller

Absent: Ann Katherine Murphy; Renée Lussier

Staff Present: Mike Angrove, Planner
Charlotte Wain, Senior Planner
Noraye Fjeldstad - Secretary, Advisory Design Panel

2. APPLICATIONS

2.1 Development Permit No. 000490 and Rezoning Application No. 000549 for 2813–2887 Quadra Street, 2814–2890 Fifth Street and 2780/82 Fifth Street

The City is considering a rezoning and development permit application to permit construction of 33 new residential units to be located within three new buildings on an existing parking lot.

Applicant Meeting attendees:

ERIC BARKER
CAROLE ROSSELL

ERIC BARKER ARCHITECT INC.
SMALL AND ROSSELL LANDSCAPE
ARCHITECTS

Mr. Angrove provided the Panel with a brief introduction of the Application and the areas that Council is seeking advice on, including the following:

- the transition along Fifth Street
- the integration of the new project with the existing development
- the Quadra Street frontage and the pedestrian experience
- the design of the pathway through the site.

Eric Barker provided the panel with a detailed presentation of the site and context of the proposal, and Carole Rossell provided the Panel with a detailed presentation of the landscape plan proposal.

The Panel discussed the following:

Security and Safety:

- The project would benefit from a CPTED review. The project requires eyes on any areas that do not have overlook from residents, including interior spaces, patios, blocks facing the parking lot and walkways.
- There is an opportunity to open the proposed enclosed stairwells to improve transparency.

Underground Parking

- The Architect noted that underground parking was not an option due to poor soil structure. As such, wood frame construction was required thus limiting the height and massing.

Landscaping

- Pathway through site is not intuitive for users and people may walk straight through parking lot. Desired walkway will be between block B and C. Consideration could be given to make the walkway through block A and B a private walkway.
- For the extension of the green space and central walkway, consideration of a different paving type was suggested.
- The fencing location was also discussed and the Applicants indicated that the fencing was in areas of high visibility to direct pedestrian movement and to provide privacy.
- It was suggested that the planters and fence could be combined.
- It was also suggested that the planters or more plant material be placed in front of the fence along Quadra Street to soften the fencing. Different materials and height for the fence was discussed.
- With respect to the existing project, the large asphalt area is an existing basketball court and will be kept.
- The proposal would benefit from planting more trees along the building and along the south side of block A to soften landscape and provide relief from parking.
- Generally the landscaping is well done and could be enlarged to create more landscaping closer to sidewalk. Landscaping could be used to draw attention to entrance areas.

Parking and parking layout

- For blocks A and C, will a curb be installed to protect patios from car parking? Applicants noted that most likely the curb will be integrated into the concrete.
- It would be beneficial to explore opportunities for making the parking area adjacent to the courtyard integrate better with the common area of the existing development.
- Consider adding handicap stalls.
- The planner clarified that neighbours are concerned about parking and traffic on Fifth Street and support the added stalls within the development.

Design and Layout

- The elevation and transition between the proposal and adjacent house was discussed and it was felt that a different roof line would be appropriate (e.g. gull wing).
- The stepping back / siting of Blocks B and C works well.
- The stairs seem generous within Block A and some of the bedrooms are small. The architect noted that the stairs look generous because there is a ramp for bike storage, which took away from floor space in the units.
- A greater setback for Block A from Quadra Street or a front porch feature could be considered. The applicant noted that the entrances to the units are not on Quadra Street because of the high volume of vehicle traffic.
- With respect to the integration of new project and existing developing, the stairs of existing development do not match the stairs of the proposal.

Action:

It was moved by Justin Gammon, seconded by Jesse Garlick, that the Advisory Design Panel recommend to Council that Development Permit Application No. 000490 and Rezoning Application No. 00549 be approved as proposed with the following recommendations:

1. Review the CPTED principles with particular attention to the proposed pathways, massing and material of the stairs, the interior corridor of the building off the northern pathway, the transparency of the main stairs, links to greenspace, and walkways between buildings.
2. Consider buffer between parking and trees, and creating a softer transition to the greenspace.
3. Consider parking configuration and pedestrian movement.
4. Consider street frontages on Quadra Street (consider fencing options) and the transition (roofline and glazing) to the single-family dwelling adjacent to the proposal.

CARRIED UNANIMOUSLY

2. Advisory Design Panel Membership

The membership requirements were discussed. An architect (AIBC) and an alternative are required to fill a vacancy. The participation is subject to review by AIBC and the City. A landscape architect is also required.

The terms of Cynthia Hildebrand, Mike Miller, Ann Katherine Murphy and Chris Rowe are expired. They can't reapply for the current term.

The next term will be 18 months, and may change to 2 years in the future, depending on the results of a review of the structure.

3. ADJOURNMENT

The Advisory Design Panel meeting of May 31, 2017 adjourned at 1:35 pm.

Jesse Garlick, Chair

From: Derek [REDACTED]
Sent: Friday, September 9, 2016 7:57 PM
To: Councillors <Councillors@victoria.ca>
Cc: KfD [REDACTED]
Subject: Quadra Villa rental apartment expansion

Hi Councillors,

I attended the Quadra Neighbourhood Action Committee meeting regarding Quadra Villa proposal for 3 new rental buildings on 7 September. There was a presentation of the details by the architect Eric. Barker.

I live at 2816 Graham and we will see this new development over our back fence and the house that fronts Fifth.

I am generally supportive of the proposal and am glad they will be rental. I do feel that the tall 3 storey form that will front Fifth is too tall and should be limited to 2 storeys. I am referring specifically to the building that will replace the duplex on the duplex zoned lot that the developer purchased and hopes to rezone to match the larger adjacent site.

This is too steep a density transition to place a 12 unit building on a former duplex zoned lot. I think a fair compromise would be to limit this building to 2 storeys or 8 units.

This will also mean that the building will not block the western sun from our back yard which is a serious concern of ours.

I hope you will take my comments in mind when reviewing this project. Rental buildings should be encouraged but density transitions to less dense zones need to be respectful.

Regards,
Derek Breen
[REDACTED]

From: Andria Li [mailto:andria@thehatcherylabs.com]
Sent: Friday, September 30, 2016 4:09 PM
To: Councillors
Subject: 2835-2865 Quadra Street

Dear Councillors,

As an owner and resident on the 2700 block of Fifth Street, I'd like to stress the importance of **mandating underground parking for the proposed development at 2835-2865 Quadra Street**. This is the only way that this development will work for local residents.

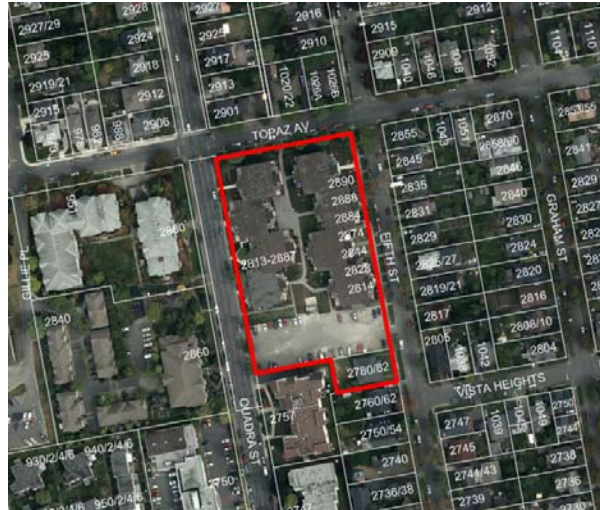
On a daily basis, we already struggle to be able to park in front of our house (sometimes not even being able to park on our own block). The parking problem on Fifth Street already needs to be addressed, and changes must be made. To add a further load to this situation would be absolutely unacceptable. And the load would be very substantial were this development to be approved without the addition of underground parking in the plans.

Thank you for your time. I understand that this concern has also been passed on through the local Neighbourhood Action Group, and I only wish to further emphasize how unworkable the proposed plans are from our perspective.

Sincerely,

Andria Li
Director, Strategic Services
The Hatchery [Creative Labs] Inc.

Air photo



Quadra Villa



Quadra Villa – under renovation



Quadra Villa Changes to interior court yard



Quadra Street Context



Quadra Villa parking lot Area of redevelopment





Fifth Street General neighbourhood context



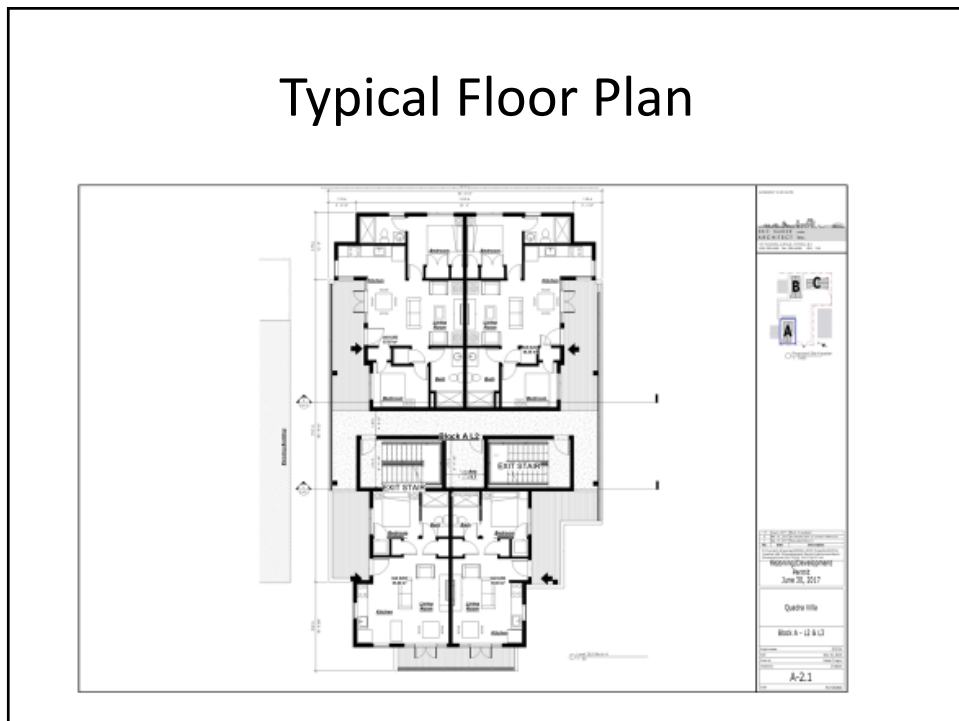
Fifth Street – Transition Adjacent property







Typical Floor Plan



Parking Considerations

Parking restrictions Fifth Street



Unrestricted parking Fifth and Topaz



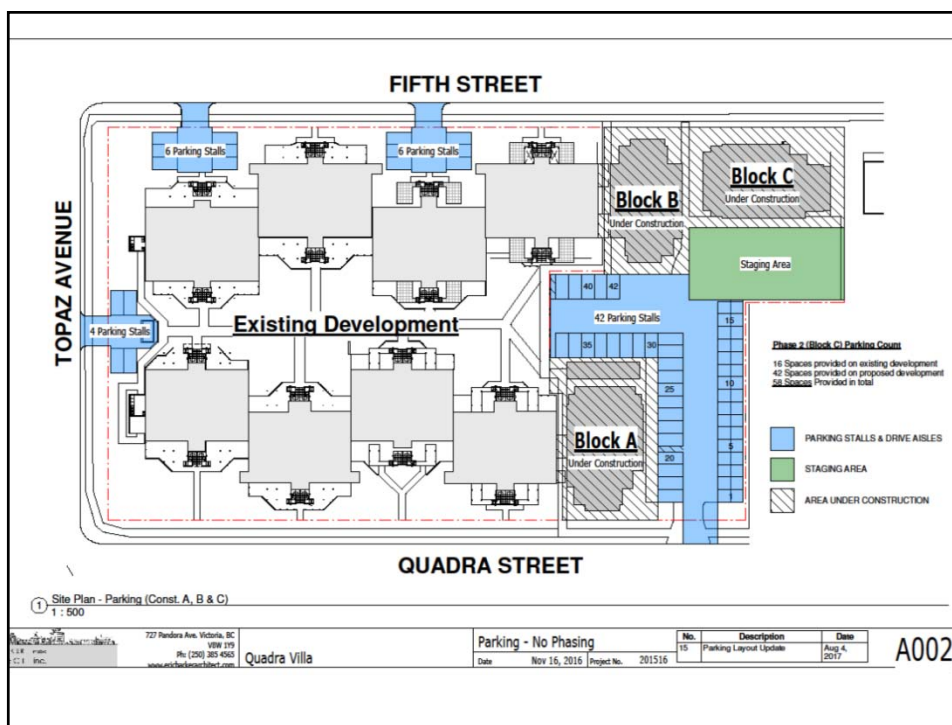
Parking lot locations on Fifth Street



Parking lot location on Topaz



Car share - Modo

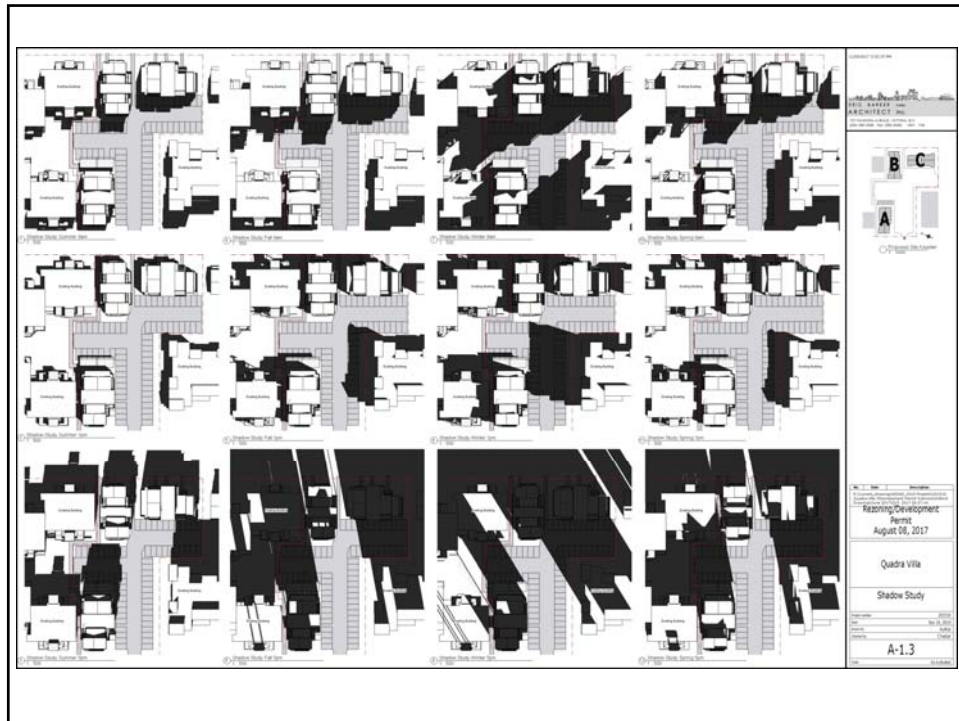


Summary

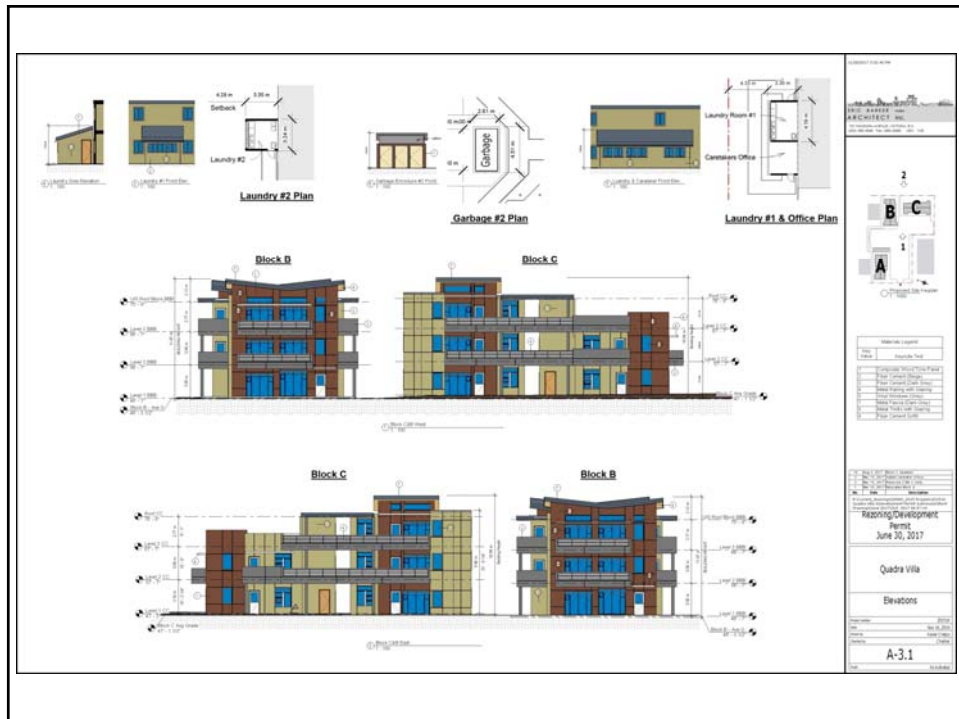


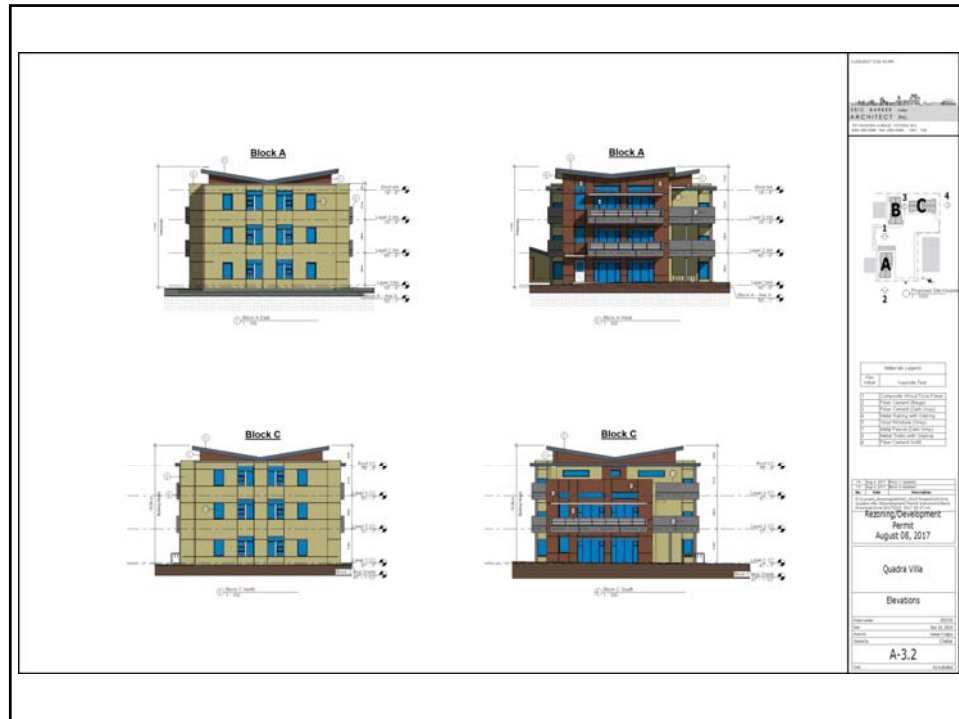


Shadow Study

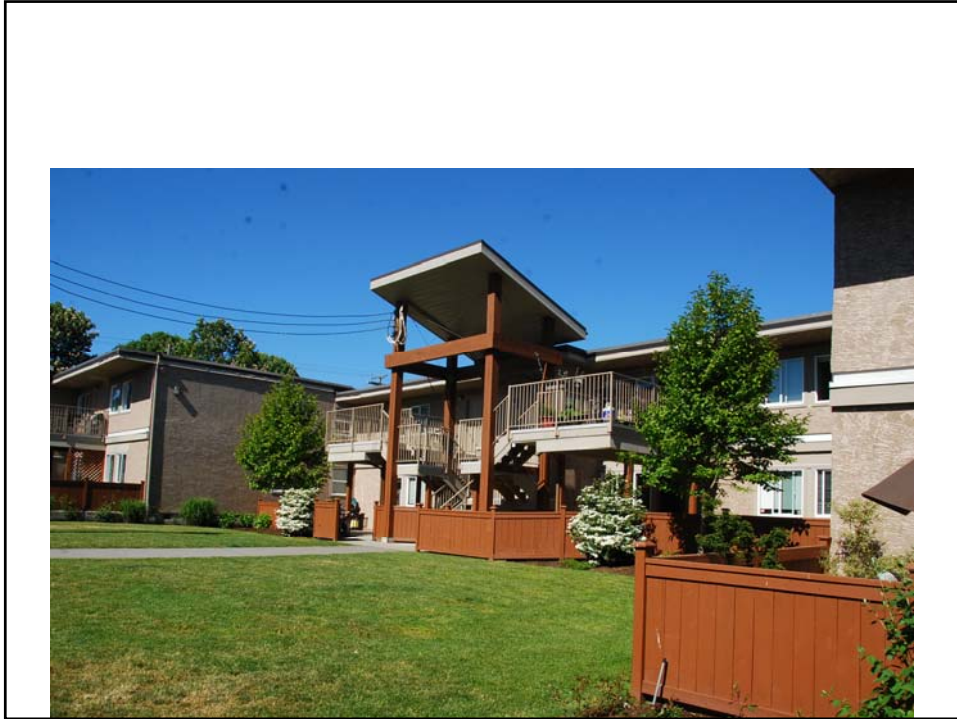


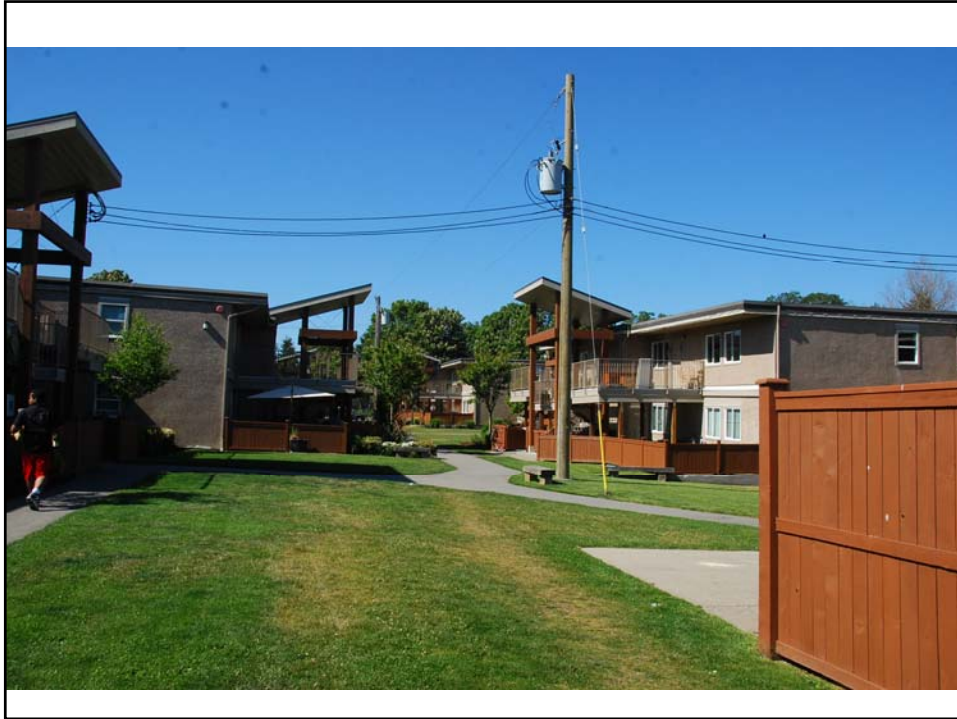
Building elevations

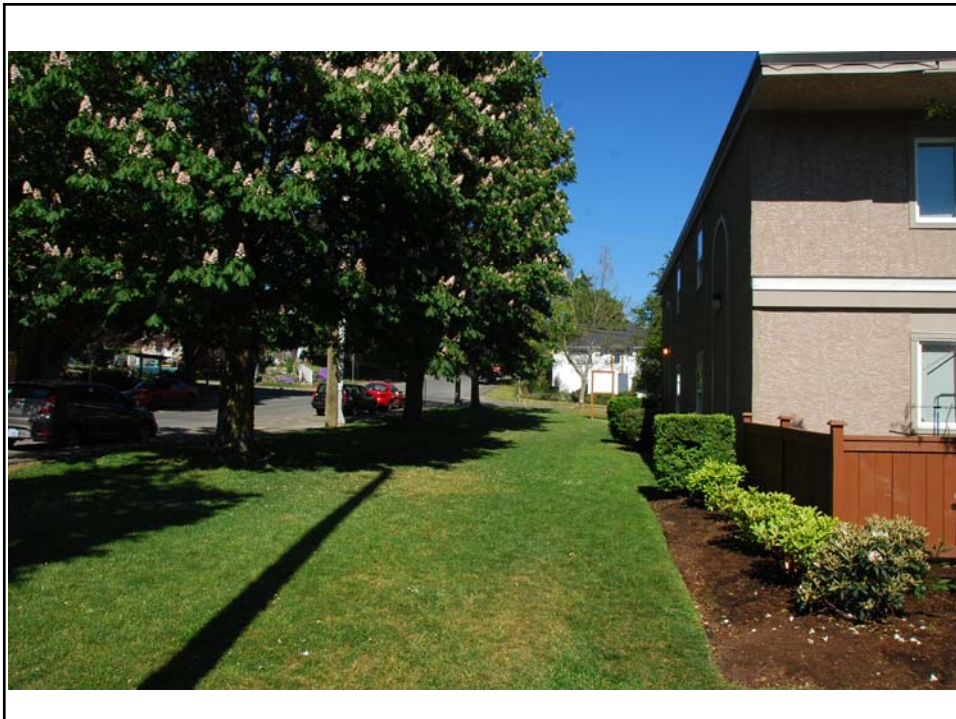
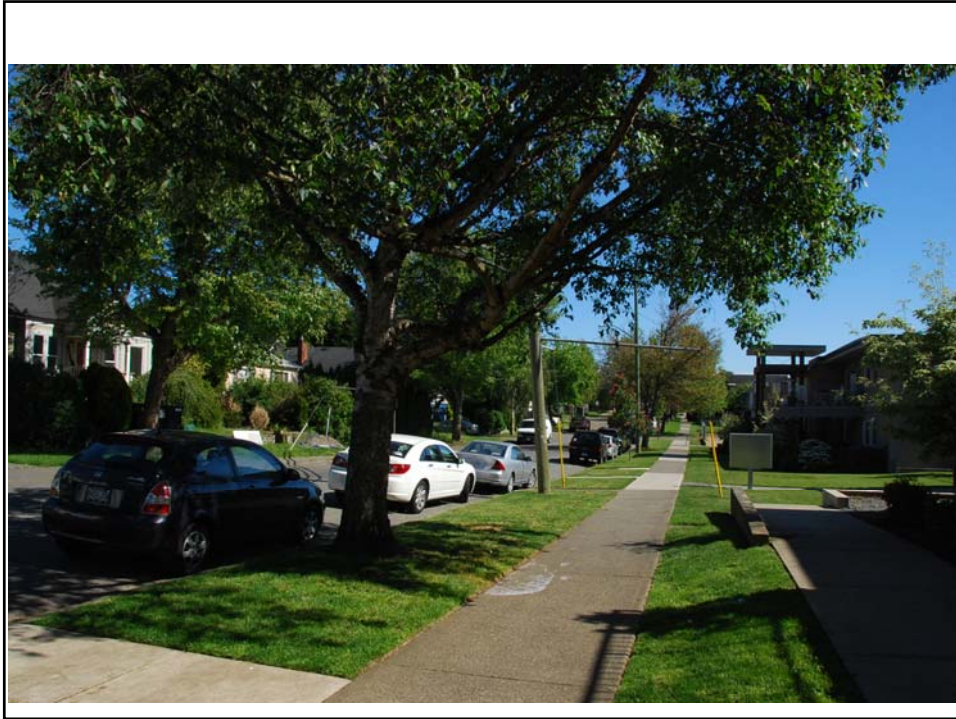




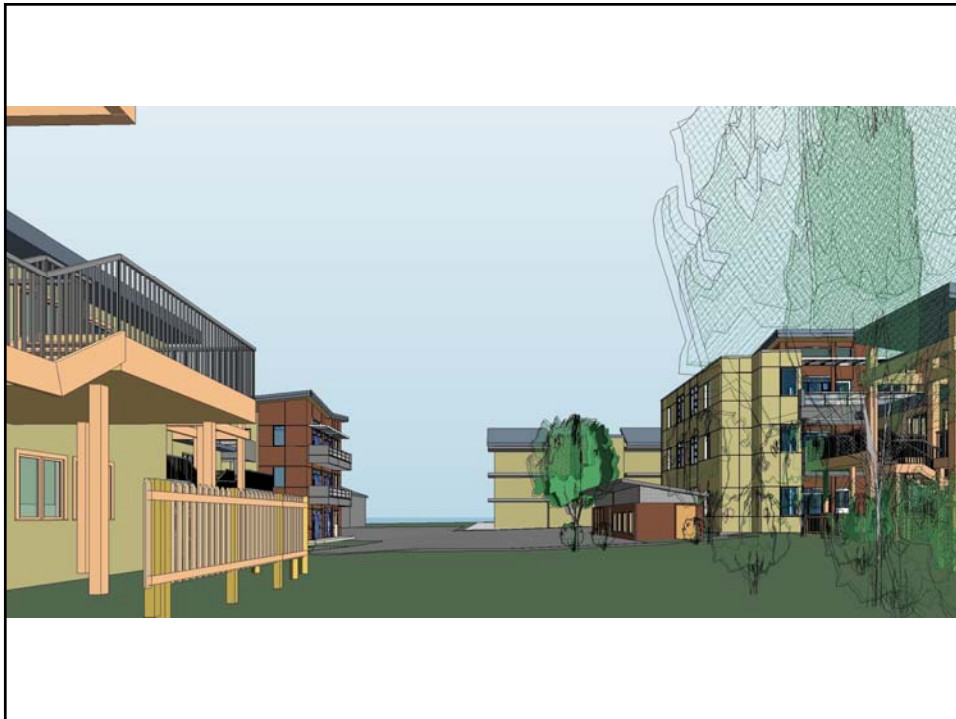
More site photos







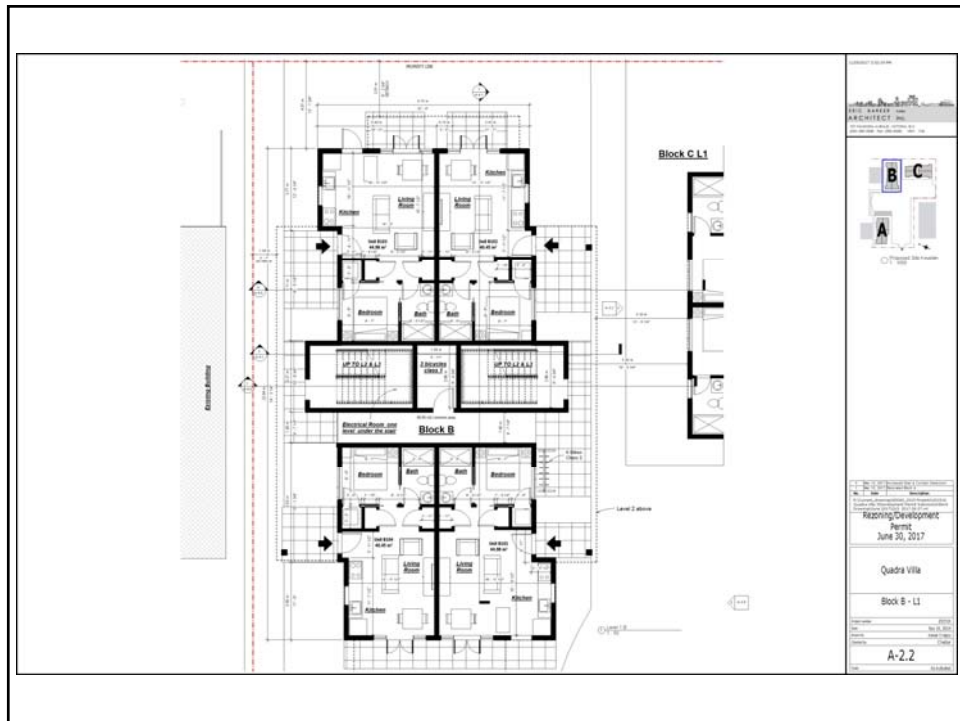
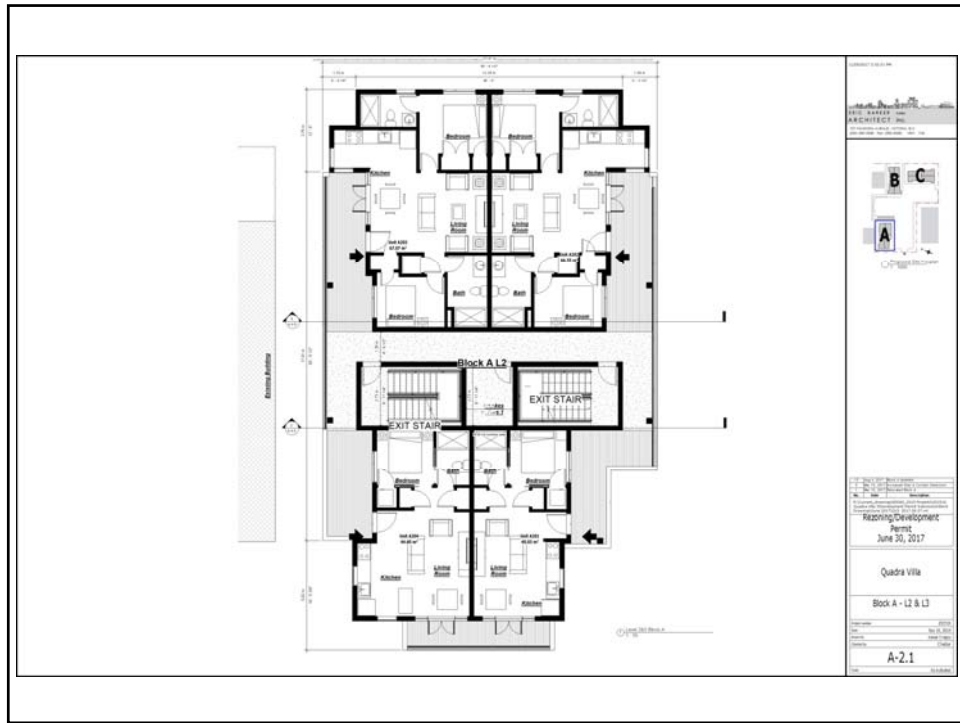
Architectural images

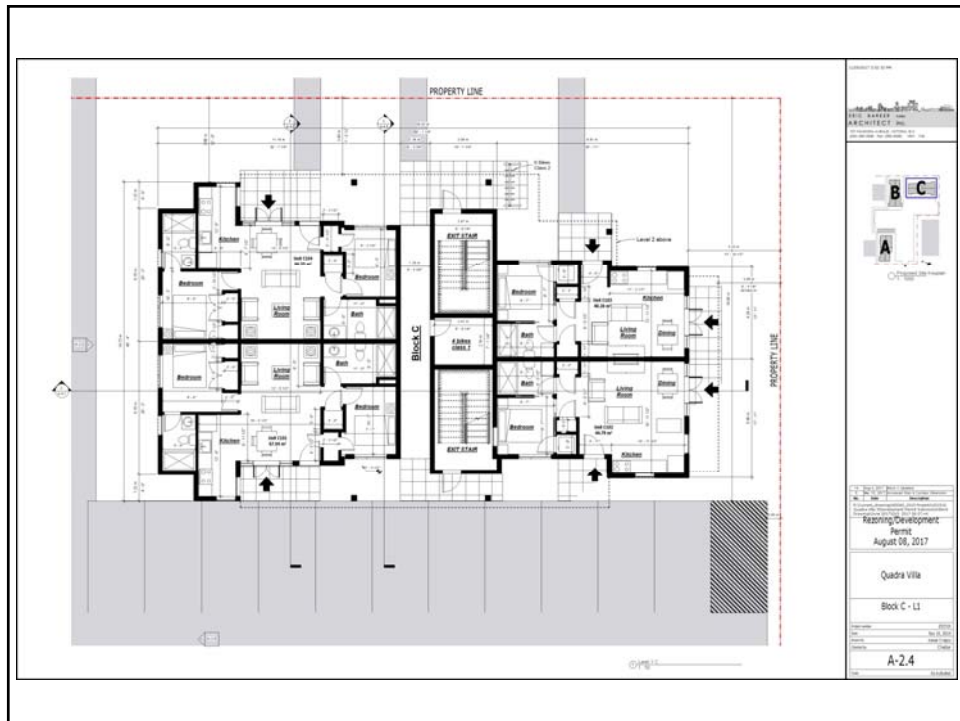
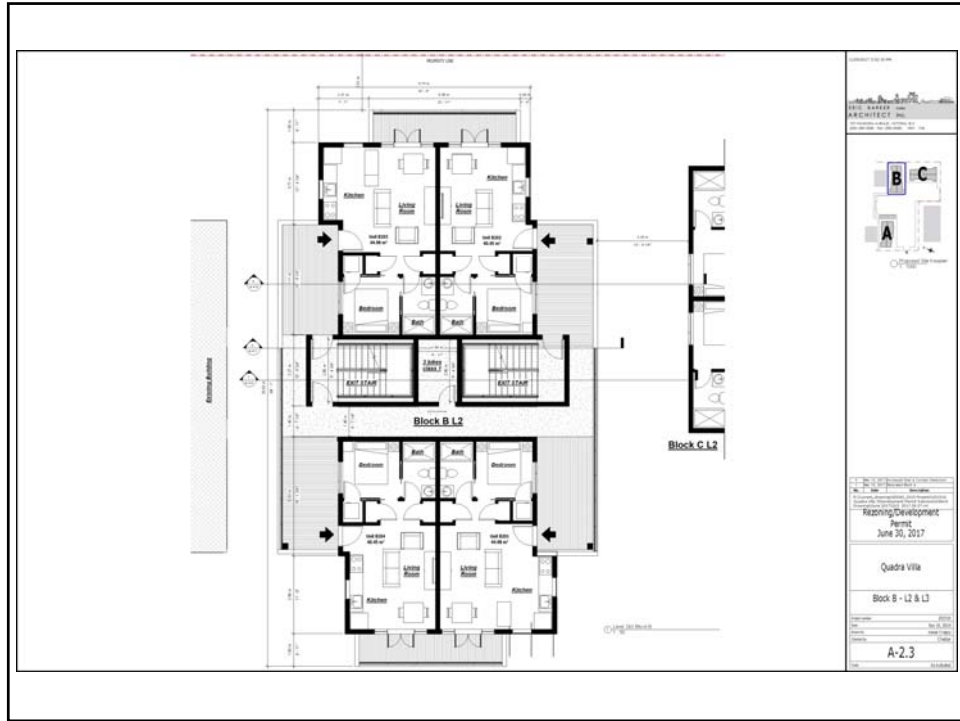


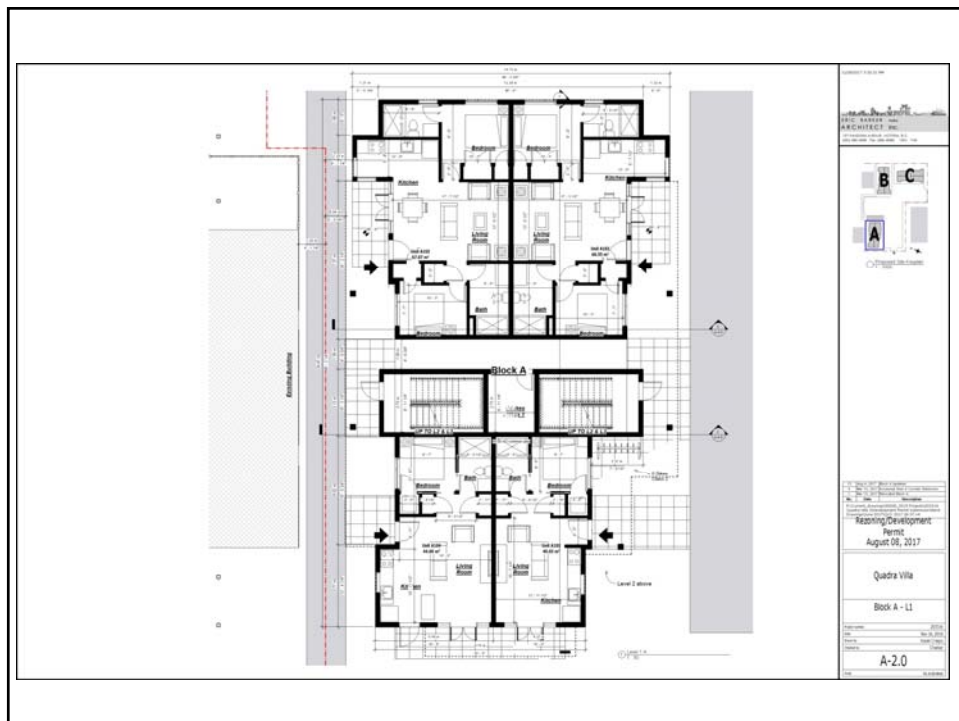
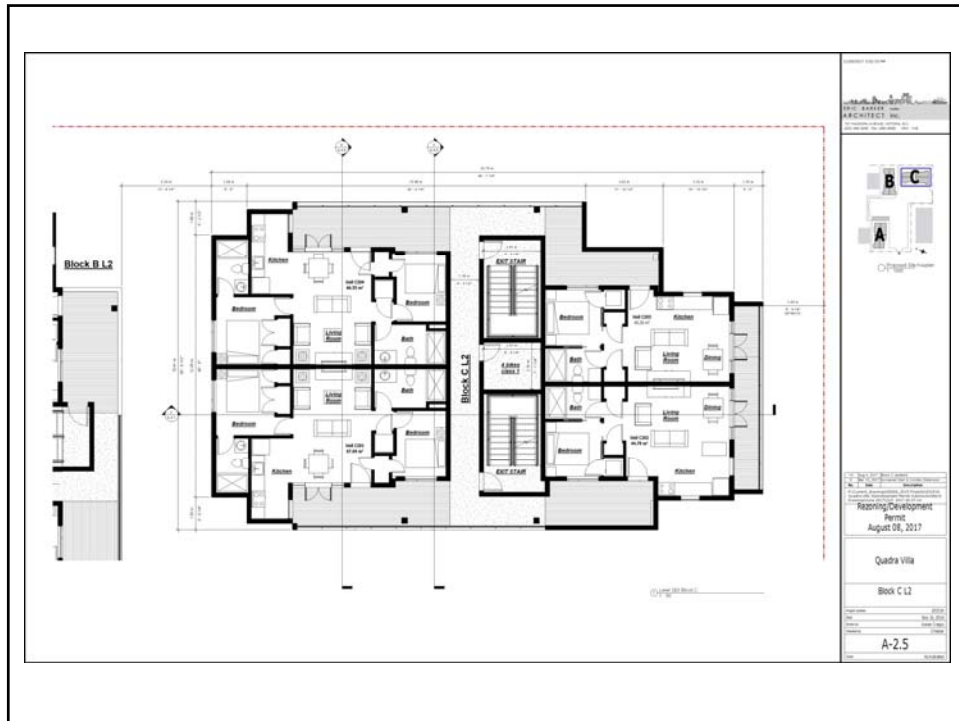












REPORTS OF COMMITTEES

2. Committee of the Whole – December 14, 2017

11. Rezoning Application No. 00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas:

Rezoning Application No. 00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity. And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:

A site-specific zone be drafted to allow the following changes:

1. Limiting development to the current existing situation for a maximum of 64 units.
2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project lot, subject to the registration of an easement and a Section 219 covenant
4. Additional floor area allowance for two laundry rooms and a caretaker's office.
5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.

5. LAND USE MATTERS

5.5 Rezoning Application No.00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Committee received reports dated November 27, 2017, from the Director of Sustainable Planning and Community Development regarding an application to retain the existing rental townhouse development (Quadra Villa) and redevelop the parking lot and adjacent lot at 2780/82 Fifth Street for a 34-unit multiple-dwelling project (rental units).

Motion:

It was moved by Councillor Isitt, seconded by Councillor Alto:

Rezoning Application No.00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.

And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:

A site-specific zone be drafted to allow the following changes:

1. Limiting development to the current existing situation for a maximum of 64 units.
2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project

lot, subject to the registration of an easement and a Section 219 covenant

4. Additional floor area allowance for two laundry rooms and a caretaker's office.
5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The Development Permit lapsing two years from the date of this resolution.

Committee discussed:

- Urban design standards and the proposed surface parking.

CARRIED UNANIMOUSLY 17/COTW

Committee of the Whole Report

For the Meeting of December 14, 2017

To: Committee of the Whole **Date:** November 27, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Permit Application No. 000490 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street

RECOMMENDATION

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for for 2813 – 2887 Quadra Street and 2814 – 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The Development Permit lapsing two years from the date of this resolution.

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street. The proposal is to redevelop the parking lot and adjacent lot at 2780/82 Fifth Street for a 34 unit multiple-dwelling project. The existing buildings (Quadra Villa) do not form part of this report as a development permit is not required for the existing structures, and at this time only requires rezoning. The small accessory buildings proposed on the site (laundry room, caretaker's office) will be processed as Delegated Development Permits.

The proposed development is generally consistent with the objectives of Development Permit Area 16, which seeks to integrate multi-unit residential buildings in a manner that is complementary to an established neighbourhood. Other objectives include enhancing character and streetscapes through high-quality architecture, landscape and urban design; and to achieve more liveable environments through considerations for human-scaled design, quality of open spaces, privacy impacts, safety and accessibility.

The parking variance associated with this application is addressed through the zoning requirements and legal agreements. (Refer to the Rezoning Report.)

BACKGROUND

Description of Proposal

The proposal is to retain the existing Quadra Villa rental development and redevelop the existing parking lot and adjacent lot at 2780/82 Fifth Street for a 34 unit multiple-dwelling project. The unit sizes range from 400 sq. ft. to 700 sq. ft. with a mix of one and two bedroom units. The proposed site plan, architecture and landscape design include the following details:

- mid-rise building form consisting of contemporary architectural features
- exterior building materials consisting of composite wood tone panel, fiber cement and fiber cement soffit, metal railings with glazing, vinyl window, metal fascia, metal trellis with glazing, aluminium railing, and cedar boards
- shared surface parking, mainly on the proposed development
- individual at-grade entrances for the ground floor units
- pedestrian access from Quadra Street, Fifth Street, and throughout the site
- landscaping mainly around the perimeter of the site.

Data Table

An asterisk (*) is used to identify where the proposal is less stringent than a standard multiple dwelling zone (Traditional Residential Multiple Dwelling District). Note that a site-specific zone will be created, which will incorporate the variances.

Zoning Criteria	Proposal	Zone Standard RTM Zone
Site area (m ²) - min.	3578	920
Total floor area (m ²) - max.	1982	3578 Based on FSR
Density (Floor Space Ratio) - max.	0.56:1	1:1

Height (m) - max.	Block A – 11.15* Block B – 11.07* Block C – 10.94*	10.5
Site coverage (%) - max.	31%	50
Open site space (%) - min.	18*	30
Storeys - max.	3	3
Setbacks (m) – minimum		
Front – Quadra- building face	3.22* Note 1	6.0
Front- Quadra - balcony	1.87* Note 1	6.0
Rear – Fifth – building face	3.86*	4.0
Rear – Fifth - balcony	2.51*	4.0
Side (south) – building face	4.20*	4.0
Side (south) - balcony	2.85*	4.0
Side (north) – building face	1.25*	4.0
Side (north) - balcony	0.94*	4.0
Parking stalls - min.	65	44 See Appendix 1
Visitor parking - min.	8	4
Bicycle storage (Class 1) - min.	57	34
Bicycle rack (Class 2) - min.	3 – 6 space racks	3 – 6 space racks

Sustainability Features

No specific building sustainability features have been identified.

ANALYSIS

Consistency with Design Guidelines

Design Guidelines that apply to this development are:

- *Multi-Unit Residential, Commercial and Industrial Guidelines (2012)*
- *Advisory Design Guidelines for Buildings, Signs and Awnings (2006)*
- *Guidelines for Fences, Gates and Shutters (2010).*

Design Guidelines for Multi-Unit Residential, Commercial and Industrial

The Multi-Unit Residential, Commercial and Industrial guidelines are the main applicable design guidelines for this project. These guidelines are intended to promote new developments that result in design excellence and livability; and contribute to a sense of place and urbanism that is responsive to Victoria's context, while enabling flexibility and fostering creativity.

The objectives of the designation are to integrate multi-unit residential buildings in a manner that is complementary to an established neighbourhood. Other objectives include enhancing character and streetscapes through high-quality architecture, landscape and urban design. As well, to achieve more liveable environments through considerations for human-scaled design, quality of open spaces, privacy impact, safety and accessibility.

With respect to context and transition, the transition of building form and height is appropriate for the current adjacent land uses. In addition, the OCP does contemplate a full range of building forms and uses from ground-oriented multi-unit residential to mid-rise multi-unit residential. The concept of a number of buildings, as opposed to a solid street wall, creates a similar pattern of development to Quadra Villa. The buildings provide a coherent expression, with similarities in balcony projections, rooflines and fenestration.

The streetscape relationship adds variety to Quadra Street, with the introduction of front yard landscaping, fencing and unit openings overlooking the street. It is noted that staff will seek to refine this relationship with the architect prior to the issuance of any building permits for the new project to create a greater separation from the units to Quadra Street. The architect has indicated that there is potential to increase this setback from Quadra Street

The exterior building siding materials feature composite wood tone panel, fiber cement and fiber cement soffit, metal railings with glazing, vinyl window, metal fascia, and metal trellis with glazing and aluminium railings. The choice of materials will introduce more modern materials, adding to the variety in the streetscape, and distinguishing this project from the adjacent developments.

The balconies and entrances along both street frontages create a direct relationship to the street and add to the sense of safety with potential activity and overlook.

Transition along Fifth Street

With respect to context and transition, the transition of building form and height is generally appropriate with current adjacent land uses. In addition, the OCP does contemplate a full range of building forms and uses from ground-oriented multi-unit residential to mid-rise multi-unit residential. The applicant has proposed stepping down Block C from three storeys to two storeys where it abuts the single-family dwelling to the south of the subject property on Fifth Street.

Integration of the New Project with the Existing Development

The exterior building materials feature galvanized siding and metal railings, introducing more modern materials, and thus, adding to the variety in the streetscape and distinguishing this project from the adjacent developments. The concept of a number of buildings as opposed to a solid street wall, and of the exterior entrances to each unit, creates a similar pattern of development to the adjacent Quadra Villa.

The proposed public walkway on private land increases the connectivity to the street and neighbourhood; however, at times the walkway doglegs around the surface parking lot, when the desire for pedestrians will be to cut across the parking lot. The architect has provided a CPTED analysis (attached) and the findings are discussed in the Advisory Design Panel Section of this report.

Quadra Street frontage and Pedestrian Experience

The streetscape relationship adds variety to Quadra Street, with the introduction of front yard landscaping and unit openings overlooking the street. The balconies and entrances along both street frontages create a relationship to the street and add to the sense of safety with potential activity and overlook; however, the entrances to each ground floor unit could benefit from a greater degree of definition with the potential for direct pedestrian access off Quadra Street.

The prominence of the entrances to the units is addressed in the Advisory Design Panel Section of this report.

The landscape plan indicates three different types and heights of fences. A cedar board fence is proposed for the Quadra Street frontage and the south property line, while aluminium railings are proposed for the Fifth Street frontage and around patios.

Advisory Design Panel

The Advisory Design Panel reviewed this application on May 31, 2017. A copy of the minutes from this meeting are attached. The Advisory Design Panel (ADP) was asked to comment on the overall design with particular attention to the street relationship, massing, character and overall landscaping improvements.

In response to the ADP comments, the applicant made a number of changes that are referenced in the CPTED analysis. The analysis indicated that the structure of the space should not create any dead-end entrapment areas as there are a number of linkage opportunities and sufficient eyes on the public and semi-private spaces. The pedestrian paths that did not meet this criteria will be secured (key gate for residents) and more lighting will be added.

It was noted that the entrances to the units could be more prominent. The architect has indicated that a small horizontal roof element over the front doors can highlight the entries. This design approach, along with attention to lighting, colour selection and landscaping, will serve to address this issue.

In addition, changes to the landscape plan include softening of the Quadra Street frontage with the addition of more trees and shrubs and changing the fencing in this location.

CONCLUSIONS


The proposed development is generally consistent with the objectives of Development Permit Area 16, which seeks to integrate multi-unit residential buildings in a manner that is complementary to an established neighbourhood. The proposed buildings represent an appropriate fit in the immediate and general context. The applicant has generally addressed the items discussed by the Advisory Design Panel to further enhance the development.

ALTERNATE MOTION

That Council decline Development Permit Application No. 000490 for the property located at 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street.


Respectfully submitted,


Lucina Baryluk
Development Services


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


Dec 7, 2017

List of Attachments:

- Attachment A - Subject Map
- Attachment B - Aerial Map
- Attachment C -Plans dated August 8, 2017
- Attachment D - Letter from applicant to Mayor and Council dated September 29, 2017
- Attachment E - Architect's CPTED Analysis dated July 20, 2017
- Attachment F - Community Association Land Use Committee Comments dated March 2, 2016 and October 4, 2016
- Attachment G - Adept Transportation Solutions Report dated March 15, 2017
- Attachment H - Interim Parking Plan (Plan A002) provided by Architect
- Attachment I - Advisory Design Panel Minutes of May 31, 2017
- Attachment J - Correspondence (Letters received from residents)

Pamela Martin

From: Michael Crowe [REDACTED]
Sent: July 16, 2018 5:21 PM
To: Public Hearings
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1144 & 1145)

My only concern with this development remains that it should provide ample off street parking. The area is already highly congested.

Michael Crowe, GBA – Principal Consultant
ADVANTAGE BENEFITS PLUS INC.
206 – 2750 Quadra Street
Victoria, BC V8T 4E8
Phone: [REDACTED]
Fax: (250) 380-6030
Toll Free: 1 (866) 380-1990
www.benefits.bc.ca

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Pamela Martin

From: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Sent: July 18, 2018 1:09 PM
To: Public Hearings
Subject: FW: I want to support the project on 2566 / 2570 / 2580 Fifth Street

From: Brandon Djordjevich [REDACTED]
Sent: Wednesday, July 18, 2018 11:38 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: I want to support the project on 2566 / 2570 / 2580 Fifth Street

Dear Mayor and Council,

I am writing you to show my support for the development proposal at 2566 / 2570 / 2580 Fifth Street.

Sincerely,

Brandon Djordjevich

310 Skinner St, Victoria, BC, V9A3B4

Sent from TalktoAryze.ca, talk@talktoaryze.ca

Alicia Ferguson

From: Public Hearings
Subject: RE: City Council Meeting

From: James Fry
Sent: July 23, 2018 11:09 AM
To: Public Hearings <PublicHearings@victoria.ca>
Subject: City Council Meeting

Re: The Proposed Development at 2813-2887 Quadra Street, 2814-2890 Fifth Street and 2780/82 Fifth Street.

To whom it may concern,

As a homeowner in the immediate vicinity of the proposed development, I would like it known that I strongly oppose the project.

The area north of Hillside is a residential, low density neighbourhood and should stay that way.

People, like myself, choose to buy in this area because it is not over developed. We like the family-friendly neighbourhood environment afforded by lower density housing.

If we continue to stretch the definitions and modify the zoning in these types of areas by forever increasing the heights, sizes and density of buildings, we will end up with a place no one wants to live in. This is what happened to the West-End of Vancouver. This is what happened to LA. Let's not have this happen in every residential neighbourhood in Victoria.

An infinite growth model is unsustainable. How much is too much? Where are the limits? When will we say, this is dense enough?

Please do not allow this development to ruin the neighbourhood.

Thank you,

James Fry and Virginia SmallFry
2808/2810 Graham Street,
Victoria, BC

PRIMEX INVESTMENTS LTD
330-1639 WEST 2ND AVE
VANCOUVER, BC
V6J 1H3

July 23, 2018

To: Victoria City Council

Re: Quadra Village Apartments rezoning application

I would like to take this opportunity to summarize the initiatives we have taken to date and steps we are prepared to take going forward to alleviate the impact of our current and proposed development on parking in the surrounding area.

When we purchased the Quadra Village Apartments in 2014, there were 79 vehicles owned or operated by residents of the 64 units. 29 of these cars were parked on Fifth Street or Topaz. Starting in the fall of 2015, we began an effort to reduce the parking burden of the existing units by screening new tenants for car ownership. Specifically, we had some new residents sign a pledge indicating they did not own and would not own or operate a vehicle in the area while residing at the property.

Within one year, these efforts produced a reduction in the number of cars associated with residents of Quadra Village Apartments from 79 to 55, with the number of our resident's cars parked on Topaz and Fifth Street down from 29 to 21. Also, in advance of our proposed development, we now have one Modo car share vehicle in our lot available for use by tenants.

This experience gives us comfort that we can sustain a reduced level of parking going forward. We are therefore prepared to make a binding commitment to this effect. Specifically, we will commit to two initiatives formalized through a ten-year covenant:

1. Future residential tenancy agreements for all 98 units will contain an amendment restricting residents from parking within a five-block radius of the property other than in designated spots in on-site parking lots; and
2. At all times, 17 of 98 units (representing half of the new units) will be leased to tenants with no vehicles at an anticipated \$50-75 discount to monthly market rent. This restriction would also be implemented through an amendment to the residential tenancy agreement.

With 81 off-street parking spots available (plus two for car share), these efforts would have the effect of providing one stall for the existing 64 units and 17 spots for the 34 new units – in effect providing one parking spot for every unit that will have a car. We believe this will not only mitigate the impact of our development on the neighbourhood parking situation but will in fact result in an improvement relative to the current situation.

Sincerely,



Andrew Rennison

Pamela Martin

From: Tracey Brown [REDACTED]
Sent: July 25, 2018 9:15 AM
To: Public Hearings
Subject: rezoning for 2780-82 Fifth St

Good morning,

Unfortunately I am unable to attend the scheduled hearing on Thursday July 26 however I would like to put some information forward.

Although there are good neighbors there are several factors to take into considering.

1) This being the most important...Parking! Their parking lot is continuously full and over flows on a daily basis. Although through conversation with the onsite manager they are trying to figure out alternative parking solutions NONE seem to be effective. Some people have 3 vehicles. At the moment there are numerous camper vehicles. Every single day people in those units take up all the parking on Quadra and Fifth St. Their idea of only renting to people who have 1 vehicle is going to be impossible to manage. Even if they turn some of their grass area into parking spots it will not be even close to enough parking to cover the amount of space they require to manage their units....Should they be forced to only be allowed to do it if they can create underground parking like the other condo buildings along the same area.

2) There was a huge public outcry over the proposed development at 2740/2742 Fifth St who requested to put a larger multi unit building on site and it was declined. The community does not want to be just one big condo/townhouse blueprint. They removed the single family dwelling next to it (because they bought the property) Maybe they should replace it with another one...or turn their parking problem into a solution by turning it into more parking!

Thank you for your time,
Tracey and Jeff Brown
Neighbour

Pamela Martin

From: Jill Sharpe [REDACTED]
Sent: July 25, 2018 11:36 AM
To: Public Hearings
Subject: late announcement notice for public Hearing on 2814-2890 Fifth Street

Dear Council,

Regarding requirement of notice to attend Public Hearing. **I would like to draw to your attention that there has been inadequate notice to the public to attend a public hearing on the re-zoning on Fifth Street.**

The meeting announcement letter (strangely dated July 13th) arrived through my door slot yesterday (July 24th) at 5 pm.

Further more this public hearing was falsely notified and amended in a newsletter received from the Hillside Quadra Neighbourhood Action Committee on July 22nd stating:

Please note--the last e-news mentioned that July 12th was the public hearing. In fact on July 12th the 1st, 2nd and 3rd readings of the bylaw for this development took place. The public hearing is July 26th

Many neighbours are concerned about the Parking Variance being considered for this development and would like to attend the City Council review!

But being Summer holidays, AND being given only 48 hours notice to attend this meeting through notice by mail (and therefore only 14 hours to submit a response by email) is not allowing the public its due process to be heard on important issues which will impact the shape and experience of being property owners and tax payers for years to come.

I know at least 30 neighbours who would like to come speak to you about their concern over this parking variance and some the green space loss. But there is no time to co-ordinate their attendance now. We have had in the past in attendance over 50 neighbours attend previous meetings for this development. But due to the late notice, and the mistake in advertising the previous meeting all conspire to give the developers approval process an unfair advantage of silencing the neighbours response.

I ask that you consider to re-schedule this meeting and give adequate notice to us to attend.

MY CONCERN:

The proposed development would require a 42% reduction in parking spaces than what is currently permitted in city bi-laws. Current rules would require 126 parking spaces for 97 units. The proponent is proposing to provide only 80 parking spots – including 64 in the main parking lot, and 16 additional spaces in three parking ‘pods’ built on what is currently greenspace at the perimeter of the property. So the variance the developers are asking for is 51% if you account for the green space they are co-opting from existing residential buildings to support their proposal.

The parking overload congestion to visitors and owners who already live along this street will be unmanageable and make our neighbourhood unpleasant to visit and live in. Currently with the general neighbourhood use, we often cannot find parking spaces near our homes for ourselves or friends visiting. Couple that with the increase in local businesses along Quadra including the overflow from the Fifth Street Bar and Grill ... the already fluctuating demand for parking on Fifth Street is a concern. As property owners and tax payers we do want our city planners to plan for car use into the future. Yes the hope is a greener city with electric cars, but cars will still be required. A greener city doesn't mean NO cars, it means smarter cars AND all the wonderful work council has already been doing making the city more bike friendly which I whole heartedly applaud.

Keep in mind that in the new proposed development, many of the units are two bedroom and being smaller space rental units will likely have two individuals living together who each could have cars and also separate groups of visiting friends with cars. So arguably the parking variance for this development should include a variance that actually allows MORE parking spaces than what is currently allotted for not a nearly 42% cut to the bilaw. **And keep in mind if you were to protect that green space then really the parking allowance they are providing for their renters is actually a 50% reduction in the parking bilaw.**

Why is the city allowing developers build buildings that will make them profit, and take away green space and the community liveability?

I personally will support more density in the city and a move to support bike use. However, to load up density beyond what parking bi-laws protect on a neighbourhood that is already under siege is a shot gun approach to city planning. Increase density in all neighbourhoods, make parking variances more evenly across all neighbourhoods. Do NOT concentrate change in Quadra Village by passing a parking variance where no one received notice in a timely fashion to attend.

A concerned citizen,

Jill Sharpe
2736 Fifth Street

██████████
██████████

Pamela Martin

From: Sharon Harold [REDACTED]
Sent: July 25, 2018 10:53 AM
To: Public Hearings
Subject: Re: The Proposed Development at 2813-2887 Quadra Street, 2814-2890 Fifth Street and 2780/82 Fifth Street

July 25, 2018 10:46 am

Public Hearings

Subject: City Council Meeting regarding the proposed development at 2813-2887 Quadra Street, 2814-2890 Fifth Street and 2780/82 Fifth Street.

I agree with Mr. James Fry that rezoning should not be allowed in the area north of Hillside and east of Quadra Street. Developers are always looking to exploit the less costly area in a city to their own advantage with no consideration for the quality of life of the residents in the area they wish to develop. I say NO to this rezoning request. I only found out about this today – the day before the meeting. I consider this a deliberate strategy to limit and curtail public input. Shame on council for this short notice.

Sharon Harold
2738 Graham Street
Victoria, BC
V8T 3Z2
[REDACTED]

Pamela Martin

From: Doug Blackley [REDACTED]
Sent: July 26, 2018 10:59 AM
To: Public Hearings
Subject: Urgent: re today's council meeting

Importance: High

Dear sirs

I would like to write a letter in opposition to the what I understand to be the format of the proposed new development at 2813-2887 Quadra Street. My opposition to this stems from the fact that Victoria will not benefit from the densification of residential structures.

Victoria is a destination city: people choose to live here. Life quality in Victoria as whole depends on day by day quality of life; the city is a wonderful mix of single family, low rise/density rentals (such as the existing buildings), and fairly strategically placed medium density condos such as 2757 and 2747. What we (happily) don't have (so far) is a focus on huge areas of side by side monolithic condos.

The existing parking lot for the buildings to be replaced is a case in point. One might say "it's just a parking lot and the new places will have underground parking", but in fact as a lowly parking lot it has a different role to the locals as well. It is an open space; a place where you can see the entire area from and through. It is not a huge wall, such as is proposed. If it was green space it would be a fantastic addition to the local life quality, for example.

Next, higher population density requires more community services and more recreational areas.. I see no mention of these. Will the city be increasing bus service. Will the city be designating more park space for the new residents to share with the old?

I understand that profit for a developer is the motivation for the proposed change. Money talks, and many times the result is that government over time changes from representing local Canadian citizens, into representing corporations as a facilitator to enable further profit for rich organizations. I would like to propose that the City of Victoria consider something different than this in this case. How about having the corporation(s) behind this pay to upgrade life in Victoria for the benefit of everyone, in return for having part of their proposal approved?

Here is my proposal. Replace the existing low rises with two, not three new developments. Have the corporations pay to turn the existing parking lot into a wonderful little "pocket park", one of those great little unexpected green spaces that help make life in a city a whole lot more fun. This will not impose financial hardship on the developers, as there will be no expenses for tearing down an existing structure. The loss of parking is no problem as the two new buildings will have underground parking.

The result: the corporations get 2/3 of what they want, the city gets a new little park for free, and the citizens see "hey a new park" and not "oh no more people"

This would for once be a win-win— they get the profits they want, Victoria gets a new park, and the citizens (including those in the new buildings proposed), get a more pleasant place to live. This would be the choice I think of a government that truly represents all, and not just the needs of “special interest” groups.

Thanks for your consideration

Doug Blackley

Regarding: 3 multi-residential buildings within a few blocks of Quadra.

I am writing to oppose the development of the proposed 3 multi-residential buildings in and around Quadra Street. There are multiple reasons why this plan is unfair. First, I wonder if you will think about the construction noise and fall-out. Would you want the construction of 3 big buildings outside of your home – for months, for years? I don't think so. It is devastating to imagine being held hostage by the construction of all of these buildings. Second, the population shift in a small area will have impact on services and the make-up of the neighbourhood. Third, in terms of property values, there are financial and personal costs. The property value will likely decline for the years it takes to build these buildings. The personal costs are unthinkable: distress, lack of sleep, constant annoyance, unable to work/think/study/ as well as dust to inhale.

We are not dots on a development map. We are actually human beings who have chosen to live in a certain kind of area that is quiet, residential and calm. There is a decent mix of commercial and residential. This is the neighbourhood we paid into to get the lifestyle we sought. This neighbourhood does not include large new multi-residential areas. It would be reasonable to have one new building. That would be in keeping with the flavor of the community that exists on Quadra. That would show consideration of the people already living in the areas. Constructing 3 large multi-level buildings right next to older established buildings means construction noise for years. This is cruel to current residents in the area.

I don't know if those of us asked for input are really having an effect on the development plan but some issues are unclear at this point. Will these be condos or apartments? How many stories? That will have a tremendous impact on the number of issues that are created. What are the answers to these questions? Is this affordable housing? These issues are important and will impact the current neighbourhood and the property values as well – this is not to mention the safety and quality of life in the community. It is not possible to give extensive feedback without having necessary information.

In sum, this plan to build not one, not two, but 3 new multi-residential buildings is too much for one small area to endure. This plan is unfair in its extent of development. This plan is devastating to those who have invested in the area and live in the area and pay taxes in the area: fear of the changes that will come; concern about injecting that many people in a small established community; daily loss of quiet and freedom for years (not everyone works 9 to 5). For example, people on shift work are trying to sleep during construction. Many people have days off work during the week. Some people work at home. Students study at home. There is no way to pretend that this plan is reasonable or has any consideration for the people already living in the area. This is a major corporation taking over a small residential neighborhood. It speaks to the end of decency.

Thank you for asking for my input.

Sincerely,
Sabrina Fox
2757 Quadra St.

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R3-G-QV Zone, Garden Apartment (Quadra Villa) District, and to rezone land known as 2813 - 2887 Quadra Street and 2814 - 2890 Fifth Street from the R3-G Zone, Garden Apartment District to the R3-G-QV Zone, Garden Apartment (Quadra Villa) District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1144)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 3 – MULTIPLE DWELLING ZONES by adding the following words:

“3.118 R3-G-QV Garden Apartment (Quadra Villa) District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.117 the provisions contained in Schedule 1 of this Bylaw.
- 4 The portion of the land known as 2813 - 2887 Quadra Street and 2814 - 2890 Fifth Street, legally described as PID 003-551-784, Lot 1, Section 5, Victoria District, Plan 20678, and shown hatched on the attached map, is removed from the R3-G Zone, Garden Apartment District and placed in the R3-G-QV Zone, Garden Apartment (Quadra Villa) District.

READ A FIRST TIME the	12 th	day of	July	2018
READ A SECOND TIME the	12 th	day of	July	2018
Public hearing held on the		day of		2018
READ A THIRD TIME the		day of		2018
ADOPTED on the		day of		2018

CITY CLERK

MAYOR

PART 3.118 – R3-G-V ZONE, GARDEN APARTMENT (QUADRA VILLA) DISTRICT**3.118.1 Permitted Uses in this Zone**

The following uses are the only uses permitted in this zone:

- a. Multiple dwelling
- b. Multiple dwelling accessory use
- c. Accessory building, subject to the regulations in Schedule “F”, except as otherwise specified by the regulations in this Part

3.118.2 Lot Area

- a. Lot area (minimum) 7700m²

3.118.3 Floor Area, Floor Space Ratio

- a. Total floor area (maximum) 5700m²
- b. Floor area for a self-contained dwelling unit within a multiple dwelling (minimum) 75m²
- c. Total floor area of all accessory buildings combined (maximum) 40m²
- d. Floor space ratio (maximum) 0.75 to 1

3.118.4 Number of Buildings, Dwelling Units

- a. Number of self-contained dwelling units on a lot (maximum) 64
- b. Number of multiple dwellings on a lot (maximum) 2
- c. Number of accessory buildings (maximum) 4

3.118.5 Height, Storeys

- a. Principal building height (maximum) 8.5m
- b. Storeys (maximum) 2
- c. Roof deck Not permitted

PART 3.118 – R3-G-V ZONE, GARDEN APARTMENT (QUADRA VILLA) DISTRICT**3.118.6 Setbacks**

- | | |
|--|-------|
| a. <u>Front yard setback</u> Quadra Street (minimum) | 3.02m |
| b. <u>Rear yard setback</u> Fifth Street (minimum) | 3.02m |
| c. <u>Side yard setback</u> from interior <u>lot lines</u> (minimum) | 1.25m |
| d. Flanking street <u>setback</u> Topaz Avenue (minimum) | 4.28m |

3.118.7 Site Coverage, Open Site Space

- | | |
|---|-----|
| a. <u>Site coverage</u> (maximum) | 40% |
| b. <u>Open site space</u> (minimum) | 40% |
| c. <u>Accessory buildings</u> shall not be located in a <u>front yard</u> (Quadra Street) or in a <u>rear yard</u> (Fifth Street) | |

3.118.8 Vehicle and Bicycle Parking

- | | |
|--------------------|--|
| a. Vehicle parking | Subject to the regulations in Schedule "C", except as otherwise specified by the regulations in this Section |
| b. Bicycle parking | Subject to the regulations in Schedule "C" |

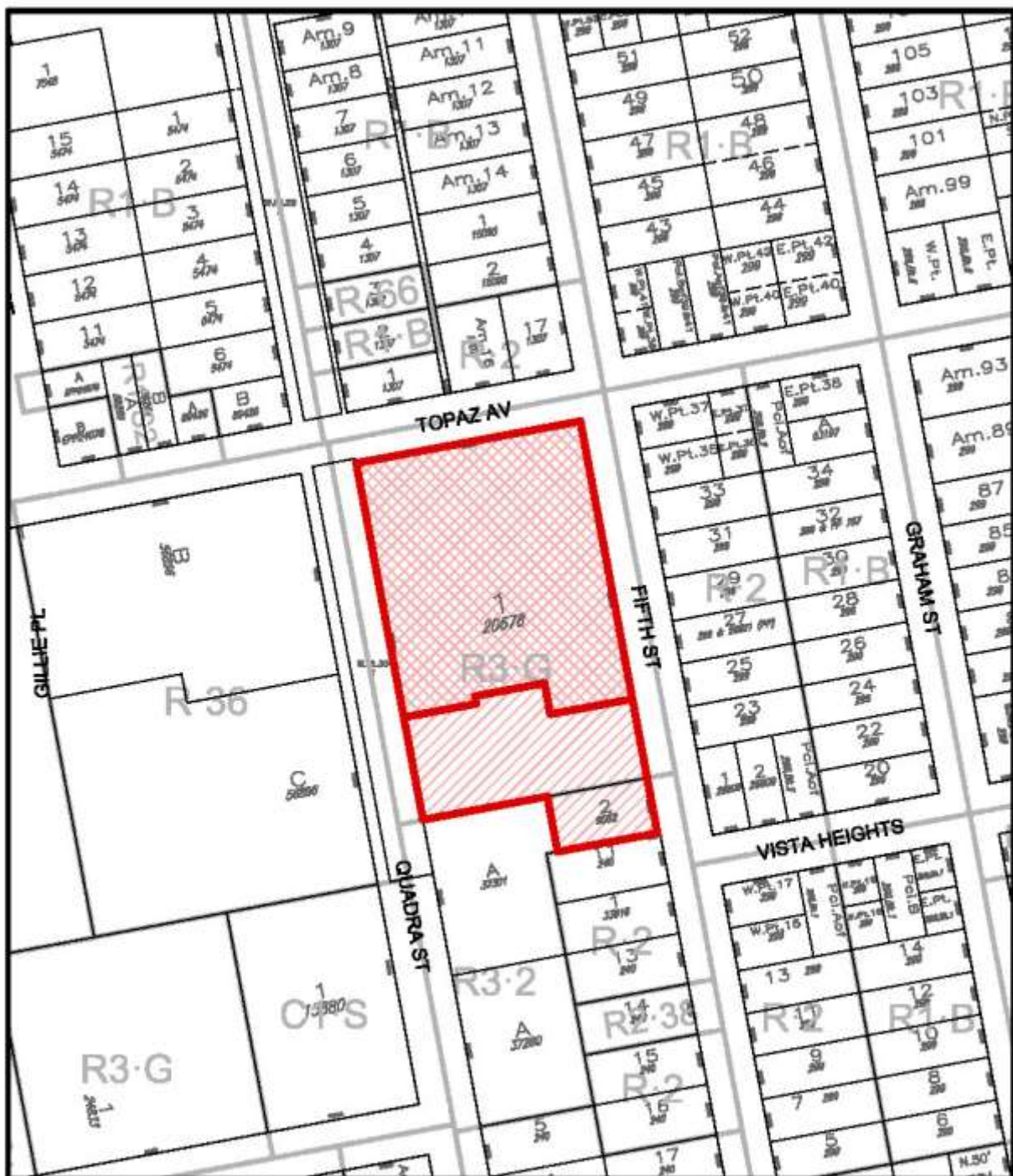
The following regulations apply only to buildings constructed prior to 2017:

- | | |
|--|--------------|
| c. Vehicle parking spaces on a <u>lot</u> (minimum) | 37 |
| d. Notwithstanding subsection (c), a maximum of 21 parking spaces may be provided on an adjacent <u>lot</u> from the <u>lot</u> to which <u>buildings</u> the parking spaces appertain to, provided that: | |
| i. the adjacent <u>lot</u> on which the 21 parking spaces are located is in the R-87 Zone, Fifth Street Multiple Dwelling District; | |
| ii. an easement is registered against title to the <u>lot</u> on which the 21 parking spaces are located and title to the appurtenant <u>lot</u> , providing for such parking requirements and access; and | |
| iii. a covenant is registered on title in favour of the City restricting the use of the easement area on the servient tenement to parking purposes for as long as the provisions of this subsection have application to the dominant tenement. | |
| e. Visitor parking stalls | Not required |

Schedule 1

PART 3.118 – R3-G-V ZONE, GARDEN APARTMENT (QUADRA VILLA) DISTRICT

- | | | |
|----|--|--------------|
| f. | Parking stall distance from Topaz Avenue (minimum) | 0.6m |
| g. | Bicycle parking, Class 1 | Not required |
| h. | Bicycle parking, Class 2 (minimum) | 16 spaces |



2813 - 2887 Quadra Street,
2814 - 2890 Fifth Street & 2780/82 Fifth Street
Rezoning No.00549



A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-87 Zone, Fifth Street Multiple Dwelling District, and to rezone land known as the parking lot for 2813-2887 Quadra Street and 2814-2890 Fifth Street from the R3-G Zone, Garden Apartment District to the R-87 Zone, Fifth Street Multiple Dwelling District and to rezone land known as 2780/82 Fifth Street from the R-2 Zone, Two Family Dwelling District to the R-87 Zone, Fifth Street Multiple Dwelling District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1145)".
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 3 – MULTIPLE DWELLING ZONES by adding the following words:

"3.119 R-87 Fifth Street Multiple Dwelling District"
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.118 the provisions contained in Schedule 1 of this Bylaw.
- 4 The portion of land known as the parking lot for 2813-2887 Quadra Street and 2814-2890 Fifth Street, legally described as PID 003-551-784, Lot 1, Section 5, Victoria District, Plan 20678 as shown hatched on the attached map, is removed from the R3-G Zone, Garden Apartment District, and placed in the R-87 Zone, Fifth Street Multiple Dwelling District.
- 5 The land known as 2780/82 Fifth Street and legally described as PID 005-515-840, Lot 2, Section 5, Victoria District, Plan 9052 as shown hatched on the attached map, is removed from the R-2 Zone, Two Family Dwelling District, and placed in the R-87 Zone, Fifth Street Multiple Dwelling District.

READ A FIRST TIME the	12th	day of	July	2018
READ A SECOND TIME the	12th	day of	July	2018
Public hearing held on the		day of		2018
READ A THIRD TIME the		day of		2018
ADOPTED on the		day of		2018

PART 3.119 – R-87 ZONE, FIFTH STREET MULTIPLE DWELLING DISTRICT**3.119.1 Permitted Uses in this Zone**

The following uses are the only uses permitted in this zone:

- a. Multiple dwelling
- b. Multiple dwelling accessory use
- c. Accessory building, subject to the regulations in Schedule “F”, except as otherwise specified by the regulations in this Part
- d. Two family dwellings, subject to the regulations set out in Part 2.1

3.119.2 Lot Area

- a. Lot area (minimum) 3500m²

3.119.3 Floor Area, Floor Space Ratio

- a. Total floor area (maximum) 1982m²
- b. Floor space ratio (maximum) 0.6 to 1
- c. Total floor area of all accessory buildings combined (maximum) 45m²

3.119.4 Number of Buildings

- a. Number of multiple dwellings on a lot (maximum) 3
- b. Number of accessory buildings (maximum) 1

3.119.5 Height, Storeys

- a. Principal building height (maximum) 11.15m
- b. Storeys (maximum) 3
- c. Roof deck Not permitted

PART 3.119 – R-87 ZONE, FIFTH STREET MULTIPLE DWELLING DISTRICT**3.119.6 Setbacks, Projections**

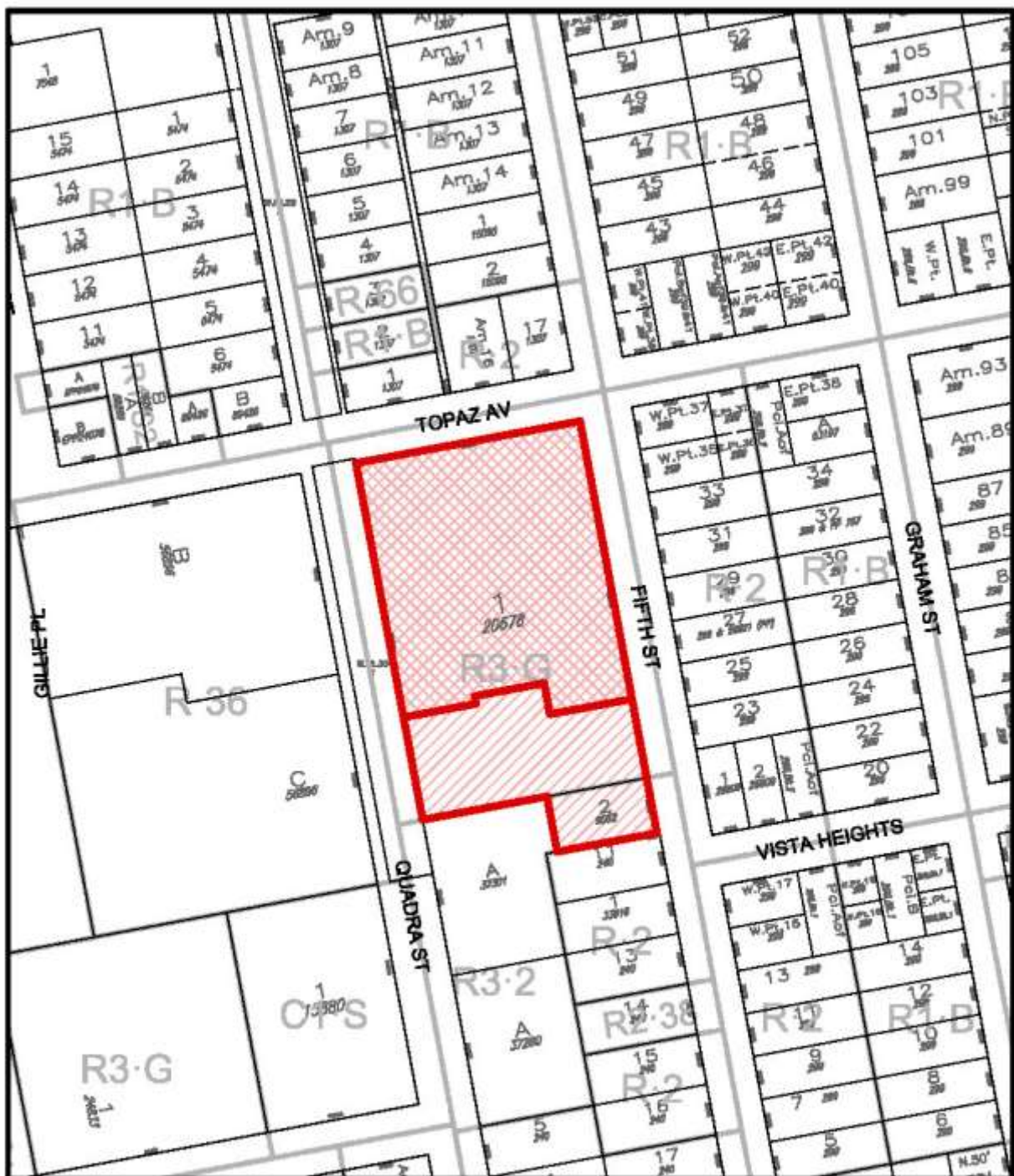
- | | |
|---|---|
| a. <u>Front yard setback</u> Quadra Street (minimum) | 3.5m, except <u>balconies</u> may project to within 1.85m of a <u>street boundary</u> |
| b. <u>Rear yard setback</u> Fifth Street (minimum) | 2.5m |
| c. <u>Side yard setback</u> from interior <u>lot line</u> south (minimum) | 2.85m |
| d. <u>Side yard setback</u> from interior <u>lot line</u> north (minimum) | 1.0m |

3.119.7 Site Coverage, Open Site Space

- | | |
|---|-----|
| a. <u>Site coverage</u> (maximum) | 31% |
| b. <u>Open site space</u> (minimum) | 18% |
| c. <u>Accessory buildings</u> may not be located in the <u>front yard</u> (Quadra Street) or in the <u>rear yard</u> (Fifth Street) | |

3.119.8 Vehicle and Bicycle Parking

- | | |
|--------------------|--|
| a. Vehicle parking | Subject to the regulations in Schedule "C" |
| b. Bicycle parking | Subject to the regulations in Schedule "C" |



2813 - 2887 Quadra Street,
2814 - 2890 Fifth Street & 2780/82 Fifth Street
Rezoning No.00549



**HOUSING AGREEMENT (2813-2887 Quadra Street,
2814-2890 Fifth Street and 2780/82 Fifth Street) BYLAW**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an agreement for rental housing for the lands known as 2813-2887 Quadra Street, 2814-2890 Fifth Street, and 2780/82 Fifth Street, Victoria, BC.

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "HOUSING AGREEMENT (2813-2887 Quadra Street, 2814-2890 Fifth Street, and 2780/82 Fifth Street) BYLAW (2018)".**

Agreement authorized

- 2** The Mayor and the City Clerk are authorized to execute the Housing Agreement:
- (a) substantially in the form attached to this Bylaw as Schedule A;
 - (b) between the City and Quadra Village Holdings Ltd. Inc. No. BC1005906, or other registered owners from time to time, of the lands described in subsection (c); and
 - (c) that applies to the lands known as 2813-2887 Quadra Street, 2814-2890 Fifth Street and 2780/82 Fifth Street Victoria, BC, legally described as:
 - i. PID 003-551-784
Lot 1 Section 5, Victoria District, Plan 20678
 - ii. PID 005-515-840
Lot 2, Section 5, Victoria District, Plan 9052

READ A FIRST TIME the **12th** day of **July** 2018

READ A SECOND TIME the **12th** day of **July** 2018

READ A THIRD TIME the **12th** day of **July** 2018

ADOPTED on the day of 2018

CITY CLERK

MAYOR

HOUSING AGREEMENT
(Pursuant to Section 483 of the *Local Government Act*)

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA
#1 Centennial Square
Victoria, B.C. V8W 1P6

(the "**City**")

OF THE FIRST PART

AND:

QUADRA VILLAGE HOLDINGS LTD.
(Inc. No. BC1005906)

330 – 1639 West 2nd Avenue
Vancouver, BC V6J 1H3

(the "**Owner**")

OF THE SECOND PART

AND:

CANADIAN WESTERN BANK

2200 – 666 Burrard Street
Vancouver, BC V6C 2X8

(the "**Existing Chargeholder**")

OF THE THIRD PART

WHEREAS:

- A. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a Housing Agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- B. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 2813-2887 Quadra Street, Victoria, BC and 2814-2890 and 2780/82 Fifth Street, Victoria, BC and legally described as:

PID: 003-551-784
Lot 1 Section 5 Victoria District Plan 20678; and

PID: 005-515-840
Lot 2, Section 5, Victoria District, Plan 9052

(collectively, the "**Lands**");

- C. The Owner has applied to the City to rezone the Lands to permit 34 housing units within the Development accordance with this Agreement.
- D. The City and the Owner wish to enter into this Agreement, as a Housing Agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner to provide moderate income rental housing, and that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of \$10.00 and the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

"**Development**" means the new 34 unit building consisting of residential housing and related facilities on the Lands;

"**Dwelling Units**" means any or all, as the context may require, of the 34 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise;

"**Dwelling Unit**" means any of such residential dwelling units located on the Lands;

"**Immediate Family**" includes a person's husband, wife, child, mother, father, brother, sister, mother-in-law, father-in-law, grandparent, brother-in-law, sister-in-law, niece and nephew;

"**Non-owner**" means a person other than the Owner and other than a member of the Owner's Immediate Family, who occupies a Dwelling Unit for residential purposes;

"**Owner**" includes a person who acquires an interest in the Lands or any part of the Lands and is thereby bound by this Agreement, as referred to in section 8.3; and

"**Tenancy Agreement**" means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.

"**Strata Corporation**" means, for the portions of the Lands or any building on the Lands that is subdivided under the *Strata Property Act*, a strata corporation as defined in that Act, including the Owner while in control of the strata corporation and subsequently the individual strata lot owners collectively acting as the strata corporation.

1.2 In this Agreement:

- (a) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment; and
- (b) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

2.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

- 2.1** The Owner covenants and agrees that the Dwelling Units shall only be used as rental housing in perpetuity, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit.

3.0 NO RESTRICTIONS ON RENTALS

- 3.1** The Owner covenants and agrees that the Owner shall not take any steps, or enter into any agreements, or impose any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.
- 3.2** Without limiting the generality of section 2.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of any Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

4.0 REPORTING

- 4.1** The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Development, on the 1st day of February in each calendar year, a report in writing confirming the following:

- (a) all Dwelling Units are being rented to Non-owners;
- (b) any changes or proposed changes to the Strata Corporation's bylaws that may affect the terms of this Agreement.

along with such other information as may be requested by the Director from time to time.

- 4.2** The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.
- 4.3** The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

- 5.1** Notice of this Agreement (the "**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

6.0 LIABILITY

- 6.1** The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages,

costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement.

- 6.2** The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

7.0 PRIORITY AGREEMENT

- 7.1** The Existing Chargeholder, as the registered holder of a charge by way of mortgage and assignment of rents against the Lands, which said charges are registered in the Land Title Office at Victoria, British Columbia, under numbers CA3866650, extended by CA6024008 and modified by CA6024009, CA6024008, extension of CA3866650, modified by CA6024009, CA3866651 and CA6024010, respectively for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to Section 483(5) of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.

8.0 GENERAL PROVISIONS

- 8.1 NOTICE.** If sent as follows, notice under this Agreement is considered to be received

- (a) seventy-two (72) hours after the time of its mailing (by registered mail) or faxing, and
- (b) on the date of delivery if hand-delivered,

to the City:

City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6

Attention: Director of Sustainable Planning and
Community Development
Fax: 250-361-0386

to the Owner:

Quadra Village Holdings Ltd.
330 – 1639 West 2nd Avenue
Vancouver, BC V6J 1H3

Attention: Andrew Rennison
Fax: 604-736-1865

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail service or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

- (b) notice sent by the impaired service is considered to be received on the date of delivery, and
- (c) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

8.2 TIME. Time is of the essence of this Agreement.

8.3 BINDING EFFECT. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

8.4 WAIVER. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

8.5 HEADINGS. The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

8.6 LANGUAGE. Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

8.7 EQUITABLE REMEDIES. The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement

8.8 CUMULATIVE REMEDIES. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

8.9 ENTIRE AGREEMENT. This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

8.10 FURTHER ASSURANCES. Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.

- IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF
VICTORIA by its authorized signatories:

MAYOR Lisa Helps

CITY CLERK Chris Coates

Date signed: _____, 2018.

[owner(s)]

QUADRA VILLAGE HOLDINGS LTD.

by its authorized signatory(ies):



Print Name: Andrew Rennison

Print Name: _____

Date signed: April 4, 2018.

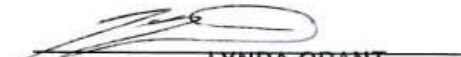
[existing chargeholder(s)]

CANADIAN WESTERN BANK

by its authorized signatory(ies):



Print Name: DANIEL PRETO
AVP COMMERCIAL BANKING



Print Name: LYNDA GRANT
SENIOR CREDIT OFFICER

Date signed: April 4, 2018.

REPORTS OF COMMITTEES

1. Committee of the Whole – October 5, 2017

5. Rezoning Application No. 00555 for 308 Menzies Street (James Bay)

Motion:

It was moved by Councillor Young, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 000555 for 308 Menzies Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Carried Unanimously

6. Development Permit with Variances Application No. 00026 for 308 Menzies Street (James Bay)

Motion:

It was moved by Councillor Young, seconded by Councillor Coleman, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00555, if it is approved, consider the following motion:

"That Council authorizes the issuance of Development Permit Application No. 00026 for 308 Menzies Street, in accordance with:

1. Plans date stamped July 26, 2017 (as amended to address overhead canopy design to the satisfaction of the Director of Sustainable Planning and Community Design.)
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Schedule C, Section 16(c), reduce the required number of parking spaces from fifteen to eight;
 - ii. Zoning Bylaw No. 80-159, Part 4.1.6, reduce the required rear yard setback from six metres to 1.52 metres.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

5. LAND USE MATTERS

5.1 Rezoning Application No. 00555 for 308 Menzies Street (James Bay)

Committee received a report dated September 18, 2017, from the Director of Sustainable Planning and Community Development regarding the proposal to rezone the property located at 308 Menzies Street to a site specific zone to add office and retail as permitted uses at this location.

Committee discussed:

- How the contamination of the site will be addressed and when that will have to take place.

Motion: It was moved by Councillor Coleman, seconded by Councillor Young, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 000555 for 308 Menzies Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 17/COTW

BACKGROUND

Description of Proposal

This Rezoning Application is to add office uses in a second storey addition to an existing gas station building and to convert the existing ground floor repair garage to a convenience store. The proposal includes the construction of two overhead canopies over the two existing gas bar islands. Specific details are identified in association with the concurrent Development Permit Application for this property. The only change to the current zone that is being proposed would be the addition of retail and office uses; however, two variances (parking and rear yard setback) are also requested which are addressed in a concurrent Development Permit with Variance Application report.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant proposes to double the required amount of Class 1 and Class 2 bicycle racks with two Class 1 and two Class 2 bicycle racks which supports active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Land Use Context

The area is characterized by multi-family housing along Menzies Street, surface parking and small convenience stores leading to the centre of the James Bay Village. Additionally, Irving Park is to the immediate south of the subject property.

Existing Site Development and Development Potential

The site is presently occupied by a single storey gas station and a three bay repair garage.

Under the current C-SS Zone, the property could be developed to accommodate a three storey building, not exceeding 11m in height. A minimum building setback of 4.5m to property boundaries with residential land uses would be required. Land uses would be limited to service stations only.

Data Table

The following data table compares the proposal with the existing C-SS Zone, Special Service Station District, for applicable regulations. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the building is legally non-conforming with regard to the existing zone.

Zoning Criteria	Proposal	Zone Standard C-SS, Special Service Station District
Site area (m ²) - minimum	1096.25	n/a
Density (Floor Space Ratio) - maximum	0.36	1.40
Total floor area (m ²) - maximum	391.21	1534.75
Height (m) - maximum	8.00	12.00
Storeys - maximum	2.00	n/a
Site coverage % - maximum	35.50	n/a
Open site space % - minimum	14.10	n/a
Setbacks (m) - minimum:		
Front	13.2 Building 5.9 Gas Bar**	6.00
Rear (east)	1.52*	6.00
Side (north)	2.85	2.40
Flanking Street (south)	12.46 Building 4.5 Gas Bar columns	2.40
Parking - minimum	8*	15
Bicycle parking stalls (minimum)	2 Class 1 2 Class 2	1 Class 1 1 Class 2

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the James Bay CALUC at a Community Meeting held on *December 14, 2016*. A letter dated December 22, 2016 is attached to this report.

ANALYSIS

Official Community Plan

The proposal is consistent with the *Official Community Plan (OCP)* in terms of supporting ground oriented commercial within the James Bay Village Centre. The Urban Place Designation for the subject property is Large Urban Village, which envisions commercial and mixed use buildings with floor space ratios up to 1.5:1. While the proposal is consistent with the OCP, it is proposing notably less density than the OCP envisioned, which is, however, consistent with policy around careful transitions to adjacent areas.

CONCLUSIONS

The proposed addition of second storey offices to the existing gas station building and the conversion of the existing repair garage to a convenience store is consistent with the OCP objectives to provide mixed use buildings within the Large Urban Village of James Bay and provides a sensitive transition to adjacent areas. The proposed rezoning to permit office and retail land uses is supportable based on advancing the aforementioned OCP objectives. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00555 for the property located at 308 Menzies Street.

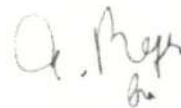
Respectfully submitted,



Miko Betanzo
Senior Planner - Urban Design
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager



Date: Sept. 26, 2017

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped July 26, 2017
- Attachment D: Letter from applicant to Mayor and Council dated December 20, 2016
- Attachment E: Community Association Land Use Committee comments dated December 22, 2016.

ATTACHMENT A

421

SUPERIOR ST

477

487

491

495

332

328

320

MENZIES ST

418

430

444

308

MICHIGAN ST

435

455

461

475

481

491

IRVING PARK

250

511

517

521

440

PARRY ST

255-281

430

239

427

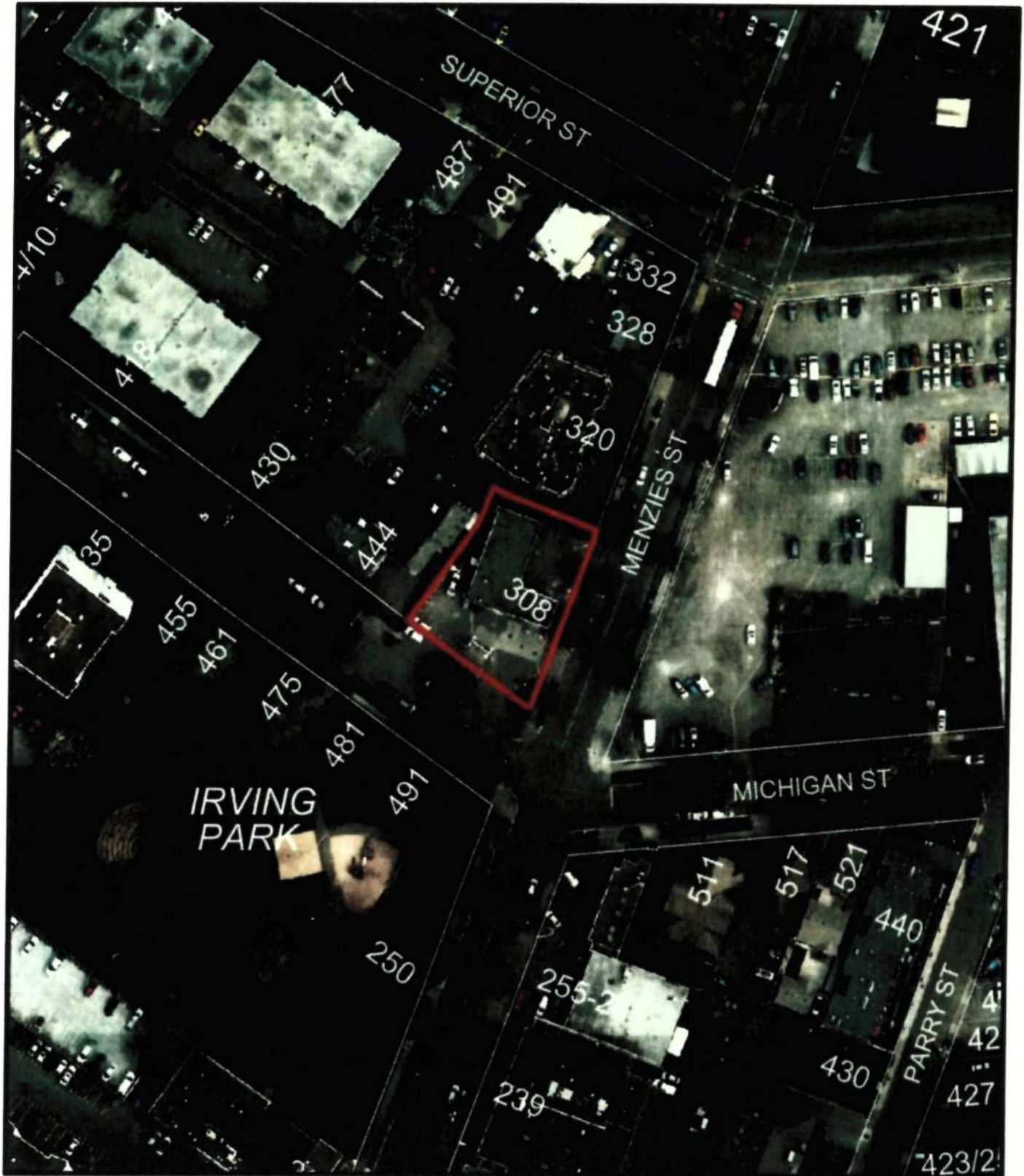
423



308 Menzies Street
Rezoning No.00555



ATTACHMENT B



308 Menzies Street
Rezoning No.00555



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Received
JUL 26 2017
Planning & Development Department
Development Services Division

ISSUED FOR REZONING

308 MENZIES STREET
VICTORIA, BRITISH COLUMBIA

PROJECT NUMBER 16-473

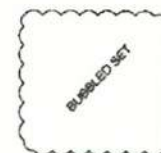
19 JULY 2017

alan lowe architect inc.

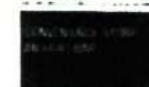
#203 - 1110 Government St., Victoria, British Columbia
t 250.590.2668

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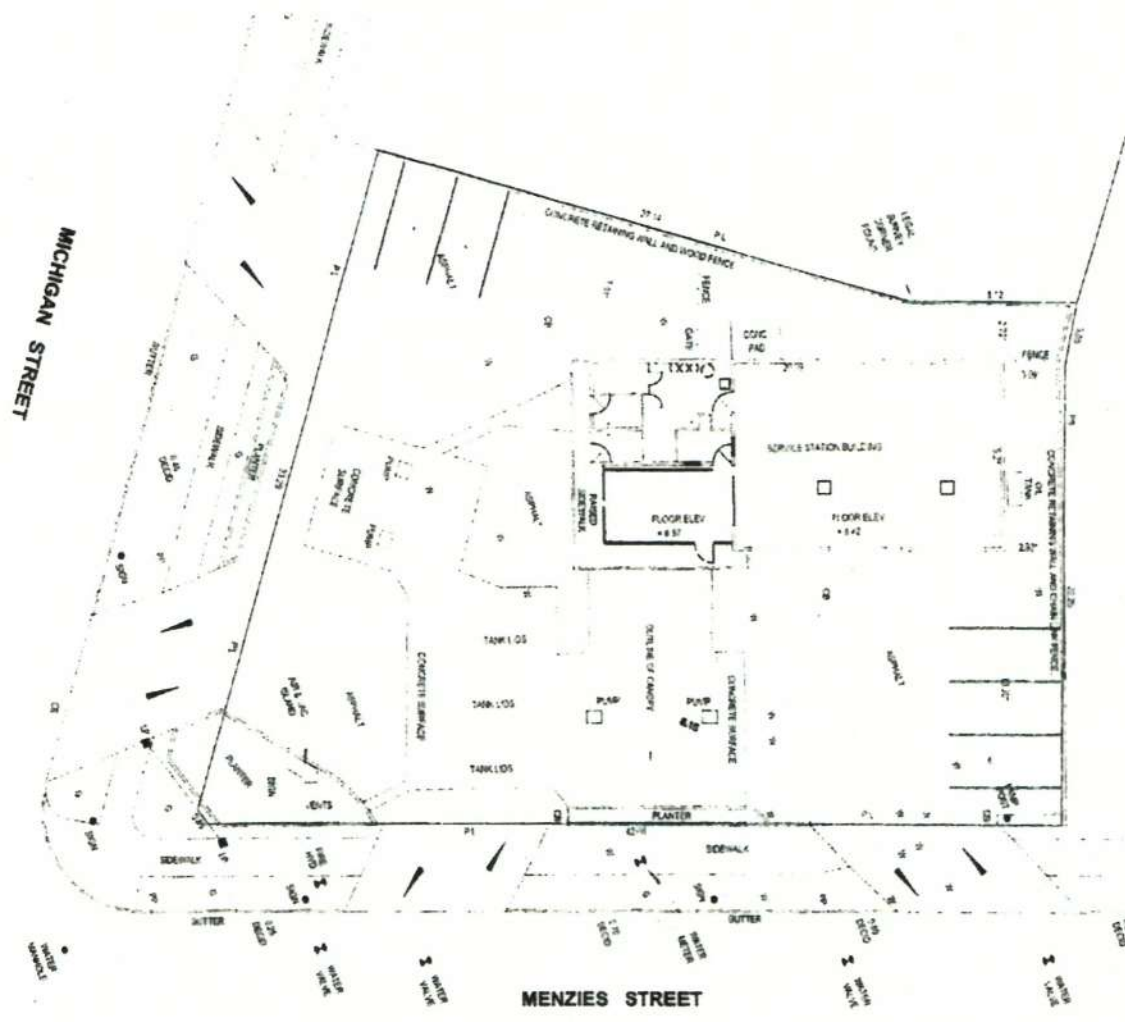


COVER INDEX

Project No. 16-473
Drawing No. 16-473-01
Scale 1/8" = 1'-0"

A0

ATTACHMENT C



PROJECT INFORMATION

LEGAL ADDRESS: 1011 & 1013 10th St. & 1015
1011 & 1013 10th St. & 1015

CIVIC ADDRESS: 1011 & 1013 10th St. & 1015
1011 & 1013 10th St. & 1015

ZONING DATA

Zoning: C-22 - RESIDENTIAL, SINGLE-FAMILY, TWO-UNIT
SITE AREA: 10,000 SQ. FT. (2.28 AC.)

Received
July 26, 2017

JUL 26 2017

Planning & Development Department
Development Services Division

■ DENOTES EXISTING SPOT ELEVATION
 W DENOTES MONITORING WELL
 CB DENOTES CATCH BASIN
 PP DENOTES POWER POLE
 LP DENOTES LEAD PLUS (LEGAL SURVEY POST)
 PL DENOTES PROPERTY LINE
 G DENOTES GRASS AREA

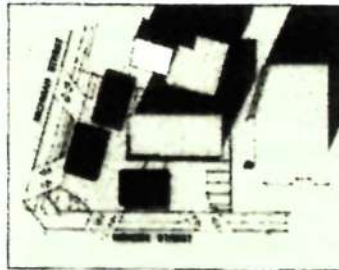
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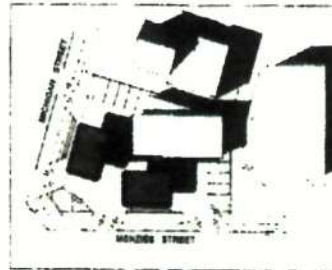
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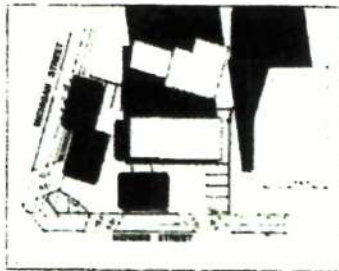
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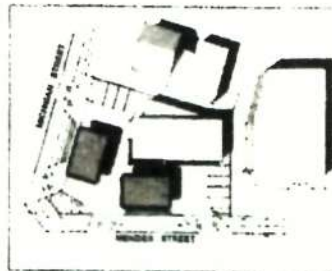
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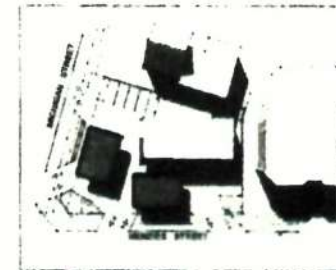
MARCH 21 @ 4:00 PM



JUNE 21 @ 8:00 AM



JUNE 21 @ 12:00 PM



JUNE 21 @ 4:00 PM

1 SHADOW STUDY
A1.3

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City of Victoria
JUN 26 2011
Planning & Development Department
Development Services Division



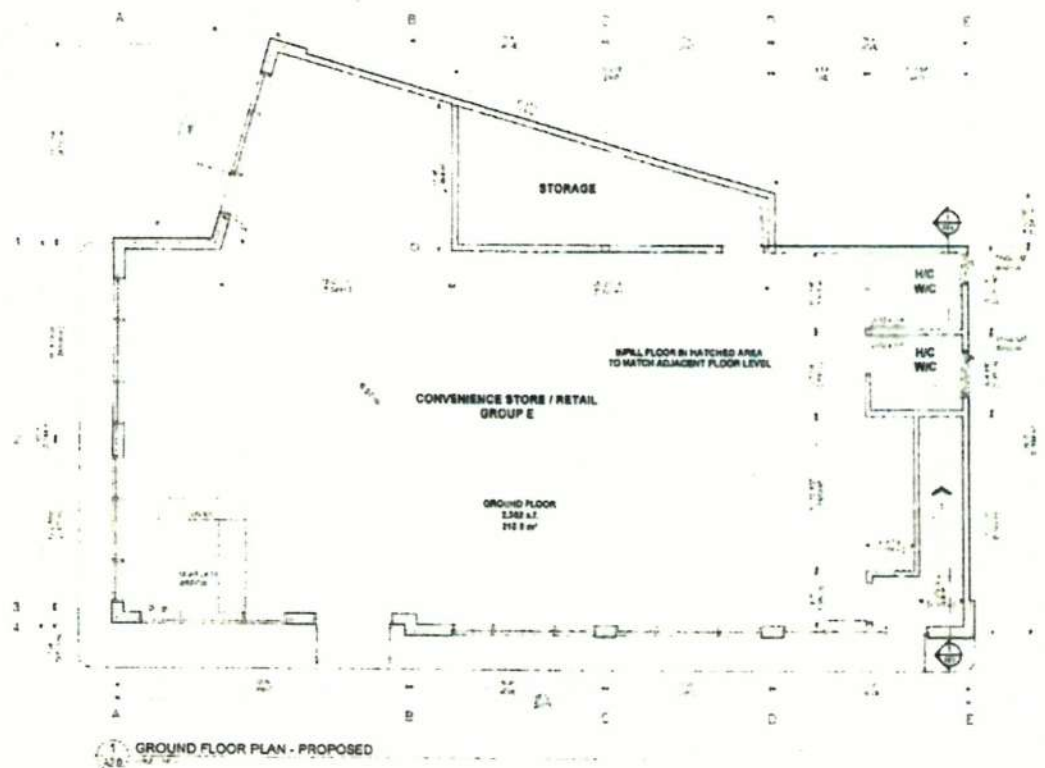
- 1. Building Footprint
- 2. Planning Department
- 3. Development Services Division
- 4. Planning & Development Department
- 5. Development Services Division

Architect's Seal
City of Victoria
Planning & Development Department

SHADOW STUDY

Project No. 10000
Date: 10/10/10

A1.3



Received
City of Chicago

Received
JUL 26 2011
Planning & Development Department
Development Services Division



- 1. 1st Floor Plan
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alan architect inc

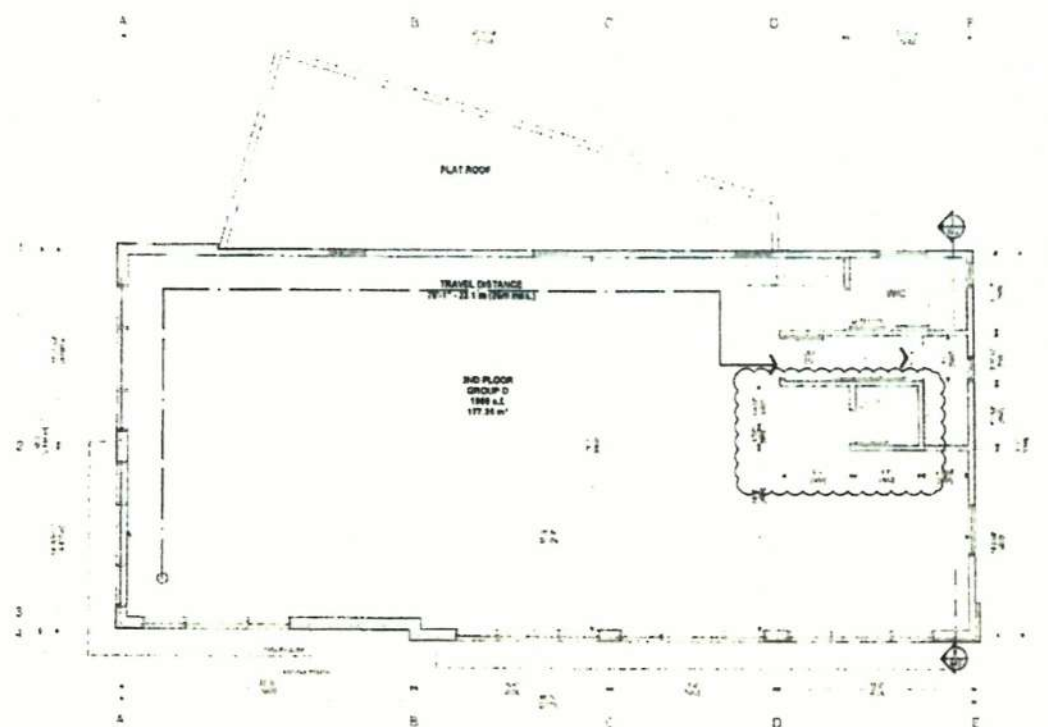
CONSTRUCTION DOCUMENTS

GROUND FLOOR PLAN

Project No. 100-111
Drawing No. 100-111-01
Date: 10/10/10

A2.0

Received
City of Winston
JUL 26 1971
Planning & Development Department
Development Services Division



1 SECOND FLOOR PLAN

Year	Number of cases	Rate per 100,000
1990	1,000	1.0
1991	1,100	1.1
1992	1,200	1.2
1993	1,300	1.3
1994	1,400	1.4
1995	1,500	1.5
1996	1,600	1.6
1997	1,700	1.7
1998	1,800	1.8
1999	1,900	1.9
2000	2,000	2.0
2001	2,100	2.1
2002	2,200	2.2
2003	2,300	2.3
2004	2,400	2.4
2005	2,500	2.5
2006	2,600	2.6
2007	2,700	2.7
2008	2,800	2.8
2009	2,900	2.9
2010	3,000	3.0
2011	3,100	3.1
2012	3,200	3.2
2013	3,300	3.3
2014	3,400	3.4
2015	3,500	3.5
2016	3,600	3.6
2017	3,700	3.7
2018	3,800	3.8
2019	3,900	3.9
2020	4,000	4.0


 aiaa.org

COVER STORY
AND THE CAR

SECOND FLOOR PLAN
PROPOSED

gross no. 1

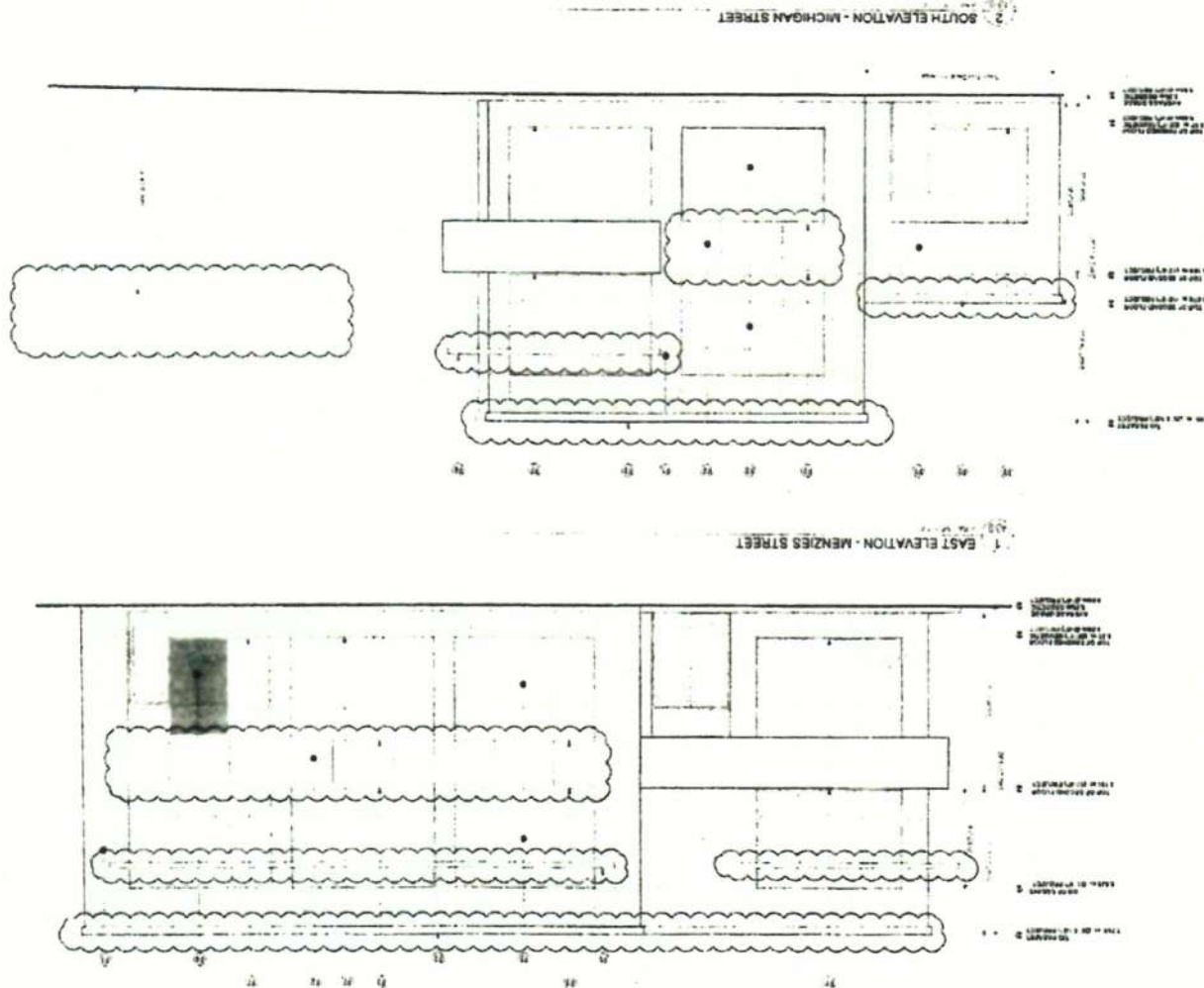
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ELEVATIONS

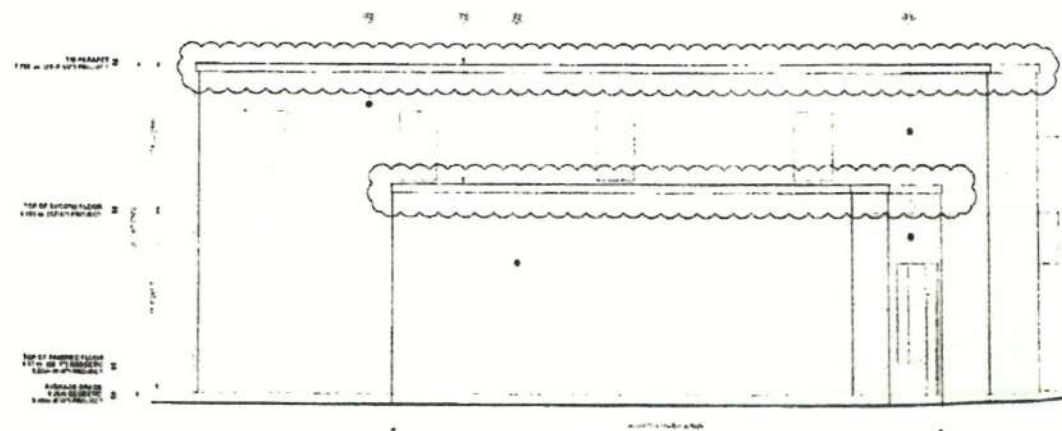


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7	1/128" = 1'-0"
8	1/256" = 1'-0"
9	1/512" = 1'-0"
10	1/1024" = 1'-0"
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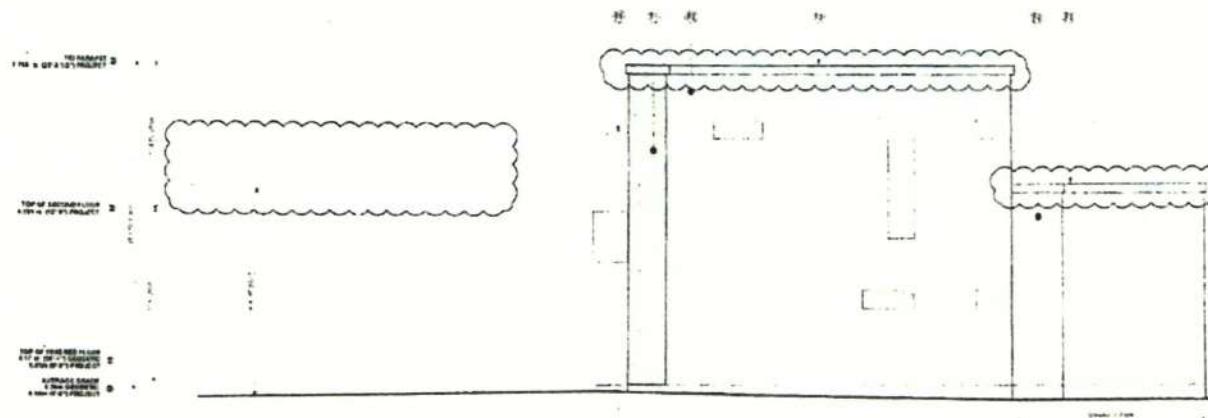
EXTERIOR FINISHES & NOTES :



Received
JUL 26 1997
Planning & Surveying Services Division



1 WEST ELEVATION



2 NORTH ELEVATION

EXTERIOR FINISHES & NOTES :

- 1. ROOFING
- 2. EXTERIOR WALLS
- 3. EXTERIOR DOORS
- 4. EXTERIOR WINDOWS
- 5. EXTERIOR STAIRS
- 6. EXTERIOR TERRACE
- 7. EXTERIOR PATIO
- 8. EXTERIOR PORCH
- 9. EXTERIOR BALCONY
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- 12. EXTERIOR PARKING
- 13. EXTERIOR FENCE
- 14. EXTERIOR LIGHTING
- 15. EXTERIOR SIGNAGE

Received
City of Victoria

JUL 26 2011

Planning & Development Department
Development Services Division

1. ROOFING
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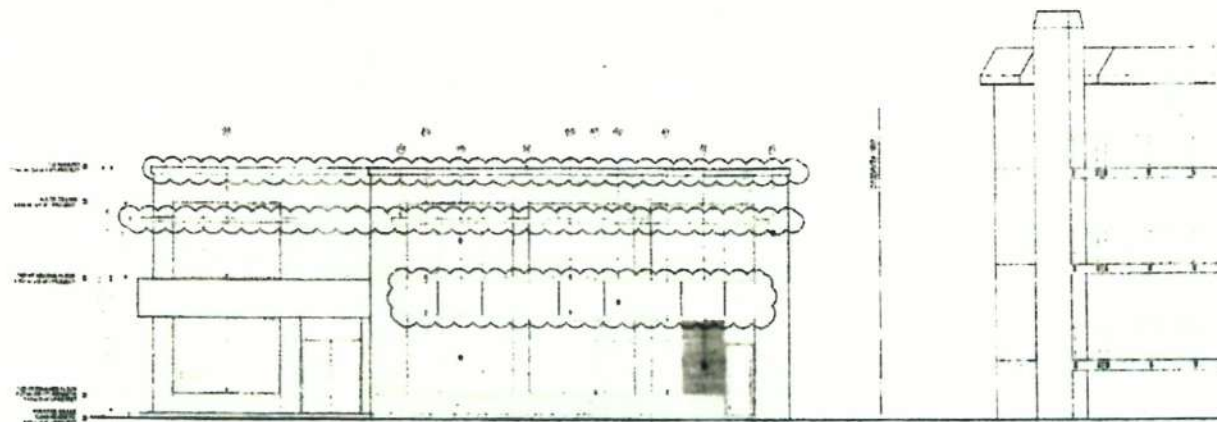
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ELEVATIONS

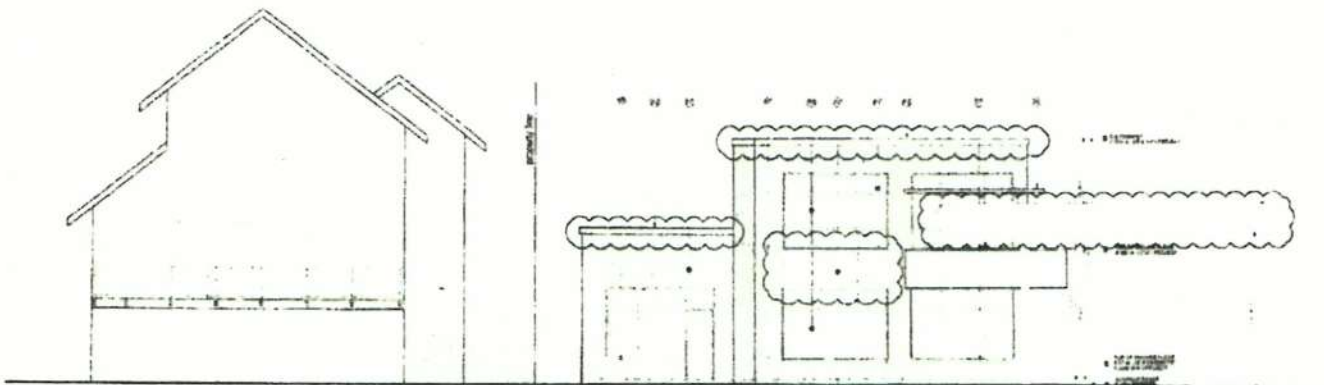
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15. EXTERIOR SIGNAGE

A3.1



EXISTING EAST ELEVATION

1 SOUTH ELEVATION - MICHIGAN STREET



PROPOSED SOUTH ELEVATION

2 SOUTH ELEVATION - MICHIGAN STREET

City of Detroit
Planning & Development Department
Development Services Division

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City of Detroit
JUL 26 2017
Planning & Development Department
Development Services Division

City of Detroit
Planning & Development Department
Development Services Division
A3.2

STREETSCAPE

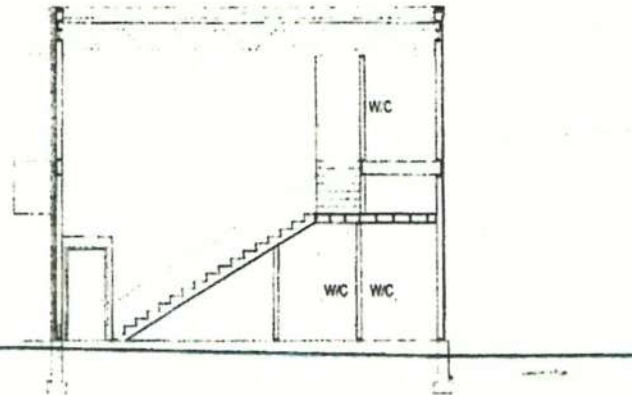
A3.2

TO BEARER =
FAC. # OF 1 OF PROJECT

TOP OF SECOND FLOOR
11'0" TO 11'6" PROJECT

TOP OF FINISHED FLOOR
11'0" TO 11'6" PROJECT
11'0" TO 11'6" PROJECT
11'0" TO 11'6" PROJECT

SECTION
A-A



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City of Virginia
JUL 26 1997
Planning & Development Department
Development Services Bureau

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City of Virginia
JUL 26 1997
Planning & Development Department
Development Services Bureau

Architect Inc.
1111 11th Street, N.W.
Washington, D.C. 20004
Tel: (202) 462-1111
Fax: (202) 462-1112

SECTION

10-472
A4.0

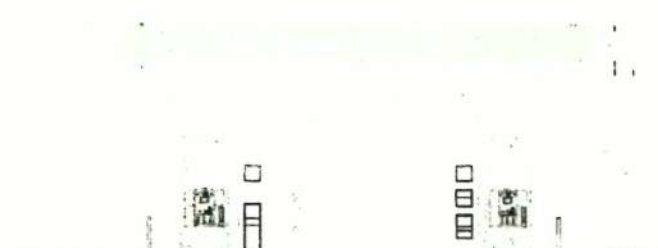
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 JUL 26 2017
 Planning & Development Department
 Development Services Division



1 CANOPY NORTH ELEVATION



2 CANOPY EAST ELEVATION



3 CANOPY SOUTH ELEVATION



4 CANOPY WEST ELEVATION



PROPOSED
 CANOPY ELEVATION
 2CH GAS BAR

306 MENZIES STREET
 @ MICHIGAN STREET

DEALER

Received
 City of Victoria
 JUL 26 2007
 Planning & Development Department
 Development Services Division



1 CANOPY NORTH ELEVATION



2 CANOPY EAST ELEVATION



3 CANOPY SOUTH ELEVATION



4 CANOPY WEST ELEVATION



PROPOSED
 CANOPY ELEVATION
 2CH GAS BAR

308 MENZIES STREET
 @ MICHIGAN STREET

DEALER

ATTACHMENT D

alan lowe architect inc.

December 20, 2016

City of Victoria
#1 Centennial Square
Victoria, British Columbia
V8W 1P6

Attention: Mayor Helps and Council

Re: Rezoning proposal at 308 Menzies Avenue, Victoria, British Columbia

Your Worship Mayor Helps and Councillors;

We are pleased to submit this rezoning application for your consideration. The existing gas station/repair garage located at 308 Menzies Avenue is located within the James Bay Large Urban Village area. The repair garage was built in 1967 and our client would like to convert the repair garage to a convenience store in association with the existing gas bar. We are also proposing a second storey office area above the convenience store.

The site in question is zone C-SS Special Service Station District and we would like to rezone the property to the C1-S Limited Commercial Service Station District. The only permitted use in the C-SS zone is a service station. The repair garage is a legal non-conforming use as the original plans submitted to the City in 1967 had the repair garage shown on the drawings and it has been in use as such since the building was constructed. The C-SS zone refers to the C1-S zone for all of its other regulations.

As the property is within the James Bay Large Urban Village designation, the uses envisioned for this designation are low to mid-rise multi-residential and mixed use, commercial, including visitor accommodation, live/work and home occupations. The uses within the C1-S zone would be generally consistent with this policy direction.

We have been working with our environmental consultant, Active Earth Engineering Ltd. on the site remediation. A copy of the site profile sent to the Ministry of Environment and their Scenario 4 Release are included with this application

The proposed renovations and addition will add a small 400 square foot addition to the west of the existing building and a 1900 square foot second floor office addition. The existing building and structure will be kept in place and we will be cladding the exterior with brick and hardi-panels. The existing footprint of the building will remain in the same location.

The 4 gas pumps and the underground tank are being upgraded and the gas bar should be in operation again by February 2017. We are proposing an overhead canopy over the two gas bar islands and we will require a setback variance the canopies to overhang past the required setbacks on the Michigan and Menzies. It is typical for gas bars to have canopies over their gas islands to protect customers from the inclement weather. The main structure for the canopies will be within the setbacks.

Our proposal is for the building is less than 0.36:1.0 in floor space ratio compared to the allowable 1.4:1.0 within the zone. Our requested height is 7.96 metres and the allowable height in this zone is 11.0 metres.

We attended a JBNA CALUC meeting on December 14, 2016 to shared our proposal with the neighbourhood association. A copy of the minutes of that meeting will be forwarded to you from the JBNA in the near future.

We feel the proposed addition and renovations to the existing building will update this building and enhance the neighbourhood. It is the only gas station in James Bay and we feel the complimentary uses on this site will be a benefit to the users.

We trust that this proposed rezoning meets the intent of the neighbourhood plan and the official community plan. If you have questions or concerns, please contact our office at 250-360-2888.

Thank you for your time and consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Alan Lowe".

Alan Lowe, MAIBC
Alan Lowe Architect Inc.



James Bay Neighbourhood Association

jbna@vcn.bc.ca
Victoria, B.C., Canada

www.jbna.org

December 22nd, 2016

Mayor & Council,
City of Victoria

Re: CALUC Community Meeting - 308 Menzies St

The community meeting to consider the Gas Station rezoning proposal at 308 Menzies was held on December 14th (47 attendees). Attached please find an excerpt of the General Meeting minutes regarding the proposal.

Although the gas station is recognized as a needed amenity for James Bay due to the high residential density of James Bay coupled with the closure of many, if not most, gas stations in the City over the past. Concerns were expressed by residents, particularly those living in adjacent properties. Concerns could be summarized as:

- Shadowing on the properties to the north and west
- **Potential night-time disruption depending on hours of operation**
- Possibility of future higher construction
- Security
- Need to better define the boundaries (fence or other) to discourage public use of neighbouring property for short-cut.

In response to the concern of night-time disturbance, Alan Lowe committed to discussing the matter 'voluntary' hour restrictions with the owner and forwarding response to JBNA for forwarding to concerned neighbours. As of date of writing this letter, response not received.

For your consideration,

Marg Gardiner,
President, JBNA
CALUC Co-Chair

Cc: Alan Lowe, Alan Lowe Architect Inc.
CoV Planning

JAMES BAY NEIGHBOURHOOD ASSOCIATION

MINUTES - General Meeting December 14th, 2016 – 47 present

5. CALUC: Community Meeting Rezoning 308 Menzies (gas station) at Michigan

Alan Lowe, Architect

Marg Gardiner reported on the Development Review Committee (DRC) pre-meeting:

On November 1st, JBNA DRC Committee members, Tim VanAlstine, Wayne Shillington, Trevor Moat and Marg Gardiner met with Alan Lowe to review the project. The project is to rezone the gas station with a service bay into a gas station with offices and commercial activities (offices on second floor and convenience store on adapted main floor).

Lower floor = 1867 sqft, second would be 1592 sqft.

Issues discussed: community concern re a chain convenience store or any 24hr store, width of sidewalk for mobility scooter access, bike parking for both employees and customers, and possibility of pollinator garden or other plantings in the planters to support food production in the community. It was also recommended that nearby neighbours to the west and north be consulted in advance of a community meeting.

Community Meeting presentation:

Alan Lowe described the proposal including the work currently underway to remove existing under-ground gas tanks and replace with new tanks. Existing repair/garage does not meet current zoning. The repair/garage will be removed and in its place will be a convenience store. A second storey will be added to provide for office while lower floor will be the convenience store. The building will not extend further towards Michigan. At rear (west) of existing building an additional one-storey structure will be attached to the existing building. Storefronts will replace the existing garage doors and store front windows will correspond on the new second floor. Hardy-board will be installed on the rear of the building. Zoning change required to accommodate the new storey and convenience store; will be changed from C-SS to C1-S. The existing building will be renovated, not demolished. Station manager asked customers to sign a petition of support and 100 customers signed, supporting the change.

Q – Michigan neighbour – crumbling fence inadequate to separate properties – will new fence be constructed.

A – Yes a new fence will be constructed – will be 6 feet high

C - Neighbour wants it of solid construction

Q – Michigan neighbour - windows, backyard will be impacted by second storey, will allow no light. Pollinator garden shouldn't be there as soil needs to be tested, our soil is contaminated, has been tested, could not be determined if from garage or fuel. Minimum distance between properties 4.4 meters, will the addition in the back not bring the building closer. Am very concerned about shadowing.

A – setbacks, 4.5 meter set back is for next to a R-1 property - does not apply due to the existing set back requirement. May lose a bit of morning sun.

C - Neighbour requesting shadow studies be done.

Q – Menzies strata north neighbour – second storey will block sun from south side, very concerned. North side of station property has problems where people collect (urinate etc). Concerns are shadowing and security.

A – a fence will be constructed to property line on Menzies, and the small area to the north of the building will be gated off.

Q – Michigan resident – 2 storeys now – could it be increased to 5 storeys at a later date.

A – No not allowed to go up 5 storeys, parking limits this.

Q – Soil and tank removal

A – Golden Assoc. an environmental consultant work on this.

Q – Michigan resident – will hours be expanded.

A – don't know but doesn't expect this will be 24 hours, will most likely close by midnight.

Q – is there an appetite for the owner to make a commitment now to residents on hours of operation?

A - Alan will approach owner

C - Marg (Chair) asked the 2 residents to leave e-mail addresses so that Alan's response could be forwarded to them.

Q – will traffic flow change

A – doubtful – expect same use as now gas up and go.

Q – Menzies resident – what kind of earth work to get tanks out? Will there be pounding?

A – will use an excavator – equipment to test soil. Once clearance to place the new tank. There will be no blasting or pile driving.

Residents beyond the 100m community meeting notice area

Q - Does C1 zone require the gas station to be part of the facility or optional? Could it change from convenience store only from gas station?

A – the owner wants both the gas station and convenience, doesn't see it not continuing to be a gas station as only one in JB.

C – Nearby neighbour - Doesn't make any sense to neighbour of how convenience store will sustain itself if not open 24 hrs, and feels that the convenience store and gas bar can be achieved with existing one storey. No need for the second storey. Too large for neighbourhood.

Q – Will the offices be used for only the gas station and convenience store?

A – Will be used for his operations.

Q – Can the office space be rented out?

A – Yes the office space could be rented out.

Q – Nearby neighbour – could do more than 2 storeys now you say 3 storeys

A – Can build to 12 meters or 36 to 38 feet.

Q – is it a new owner?

A – Owner is Mr. Shan – general manager is here tonight

Q – Victoria Adams – can it be combined for commercial and residential use.

A – yes technically can but owner did not direct that

C – Since residences are near-by, ask that lighting be directed downwards to minimize impact on homes

C – Lighting on site be directed away for the residential properties.

Application for REZONING and
DEVELOPMENT PERMIT
WITH VARIANCE for
308 Menzies Street
Victoria B.C.



Existing Site



NEIGHBOURING PROPERTIES:



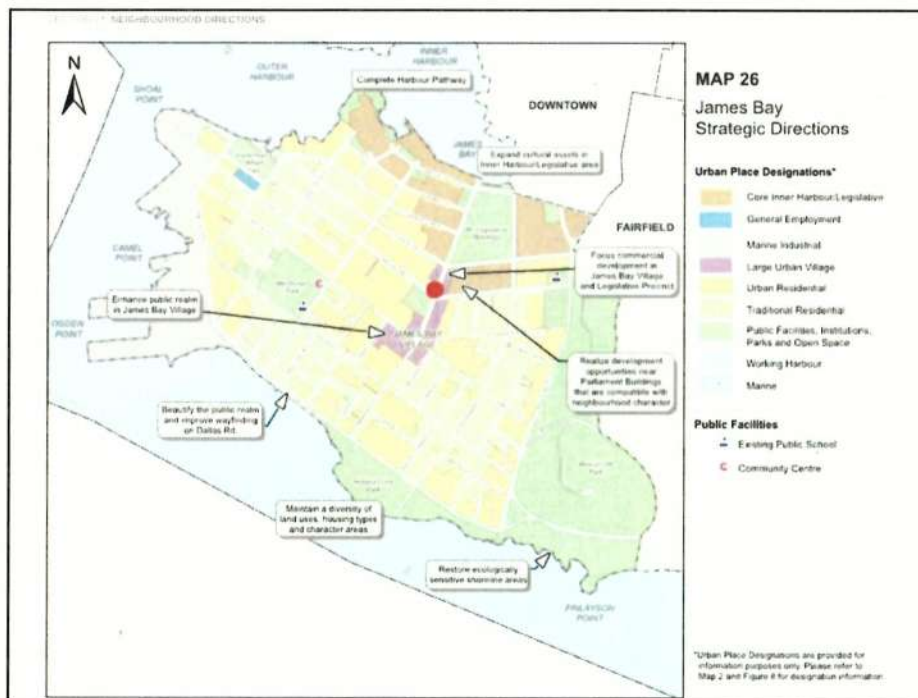
NEIGHBOURING PROPERTIES:



NEIGHBOURING PROPERTIES:



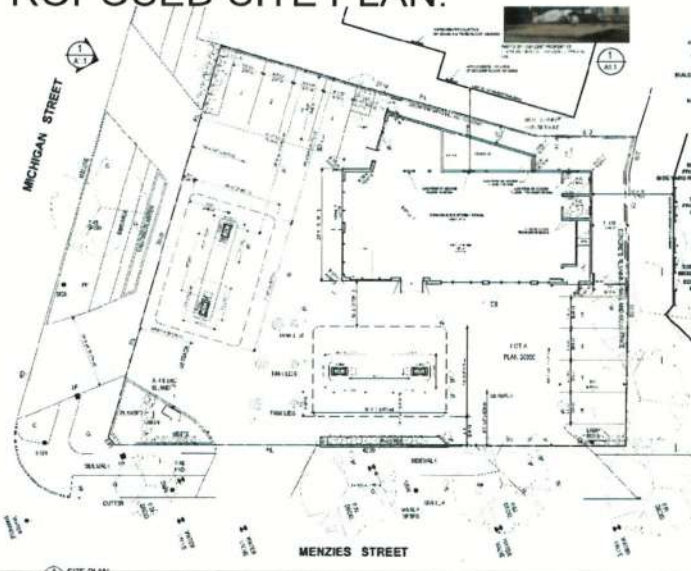
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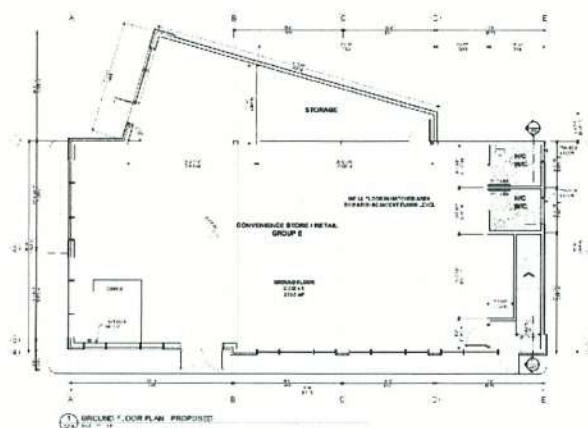
OCP Map



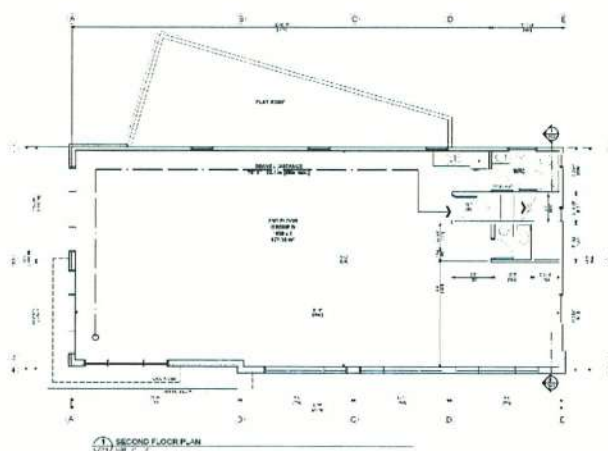
PROPOSED SITE PLAN:



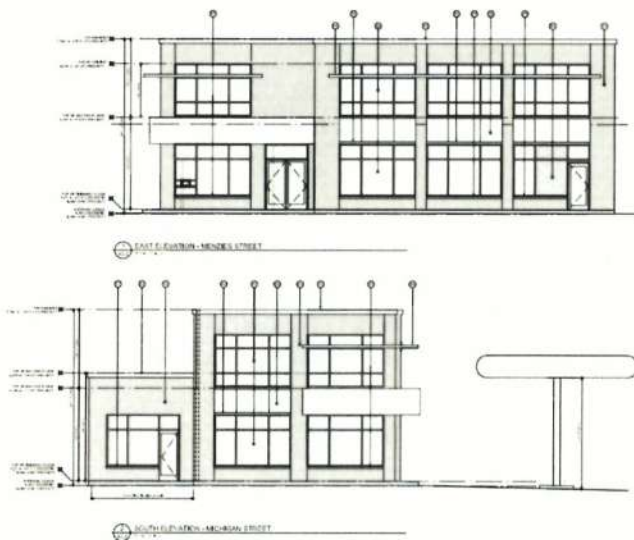
GROUND FLOOR PLAN:



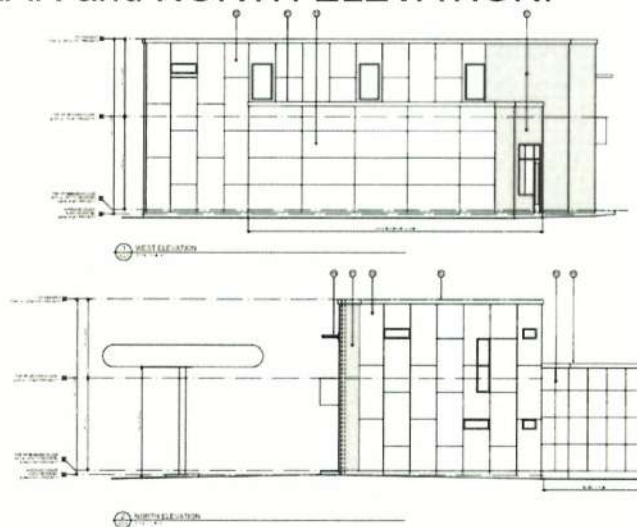
SECOND FLOOR PLAN:



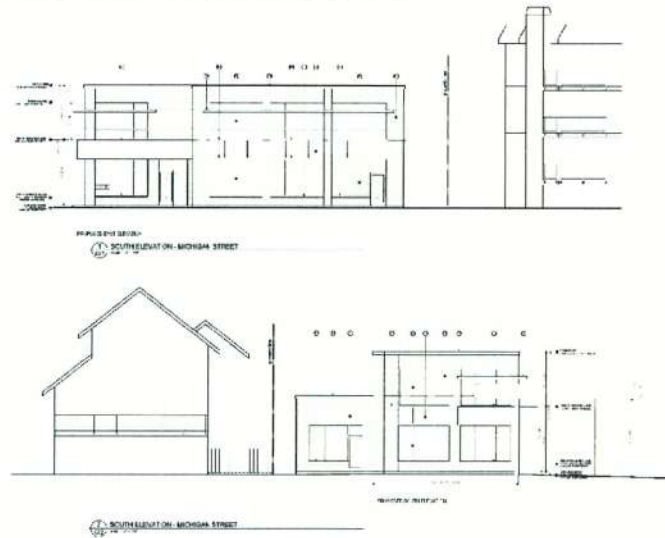
FRONT and SOUTH ELEVATIONS:



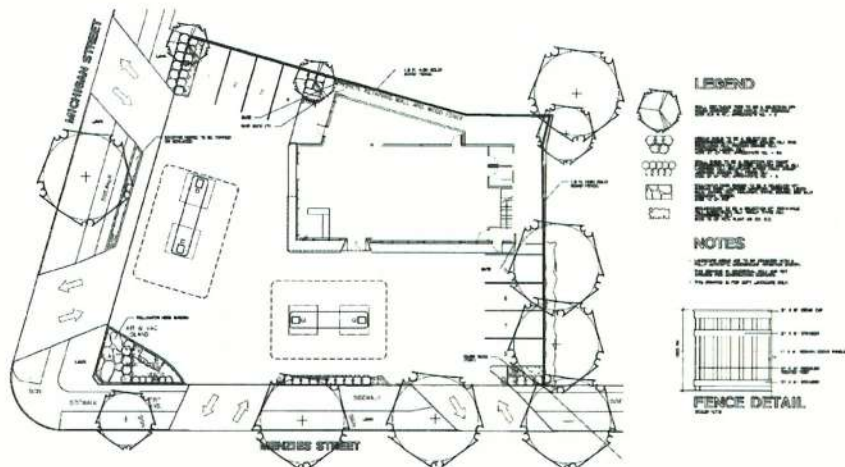
REAR and NORTH ELEVATION:



CONTEXT ELEVATION:



LANDSCAPE PLAN:



Application for DEVELOPMENT PERMIT WITH VARIANCE for 308 Menzies Street Victoria B.C.



PROPOSED SITE PLAN:



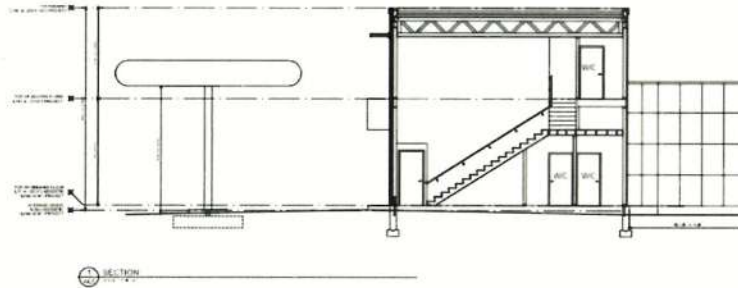
Existing Site Condition



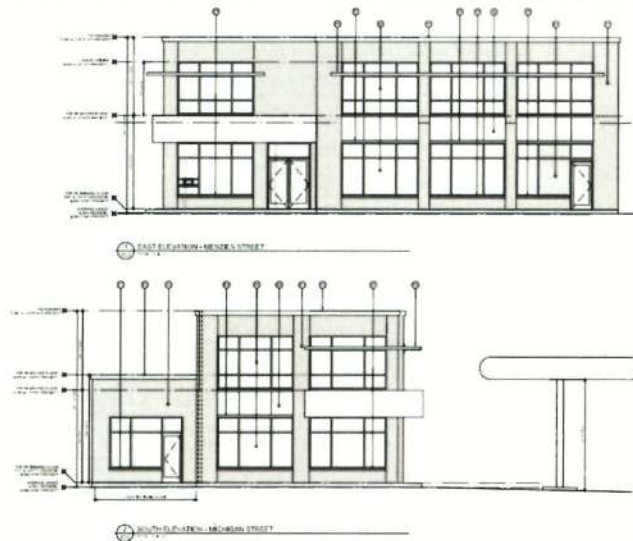
Proposed Site Condition



Overhead Canopies



FRONT and SOUTH ELEVATIONS:



REPORTS OF COMMITTEES

1. Committee of the Whole – October 5, 2017

5. Rezoning Application No. 00555 for 308 Menzies Street (James Bay)

Motion:

It was moved by Councillor Young, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 000555 for 308 Menzies Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Carried Unanimously

6. Development Permit with Variances Application No. 00026 for 308 Menzies Street (James Bay)

Motion:

It was moved by Councillor Young, seconded by Councillor Coleman, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00555, if it is approved, consider the following motion:

"That Council authorizes the issuance of Development Permit Application No. 00026 for 308 Menzies Street, in accordance with:

1. Plans date stamped July 26, 2017 (as amended to address overhead canopy design to the satisfaction of the Director of Sustainable Planning and Community Design.)
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Schedule C, Section 16(c), reduce the required number of parking spaces from fifteen to eight;
 - ii. Zoning Bylaw No. 80-159, Part 4.1.6, reduce the required rear yard setback from six metres to 1.52 metres.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

5.2 Development Permit with Variances Application No. 00026 for 308 Menzies Street (James Bay)

Committee received a report dated September 18, 2017, from the Director of Sustainable Planning and Community Development regarding the Development Permit with Variances application for the property located at 308 Menzies Street. The variances are related to reducing the required number of parking stalls and reducing the rear yard setback.

Motion: It was moved by Councillor Coleman, seconded by Councillor Young, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00555, if it is approved, consider the following motion:

"That Council authorizes the issuance of Development Permit Application No. 00026 for 308 Menzies Street, in accordance with:

1. Plans date stamped July 26, 2017 (as amended to address overhead canopy design to the satisfaction of the Director of Sustainable Planning and Community Development.)
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Schedule C, Section 16(c), reduce the required number of parking spaces from fifteen to eight;
 - ii. Zoning Bylaw No. 80-159, Part 4.1.6, reduce the required rear yard setback from six metres to 1.52 metres.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report

For the Meeting of October 5, 2017

To: Committee of the Whole **Date:** September 18, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: **Development Permit with Variances Application No. 00026 for 308 Menzies Street**

RECOMMENDATION

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00555, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No.00026 for 308 Menzies street, in accordance with:

1. Plans date stamped July 26, 2017 (as amended to address overhead canopy design to the satisfaction of the Director of Sustainable Planning and Community Design).
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule C, Section 16(c), reduce the required number of parking spaces from fifteen to eight
 - ii. Zoning Bylaw No. 80-159, Part 4.1.6, reduce the required rear yard setback from six metres to 1.52 metres.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 308 Menzies Street. The proposal is to construct a second storey addition to an existing building for office use and to construct two overhead canopies above existing gas bar islands. The proposal includes converting the existing ground floor repair garage into a convenience store and adding a 37m² (400 square foot) addition to the side of the ground floor. The variances are related to reducing the required number of parking stalls and reducing the rear yard setback.

The following points were considered in assessing this Application:

- the parking variance to reduce the required number of parking spaces from fifteen to eight is supportable based on the anticipated changes to the parking bylaw for properties located in a Large Urban Village. Additionally, to offset the parking shortfall, double the amount of required Class 1 (secure and enclosed) and Class 2 (visitor) bicycle parking would be provided.
- the variance to reduce the rear yard setback from six metres to 1.52 metres is supportable. The proposed setback is consistent with the single and two family dwelling side yard setbacks of the adjacent zone, is single storey and does not contribute to shadowing or overlook impacts.

BACKGROUND

Description of Proposal

The proposal is for a second storey addition to an existing gas station building to house office space and to construct two overhead canopies above existing gas bar islands. The proposal also includes converting the existing ground floor repair garage into a convenience store. Specific details include:

- exterior materials comprised predominantly of brick and cement board cladding
- extensive glazing on both street frontages on both floors, and minimal glazing on building façades that face adjacent residential properties
- formalized accesses and parking
- concrete and wood fencing at property boundaries
- two Class 1 (covered) and two Class 2 bicycle parking spaces in excess of the City requirements.

The proposed variances are related to:

- reducing the required number of parking stalls from fifteen to eight
- reducing the rear yard setback from six metres to 1.52 metres.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The Application proposes to provide double the required amount of Class 1 and Class 2 bicycle racks (two Class 1 and two Class 2 bicycle racks) which support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposed landscape surrounding the proposed building is designed to be accessible.

Existing Site Development and Development Potential

The site is presently occupied by a single storey gas station and a three bay repair garage.

Under the current C-SS Zone, Special Service Station District, the property could be developed to accommodate a three storey building, not exceeding 11m in height and land uses would be limited to service stations only.

Data Table

The following data table compares the proposal with the existing C-SS Zone, Special Service Station District, for applicable regulations. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the building is legally non-conforming with regard to the existing zone.

Zoning Criteria	Proposal	Zone Standard C-SS, Special Service Station District
Site area (m ²) - minimum	1096.25	n/a
Density (Floor Space Ratio) - maximum	0.36	1.40
Total floor area (m ²) - maximum	391.21	1534.75
Height (m) - maximum	8.00	12.00
Storeys - maximum	2.00	n/a
Site coverage % - maximum	35.50	n/a
Open site space % - minimum	14.10	n/a
Setbacks (m) - minimum:		
Front	13.2 Building 5.9 Gas Bar**	6.00
Rear (east)	1.52*	6.00
Side (north)	2.85	2.40
Flanking Street (south)	12.46 Building 4.5 Gas Bar columns	2.40
Parking - minimum	8*	15
Bicycle parking stalls (minimum)	2 Class 1 2 Class 2	1 Class 1 1 Class 2

Relevant History

The applicant's letter makes reference to the upgrading of the existing four gas pumps on site and the underground fuel tank. Neither of these items are a consideration of this Application and are dealt with through building permits.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the James Bay CALUC at a Community Meeting held on December 14, 2016. A letter dated December 22, 2016 is attached to this report.

ANALYSIS

The *Official Community Plan (OCP)* identifies this property within DPA5, Large Urban Villages. An objective of this designation is to revitalize commercial uses to create complete communities and strengthen commercial viability. Within the Large Urban Village designation, buildings are encouraged to have three to five storey façades that define a street wall with shop windows and building entrances that are oriented to face the street. The service station use of the site prevents the street wall possibility; however, the addition of the second storey and extensive street facing glazing provide a design approach to meet the intent of the OCP direction. The proposed building also incorporates high quality building materials to help meet the OCP objectives around enhancing the appearance of Large Urban Villages.

Design guidelines that apply to DPA 5 are the *Guidelines for Fences, Gates and Shutters (2010)* and the *Advisory Design Guidelines for Buildings: Signs and Awnings (1981)*. The proposal includes overhead canopies above the existing fuel pump islands which extend into the front and flanking street setbacks. Given the urban village setting, staff do not support the canopy design as shown on the plans and recommend instead a light standard similar to other service stations located in urban village and residential areas. The applicant has indicated that they are willing to work with staff to address the canopy design issues with revisions to the canopy design prior to the issuance of the Development Permit.

The OCP speaks to providing a careful transition between different land uses, which the proposal achieves with its massing and location. It is smaller than both the adjacent multi family buildings and its second storey is set back 6.7 metres from the buildings to the west and north (approximately 22 feet). Additionally, windows on the proposed building are both limited and staggered in relation to the adjacent property windows. Shadowing is also limited with the minimal height of the second storey addition and proposed setbacks. The proposal also includes improved fencing around the property, which has been an issue for neighbouring properties.

Local Area Plans

The OCP provides current planning direction; however, the James Bay Neighbourhood Plan offers supporting guidance. It includes the subject property within a designated Commercial Centre and promotes the growth and vitality of this centre.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no impacts to public trees with this Application.

CONCLUSIONS

The proposed second storey addition to the existing service station and conversion of the ground floor maintenance garage into retail space is consistent with commercial revitalization goals for the James Bay Urban Village in the OCP. The impact on neighbouring properties is minimal and the associated site improvements are of benefit to the community. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00026 for the property located at 308 Menzies Street.

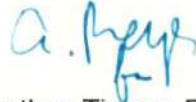
Respectfully submitted,



Miko Betanzo
Senior Planner - Urban Design
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:



Date: Sept. 26, 2017

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped July 26, 2017
- Attachment D: Letter from applicant to Mayor and Council dated December 20, 2016
- Attachment E: Community Association Land Use Committee comments dated December 22, 2016.

ATTACHMENT A

SUPERIOR ST

421

477

487

491

495

332

328

320

418

430

444

308

MENZIES ST

MICHIGAN ST

4/10

435

455

461

475

481

491

IRVING
PARK

250

511

517

521

4

4

255-281

239

308 Menzies Street
Development Permit with Variances No 00026

N

ATTACHMENT B



308 Menzies Street
Development Permit with Variances No 00026



ISSUED FOR REZONING

308 MENZIES STREET
VICTORIA, BRITISH COLUMBIA
PROJECT NUMBER: 16-473

19 JULY 2017

alan **lowe** architect inc.

#203 - 1110 Government St., Victoria, British Columbia
1 250.360.2668

INDEX OF DRAWINGS

A0 COVER SHEET
A1.0 SITE PLAN
A1.1 SITE PLAN WITH ZONING
A1.2 ZONING STUDY
A1.3 ZONING STUDY
A2.0 ZONING STUDY
A2.1 ZONING STUDY
A3.0 ZONING STUDY
A3.1 ZONING STUDY
A3.2 ZONING STUDY
A4.0 ZONING STUDY

BUBBLED SET

As per the plan, this is a zoning study
and the project, if the plan is
approved, it will be a zoning study
of the site and the area.

Received

July 19, 2017

JUL 26 2017

Planning & Development Department
Development Services Division

ATTACHMENT C

1. REZONING APPLICATION 16-473
2. REZONING APPLICATION 16-473
3. REZONING APPLICATION 16-473
4. REZONING APPLICATION 16-473

16-473
16-473
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16-473

COVER
INDEX

project no. 16-473

16-473 16-473 16-473

A0

* *Journal of Management* This is a leading journal of management research, covering a wide range of topics in management.

CIVIC ADDRESS: 208 MELROSE STREET
VICTORIA B.C.

ZONING: C-88 SPECIAL SEWERAGE DISTRICT DISTRICT
SITE AREA: 10.06 AC. (44,187 sq ft)

JUL 26 1952

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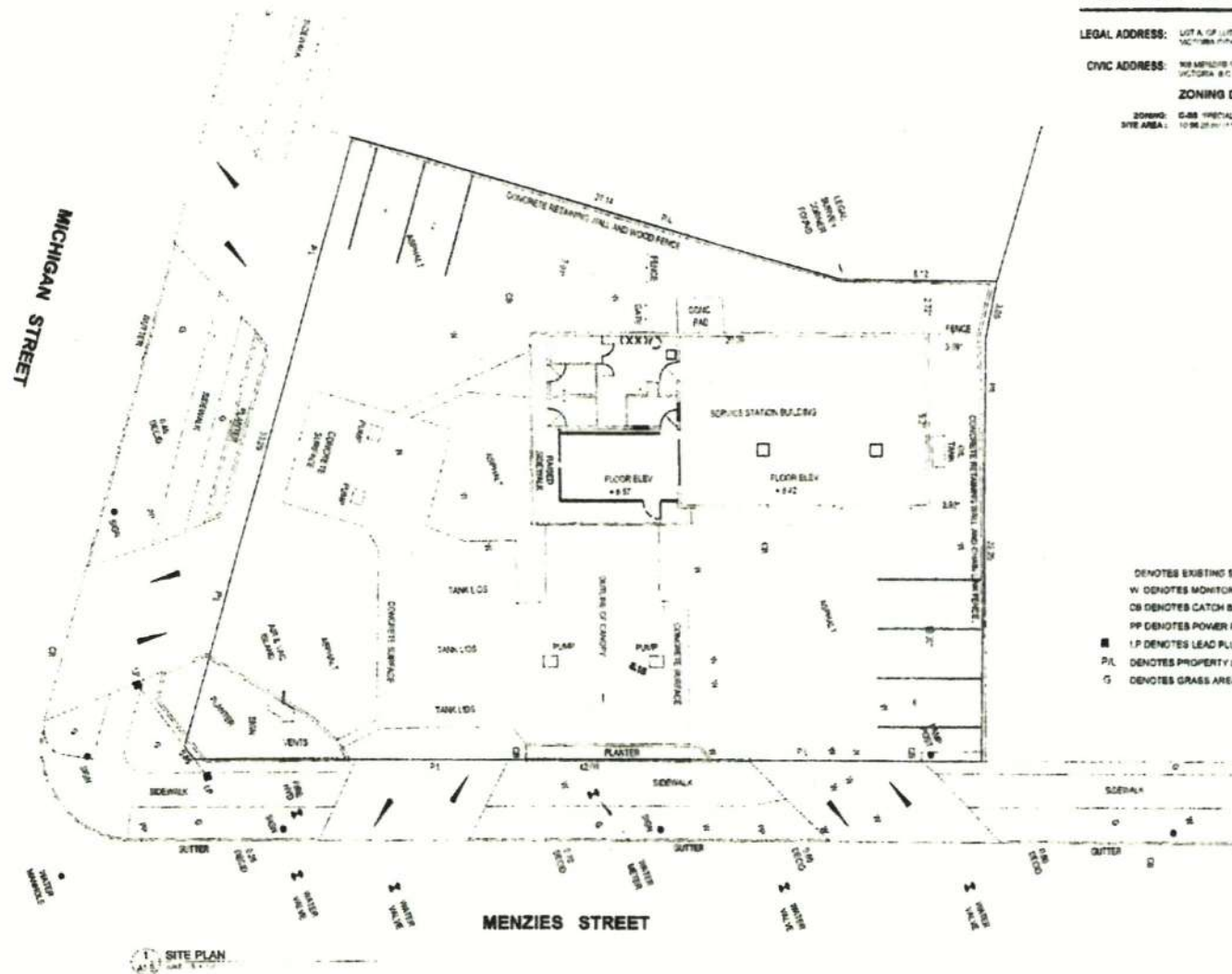
alan architect inc.
214 100 Avenue 14 • St. Laurent
tel: 514 344-0100

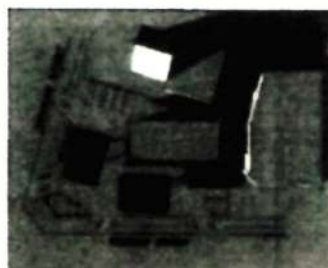
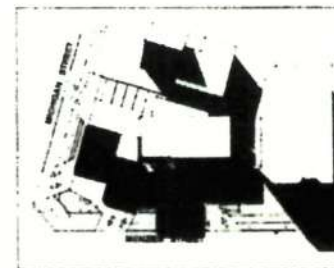
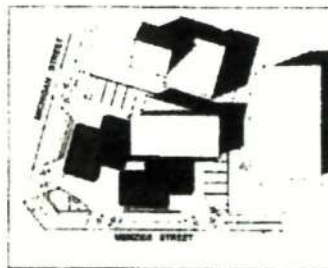
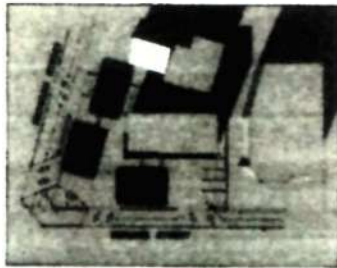
ADDRESS ONLY: STONE
AND TAYLOR

SITE PLAN - EXISTING
FLOOR PLAN - EXISTING

project no.	15-472
by	20 APR 2017
at	60 N 10 E

A1.0





SHADOW STUDY

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City of Victoria

1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 26

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Development Services Division

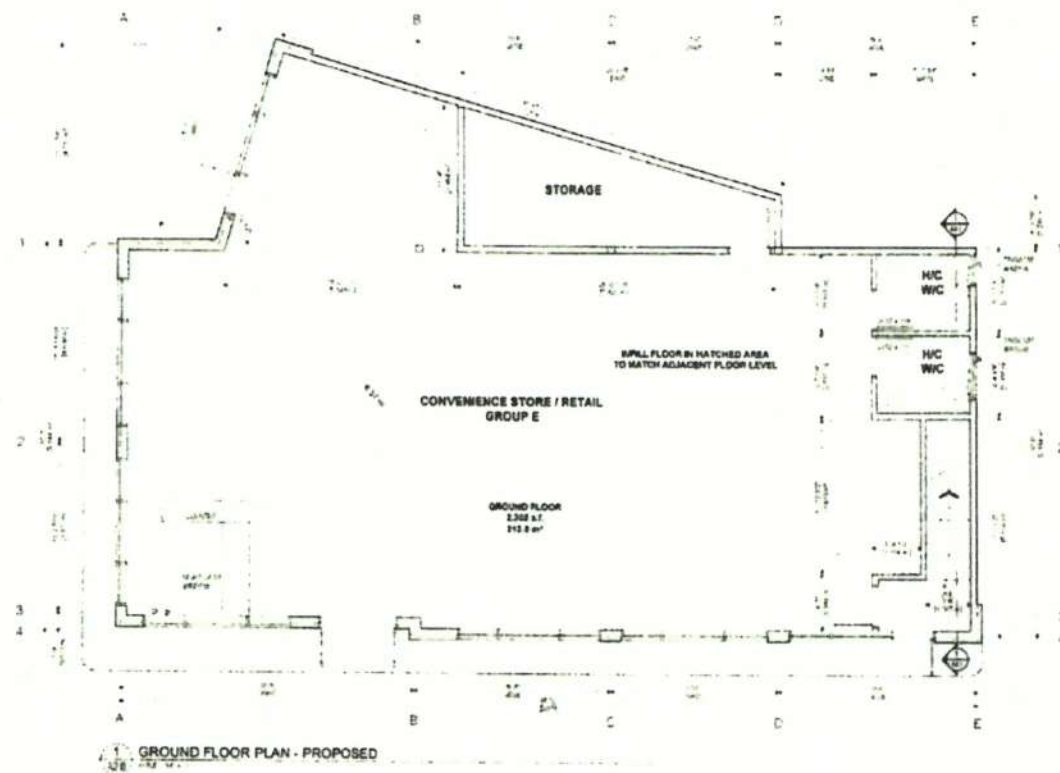
Rank	Team	Score
1	St. Ignace High School	100.00
2	St. Ignace High School	98.00
3	St. Ignace High School	96.00
4	St. Ignace High School	94.00

alan [redacted] architect inc.
240 111 1111 / 240 222 2222
12345 Main Street
Vancouver, British Columbia

CONTINUING STORY
FROM PAGE 10

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protein / g	16.279
protein / g	16.279

A1.2



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Received
City of Chicago
JUL 26 2017
Planning & Development Department
Development Services Division



1. MEASURING UNIT TOTAL	11.11
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alan architect inc
1111 N. Dearborn St. Suite 100
Chicago, IL 60610

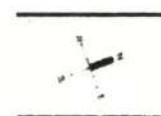
GROUND FLOOR PLAN

Project No.	10-071
Applicant	11.11.17
City of Chicago	11.11.17

A2.0

As shown on these drawings, the design of the building is in accordance with the City of Chicago Building Code, 2012 Edition, and the City of Chicago Fire Code, 2012 Edition.

Received
City of Chicago
JUL 26 2012
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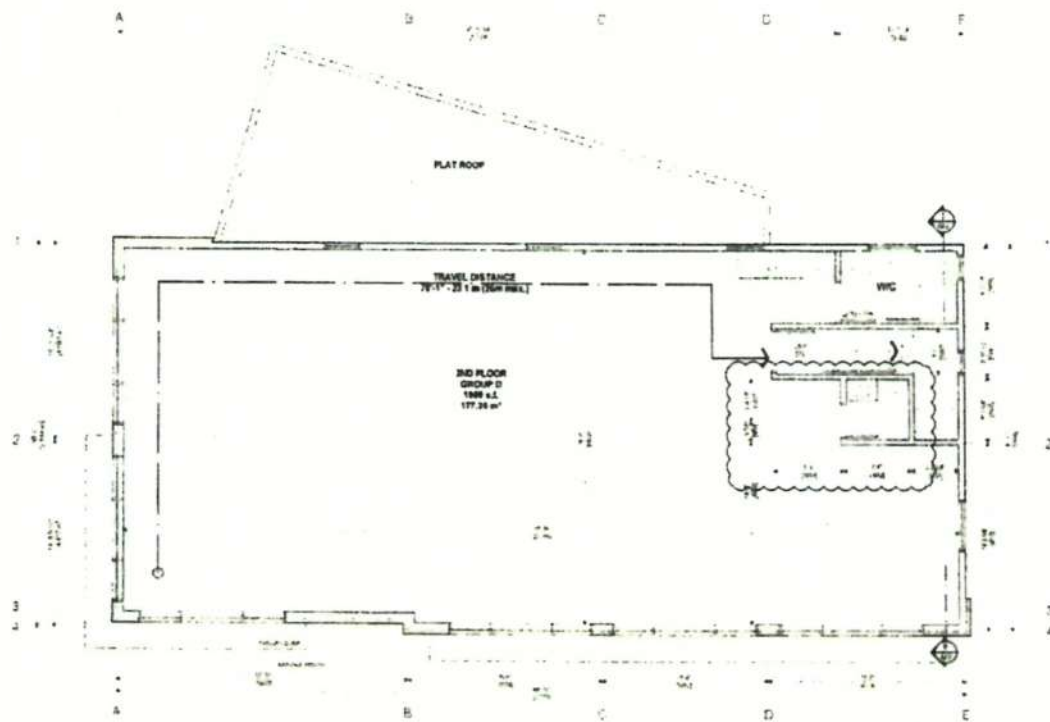
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2. FLOOR AREA	10,000 sq. ft.
3. PERMITTED FLOOR AREA	10,000 sq. ft.
4. TOTAL FLOOR AREA	10,000 sq. ft.
5. TOTAL AREA	10,000 sq. ft.

alan architect inc.
1111 North Dearborn Street
Chicago, Illinois 60610

SECOND FLOOR PLAN
PROPOSED

PROJECT NO.	10-000
DATE	07/11/12
BY	ALAN

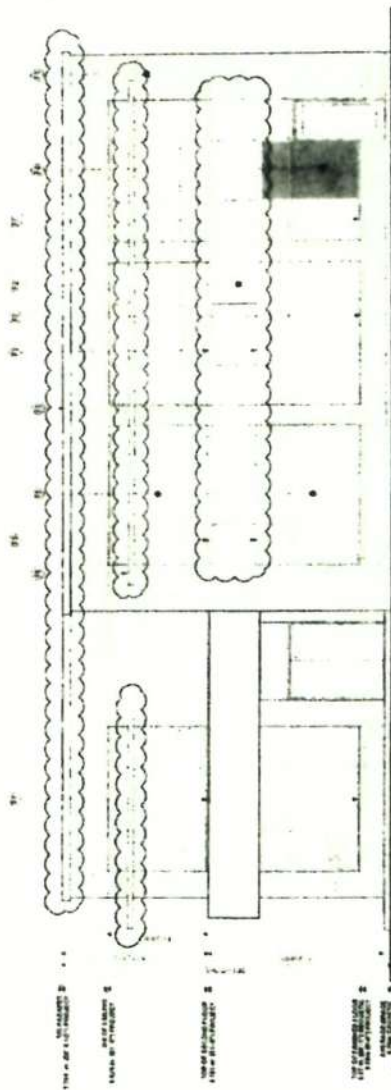
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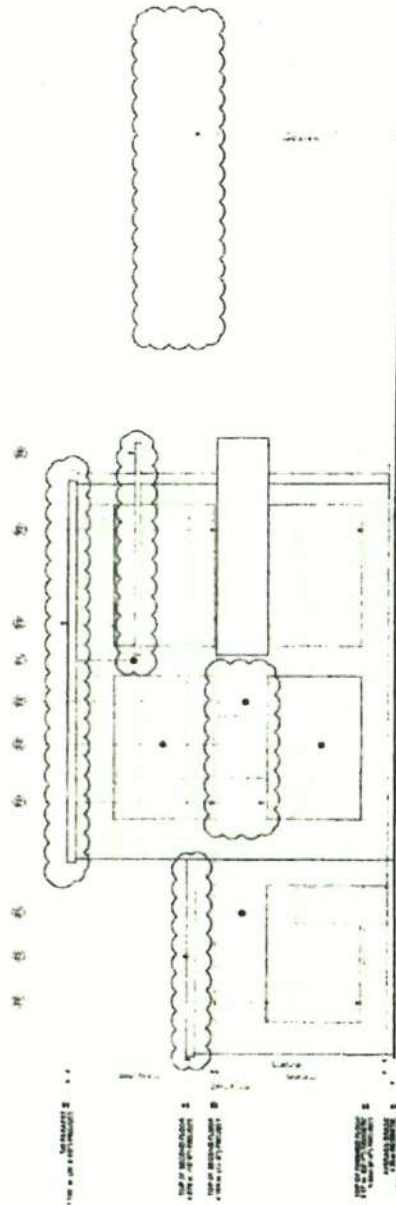
1 SECOND FLOOR PLAN

For all other work, please refer to the
 Plans, Specifications and Contract Documents.
 The Engineer is not responsible for the
 construction of the building or its contents.

Received
 JUL 26 1977
 Planning & Surveying and Development
 Department, City of Toronto



1 - EAST ELEVATION - MENZIES STREET



2 - SOUTH ELEVATION - MICHIGAN STREET

EXTERIOR FINISHES & NOTES :

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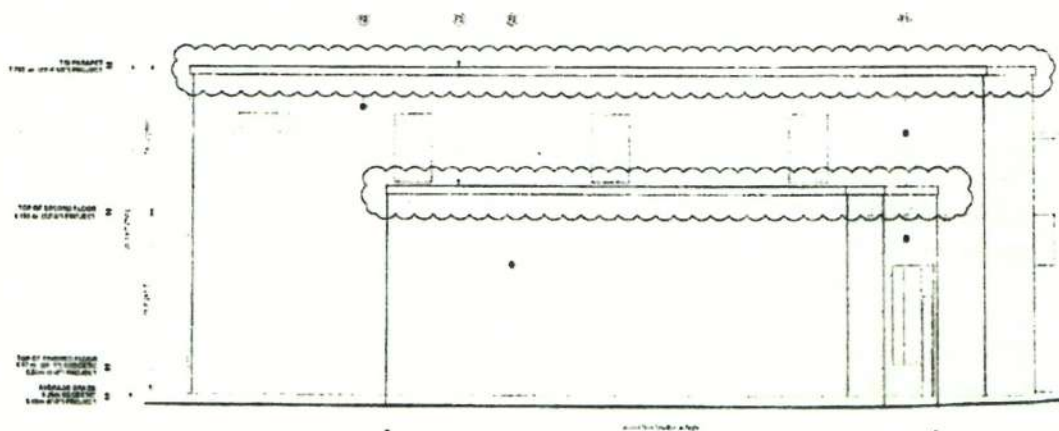
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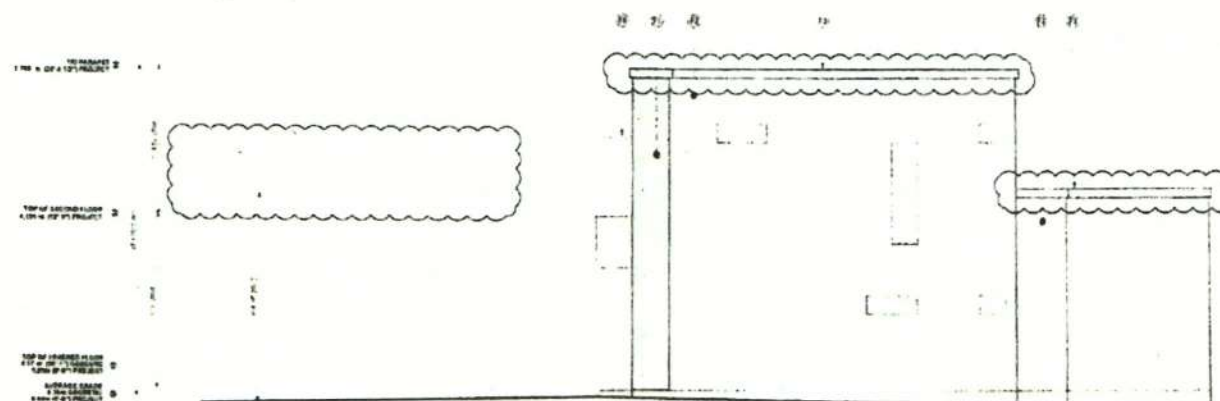
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Received
City of Victoria
JUL 26 2007
Planning & Development Department
Development Services Division



WEST ELEVATION



NORTH ELEVATION

EXTERIOR FINISHES & NOTES:

- 1. EXTERIOR WALLS: 11' 0" OF PROJECT
- 2. EXTERIOR WALLS: 11' 0" OF PROJECT
- 3. EXTERIOR WALLS: 11' 0" OF PROJECT
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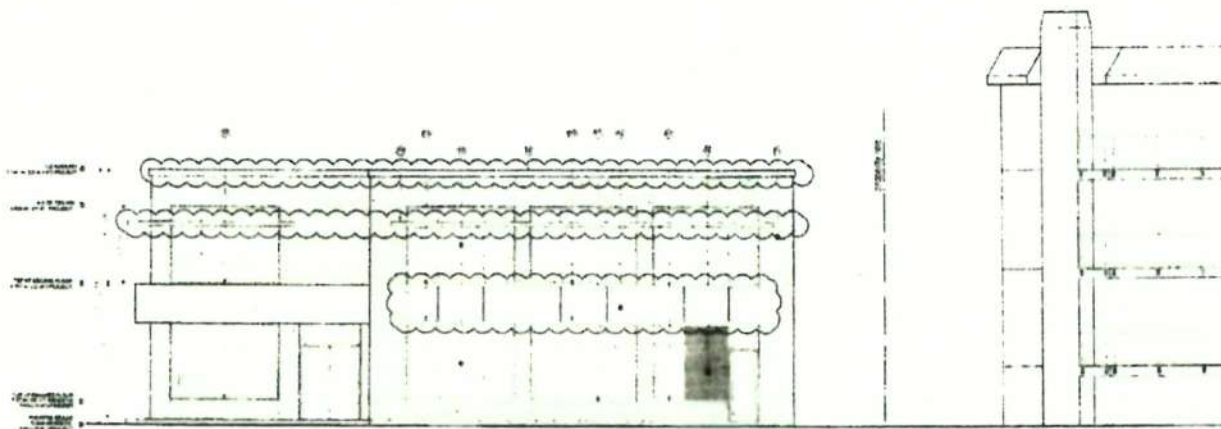
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alan architect inc
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ELEVATIONS

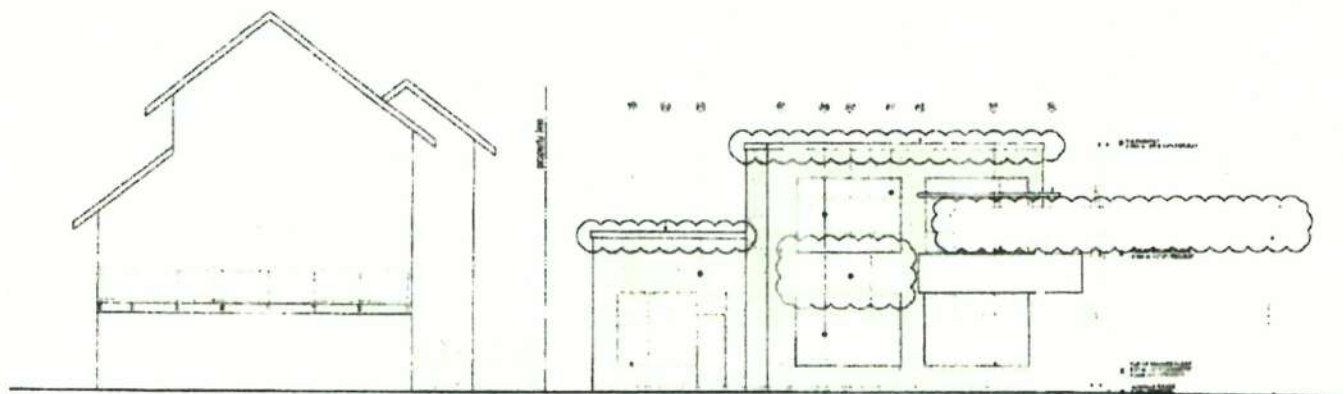
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FRONT ELEVATION

1 SOUTH ELEVATION - MICHIGAN STREET



SIDE ELEVATION

2 SOUTH ELEVATION - MICHIGAN STREET

City of Detroit
Planning & Development Department
Development Services Division

Received
City of Detroit
JUL 26 2011
Planning & Development Department
Development Services Division

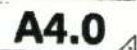
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alan architect inc
1000 10th Avenue
Detroit, MI 48206
313.466.1000
www.alanarchitect.com

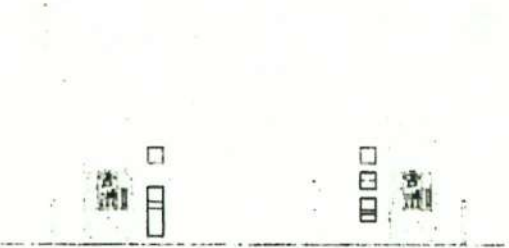
STREETSCAPE
1000 10th Avenue
Detroit, MI 48206
313.466.1000
www.alanarchitect.com

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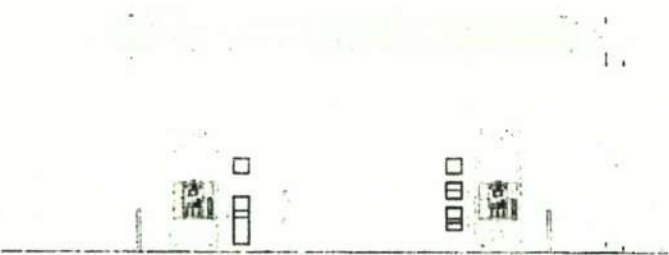
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1 CANOPY NORTH ELEVATION



2 CANOPY EAST ELEVATION



3 CANOPY SOUTH ELEVATION



4 CANOPY WEST ELEVATION



PROPOSED
 CANOPY ELEVATION
 2CH GAS BAR

308 MENZIES STREET
 @ MICHIGAN STREET

DEALER

Received
 City of Victoria
 JUL 26 2007
 Planning & Development Department
 Development Services Division



1 CANOPY NORTH ELEVATION



2 CANOPY EAST ELEVATION



3 CANOPY SOUTH ELEVATION



4 CANOPY WEST ELEVATION



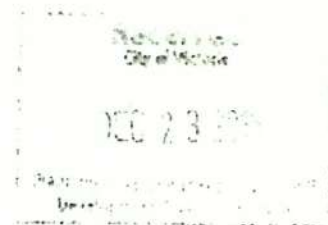
PROPOSED
 CANOPY ELEVATION
 2CH GAS BAR

308 MENZIES STREET
 @ MICHIGAN STREET

DEALER

ATTACHMENT D

alan lowe architect inc.



December 20, 2016

City of Victoria
#1 Centennial Square
Victoria, British Columbia
V8W 1P6

Attention: Mayor Helps and Council

Re: Rezoning proposal at 308 Menzies Avenue, Victoria, British Columbia

Your Worship Mayor Helps and Councillors;

We are pleased to submit this rezoning application for your consideration. The existing gas station/repair garage located at 308 Menzies Avenue is located within the James Bay Large Urban Village area. The repair garage was built in 1967 and our client would like to convert the repair garage to a convenience store in association with the existing gas bar. We are also proposing a second storey office area above the convenience store.

The site in question is zone C-SS Special Service Station District and we would like to rezone the property to the C1-S Limited Commercial Service Station District. The only permitted use in the C-SS zone is a service station. The repair garage is a legal non-conforming use as the original plans submitted to the City in 1967 had the repair garage shown on the drawings and it has been in use as such since the building was constructed. The C-SS zone refers to the C1-S zone for all of its other regulations.

As the property is within the James Bay Large Urban Village designation, the uses envisioned for this designation are low to mid-rise multi-residential and mixed use, commercial, including visitor accommodation, live/work and home occupations. The uses within the C1-S zone would be generally consistent with this policy direction.

We have been working with our environmental consultant, Active Earth Engineering Ltd. on the site remediation. A copy of the site profile sent to the Ministry of Environment and their Scenario 4 Release are included with this application

The proposed renovations and addition will add a small 400 square foot addition to the west of the existing building and a 1900 square foot second floor office addition. The existing building and structure will be kept in place and we will be cladding the exterior with brick and hardi-panels. The existing footprint of the building will remain in the same location.

The 4 gas pumps and the underground tank are being upgraded and the gas bar should be in operation again by February 2017. We are proposing an overhead canopy over the two gas bar islands and we will require a setback variance the canopies to overhang past the required setbacks on the Michigan and Menzies. It is typical for gas bars to have canopies over their gas islands to protect customers from the inclement weather. The main structure for the canopies will be within the setbacks.

Our proposal is for the building is less than 0.36:1.0 in floor space ratio compared to the allowable 1.4:1.0 within the zone. Our requested height is 7.96 metres and the allowable height in this zone is 11.0 metres.

We attended a JBNA CALUC meeting on December 14, 2016 to shared our proposal with the neighbourhood association. A copy of the minutes of that meeting will be forwarded to you from the JBNA in the near future.

We feel the proposed addition and renovations to the existing building will update this building and enhance the neighbourhood. It is the only gas station in James Bay and we feel the complimentary uses on this site will be a benefit to the users.

We trust that this proposed rezoning meets the intent of the neighbourhood plan and the official community plan. If you have questions or concerns, please contact our office at 250-360-2888.

Thank you for your time and consideration.

Yours truly,

A handwritten signature in black ink, appearing to read 'Alan Lowe', written in a cursive style.

Alan Lowe, MAIBC
Alan Lowe Architect Inc.



James Bay Neighbourhood Association

jbna@vcn.bc.ca
Victoria, B.C., Canada

www.jbna.org

December 22nd, 2016

Mayor & Council,
City of Victoria

Re: CALUC Community Meeting - 308 Menzies St

The community meeting to consider the Gas Station rezoning proposal at 308 Menzies was held on December 14th (47 attendees). Attached please find an excerpt of the General Meeting minutes regarding the proposal.

Although the gas station is recognized as a needed amenity for James Bay due to the high residential density of James Bay coupled with the closure of many, if not most, gas stations in the City over the past. Concerns were expressed by residents, particularly those living in adjacent properties. Concerns could be summarized as:

- Shadowing on the properties to the north and west
- **Potential night-time disruption depending on hours of operation**
- Possibility of future higher construction
- Security
- Need to better define the boundaries (fence or other) to discourage public use of neighbouring property for short-cut.

In response to the concern of night-time disturbance, Alan Lowe committed to discussing the matter 'voluntary' hour restrictions with the owner and forwarding response to JBNA for forwarding to concerned neighbours. As of date of writing this letter, response not received.

For your consideration,

Marg Gardiner,
President, JBNA
CALUC Co-Chair

Cc: Alan Lowe, Alan Lowe Architect Inc.
CoV Planning

EXCERPT from JBNA December 14th, 2016 Minutes

JAMES BAY NEIGHBOURHOOD ASSOCIATION

MINUTES - General Meeting December 14th, 2016 – 47 present

5. CALUC: Community Meeting Rezoning 308 Menzies (gas station) at Michigan

Alan Lowe, Architect

Marg Gardiner reported on the Development Review Committee (DRC) pre-meeting:

On November 1st, JBNA DRC Committee members, Tim VanAlstine, Wayne Shillington, Trevor Moat and Marg Gardiner met with Alan Lowe to review the project. The project is to rezone the gas station with a service bay into a gas station with offices and commercial activities (offices on second floor and convenience store on adapted main floor).

Lower floor = 1867 sqft, second would be 1592 sqft.

Issues discussed: community concern re a chain convenience store or any 24hr store, width of sidewalk for mobility scooter access, bike parking for both employees and customers, and possibility of pollinator garden or other plantings in the planters to support food production in the community. It was also recommended that nearby neighbours to the west and north be consulted in advance of a community meeting.

Community Meeting presentation:

Alan Lowe described the proposal including the work currently underway to remove existing under-ground gas tanks and replace with new tanks. Existing repair/garage does not meet current zoning. The repair/garage will be removed and in its place will be a convenience store. A second storey will be added to provide for office while lower floor will be the convenience store. The building will not extend further towards Michigan. At rear (west) of existing building an additional one-storey structure will be attached to the existing building. Storefronts will replace the existing garage doors and store front windows will correspond on the new second floor. Hardy-board will be installed on the rear of the building. Zoning change required to accommodate the new storey and convenience store; will be changed from C-SS to C1-S. The existing building will be renovated, not demolished. Station manager asked customers to sign a petition of support and 100 customers signed, supporting the change.

Q – Michigan neighbour – crumbling fence inadequate to separate properties – will new fence be constructed.

A – Yes a new fence will be constructed – will be 6 feet high

C - Neighbour wants it of solid construction

Q – Michigan neighbour - windows, backyard will be impacted by second storey, will allow no light. Pollinator garden shouldn't be there as soil needs to be tested, our soil is contaminated, has been tested, could not be determined if from garage or fuel. Minimum distance between properties 4.4 meters, will the addition in the back not bring the building closer. Am very concerned about shadowing.

A – setbacks, 4.5 meter set back is for next to a R-1 property - does not apply due to the existing set back requirement. May lose a bit of morning sun.

C - Neighbour requesting shadow studies be done.

Q – Menzies strata north neighbour – second storey will block sun from south side, very concerned. North side of station property has problems where people collect (urinate etc). Concerns are shadowing and security.

A – a fence will be constructed to property line on Menzies, and the small area to the north of the building will be gated off.

Q – Michigan resident – 2 storeys now – could it be increased to 5 storeys at a later date.
A – No not allowed to go up 5 storeys, parking limits this.

Q – Soil and tank removal

A – Golden Assoc. an environmental consultant work on this.

Q – Michigan resident – will hours be expanded.

A – don't know but doesn't expect this will be 24 hours, will most likely close by midnight.

Q – is there an appetite for the owner to make a commitment now to residents on hours of operation?

A – Alan will approach owner

C – Marg (Chair) asked the 2 residents to leave e-mail addresses so that Alan's response could be forwarded to them.

Q – will traffic flow change

A – doubtful – expect same use as now gas up and go.

Q – Menzies resident – what kind of earth work to get tanks out? Will there be pounding?

A – will use an excavator – equipment to test soil. Once clearance to place the new tank. There will be no blasting or pile driving.

Residents beyond the 100m community meeting notice area

Q – Does C1 zone require the gas station to be part of the facility or optional? Could it change from convenience store only from gas station?

A – the owner wants both the gas station and convenience, doesn't see it not continuing to be a gas station as only one in JB.

C – Nearby neighbour – Doesn't make any sense to neighbour of how convenience store will sustain itself if not open 24 hrs, and feels that the convenience store and gas bar can be achieved with existing one storey. No need for the second storey. Too large for neighbourhood.

Q – Will the offices be used for only the gas station and convenience store?

A – Will be used for his operations.

Q – Can the office space be rented out?

A – Yes the office space could be rented out.

Q – Nearby neighbour – could do more than 2 storeys now you say 3 storeys

A – Can build to 12 meters or 36 to 38 feet.

Q – is it a new owner?

A – Owner is Mr. Shan – general manager is here tonight

Q – Victoria Adams – can it be combined for commercial and residential use.

A – yes technically can but owner did not direct that

C – Since residences are near-by, ask that lighting be directed downwards to minimize impact on homes

C – Lighting on site be directed away for the residential properties.

Application for
DEVELOPMENT PERMIT
WITH VARIANCE for
308 Menzies Street
Victoria B.C.



PROPOSED SITE PLAN:



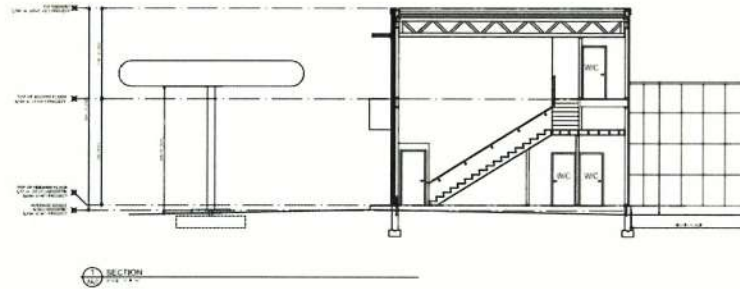
Existing Site Condition



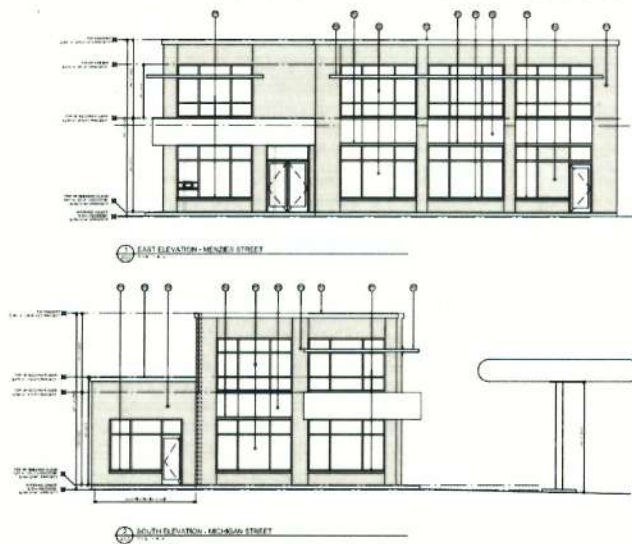
Proposed Site Condition



Overhead Canopies



FRONT and SOUTH ELEVATIONS:



A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C-SM Zone, Menzies Special Service Station District, and to rezone land known as 308 Menzies Street from the C-SS Zone, Special Service Station District, to the C-SM Zone, Menzies Special Service Station District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1128)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 4.87 by adding the following words:

“C-SM Zone, Menzies Special Service Station District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.87 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 308 Menzies Street, legally described as Lot A of Lots 1886 and 1887, Victoria City, Plan 20850, PID 000-102-539, and shown hatched on the attached map, is removed from the C-SS Zone, Special Service Station District, and placed in the C-SM Zone, Menzies Special Service Station District.

READ A FIRST TIME the	12th	day of	July	2018
READ A SECOND TIME the	12th	day of	July	2018
Public Hearing held on the		day of		2018
READ A THIRD TIME the		day of		2018
ADOPTED on the		day of		2018

CITY CLERK

MAYOR

PART 4.87 – C-SM ZONE, MENZIES SPECIAL SERVICE STATION DISTRICT

4.87.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. all of the uses permitted under Part 4.12 for the C-SS Zone, Special Service Station District;
- b. retail;
- c. office.

4.87.2 Regulations

- a. The regulations applicable in the C-SS Zone, Special Service Station District apply in this Zone.

REPORTS OF COMMITTEES

H.1 Committee of the Whole

H.1.b Report from the June 28, 2018 COTW Meeting

H.1.b.j Revised Zoning Bylaw 2018

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

1. That Council give first and second reading of Zoning Bylaw 2018 (Bylaw No. 18-072) and schedule a public hearing.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That Council direct staff to re-examine the issue of minimum unit sizes in the downtown including the impact on liveability.

CARRIED UNANIMOUSLY

E.5 Revised Zoning Bylaw 2018

Committee received a report dated June 13, 2018, from the Director of Sustainable Planning and Community Development regarding the draft Zoning Bylaw 2018 which includes a series of amendments that were made in response to feedback received through recent consultation with the Downtown Victoria Residents Association (DRA).

Moved By Councillor Thornton-Joe

Seconded By Councillor Lucas

That Council give first and second reading of Zoning Bylaw 2018 (Bylaw No. 18-072) and schedule a public hearing.

Committee discussed:

- *The types of units and housing needed in the City.*

CARRIED UNANIMOUSLY

Moved By Councillor Young

Seconded By Councillor Madoff

That Council direct staff to re-examine the issue of minimum unit sizes in the downtown.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

Amendment:

That the motion be amended as follows:

That Council direct staff to re-examine the issue of minimum unit sizes in the downtown **including the impact on liveability.**

CARRIED UNANIMOUSLY

Main motion as amended:

That Council direct staff to re-examine the issue of minimum unit sizes in the downtown including the impact on liveability.

CARRIED UNANIMOUSLY

BACKGROUND

At the meeting of February 1, 2018, Council directed staff to undertake further consultation with the DRA which had raised concerns with the proposed zoning regulations and other development-related processes. City staff met with the DRA's Land Use Committee on April 5, April 10 and May 23, 2018 to review and address all concerns that had been identified to date. These meetings resulted in the identification of mutually-agreed potential solutions that considered the DRA's desired objectives for each concern, as well as the legal limitations of zoning and other planning tools as outlined in the Local Government Act. The resulting solutions include a few minor amendments to the draft Zoning Bylaw 2018; as well as, a commitment to develop more prescriptive and detailed design guidelines through the current process to review and update the *Old Town Design Guidelines*, which includes collaboration with the DRA and other key stakeholders.

For reference, a full compilation of all the proposed amendments that have been made to Zoning Bylaw 2017 (shown in red font) since it received first and second readings are included in Attachment A. This version highlights the extensive range of amendments that have been made in response to on-going consultation with project stakeholders. A clean copy of the updated draft Zoning Bylaw 2018 is included as Attachment B, and a map showing the distribution of proposed zones is included as Attachment C.

ISSUES & ANALYSIS

The key changes that have been made to Zoning Bylaw 2018, as well as proposed changes to the *Old Town Design Guidelines* based on recent consultation, are summarized as follows:

1. Exterior Hallways and Staircases (Zoning Bylaw 2018)

The definition of Floor Area has been amended to include exterior hallways and exterior staircases in the calculation of Floor Area (for the purpose of density) for new buildings developed after the adoption of Zoning Bylaw 2018. This will remove a perceived incentive for locating staircases and hallways on the exterior of buildings, which can sometimes result in bulkier buildings and can also create liveability impacts for adjacent residential properties. The amended regulation will not apply to existing buildings; therefore, it will not result in any non-conformity issues.

Staff have also identified that the location and design of exterior hallways and staircases will also be considered as part of the review and update of the *Old Town Design Guidelines*, as well as the review and update of the *Downtown Core Area Plan* commencing later this year.

2. Home Occupations (Zoning Bylaw 2018)

Zoning Bylaw 2018 has been amended to include additional general regulations and definitions related to Home Occupations which are similar to those approved by Council earlier this year and contained in the current *Zoning Regulation Bylaw*. These regulations generally serve to prohibit an entire dwelling unit from being used as a Short-term Rental except when the operator is temporarily away.

3. Off-Street Parking (Zoning Bylaw 2018)

The Old Town District-1 Zone has been amended to require off-street motor vehicle parking for lots that are 1,100m² or greater, while lots that are less than 1,100m² will not require off-street motor vehicle parking. This change is in response to an earlier regulation which proposed no off-street motor vehicle parking for all Old Town properties in recognition of the existing small lot

pattern and as a means to better support the retention and conservation of heritage buildings. Based on the recent consultation process with the DRA, it was mutually agreed that off-street motor vehicle parking should be required on larger lots. Although this new regulation has been introduced, there are some existing properties in Old Town that exceed 1100m² and that currently do not require motor vehicle parking based on their current zoning. Therefore, these properties have been recognized through site-specific regulations in the spirit of maintaining current development rights. However, in the event that these properties become the subject of a rezoning process, staff and Council would be able to apply the new requirements for the provision of off-street motor vehicle parking.

The off-street parking regulations contained in Part 5 have also been amended to increase the threshold for reduced motor vehicle and bicycle parking requirements within residential development from 40m² to 45m². This change has been made in response to the DRA's and UDI's comments, that a 40m² threshold may not be desirable or conducive to improving overall liveability conditions within the downtown. Therefore, the increased threshold means that reduced parking requirements will apply to slightly larger dwelling units within condominiums (strata), apartments (rental) and purpose-built affordable housing.

4. Review and Update of Old Town Design Guidelines

Based on recent direction from Council, Staff have commenced a process to review and update the *Old Town Design Guidelines*, which includes involvement of a working group composed of 14 individuals representing the local heritage, design, development, residential (DRA), and the business community. The primary focus of this process is to build upon the existing document with the addition of more detailed design guidelines that will apply to new buildings and additions to both heritage and non-heritage buildings. Some of the desired outcomes, which will address many of the DRA's concerns, include design guidelines that limit the overall building mass and scale and clearly address the important relationship and interface between buildings, the adjacent street and the surrounding context. Detailed design guidelines may address this relationship through a focus on façade articulation, fenestration, building elements, materials and finishing details. It is anticipated that staff will be reporting back to Council with the updated *Old Town Design Guidelines* later this year in Quarter 4.

5. Transition of Development Applications

The regulations contained in Part 1, subsection 23, of the draft Zoning Bylaw 2018 have been revised to provide an improved process for transitioning and processing a variety of development applications that may overlap with the current *Zoning Regulation Bylaw* and the introduction of Zoning Bylaw 2018. For example, if a development permit was previously approved under the current *Zoning Regulation Bylaw*, then the transition regulations identify specific conditions for allowing the related building permit to be processed using the regulations that existed when the development permit was approved, rather than the regulations of the new Zoning Bylaw 2018. This approach provides improved certainty for land owners and reduces the need for potential variances to account for differences between the *Zoning Regulation Bylaw* and Zoning Bylaw 2018. Similarly, the new transition provisions also allow a previously approved variance (issued within two years prior to adoption of Zoning Bylaw 2018) to continue to apply.

Other Issues

Outlined below are a few development concerns that were identified by the DRA but which are not within the scope for amending Zoning Bylaw 2018 or the *Old Town Design Guidelines*. Any subsequent response to these matters requires direction from Council.

Minimum Residential Unit Size

The DRA would like Council to consider requiring a minimum residential dwelling unit size of 33m², similar to other multi-unit residential zones outside of Downtown. In September 2016, Council considered a staff report which recommended removing the minimum unit size regulations for multi-unit residential developments throughout the city to improve the diversity of housing options. Council ultimately declined to remove minimum unit sizes, and instead directed staff to create a standard unit size of 33m² in multi-unit residential zones outside the Downtown. This work has now been completed, therefore the subsequent inclusion of a minimum dwelling unit size for the Downtown as part of Zoning Bylaw 2018 would require direction from Council, and would also need to consider any potential risks related to legal non-conformity for existing multi-unit residential buildings.

Cash in lieu for parking

The DRA has identified that there have been several development applications in the Downtown that have received parking variances without some form of amenity contribution such as a cash in lieu of parking approach. The Local Government Act (LGA) is very prescriptive in terms of the requirements and structure for creating a cash in lieu system, and the LGA also prohibits cash in lieu from being applied to a development permit with a variance. A cash in lieu approach was identified for Council in February 2018 as part of a staff report related to the proposed Schedule C project. The staff report and Council motion both recommended that cash in lieu should be explored as a future initiative as it requires the development of a detailed policy framework to guide the rationale for the system and to outline objectives for establishing a related reserve fund. Further, the City has recently commenced the development of a Sustainable Mobility Strategy which will explore a range of potential funding and strategic opportunities which may include cash in lieu. The development of this strategy will include public engagement with key stakeholders such as community associations including the DRA.

Improved notification of Development Permit Applications

The DRA has previously expressed a concern regarding the lack of a more robust process for notifying the public about development permit applications that are received by the City. Council recently directed staff to consider amending the *Land Use Procedures Bylaw* to improve transparency by providing notice of development permit applications to adjoining property owners and CALUCs at the beginning of the process. Staff are currently exploring this matter and a report to Council is expected later this year in Quarter 3.

Public input on Development Permit Applications and interpretation of Design Guidelines

The DRA has also expressed a desire for CALUCs to be able to provide formal comments and input on development permit applications prior to a final decision by Council, as well as to be able to provide input on the interpretation of related design guidelines. Council has previously discussed this matter and staff will be reporting back to Council later this year with options that consider legal implications as well as potential impacts on resources and processing times.

Enforcement of building design as outlined in development permit

The DRA has identified that the final design and finishing of completed buildings is sometimes inconsistent with the approved design outlined in the approved development permit. In response to this concern, the DRA has suggested that enforcement measures could include withholding an

occupancy permit, issuing stop work orders or requiring a security bond. Staff have explained that any variation from the approved design is generally addressed through a Delegated Development Permit, or in some instances, a regular Development Permit that is submitted to Council for their consideration. Staff also explained that occupancy permits are regulated by the *BC Building Code*; therefore, the City cannot legally withhold occupancy for matters related to building design or finishing materials. Stop work orders are typically issued for work that does not have a valid permit or where there is a contravention of the *BC Building Code* on matters related to life, health and safety. Lastly, the Local Government Act only allows security deposits (bonds) to be required by a municipality as a condition for landscaping, an unsafe condition resulting from contravention of permit, and damage to the natural environment. Therefore, a security deposit or bond cannot be used to enforce building design or finishing materials.

OPTIONS AND IMPACTS

Option 1 (Recommended):

Council may rescind Zoning Bylaw 2017 and direct staff to advance Zoning Bylaw 2018 to a meeting of Council for consideration of first and second reading.

This option will allow Council to consider Zoning Bylaw 2018 which has been revised based on consultation with the Downtown Residents Association. The updated Zoning Bylaw 2018 is now ready to proceed to a Public Hearing.

Option 2:

Direct staff to further refine Zoning Bylaw 2018 prior to advancing it to first and second reading and a Public Hearing.

Accessibility Impact Statement

The revisions reflected in Zoning Bylaw 2018 detailed in this report do not have any impacts on accessibility.

2015 – 2018 Strategic Plan

This project supports Objective 3: Strive for Excellence in Planning and Land Use, as the proposed Zoning Bylaw 2018 is anticipated to contribute to streamlining application processes by reducing the need for site-specific zones. This project also supports Objective 5: Create Prosperity through Economic Development, as the new zoning regulations serve to facilitate increased investment and development within the Downtown Core Area.

Impacts to Financial Plan

Implementation of the new Zoning Bylaw 2018 will not have any impacts to the *Financial Plan*.

Official Community Plan Consistency Statement

This project is consistent with the *Official Community Plan* which supports the role of the Zoning Bylaw to help implement plan objectives, land uses, built forms and densities (policy 6.3).

CONCLUSIONS

Zoning Bylaw 2018 has been recently reviewed and updated in response to recent consultation with the DRA. The revised bylaw now fully embodies the intended approach of maintaining current development entitlements while simplifying the regulations into a more user-friendly approach.

Respectfully submitted,



Robert Batallas, Senior Planner
Community Planning Division

Alt.



Jonathan Tinney, Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Date:

June 21, 2018

List of Attachments:

- Attachment A: Zoning Bylaw 2017
- Attachment B: Zoning Bylaw 2018
- Attachment C: Distribution of proposed zones in Central Business District and Old Town.



Zoning Bylaw 2017



Publishing Information

Title: Zoning Bylaw 2018

Prepared By: City of Victoria
Sustainable Planning and Community Development Department

Status: Draft Zoning Bylaw 2018 – June 2018

Contact Details: City of Victoria
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BYLAW NO. 17-116
ZONING BYLAW 2018
A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to divide the City into zones and to regulate and control the use of land and buildings within those zones.

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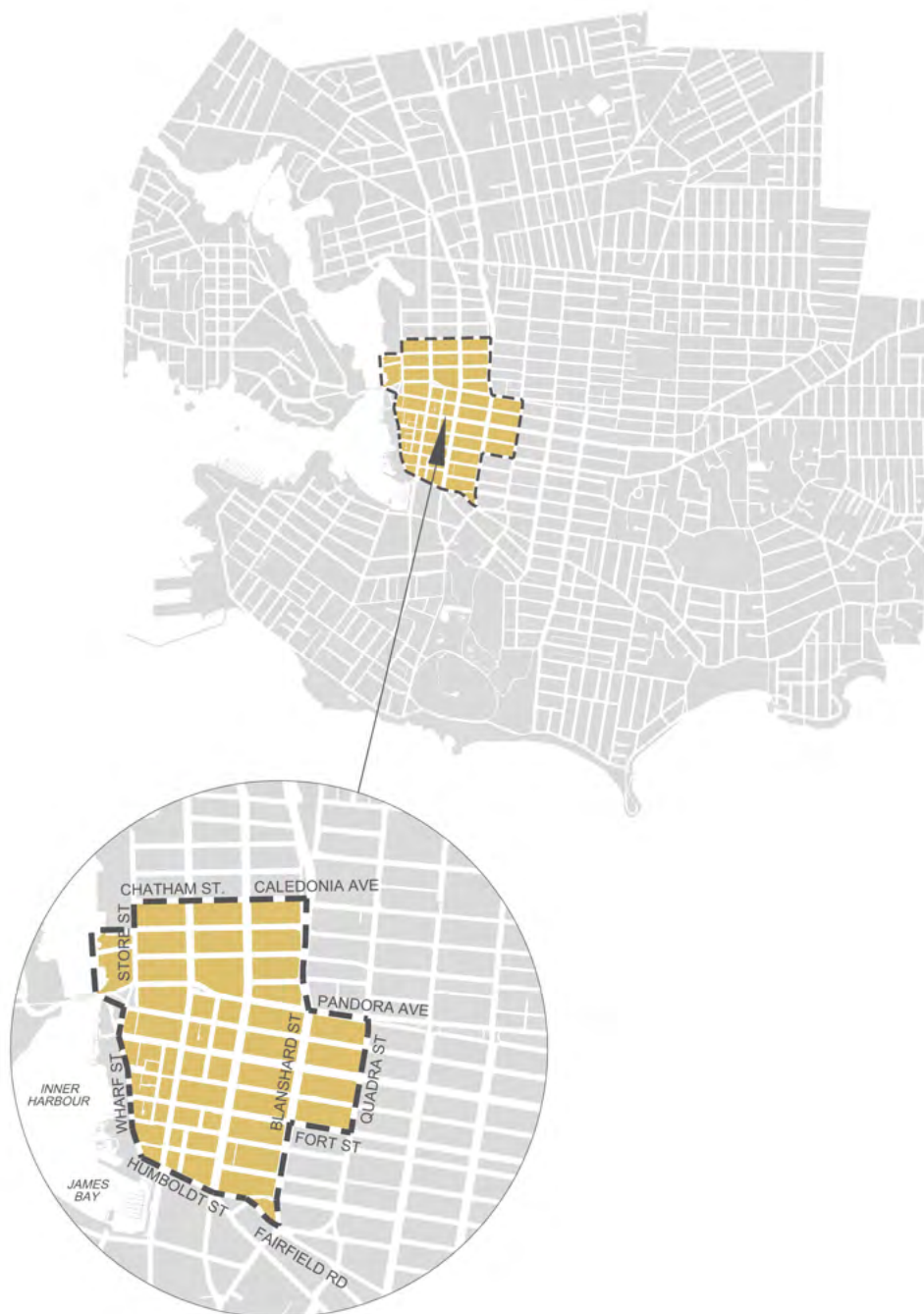
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Pursuant to its statutory powers, including sections 479, 482, and 525 of the Local Government Act, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1.1 Interpretation

1. This bylaw may be cited as the “Zoning Bylaw **2018**”
2. This bylaw applies to the area indicated with a dashed line in Map 1.

Map 1: Area subject to Zoning Bylaw **2018**



3. The Zoning Regulation Bylaw No. 80-159 is inapplicable to the area indicated within the dashed line in Map 1.
4. The area to which this bylaw applies is divided into the zones indicated on the **Zoning Map**, being the zoning information layer in **VicMap**.

Part 1 - Administration

- 4.1 In all civil and criminal judicial proceedings a printout of the **Zoning Map**, purporting to be certified as such, shall be prima facie evidence of the location of each zone and of the lands included therein as at and since the date of the certificate, without proof of the signature or approval of the **Director**.
 - 4.2 Whenever any land is removed from one zone into another by a rezoning bylaw the **Director** shall, forthwith after the adoption of the such bylaw, cause the **Zoning Map** to be updated to reflect the changes.
5. The regulations, requirements and definitions in Parts 1 through 6 of this bylaw apply to land in the area to which this bylaw applies in accordance with the zoning designations indicated on the **Zoning Map**, and if Parts 3 through 6 specify regulations and requirements for a particular location within a zone that is identified by civic address, legal description or both, then the specific regulations and requirements take precedence over the general regulations and requirements for the zone.
 - 5.1 Without limiting the scope of section 5, where a property is specifically identified in column A of the "Site Specific Regulations" table in the zone regulations applicable to that property, the specific regulations and requirements set out in column B of that table apply, subject to the conditions or requirements to provide amenities set out in column C, if any.
 - 5.2 Where a property is divided into two or more development areas (DA) as shown in a plan included in the applicable "Site Specific Regulations" table, section 5.1 applies to each development area as if that development area was a separate property.
 - 5.3 In the event of a conflict, the regulations or requirements applicable pursuant to section 5.1 apply despite any other provisions of this bylaw.
 - 5.4 Where a property to which section 5.1 applies is subdivided, section 5.1 applies to all properties that had formerly formed part of that property as if they were individually listed in the table.
 - 5.5 Where a property to which section 5.1 applies is consolidated or otherwise merged with another property, section 5.1 applies only to that part of the new property to which section 5.1 applied before consolidation or merger.
 - 5.6 Where a property is identified in this bylaw by reference to a civic address and a legal description, the legal description shall be deemed to be the correct description in the event of any conflict or inconsistency.
6. For certainty, if the **Zoning Map** indicates that a **Lot** lies within two or more zones, each portion of the **Lot** may be used and built upon only in accordance with the regulations and requirements applicable to that portion under Part 3 or 4.
7. Unless otherwise indicated on the **Zoning Map**:
 - 7.1 **Streets** and lanes are deemed to have the same zoning designation as the abutting land, and any zone boundary that coincides with a **Street** or lane is deemed to be located at the centerline of the **Street** or lane;
 - 7.2 Any zone boundary that coincides with a railway right of way is deemed to be located at the centreline of the right of way;
 - 7.3 The surface of all water is within the same zone as the nearest land to it within the **City** boundaries unless zoned otherwise; and

Part 1 - Administration

- 7.4 Whenever any land, fronting on a **Street**, railway, or water, is removed from one zone and placed into another that portion of the **Street**, railway, or water to which this section applies shall also be so removed and rezoned.
8. For the purposes of this bylaw, an airspace parcel is deemed to be part of the same **Lot** as the parcel at ground level.
9. In the event of any inconsistency between the text of this bylaw and an illustration or diagram that relates to the text, the text takes precedence over the illustration or diagram.
10. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
11. No person shall place, erect, construct or alter a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
12. **Not more than one Building other than an Accessory Building shall be erected or used on one Lot, unless the regulations applicable in a particular zone expressly permit otherwise, and no Building shall be erected partly on one Lot and partly on another.**
13. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with the requirements of this bylaw in respect of the provision of motor vehicle and bicycle parking spaces, the provision of **Loading Spaces** and the provision of screening or landscaping.
14. An officer or employee of the **City** appointed to administer this bylaw may enter on land including any place that is occupied as a private dwelling, to inspect and determine whether the regulations and requirements in this bylaw are being met, and in the case of a private dwelling may enter only in accordance with s. 16(5) of the Community Charter.
15. A person who contravenes this bylaw is liable to a maximum fine of \$10,000 and, in the case of a continuing offence, each day on which the contravention continues constitutes a separate offence that is subject to that maximum fine.
16. This bylaw may be enforced by means of a municipal ticket information, in which case the offence descriptions and ticket fines set out in the Ticket Bylaw apply.
17. The figure indicated in a column of section 2, Part 4 of this bylaw adjacent to the heading "**Density of Development – Maximum**" is the maximum **Floor Space Ratio** of any **Building** that may be constructed or erected in the relevant zone.
18. The figure indicated in a column of section 3, Part 4 of this bylaw adjacent to the heading "**Height – Maximum**" is the maximum **Height** of any **Building** that may be constructed or erected in the relevant Height Area of the relevant zone shown on Schedule A to Part 6, for the **Central Business District 2 zone**, or in the relevant zone, for all other zones.
19. The **Building** elements identified in a column of section 3, Part 4 of this bylaw adjacent to the heading "Projections into **Height** - Maximum" may project beyond the maximum **Height** to the extent indicated in the table.
20. The **Building** elements identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into **Setbacks** - Maximum" may project into the minimum required setback areas to the extent indicated in the table.
21. The ratio indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading "**Front Setback Plane – Minimum**" is the angle of inclination of the **Front Setback Plane** for any portion of a **Building** that may be constructed or erected in the relevant zone, provided that building features identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into **Setbacks** - Maximum" may project beyond the **Front Setback Plane** to the extent indicated in the table.

Part 1 - Administration

22. The figure indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading “**Side and Rear Lot Line Setbacks – Minimum**” is the minimum horizontal distance between any portion of a **Building** and the **Side or Rear Lot Lines** of the **Lot** on which the **Building** is located, provided that building features indicated in the relevant table with the heading “Projections into **Setbacks - Maximum**” in section 4, Part 4 may project into the minimum setback to the extent indicated in the table.
23. In this section,
- “**Permit**” means a development permit, heritage alteration permit, development variance permit or temporary use permit
- 23.1 A **Permit**, board of variance order, and any other agreement authorized by the Local Government Act that varies or supplements the Zoning Regulation Bylaw No. 80-159, issued within two years prior to the adoption of this bylaw, continues to apply as if varying or supplementing this bylaw, with the necessary changes and so far as applicable.
- 23.2 A development permit issued within two years prior to the adoption of this bylaw continues to apply, with the necessary changes and so far as applicable, as if the development authorized by it had been authorized under this bylaw and, without limiting the generality of the foregoing, a building permit or a business licence that is consistent with such development permit may be issued as if it complied with this bylaw, provided that it is applied for within two years of the date of the adoption of this bylaw.
- 23.3 If prior to the adoption of this bylaw, Council has authorized the issuance of a **Permit**, but the **Permit** had not been issued prior to the adoption of this bylaw, the **Permit** may be issued, with all the necessary changes and as applicable, as if it had been authorized under this bylaw, provided that:
- a. all terms and conditions of the Council authorization are met;
 - b. it is issued within two years of the date of the Council authorization; and
 - c. it does not conflict with the density or use provisions of this bylaw.
- 23.4 If prior to the adoption of this bylaw, Council has moved an application for a **Permit** forward for an opportunity for public comment at a future Council meeting and such meeting is not held prior to the adoption of this bylaw, the Council motion is deemed to be amended to reflect the requirements of this bylaw and the **Director** is authorized to bring forward an amended motion for Council’s consideration at the opportunity for public comment, provided that:
- a. the opportunity for public comment takes place no later than one year after the date of the adoption of this bylaw;
 - b. there are no significant alterations or differences in the development from that considered by Council at the time of the motion to advance it to the opportunity for public comment, with the exception of an increase in the number of vehicle or bicycle parking spaces being provided;
 - c. it does not conflict with the density or use provisions of this bylaw; and
 - d. the intent of the Council motion remains unchanged.
- 23.5 For certainty, nothing in this section 23 is intended to modify or extend the validity of any **Permit** beyond the time that it would lapse or expire but for this section.
24. If any provision or part of this bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the bylaw and the balance of the bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

2.1 Administrative Definitions

1. In this bylaw,

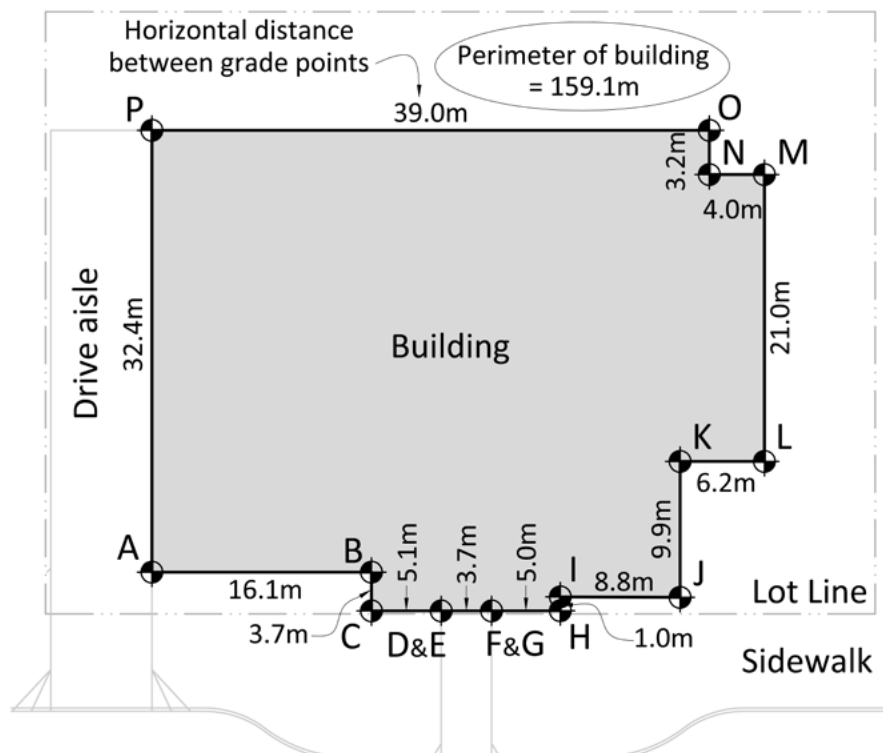
Accessory Landscape Structure means gates, fences, walls, trellises, gazebos, pergolas or a similar ornamental feature which is open to the elements and includes sheds that are less than 9.3m².

Affordable means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household's annual income.

Average Grade means the elevation calculated by averaging the elevation of **Natural Grade** or **Finished Grade**, whichever is lower at any points where a **Building** comes into contact with the surface of the **Lot**, excluding any artificial mounds of earth or rocks placed at or near the wall of a **Building**, any portion of an exterior wall that is in a window well, calculated in the method indicated in the following example:

Grade Points:

Grade point A: 15.7	Grade point F: 14.5	Grade point K: 15.8
Grade point B: 16.0	Grade point G: 15.8	Grade point L: 15.7
Grade point C: 16.1	Grade point H: 16.0	Grade point M: 16.0
Grade point D: 16.0	Grade point I: 16.1	Grade point N: 15.9
Grade point E: 14.5	Grade point J: 15.9	Grade point O: 15.9
		Grade point P: 16.0



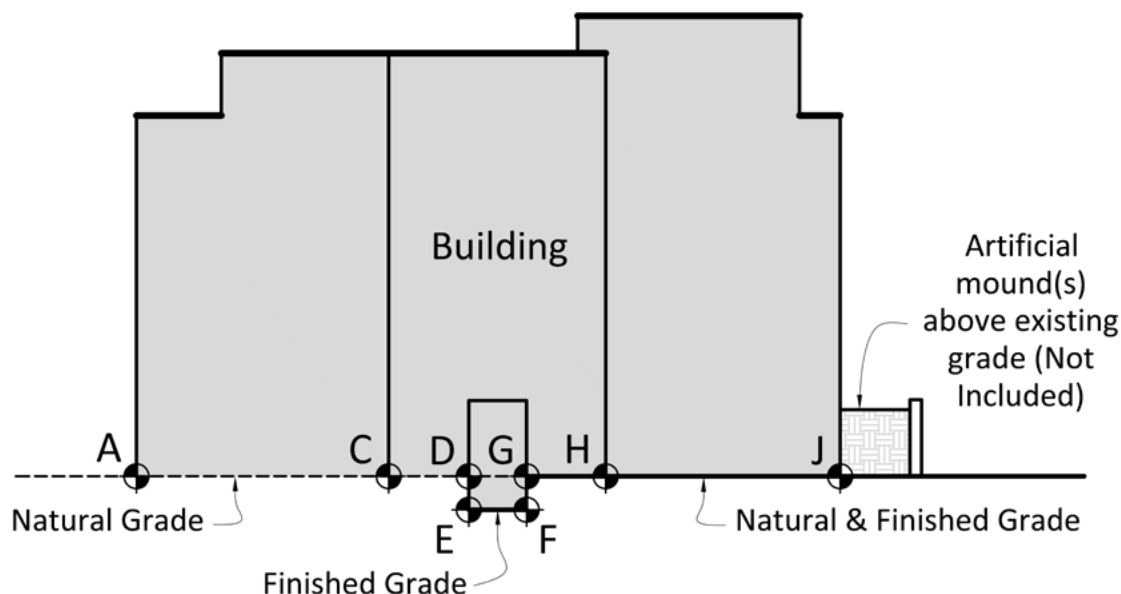
Part 2 - Definitions

Calculation Example:

Grade Points	Average of Points	Distance Between Grade points	Totals
Points A & B:	$((15.7 + 16.0) \div 2)$	x 16.1m	= 255.19
Points B & C:	$((16.0 + 16.1) \div 2)$	x 3.7m	= 59.39
Points C & D:	$((16.1 + 16.0) \div 2)$	x 5.1m	= 81.86
Points E & F:	$((14.5 + 14.5) \div 2)$	x 3.7m	= 53.65
Points G & H:	$((15.8 + 16.0) \div 2)$	x 5.0m	= 79.50
Points H & I:	$((16.0 + 16.1) \div 2)$	x 1.0m	= 16.05
Points I & J:	$((16.1 + 15.9) \div 2)$	x 8.8m	= 140.80
Points J & K:	$((15.9 + 15.8) \div 2)$	x 9.9m	= 156.92
Points K & L:	$((15.8 + 15.7) \div 2)$	x 6.2m	= 97.65
Points L & M:	$((15.7 + 16.0) \div 2)$	x 21.0m	= 332.85
Points M & N:	$((16.0 + 15.9) \div 2)$	x 4.0m	= 63.80
Points N & O:	$((15.9 + 15.9) \div 2)$	x 3.2m	= 50.88
Points O & P:	$((15.7 + 16.0) \div 2)$	x 39.0m	= 618.15
Points P & A:	$((16.0 + 15.7) \div 2)$	x 32.4m	= 513.54
			= 2520.23

Grade Calculation:

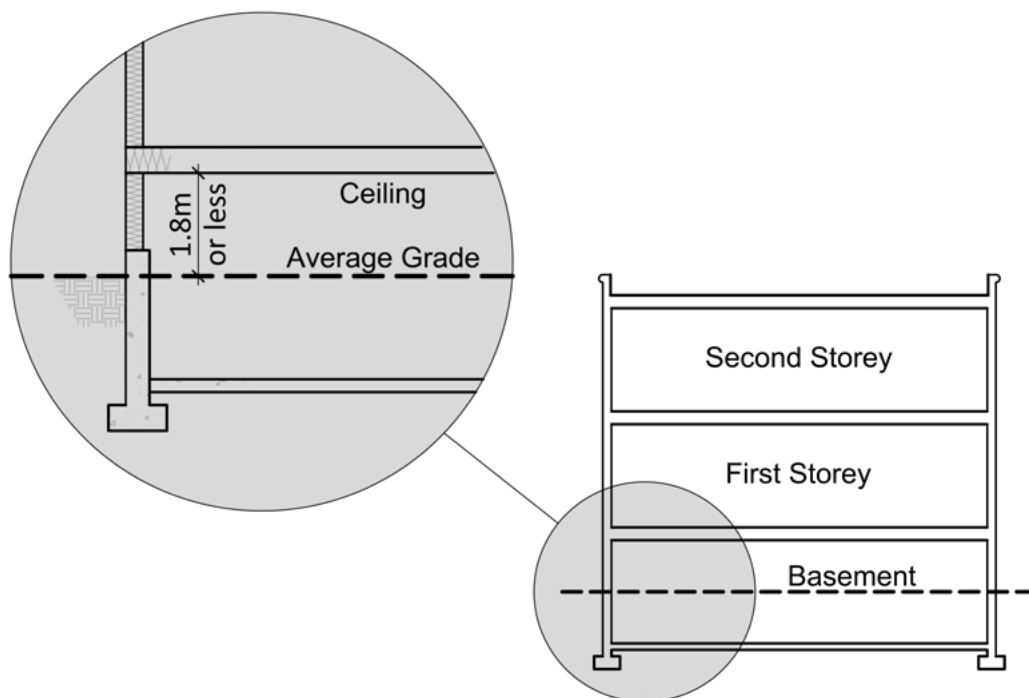
$$2520.23 \div 159.10\text{m (perimeter of building)} = 15.84$$



Balcony means a projecting portion of a **Building** above the **First Storey**, the perimeter of which is, on at least one side, wholly unenclosed except by a guard of the minimum height required by the BC Building Code.

Part 2 - Definitions

Basement means a **Storey** of a **Building** any portion of which is below **Average Grade** and that has a ceiling that is not more than 1.8m above **Average Grade**.



Bicycle Parking, Long-Term is intended for long-term users of a **Building**, such as employees or residents, and will consist of a secure space dedicated for bicycle parking within a structure or **Building** on the same **Lot**.

Bicycle Parking, Short-Term is intended for short-term use by visitors and customers and will consist of bicycle racks located in a publicly accessible location at or near a **Building** entrance.

Bonus Density of Development means the **Density of Development** that applies in accordance with section 482 of the Local Government Act if applicable conditions entitling an owner to a higher density are satisfied.

Boundary in reference to a **Lot**, extends throughout its length both upwards and downwards ad infinitum from the surface of the **Lot**.

Building means anything constructed or placed on a **Lot** and used or intended for supporting or sheltering any use, excluding landscaping, docks, wharfs and piers.

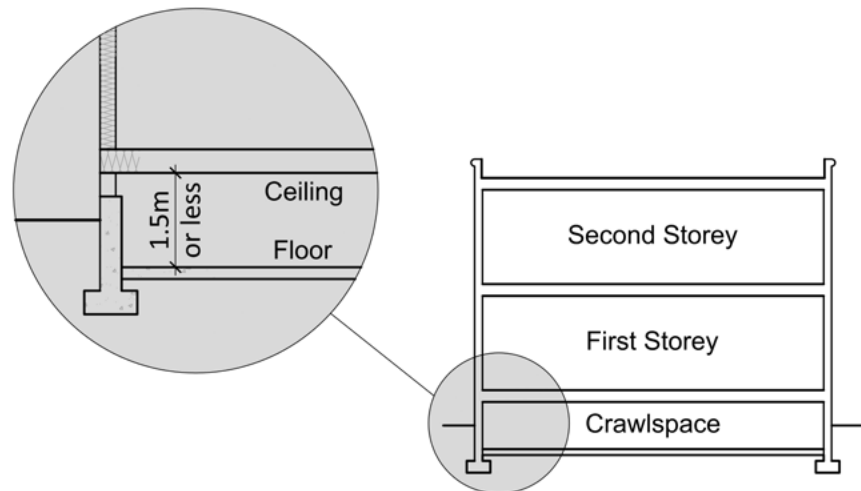
Cistern means a rainwater storage tank that is at least 1200 litres in capacity and that forms part of a **Stormwater Retention and Water Quality Facility**.

City means the Corporation of the City of Victoria.

Corner Lot means a Lot at the intersection or junction of two or more **Streets**.

Part 2 - Definitions

Crawlspace means an area beneath the lowest habitable **Storey** of a **Building**, with clearance of 1.5m or less.



Density of Development is the maximum **Floor Space Ratio** of any **Building** of the type that is constructed or erected in the zone for which that maximum **Floor Space Ratio** is indicated.

Director means the person employed by the City of Victoria to perform the duties and functions of the position of the Director of Sustainable Planning and Community Development, as that position title is amended from time to time, and includes persons acting under his or her authority.

Driveway means that portion of a **Lot** that provides access to parking, **Loading Space** or the **Drive Aisle** within the **Lot** and is considered to be the extension of the **Lot's Driveway** crossing. For certainty, a ramp provided to access parking stalls is considered a **Driveway**.

Drive Aisle means a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls.

Dwelling Unit means a self-contained unit comprised of one or more rooms designed as a residence for a single household with a sleeping area, a principal kitchen for food cooking and a separate bathroom facility.

Finished Grade means the finished elevation of the ground surface of land following construction or land altering activities.

First Storey means the **Storey** immediately above the basement of a **Building**, and in the case of a **Building** without a **Basement**, means the lowest **Storey**.

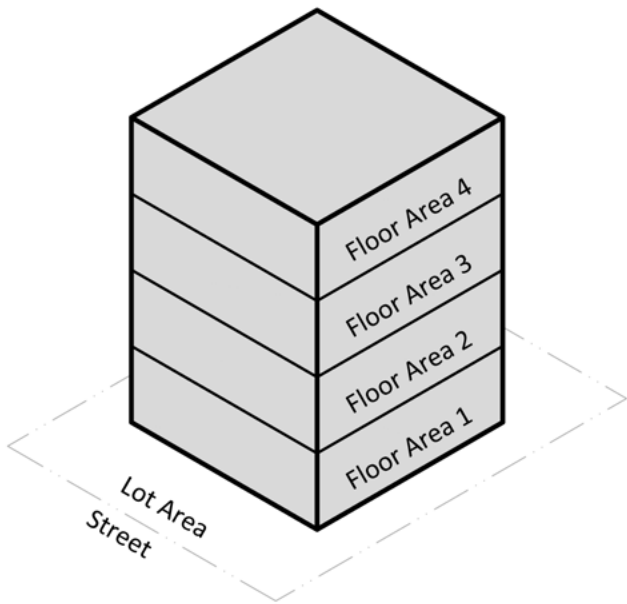
Flanking Street Lot Line means a **Lot Line**, not being a **Front** or **Rear Lot Line** that is common to a **Lot** and a **Street**.

Floor Area is measured to the interior surface of the exterior walls of **Buildings** and includes the area of any mezzanine, exterior hallway, exterior staircase, loft or partial **Storey**, and excludes the following:

- a. the area of any **Balcony**, veranda, exposed deck, patio or roof;
- b. the area of any **Crawlspace** or **Basement**;
- c. the area of **Rooftop Structures**; and
- d. the area that is used to provide bicycle parking required by this bylaw.
- e. the area of any exterior hallway or exterior staircase for **Buildings** existing prior to the date of adoption of this bylaw.

Part 2 - Definitions

Floor Space Ratio means the ratio of the total **Floor Area** of all **Storeys** of all **Buildings** and structures on a **Lot** to the area of the **Lot** on which the **Buildings** are located. The **Floor Space Ratio** of a **Lot** with a water boundary is determined according to the location of the natural boundary at the time the maximum **Floor Space Ratio** regulation is being applied, and not according to any survey previously filed in the Land Title Office.



Floor Space Ratio Calculation:
(Example)

Floor Area 1:	345m ² +
Floor Area 2:	345m ² +
Floor Area 3:	345m ² +
Floor Area 3:	345m ² +

Total (Structure): 1380m²

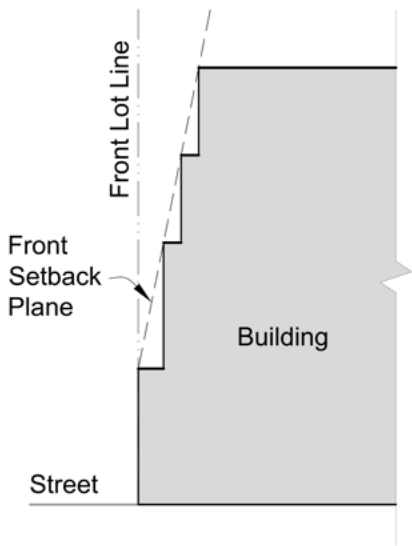
Lot Area: 460m²

Total (Structure)	1380m ² ÷
Lot Area	460m ²
	3.00 =

3:1

Front Lot Line means the **Lot Line** abutting a public **Street**, and in the case of a **Corner Lot**, the **Lot Line** having the shortest length abutting one **Street** shall be considered the **Front Lot Line**.

Front Setback Plane means a plane having an angle of inclination expressed as a ratio (rise over run), based at a specified point above the **Front Lot Line**, as illustrated in the following sketch.

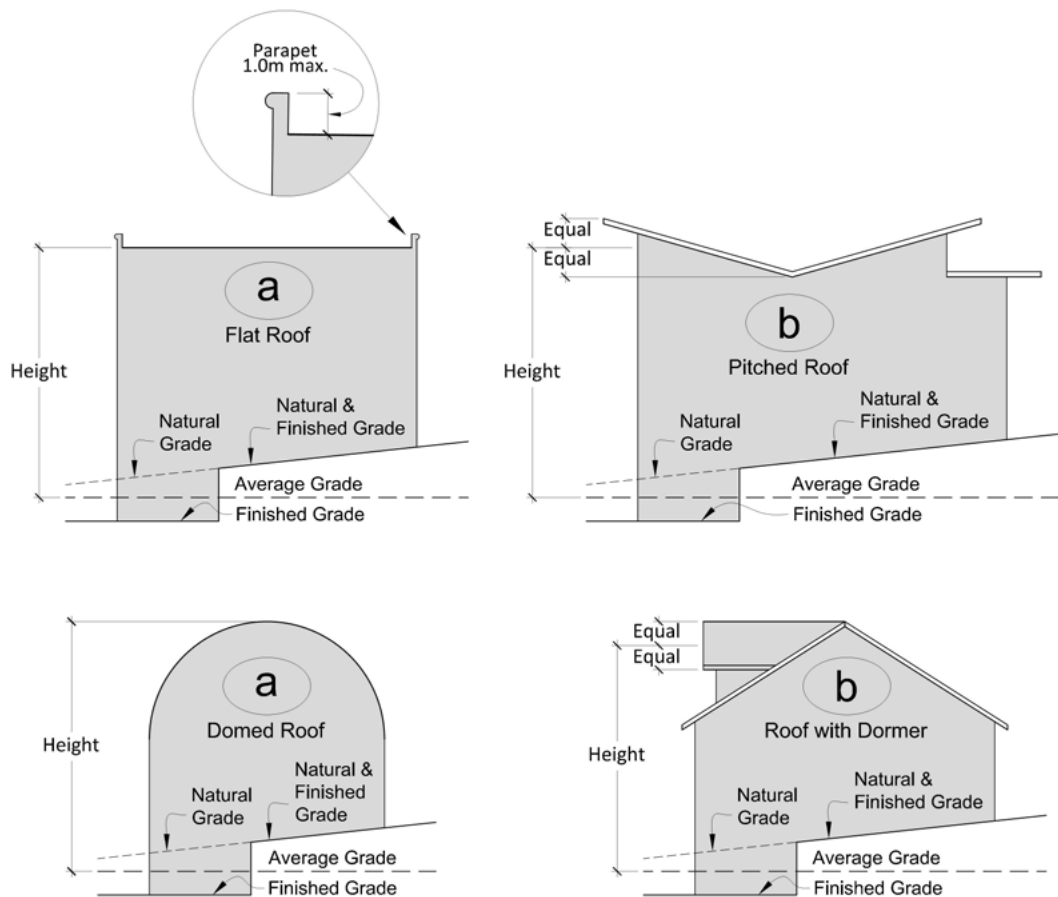


Front Yard means a yard located between the principal **Building** and the **Front Lot Line**, extending the full width of the **Lot**.

Part 2 - Definitions

Height means the distance measured in a vertical straight line between the highest point of a **Building** and the **Average Grade** directly below the highest point; and is determined as follows:

- for **Buildings** with a flat or domed roof, the highest point is the highest part of the roof;
- for **Buildings** with a pitched roof, the highest point is the midpoint between the highest ridge and the highest eave of the roof; and
- for **Buildings** with a gambrel roof, the highest point is the midpoint between the ridge and the hip line of the roof.
- the highest point excludes any mast, rainwater **Cistern**, **Rooftop Structure**, rooftop greenhouse, **Stormwater Retention or Water Quality Facilities** together with their supporting structures.



Landscape Screen means a visual barrier formed by shrubs, trees, fences or masonry walls, or any combination of these or like materials.

Loading Space means a parking space associated with a commercial or industrial use that is used temporarily for the loading or unloading of products or materials.

Lot means an area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a highway or another **Lot**, each division thereof constituting a single area of land shall be deemed to be a separate **Lot**, and includes a strata lot in a bare land strata plan but does not include any other strata lot or an air space parcel.

Lot Area means the area of land within the boundaries of a **Lot**.

Part 2 - Definitions

Lot Coverage means the horizontal area of all **Buildings** and outdoor covered areas on a **Lot**, expressed as a percentage of the **Lot Area**.

Lot Depth means the average distance between the **Front Lot Line** and the **Rear Lot Line** of a **Lot**.

Lot Line means the **Boundary** line of a **Lot**, commonly referred to as the property line, as indicated in a plan registered at the Victoria Land Title Office.

Lot Width means the lesser of the horizontal dimensions of the smallest rectangle within which a **Lot** can be contained.

Natural Grade means the elevation of the ground surface of land prior to any land alteration, including, but not limited to, disturbance, excavation, filling, or construction. Where land alteration has occurred, the **Natural Grade** shall be determined by a building inspector on the basis of historical records or by interpolation from adjacent **Natural Grades**.

Parapet means a vertical projection of a wall at the outer edge of a roof.

Parking Area means all parking spaces, **Driveways** and **Drive Aisles** on a **Lot**.

Permeable means hard surfacing specifically designed to allow water to flow through the surface, but does not include unconsolidated materials such as crushed rock, gravel, grass, earth or other loose materials.

Principal Residence means the usual **Dwelling Unit** where an individual makes their home.

Rear Lot Line means a **Lot Line** opposite to the **Front Lot Line** that spans the width of the **Lot**, provided that in the case of triangular shaped lots with no **Rear Lot Line**, the point of intersection between two **Side Lot Lines** or a **Side Lot Line** and a **Flanking Street Lot Line** shall be deemed the **Rear Lot Line**.

Rooftop Structure includes antennas, elevator penthouses, elevator landings, stair access and landings, mechanical equipment, chimneys, ventilation systems, solar heating panels, green roof systems and similar structures that project above a roof, are non-habitable and which may be enclosed or unenclosed.

Setback means the required separation distance between a **Lot Line** and a **Building**.

Side Lot Line means a **Lot Line**, not being a **Rear Lot Line** that separates two **Lots**.

Storey means the space between two floors of a **Building** or between any floor and the roof next above, but does not include a **Basement**, **Crawlspace** or a **Rooftop Structure**.

Stormwater Retention and Water Quality Facility has the same meaning as under the Sanitary Sewer and Stormwater Utilities Bylaw, as amended or replaced from time to time.

Street includes a lane, road, sidewalk and other public highway.

Unobstructed Access means the ability of the intended user of the parking space to access and egress to the **Street** at the time that the parking space is required.

VicMap means the electronic geographic information system database maintained by the City of Victoria and made available to the public through the City's internet website.

Zoning Map means the zoning information layer in **VicMap** as amended from time to time.

2.2 Use Definitions

1. In this bylaw,

Accessory Building means a **Building** that is subordinate to the principal use on a **Lot**.

Assembly means facilities used for a place of worship, convention facilities, cinemas, commercial recreation facilities and education and training facilities and does not include commercial casinos.

Assisted Living Facility means premises in which housing, meal services, housekeeping services, laundry services, social and recreational opportunities, a 24 hour emergency response system, and one or two prescribed services as defined in the Community Care and Assisted Living Act are provided by or through the operator to 3 or more adults who are not related by blood or marriage to the operator of the premises.

Automotive Repair means facilities used for mechanical or body repairs or inspections of motor vehicles, but does not include the sale of automotive fuel.

Brew Pub (beer, spirits, wine) means facilities used for the consumption of beer, spirits, wine or other alcoholic beverages which are produced and manufactured on the premises and which may be provided in combination with **Food and Beverage Service** or **Retail Trade**.

Cannabis means cannabis as defined in the Controlled Drugs and Substances Act and includes any products containing cannabis.

Care Facility means a day care facility or residential care facility, in each case licensed under the Community Care and Assisted Living Act.

Civic Facility means premises in which government services are provided to the public including but not limited to a legislature, municipal hall, law court, hospital, fire hall, library, ambulance or police station.

Cultural Facility means facilities used for artistic performances and the display of art and cultural artifacts, including but not limited to art galleries, theatres other than cinemas, and museums.

Drinking Establishment means facilities that are licensed through the Liquor Control and Licensing Act for the sale and consumption of liquor within the facilities and where entertainment may be provided in the form of recorded music, live performances or a dance floor including but not limited to nightclubs, bars and pubs.

Equipment Rental means facilities used for the rental of home, **Office**, medical, garden or sports equipment, or motor vehicles.

Financial Service means facilities providing financial services including but not limited to chartered banks, credit unions, trust companies, insurance brokers or mortgage brokers.

Food and Beverage Service includes the operation of catering establishments, portable food vendors, cafes and restaurants.

Foodstand means a container or structure which holds, shelves or otherwise displays products of **Small-scale Commercial Urban Agriculture** for retail purposes outdoors.

Heavy Industrial means fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials.

Part 2 - Definitions

Home Occupation means the use of a **Residential Dwelling Unit** for the practice of a profession, trade, art or craft, by one or more residents of the premises.

Hotel means facilities offering transient lodging accommodation to the general public and may provide accessory uses such as restaurant, meeting rooms and recreational facilities, and includes motels and hostels.

Light Industrial means facilities used for fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials that does not potentially cause neighbourhood impact beyond the premises through noise, odour, vibration or otherwise.

Office means facilities used for the provision of administrative, clerical, management, professional or technical services.

Parkade means parking that is regularly available to the general public whether located above or below grade.

Personal Service means services provided to a person including but not limited to barbering, hairstyling, optometry, spa, medical and dental care, and services provided to the apparel of a customer including laundry and dry cleaning services, tailoring, and shoe, jewellery and watch repair.

Residential means a self-contained **Dwelling Unit** of any type, including **Assisted Living**, **Residential** care facilities, **Studio** uses containing dwelling uses and a **Dwelling Unit** associated with an artist's or artisan's **Studio**.

Residential Lock-off Unit means a self-contained **Dwelling Unit** within a multi-residential building with a lesser **Floor Area** than that of the principal **Dwelling Unit** from which it may be locked off, which must have both independent external access and shared internal access.

Retail Liquor Sale means facilities used for the retail sale of packaged liquor.

Retail Trade means the retail sale, repair, servicing, or refurbishment of consumer goods other than automobiles or automotive fuels, but does not include **Retail Liquor Sale** or **Storefront Cannabis Retailer**.

Service Station means facilities that are used for the retail sale and dispensing of automotive fuels and may also include the retail sale of vehicle accessories, foods, drinks and other convenience goods.

Short-term Rental means the renting of a **Dwelling Unit**, or any portion of it, for a period of less than 30 days and includes vacation rentals.

Small-scale Commercial Urban Agriculture means:

- a. Cultivating and harvesting plants or fungi;
- b. Beekeeping and harvesting honey;
- c. Keeping poultry to collect eggs; or
- d. Sorting, cleaning, packaging, selling or storing for retail purposes the items listed in a. through c. above that had been harvested on the premises.

Part 2 - Definitions

Storefront Cannabis Retailer means premises where **Cannabis** is sold or otherwise provided to a person who attends at the premises.

Studio means a purpose-designed work space for an artist or artisan engaged in an art or craft that is compatible with **Residential** uses, which may include an associated **Dwelling Unit** and in which works produced in the **Studio** may be sold.

Utility means infrastructure that is used to provide water, sewer, drainage, district heat, gas, electrical, or telecommunications service whether located on, above or below ground and includes pump stations and service vaults and kiosks but does not include sewage treatment plants.

3.1 General Regulations

1. Unless a contrary intention appears in another Part of this bylaw, the following regulations apply to all land to which this bylaw applies.
2. Each use that is listed in Part 4 of this bylaw with the heading “Permitted Uses” is permitted in the relevant zone, and all other uses are prohibited in that zone unless a use is permitted under the site specific regulations in which case that use is permitted on the applicable property but is not permitted anywhere else in that zone.
3. The uses permitted in Part 4 of this bylaw include uses that are normally incidental to and associated with the use.
4. Drive through businesses of any kind, including drive through restaurants and **Financial Service** institutions are prohibited in all zones.
5. Storage of rental equipment in an **Equipment Rental** use must be enclosed in a **Building**.
6. The top surface of a **Cistern** must not exceed 15m² in area.
7. A **Dwelling Unit** or premises in a **Building** may be used as a display unit or sales centre for **Residential Dwelling Units** located in the **Building**.
8. A **Studio** use may include an associated **Residential Dwelling Unit** only if at least one artist or artisan engaged in their art or craft on the premises resides in the **Dwelling Unit**.
9. **Home Occupations** must comply with the following:
 - a. A **City** business license is required;
 - b. The sale of goods on the premises is not permitted, except as accessory to the primary business; and
 - c. The provision of escort and dating services within a multi-residential **Building** is not permitted; and
 - d. The operation of any cannabis-related business is not permitted
 - e. The operation of **Short-term Rental** is not permitted, except as provided in sub section 9(i)
 - d. A **Home Occupation** may not create noise, electronic interference, dust, odour, smoke or any other nuisance detectable beyond the premises in which it is being conducted, including in any common areas or other **Dwelling Units** in a multi-residential **Building**.
 - g. No more than three **Home Occupations** shall be carried on in any one **Dwelling Unit**, provided that only one of the **Home Occupations** has customers that attend the **Dwelling Unit**.
 - h. Except as expressly permitted in this bylaw, or in the Sign By-law, no sign or other advertising device or advertising matter may be exhibited or displayed on any **Lot** on which a **Home Occupation** is being carried on.

Part 3 - Use of Land, Buildings and Structures

- i. Subject to the following requirements, a **Short-term Rental** is permitted as a **Home Occupation** in a **Principal Residence**.
 - (i) subject to subparagraph (ii), no more than two bedrooms may be used for **Short-term Rental** and the **Short-term Rental** cannot occupy an entire self-contained **Dwelling Unit**;
 - (ii) the entire **Principal Residence** may be used for a **Short-term Rental** only occasionally while the operator is temporarily away; and
 - (iii) no liquor may be provided to **Short-term Rental** guest.
- 10. **Rooftop Structures** must comply with the following:
 - a. A **Rooftop Structure** must not occupy more than 20% of the roof area of the **Building**; and
 - b. A **Rooftop Structure** must be set back a minimum of 3m from the outer edge of the roof.
- 11. **Small-scale Commercial Urban Agriculture** and sales are permitted in all zones, provided that the use is not noxious or offensive to neighbours or the general public by reason of emitting odor, noise or artificial lighting, and subject to compliance with Part 6, Schedule B of this bylaw.
- 12. Rooftop greenhouses must comply with the following:
 - a. A rooftop greenhouse must not exceed 3.65m in height;
 - b. A rooftop greenhouse must be set back a minimum of 3m from the outer edge of the roof; and
 - c. A rooftop greenhouse must **not** exceed the lesser of 28m² or 50% of the building roof area.

4.1 Central Business District-1 Zone (CBD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation 	<ul style="list-style-type: none"> l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental. c. <ul style="list-style-type: none"> i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service. ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building. e. Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier. 	
2. Density of Development	
a. Density of Development - Maximum:	3.0:1
3. Height	
a. Height - Maximum:	43.0m
b. Projections into Height - Maximum:	
i. Parapets:	1.0m
ii. Rooftop Structures:	5.0m

Part 4 - Zones

4. Setbacks and Projections

a. Front Setback Plane - Minimum	
i. Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height :	5:1 (Angle of Inclination)
ii. All other Buildings , for any portion above 15.0m in Height :	5:1 (Angle of Inclination)
b. Side and Rear Lot Line Setbacks - Minimum	
i. Exterior walls 20.0m up to 30.0m in Height :	3.0m
ii. Exterior walls over 30.0m and up to 43.0m in Height :	6.0m
iii. Exterior walls abutting Douglas Street 30.0m or more in Height :	9.0m
c. Projections into Setbacks - Maximum	
i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:	0.6m
ii. Exterior wall treatments, insulation and rainscreen systems :	0.13m

5. Motor Vehicle and Bicycle Parking

- a. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw.
- b. Notwithstanding the requirements in Part 5 of this bylaw, **all motor vehicle parking must be located within a Building.**

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	940 Blanshard Street 735 Broughton Street LOTS 1 & 2 OF LOTS 79-85, 89-92, VICTORIA, VIS4516	a. Maximum Density of Development : 3.08:1	
2.	980 Blanshard Street LOT 1 PLAN 39153 VICTORIA OF LOTS 86/87/88	a. Maximum Density of Development : 3.6:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
3.	1107 Blanshard Street LOT 281, VICTORIA CITY	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
4.	1115 Blanshard Street PARCEL A (DD 189158I) OF LOTS 302 & 303, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
5.	1125 Blanshard Street LOT A PLAN VIP73975 VICTORIA OF LOTS 302 & 303	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
6.	1461 Blanshard Street LOT A PLAN VIP73786 VICTORIA OF LOTS 432 & 433 SEC 339 LGA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
7.	1520 Blanshard Street LOT B OF LOT 1257, VICTORIA, VIP60943	a. Maximum Density of Development : 0.8:1 b. At least 60% of the area of the Lot must be open space. c. No Building or structure, other than a public plaza or Driveway providing access to underground parking, may be located within 18.0m of the western Boundary of the site. d. The Height of a structure that is within 18m of the western Boundary of the site must not exceed the Height of Pandora Avenue or Cormorant Street, whichever is nearer the structure.	
8.	734 Broughton Street LOT 63, VICTORIA	a. Maximum Density of Development : 3.3:1	i. At least 15 bicycle parking spaces are provided on the site; and; ii. The Broughton Street frontage of any Building on the site is glazed and used for Retail Trade or restaurant uses only.
9.	740 Burdett Avenue LOT A PLAN 26090 SECTION 88 VICTORIA & OF LOT 100	a. Maximum Density of Development : 3.6:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
10.	905 Douglas Street LOT A (DD 18381W) OF LOTS 75, 76, 77 AND 94, VICTORIA, PLAN 1061	a. Motor vehicle parking spaces may be provided on a separate Lot within 125m of the use for which they are provided, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner of 905 Douglas Street.	
11.	777 Fort Street STRATA PLAN VIS700	a. Maximum Density of Development : 3.52:1 b. Maximum Floor Area : 1,095m ² c. Maximum Building Height : 15.0m	
12.	778 Fort Street THE W 1/2 OF LOT 28, VICTORIA, EXCEPT THE S 8 FT	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 100m ² ; ii. The use is restricted to the ground floor; iii. Only one Storefront Cannabis Retailer at a time is operational on the Lot .
13.	810 Fort Street LOT 282, VICTORIA, EXCEPT THE S 8 FEET OF SAID LOT TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
14.	814 Fort Street LOT 286 VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
15.	822 Fort Street THE W 30 FT OF LOT 287, VICTORIA, EXCEPT THE S 8 FT THEREOF TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
16.	824 Fort Street EASTERLY 1/2 OF LOT 287, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
17.	826 Fort Street LOT 288, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
18.	838 Fort Street LOT 289, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 2.8:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	
19.	840 Fort Street LOT 290, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 3.7:1 b. Maximum Building Height : 21.5m c. Maximum Lot Area : 630m ² d. Maximum Lot Coverage : 84%	
20.	848 Fort Street LOT 1 PLAN 27779 VICTORIA LOT 1 OF 291/2	a. Maximum Building Height : 15.0m	
21.	880 Fort Street LOT 293 VICTORIA	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	
22.	722 Johnson Street LOT 142 VICTORIA	a. Parkade is a permitted use b. Bonus Density of Development : 4.0:1	i. A Parkade is provided within any Building .
23.	727 Johnson Street LOT 33 VICTORIA	a. Hotel is not a permitted use. b. Off-street motor vehicle and Bicycle Parking, Short-term parking spaces are not required. c. Bonus Density of Development : 4.35:1	i. Rehabilitation of the existing Building on the lands in accordance with the heritage conservation plan in Schedule B of the restrictive covenant registered against the title to the lands pursuant to section 219 of the land Title Act; and ii. Provision of a housing agreement pursuant to section 483 of the Local Government Act to require that all Residential dwellings are to be used and occupied as rental units in perpetuity.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
24.	818 Johnson Street THE N 60 FT OF LOT 378, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
25.	844 Johnson Street LOT 1 PLAN 32453 VICTORIA OF LOTS 394/395 & 400/401	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 37.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit d. Bonus Density of Development : 3.0:1	i. Lot Coverage does not exceed 50% i. Lot Coverage does not exceed 30%
26.	851 Johnson Street LOT 379 VICTORIA	a. Residential is not a permitted use b. Storefront Cannabis Retailer is a permitted use c. Maximum Density of Development : 1.5:1 d. Maximum Building Height : 15.0m e. Maximum Lot Coverage : 60%	i. The use does not occupy more than 25m ² ; ii. The use is restricted to the ground floor.
27.	881 Johnson Street THE N 60 FT OF LOT 378, VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
28.	823 Pandora Avenue LOT A PLAN VIP63518 VICTORIA OF LOTS 402 407 408 AND 409 SEC 339 LGA	a. Parkade is a permitted use on the west half of the Lot , provided that no motor vehicle parking spaces are located within 6m of a Street . b. Maximum Density of Development for Office and Retail Trade on the west half of the Lot : 2.0:1 c. Maximum Density of Development on the east half of the Lot : 2.0:1 d. Maximum Density of Development for Office on the east half of the Lot : 1.0:1 e. Maximum Building Height on the east half of the Lot : 15.5m f. Bonus Density of Development on the west half of the Lot : 3.5:1	i. At least 200 motor vehicle parking spaces are provided within a Building .

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
29.	1126 Quadra Street LOT 294 VICTORIA PARCEL A	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
30.	1314 Quadra Street LOT 378 VICTORIA S PT	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
31.	1400 Quadra Street LOT 2 OF LOT 397, VICTORIA, PLAN 4255	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
32.	1412 Quadra Street LOT 2, OF LOTS 397 & 398, VICTORIA, PLAN 41744	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
33.	1420 Quadra Street LOT 1, OF LOTS 398 & 399, VICTORIA, PLAN 41744	a. Maximum Density of Development : 2.0:1 b. Maximum Density of Development for Office : 1.0:1 c. Maximum Building Height : 15.5m	
34.	812 View Street LOT 1, OF LOTS 304, 305, 326, & 327, VICTORIA, PLAN 27731	a. Maximum Density of Development for Retail Trade and Office : 2.0:1	
35.	815 View Street LOT 301, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
36.	865 View Street STRATA PLAN VIS3578	a. Maximum Building Height : 37.0m b. Maximum Density of Development : 3.2:1 c. Not more than 140m ² of Floor Area on the 12 th Storey of any Building may be used for Office uses other than medical or dental Offices . d. Off-street motor vehicle parking spaces are not required in respect of any Floor Area on the 12 th Storey of any Building .	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
37.	706 Yates Street LOT A, VICTORIA, PLAN 46366	a. Bonus Density of Development: 3.8:1	i. A Building provides at least 1850m ² of Floor Area on the first floor for Retail Trade or restaurant use or for pedestrian circulation uses.
38.	769 Yates Street LOT 105 VICTORIA PLAN 1	a. Maximum Density of Development: 3.9:1 b. Maximum Building Height: 15.0m	
39.	858 Yates Street LOT 376 VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15m d. Maximum Lot Coverage: 60%	
40.	866 Yates Street LOT 377 VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15m d. Maximum Lot Coverage: 60%	

4.2 Central Business District-2 Zone (CBD-2)

1. Permitted Uses					
a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation		l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility			
1.1 Location and Siting of Uses					
a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental . c. i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service . ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building . e. Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier.					
2. Density of Development					
a. Density of Development - Maximum:		4.0:1			
b. Density of Development - Maximum for Residential Uses:		3.0:1			
3. Height					
a. Height - Maximum:		HA-1	HA-2	HA-3	HA-4
		72.0m	60.0m	50.0m	45.0m
b. Notwithstanding sub section (a), maximum Height for Buildings or any portion located within 40m from the Lot Line abutting the east side of Douglas Street:		45.0m			
c. Projections into Height - Maximum:					
i. Parapets :		1.0m			
ii. Rooftop Structures :		5.0m			

Part 4 - Zones

4. Setbacks and Projections

a. Front Setback Plane - Minimum	
i. Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height :	5:1 (Angle of Inclination)
ii. All other Buildings , for any portion above 15.0m in Height :	5:1 (Angle of Inclination)
b. Side and Rear Lot Line Setbacks - Minimum	
i. Exterior walls 20.0m up to 30.0m in Height :	3.0m
ii. Exterior walls over 30.0m and up to 45.0m in Height :	6.0m
iii. Exterior walls over 45.0m in Height :	10.0m
iv. Exterior walls abutting Douglas Street 30.0m or more in Height :	9.0m
c. Projections into Setbacks - Maximum	
i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:	0.6m
ii. Exterior wall treatments, insulation and rainscreen systems :	0.13m

5. Motor Vehicle and Bicycle Parking

- All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw.
- Notwithstanding the requirements in Part 5 of this bylaw, **all motor vehicle parking must be located within a Building.**

6. Lot Coverage and Open Space

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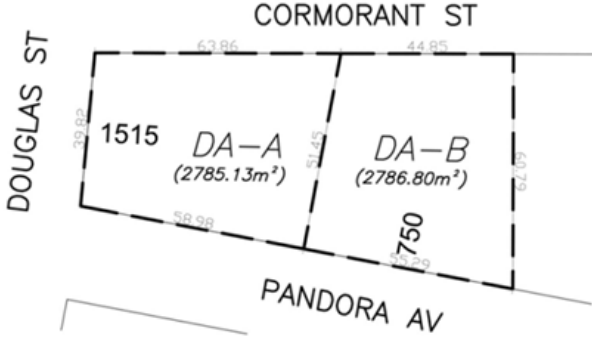
7. Lot Dimension and Area

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8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	1321 Blanshard Street LOT A OF LOTS 368-370, 385-387 VICTORIA, VIP83640	a. Maximum Density of Development: 3.0:1 b. Maximum Building Height : 43.0m c. Bonus Density of Development for all uses: 5.0:1	i. At least 80% of the Floor Area is used for Office uses; ii. The south and west frontages of any Building on the site are glazed and used for Retail Trade or restaurant uses only; iii. Public art having a value of at least \$100,000 is provided on the site; and iv. At least 160 motor vehicle parking spaces are provided underground on the site and at least 125 of the spaces are made available for general public use after ordinary office hours.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
2.	<p>1515 Douglas Street 750 Pandora Ave.</p> <p>LOT 1 OF LOT 1247, 1248 AND 1257 VICTORIA EPP27886</p> <p>Development Area – A (DA-A) Development Area – B (DA-B)</p>	<p><i>Note: In this subsection, the “Development Areas” are those depicted in the following sketch as DA-A and DA-B:</i></p> 	
	Development Area - A	<p>a. Maximum Building Height: 29.0m</p> <p>b. Maximum Density of Development: 2.91:1</p> <p>c. Maximum Floor Area for Residential uses: in Development Area DA-A must not exceed 7,468m².</p> <p>d. Up to 258m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from floor area calculations.</p> <p>e. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces.</p> <p>f. Maximum Lot Coverage: 78%</p> <p>g. Bonus Density of Development: 3.7:1</p>	<p>i. At least 140 motor vehicle parking spaces are provided underground on the site in addition to those otherwise required by Section 7 of this Part;</p> <p>ii. At least 34 Bicycle Parking Long-term spaces and 34 storage lockers for use by cyclists are provided on the site.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
	Development Area - B	<p>h. Maximum Building Height: 56.5m</p> <p>i. Maximum Density of Development 2.86:1</p> <p>j. Up to 400m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from Floor Area calculations.</p> <p>k. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the motor vehicle parking spaces.</p> <p>l. Maximum Lot Coverage: 61%</p>	
		<p>m. Bonus Density of Development: 5.88:1</p>	<p>i. A public walkway with an average width of 3.7m and a minimum width at all points of 3m is constructed on the site to connect Pandora Avenue and Cormorant Street, and secured by a statutory right of way and covenant in favour of the City.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
3.	<p>1701 Douglas Street/770 Fisgard Street</p> <p>LOT 1 OF LOTS 692 TO 696 INCLUSIVE, AND OF LOTS 707 TO 711 INCLUSIVE, VICTORIA,EPP3862</p> <p>(Development Area 1)</p>	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces.</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1 cm for each 5cm of building Height that exceeds 10m.</p> <p>e. Bonus Density of Development for all uses: 3.26:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
4.	<p>780 Fisgard Street</p> <p>LOT 2 OF LOTS 696 TO 698 INCLUSIVE, AND OF LOTS 705 TO 707 INCLUSIVE, VICTORIA EPP3862 EXCEPT PART IN AIR SPACE EPP38768</p> <p>(Development Area 2)</p>	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, including an air space parcel, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m.</p> <p>e. Bonus Density of Development: 4.88:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all dwelling units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
5.	<p>1700 Blanshard Street</p> <p>LOT A, OF LOTS 699 TO 700 INCLUSIVE, AND OF LOTS 703 TO 707 INCLUSIVE, VICTORIA, PLAN 13333, EXCEPT PART IN PLAN EPP3862</p> <p>(Development Area 3)</p>	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the parking area and an easement in favour of the owner who requires the parking spaces.</p> <p>c. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m.</p> <p>d. Bonus Density of Development for all uses: 7.47:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a Housing Agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
6.	1406 Blanshard Street LOT 2 OF LOTS 147 & 148, VICTORIA, VIS6683	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. There are no minimum front, side or rear yard setbacks required</p> <p>d. Bonus Density of Development for all uses: 6.06:1</p>	<p>i. At least 3700m² of Residential Floor Area is provided;</p> <p>ii. Retail Trade and restaurant uses only are operated at grade level;</p> <p>iii. Landscaped open space accessible to the public is provided between the Building on the site and the adjacent Streets; and</p> <p>iv. All motor vehicle parking spaces other than those for visitor use are provided underground.</p>
7.	1810 Blanshard Street LOT A, OF LOTS 717-720, VICTORIA, VIP52793	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit, and for Office uses is 1 space per 170m² of Floor Area.</p> <p>d. Bonus Density of Development for all uses: 5.0:1</p>	<p>i. The site has an area of at least 2,000m²;</p> <p>ii. No fewer than 80 underground motor vehicle parking spaces are provided on the Lot; and</p> <p>iii. At least 10% of the area of the Lot adjacent to the intersection of Blanshard and Herald Streets is an open plaza to a Height of at least 5.5m above grade.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
8.	720 Broughton Street LOT A PLAN VIP59410 VICTORIA OF LOTS 57 58 59 AND 60	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit and for Office uses is 1 space per 95m² of Floor Area, and no other motor vehicle parking or Loading Spaces are required.</p> <p>d. Bonus Density of Development for all uses: 4.6:1</p>	<p>i. The site has an area of at least 2,500m²;</p> <p>ii. All motor vehicle parking spaces are provided underground;</p> <p>iii. At least 425m² of open space is provided on the site; and</p> <p>iv. At least 50% of the site frontage on Douglas and Broughton Streets is in use for Retail Trade, restaurant or Financial Services uses having direct pedestrian access from one of those streets.</p>
9.	732 Cormorant Avenue STRATA PLAN VIS5950	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Residential uses are permitted on the First Storey.</p> <p>d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.6 spaces per Dwelling Unit.</p> <p>e. Bonus Density of Development for all uses: 4.75:1</p>	<p>i. At least 50% of the Floor Area on the site is Residential.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
10.	809 Douglas Street LOT 1 OF LOTS 95-98 AND 104, VICTORIA VIS6797	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Bonus Density of Development for all uses: 5.5:1</p>	<p>i. At least 10,000m² of Residential Floor Area is provided;</p> <p>ii. Retail Trade and restaurant uses only are operated at grade level;</p> <p>iii. Landscaped open space accessible to the public is provided at grade level;</p> <p>iv. All motor vehicle parking spaces other than those for visitor use are provided underground; and</p> <p>v. Public art having a value of at least \$150,000 is provided on the site.</p>
11.	1405 Douglas Street LOT 1 OF LOTS 139 & 140, VICTORIA, PLAN 21972	<p>a. Maximum Density of Development for all uses: 4:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Individual Retail Trade and restaurant premises must have a Floor Area of at least 70m².</p> <p>d. Grade level Douglas Street site frontage and Johnson Street site frontage that is within 6m of Douglas Street may be used only for Retail Trade and restaurant uses.</p> <p>e. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit.</p>	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
12.	741 Fisgard Street LOT 684 & LOT 683, VICTORIA, EXCEPT PART SHOWN COLOURED RED ON PLAN 316 BL, THE E 1/2 OF LOT 685 AND THE W 1/2 OF LOT 685, VICTORIA	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 58.0m</p> <p>c. At least 140 motor vehicle parking spaces must be provided underground.</p> <p>d. At least 42 bicycle parking spaces must be provided.</p> <p>e. Bonus Density of Development for all uses: 7.6:1</p>	<p>i. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City;</p> <p>ii. A statutory right of way is granted to the City for the 2m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses;</p> <p>iii. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City;</p> <p>iv. A statutory right of way is granted to the City for the 2 m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses;</p> <p>v. Public art having a value of at least \$350,000 is provided on the site; and</p> <p>vi. The owner contributes at least \$100,000 to the City's Housing Reserve Trust Fund.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
13.	834 Johnson Street STRATA PLAN EPS522	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 41.0m</p> <p>c. Bonus Density of Development for all uses: 5.76:1</p>	<p>i. The Floor Area of Office uses may not exceed 60% of the area of the site;</p> <p>ii. The Floor Area of non-Residential uses, excluding areas used for underground motor vehicle parking spaces, may not exceed 50% of the Floor Area on the site;</p> <p>iii. Non-Residential uses other than Home Occupations are not permitted above the second Storey;</p> <p>iv. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.65 spaces per Dwelling Unit, and no motor vehicle parking spaces are required for non-Residential uses; and</p> <p>v. At least 15% of the area of the site must be open space.</p>
14.	1250 Quadra Street LOT A PLAN 19445 VICTORIA OF LOTS 311/314 849 Yates LOT 315 VICTORIA	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 37.0m</p> <p>c. Bonus Density of Development for all uses: 4.0:1</p>	<p>i. The owner enters into a housing agreement with the City that requires at least 33 Dwelling Units on the site to be rental units.</p> <p>ii. At least 35% of the area of the site is open space; and</p> <p>iii. All motor vehicle parking spaces are provided underground.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
15.	835 View Street STRATA PLAN VIS3578	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 37.0m</p> <p>c. At least 39% of the area of the site must be open space.</p> <p>d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit.</p> <p>e. Bonus Density of Development for all uses: 4.4:1</p>	<p>i. For any Building with at least 8000m² of Floor Area used for Residential uses, and the proportion of Residential use of the site is unrestricted.</p>
16.	728 Yates Street STRATA PLAN EPS2516	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 48.0m</p> <p>c. Bonus Density of Development for all uses: 6.4:1</p>	<p>i. The façade of the Building at 738-740 Yates Street is conserved, including restoration of the brick Parapet and upper façade brick;</p> <p>ii. Grade level Yates Street site frontage and the site frontage on the walkway is used only for Retail Trade and restaurant uses; and</p> <p>iii. A landscaped area of at least 50m² is provided for public use between any Building on the site and Yates Street.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
17.	743 Yates Street STRATA PLAN VIS4308	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 46.5m</p> <p>c. Bonus Density of Development for all uses: 5.4:1</p> <p>d. Bonus Density of Development for all uses: 5.6:1</p>	<p>i. At least 150m² of Floor Area is in use for child care services;</p> <p>ii. At least 50m² of open space is provided along each Lot Line that abuts a Street;</p> <p>iii. At least 43 motor vehicle parking spaces are provided in addition to those otherwise required by Section 7 of this Part; and</p> <p>iv. At least 50% of the site frontage on View and Yates Streets is in use for Retail Trade, Office or Financial Services uses having direct pedestrian access from one of those streets.</p> <p>i. The conditions described above in sub sections (i.) thru (iv.) are met and an area equal to at least 20% of the site area is in use for an enclosed public arcade or mall.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
18.	819 Yates Street LOT A, DISTRICT LOTS 306, 307, 324 & 325, VICTORIA, PLAN 33016	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 55.0m</p> <p>c. Residential uses may be located on the First Storey.</p> <p>d. Buildings with frontage on Yates Street must be sited at least 1.4m from the Street to the 10m Height level and 3.5m from the Street above that level.</p> <p>e. Buildings with frontage on View Street must be sited at least 1.5m from the Street to the 10m Height level and 5.3m from the Street above that level.</p> <p>f. Buildings must be sited at least 3.0m from the easterly Boundary of the site.</p> <p>g. Bonus Density of Development for all uses: 5.83:1</p>	<p>i. A public walkway at least 3.0m wide is constructed on the site to connect Yates Street to View Street along the easterly Boundary of the site, and secured by a statutory right of way in favour of the City.</p> <p>ii. At least 80% of the Floor Area is Residential</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement for at least 10 years following issuance of an occupancy permit for any Dwelling Unit;</p> <p>iv. Public art having a value of at least \$100,000 is provided on the site; and</p> <p>v. The owner contributes at least \$100,000 to the City's Housing Reserve Trust Fund.</p>
19.	836 Yates LOT A OF LOTS 373 & 382, VICTORIA, PLAN 60321	<p>a. Maximum Density of Development for all uses: 4.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit.</p>	

4.3 Mixed Use Residential District-1 Zone (MRD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Care Facility d. Civic Facility e. Financial Service f. Food and Beverage Service g. Home Occupation h. Office 	<ul style="list-style-type: none"> i. Personal Service j. Residential k. Residential Lock-off Unit l. Retail Trade m. Small-scale Commercial Urban Agriculture n. Studio o. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. Non-Residential uses, other than Home Occupation, are not permitted above the second Storey. b. A maximum 50% of the Floor Area may be used for non-Residential uses. 	
2. Density of Development	
<ul style="list-style-type: none"> a. Density of Development - Maximum for Office: 	0.6:1
3. Height - Maximum	
<ul style="list-style-type: none"> a. Height - Maximum: b. Projections into Height: <ul style="list-style-type: none"> i. Parapets: ii. Rooftop Structures: 	<ul style="list-style-type: none"> 30.0m 1.0m 5.0m
4. Setbacks and Projections	
<ul style="list-style-type: none"> a. Front Lot Line Setback - Minimum <ul style="list-style-type: none"> i. Buildings with Residential use on First Storey: ii. Buildings with non-Residential use on First Storey: b. Projections into Setbacks - Maximum: <ul style="list-style-type: none"> i. Balconies, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: ii. Exterior wall treatments, insulation and rainscreen systems: 	<ul style="list-style-type: none"> 3.5m 0.5m 0.6m 0.13m
5. Motor Vehicle and Bicycle Parking	
<ul style="list-style-type: none"> a. Notwithstanding the requirements contained in Part 5 of this bylaw, no motor vehicle parking is required. b. Notwithstanding the requirements contained in Part 5 of this bylaw, all motor vehicle parking must be located within a Building. 	

4.4 Old Town District-1 Zone (OTD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation 	<ul style="list-style-type: none"> l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles are permitted outside of a Building for the use of Equipment Rental. c. <ul style="list-style-type: none"> i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service. ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building, except where located directly adjacent to, and where direct access is provided to a lane, alleyway, through-block walkway or interior courtyard. 	
2. Density of Development	
<ul style="list-style-type: none"> a. Density of Development - Maximum: b. Density of Development - Maximum for Office within any Building constructed after 1914. 	<ul style="list-style-type: none"> 3.0:1 1.0:1
3. Height - Maximum	
<ul style="list-style-type: none"> a. Height - Maximum: b. Projections into Height: <ul style="list-style-type: none"> i. Parapets: ii. Rooftop Structures: 	<ul style="list-style-type: none"> 15.0m 1.0m 5.0m

Part 4 - Zones

4. Setbacks and Projections

- a. Projections into **Setbacks** - Maximum:
- i. **Balconies**, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: 0.6m
 - ii. **Exterior wall treatments, insulation and rainscreen systems:** 0.13m

5. Motor Vehicle and Bicycle Parking

- a. Motor vehicle parking is only required for any **Lot** that has an overall area of 1100m² or greater, and subject to paragraph (b), shall be provided in accordance with Part 5 of this bylaw.
- b. Notwithstanding the requirements in Part 5 of this bylaw, **all motor vehicle parking must be located within a Building.**

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	10 Bastion Square Parcel E (DD 169756-I) of Lots 197, 198, 200 & 204	a. Off-street motor vehicle parking is not required	
2.	28 to 30 Bastion Square Lot 1 Plan VIP17052	a. Off-street motor vehicle parking is not required	
3.	1215 Broad Street Lot 1 Plan VIP64889	a. Maximum Building Height : 43.0m	
4.	1415 to 1419 Broad Street Lot 666 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
5.	525 Broughton Street Strata Plan VIS730	a. Maximum Density of Development for all uses: 3.0:1	
6.	608 Broughton Street Lot 1 Plan EPS1336	a. Maximum Building Height : 34.0m b. Bonus Density of Development : 5.1:1	i. Retail Trade or restaurant provided as the principal ground level uses; and ii. A minimum of 45 motor vehicle parking spaces are provided, of which at least 35 are located underground and two are permitted to be stacked one behind the other.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
7.	617 Broughton Street Lot A Plan VIP14044	a. Parkade is a permitted use. b. Maximum Density of Development : 3.9:1	
8.	1 Centennial Square Lot 2 Plan VIP76432	a. Maximum Density of Development for all uses: 3.0:1	
9.	629 Chatham Street Lot 633 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
10.	635 Chatham Street Lot 632 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
11.	611 to 623 Chatham Street Lot 634 & 635 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
12.	619 - 625 Courtney Street Lot 4 Plan VIS4624	a. Maximum Building Height : 20.3m b. Maximum Floor Area for Brew Pub (beer, spirits, wine) : 250m ² c. Bonus Density of Development : 4.6:1	i. A minimum of 630m ² of the First Storey area of a Building and at least 50% of the Building's interior First Storey area adjacent to Street frontage are devoted to Retail Trade or restaurant use.
13.	631 - 639 Courtney Street 634/38 Humbolt Street 808 Douglass Street Lot 1 Plan 26451	a. The minimum number of off-street motor vehicle parking spaces for Residential Uses is 0.25 spaces per Dwelling Unit .	
14.	818 Douglas Street Lot 2 Plan VIP26451	a. Maximum Density of Development for all uses: 3.0:1	
15.	850 Douglas Street Lot 1 Plan VIP16810	a. Maximum Building Height : 43.0m	
16.	1150 Douglas Street Lot A Plan VIP48135	a. Maximum Density of Development for all uses: 3.0:1	
17.	1200 Douglas Street Lot B Plan VIP48444	a. Maximum Building Height : 43.0m	
18.	1214 Douglas Street Lot A Plan VIP48444	a. Maximum Building Height : 43.0m	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
19.	1222 Douglas Street S. Pt. Lot 426 & E. Pt. Lot 427 and Pcl. A of Lots 427/428 City Plan	a. Maximum Building Height : 43.0m	
20.	1280 Douglas Street Lot 426 Plan CITY	a. Maximum Building Height : 43.0m	
21.	1402 Douglas Street The Easterly 60 Feet of Lot 671 Plan CITY	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 200m ² ; ii. Only one Storefront Cannabis Retailer at a time is operational on the Lot .
22.	1672 Douglas Street Lot A Plan VIP11299	a. Maximum Density of Development for all uses: 3.0:1	
23.	1708 Douglas Street Lot 609 & 610 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
24.	1720 Douglas Street LOT 611 & 612, VICTORIA, CITY	a. Maximum Density of Development for all uses: 3.0:1	
25.	1802 Douglas Street Lot 1 Plan VIP36720	a. Maximum Building Height : 26.0m b. Bonus Density of Development : 5.0:1	i. At least 270m ² of First Storey space is provided for Retail Trade or restaurant use; ii. At least 17m of linear Building Floor Area along Herald Street is used for Retail Trade or restaurant use; iii. At least 10% of the Lot Area adjacent to the Street intersection is maintained as a Street level open plaza to a distance of not less than 5.5m above Street level ; and iv. A minimum of 60 underground on-site motor vehicle parking spaces are provided.
26.	1850 Douglas Street Lot A Plan VIP25475	a. Maximum Density of Development for all uses: 3.0:1	
27.	505 Fiscard Street Lot A Plan VIP42419	a. Maximum Floor Area used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages is the lesser of 190.4m ² or 46% of the site area.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
28.	517-519 Fisgard Street Lot 4 Plan EPS1833 524-528 Pandora Ave. Lot 2 Plan EPS1833 530 Pandora Ave. Lot 1 Plan EPS1833	a. Maximum Density of Development : 5.5:1 b. Parkade is a permitted use. c. Off-street motor vehicle parking is not required	
29.	618 Fisgard Street Lot 604 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
30.	625 Fisgard Street Lot 1 Plan VIP76432	a. Maximum Density of Development for all uses: 3.0:1	
31.	638 Fisgard Street Lot 1 Plan VIP55957	a. Residential uses may be located on the First Storey except within 3m from any Street . b. Maximum Building Height : 22.0m c. Bonus Density of Development : 4.0:1	i. A minimum Density of Development of 2.0:1 is provided for Residential uses.
32.	520 Fort Street Lot A Plan VIP23498	a. Maximum Density of Development for all uses: 3.0:1	
33.	623 Fort Street Lot A Plan VIP87839	a. Bicycle Parking, Short-Term stalls are not required. b. Bonus Density of Development : 3.38:1 for all uses	i. At least 75% of the total Floor Area of the Building is provided exclusively for Office uses.
34.	685-695 Fort Street 1060-1080 Douglas Street Lot 1 Plan VIP16563	a. Maximum Building Height : 43.0m	
35.	801 Government Street Lot A Plan VIP27815	a. Off-street motor vehicle parking is not required	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
36.	888 Government Street Lot A Plan EPP69462	a. Maximum Floor Area for Brew Pub (beer, spirits, wine) : 175m ² b. Maximum Building Height : 17.7m c. Maximum Floor Area for Retail Liquor Sale : 50m ² where provided as an accessory use to Brew Pub (beer, spirits, wine) . d. Off-street motor vehicle parking is not required e. Bonus Density of Development : 4.0:1	i. Rehabilitation of the façade of the existing Customs House on the westerly portion of the site in accordance with Heritage Revitalization Agreement Bylaw no. 15-057.
37.	900 Government Street Lot Plan VIP918 BL	a. Maximum Density of Development for all uses: 3.0:1	
38.	910 Government Street 955 Wharf Street 525 Broughton Street Strata Plan VIS612 Strata Plan VIS730	a. Maximum Density of Development for all uses: 3.0:1 b. A minimum of 220 motor vehicle parking spaces shall be provided c. A minimum of 15% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Retail Trade . d. A maximum of 85% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Office .	
39.	1001 Government Street Lot 7 & 8 Plan VIP2671	a. Maximum Building Height : 16.0m b. Maximum Density of Development : 4.1:1	i. Where Retail Trade, Offices and financial institutions have direct access to and are located along at least 50% of the Street frontage along Government Street.
40.	1230 Government Street Lot 1 Plan VIP7696	a. Maximum Density of Development for all uses: 3.0:1	
41.	1312 Government Street Lot 1 Plan EPS1881 1314 Government Street Lot 2 Plan EPS1881 Portion on Roadway Lot Plan EPP37406	a. Maximum Building Height : 18.6m b. Bonus Density of Development : 3.85:1	i. A conservation covenant of the existing Building is provided ii. A Housing Agreement is established to require that all Residential dwellings in this Zone are provided as rental units.
42.	1411 Government Street Lot 1 Plan VIS4995	a. Maximum Density of Development : 3.32:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
43.	1450 Government Street Lot 1 Plan VIS6012 595 Pandora Ave. Lot 1 Plan VIP77724 599 Pandora Ave. Lot 2 Plan VIS6012	a. Maximum Density of Development : 2.2:1 b. Maximum Building Height : 15.2m c. Maximum Lot Coverage : 70%	
44.	1701 Government Street Lot A Plan VIP2779	a. Maximum Density of Development for all uses: 3.0:1	
45.	1725 Government Street Lot 1 Plan EPS569	a. Maximum Density of Development for all uses: 3.0:1	
46.	1885 Government Street Lot A Plan VIP45681	a. Automotive Repair is the only permitted use	
47.	461 Herald Street Lot A Plan VIP33307	a. Residential uses are prohibited b. Maximum Density of Development for Office and all other uses: 1.5:1 c. Bonus Density of Development : 2.0:1	i. At least 500m ² of First Storey area is used for Retail Trade or restaurant.
48.	517 Herald Street Lot 1, Victoria, Plan 14527	a. Off-street motor vehicle parking is not required	
49.	530 - 532 Herald Street Lot A Plan VIP68503	a. Off-street motor vehicle parking is not required	
50.	536 Herald Street Lot A Plan VIP72416	a. Off-street motor vehicle parking is not required	
51.	601 Herald Street Lot 3 Plan EPS569	a. Maximum Density of Development for all uses: 3.0:1	
52.	610 Herald Street LOT 620, 621, AND 622, VICTORIA	a. Maximum Density of Development for all uses: 3.0:1	
53.	613 Herald Street Lot 617 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
54.	618 Herald Street Lot 623 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
55.	624 Herald Street Lot 624 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
56.	648 - 652 Herald Street Lot 3 Plan VIS5362	a. Maximum Density of Development for all uses: 3.0:1	
57.	655 Herald Street Lot A Plan VIP42094	a. Maximum Density of Development for all uses: 3.0:1	
58.	658 Herald Street Lot 626 Plan City	a. Maximum Density of Development for all uses: 3.0:1	
59.	681 Herald Street Lot 613 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
60.	521 Johnson Street Lot A Plan VIP34849	a. Off-street motor vehicle parking is not required	
61.	634 Johnson Street Lot A Plan VIP34894	a. Only the following uses are permitted: Hotel, Retail Trade and restaurant b. Maximum Density of Development : 5.23:1 c. Maximum Building Height : 23.0m	
62.	506 Pandora Ave. Lot 1 Plan EPP35103	a. The maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) is the lesser of 190.4m ² or 44% of the Lot Area . b. The maximum Floor Area for a Drinking Establishment is 146.2m ²	
63.	595 Pandora Ave. Lot 1 Plan VIP77724	a. Off-street motor vehicle parking is not required	
64.	599 Pandora Ave. Lot 2 Plan VIS6012	a. Off-street motor vehicle parking is not required	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
65.	603 Pandora Ave. Lot 1 Plan VIP7110	a. Maximum Floor Area : 6793m ² b. Maximum Building Height : 23.1m c. Maximum Lot Coverage : 89% d. Bonus Density of Development : 4.57:1	i. Rehabilitation of the existing Plaza Hotel Building in accordance with Heritage Revitalization Agreement (603-607 Pandora Avenue) Bylaw No. 13-040; ii. Construction of a public plaza at the corner of Government Street and Pandora Avenue valued at least \$180,000; and iii. Payment to the City of Victoria of \$27,500 to contribute to the long term maintenance of the public water feature to be constructed as part of the public plaza.
66.	625 Pandora Street Lot 1 Plan VIP32978	a. Maximum Density of Development for all uses: 3.0:1	
67.	1441 Store Street Lot 1 Plan VIS1580	a. Maximum Density of Development : 4.0:1	
68.	1610 Store Street Lots 1 to 127 Plan EPS3614 456 Pandora Avenue Lots 1 to 127 Plan EPS3614	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated. b. Off-street motor vehicle parking is not required	
69.	1622 - 1624 Store Street Lot A Victoria EPP70042	a. Off-street motor vehicle parking is not required	
70.	1624 Store Street Lot 1 Plan VIP5617	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	
71.	1630 Store Street Parcel A (DD 83205I) of Lot 126 City Plan	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
72.	1705 Store Street Lot 1 of Lot 451, 452, 467 & 468 Victoria City Plan VIP76332	a. Automotive Repair is the only permitted use on the south half of the Lot . b. Maximum Building Height : 11.0m c. Not more than one Building is permitted on the Lot . d. Minimum setback to any Street on the south half of the Lot : 4.5m e. Off-street motor vehicle parking is not required on the north half of the Lot .	
73.	1720 Store Street Lot A Plan VIP18303	a. Residential uses are prohibited b. Maximum Density of Development for Office and all other uses: 1.5:1 c. Off-street motor vehicle parking is not required d. Bonus Density of Development : 2.0:1	i. At least 500m ² of First Storey area is used for Retail Trade or restaurant.
74.	407-409 Swift Street Lot 100 Plan VIS4930	a. Docks, public washrooms and showers are permitted uses. b. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ² c. Off-street motor vehicle parking is not required	
75.	440 Swift Street Lot A Plan VIP85421	a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development : 1.5:1 c. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ² d. Off-street motor vehicle parking is not required	
76.	450 Swift Street Lot 1 Plan VIP36884	a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development : 1.5:1 c. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ²	
77.	467 Swift Street Lot A Plan VIP49848	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	
78.	650 View Street Lot C Plan VIP48444	a. Maximum Building Height : 43.0m	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
79.	1019 Wharf Street Lot 1 Plan VIP21300	a. Off-street motor vehicle parking is not required	
80.	503 Yates Street Lot 1 Plan VIP7167	a. Off-street motor vehicle parking is not required	
81.	524 Yates Street Lot 1 Plan VIS6630	a. Off-street motor vehicle parking is not required	
82.	546 Yates Street LOT 1 OF LOTS 175, 176, 186, 187, VICTORIA, PLAN 30210	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 800m ² ; ii. The use is restricted to the ground floor; and iii. Only one Storefront Cannabis Retailer at a time is operational on the property.
83.	575 Yates Street Lot 2 Plan VIP18712	a. Off-street motor vehicle parking is not required	
84.	615 Yates Street Lot 1 Plan VIP38582	a. Off-street motor vehicle parking is not required	

5.1 Off-Street Parking Regulations

1. Required Vehicle and Bicycle Parking Spaces

- a. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Column A	Column B	Column C
Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
Residential		
Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>)	0.65 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.80 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1.20 spaces per Dwelling Unit that is more than 70m ²	
Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement)	0.50 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.60 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1 space per Dwelling Unit that is more than 70m ²	
Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement)	0.20 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.50 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	0.75 spaces per Dwelling Unit that is more than 70m ²	
All other multiple dwellings	0.65 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.80 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1.20 spaces per Dwelling Unit that is more than 70m ²	
Assisted Living Facility	0.35 spaces per Dwelling Unit or residential unit	0.10 spaces per Dwelling Unit or residential unit
Commercial		
Hotel	0.25 spaces per room	-

- b. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street bicycle parking spaces in accordance with Table 2 of this Part and calculated in accordance with Table 2 of this Part.

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Table 2: Minimum Number of Required Bicycle Parking Spaces

Column A	Column B	Column C
Use or Class of Use	Minimum Number of Bicycle Parking, Long-Term Spaces	Minimum Number of Bicycle Parking, Short-Term Spaces
Residential		
Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Assisted Living Facility	1 space per 20 Dwelling Units or residential unit	1 space per 50 Dwelling Units or residential units
Commercial		
Brew Pub (beer, spirits, wine)	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Drinking Establishment	1 space per 400m ² of Floor Area , or part thereof	1 space per 100m ² of Floor Area , or part thereof
Equipment Rental	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Financial Service	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Food and Beverage Service	1 space per 400m ² of Floor Area plus outside seating and serving area, or part thereof	1 space per 100m ² of Floor Area plus outside seating and serving area, or part thereof
Hotel	1 space per 25 rooms	1 space per 40 rooms
Office	1 space per 150m ² of Floor Area , or part thereof	1 space per 400m ² of Floor Area , or part thereof
Personal Service	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Retail Liquor Sale	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Retail Trade	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Storefront Cannabis Retailer	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Institutional		
Assembly	-	1 space per 200m ² of Floor Area , or part thereof
Civic Facility	1 space per 400m ² of Floor Area , or part thereof	1 space per 400m ² of Floor Area , or part thereof
Cultural Facility	1 space per 450m ² of Floor Area , or part thereof	1 space per 130m ² of Floor Area , or part thereof
Care Facility	1 space per 700m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

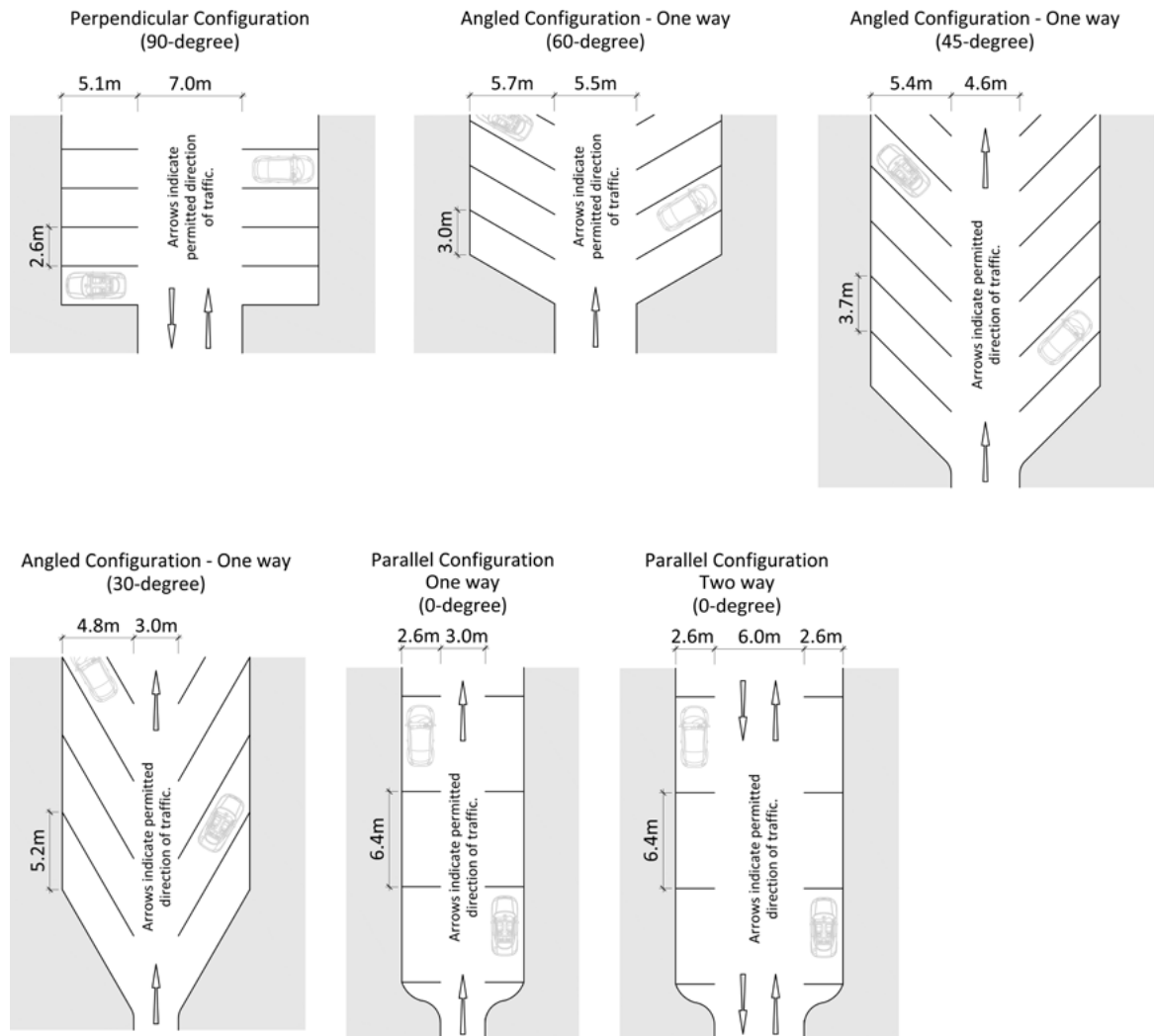
2. Vehicle Parking Appearance

- Each vehicle parking space must be clearly delineated on the parking surface.
- Each visitor vehicle parking space required under this bylaw must be clearly identified for the sole use of visitors.

3. Vehicle Parking Location and Dimensions

- All vehicle parking spaces required under this bylaw must be provided on the same **Lot** as the **Building** or use which they serve.
- A vehicle parking space must have **Unobstructed Access**.
- All vehicle parking spaces and **Drive Aisles** must have dimensions not less than those identified in Figure 1 of this Part.

Figure 1: Minimum Parking Space and **Drive Aisle** Dimensions (all measurements in metres)



Part 5 - Requirements for Motor Vehicle and Bicycle Parking

- d. One way access and egress through the **Parking Area** is required where:
 - i. More than one vehicle parking space is provided in the **Parking Area**, and
 - ii. The vehicle parking spaces are not configured parallel or perpendicular to the **Drive Aisle**.
- e. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
- f. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
- g. Where a vehicle parking space or **Drive Aisle** is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.
- h. Where a **Drive Aisle** or parking space is located within 6.0m of a **Street Boundary** it must comply with applicable grade requirements prescribed in this Part and the Highway Access Bylaw.
 - i. The maximum grade for a **Drive Aisle** or parking stall is 8%.
 - ii. The maximum grade for a **Driveway** is 15%.

Example: Maximum Grades for Parking Areas



Example parkade configuration

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

4. Bicycle Parking Specifications

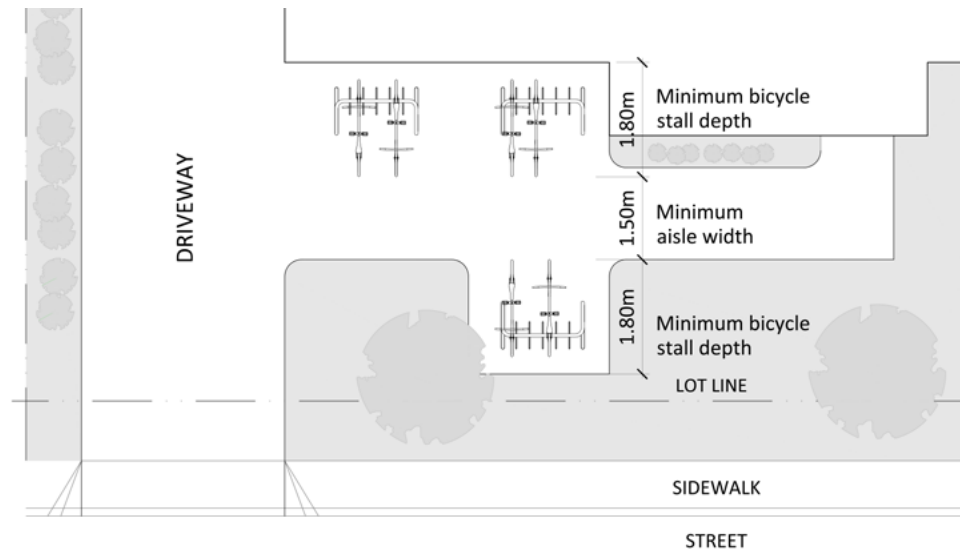
- a. All bicycle parking spaces required under this bylaw must be provided on the same **Lot** as the Building or use which they serve.
- b. Each **Bicycle Parking, Short-Term** space required under this bylaw must be:
 - i. designed and installed to the minimum dimensions shown in Table 3 of this Part; and
 - ii. provided as a bicycle rack that is permanently anchored to the ground or a wall.
- c. Each **Bicycle Parking, Short-Term** space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a **Building** entrance that is accessible by visitors.
- d. Notwithstanding section (c), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- e. Each **Bicycle Parking, Short-Term** space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a **Building** entrance that is accessible by the public.
- f. Notwithstanding section (e), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- g. Each **Bicycle Parking, Short-Term** space required under this bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary Building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

	Ground Anchored Rack		Wall Mounted Rack	
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a Building)	>45 degrees	<45 degrees	>45 degrees	<45 degrees
Minimum stall depth	1.8	1.45	1.2	1.2
Minimum aisle width	1.5	1.5	1.5	1.5
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6

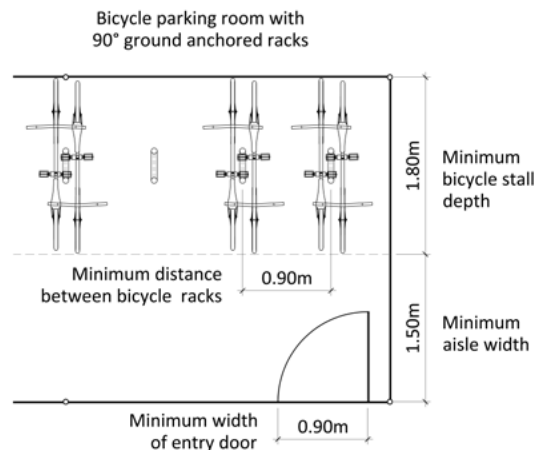
Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Example: Bicycle Parking, Short-Term Configuration

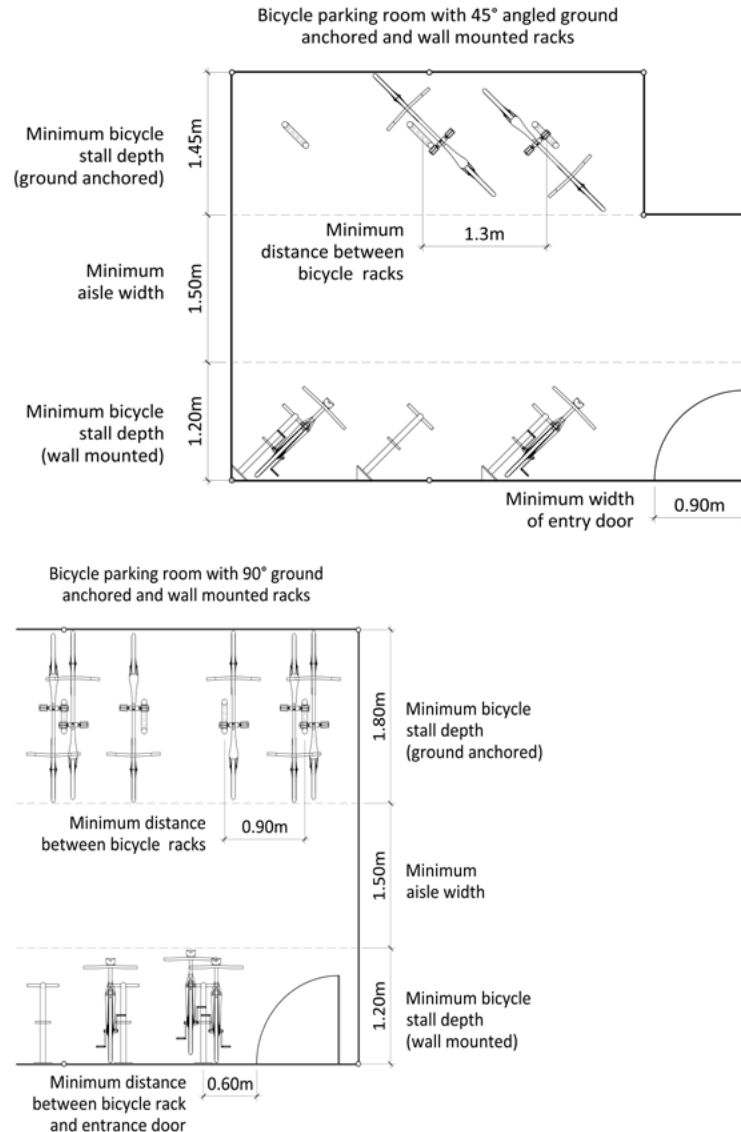


- h. Each **Bicycle Parking, Long-Term** space required under this bylaw must:
 - i. be designed and installed to the minimum dimensions shown in Table 3 of this Part;
 - ii. be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - iii. have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - iv. be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the **Building**;
 - v. be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - vi. be located within one floor of **Finished Grade** and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
- i. At least half of the **Bicycle Parking, Long-Term** spaces required under this bylaw must be ground anchored.

Example: Bicycle Parking Long-Term Configurations



Part 5 - Requirements for Motor Vehicle and Bicycle Parking



5. Bicycle Parking Exemptions

- a. Notwithstanding section 5.1.1(b):
 - i. **Bicycle Parking, Short Term** spaces are not required to be provided where the siting and design of a **Building** existing on the date of adoption of this bylaw physically prohibits such spaces from being provided on a **Lot**;
 - ii. No additional **Bicycle Parking, Short Term** or **Bicycle Parking, Long Term** spaces are required to be provided where only alterations or changes of use to a **Building** are proposed and the **Building** existed on the date of adoption of this bylaw; and
 - iii. If additions are proposed to a **Building** existing on the date of adoption of this bylaw, additional **Bicycle Parking, Short Term** and **Bicycle Parking, Long Term** spaces must be provided for the additional bicycle parking required with respect to the **Building** addition only.

Schedule A - CBD-2 Zone Height Areas Map



Schedule B - Small Scale Commercial Urban Agriculture

1. Products

- a. Subject to subsection (b), only the following items may be cultivated, harvested, kept, sorted, cleaned and packaged as part of **Small-scale Commercial Urban Agriculture**:
 - i. Fruits
 - ii. Vegetables
 - iii. Edible flowers
 - iv. Edible fibre
 - v. Edible seeds
 - vi. Nuts
 - vii. Seedlings and cuttings of edible plants
 - viii. Culinary herbs
 - ix. Eggs
 - x. Honey
 - xi. Mushrooms
- b. Plants regulated under the Controlled Drug and Substances Act (Canada) may not be produced as part of **Small-scale Commercial Urban Agriculture**

2. Sale on Lot

Sale of products of **Small-scale Commercial Urban Agriculture** is permitted on a **Lot** on which **Small-scale Commercial Urban Agriculture** occurs, regardless of whether **Retail Trade** is permitted, provided it occurs:

- a. within a **Foodstand** located in the **Front Yard**; or
- b. as a component of any of the following permitted uses of the Lot:
 - i. **Retail Trade**
 - ii. **Food and Beverage Service**
 - iii. any other use which permits the sale of the items in section 1(a)

3. Foodstand

A **Foodstand** must not:

- a. Exceed an area of 1.85m² and a **Height** of 3.35m
- b. Be located within 0.60m of a **Lot Line**
- c. Be fully enclosed
- d. Remain on the **Front Yard** without items for sale in excess of eight consecutive days
- e. Hold, shelve or otherwise display an item unless it:
 - i. is listed in section 1(a) of this Schedule;
 - ii. was harvested on the **Lot** on which the **Foodstand** is located; and
 - iii. is displayed and sold in raw, unprocessed form.
- f. No more than one **Foodstand** may be used or erected on one **Lot**.

READ A FIRST TIME the **23rd** day of **November** 2017

READ A SECOND TIME the **23rd** day of **November** 2017

PUBLIC HEARING HELD on the day of 2017

READ A THIRD TIME the day of 2017

ADOPTED on the day of 2017

CITY CLERK

MAYOR



Zoning Bylaw 2018



Publishing Information

Title: Zoning Bylaw 2018

Prepared By: City of Victoria
Sustainable Planning and Community Development Department

Status: Draft Zoning Bylaw 2018 – June 2018

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BYLAW NO. 18-072
ZONING BYLAW 2018
A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to divide the City into zones and to regulate and control the use of land and buildings within those zones.

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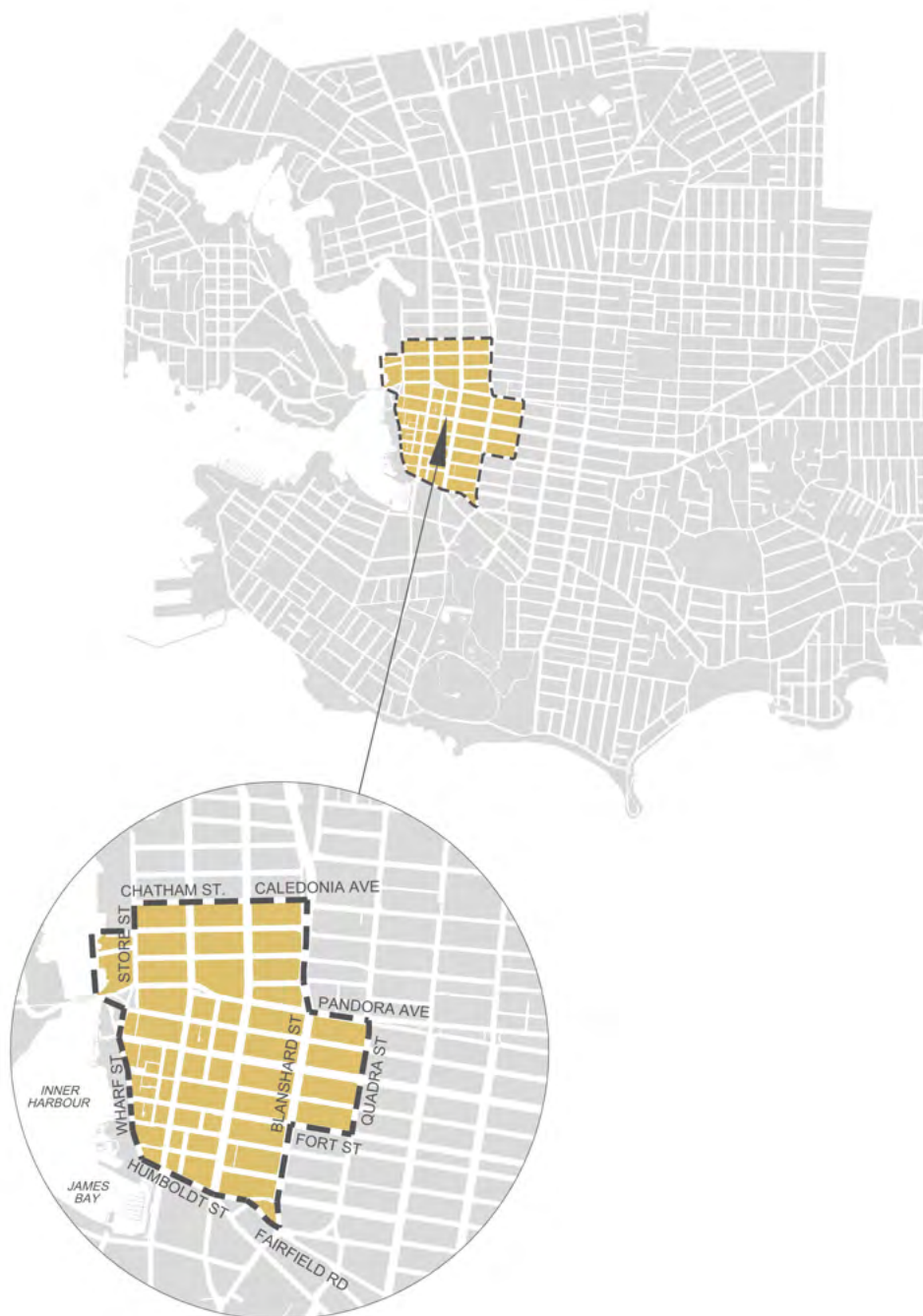
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Pursuant to its statutory powers, including sections 479, 482, and 525 of the Local Government Act, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1.1 Interpretation

1. This bylaw may be cited as the “Zoning Bylaw 2018”
2. This bylaw applies to the area indicated with a dashed line in Map 1.

Map 1: Area subject to Zoning Bylaw 2018



3. The Zoning Regulation Bylaw No. 80-159 is inapplicable to the area indicated within the dashed line in Map 1.
4. The area to which this bylaw applies is divided into the zones indicated on the **Zoning Map**, being the zoning information layer in **VicMap**.

Part 1 - Administration

- 4.1 In all civil and criminal judicial proceedings a printout of the **Zoning Map**, purporting to be certified as such, shall be prima facie evidence of the location of each zone and of the lands included therein as at and since the date of the certificate, without proof of the signature or approval of the **Director**.
 - 4.2 Whenever any land is removed from one zone into another by a rezoning bylaw the **Director** shall, forthwith after the adoption of the such bylaw, cause the **Zoning Map** to be updated to reflect the changes.
5. The regulations, requirements and definitions in Parts 1 through 6 of this bylaw apply to land in the area to which this bylaw applies in accordance with the zoning designations indicated on the **Zoning Map**, and if Parts 3 through 6 specify regulations and requirements for a particular location within a zone that is identified by civic address, legal description or both, then the specific regulations and requirements take precedence over the general regulations and requirements for the zone.
 - 5.1 Without limiting the scope of section 5, where a property is specifically identified in column A of the "Site Specific Regulations" table in the zone regulations applicable to that property, the specific regulations and requirements set out in column B of that table apply, subject to the conditions or requirements to provide amenities set out in column C, if any.
 - 5.2 Where a property is divided into two or more development areas (DA) as shown in a plan included in the applicable "Site Specific Regulations" table, section 5.1 applies to each development area as if that development area was a separate property.
 - 5.3 In the event of a conflict, the regulations or requirements applicable pursuant to section 5.1 apply despite any other provisions of this bylaw.
 - 5.4 Where a property to which section 5.1 applies is subdivided, section 5.1 applies to all properties that had formerly formed part of that property as if they were individually listed in the table.
 - 5.5 Where a property to which section 5.1 applies is consolidated or otherwise merged with another property, section 5.1 applies only to that part of the new property to which section 5.1 applied before consolidation or merger.
 - 5.6 Where a property is identified in this bylaw by reference to a civic address and a legal description, the legal description shall be deemed to be the correct description in the event of any conflict or inconsistency.
6. For certainty, if the **Zoning Map** indicates that a **Lot** lies within two or more zones, each portion of the **Lot** may be used and built upon only in accordance with the regulations and requirements applicable to that portion under Part 3 or 4.
7. Unless otherwise indicated on the **Zoning Map**:
 - 7.1 **Streets** and lanes are deemed to have the same zoning designation as the abutting land, and any zone boundary that coincides with a **Street** or lane is deemed to be located at the centerline of the **Street** or lane;
 - 7.2 Any zone boundary that coincides with a railway right of way is deemed to be located at the centreline of the right of way;
 - 7.3 The surface of all water is within the same zone as the nearest land to it within the **City** boundaries unless zoned otherwise; and

Part 1 - Administration

- 7.4 Whenever any land, fronting on a **Street**, railway, or water, is removed from one zone and placed into another that portion of the **Street**, railway, or water to which this section applies shall also be so removed and rezoned.
8. For the purposes of this bylaw, an airspace parcel is deemed to be part of the same **Lot** as the parcel at ground level.
9. In the event of any inconsistency between the text of this bylaw and an illustration or diagram that relates to the text, the text takes precedence over the illustration or diagram.
10. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
11. No person shall place, erect, construct or alter a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
12. Not more than one **Building** other than an **Accessory Building** shall be erected or used on one **Lot**, unless the regulations applicable in a particular zone expressly permit otherwise, and no **Building** shall be erected partly on one **Lot** and partly on another.
13. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with the requirements of this bylaw in respect of the provision of motor vehicle and bicycle parking spaces, the provision of **Loading Spaces** and the provision of screening or landscaping.
14. An officer or employee of the **City** appointed to administer this bylaw may enter on land including any place that is occupied as a private dwelling, to inspect and determine whether the regulations and requirements in this bylaw are being met, and in the case of a private dwelling may enter only in accordance with s. 16(5) of the Community Charter.
15. A person who contravenes this bylaw is liable to a maximum fine of \$10,000 and, in the case of a continuing offence, each day on which the contravention continues constitutes a separate offence that is subject to that maximum fine.
16. This bylaw may be enforced by means of a municipal ticket information, in which case the offence descriptions and ticket fines set out in the Ticket Bylaw apply.
17. The figure indicated in a column of section 2, Part 4 of this bylaw adjacent to the heading "**Density of Development – Maximum**" is the maximum **Floor Space Ratio** of any **Building** that may be constructed or erected in the relevant zone.
18. The figure indicated in a column of section 3, Part 4 of this bylaw adjacent to the heading "**Height – Maximum**" is the maximum **Height** of any **Building** that may be constructed or erected in the relevant Height Area of the relevant zone shown on Schedule A to Part 6, for the Central Business District 2 zone, or in the relevant zone, for all other zones.
19. The **Building** elements identified in a column of section 3, Part 4 of this bylaw adjacent to the heading "Projections into **Height** - Maximum" may project beyond the maximum **Height** to the extent indicated in the table.
20. The **Building** elements identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into **Setbacks** - Maximum" may project into the minimum required setback areas to the extent indicated in the table.
21. The ratio indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading "**Front Setback Plane – Minimum**" is the angle of inclination of the **Front Setback Plane** for any portion of a **Building** that may be constructed or erected in the relevant zone, provided that building features identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into **Setbacks** - Maximum" may project beyond the **Front Setback Plane** to the extent indicated in the table.

Part 1 - Administration

22. The figure indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading “**Side and Rear Lot Line Setbacks – Minimum**” is the minimum horizontal distance between any portion of a **Building** and the **Side or Rear Lot Lines** of the **Lot** on which the **Building** is located, provided that building features indicated in the relevant table with the heading “Projections into **Setbacks - Maximum**” in section 4, Part 4 may project into the minimum setback to the extent indicated in the table.
23. In this section,
- “Permit” means a development permit, heritage alteration permit, development variance permit or temporary use permit
- 23.1 A Permit, board of variance order, and any other agreement authorized by the Local Government Act that varies or supplements the Zoning Regulation Bylaw No. 80-159, issued within two years prior to the adoption of this bylaw, continues to apply as if varying or supplementing this bylaw, with the necessary changes and so far as applicable.
- 23.2 A development permit issued within two years prior to the adoption of this bylaw continues to apply, with the necessary changes and so far as applicable, as if the development authorized by it had been authorized under this bylaw and, without limiting the generality of the foregoing, a building permit or a business licence that is consistent with such development permit may be issued as if it complied with this bylaw, provided that it is applied for within two years of the date of the adoption of this bylaw.
- 23.3 If prior to the adoption of this bylaw, Council has authorized the issuance of a Permit, but the Permit had not been issued prior to the adoption of this bylaw, the Permit may be issued, with all the necessary changes and as applicable, as if it had been authorized under this bylaw, provided that:
- a. all terms and conditions of the Council authorization are met;
 - b. it is issued within two years of the date of the Council authorization; and
 - c. it does not conflict with the density or use provisions of this bylaw.
- 23.4 If prior to the adoption of this bylaw, Council has moved an application for a Permit forward for an opportunity for public comment at a future Council meeting and such meeting is not held prior to the adoption of this bylaw, the Council motion is deemed to be amended to reflect the requirements of this bylaw and the Director is authorized to bring forward an amended motion for Council’s consideration at the opportunity for public comment, provided that:
- a. the opportunity for public comment takes place no later than one year after the date of the adoption of this bylaw;
 - b. there are no significant alterations or differences in the development from that considered by Council at the time of the motion to advance it to the opportunity for public comment, with the exception of an increase in the number of vehicle or bicycle parking spaces being provided;
 - c. it does not conflict with the density or use provisions of this bylaw; and
 - d. the intent of the Council motion remains unchanged.
- 23.5 For certainty, nothing in this section 23 is intended to modify or extend the validity of any Permit beyond the time that it would lapse or expire but for this section.
24. If any provision or part of this bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the bylaw and the balance of the bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

2.1 Administrative Definitions

1. In this bylaw,

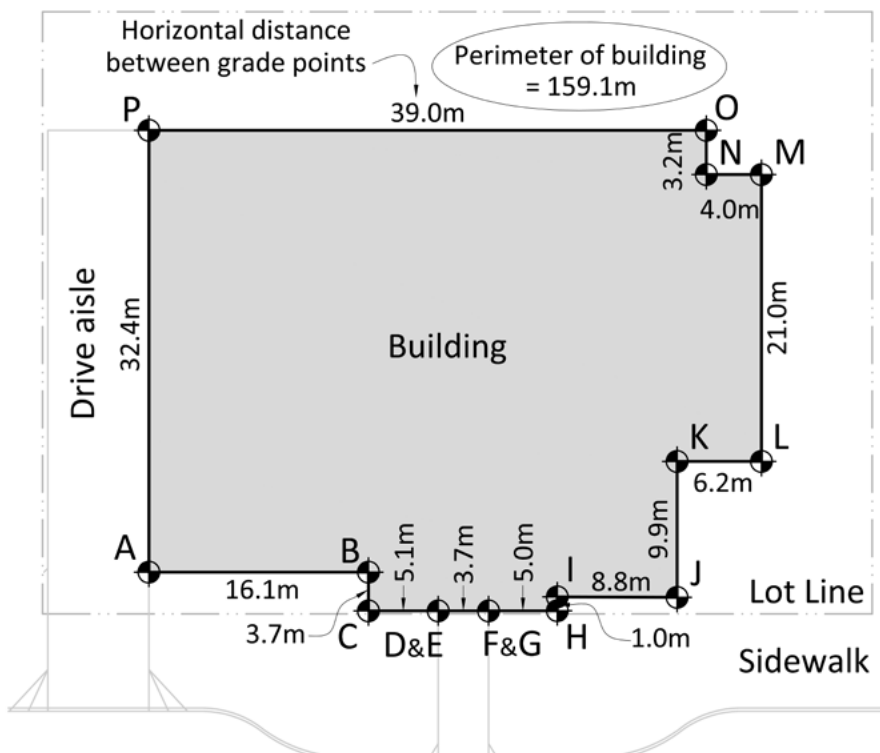
Accessory Landscape Structure means gates, fences, walls, trellises, gazebos, pergolas or a similar ornamental feature which is open to the elements and includes sheds that are less than 9.3m².

Affordable means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household's annual income.

Average Grade means the elevation calculated by averaging the elevation of **Natural Grade** or **Finished Grade**, whichever is lower at any points where a **Building** comes into contact with the surface of the **Lot**, excluding any artificial mounds of earth or rocks placed at or near the wall of a **Building**, any portion of an exterior wall that is in a window well, calculated in the method indicated in the following example:

Grade Points:

Grade point A: 15.7	Grade point F: 14.5	Grade point K: 15.8
Grade point B: 16.0	Grade point G: 15.8	Grade point L: 15.7
Grade point C: 16.1	Grade point H: 16.0	Grade point M: 16.0
Grade point D: 16.0	Grade point I: 16.1	Grade point N: 15.9
Grade point E: 14.5	Grade point J: 15.9	Grade point O: 15.9
		Grade point P: 16.0



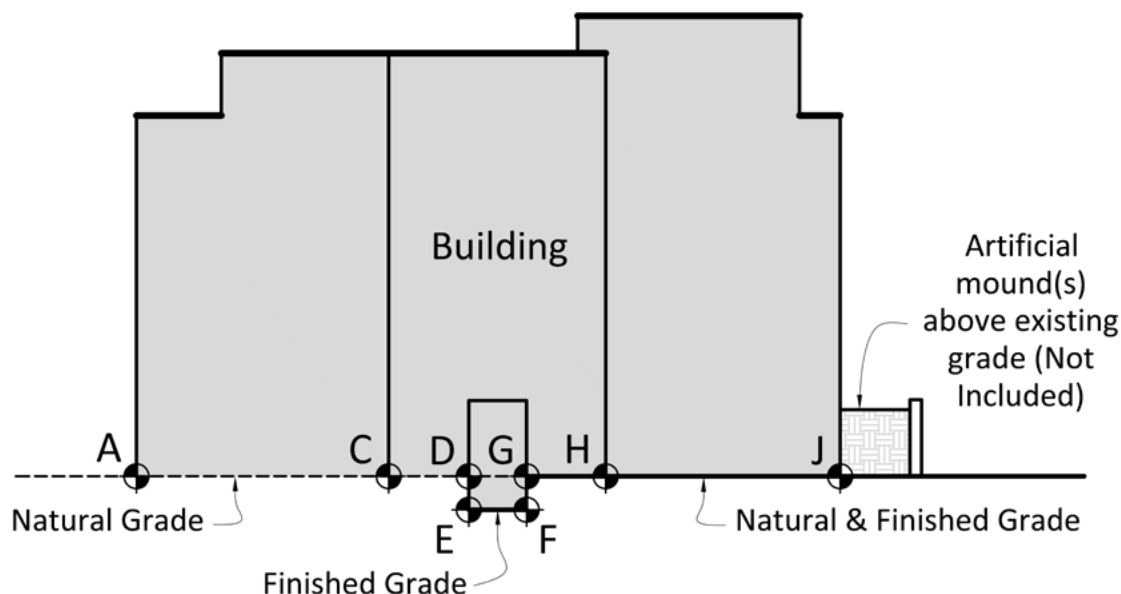
Part 2 - Definitions

Calculation Example:

Grade Points	Average of Points	Distance Between Grade points	Totals
Points A & B:	$((15.7 + 16.0) \div 2)$	x 16.1m	= 255.19
Points B & C:	$((16.0 + 16.1) \div 2)$	x 3.7m	= 59.39
Points C & D:	$((16.1 + 16.0) \div 2)$	x 5.1m	= 81.86
Points E & F:	$((14.5 + 14.5) \div 2)$	x 3.7m	= 53.65
Points G & H:	$((15.8 + 16.0) \div 2)$	x 5.0m	= 79.50
Points H & I:	$((16.0 + 16.1) \div 2)$	x 1.0m	= 16.05
Points I & J:	$((16.1 + 15.9) \div 2)$	x 8.8m	= 140.80
Points J & K:	$((15.9 + 15.8) \div 2)$	x 9.9m	= 156.92
Points K & L:	$((15.8 + 15.7) \div 2)$	x 6.2m	= 97.65
Points L & M:	$((15.7 + 16.0) \div 2)$	x 21.0m	= 332.85
Points M & N:	$((16.0 + 15.9) \div 2)$	x 4.0m	= 63.80
Points N & O:	$((15.9 + 15.9) \div 2)$	x 3.2m	= 50.88
Points O & P:	$((15.7 + 16.0) \div 2)$	x 39.0m	= 618.15
Points P & A:	$((16.0 + 15.7) \div 2)$	x 32.4m	= 513.54
			= 2520.23

Grade Calculation:

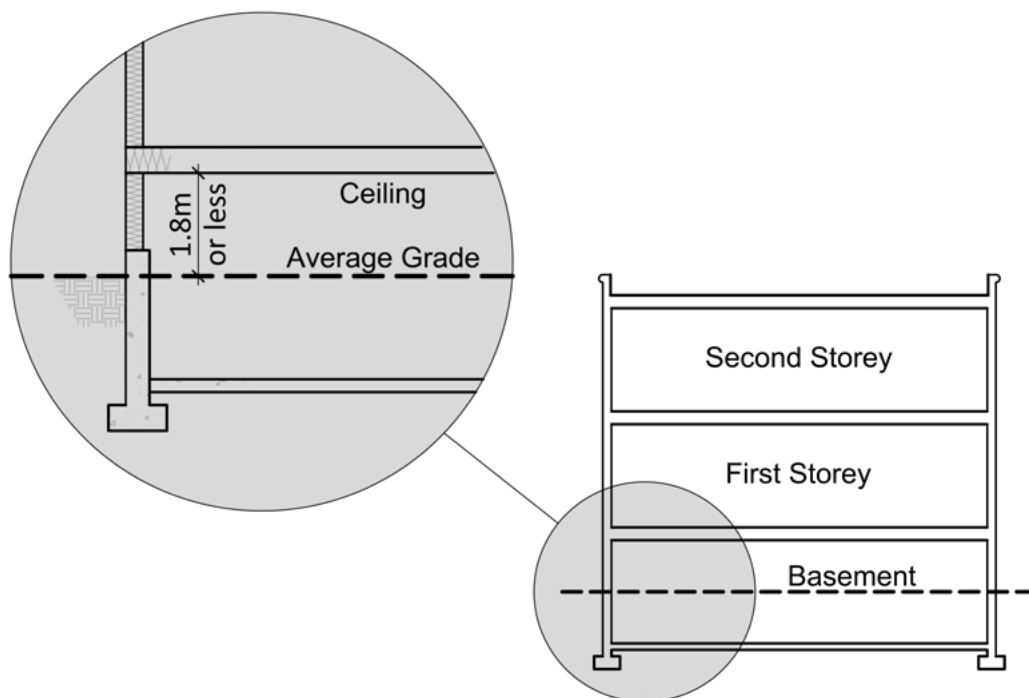
$$2520.23 \div 159.10\text{m (perimeter of building)} = 15.84$$



Balcony means a projecting portion of a **Building** above the **First Storey**, the perimeter of which is, on at least one side, wholly unenclosed except by a guard of the minimum height required by the BC Building Code.

Part 2 - Definitions

Basement means a **Storey** of a **Building** any portion of which is below **Average Grade** and that has a ceiling that is not more than 1.8m above **Average Grade**.



Bicycle Parking, Long-Term is intended for long-term users of a **Building**, such as employees or residents, and will consist of a secure space dedicated for bicycle parking within a structure or **Building** on the same **Lot**.

Bicycle Parking, Short-Term is intended for short-term use by visitors and customers and will consist of bicycle racks located in a publicly accessible location at or near a **Building** entrance.

Bonus Density of Development means the **Density of Development** that applies in accordance with section 482 of the Local Government Act if applicable conditions entitling an owner to a higher density are satisfied.

Boundary in reference to a **Lot**, extends throughout its length both upwards and downwards ad infinitum from the surface of the **Lot**.

Building means anything constructed or placed on a **Lot** and used or intended for supporting or sheltering any use, excluding landscaping, docks, wharfs and piers.

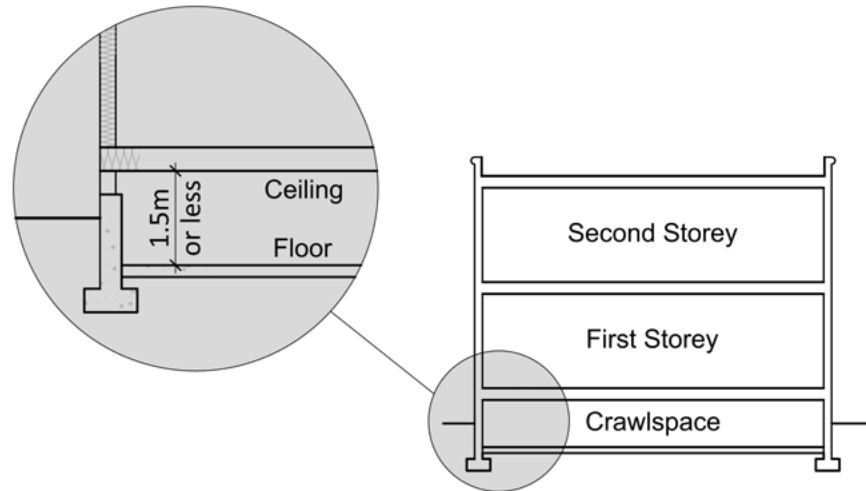
Cistern means a rainwater storage tank that is at least 1200 litres in capacity and that forms part of a **Stormwater Retention and Water Quality Facility**.

City means the Corporation of the City of Victoria.

Corner Lot means a Lot at the intersection or junction of two or more **Streets**.

Part 2 - Definitions

Crawlspace means an area beneath the lowest habitable **Storey** of a **Building**, with clearance of 1.5m or less.



Density of Development is the maximum **Floor Space Ratio** of any **Building** of the type that is constructed or erected in the zone for which that maximum **Floor Space Ratio** is indicated.

Director means the person employed by the City of Victoria to perform the duties and functions of the position of the Director of Sustainable Planning and Community Development, as that position title is amended from time to time, and includes persons acting under his or her authority.

Driveway means that portion of a **Lot** that provides access to parking, **Loading Space** or the **Drive Aisle** within the **Lot** and is considered to be the extension of the **Lot's Driveway** crossing. For certainty, a ramp provided to access parking stalls is considered a **Driveway**.

Drive Aisle means a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls.

Dwelling Unit means a self-contained unit comprised of one or more rooms designed as a residence for a single household with a sleeping area, a principal kitchen for food cooking and a separate bathroom facility.

Finished Grade means the finished elevation of the ground surface of land following construction or land altering activities.

First Storey means the **Storey** immediately above the basement of a **Building**, and in the case of a **Building** without a **Basement**, means the lowest **Storey**.

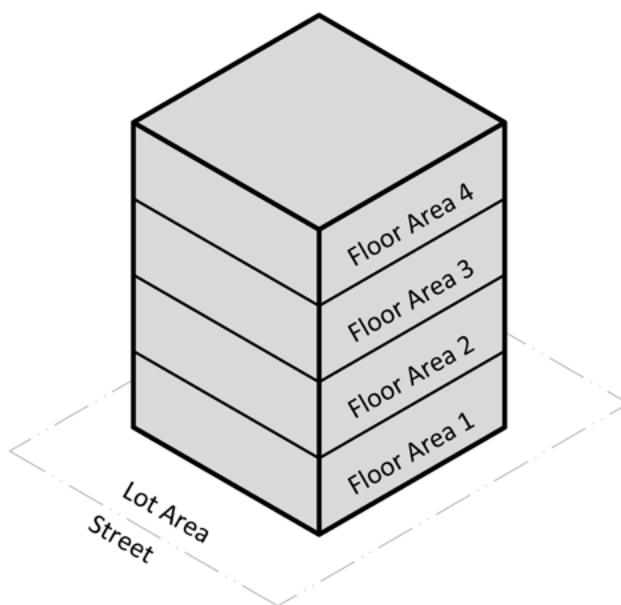
Flanking Street Lot Line means a **Lot Line**, not being a **Front** or **Rear Lot Line** that is common to a **Lot** and a **Street**.

Floor Area is measured to the interior surface of the exterior walls of **Buildings** and includes the area of any mezzanine, exterior hallway, exterior staircase, loft or partial **Storey**, and excludes the following:

- a. the area of any **Balcony**, veranda, exposed deck, patio or roof;
- b. the area of any **Crawlspace** or **Basement**;
- c. the area of **Rooftop Structures**; and
- d. the area that is used to provide bicycle parking required by this bylaw.
- e. the area of any exterior hallway or exterior staircase for **Buildings** existing prior to the date of adoption of this bylaw.

Part 2 - Definitions

Floor Space Ratio means the ratio of the total **Floor Area** of all **Storeys** of all **Buildings** and structures on a **Lot** to the area of the **Lot** on which the **Buildings** are located. The **Floor Space Ratio** of a **Lot** with a water boundary is determined according to the location of the natural boundary at the time the maximum **Floor Space Ratio** regulation is being applied, and not according to any survey previously filed in the Land Title Office.



Floor Space Ratio Calculation: (Example)

Floor Area 1:	345m ² +
Floor Area 2:	345m ² +
Floor Area 3:	345m ² +
Floor Area 3:	345m ² +

Total (Structure): 1380m²

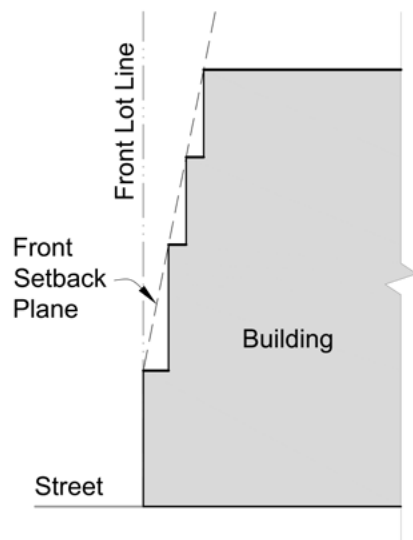
Lot Area: 460m²

Total (Structure)	1380m ² ÷
Lot Area	460m ²
	3.00 =

3:1

Front Lot Line means the **Lot Line** abutting a public **Street**, and in the case of a **Corner Lot**, the **Lot Line** having the shortest length abutting one **Street** shall be considered the **Front Lot Line**.

Front Setback Plane means a plane having an angle of inclination expressed as a ratio (rise over run), based at a specified point above the **Front Lot Line**, as illustrated in the following sketch.

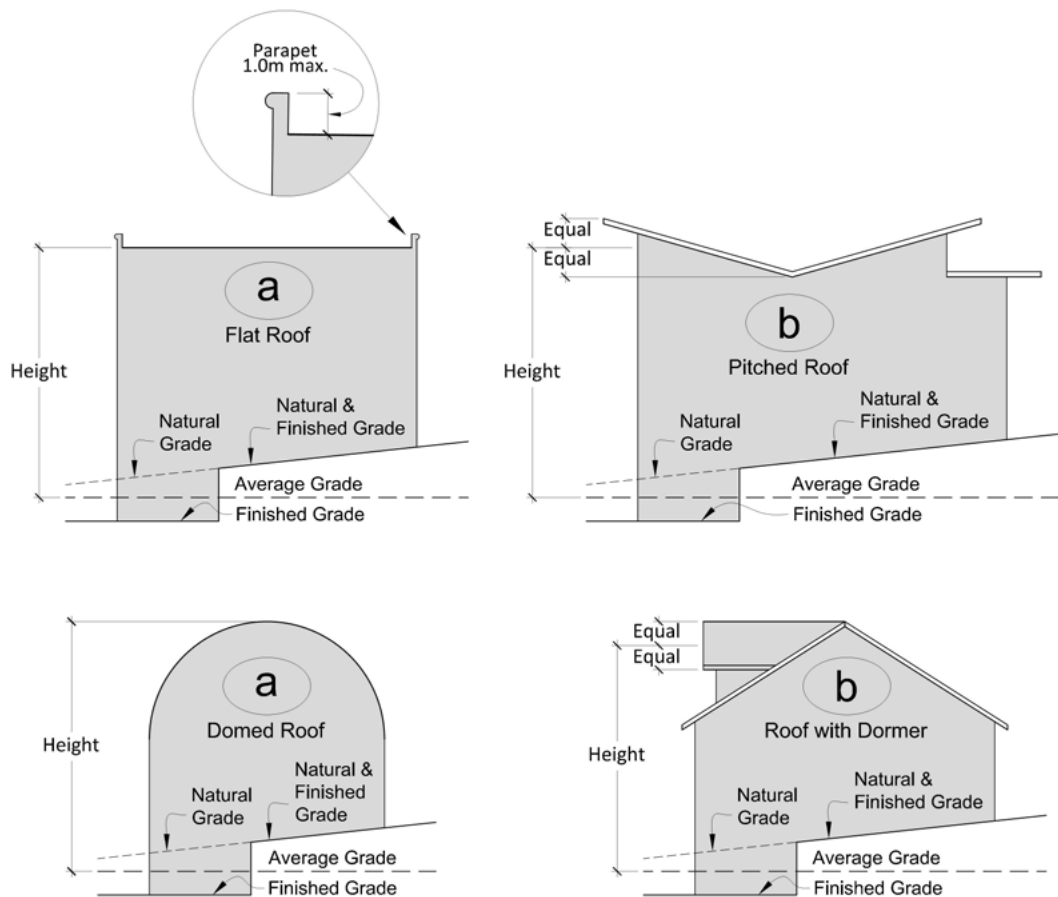


Front Yard means a yard located between the principal **Building** and the **Front Lot Line**, extending the full width of the **Lot**.

Part 2 - Definitions

Height means the distance measured in a vertical straight line between the highest point of a **Building** and the **Average Grade** directly below the highest point; and is determined as follows:

- for **Buildings** with a flat or domed roof, the highest point is the highest part of the roof;
- for **Buildings** with a pitched roof, the highest point is the midpoint between the highest ridge and the highest eave of the roof; and
- for **Buildings** with a gambrel roof, the highest point is the midpoint between the ridge and the hip line of the roof.
- the highest point excludes any mast, rainwater **Cistern**, **Rooftop Structure**, rooftop greenhouse, **Stormwater Retention or Water Quality Facilities** together with their supporting structures.



Landscape Screen means a visual barrier formed by shrubs, trees, fences or masonry walls, or any combination of these or like materials.

Loading Space means a parking space associated with a commercial or industrial use that is used temporarily for the loading or unloading of products or materials.

Lot means an area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a highway or another **Lot**, each division thereof constituting a single area of land shall be deemed to be a separate **Lot**, and includes a strata lot in a bare land strata plan but does not include any other strata lot or an air space parcel.

Lot Area means the area of land within the boundaries of a **Lot**.

Part 2 - Definitions

Lot Coverage means the horizontal area of all **Buildings** and outdoor covered areas on a **Lot**, expressed as a percentage of the **Lot Area**.

Lot Depth means the average distance between the **Front Lot Line** and the **Rear Lot Line** of a **Lot**.

Lot Line means the **Boundary** line of a **Lot**, commonly referred to as the property line, as indicated in a plan registered at the Victoria Land Title Office.

Lot Width means the lesser of the horizontal dimensions of the smallest rectangle within which a **Lot** can be contained.

Natural Grade means the elevation of the ground surface of land prior to any land alteration, including, but not limited to, disturbance, excavation, filling, or construction. Where land alteration has occurred, the **Natural Grade** shall be determined by a building inspector on the basis of historical records or by interpolation from adjacent **Natural Grades**.

Parapet means a vertical projection of a wall at the outer edge of a roof.

Parking Area means all parking spaces, **Driveways** and **Drive Aisles** on a **Lot**.

Permeable means hard surfacing specifically designed to allow water to flow through the surface, but does not include unconsolidated materials such as crushed rock, gravel, grass, earth or other loose materials.

Principal Residence means the usual **Dwelling Unit** where an individual makes their home.

Rear Lot Line means a **Lot Line** opposite to the **Front Lot Line** that spans the width of the **Lot**, provided that in the case of triangular shaped lots with no **Rear Lot Line**, the point of intersection between two **Side Lot Lines** or a **Side Lot Line** and a **Flanking Street Lot Line** shall be deemed the **Rear Lot Line**.

Rooftop Structure includes antennas, elevator penthouses, elevator landings, stair access and landings, mechanical equipment, chimneys, ventilation systems, solar heating panels, green roof systems and similar structures that project above a roof, are non-habitable and which may be enclosed or unenclosed.

Setback means the required separation distance between a **Lot Line** and a **Building**.

Side Lot Line means a **Lot Line**, not being a **Rear Lot Line** that separates two **Lots**.

Storey means the space between two floors of a **Building** or between any floor and the roof next above, but does not include a **Basement**, **Crawlspace** or a **Rooftop Structure**.

Stormwater Retention and Water Quality Facility has the same meaning as under the Sanitary Sewer and Stormwater Utilities Bylaw, as amended or replaced from time to time.

Street includes a lane, road, sidewalk and other public highway.

Unobstructed Access means the ability of the intended user of the parking space to access and egress to the **Street** at the time that the parking space is required.

VicMap means the electronic geographic information system database maintained by the City of Victoria and made available to the public through the City's internet website.

Zoning Map means the zoning information layer in **VicMap** as amended from time to time.

2.2 Use Definitions

1. In this bylaw,

Accessory Building means a **Building** that is subordinate to the principal use on a **Lot**.

Assembly means facilities used for a place of worship, convention facilities, cinemas, commercial recreation facilities and education and training facilities and does not include commercial casinos.

Assisted Living Facility means premises in which housing, meal services, housekeeping services, laundry services, social and recreational opportunities, a 24 hour emergency response system, and one or two prescribed services as defined in the Community Care and Assisted Living Act are provided by or through the operator to 3 or more adults who are not related by blood or marriage to the operator of the premises.

Automotive Repair means facilities used for mechanical or body repairs or inspections of motor vehicles, but does not include the sale of automotive fuel.

Brew Pub (beer, spirits, wine) means facilities used for the consumption of beer, spirits, wine or other alcoholic beverages which are produced and manufactured on the premises and which may be provided in combination with **Food and Beverage Service** or **Retail Trade**.

Cannabis means cannabis as defined in the Controlled Drugs and Substances Act and includes any products containing cannabis.

Care Facility means a day care facility or residential care facility, in each case licensed under the Community Care and Assisted Living Act.

Civic Facility means premises in which government services are provided to the public including but not limited to a legislature, municipal hall, law court, hospital, fire hall, library, ambulance or police station.

Cultural Facility means facilities used for artistic performances and the display of art and cultural artifacts, including but not limited to art galleries, theatres other than cinemas, and museums.

Drinking Establishment means facilities that are licensed through the Liquor Control and Licensing Act for the sale and consumption of liquor within the facilities and where entertainment may be provided in the form of recorded music, live performances or a dance floor including but not limited to nightclubs, bars and pubs.

Equipment Rental means facilities used for the rental of home, **Office**, medical, garden or sports equipment, or motor vehicles.

Financial Service means facilities providing financial services including but not limited to chartered banks, credit unions, trust companies, insurance brokers or mortgage brokers.

Food and Beverage Service includes the operation of catering establishments, portable food vendors, cafes and restaurants.

Foodstand means a container or structure which holds, shelves or otherwise displays products of **Small-scale Commercial Urban Agriculture** for retail purposes outdoors.

Heavy Industrial means fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials.

Part 2 - Definitions

Home Occupation means the use of a **Residential Dwelling Unit** for the practice of a profession, trade, art or craft, by one or more residents of the premises.

Hotel means facilities offering transient lodging accommodation to the general public and may provide accessory uses such as restaurant, meeting rooms and recreational facilities, and includes motels and hostels.

Light Industrial means facilities used for fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials that does not potentially cause neighbourhood impact beyond the premises through noise, odour, vibration or otherwise.

Office means facilities used for the provision of administrative, clerical, management, professional or technical services.

Parkade means parking that is regularly available to the general public whether located above or below grade.

Personal Service means services provided to a person including but not limited to barbering, hairstyling, optometry, spa, medical and dental care, and services provided to the apparel of a customer including laundry and dry cleaning services, tailoring, and shoe, jewellery and watch repair.

Residential means a self-contained **Dwelling Unit** of any type, including **Assisted Living**, **Residential** care facilities, **Studio** uses containing dwelling uses and a **Dwelling Unit** associated with an artist's or artisan's **Studio**.

Residential Lock-off Unit means a self-contained **Dwelling Unit** within a multi-residential building with a lesser **Floor Area** than that of the principal **Dwelling Unit** from which it may be locked off, which must have both independent external access and shared internal access.

Retail Liquor Sale means facilities used for the retail sale of packaged liquor.

Retail Trade means the retail sale, repair, servicing, or refurbishment of consumer goods other than automobiles or automotive fuels, but does not include **Retail Liquor Sale** or **Storefront Cannabis Retailer**.

Service Station means facilities that are used for the retail sale and dispensing of automotive fuels and may also include the retail sale of vehicle accessories, foods, drinks and other convenience goods.

Short-term Rental means the renting of a **Dwelling Unit**, or any portion of it, for a period of less than 30 days and includes vacation rentals.

Small-scale Commercial Urban Agriculture means:

- a. Cultivating and harvesting plants or fungi;
- b. Beekeeping and harvesting honey;
- c. Keeping poultry to collect eggs; or
- d. Sorting, cleaning, packaging, selling or storing for retail purposes the items listed in a. through c. above that had been harvested on the premises.

Part 2 - Definitions

Storefront Cannabis Retailer means premises where **Cannabis** is sold or otherwise provided to a person who attends at the premises.

Studio means a purpose-designed work space for an artist or artisan engaged in an art or craft that is compatible with **Residential** uses, which may include an associated **Dwelling Unit** and in which works produced in the **Studio** may be sold.

Utility means infrastructure that is used to provide water, sewer, drainage, district heat, gas, electrical, or telecommunications service whether located on, above or below ground and includes pump stations and service vaults and kiosks but does not include sewage treatment plants.

3.1 General Regulations

1. Unless a contrary intention appears in another Part of this bylaw, the following regulations apply to all land to which this bylaw applies.
2. Each use that is listed in Part 4 of this bylaw with the heading “Permitted Uses” is permitted in the relevant zone, and all other uses are prohibited in that zone unless a use is permitted under the site specific regulations in which case that use is permitted on the applicable property but is not permitted anywhere else in that zone.
3. The uses permitted in Part 4 of this bylaw include uses that are normally incidental to and associated with the use.
4. Drive through businesses of any kind, including drive through restaurants and **Financial Service** institutions are prohibited in all zones.
5. Storage of rental equipment in an **Equipment Rental** use must be enclosed in a **Building**.
6. The top surface of a **Cistern** must not exceed 15m² in area.
7. A **Dwelling Unit** or premises in a **Building** may be used as a display unit or sales centre for **Residential Dwelling Units** located in the **Building**.
8. A **Studio** use may include an associated **Residential Dwelling Unit** only if at least one artist or artisan engaged in their art or craft on the premises resides in the **Dwelling Unit**.
9. **Home Occupations** must comply with the following:
 - a. A **City** business license is required;
 - b. The sale of goods on the premises is not permitted, except as accessory to the primary business; and
 - c. The provision of escort and dating services within a multi-residential **Building** is not permitted; and
 - d. The operation of any cannabis-related business is not permitted
 - e. The operation of **Short-term Rental** is not permitted, except as provided in sub section 9(i)
 - d. A **Home Occupation** may not create noise, electronic interference, dust, odour, smoke or any other nuisance detectable beyond the premises in which it is being conducted, including in any common areas or other **Dwelling Units** in a multi-residential **Building**.
 - g. No more than three **Home Occupations** shall be carried on in any one **Dwelling Unit**, provided that only one of the **Home Occupations** has customers that attend the **Dwelling Unit**.
 - h. Except as expressly permitted in this bylaw, or in the Sign By-law, no sign or other advertising device or advertising matter may be exhibited or displayed on any **Lot** on which a **Home Occupation** is being carried on.

Part 3 - Use of Land, Buildings and Structures

- i. Subject to the following requirements, a **Short-term Rental** is permitted as a **Home Occupation** in a **Principal Residence**.
 - (i) subject to subparagraph (ii), no more than two bedrooms may be used for **Short-term Rental** and the **Short-term Rental** cannot occupy an entire self-contained **Dwelling Unit**;
 - (ii) the entire **Principal Residence** may be used for a **Short-term Rental** only occasionally while the operator is temporarily away; and
 - (iii) no liquor may be provided to **Short-term Rental** guest.
- 10. **Rooftop Structures** must comply with the following:
 - a. A **Rooftop Structure** must not occupy more than 20% of the roof area of the **Building**; and
 - b. A **Rooftop Structure** must be set back a minimum of 3m from the outer edge of the roof.
- 11. **Small-scale Commercial Urban Agriculture** and sales are permitted in all zones, provided that the use is not noxious or offensive to neighbours or the general public by reason of emitting odor, noise or artificial lighting, and subject to compliance with Part 6, Schedule B of this bylaw.
- 12. Rooftop greenhouses must comply with the following:
 - a. A rooftop greenhouse must not exceed 3.65m in height;
 - b. A rooftop greenhouse must be set back a minimum of 3m from the outer edge of the roof; and
 - c. A rooftop greenhouse must not exceed the lesser of 28m² or 50% of the building roof area.

4.1 Central Business District-1 Zone (CBD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation 	<ul style="list-style-type: none"> l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental. c. <ul style="list-style-type: none"> i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service. ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building. e. Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier. 	
2. Density of Development	
a. Density of Development - Maximum:	3.0:1
3. Height	
a. Height - Maximum:	43.0m
b. Projections into Height - Maximum:	
i. Parapets:	1.0m
ii. Rooftop Structures:	5.0m

Part 4 - Zones

4. Setbacks and Projections

a. Front Setback Plane - Minimum	
i. Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height :	5:1 (Angle of Inclination)
ii. All other Buildings , for any portion above 15.0m in Height :	5:1 (Angle of Inclination)
b. Side and Rear Lot Line Setbacks - Minimum	
i. Exterior walls 20.0m up to 30.0m in Height :	3.0m
ii. Exterior walls over 30.0m and up to 43.0m in Height :	6.0m
iii. Exterior walls abutting Douglas Street 30.0m or more in Height :	9.0m
c. Projections into Setbacks - Maximum	
i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:	0.6m
ii. Exterior wall treatments, insulation and rainscreen systems:	0.13m

5. Motor Vehicle and Bicycle Parking

- a. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw.
- b. Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a **Building**.

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	940 Blanshard Street 735 Broughton Street LOTS 1 & 2 OF LOTS 79-85, 89-92, VICTORIA, VIS4516	a. Maximum Density of Development : 3.08:1	
2.	980 Blanshard Street LOT 1 PLAN 39153 VICTORIA OF LOTS 86/87/88	a. Maximum Density of Development : 3.6:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
3.	1107 Blanshard Street LOT 281, VICTORIA CITY	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
4.	1115 Blanshard Street PARCEL A (DD 189158I) OF LOTS 302 & 303, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
5.	1125 Blanshard Street LOT A PLAN VIP73975 VICTORIA OF LOTS 302 & 303	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
6.	1461 Blanshard Street LOT A PLAN VIP73786 VICTORIA OF LOTS 432 & 433 SEC 339 LGA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
7.	1520 Blanshard Street LOT B OF LOT 1257, VICTORIA, VIP60943	a. Maximum Density of Development : 0.8:1 b. At least 60% of the area of the Lot must be open space. c. No Building or structure, other than a public plaza or Driveway providing access to underground parking, may be located within 18.0m of the western Boundary of the site. d. The Height of a structure that is within 18m of the western Boundary of the site must not exceed the Height of Pandora Avenue or Cormorant Street, whichever is nearer the structure.	
8.	734 Broughton Street LOT 63, VICTORIA	a. Maximum Density of Development : 3.3:1	i. At least 15 bicycle parking spaces are provided on the site; and; ii. The Broughton Street frontage of any Building on the site is glazed and used for Retail Trade or restaurant uses only.
9.	740 Burdett Avenue LOT A PLAN 26090 SECTION 88 VICTORIA & OF LOT 100	a. Maximum Density of Development : 3.6:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
10.	905 Douglas Street LOT A (DD 18381W) OF LOTS 75, 76, 77 AND 94, VICTORIA, PLAN 1061	a. Motor vehicle parking spaces may be provided on a separate Lot within 125m of the use for which they are provided, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner of 905 Douglas Street.	
11.	777 Fort Street STRATA PLAN VIS700	a. Maximum Density of Development : 3.52:1 b. Maximum Floor Area : 1,095m ² c. Maximum Building Height : 15.0m	
12.	778 Fort Street THE W 1/2 OF LOT 28, VICTORIA, EXCEPT THE S 8 FT	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 100m ² ; ii. The use is restricted to the ground floor; iii. Only one Storefront Cannabis Retailer at a time is operational on the Lot .
13.	810 Fort Street LOT 282, VICTORIA, EXCEPT THE S 8 FEET OF SAID LOT TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
14.	814 Fort Street LOT 286 VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
15.	822 Fort Street THE W 30 FT OF LOT 287, VICTORIA, EXCEPT THE S 8 FT THEREOF TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
16.	824 Fort Street EASTERLY 1/2 OF LOT 287, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
17.	826 Fort Street LOT 288, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
18.	838 Fort Street LOT 289, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 2.8:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	
19.	840 Fort Street LOT 290, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 3.7:1 b. Maximum Building Height : 21.5m c. Maximum Lot Area : 630m ² d. Maximum Lot Coverage : 84%	
20.	848 Fort Street LOT 1 PLAN 27779 VICTORIA LOT 1 OF 291/2	a. Maximum Building Height : 15.0m	
21.	880 Fort Street LOT 293 VICTORIA	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	
22.	722 Johnson Street	a. Parkade is a permitted use	
	LOT 142 VICTORIA	b. Bonus Density of Development : 4.0:1	i. A Parkade is provided within any Building .
23.	727 Johnson Street LOT 33 VICTORIA	a. Hotel is not a permitted use. b. Off-street motor vehicle and Bicycle Parking, Short-term parking spaces are not required.	
		c. Bonus Density of Development : 4.35:1	i. Rehabilitation of the existing Building on the lands in accordance with the heritage conservation plan in Schedule B of the restrictive covenant registered against the title to the lands pursuant to section 219 of the land Title Act; and ii. Provision of a housing agreement pursuant to section 483 of the Local Government Act to require that all Residential dwellings are to be used and occupied as rental units in perpetuity.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
24.	818 Johnson Street THE N 60 FT OF LOT 378, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
25.	844 Johnson Street LOT 1 PLAN 32453 VICTORIA OF LOTS 394/395 & 400/401	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 37.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit d. Bonus Density of Development : 3.0:1	i. Lot Coverage does not exceed 50% i. Lot Coverage does not exceed 30%
26.	851 Johnson Street LOT 379 VICTORIA	a. Residential is not a permitted use b. Storefront Cannabis Retailer is a permitted use c. Maximum Density of Development : 1.5:1 d. Maximum Building Height : 15.0m e. Maximum Lot Coverage : 60%	i. The use does not occupy more than 25m ² ; ii. The use is restricted to the ground floor.
27.	881 Johnson Street THE N 60 FT OF LOT 378, VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
28.	823 Pandora Avenue LOT A PLAN VIP63518 VICTORIA OF LOTS 402 407 408 AND 409 SEC 339 LGA	a. Parkade is a permitted use on the west half of the Lot , provided that no motor vehicle parking spaces are located within 6m of a Street . b. Maximum Density of Development for Office and Retail Trade on the west half of the Lot : 2.0:1 c. Maximum Density of Development on the east half of the Lot : 2.0:1 d. Maximum Density of Development for Office on the east half of the Lot : 1.0:1 e. Maximum Building Height on the east half of the Lot : 15.5m f. Bonus Density of Development on the west half of the Lot : 3.5:1	i. At least 200 motor vehicle parking spaces are provided within a Building .

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
29.	1126 Quadra Street LOT 294 VICTORIA PARCEL A	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
30.	1314 Quadra Street LOT 378 VICTORIA S PT	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
31.	1400 Quadra Street LOT 2 OF LOT 397, VICTORIA, PLAN 4255	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
32.	1412 Quadra Street LOT 2, OF LOTS 397 & 398, VICTORIA, PLAN 41744	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
33.	1420 Quadra Street LOT 1, OF LOTS 398 & 399, VICTORIA, PLAN 41744	a. Maximum Density of Development : 2.0:1 b. Maximum Density of Development for Office : 1.0:1 c. Maximum Building Height : 15.5m	
34.	812 View Street LOT 1, OF LOTS 304, 305, 326, & 327, VICTORIA, PLAN 27731	a. Maximum Density of Development for Retail Trade and Office : 2.0:1	
35.	815 View Street LOT 301, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
36.	865 View Street STRATA PLAN VIS3578	a. Maximum Building Height : 37.0m b. Maximum Density of Development : 3.2:1 c. Not more than 140m ² of Floor Area on the 12 th Storey of any Building may be used for Office uses other than medical or dental Offices . d. Off-street motor vehicle parking spaces are not required in respect of any Floor Area on the 12 th Storey of any Building .	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
37.	706 Yates Street LOT A, VICTORIA, PLAN 46366	a. Bonus Density of Development: 3.8:1	i. A Building provides at least 1850m ² of Floor Area on the first floor for Retail Trade or restaurant use or for pedestrian circulation uses.
38.	769 Yates Street LOT 105 VICTORIA PLAN 1	a. Maximum Density of Development: 3.9:1 b. Maximum Building Height: 15.0m	
39.	858 Yates Street LOT 376 VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15m d. Maximum Lot Coverage: 60%	
40.	866 Yates Street LOT 377 VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15m d. Maximum Lot Coverage: 60%	

4.2 Central Business District-2 Zone (CBD-2)

1. Permitted Uses					
a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation		l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility			
1.1 Location and Siting of Uses					
a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental . c. i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service . ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building . e. Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier.					
2. Density of Development					
a. Density of Development - Maximum:		4.0:1			
b. Density of Development - Maximum for Residential Uses:		3.0:1			
3. Height					
a. Height - Maximum:		HA-1	HA-2	HA-3	HA-4
		72.0m	60.0m	50.0m	45.0m
b. Notwithstanding sub section (a), maximum Height for Buildings or any portion located within 40m from the Lot Line abutting the east side of Douglas Street:		45.0m			
c. Projections into Height - Maximum:					
i. Parapets :		1.0m			
ii. Rooftop Structures :		5.0m			

Part 4 - Zones

4. Setbacks and Projections

a. Front Setback Plane - Minimum		
i. Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height :		5:1 (Angle of Inclination)
ii. All other Buildings , for any portion above 15.0m in Height :		5:1 (Angle of Inclination)
b. Side and Rear Lot Line Setbacks - Minimum		
i. Exterior walls 20.0m up to 30.0m in Height :		3.0m
ii. Exterior walls over 30.0m and up to 45.0m in Height :		6.0m
iii. Exterior walls over 45.0m in Height :		10.0m
iv. Exterior walls abutting Douglas Street 30.0m or more in Height :		9.0m
c. Projections into Setbacks - Maximum		
i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:		0.6m
ii. Exterior wall treatments, insulation and rainscreen systems:		0.13m

5. Motor Vehicle and Bicycle Parking

a. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw.
b. Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a Building .

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	1321 Blanshard Street LOT A OF LOTS 368-370, 385-387 VICTORIA, VIP83640	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 43.0m c. Bonus Density of Development for all uses: 5.0:1	i. At least 80% of the Floor Area is used for Office uses; ii. The south and west frontages of any Building on the site are glazed and used for Retail Trade or restaurant uses only; iii. Public art having a value of at least \$100,000 is provided on the site; and iv. At least 160 motor vehicle parking spaces are provided underground on the site and at least 125 of the spaces are made available for general public use after ordinary office hours.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
2.	<p>1515 Douglas Street 750 Pandora Ave.</p> <p>LOT 1 OF LOT 1247, 1248 AND 1257 VICTORIA EPP27886</p> <p>Development Area – A (DA-A) Development Area – B (DA-B)</p>	<p><i>Note: In this subsection, the “Development Areas” are those depicted in the following sketch as DA-A and DA-B:</i></p>	
	Development Area - A	<p>a. Maximum Building Height: 29.0m</p> <p>b. Maximum Density of Development: 2.91:1</p> <p>c. Maximum Floor Area for Residential uses: in Development Area DA-A must not exceed 7,468m².</p> <p>d. Up to 258m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from floor area calculations.</p> <p>e. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces.</p> <p>f. Maximum Lot Coverage: 78%</p> <p>g. Bonus Density of Development: 3.7:1</p>	<p>i. At least 140 motor vehicle parking spaces are provided underground on the site in addition to those otherwise required by Section 7 of this Part;</p> <p>ii. At least 34 Bicycle Parking Long-term spaces and 34 storage lockers for use by cyclists are provided on the site.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
	Development Area - B	<p>h. Maximum Building Height: 56.5m</p> <p>i. Maximum Density of Development 2.86:1</p> <p>j. Up to 400m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from Floor Area calculations.</p> <p>k. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the motor vehicle parking spaces.</p> <p>l. Maximum Lot Coverage: 61%</p>	
		<p>m. Bonus Density of Development: 5.88:1</p>	<p>i. A public walkway with an average width of 3.7m and a minimum width at all points of 3m is constructed on the site to connect Pandora Avenue and Cormorant Street, and secured by a statutory right of way and covenant in favour of the City.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
3.	<p>1701 Douglas Street/770 Fisgard Street</p> <p>LOT 1 OF LOTS 692 TO 696 INCLUSIVE, AND OF LOTS 707 TO 711 INCLUSIVE, VICTORIA,EPP3862</p> <p>(Development Area 1)</p>	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces.</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1 cm for each 5cm of building Height that exceeds 10m.</p> <p>e. Bonus Density of Development for all uses: 3.26:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
4.	<p>780 Fisgard Street</p> <p>LOT 2 OF LOTS 696 TO 698 INCLUSIVE, AND OF LOTS 705 TO 707 INCLUSIVE, VICTORIA EPP3862 EXCEPT PART IN AIR SPACE EPP38768</p> <p>(Development Area 2)</p>	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, including an air space parcel, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m.</p> <p>e. Bonus Density of Development: 4.88:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all dwelling units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
5.	1700 Blanshard Street LOT A, OF LOTS 699 TO 700 INCLUSIVE, AND OF LOTS 703 TO 707 INCLUSIVE, VICTORIA, PLAN 13333, EXCEPT PART IN PLAN EPP3862 (Development Area 3)	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the parking area and an easement in favour of the owner who requires the parking spaces.</p> <p>c. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m.</p> <p>d. Bonus Density of Development for all uses: 7.47:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a Housing Agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
6.	1406 Blanshard Street LOT 2 OF LOTS 147 & 148, VICTORIA, VIS6683	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 43.0m c. There are no minimum front, side or rear yard setbacks required d. Bonus Density of Development for all uses: 6.06:1	i. At least 3700m ² of Residential Floor Area is provided; ii. Retail Trade and restaurant uses only are operated at grade level; iii. Landscaped open space accessible to the public is provided between the Building on the site and the adjacent Streets ; and iv. All motor vehicle parking spaces other than those for visitor use are provided underground.
7.	1810 Blanshard Street LOT A, OF LOTS 717-720, VICTORIA, VIP52793	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 43.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit , and for Office uses is 1 space per 170m ² of Floor Area . d. Bonus Density of Development for all uses: 5.0:1	i. The site has an area of at least 2,000m ² ; ii. No fewer than 80 underground motor vehicle parking spaces are provided on the Lot ; and iii. At least 10% of the area of the Lot adjacent to the intersection of Blanshard and Herald Streets is an open plaza to a Height of at least 5.5m above grade.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
8.	720 Broughton Street LOT A PLAN VIP59410 VICTORIA OF LOTS 57 58 59 AND 60	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit and for Office uses is 1 space per 95m² of Floor Area, and no other motor vehicle parking or Loading Spaces are required.</p> <p>d. Bonus Density of Development for all uses: 4.6:1</p>	<p>i. The site has an area of at least 2,500m²;</p> <p>ii. All motor vehicle parking spaces are provided underground;</p> <p>iii. At least 425m² of open space is provided on the site; and</p> <p>iv. At least 50% of the site frontage on Douglas and Broughton Streets is in use for Retail Trade, restaurant or Financial Services uses having direct pedestrian access from one of those streets.</p>
9.	732 Cormorant Avenue STRATA PLAN VIS5950	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Residential uses are permitted on the First Storey.</p> <p>d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.6 spaces per Dwelling Unit.</p> <p>e. Bonus Density of Development for all uses: 4.75:1</p>	<p>i. At least 50% of the Floor Area on the site is Residential.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
10.	809 Douglas Street LOT 1 OF LOTS 95-98 AND 104, VICTORIA VIS6797	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 43.0m c. Bonus Density of Development for all uses: 5.5:1	i. At least 10,000m ² of Residential Floor Area is provided; ii. Retail Trade and restaurant uses only are operated at grade level; iii. Landscaped open space accessible to the public is provided at grade level; iv. All motor vehicle parking spaces other than those for visitor use are provided underground; and v. Public art having a value of at least \$150,000 is provided on the site.
11.	1405 Douglas Street LOT 1 OF LOTS 139 & 140, VICTORIA, PLAN 21972	a. Maximum Density of Development for all uses: 4:1 b. Maximum Building Height : 43.0m c. Individual Retail Trade and restaurant premises must have a Floor Area of at least 70m ² . d. Grade level Douglas Street site frontage and Johnson Street site frontage that is within 6m of Douglas Street may be used only for Retail Trade and restaurant uses. e. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit .	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
12.	741 Fisgard Street LOT 684 & LOT 683, VICTORIA, EXCEPT PART SHOWN COLOURED RED ON PLAN 316 BL, THE E 1/2 OF LOT 685 AND THE W 1/2 OF LOT 685, VICTORIA	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 58.0m</p> <p>c. At least 140 motor vehicle parking spaces must be provided underground.</p> <p>d. At least 42 bicycle parking spaces must be provided.</p> <p>e. Bonus Density of Development for all uses: 7.6:1</p>	<p>i. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City;</p> <p>ii. A statutory right of way is granted to the City for the 2m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses;</p> <p>iii. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City;</p> <p>iv. A statutory right of way is granted to the City for the 2 m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses;</p> <p>v. Public art having a value of at least \$350,000 is provided on the site; and</p> <p>vi. The owner contributes at least \$100,000 to the City's Housing Reserve Trust Fund.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
13.	834 Johnson Street STRATA PLAN EPS522	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 41.0m c. Bonus Density of Development for all uses: 5.76:1	i. The Floor Area of Office uses may not exceed 60% of the area of the site; ii. The Floor Area of non- Residential uses, excluding areas used for underground motor vehicle parking spaces, may not exceed 50% of the Floor Area on the site; iii. Non- Residential uses other than Home Occupations are not permitted above the second Storey ; iv. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.65 spaces per Dwelling Unit , and no motor vehicle parking spaces are required for non- Residential uses; and v. At least 15% of the area of the site must be open space.
14.	1250 Quadra Street LOT A PLAN 19445 VICTORIA OF LOTS 311/314 849 Yates LOT 315 VICTORIA	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 37.0m c. Bonus Density of Development for all uses: 4.0:1	i. The owner enters into a housing agreement with the City that requires at least 33 Dwelling Units on the site to be rental units. ii. At least 35% of the area of the site is open space; and iii. All motor vehicle parking spaces are provided underground.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
15.	835 View Street STRATA PLAN VIS3578	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 37.0m c. At least 39% of the area of the site must be open space. d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit . e. Bonus Density of Development for all uses: 4.4:1	i. For any Building with at least 8000m ² of Floor Area used for Residential uses, and the proportion of Residential use of the site is unrestricted.
16.	728 Yates Street STRATA PLAN EPS2516	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 48.0m c. Bonus Density of Development for all uses: 6.4:1	i. The façade of the Building at 738-740 Yates Street is conserved, including restoration of the brick Parapet and upper façade brick; ii. Grade level Yates Street site frontage and the site frontage on the walkway is used only for Retail Trade and restaurant uses; and iii. A landscaped area of at least 50m ² is provided for public use between any Building on the site and Yates Street.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
17.	743 Yates Street STRATA PLAN VIS4308	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 46.5m</p> <p>c. Bonus Density of Development for all uses: 5.4:1</p> <p>d. Bonus Density of Development for all uses: 5.6:1</p>	<p>i. At least 150m² of Floor Area is in use for child care services;</p> <p>ii. At least 50m² of open space is provided along each Lot Line that abuts a Street;</p> <p>iii. At least 43 motor vehicle parking spaces are provided in addition to those otherwise required by Section 7 of this Part; and</p> <p>iv. At least 50% of the site frontage on View and Yates Streets is in use for Retail Trade, Office or Financial Services uses having direct pedestrian access from one of those streets.</p> <p>i. The conditions described above in sub sections (i.) thru (iv.) are met and an area equal to at least 20% of the site area is in use for an enclosed public arcade or mall.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
18.	819 Yates Street LOT A, DISTRICT LOTS 306, 307, 324 & 325, VICTORIA, PLAN 33016	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 55.0m</p> <p>c. Residential uses may be located on the First Storey.</p> <p>d. Buildings with frontage on Yates Street must be sited at least 1.4m from the Street to the 10m Height level and 3.5m from the Street above that level.</p> <p>e. Buildings with frontage on View Street must be sited at least 1.5m from the Street to the 10m Height level and 5.3m from the Street above that level.</p> <p>f. Buildings must be sited at least 3.0m from the easterly Boundary of the site.</p> <p>g. Bonus Density of Development for all uses: 5.83:1</p>	<p>i. A public walkway at least 3.0m wide is constructed on the site to connect Yates Street to View Street along the easterly Boundary of the site, and secured by a statutory right of way in favour of the City.</p> <p>ii. At least 80% of the Floor Area is Residential</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement for at least 10 years following issuance of an occupancy permit for any Dwelling Unit;</p> <p>iv. Public art having a value of at least \$100,000 is provided on the site; and</p> <p>v. The owner contributes at least \$100,000 to the City's Housing Reserve Trust Fund.</p>
19.	836 Yates LOT A OF LOTS 373 & 382, VICTORIA, PLAN 60321	<p>a. Maximum Density of Development for all uses: 4.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit.</p>	

4.3 Mixed Use Residential District-1 Zone (MRD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Care Facility d. Civic Facility e. Financial Service f. Food and Beverage Service g. Home Occupation h. Office 	<ul style="list-style-type: none"> i. Personal Service j. Residential k. Residential Lock-off Unit l. Retail Trade m. Small-scale Commercial Urban Agriculture n. Studio o. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. Non-Residential uses, other than Home Occupation, are not permitted above the second Storey. b. A maximum 50% of the Floor Area may be used for non-Residential uses. 	
2. Density of Development	
<ul style="list-style-type: none"> a. Density of Development - Maximum for Office: 	0.6:1
3. Height - Maximum	
<ul style="list-style-type: none"> a. Height - Maximum: b. Projections into Height: <ul style="list-style-type: none"> i. Parapets: ii. Rooftop Structures: 	<ul style="list-style-type: none"> 30.0m 1.0m 5.0m
4. Setbacks and Projections	
<ul style="list-style-type: none"> a. Front Lot Line Setback - Minimum <ul style="list-style-type: none"> i. Buildings with Residential use on First Storey: ii. Buildings with non-Residential use on First Storey: b. Projections into Setbacks - Maximum: <ul style="list-style-type: none"> i. Balconies, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: ii. Exterior wall treatments, insulation and rainscreen systems: 	<ul style="list-style-type: none"> 3.5m 0.5m 0.6m 0.13m
5. Motor Vehicle and Bicycle Parking	
<ul style="list-style-type: none"> a. Notwithstanding the requirements contained in Part 5 of this bylaw, no motor vehicle parking is required. b. Notwithstanding the requirements contained in Part 5 of this bylaw, all motor vehicle parking must be located within a Building. 	

4.4 Old Town District-1 Zone (OTD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation 	<ul style="list-style-type: none"> l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles are permitted outside of a Building for the use of Equipment Rental. c. <ul style="list-style-type: none"> i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service. ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building, except where located directly adjacent to, and where direct access is provided to a lane, alleyway, through-block walkway or interior courtyard. 	
2. Density of Development	
<ul style="list-style-type: none"> a. Density of Development - Maximum: b. Density of Development - Maximum for Office within any Building constructed after 1914. 	<ul style="list-style-type: none"> 3.0:1 1.0:1
3. Height - Maximum	
<ul style="list-style-type: none"> a. Height - Maximum: b. Projections into Height: <ul style="list-style-type: none"> i. Parapets: ii. Rooftop Structures: 	<ul style="list-style-type: none"> 15.0m 1.0m 5.0m

Part 4 - Zones

4. Setbacks and Projections

- a. Projections into **Setbacks** - Maximum:
- i. **Balconies**, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: 0.6m
 - ii. Exterior wall treatments, insulation and rainscreen systems: 0.13m

5. Motor Vehicle and Bicycle Parking

- a. Motor vehicle parking is only required for any **Lot** that has an overall area of 1100m² or greater, and subject to paragraph (b), shall be provided in accordance with Part 5 of this bylaw.
- b. Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a **Building**.

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	10 Bastion Square Parcel E (DD 169756-I) of Lots 197, 198, 200 & 204	a. Off-street motor vehicle parking is not required	
2.	28 to 30 Bastion Square Lot 1 Plan VIP17052	a. Off-street motor vehicle parking is not required	
3.	1215 Broad Street Lot 1 Plan VIP64889	a. Maximum Building Height : 43.0m	
4.	1415 to 1419 Broad Street Lot 666 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
5.	525 Broughton Street Strata Plan VIS730	a. Maximum Density of Development for all uses: 3.0:1	
6.	608 Broughton Street Lot 1 Plan EPS1336	a. Maximum Building Height : 34.0m b. Bonus Density of Development : 5.1:1	i. Retail Trade or restaurant provided as the principal ground level uses; and ii. A minimum of 45 motor vehicle parking spaces are provided, of which at least 35 are located underground and two are permitted to be stacked one behind the other.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
7.	617 Broughton Street Lot A Plan VIP14044	a. Parkade is a permitted use. b. Maximum Density of Development : 3.9:1	
8.	1 Centennial Square Lot 2 Plan VIP76432	a. Maximum Density of Development for all uses: 3.0:1	
9.	629 Chatham Street Lot 633 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
10.	635 Chatham Street Lot 632 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
11.	611 to 623 Chatham Street Lot 634 & 635 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
12.	619 - 625 Courtney Street Lot 4 Plan VIS4624	a. Maximum Building Height : 20.3m b. Maximum Floor Area for Brew Pub (beer, spirits, wine) : 250m ² c. Bonus Density of Development : 4.6:1	i. A minimum of 630m ² of the First Storey area of a Building and at least 50% of the Building's interior First Storey area adjacent to Street frontage are devoted to Retail Trade or restaurant use.
13.	631 - 639 Courtney Street 634/38 Humbolt Street 808 Douglass Street Lot 1 Plan 26451	a. The minimum number of off-street motor vehicle parking spaces for Residential Uses is 0.25 spaces per Dwelling Unit .	
14.	818 Douglas Street Lot 2 Plan VIP26451	a. Maximum Density of Development for all uses: 3.0:1	
15.	850 Douglas Street Lot 1 Plan VIP16810	a. Maximum Building Height : 43.0m	
16.	1150 Douglas Street Lot A Plan VIP48135	a. Maximum Density of Development for all uses: 3.0:1	
17.	1200 Douglas Street Lot B Plan VIP48444	a. Maximum Building Height : 43.0m	
18.	1214 Douglas Street Lot A Plan VIP48444	a. Maximum Building Height : 43.0m	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
19.	1222 Douglas Street S. Pt. Lot 426 & E. Pt. Lot 427 and Pcl. A of Lots 427/428 City Plan	a. Maximum Building Height : 43.0m	
20.	1280 Douglas Street Lot 426 Plan CITY	a. Maximum Building Height : 43.0m	
21.	1402 Douglas Street The Easterly 60 Feet of Lot 671 Plan CITY	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 200m ² ; ii. Only one Storefront Cannabis Retailer at a time is operational on the Lot .
22.	1672 Douglas Street Lot A Plan VIP11299	a. Maximum Density of Development for all uses: 3.0:1	
23.	1708 Douglas Street Lot 609 & 610 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
24.	1720 Douglas Street LOT 611 & 612, VICTORIA, CITY	a. Maximum Density of Development for all uses: 3.0:1	
25.	1802 Douglas Street Lot 1 Plan VIP36720	a. Maximum Building Height : 26.0m b. Bonus Density of Development : 5.0:1	i. At least 270m ² of First Storey space is provided for Retail Trade or restaurant use; ii. At least 17m of linear Building Floor Area along Herald Street is used for Retail Trade or restaurant use; iii. At least 10% of the Lot Area adjacent to the Street intersection is maintained as a Street level open plaza to a distance of not less than 5.5m above Street level ; and iv. A minimum of 60 underground on-site motor vehicle parking spaces are provided.
26.	1850 Douglas Street Lot A Plan VIP25475	a. Maximum Density of Development for all uses: 3.0:1	
27.	505 Fiscard Street Lot A Plan VIP42419	a. Maximum Floor Area used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages is the lesser of 190.4m ² or 46% of the site area.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
28.	517-519 Fisgard Street Lot 4 Plan EPS1833 524-528 Pandora Ave. Lot 2 Plan EPS1833 530 Pandora Ave. Lot 1 Plan EPS1833	a. Maximum Density of Development : 5.5:1 b. Parkade is a permitted use. c. Off-street motor vehicle parking is not required	
29.	618 Fisgard Street Lot 604 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
30.	625 Fisgard Street Lot 1 Plan VIP76432	a. Maximum Density of Development for all uses: 3.0:1	
31.	638 Fisgard Street Lot 1 Plan VIP55957	a. Residential uses may be located on the First Storey except within 3m from any Street . b. Maximum Building Height : 22.0m c. Bonus Density of Development : 4.0:1	i. A minimum Density of Development of 2.0:1 is provided for Residential uses.
32.	520 Fort Street Lot A Plan VIP23498	a. Maximum Density of Development for all uses: 3.0:1	
33.	623 Fort Street Lot A Plan VIP87839	a. Bicycle Parking, Short-Term stalls are not required. b. Bonus Density of Development : 3.38:1 for all uses	i. At least 75% of the total Floor Area of the Building is provided exclusively for Office uses.
34.	685-695 Fort Street 1060-1080 Douglas Street Lot 1 Plan VIP16563	a. Maximum Building Height : 43.0m	
35.	801 Government Street Lot A Plan VIP27815	a. Off-street motor vehicle parking is not required	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
36.	888 Government Street Lot A Plan EPP69462	a. Maximum Floor Area for Brew Pub (beer, spirits, wine) : 175m ² b. Maximum Building Height : 17.7m c. Maximum Floor Area for Retail Liquor Sale : 50m ² where provided as an accessory use to Brew Pub (beer, spirits, wine) . d. Off-street motor vehicle parking is not required e. Bonus Density of Development : 4.0:1	i. Rehabilitation of the façade of the existing Customs House on the westerly portion of the site in accordance with Heritage Revitalization Agreement Bylaw no. 15-057.
37.	900 Government Street Lot Plan VIP918 BL	a. Maximum Density of Development for all uses: 3.0:1	
38.	910 Government Street 955 Wharf Street 525 Broughton Street Strata Plan VIS612 Strata Plan VIS730	a. Maximum Density of Development for all uses: 3.0:1 b. A minimum of 220 motor vehicle parking spaces shall be provided c. A minimum of 15% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Retail Trade . d. A maximum of 85% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Office .	
39.	1001 Government Street Lot 7 & 8 Plan VIP2671	a. Maximum Building Height : 16.0m b. Maximum Density of Development : 4.1:1	i. Where Retail Trade, Offices and financial institutions have direct access to and are located along at least 50% of the Street frontage along Government Street.
40.	1230 Government Street Lot 1 Plan VIP7696	a. Maximum Density of Development for all uses: 3.0:1	
41.	1312 Government Street Lot 1 Plan EPS1881 1314 Government Street Lot 2 Plan EPS1881 Portion on Roadway Lot Plan EPP37406	a. Maximum Building Height : 18.6m b. Bonus Density of Development : 3.85:1	i. A conservation covenant of the existing Building is provided ii. A Housing Agreement is established to require that all Residential dwellings in this Zone are provided as rental units.
42.	1411 Government Street Lot 1 Plan VIS4995	a. Maximum Density of Development : 3.32:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
43.	1450 Government Street Lot 1 Plan VIS6012 595 Pandora Ave. Lot 1 Plan VIP77724 599 Pandora Ave. Lot 2 Plan VIS6012	a. Maximum Density of Development : 2.2:1 b. Maximum Building Height : 15.2m c. Maximum Lot Coverage : 70%	
44.	1701 Government Street Lot A Plan VIP2779	a. Maximum Density of Development for all uses: 3.0:1	
45.	1725 Government Street Lot 1 Plan EPS569	a. Maximum Density of Development for all uses: 3.0:1	
46.	1885 Government Street Lot A Plan VIP45681	a. Automotive Repair is the only permitted use	
47.	461 Herald Street Lot A Plan VIP33307	a. Residential uses are prohibited b. Maximum Density of Development for Office and all other uses: 1.5:1 c. Bonus Density of Development : 2.0:1	i. At least 500m ² of First Storey area is used for Retail Trade or restaurant.
48.	517 Herald Street Lot 1, Victoria, Plan 14527	a. Off-street motor vehicle parking is not required	
49.	530 - 532 Herald Street Lot A Plan VIP68503	a. Off-street motor vehicle parking is not required	
50.	536 Herald Street Lot A Plan VIP72416	a. Off-street motor vehicle parking is not required	
51.	601 Herald Street Lot 3 Plan EPS569	a. Maximum Density of Development for all uses: 3.0:1	
52.	610 Herald Street LOT 620, 621, AND 622, VICTORIA	a. Maximum Density of Development for all uses: 3.0:1	
53.	613 Herald Street Lot 617 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
54.	618 Herald Street Lot 623 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
55.	624 Herald Street Lot 624 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
56.	648 - 652 Herald Street Lot 3 Plan VIS5362	a. Maximum Density of Development for all uses: 3.0:1	
57.	655 Herald Street Lot A Plan VIP42094	a. Maximum Density of Development for all uses: 3.0:1	
58.	658 Herald Street Lot 626 Plan City	a. Maximum Density of Development for all uses: 3.0:1	
59.	681 Herald Street Lot 613 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
60.	521 Johnson Street Lot A Plan VIP34849	a. Off-street motor vehicle parking is not required	
61.	634 Johnson Street Lot A Plan VIP34894	a. Only the following uses are permitted: Hotel, Retail Trade and restaurant b. Maximum Density of Development : 5.23:1 c. Maximum Building Height : 23.0m	
62.	506 Pandora Ave. Lot 1 Plan EPP35103	a. The maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) is the lesser of 190.4m ² or 44% of the Lot Area . b. The maximum Floor Area for a Drinking Establishment is 146.2m ²	
63.	595 Pandora Ave. Lot 1 Plan VIP77724	a. Off-street motor vehicle parking is not required	
64.	599 Pandora Ave. Lot 2 Plan VIS6012	a. Off-street motor vehicle parking is not required	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
65.	603 Pandora Ave. Lot 1 Plan VIP7110	a. Maximum Floor Area : 6793m ² b. Maximum Building Height : 23.1m c. Maximum Lot Coverage : 89% d. Bonus Density of Development : 4.57:1	i. Rehabilitation of the existing Plaza Hotel Building in accordance with Heritage Revitalization Agreement (603-607 Pandora Avenue) Bylaw No. 13-040; ii. Construction of a public plaza at the corner of Government Street and Pandora Avenue valued at least \$180,000; and iii. Payment to the City of Victoria of \$27,500 to contribute to the long term maintenance of the public water feature to be constructed as part of the public plaza.
66.	625 Pandora Street Lot 1 Plan VIP32978	a. Maximum Density of Development for all uses: 3.0:1	
67.	1441 Store Street Lot 1 Plan VIS1580	a. Maximum Density of Development : 4.0:1	
68.	1610 Store Street Lots 1 to 127 Plan EPS3614 456 Pandora Avenue Lots 1 to 127 Plan EPS3614	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated. b. Off-street motor vehicle parking is not required	
69.	1622 - 1624 Store Street Lot A Victoria EPP70042	a. Off-street motor vehicle parking is not required	
70.	1624 Store Street Lot 1 Plan VIP5617	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	
71.	1630 Store Street Parcel A (DD 83205I) of Lot 126 City Plan	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
72.	1705 Store Street Lot 1 of Lot 451, 452, 467 & 468 Victoria City Plan VIP76332	a. Automotive Repair is the only permitted use on the south half of the Lot . b. Maximum Building Height : 11.0m c. Not more than one Building is permitted on the Lot . d. Minimum setback to any Street on the south half of the Lot : 4.5m e. Off-street motor vehicle parking is not required on the north half of the Lot .	
73.	1720 Store Street Lot A Plan VIP18303	a. Residential uses are prohibited b. Maximum Density of Development for Office and all other uses: 1.5:1 c. Off-street motor vehicle parking is not required d. Bonus Density of Development : 2.0:1	i. At least 500m ² of First Storey area is used for Retail Trade or restaurant.
74.	407-409 Swift Street Lot 100 Plan VIS4930	a. Docks, public washrooms and showers are permitted uses. b. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ² c. Off-street motor vehicle parking is not required	
75.	440 Swift Street Lot A Plan VIP85421	a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development : 1.5:1 c. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ² d. Off-street motor vehicle parking is not required	
76.	450 Swift Street Lot 1 Plan VIP36884	a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development : 1.5:1 c. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ²	
77.	467 Swift Street Lot A Plan VIP49848	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	
78.	650 View Street Lot C Plan VIP48444	a. Maximum Building Height : 43.0m	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
79.	1019 Wharf Street Lot 1 Plan VIP21300	a. Off-street motor vehicle parking is not required	
80.	503 Yates Street Lot 1 Plan VIP7167	a. Off-street motor vehicle parking is not required	
81.	524 Yates Street Lot 1 Plan VIS6630	a. Off-street motor vehicle parking is not required	
82.	546 Yates Street LOT 1 OF LOTS 175, 176, 186, 187, VICTORIA, PLAN 30210	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 800m ² ; ii. The use is restricted to the ground floor; and iii. Only one Storefront Cannabis Retailer at a time is operational on the property.
83.	575 Yates Street Lot 2 Plan VIP18712	a. Off-street motor vehicle parking is not required	
84.	615 Yates Street Lot 1 Plan VIP38582	a. Off-street motor vehicle parking is not required	

5.1 Off-Street Parking Regulations

1. Required Vehicle and Bicycle Parking Spaces

- a. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Column A	Column B	Column C
Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
Residential		
Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>)	0.65 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.80 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1.20 spaces per Dwelling Unit that is more than 70m ²	
Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement)	0.50 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.60 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1 space per Dwelling Unit that is more than 70m ²	
Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement)	0.20 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.50 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	0.75 spaces per Dwelling Unit that is more than 70m ²	
All other multiple dwellings	0.65 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.80 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1.20 spaces per Dwelling Unit that is more than 70m ²	
Assisted Living Facility	0.35 spaces per Dwelling Unit or residential unit	0.10 spaces per Dwelling Unit or residential unit
Commercial		
Hotel	0.25 spaces per room	-

- b. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street bicycle parking spaces in accordance with Table 2 of this Part and calculated in accordance with Table 2 of this Part.

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Table 2: Minimum Number of Required Bicycle Parking Spaces

Column A	Column B	Column C
Use or Class of Use	Minimum Number of Bicycle Parking, Long-Term Spaces	Minimum Number of Bicycle Parking, Short-Term Spaces
Residential		
Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Assisted Living Facility	1 space per 20 Dwelling Units or residential unit	1 space per 50 Dwelling Units or residential units
Commercial		
Brew Pub (beer, spirits, wine)	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Drinking Establishment	1 space per 400m ² of Floor Area , or part thereof	1 space per 100m ² of Floor Area , or part thereof
Equipment Rental	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Financial Service	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Food and Beverage Service	1 space per 400m ² of Floor Area plus outside seating and serving area, or part thereof	1 space per 100m ² of Floor Area plus outside seating and serving area, or part thereof
Hotel	1 space per 25 rooms	1 space per 40 rooms
Office	1 space per 150m ² of Floor Area , or part thereof	1 space per 400m ² of Floor Area , or part thereof
Personal Service	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Retail Liquor Sale	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Retail Trade	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Storefront Cannabis Retailer	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Institutional		
Assembly	-	1 space per 200m ² of Floor Area , or part thereof
Civic Facility	1 space per 400m ² of Floor Area , or part thereof	1 space per 400m ² of Floor Area , or part thereof
Cultural Facility	1 space per 450m ² of Floor Area , or part thereof	1 space per 130m ² of Floor Area , or part thereof
Care Facility	1 space per 700m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

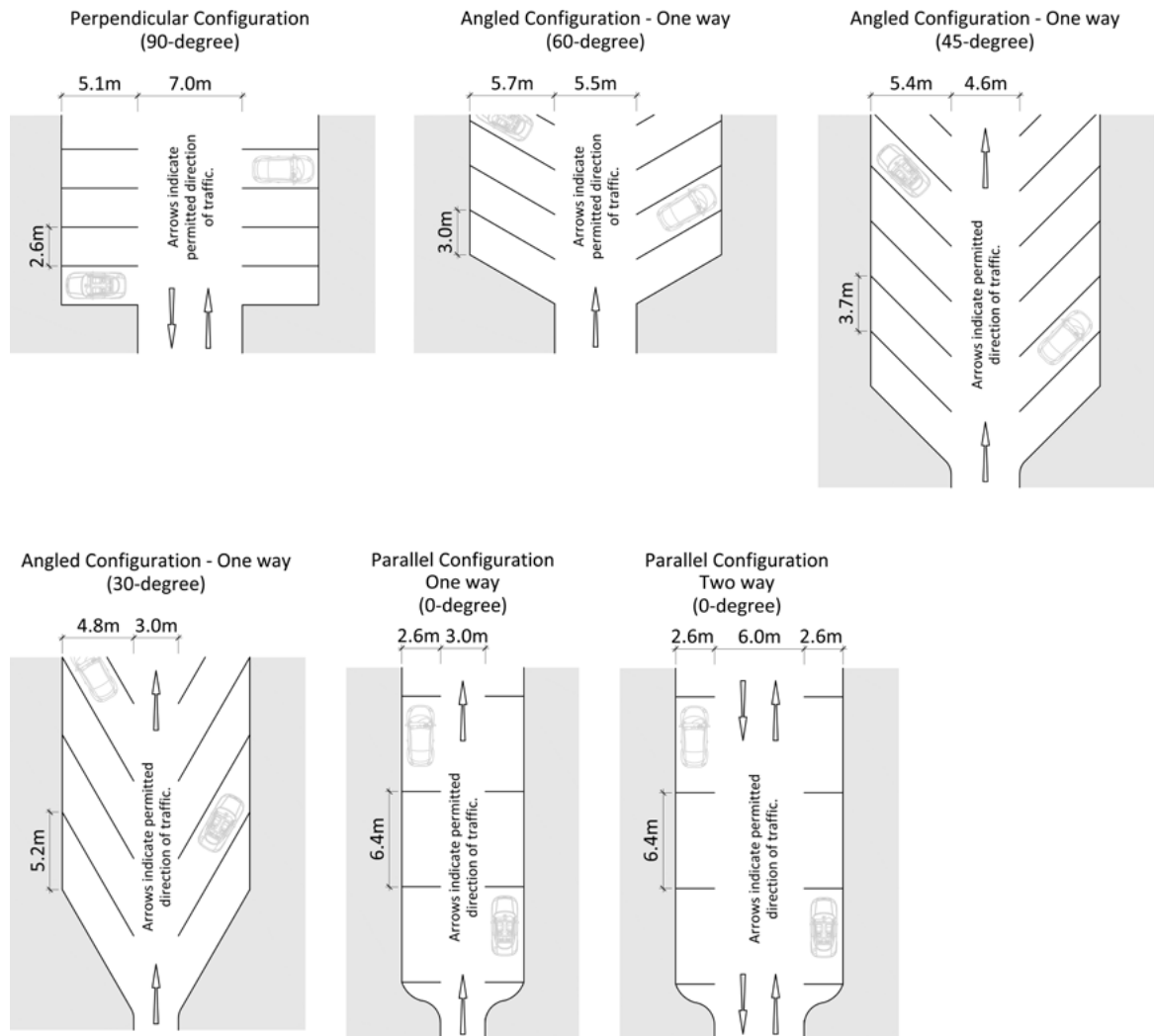
2. Vehicle Parking Appearance

- Each vehicle parking space must be clearly delineated on the parking surface.
- Each visitor vehicle parking space required under this bylaw must be clearly identified for the sole use of visitors.

3. Vehicle Parking Location and Dimensions

- All vehicle parking spaces required under this bylaw must be provided on the same **Lot** as the **Building** or use which they serve.
- A vehicle parking space must have **Unobstructed Access**.
- All vehicle parking spaces and **Drive Aisles** must have dimensions not less than those identified in Figure 1 of this Part.

Figure 1: Minimum Parking Space and **Drive Aisle** Dimensions (all measurements in metres)



Part 5 - Requirements for Motor Vehicle and Bicycle Parking

- d. One way access and egress through the **Parking Area** is required where:
 - i. More than one vehicle parking space is provided in the **Parking Area**, and
 - ii. The vehicle parking spaces are not configured parallel or perpendicular to the **Drive Aisle**.
- e. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
- f. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
- g. Where a vehicle parking space or **Drive Aisle** is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.
- h. Where a **Drive Aisle** or parking space is located within 6.0m of a **Street Boundary** it must comply with applicable grade requirements prescribed in this Part and the Highway Access Bylaw.
 - i. The maximum grade for a **Drive Aisle** or parking stall is 8%.
 - ii. The maximum grade for a **Driveway** is 15%.

Example: Maximum Grades for Parking Areas



Example parkade configuration

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

4. Bicycle Parking Specifications

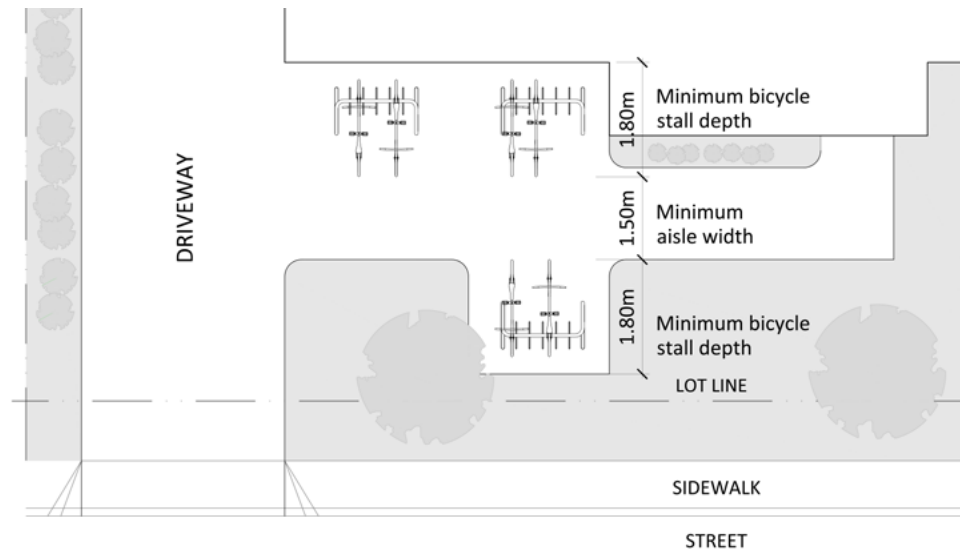
- a. All bicycle parking spaces required under this bylaw must be provided on the same **Lot** as the Building or use which they serve.
- b. Each **Bicycle Parking, Short-Term** space required under this bylaw must be:
 - i. designed and installed to the minimum dimensions shown in Table 3 of this Part; and
 - ii. provided as a bicycle rack that is permanently anchored to the ground or a wall.
- c. Each **Bicycle Parking, Short-Term** space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a **Building** entrance that is accessible by visitors.
- d. Notwithstanding section (c), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- e. Each **Bicycle Parking, Short-Term** space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a **Building** entrance that is accessible by the public.
- f. Notwithstanding section (e), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- g. Each **Bicycle Parking, Short-Term** space required under this bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary Building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

	Ground Anchored Rack		Wall Mounted Rack	
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a Building)	>45 degrees	<45 degrees	>45 degrees	<45 degrees
Minimum stall depth	1.8	1.45	1.2	1.2
Minimum aisle width	1.5	1.5	1.5	1.5
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6

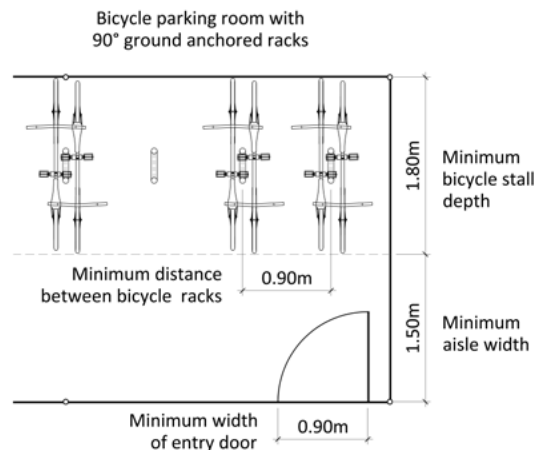
Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Example: Bicycle Parking, Short-Term Configuration

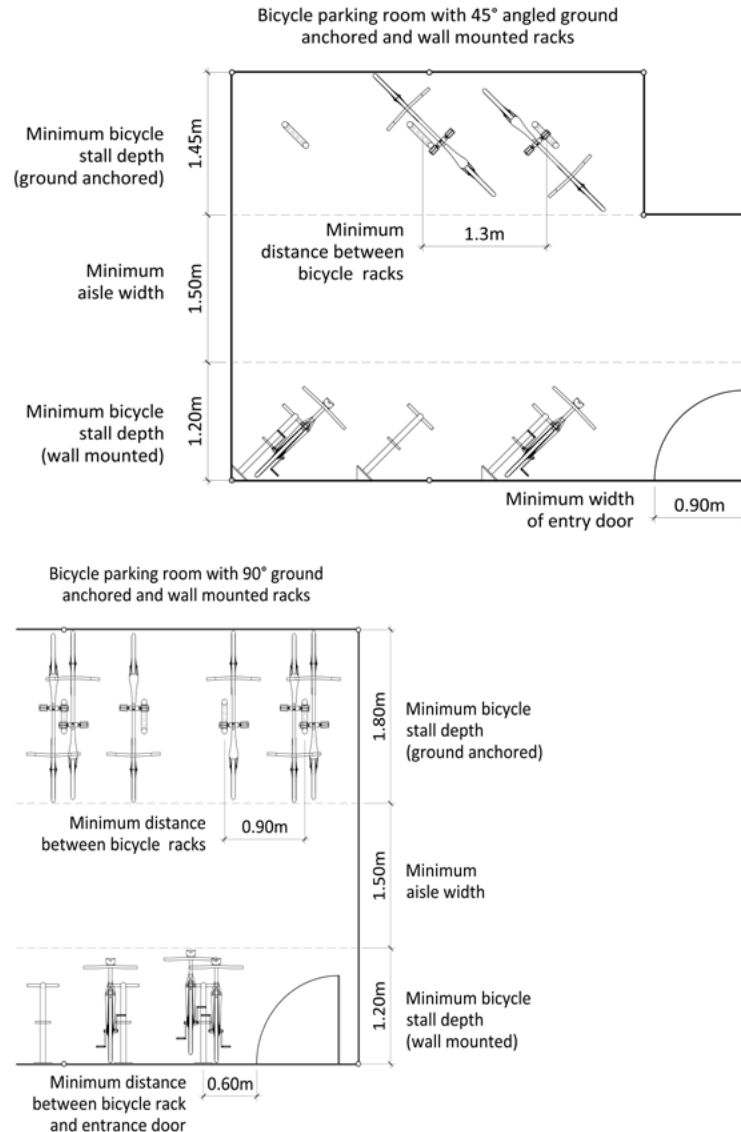


- h. Each **Bicycle Parking, Long-Term** space required under this bylaw must:
 - i. be designed and installed to the minimum dimensions shown in Table 3 of this Part;
 - ii. be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - iii. have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - iv. be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the **Building**;
 - v. be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - vi. be located within one floor of **Finished Grade** and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
- i. At least half of the **Bicycle Parking, Long-Term** spaces required under this bylaw must be ground anchored.

Example: Bicycle Parking Long-Term Configurations



Part 5 - Requirements for Motor Vehicle and Bicycle Parking



5. Bicycle Parking Exemptions

- a. Notwithstanding section 5.1.1(b):
 - i. **Bicycle Parking, Short Term** spaces are not required to be provided where the siting and design of a **Building** existing on the date of adoption of this bylaw physically prohibits such spaces from being provided on a **Lot**;
 - ii. No additional **Bicycle Parking, Short Term** or **Bicycle Parking, Long Term** spaces are required to be provided where only alterations or changes of use to a **Building** are proposed and the **Building** existed on the date of adoption of this bylaw; and
 - iii. If additions are proposed to a **Building** existing on the date of adoption of this bylaw, additional **Bicycle Parking, Short Term** and **Bicycle Parking, Long Term** spaces must be provided for the additional bicycle parking required with respect to the **Building** addition only.

Schedule A - CBD-2 Zone Height Areas Map



Schedule B - Small Scale Commercial Urban Agriculture

1. Products

- a. Subject to subsection (b), only the following items may be cultivated, harvested, kept, sorted, cleaned and packaged as part of **Small-scale Commercial Urban Agriculture**:
 - i. Fruits
 - ii. Vegetables
 - iii. Edible flowers
 - iv. Edible fibre
 - v. Edible seeds
 - vi. Nuts
 - vii. Seedlings and cuttings of edible plants
 - viii. Culinary herbs
 - ix. Eggs
 - x. Honey
 - xi. Mushrooms
- b. Plants regulated under the Controlled Drug and Substances Act (Canada) may not be produced as part of **Small-scale Commercial Urban Agriculture**

2. Sale on Lot

Sale of products of **Small-scale Commercial Urban Agriculture** is permitted on a **Lot** on which **Small-scale Commercial Urban Agriculture** occurs, regardless of whether **Retail Trade** is permitted, provided it occurs:

- a. within a **Foodstand** located in the **Front Yard**; or
- b. as a component of any of the following permitted uses of the Lot:
 - i. **Retail Trade**
 - ii. **Food and Beverage Service**
 - iii. any other use which permits the sale of the items in section 1(a)

3. Foodstand

A **Foodstand** must not:

- a. Exceed an area of 1.85m² and a **Height** of 3.35m
- b. Be located within 0.60m of a **Lot Line**
- c. Be fully enclosed
- d. Remain on the **Front Yard** without items for sale in excess of eight consecutive days
- e. Hold, shelve or otherwise display an item unless it:
 - i. is listed in section 1(a) of this Schedule;
 - ii. was harvested on the **Lot** on which the **Foodstand** is located; and
 - iii. is displayed and sold in raw, unprocessed form.
- f. No more than one **Foodstand** may be used or erected on one **Lot**.

READ A FIRST TIME the _____ day of _____ 2018

READ A SECOND TIME the _____ day of _____ 2018

PUBLIC HEARING HELD on the day of 2018

READ A THIRD TIME the _____ day of _____ 2018

ADOPTED on the _____ day of _____ 2018

CITY CLERK

MAYOR

Distribution of proposed Zones in Central Business District and Old Town

Attachment C





June 19, 2018

Mayor and Council
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Re: Zoning Bylaw Review 2018

Mayor and Council –

The Urban Development Institute (UDI) - Capital Region would once again like to thank City Staff for their thoughtful engagement and efforts with regard to the Zoning Bylaw 2018 Review. However, the development community, as represented by UDI, is a prominent stakeholder in this process and we want to underscore the urgent need to have the bylaw approved and implemented in order to reduce ongoing uncertainties with in situ building applications, as well as projects being designed to conform to the new bylaw.

In our opinion, City Staff have undergone an exhaustive and robust public consultation process with this bylaw update which originally commenced as far back as 2014. UDI has provided ongoing feedback on all aspects of the bylaw including the most recent changes and amendments requested by the Downtown Victoria Residents Association (DRA). We have received the Committee of the Whole (COTW) Report, dated June 13, 2018 and understand that City Staff have now addressed most of the concerns previously raised by the DRA which are within the scope of the Zoning Bylaw 2018 review.

However, the COTW report also addresses certain issues which are outside the scope of the Zoning Bylaw 2018 review. UDI is concerned that these additional issues could detract from moving Zoning Bylaw 2018 toward final adoption and thereby create further backlogs in an already congested pipeline. We write in support of the timely adoption of Zoning Bylaw 2018 and to briefly address some of the additional issues raised in the report.

- **Minimum Residential Unit Size** – The report requests that Council consider requiring a minimum residential dwelling unit size of 33m², as reflected in other multi-residential zones outside of the downtown. Council did consider this in September 2016 and opted to not include a minimum unit size in the downtown.
- ❖ **UDI's Response** – *UDI feels strongly that requiring a minimum unit size in the downtown will detract from the goal of providing more affordable housing options for people. This type of requirement will limit the ability of Developers to bring a diverse housing supply to market and limit the ability of Developers to respond to market conditions. Importantly, the report identifies that including this type of requirement in Zoning Bylaw 2018 will require further direction from Council and a consideration of the risks related*

to legal non-conformity for existing multi-unit residential buildings before proceeding further. UDI supports the timely adoption of Zoning Bylaw 2018.

- **Cash in lieu** – The report requests that Council address the concern with new developments that receive parking variances with no form of amenity contribution such as cash in lieu. The report explains that Cash in lieu is being currently explored as a potential tool to support the Sustainable Mobility Strategy. This project will include public consultation with key stakeholders and a further report will be presented to Council later this year.

❖ **UDI's Response** – *As one of the key stakeholders, UDI looks forward to providing input and being involved in the public engagement later this year.*

- **Improved Notification of Development Permit Applications** – The report identifies Council's recent direction for staff to consider amending the Land Use Procedures Bylaw to improve transparency by providing notice of development applications to adjoining property owners and CALUCs at the beginning of the process. City Staff are currently exploring this matter and report to Council is expected later this year.

❖ **UDI's Response** – *UDI is strongly opposed to this additional layer of consultation. We will be further consulting with City Staff and writing Mayor and Council a letter specific to this matter.*

- **Public input on Development Permit Applications and interpretation of Design Guidelines** – The report requests that Council consider the desire for CALUCs to be able to provide input on DP applications and interpretation of related design guidelines. Staff will be reporting back later this year with potential options for Council's consideration.

❖ **UDI's Response** – *UDI is strongly opposed to these added layers of consultation with the CALUCs. The City of Victoria has made tremendous strides in recent years to reduce timelines for processing applications and improve certainty in the development process, both of which have had a significant positive impact on development community's ability to efficiently bring diverse housing options to market. Either of these changes could easily undo the great progress that the City of Victoria has made.*

UDI is particularly concerned with the suggestion that the public should participate in the interpretation of design guidelines. UDI welcomes the public's input during the development of design guidelines and related policy documents, such as the Old Town Design Guidelines (noted below), however does not support the public's participation in their subsequent interpretation. Currently the public is consulted on appropriate issues such as massing, form and use through the rezoning process. Allowing community input on the interpretation of the design guidelines risks introducing a "design by committee" process, removes design discretion of design professionals, and disrupts the integrity of the design process. UDI strongly feels that this will result in lower quality urban form in Victoria.

Design guidelines are technical and are best interpreted by City Staff who are trained professionals in order to reduce varying interpretations (a key reason for undertaking the review of the Old Town Design Guidelines as noted below). UDI looks forward to providing further input on this matter.

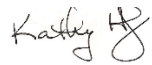
- **Review of Old Town Design Guidelines** – The report identifies that one of the key reasons for reviewing the Old Town Design Guidelines is to provide greater specificity and to reduce varying interpretation with design guidelines which will be a benefit to City Staff, Council, the community and the development industry (improved clarity).

❖ **UDI's Response** – *UDI is currently involved in the working group to review the guidelines and looks forward to continuing to collaborate on this important matter.*

We understand from staff that going forward the Zoning Bylaw will require further revisions and updates as time goes on in order to address future changes in land use patterns and trends. It goes without saying that no bylaw is perfect to all stakeholders, but it does represent the feedback by all of those who contributed to it. Zoning Bylaw 2018 is a critical tool that needs to be in place and UDI is requesting that Council move forward with its approval and adoption without further distraction and delay, thus allowing stalled projects to advance.

Again, UDI Capital Region would like to acknowledge the amount of work that has gone into this review – it is not without merit. This is an important initiative that will only create more economic vitality for the City. We look forward to future engagement and collaboration.

Kind Regards,

A handwritten signature in black ink, appearing to read "Kathy H", with a stylized flourish at the end.

Kathy Hogan – Executive Director
(On behalf of the UDI Capital Region Executive Directors)



1715 Government Street
Victoria, BC, V8W 1Z4

Mayor and Council
City of Victoria
No.1 Centennial Square
Victoria, BC, V8W 1P6

June 22, 2018

Re: Zoning Bylaw 2018

Dear Mayor Helps and Council,

The DRA very much appreciated that Council referred the Zoning Bylaw 2017 back to staff for a second time at the COW February 1st, 2018 to respond to ongoing unaddressed concerns brought forward by the DRA.

While the DRA LUC initially discovered several properties that would have been up-zoned by the new bylaw, we have now been assured by Staff that the bylaw has been amended so that it will now not confer any development rights that were not already in existence.

Other amendments to the previous draft bylaw have resolved concerns regarding:

- The practice of excluding exterior egress hallways from a building's FSR which incentivized bulky and less energy efficient buildings. The Zoning Bylaw 2018 now includes these areas in the calculation of a building's FSR; and,
- The Draft 2017 Bylaw proposed a total relaxation of parking requirements throughout Old Town without exception. The Zoning Bylaw 2018 provides a total relaxation of the parking requirements throughout Old Town for only those properties below 1100 m2 in size to incentivize the retention of the small lot form and character of Old Town and the preservation of heritage properties.

Concerns that were not addressed within the draft Zoning Bylaw 2018 are as follows:

- Cash in lieu requirement for any parking variances granted;
- Elimination of legal opportunities to elicit public amenities;

- Allowing uses such as Bars and Pubs as well as brewpubs and distilleries (which are essentially industrial uses) within residential buildings without corresponding regulation to mitigate the inevitable conflict between the uses. Currently there are few requirements/policies for specific mitigation measures to deal with odors from brewing or sound transmission linked to hours of operation;
- No constraints on maximum building size other than the size of a city block. Homogenization of zones facilitates the amalgamation of lots without a rezoning;
- A minimum unit size for downtown residences in support of livability;
- Lack of specific and concrete Design Guidelines that are enforceable and less vulnerable to interpretation; and,
- Maintaining an opaque Development Permit process where Staff interpretations of Design Guideline policy are made in private and shielded from public debate. Any Design Guideline policy that is open to interpretation must also be open to public comment;

The DRA recognizes that many of the unaddressed concerns may be more appropriately mitigated through other mechanisms and seek assurances from Council that they indeed be duly considered. We very much appreciate that Council has approved a review and updating of the “Old Town Design Guidelines”, and will also consider the improvement of notification and public engagement for all Development Permit Applications.

We are committed to working with Staff in accordance with the commitments made in the City of Victoria “Engagement Framework” to insure positive results for the Downtown community on these many issues, and trust that Council will support the results.

Sincerely,



Ian Sutherland
Chair Land Use Committee
Downtown Residents Association
cc COV Planning

Zoning Bylaw 2018



Purpose

- Present Council with draft Zoning Bylaw 2018.
- Report back on consultation with the Downtown Residents Association and refinements to Zoning Bylaw.
- Provide Council with options for advancing Zoning Bylaw 2018.



Zoning Bylaw 2018

Consultation with Downtown Residents Association

- City staff met with DRA Land Use Committee on **April 5, 10 and 23** to review and discuss all development concerns identified to date.
- Meetings resulted in mutually acceptable solutions including:
 - A few amendments to the draft Zoning Bylaw
 - Expedited review and update of the Old Town Design Guidelines
 - Initiating a review of opportunities to improve public notification of development permits and potential input development permits
- Staff have also continued to meet with the development industry (UDI) to keep them informed and receive feedback on proposed solutions.



Zoning Bylaw 2018

Bylaw Amendments

1. Exterior Hallways and Staircases (Floor Area)

- **Floor Area** definition has been amended to **include** exterior hallways and staircases for calculation of density for **new** buildings.
- Revised definition will help to reduce potential for bulkier buildings and mitigate livability impacts on adjacent residential properties.

2. Home Occupations

- Integration of Home Occupation regulations and related definitions similar to those contained in current *Zoning Regulation Bylaw*.
- Allows up to two bedrooms to be used as Short-term Rental within a principal residence.
- Prohibits an entire dwelling unit from being used as Short-term Rental except periodically when the operator is temporarily away.



Zoning Bylaw 2018

Bylaw Amendments

3. Off-Street Parking (Old Town)

- Old Town District -1 Zone amended to require off-street motor vehicle parking for lots that are 1,100m² or greater.
- Lots less than 1,100m² will not require off-street motor vehicle parking.
- Previous regulation proposed no off-street motor vehicle parking for all Old Town properties.
- Regulations continue to recognize implications of off-street parking on smaller lots and support conservation of heritage properties.
- Development rights for existing lots that are 1,100m² or greater that do not require off-street motor vehicle parking based on existing zoning have been retained through site specific regulations.



Zoning Bylaw 2018

Bylaw Amendments

4. Off-Street Parking (Residential Threshold)

- Off-street parking regulations (Part 5) have been amended to increase the threshold for reduced residential motor vehicle and bicycle parking from 40m² to 45m².
- Provides an incentive for the development of slightly larger and more 'livable' dwelling units.
- Applies to condominiums (strata), apartments (rental) and affordable housing developments.



Zoning Bylaw 2018

Bylaw Amendments

5. Transitioning Development Applications

- New administrative regulations to address in-stream applications that may overlap with current Zoning Regulation Bylaw and proposed Zoning Bylaw 2018.
 - Example: If a DP was previously approved under current Zoning Regulation Bylaw, the subsequent BP if received within two years year following adoption of Zoning Bylaw 2018 can be reviewed under the previous regulations.
- Reduces the need for **in-progress** applications to seek a variance because of the change in regulations between both Zoning Bylaws.
- Provides increased certainty for applicants, staff and Council.



Zoning Bylaw 2018

Other Development Concerns

Minimum (33m²) Residential Unit Size

- DRA has requested a 33m² minimum residential dwelling unit size within the downtown area.
- Council considered removal of minimum dwelling unit size (city wide) in September 2016 and directed staff to amend current zoning bylaw to include a 33m² minimum unit size in neighborhoods **outside** of downtown.
- Integration of a minimum dwelling unit size within Zoning Bylaw 2018 requires direction from Council and would need to consider potential non-conformity impacts on existing buildings.



Zoning Bylaw 2018

Other Development Concerns

Cash in lieu for parking

- DRA has raised concerns with parking variances that do not result in an amenity contribution such as cash in lieu.
- Staff have explained the legal requirements and limitations for development variances as per the Local Government Act
- Cash in lieu along with other potential regulatory tools will be explored through the upcoming development of a City of Victoria Sustainable Mobility Strategy.
- Project will have public consultation including with CALUCs.



Zoning Bylaw 2018

Other Development Concerns

Notification of Development Permit Applications

- DRA has requested an improved process for public notification of development permits early in the process.
- Council has directed staff to consider amending the *Land Use Procedures Bylaw* to allow for notification of DP applications to adjoining property owners and CALUCs.
- Report to Council is expected later this year in Quarter 3.



Zoning Bylaw 2018

Other Development Concerns

Public input on Development Permit Applications and interpretation of Design Guidelines

- DRA would like for CALUCs to be able to provide formal comments on DP applications prior to final decision as well as to provide input on the interpretation of applicable design guidelines.
- Council has previously discussed this matter and a report to Council is expected later this year in Quarter 3 with options that consider legal implications and potential impacts on resources and processing times.



Zoning Bylaw 2018

Other Development Concerns

Enforcement of building design as per DP

- DRA is concerned that final design and finishing of completed buildings is sometimes inconsistent with the approved design outlined in the Development Permit.
- Staff have explained the City's legal limitations as per the Local Government Act and BC Building Code
- City staff often request the property owner/applicant to make the required changes or in some instances the variations are addressed through a subsequent Development Permit.



Zoning Bylaw 2018

Other Development Concerns

Review and Update of Old Town Design Guidelines

- Project is currently underway with direct involvement by the DRA as part of a 14 member Working Group.
- Updated guidelines will offer greater detail to reduce varying interpretation and will also address building mass, scale, relationship to the street, finishing materials and overall compatibility with the historic context.
- Updated design guidelines will address many of the DRA's previous concerns which are not related to Zoning Bylaw 2018.
- A report to Council with the updated design guidelines is anticipated later this year in Quarter 4.



Zoning Bylaw 2018

Conclusion

- Staff have completed additional consultation with the DRA and have established mutually-agreed solutions to all of the DRA's concerns.
- Zoning Bylaw 2018 has been comprehensively reviewed and updated and is ready to be considered through a public hearing.



Zoning Bylaw 2018

Recommendation

That Council give first and second reading of Zoning Bylaw 2018 (Bylaw No. 18-072) and schedule a public hearing.



Zoning Bylaw 2018

Common Hazards for Distilleries

Posted on July 13, 2017 by Marijana Dabic

While owning a distillery can be a rewarding and profitable undertaking, it's not without risk. The process of making hard alcohol like whisky, gin and rum is not easy and often involves large, potentially dangerous equipment. What's more, those that manufacture alcohol often have to deal with dangerous fumes and other harmful factors.

To protect their business, employees and customers, distillery owners must take a proactive approach to identify and mitigate the unique exposures that affect their operations.

Carbon Dioxide

In order to create alcohol, carbohydrates like starch and sugar must be converted through fermentation. During this process, yeast eats carbohydrates and creates carbon dioxide—an odorless, colourless and toxic gas.

The following is a breakdown of how different concentrations of carbon dioxide can impact your employee's health:

1,000 parts per million (ppm) – Prolonged exposure can affect concentration.

10,000 ppm – An employee's rate of breathing increases.

30,000 ppm – The employee will begin breathing at twice the normal rate and may experience dizziness, a faster heart rate, headaches or hearing impairment.

40,000-50,000 ppm – The employee's breathing increases four times the normal rate, and he or she will experience signs of poisoning after only 30 minutes of exposure.

50,000-100,000 ppm – The employee will quickly begin to feel tired and will experience laboured breathing, headaches, tinnitus (a ringing in the ears) and impaired vision. After a few minutes, he or she will likely lose consciousness.

100,000-1,000,000 ppm – The employee will lose consciousness quickly. At this concentration, asphyxiation and death may occur.

Your workers could be exposed to carbon dioxide through inhalation. Thankfully, you can minimize these hazards by properly venting your fermentation area. Because carbon dioxide is heavier than air, you will want to ensure you take special care to vent the lower levels of your work areas.

If your distillery uses a converted chest freezer as a fermentation chamber, it should be noted that carbon dioxide can collect at the bottom of the cabinet. To address this, periodically prop the lid up and use a fan to introduce fresh air.

Intoxication

Distilleries can be a fun work environment, especially if you or your staff members are passionate about creating alcohol. This environment can sometimes create a loose work atmosphere where staff members are allowed to drink on the job.

This is ill advised, as alcohol can affect an individual's perception and reaction time. What's more, alcohol can negatively impact your worker's judgment, potentially leading to dangerous mistakes or accidents.

And, when you're working with large, expensive equipment, mishaps can be costly or even fatal. Avoid adding unnecessary hazards by banning alcohol consumption during work hours.

Fires and Explosions

Ethanol vapour is highly flammable and is one of the main fire and explosion hazards at distilleries.

Ethanol can be released from leaks in tanks, casks, transfer pumps, pipes and flexible hoses.

Common ignition hazards to control can include the following:

- Open flames
- Torch cutting and welding operations
- Sparks (static, electrical and mechanical)
- Hot surfaces
- Heat from friction
- Radiant heat

In addition to being mindful of ignition sources, you can protect your distillery by keeping a dry powder or carbon dioxide fire extinguisher readily available. Ensure that any sprinkler systems you have meet industry and regulatory standards.

In addition, you will want to provide adequate ventilation in the distillery and ban smoking in and around the work area. Be sure to keep heaters and natural gas appliances at least 10 feet away from distilling areas.

It should be noted that dust formed from processing grain and chemical spills can also cause fires or explosions. As such, it's important to practise good housekeeping to avoid the accumulation of combustible debris or liquids.

Physical Injury and Other Employee Hazards

Distilleries can be an unsafe environment for your workers if you fail to take the proper precautions. There are countless risks you will need to account for, including the following:

Chemical hazards. A variety of harmful chemical and cleaning products can be found in distilleries. To protect workers, it's important to require personal protective equipment (PPE) like gloves, steel cap boots and liquid proof aprons. Be sure to clean up any chemical spills immediately.

Electrocution. Because distilleries require workers to handle large amount of liquids around powered equipment, electrocution hazards are common. To maintain a safe working environment, it's important to never run power cables through pools of liquid. Whenever possible, avoid using extension cords, power boards or equipment with damaged plugs, sockets or cables. For added safety, ground equipment and use a ground fault circuit interrupter (GFCI) or residual current device (RCD). These tools automatically shut off power whenever they discover that a current is flowing along an unintended path, including through water or a person.

Injuries caused by heavy lifting. Working at a distillery requires employees to lift and move heavy kegs and other items throughout the day. This can cause repetitive strain and other injuries if workers aren't trained to do the following:

- Bend the knees, keep their back straight and lift with their legs.
- Be aware of the weight of objects and don't overexert themselves.
- Practise team lifting or use back braces to assist with moving heavy loads.

Physical hazards. There are many dangerous items at a distillery that could harm your workers. You will want to ensure the work area is free of trip and slip hazards. In addition, noise from equipment, high-pressure tools, boiling liquids, hot surfaces and confined spaces pose a serious threat and will need to be addressed. Consider conducting safety assessments on a regular basis and address hazards as they arise.

Above all, stills should never be left unattended, and employers should set clear policies and procedures related to workplace safety.

Protect Your Investment

Owning a distillery can be a challenging, yet rewarding, experience. Taking into account the above

safety tips will help ensure that the investments you have put into your business are not wasted following an injury or other mishap.

For additional protection, consider speaking to your broker about your insurance options. He or she will be able to discuss potential policies to address common distillery risks.

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Hazards of Distilleries

Kentucky has many stereotypes. There is the barefoot and toothless image, or the rumor that everyone from there is inbred. More positive thoughts about Kentucky are the Corvettes manufactured here, horseracing, and the distilled spirits. More than 95 percent of the world's bourbon is produced in Kentucky, where it has been made since the 1780s. More than a half-dozen distilleries are in the region, including Jim Beam, Maker's Mark and Wild Turkey. (Prostock 19) Are those actually positive? Many people, even from Kentucky, do not know about the negative effects of these prosperous businesses. The cars produced in Kentucky cause air pollution; the horseracing business euthanizes disabled, innocent horses. What negative things could happen from the distillation of simple bourbon, whiskey, vodka, and other spirits? Most people only think the negative effects of alcohol are the consumers fault. They could control their consumption, and then they would not have to worry about liver disease or fatal car accidents. What about the people who produce the alcohol though? Are they to blame? Distilleries will not say this is their fault; producers put warnings on their product's label. Distilleries do have a negative, less thought of, impact though.

Each year, U.S. factories spew 3 million tons of toxic chemicals into the air, land, and water. (Dosomething.org) Many people don't know about the impact of distilleries on the environment. Distilleries do not want a bad reputation especially during this major "Go Green" movement. More and more people are starting to care about the environment. Distilleries will probably be under more heat in the next 10 years, along with other factories. The pollution regulations will need to become stricter. A distillery is often forgotten as a factory. To make the common whiskey found in Kentucky, distilleries need grains. At Woodford Reserve, they use corn, barley, and rye. These ingredients are ground up and mixed together. Next, the grains are mashed. Water is added to the grains, and then it is left alone. The starches from the grains are converted into sugars. After sitting for a period of time, the mixture is sifted, and the liquid is separated from the wet grain. Yeast is added to the liquid and starts to ferment. After a few days the liquid is distilled. The alcohol evaporates, the vapor goes out the hole, into the tube, and then condenses back into liquid alcohol. Each time the liquid goes through the distillation, it becomes more pure. On average, it is run through 1-3 times, depending on the type of whiskey being made. The unwanted runoffs are poisonous and often burn off first, before the ethanol begins to burn. Once the whiskey has been distilled, it is put into barrels to mature. Depending on the company, it can mature for 3 to 10 years. The whiskey absorbs the nutrients in the barrels and gains the aroma, flavor, and color. Vodka isn't matured; that is why it is clear. (bavarianbrewerytech.com)

The distilling process makes ethanol, which is the main ingredient in alcohol that affects a person's mind. It also slows the central nervous system. The enzyme, alcohol dehydrogenase, takes a hydrogen atom from the ethanol molecule to break it down into acetaldehyde. This substance is something the body can handle. When dispersed into the air, ethanol can cause problems around it. People know

alcohol is flammable; it says it on the container. When the ethanol vapor is released into the air, it has potential to form explosive mixtures. The hazards arise from leaks in the tanks, casks and contributory equipment such as transfer pumps, pipe work and flexible hoses, all of which can release large quantities of liquid on failure. (risktechnik.com) If it were to flow into a confined space, like a sewer or house, then it could explode. It can combust without oxygen, unlike most explosions. There have been no cases where ethanol has been directly linked to an explosion in the air in Kentucky.

Distilleries often contain flammable materials besides ethanol. The grain processing section also has a fire hazard due to the production of grain dust other particles generated in the process. These can easily catch on fire. Older distilleries are often made of wood in comparison to the newer metal distillery warehouses. The floorboards, holding racks, and holding/aging barrels are all wooden. Whisky maturing warehouses sometimes hold a variety of other hazardous materials. There is a natural gas supply to the boilers. These, as mentioned above, can leak. A liquidified Petroleum Gas cylinder contains these gases. If they are punctured or harmed, they can ignite. (risktech.com)

Aquatic systems are also affected by ethanol. Ethanol disperses quickly in water so it is not toxic to the touch. It is deadly in water to fish though because it causes oxygen depletion. This often carries downstream also. One of the Wild Turkey distillery warehouses caught on fire May 9th, 2000. The flame could be seen from 3 miles away. Inside the warehouse was 17,262 barrels of bourbon, each containing 53 gallons of 107 to 112 proof bourbon. Much of the alcohol escaping measured 50 percent by volume. Some of the bourbon had aged 15 years already. The liquid had to go somewhere since it couldn't all burn at the same time. It ran down through a small forest and into the Kentucky River. Some of the liquid was on fire as it rolled down the hill and caused smaller wildfires to erupt along its path. The path was so hot that the limestone bedding began to explode. There was now falling debris from that too. "I just tell them we're having Happy Hour at the river later. Just bring their own bucket," said city worker Debbie Steele. No one was killed from the fire, but the damage had just begun. This accident forced schools and businesses in this town of 8,000 to close the rest of that day and the next. The alcohol did not reach the water tap supply though, because the company shut down soon after hearing about it. The aftermath in the river was not obvious at first. Officials had said that there was harm to the environment but not devastating. People began to take that statement back two days later. People from Frankfort called to say that they could smell the bourbon from the water. A few dead fish had also floated to the surface. As a few more days passed, all people could see when they looked out to the river were dead fish. Numbers had reached into the tens of thousands of dead fish. The ultimate cause of the fish kill was not from alcohol poisoning, but to the depletion of oxygen. The alcohol was shown to be the accelerator food source causing a major bacteria outbreak that consumed all of the oxygen in the river and created a dead zone some 9-12 miles long at its peak. As the tainted water moved downstream, major fish kills would be observed as the dead zone approached and passed dam areas of the river as the fish would be trapped. (Shelley) The fish had no place to go. This is the largest fish kill in the history of Kentucky. (fireworld.com) Wild Turkey distillery was in charge of paying for the cleanup. They had to pay to have the river aerated for 4 days, until the oxygen levels were sustainable again. The people at Wild Turkey reportedly paid \$256,000 to help restore the population of fish. (LB)

There was also a fire from a Jim Beam distillery. The seven story warehouse was reported to have been struck by lightning. It sent alcohol-fueled flames more than 100 feet in the air. The bourbon flowed down into a small creek, but officials were able to dam up the creek before it spread. It was estimated to only be two percent of the inventory of bourbon. Firefighters sprayed water on two nearby warehouses in an attempt to save them, while a fire truck stood by at a third. "Once the warehouse is engulfed in flames, the best course of action for the fire departments is to protect the surroundings," said Joe Prewitt, director of Nelson County Emergency Management Services. (Stapleton) Heaven Hill

distillery caught fire November 7th, 1996. It destroyed most of their warehouses, and 90,000 gallons of alcohol was lost. The wind was recorded around 55 mph that day, and caused the fire to spread from building to building. The environmental impact here was also minimal. The terrain allowed for the alcohol to pool up and burn in one spot. It did not spread to creeks or rivers nearby. (MassDep)

At the Woodford Reserve distillery, Steve B. was asked if they have ever had a major accident on the property. He replied by saying no, and he hopes they never will. He had heard about the Wild Turkey incident, and said that the warehouse didn't have the correct safety measures. On a tour of Woodford Reserve, Steve pointed to a large pond covered in algae on the property. He made a joke saying that that was the water they used in the distillation process and ended up in the bourbon. He then proceeded to explain how it was actually a reservoir for safety in case anything was to catch on fire. The fire truck could hook their hoses up there and reach any of the 3 main buildings used in distillation. Wild Turkey distillery should have used this idea. The Wild Turkey distillery was also lacking a fire sprinkler system in the warehouse, a containment dike, and an alarm system. Also on the tour, Steve showed people the fermenting room. Here, the yeast and ingredients are mixed together and left to ferment in 4 large oak bins. This produces carbon dioxide from the anaerobic process taking place. Carbon dioxide is a major contributor to global warming. Steve told everyone that the carbon dioxide wasn't harmful. People do not realize that all carbon dioxide is harmful to people and the environment. Steve had misinformed the tour group. This was an example of how the distilling industry tries to say they have a minimal impact on the environment.

Kentucky is also known for their illegal distilleries. Moonshine from Kentucky is known as the best moonshine in the United States. When illegal making of alcohol really became popular in the prohibition era, it began to cause problems. Producers often had to protect their stills. If people were caught trying to steal shine or tampering with the tools, they were shot. When bootleggers from Kentucky would go on deliveries, they brought gunmen with them. These gunmen were told to shoot people who tried to hijack the trucks. This led to the formation of gangs. It also increased the sale of guns on the black market. The distilling business in Kentucky was a growing black market. (prohibitopm8m.com) Since prohibition has ended, Kentucky's bootlegging jobs have declined. The bootleggers that are left do not need guns and hit men for protection. The main danger now of these distilleries in Kentucky is the safety hazards. People are supposed to know the person they are getting the moonshine from. Infamous distillers have been known to put bleach, paint thinners, chemical fertilizers and saw dust into their shine for added flavor. This is potentially dangerous for anyone who consumes it. (ehow.com) Moonshine is made the same way as any other whiskey, even the kind at Woodford Reserve. At Woodford Reserve though, the boiling stills are covered and set up for protection of the employees. In a former's backyard, the distilling pot is wide open. There have been cases where small animals, like raccoons and dogs, have fallen into the boiling mash and died. If the mash is emptied soon enough, the animals skeletons can be found at the bottom of the still; if the still is not emptied for a few days, a farmer will never know because even the bones are cooked into the mixture. People's hands and arms are frequently burned while moving around the contraption. Three men had to be taken to the hospital when their moonshine still caught on fire in their garage. The men were making homemade wine in a 25-gallon still when it blew up and splashed them with hot mash. (wkrnews.com) One of the men received third degree burns and had to be transferred to a more advanced hospital. An explosion that took place in a basement is another example of the dangers of these stills. Late one night, neighbors were awoken by a loud boom. They looked outside and saw a flame coming from a newly built house next door. They then heard two more detonations. Fire fighters soon arrived on the scene but found no one in the building. While in the basement of the house, four more stills exploded. The fire fighters were thrown to the floor and caught on fire. A few of the other fire fighters from upstairs rushed down to save them. Once they were removed from the flames they

were rushed to the hospital. Upon examination, they were reported to have 3rd degree burns on their hands, arms, and necks. That same night in a nearby city, a still blew up. This fire was said to not harm anyone, but it did burn the house down. (nytimes.com) Distilling is a very dangerous process when certain safety regulations aren't followed.

Kentucky has had a profitable economy from their production of spirits. This is all people usually hear about. They rarely hear about the negative impacts of distillation until something tragic happens. Most consumers just hear the facts about liver failure, or they hear about the 240 drunk driving car accidents a year in Kentucky. Maybe people would not consume these products if they knew the risk workers and the environment face. Even if they did not slow their consumption, they could push for stricter safety regulations. Accidents like the Wild Turkey Distillery should not have been as bad as it was if they had had the sprinkler and alarm system installed. Also, a containment dike would have caught the excess running down the hill and destroying the soft limestone in its path. The more knowledgeable problems in Kentucky, such as coal mining, animal abuse, and poverty have been advertised and received support. Hopefully, distillery accidents will not happen again. They have a huge impact on the environments well-being. Distilling also produces as much damage to the workers on the outside of their body, as well as the inside of the consumers' bodies.

Hazard assessment in the brewing and distilling industries

Author : Richard Ball, Senior Process Safety Specialist, Chilworth Technology

20 August 2013

The production of beer and spirits produces solutions of ethanol, which is a highly flammable liquid. Raw materials for fermentation and mashing processes involve the handling, storage, and milling of wheat and barley, which generate flammable dust, while grain roasting and drying require huge quantities of fuel, which is usually natural gas. Hence, all types of flammable materials (vapour, dust and gas) necessary for an explosion are present in beer and spirits manufacturing facilities.

The UK brewing and distilling industry contributes significantly to the Food and Drink sector, which is estimated to be worth some £80 billion annually and representing around 7% of UK GDP.(1)

Since the introduction of the EU ATEX 1999/92EC Directive(2) (incorporated in the UK under DSEAR 2002 (Dangerous Substances Explosive Atmospheres Regulations(3))), a systematic hazard and risk assessment has to be undertaken to ensure personnel and the public are not at risk from fire and explosion. In this paper, problems unique to the brewing and distilling industries are aired and the systematic hazard assessment approach is discussed so companies can comply with EU Directives to keep personnel and public safe.

Introduction

Alcoholic drink production requires only a few raw materials; cereal grain plus yeast plus water, which are heated, fermented, matured and decanted, producing ethanol liquor. Thus, it would appear only the final product is flammable and if the ethanol is sufficiently diluted, in the case of beers, lagers and other alcoholic beverages, no flammable atmospheres exist. If only it were that simple!

Most brewers and distillers now buy their malt from specialist suppliers, with malt grains delivered to site by road truck, tipped, and conveyed to the mill house or storage silos. It is then elevated to upper floors of mill houses for destoning, sieving and milling. Milling breaks the grain to reveal the inner cotyledon containing the carbohydrates and sugars.

In the conveying, sieving and milling processes dust is generated, including fines, which can form flammable dust clouds, both inside equipment and if not well sealed, externally as well. Dust is generally extracted to independent dust collector systems. Milled malt or 'grist' is conveyed to and stored in silos ready for production in the 'masher' where water is added.

The intermediate beer brewing and spirit mashing processes are then largely water based and thus flammable atmospheres are no longer present.

Spirit manufacture uses similar raw materials. Malt grains have the outer husk and bran removed before milling to produce grist. In a 'mash tun' stirring encourages sugars to form and the liquor is then added to a "washback" where yeast is added before the fermentation process takes place. The resultant liquor contains less than 10% ABV (alcohol by volume) and is now passed to the 'Still', where concentration of alcohol takes place to create a maximum strength of 94.8% ABV.

The Law

Brewers and distillers handle flammable (explosible) materials so are subject to national law in Europe in the form of ATEX 1999/92/EC Directive or in the UK DSEAR 2002 Regulations. These force employers to ensure workplaces are safe from fire and explosion risk.

ATEX and DSEAR, in effect, state a hierarchical approach of 'Three Rules':

1. Do not have a flammable atmosphere, but if you do...
2. Do not ignite it, but if you do...
3. Do not hurt anyone.

To show compliance with the law, for existing plant a suitable hazard and risk assessment is necessary, which should document the following:

- * Flammable materials on site
- * Hazardous Area Classification (HAC) for all areas
- * Assessment of ignition sources and their elimination in hazardous areas
- * Assessments for "equipment" (i.e. mechanical and electrical equipment)
- * If flammable atmosphere(s) and or ignition sources cannot be eliminated with certainty then:
- * Explosion protection in conjunction with explosion isolation is necessary.

Each process requires a "Basis of Safety", for both normal and expected abnormal operation, which may be:

- a) Avoidance of flammable atmospheres, and/or
- b) Avoidance of ignition sources,
- c) If a) and or b) are not suitable, then explosion protection with explosion isolation is required.

Corrective recommendations, if necessary, should be included in each section by the assessor.

For new build or plant modifications, all of the above should be undertaken as well as ensuring only suitable ATEX-certified equipment is installed in designated hazardous areas. Overall explosion safety should be verified by a Competent Person before going into operation for the first time.

Flammable atmosphere

Fuel explosions (i.e. gases, vapours mists, dusts, and hybrids ((mixtures of flammable materials e.g. dust and vapour)) occur in fractions of a second. In order to control the hazard, all flammable atmospheres must be identified. For flammable dust, there has to be sufficient fine dust in a dust cloud at or above the 'Minimum Explosible Concentration'. Material safety data sheets (MSDS) can be used but rarely can specific dust data be found on MSDS's. Literature sources can be misleading as grain type, whether raw or roasted, particle size, and moisture content, all affect ignition sensitivity. Thus, care is required when generic data are used and it is always recommended to undertake specific ignition sensitivity and explosion severity testing.

Flammability data required may include Minimum Explosion Concentration (MEC); Minimum Ignition Energy (MIE); Minimum Ignition Temperature (MIT); and Layer Ignition Temperature (LIT), Maximum Pressure (Pmax); and severity constant (KSt), with all the required data dependent upon the defined Basis of Safety. It is often argued as grain moisture content is high and thus ignition sensitivity is low, an ignition is an unlikely occurrence. However, in the Blaye (4) dust explosion incident, the moisture content was greater than 10% by weight.

For ethanol, flash point for both solutions and concentrate, lower and upper explosion limits (LEL/UEL) and auto ignition temperature (AIT) are required. Ethanol data are readily available from literature and data for any flammable gases, whether in bulk or in cylinders, should also be obtained where applicable.

Preventing flammable atmospheres by inert gas, e.g. nitrogen, which is commonly used in pharmaceutical and fine chemical industries, is not appropriate for the brewing and distilling sector. Equipment is often not suitably sealed and introducing nitrogen (an asphyxiant) into an operational culture unused to handling it, presents increased hazards.

Hazardous area classification

Once flammable materials (vapour, gases, dust, etc.) have been identified, the presence of a hazardous explosive atmosphere must be identified. This is based upon frequency or probability of release or 'Grades of Release', which are:

- * 'Continuous' - present greater than 10% a year, e.g. inside vessels
- * 'Primary' - present between 10% and 1% a year or only occasionally in 'normal operation', e.g. sampling operations
- * 'Secondary' present 1 % of a year, only in 'expected abnormal operation', e.g. leaks from vessels

Hazardous and non-hazardous areas should be identified for dust, vapour and gases within the site and findings should be documented and site drawings made. Once the sources and grade of release have been identified, Zone designation and extent can be assigned for gases and vapours. These are Zone 0 (Continuous grade), Zone 1 (Primary grade) & Zone 2 (Secondary grade) and for dusts Zones 20 (Continuous grade), Zone 21 (Primary grade), & Zone 22 (Secondary grade).

Blanket zoning of workplaces should be avoided - remember the hierarchical approach above.

Dusty mill houses are not acceptable. Layers of dust on floors, pipelines, and walls is fuel waiting to be raised into a dust cloud. Increasing the zone severity, say from non-hazardous to Zone 22 or Zone 21 to cater for layers means accepting personnel working in explosible atmospheres in normal operation. That means a dust concentration greater than 50 g/m³ in the workplace in normal operation, which is obviously unsatisfactory when occupational hygiene levels are in the mg/m³ level.

Keeping the fuel inside the equipment should be the primary aim by keeping plant sealed through good design and maintenance, and the use of secondary flexible connections also reduces leakage. There should be a focus of careful cleaning (avoiding dust clouds of course), sealing plant and improving extraction systems.

Similarly for distilleries, in spirit handling areas, pump rooms, etc. vapours should be eliminated by good ventilation removing heavier than air vapour at low points. These measures have real benefits on the working environment, reducing secondary explosion hazards in the workplace and can reduce the cost of equipment by using non-ATEX equipment, e.g. lighting.

Minimising the sizes of external hazardous areas in the workplace should be the aim of all brewing and distilling companies. Finally, hazardous areas should be properly identified by using the ATEX EX (explosible atmosphere) symbol at all entrances, so all personnel understand special precautions are necessary.

Ignition sources

EN1127-Part 1 lists thirteen types of ignition source. Usually in the brewing and distilling sector 1 to 8 are relevant but all 13 should be assessed:

1. Flames/hot gases (including hot particles)
2. Unsuitable/malfunctioning electrical plant
3. Hot surfaces
4. Mechanically generated sparks
5. Static electricity
6. Thermal decomposition (dust self-ignition)
7. Lightning – atmospheric static
8. Stray currents, cathodic protection
9. RF electromagnetic waves
10. Visible light electromagnetic waves
11. Ionising radiation
12. Ultrasonics
13. Adiabatic compression and shock waves.

An ignition source assessment requires applicable flammability data. An “effective” ignition source has to have more energy than the minimum necessary to ignite the fuel, for example electrostatic discharges are a real hazard with vapour or gas, but less so for grain dust.

Mechanical ignition is one of the main hazards for dust. Elevators, conveyors, mills etc. can all be potent sources of mechanical friction and sparks if a malfunction occurs. A preventative maintenance scheme should be in place for all mechanical equipment, including bucket elevators.

Explosion protection in grain handling

Where there is a high probability of a flammable atmosphere and reliably eliminating ignition sources cannot be achieved, then some form of explosion protection is necessary:

- * Venting
- * Suppression
- * Containment

The above measures should be combined with suitable measures to prevent explosion propagation.

Protection systems are covered under ATEX and thus have to be suitably certified. During grain conveying, for example, bucket elevators are explosion vented, which is acceptable provided they vent to a prohibited “safe” area. (see image below).

Explosion venting into the workplace is not acceptable under ATEX, but is sometimes observed in the brewing and distilling sector. Venting inside increases risk of serious injury, and secondary dust explosions (see HAC above), and is a common issue found in the industry during assessments. However, explosion-venting indoors can be permitted by using flameless venting devices.

However, they are not ‘fit and forget’ items - they require regular inspection and maintenance to ensure they do not become choked.

Whether grain silos require explosion protection is often debated due to low dust concentration, large particle size and absence of ignition sources. Many new-build silos are explosion-vented but existing silos are generally of unknown strength, so whether retrofitted vents can be fitted is not always easy to verify. In these cases, precautions to minimise dust and control all effective ignition sources are essential, together with the exclusion of personnel during filling, which is when the main dust explosion risk exists.

Suppression systems are another satisfactory method of protecting plant, but specialist companies are needed to design, supply, fit, and maintain the equipment. Their use in brewing and distilling is increasing as there is no release of products of combustion, and systems always include explosion isolation such as chemical barriers, whereas in vented systems, explosion isolation has to be separately considered.

Building plant with sufficient strength to contain explosions is not generally undertaken in brewing and distilling: many plants are too large and the extra installation costs would be high. This is nevertheless becoming common in some other industries where smaller plant is used, materials are toxic and full containment is required at all times.

Explosion isolation of dust collector systems (and other plant items) fitted with explosion venting from non-protected plant is often overlooked. If a dust collector is not “de-coupled” and an explosion in this higher risk item occurs, it can propagate back through the entire plant system. Simple explosion diverters that stop pressure-piling effects can be used, but these may not stop flame propagation.

Alternatively, some flap valves, chemical barriers, Ventex valves, slam-shut valves, etc., can be used.

It is often poorly understood that explosion-protected plant should not be opened when it is in operation. Examples include opening silo manways for level checking or inspection.

The image below shows a hinged flap on the boot of a bucket elevator that is opened daily for manual material feed where there is no explosion barrier.

Spirit Manufacture

The ‘Basis of Safety’ for spirit manufacturing includes ignition source controls which includes:

- * good earthing and bonding (which includes ensuring operators are suitably earthed)
- * avoiding splash filling tanks
- * avoiding hotwork
- * preventing mechanically generated sparks
- * ensuring the use of suitable equipment
- * good ventilation
- * use of flame arresters on outside vents

Emergency relief vent systems have to be carefully designed, so releases of flammable liquid and vapours cannot not be made to the workplace. Often, spirit tanks are found indoors with the vent indoors, and flame arresters not suitably maintained.

In older distilleries, hazardous areas should be reviewed where blanket zoning has been used, as often the size of Zones can be reduced. Ventilation effectiveness should also be reviewed and all existing electrical and mechanical equipment should be assessed for suitability. Often, this is a case of individual item inspections and a judgement call made item by item. As equipment is replaced in hazardous areas, it should be to the appropriate ATEX category and installed and maintained by competent, appropriately trained personnel.

In the UK most distilleries produce Scotch whisky, which has to be matured for at least three years, and typically 10 years or more for unblended malt whisky. This has to be stored in wooden casks at 60% to 65% ABV (flash point ~ 20°C) and is stacked in warehouses. Casks are porous and evaporation occurs so ethanol vapour is released to atmosphere by natural ventilation. Thus, warehouses are hazardous areas but often there is no lighting or mechanical ventilation so forklift trucks are often the only ATEX Category 3 equipment. Where lighting is used, sometimes non-Ex lighting can be justified due to the vapour density of ethanol. In bonded warehouses, insurers tend to dictate the safety requirements. However, it should also be ensured that personnel take in no ignition sources, thus all torches, communications equipment, etc., should be certified as suitable.

Once matured, whisky has to be filtered, sometimes blended, and bottled. Bottling plants are often separated from distilleries and they receive spirit by road tanker, which is then stored before dilution to final bottle strength (typically 40% ABV, 26°C flash point, so often does not form flammable concentrations at ambient temperatures (depending on plant location)). However, realistic hazardous areas associated with all of these activities must be established and risk assessments undertaken.

Conclusion

In the brewing and distilling industry, both the raw ingredients and the finished product can form hazardous explosive atmospheres. It is important to minimise these explosive atmospheres, especially those external to plant items. However, poor plant layout can lead to the formation of an explosive atmosphere indoors, for example by venting spirit tanks indoors.

Other problems with venting often include a lack of design calculations and explosion isolation devices.

Ignition source control is important within the explosive atmospheres. Earthing of persons handling ethanol and the correct ingress protection on electrical equipment are often overlooked. Finally, where the presence of an explosive atmosphere and an ignition source cannot be avoided then explosion protection is required.

References:

- 1) <http://www.foodsecurity.ac.uk/issue/uk.html>
- 2) Directive 1999/92/EC of the EU on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres, commonly called the ATEX 137 Directive.
- 3) Dangerous Substances and Explosive Atmospheres Regulations 2002', S.I.2002 No.2776 (DSEAR 2002)
- 4) F. Masson 1998: Explosion of a Grain Silo at Blaye (France) Ministry for National and Regional Development & Environment

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July 16, 2018

Re: Zoning Bylaw 2018 Review – Minimum Residential Unit Size

Mayor and Council,

LandlordBC has been actively observing the robust public consultative process related to the Zoning Bylaw 2018 review, and we applaud City Staff for their professional engagement efforts. We are of the view that the thoroughness of the consultation process should now give Council the necessary confidence to approve and adopt the bylaw as configured without the distraction of additional issues that have emerged, and which are clearly outside the scope of the Zoning Bylaw 2018 review. LandlordBC is especially concerned about the introduction of a minimum residential dwelling unit size of 33m² for multi-unit residential housing, including purpose-built rental housing, in the downtown core.

LandlordBC feels strongly that requiring a minimum unit size in the downtown will detract from the goal of providing more affordable housing options for residents. This type of requirement will limit the ability of landlords to bring a diverse housing supply, sensitive to market demand.

We have observed that smaller rental units represent excellent student housing and are particularly attractive to young single professionals and technology and service sector workers who are seeking a downtown core location to enjoy the vibrance, amenities and lively social scene at a more affordable price. With these units the City is an extension of their living space. Furthermore, with today's sophisticated design technologies we are seeing flexibility in space with smart storage built-ins, Murphy bed, etc. that allow a smaller the space to function extremely well, particularly for this younger audience. While smaller units are admittedly not for everyone, this diversity of housing is critical and can be found in progressive cities around the world.

We therefore request and thank Council in advance for moving forward with its approval and adoption with further delay of Zoning Bylaw 2018 thus allowing projects awaiting the outcome of this review to proceed immediately. We desperately need new purpose-built rental housing in Victoria and can ill-afford any unnecessary barriers and/or delays. Thank you.

Sincerely,



David Hutniak
CEO
LandlordBC



Zoning Bylaw 2018



Publishing Information

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Prepared By: City of Victoria
Sustainable Planning and Community Development Department

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BYLAW NO. 18-072
ZONING BYLAW 2018
A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to divide the City into zones and to regulate and control the use of land and buildings within those zones.

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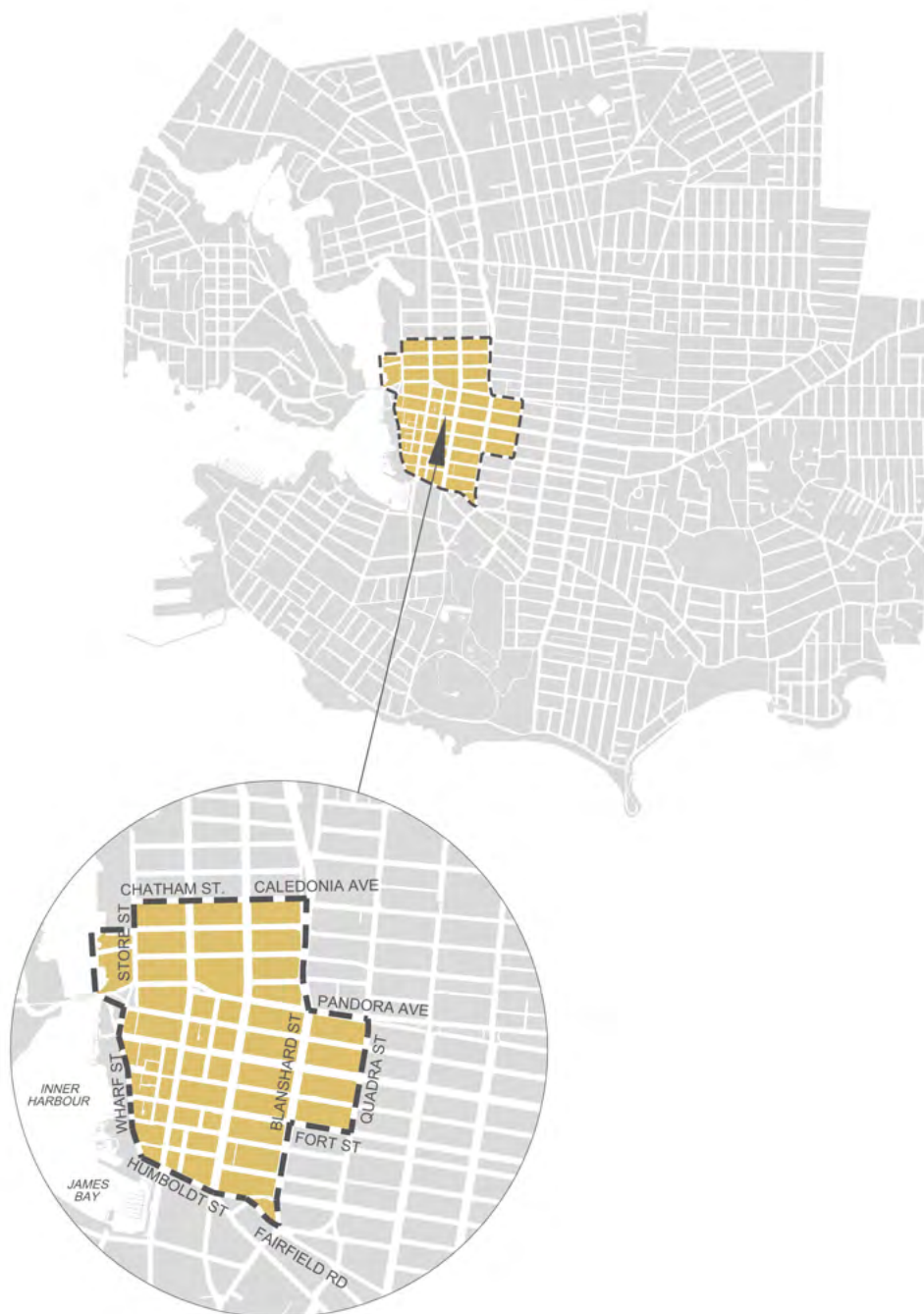
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Pursuant to its statutory powers, including sections 479, 482, and 525 of the Local Government Act, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1.1 Interpretation

1. This bylaw may be cited as the “Zoning Bylaw 2018”
2. This bylaw applies to the area indicated with a dashed line in Map 1.

Map 1: Area subject to Zoning Bylaw 2018



3. The Zoning Regulation Bylaw No. 80-159 is inapplicable to the area indicated within the dashed line in Map 1.
4. The area to which this bylaw applies is divided into the zones indicated on the **Zoning Map**, being the zoning information layer in **VicMap**.

Part 1 - Administration

- 4.1 In all civil and criminal judicial proceedings a printout of the **Zoning Map**, purporting to be certified as such, shall be prima facie evidence of the location of each zone and of the lands included therein as at and since the date of the certificate, without proof of the signature or approval of the **Director**.
 - 4.2 Whenever any land is removed from one zone into another by a rezoning bylaw the **Director** shall, forthwith after the adoption of the such bylaw, cause the **Zoning Map** to be updated to reflect the changes.
5. The regulations, requirements and definitions in Parts 1 through 6 of this bylaw apply to land in the area to which this bylaw applies in accordance with the zoning designations indicated on the **Zoning Map**, and if Parts 3 through 6 specify regulations and requirements for a particular location within a zone that is identified by civic address, legal description or both, then the specific regulations and requirements take precedence over the general regulations and requirements for the zone.
 - 5.1 Without limiting the scope of section 5, where a property is specifically identified in column A of the "Site Specific Regulations" table in the zone regulations applicable to that property, the specific regulations and requirements set out in column B of that table apply, subject to the conditions or requirements to provide amenities set out in column C, if any.
 - 5.2 Where a property is divided into two or more development areas (DA) as shown in a plan included in the applicable "Site Specific Regulations" table, section 5.1 applies to each development area as if that development area was a separate property.
 - 5.3 In the event of a conflict, the regulations or requirements applicable pursuant to section 5.1 apply despite any other provisions of this bylaw.
 - 5.4 Where a property to which section 5.1 applies is subdivided, section 5.1 applies to all properties that had formerly formed part of that property as if they were individually listed in the table.
 - 5.5 Where a property to which section 5.1 applies is consolidated or otherwise merged with another property, section 5.1 applies only to that part of the new property to which section 5.1 applied before consolidation or merger.
 - 5.6 Where a property is identified in this bylaw by reference to a civic address and a legal description, the legal description shall be deemed to be the correct description in the event of any conflict or inconsistency.
6. For certainty, if the **Zoning Map** indicates that a **Lot** lies within two or more zones, each portion of the **Lot** may be used and built upon only in accordance with the regulations and requirements applicable to that portion under Part 3 or 4.
7. Unless otherwise indicated on the **Zoning Map**:
 - 7.1 **Streets** and lanes are deemed to have the same zoning designation as the abutting land, and any zone boundary that coincides with a **Street** or lane is deemed to be located at the centerline of the **Street** or lane;
 - 7.2 Any zone boundary that coincides with a railway right of way is deemed to be located at the centreline of the right of way;
 - 7.3 The surface of all water is within the same zone as the nearest land to it within the **City** boundaries unless zoned otherwise; and

Part 1 - Administration

- 7.4 Whenever any land, fronting on a **Street**, railway, or water, is removed from one zone and placed into another that portion of the **Street**, railway, or water to which this section applies shall also be so removed and rezoned.
8. For the purposes of this bylaw, an airspace parcel is deemed to be part of the same **Lot** as the parcel at ground level.
9. In the event of any inconsistency between the text of this bylaw and an illustration or diagram that relates to the text, the text takes precedence over the illustration or diagram.
10. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
11. No person shall place, erect, construct or alter a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
12. Not more than one **Building** other than an **Accessory Building** shall be erected or used on one **Lot**, unless the regulations applicable in a particular zone expressly permit otherwise, and no **Building** shall be erected partly on one **Lot** and partly on another.
13. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with the requirements of this bylaw in respect of the provision of motor vehicle and bicycle parking spaces, the provision of **Loading Spaces** and the provision of screening or landscaping.
14. An officer or employee of the **City** appointed to administer this bylaw may enter on land including any place that is occupied as a private dwelling, to inspect and determine whether the regulations and requirements in this bylaw are being met, and in the case of a private dwelling may enter only in accordance with s. 16(5) of the Community Charter.
15. A person who contravenes this bylaw is liable to a maximum fine of \$10,000 and, in the case of a continuing offence, each day on which the contravention continues constitutes a separate offence that is subject to that maximum fine.
16. This bylaw may be enforced by means of a municipal ticket information, in which case the offence descriptions and ticket fines set out in the Ticket Bylaw apply.
17. The figure indicated in a column of section 2, Part 4 of this bylaw adjacent to the heading "**Density of Development – Maximum**" is the maximum **Floor Space Ratio** of any **Building** that may be constructed or erected in the relevant zone.
18. The figure indicated in a column of section 3, Part 4 of this bylaw adjacent to the heading "**Height – Maximum**" is the maximum **Height** of any **Building** that may be constructed or erected in the relevant Height Area of the relevant zone shown on Schedule A to Part 6, for the Central Business District 2 zone, or in the relevant zone, for all other zones.
19. The **Building** elements identified in a column of section 3, Part 4 of this bylaw adjacent to the heading "Projections into **Height** - Maximum" may project beyond the maximum **Height** to the extent indicated in the table.
20. The **Building** elements identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into **Setbacks** - Maximum" may project into the minimum required setback areas to the extent indicated in the table.
21. The ratio indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading "**Front Setback Plane – Minimum**" is the angle of inclination of the **Front Setback Plane** for any portion of a **Building** that may be constructed or erected in the relevant zone, provided that building features identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into **Setbacks** - Maximum" may project beyond the **Front Setback Plane** to the extent indicated in the table.

Part 1 - Administration

22. The figure indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading “**Side and Rear Lot Line Setbacks – Minimum**” is the minimum horizontal distance between any portion of a **Building** and the **Side or Rear Lot Lines** of the **Lot** on which the **Building** is located, provided that building features indicated in the relevant table with the heading “Projections into **Setbacks - Maximum**” in section 4, Part 4 may project into the minimum setback to the extent indicated in the table.
23. In this section,
- “Permit” means a development permit, heritage alteration permit, development variance permit or temporary use permit
- 23.1 A Permit, board of variance order, and any other agreement authorized by the Local Government Act that varies or supplements the Zoning Regulation Bylaw No. 80-159, issued within two years prior to the adoption of this bylaw, continues to apply as if varying or supplementing this bylaw, with the necessary changes and so far as applicable.
- 23.2 A development permit issued within two years prior to the adoption of this bylaw continues to apply, with the necessary changes and so far as applicable, as if the development authorized by it had been authorized under this bylaw and, without limiting the generality of the foregoing, a building permit or a business licence that is consistent with such development permit may be issued as if it complied with this bylaw, provided that it is applied for within two years of the date of the adoption of this bylaw.
- 23.3 If prior to the adoption of this bylaw, Council has authorized the issuance of a Permit, but the Permit had not been issued prior to the adoption of this bylaw, the Permit may be issued, with all the necessary changes and as applicable, as if it had been authorized under this bylaw, provided that:
- a. all terms and conditions of the Council authorization are met;
 - b. it is issued within two years of the date of the Council authorization; and
 - c. it does not conflict with the density or use provisions of this bylaw.
- 23.4 If prior to the adoption of this bylaw, Council has moved an application for a Permit forward for an opportunity for public comment at a future Council meeting and such meeting is not held prior to the adoption of this bylaw, the Council motion is deemed to be amended to reflect the requirements of this bylaw and the Director is authorized to bring forward an amended motion for Council’s consideration at the opportunity for public comment, provided that:
- a. the opportunity for public comment takes place no later than one year after the date of the adoption of this bylaw;
 - b. there are no significant alterations or differences in the development from that considered by Council at the time of the motion to advance it to the opportunity for public comment, with the exception of an increase in the number of vehicle or bicycle parking spaces being provided;
 - c. it does not conflict with the density or use provisions of this bylaw; and
 - d. the intent of the Council motion remains unchanged.
- 23.5 For certainty, nothing in this section 23 is intended to modify or extend the validity of any Permit beyond the time that it would lapse or expire but for this section.
24. If any provision or part of this bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the bylaw and the balance of the bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

2.1 Administrative Definitions

1. In this bylaw,

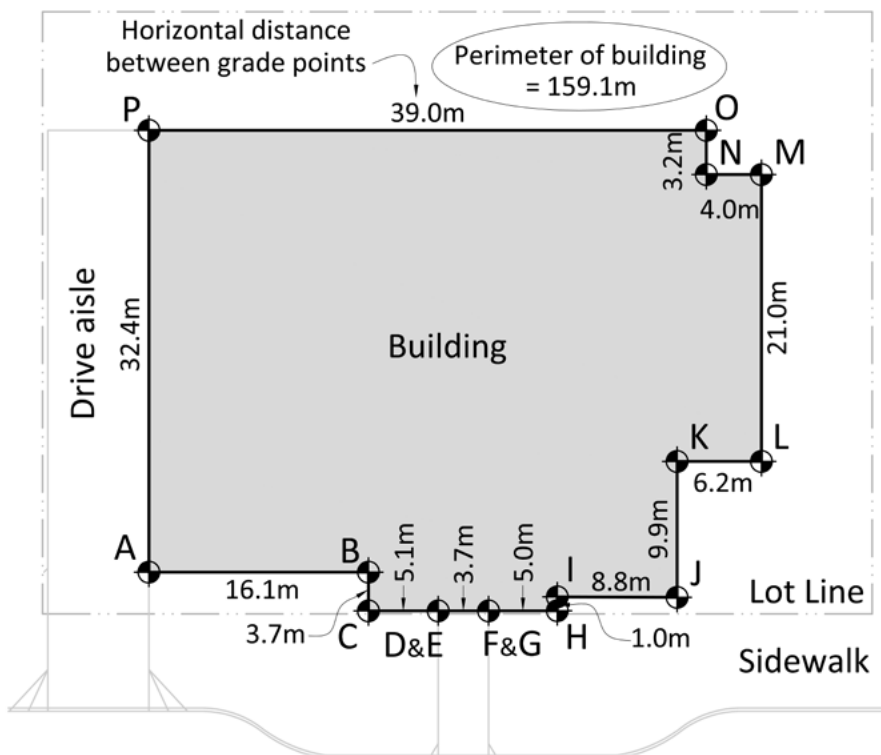
Accessory Landscape Structure means gates, fences, walls, trellises, gazebos, pergolas or a similar ornamental feature which is open to the elements and includes sheds that are less than 9.3m².

Affordable means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household's annual income.

Average Grade means the elevation calculated by averaging the elevation of **Natural Grade** or **Finished Grade**, whichever is lower at any points where a **Building** comes into contact with the surface of the **Lot**, excluding any artificial mounds of earth or rocks placed at or near the wall of a **Building**, any portion of an exterior wall that is in a window well, calculated in the method indicated in the following example:

Grade Points:

Grade point A: 15.7	Grade point F: 14.5	Grade point K: 15.8
Grade point B: 16.0	Grade point G: 15.8	Grade point L: 15.7
Grade point C: 16.1	Grade point H: 16.0	Grade point M: 16.0
Grade point D: 16.0	Grade point I: 16.1	Grade point N: 15.9
Grade point E: 14.5	Grade point J: 15.9	Grade point O: 15.9
		Grade point P: 16.0



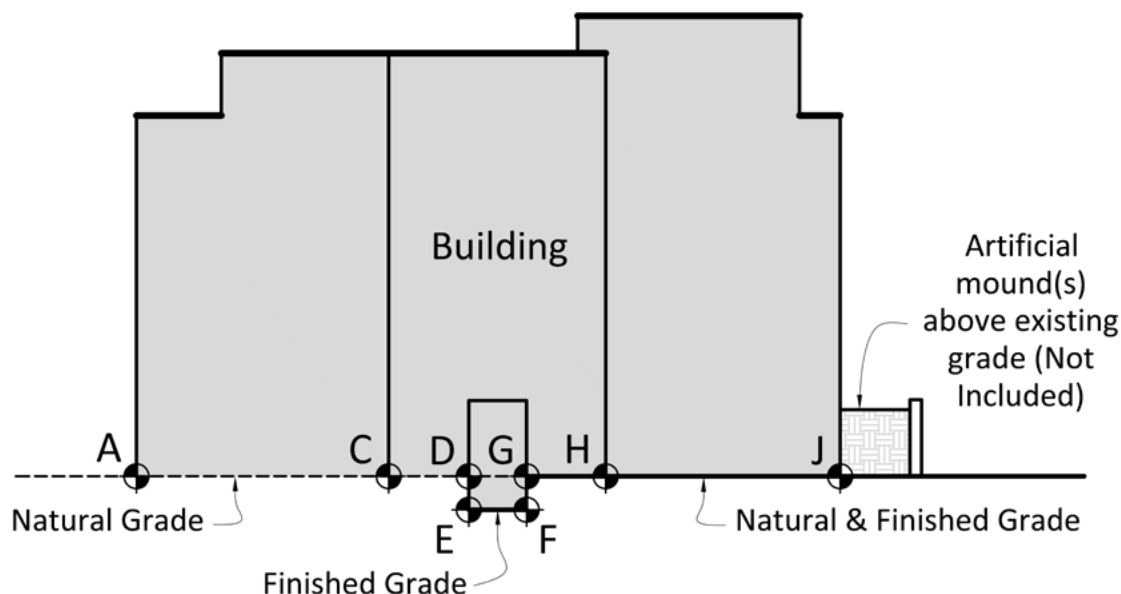
Part 2 - Definitions

Calculation Example:

Grade Points	Average of Points	Distance Between Grade points	Totals
Points A & B:	$((15.7 + 16.0) \div 2)$	x 16.1m	= 255.19
Points B & C:	$((16.0 + 16.1) \div 2)$	x 3.7m	= 59.39
Points C & D:	$((16.1 + 16.0) \div 2)$	x 5.1m	= 81.86
Points E & F:	$((14.5 + 14.5) \div 2)$	x 3.7m	= 53.65
Points G & H:	$((15.8 + 16.0) \div 2)$	x 5.0m	= 79.50
Points H & I:	$((16.0 + 16.1) \div 2)$	x 1.0m	= 16.05
Points I & J:	$((16.1 + 15.9) \div 2)$	x 8.8m	= 140.80
Points J & K:	$((15.9 + 15.8) \div 2)$	x 9.9m	= 156.92
Points K & L:	$((15.8 + 15.7) \div 2)$	x 6.2m	= 97.65
Points L & M:	$((15.7 + 16.0) \div 2)$	x 21.0m	= 332.85
Points M & N:	$((16.0 + 15.9) \div 2)$	x 4.0m	= 63.80
Points N & O:	$((15.9 + 15.9) \div 2)$	x 3.2m	= 50.88
Points O & P:	$((15.7 + 16.0) \div 2)$	x 39.0m	= 618.15
Points P & A:	$((16.0 + 15.7) \div 2)$	x 32.4m	= 513.54
			= 2520.23

Grade Calculation:

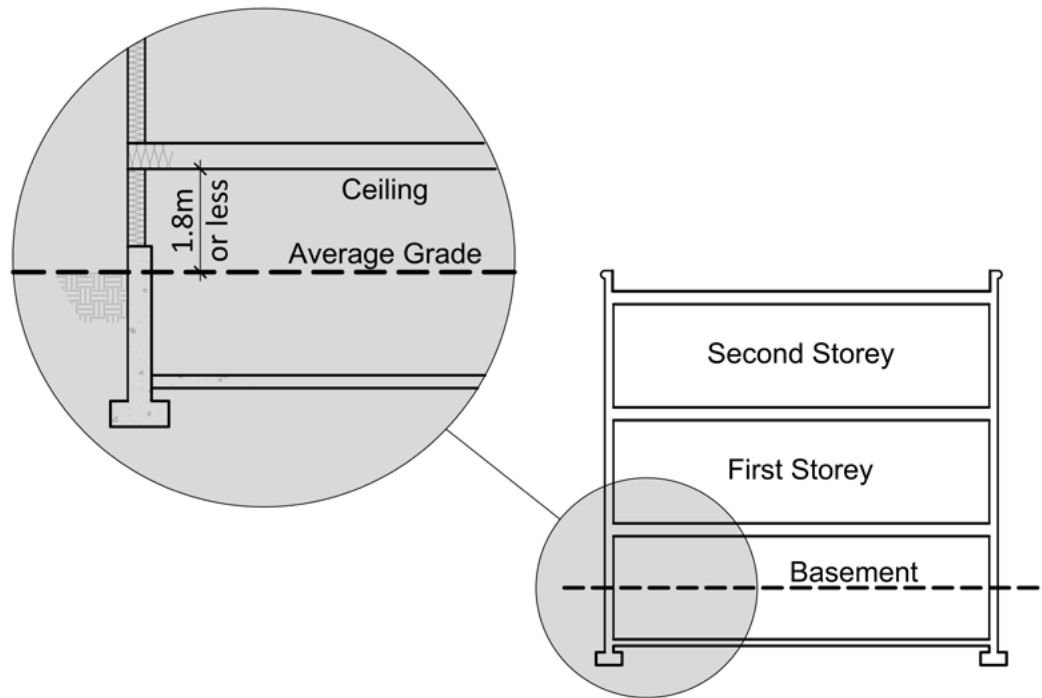
$$2520.23 \div 159.10\text{m (perimeter of building)} = 15.84$$



Balcony means a projecting portion of a **Building** above the **First Storey**, the perimeter of which is, on at least one side, wholly unenclosed except by a guard of the minimum height required by the BC Building Code.

Part 2 - Definitions

Basement means a **Storey** of a **Building** any portion of which is below **Average Grade** and that has a ceiling that is not more than 1.8m above **Average Grade**.



Bicycle Parking, Long-Term is intended for long-term users of a **Building**, such as employees or residents, and will consist of a secure space dedicated for bicycle parking within a structure or **Building** on the same **Lot**.

Bicycle Parking, Short-Term is intended for short-term use by visitors and customers and will consist of bicycle racks located in a publicly accessible location at or near a **Building** entrance.

Bonus Density of Development means the **Density of Development** that applies in accordance with section 482 of the Local Government Act if applicable conditions entitling an owner to a higher density are satisfied.

Boundary in reference to a **Lot**, extends throughout its length both upwards and downwards ad infinitum from the surface of the **Lot**.

Building means anything constructed or placed on a **Lot** and used or intended for supporting or sheltering any use, excluding landscaping, docks, wharfs and piers.

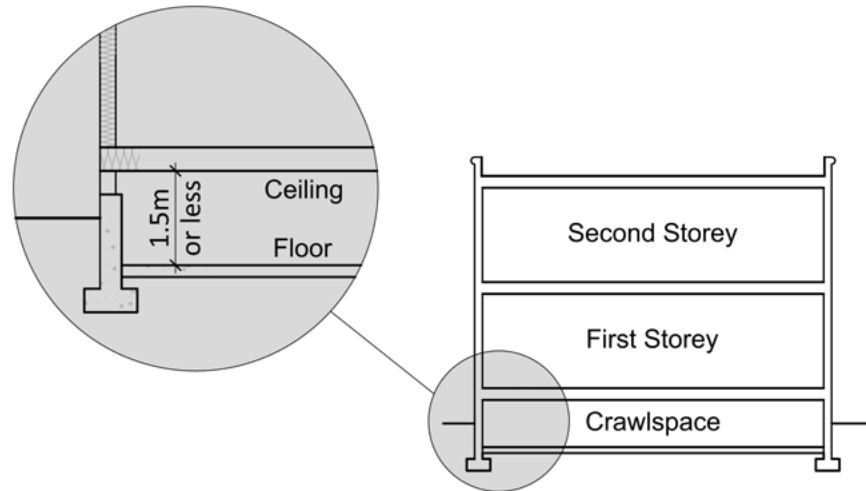
Cistern means a rainwater storage tank that is at least 1200 litres in capacity and that forms part of a **Stormwater Retention and Water Quality Facility**.

City means the Corporation of the City of Victoria.

Corner Lot means a Lot at the intersection or junction of two or more **Streets**.

Part 2 - Definitions

Crawlspace means an area beneath the lowest habitable **Storey** of a **Building**, with clearance of 1.5m or less.



Density of Development is the maximum **Floor Space Ratio** of any **Building** of the type that is constructed or erected in the zone for which that maximum **Floor Space Ratio** is indicated.

Director means the person employed by the City of Victoria to perform the duties and functions of the position of the Director of Sustainable Planning and Community Development, as that position title is amended from time to time, and includes persons acting under his or her authority.

Driveway means that portion of a **Lot** that provides access to parking, **Loading Space** or the **Drive Aisle** within the **Lot** and is considered to be the extension of the **Lot's Driveway** crossing. For certainty, a ramp provided to access parking stalls is considered a **Driveway**.

Drive Aisle means a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls.

Dwelling Unit means a self-contained unit comprised of one or more rooms designed as a residence for a single household with a sleeping area, a principal kitchen for food cooking and a separate bathroom facility.

Finished Grade means the finished elevation of the ground surface of land following construction or land altering activities.

First Storey means the **Storey** immediately above the basement of a **Building**, and in the case of a **Building** without a **Basement**, means the lowest **Storey**.

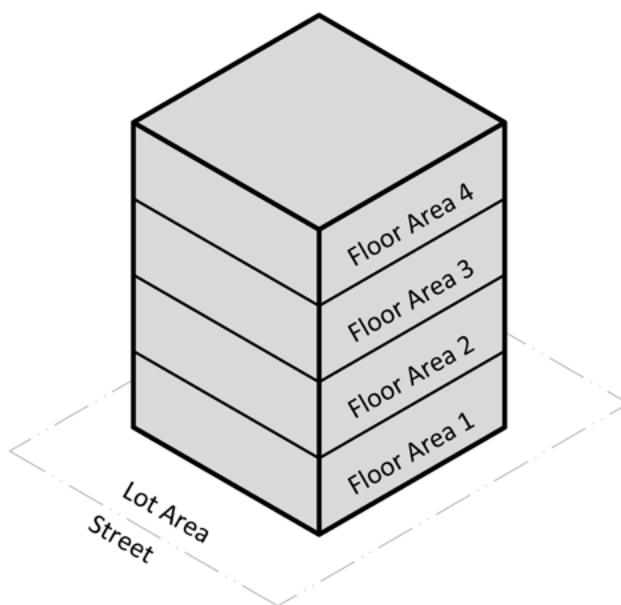
Flanking Street Lot Line means a **Lot Line**, not being a **Front** or **Rear Lot Line** that is common to a **Lot** and a **Street**.

Floor Area is measured to the interior surface of the exterior walls of **Buildings** and includes the area of any mezzanine, exterior hallway, exterior staircase, loft or partial **Storey**, and excludes the following:

- a. the area of any **Balcony**, veranda, exposed deck, patio or roof;
- b. the area of any **Crawlspace** or **Basement**;
- c. the area of **Rooftop Structures**; and
- d. the area that is used to provide bicycle parking required by this bylaw.
- e. the area of any exterior hallway or exterior staircase for **Buildings** existing prior to the date of adoption of this bylaw.

Part 2 - Definitions

Floor Space Ratio means the ratio of the total **Floor Area** of all **Storeys** of all **Buildings** and structures on a **Lot** to the area of the **Lot** on which the **Buildings** are located. The **Floor Space Ratio** of a **Lot** with a water boundary is determined according to the location of the natural boundary at the time the maximum **Floor Space Ratio** regulation is being applied, and not according to any survey previously filed in the Land Title Office.



Floor Space Ratio Calculation: (Example)

Floor Area 1:	345m ² +
Floor Area 2:	345m ² +
Floor Area 3:	345m ² +
Floor Area 3:	345m ² +

Total (Structure): 1380m²

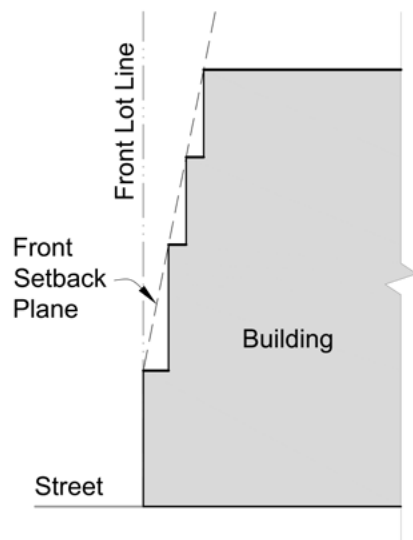
Lot Area: 460m²

Total (Structure)	1380m ² ÷	
Lot Area	460m ²	
	3.00	=

3:1

Front Lot Line means the **Lot Line** abutting a public **Street**, and in the case of a **Corner Lot**, the **Lot Line** having the shortest length abutting one **Street** shall be considered the **Front Lot Line**.

Front Setback Plane means a plane having an angle of inclination expressed as a ratio (rise over run), based at a specified point above the **Front Lot Line**, as illustrated in the following sketch.

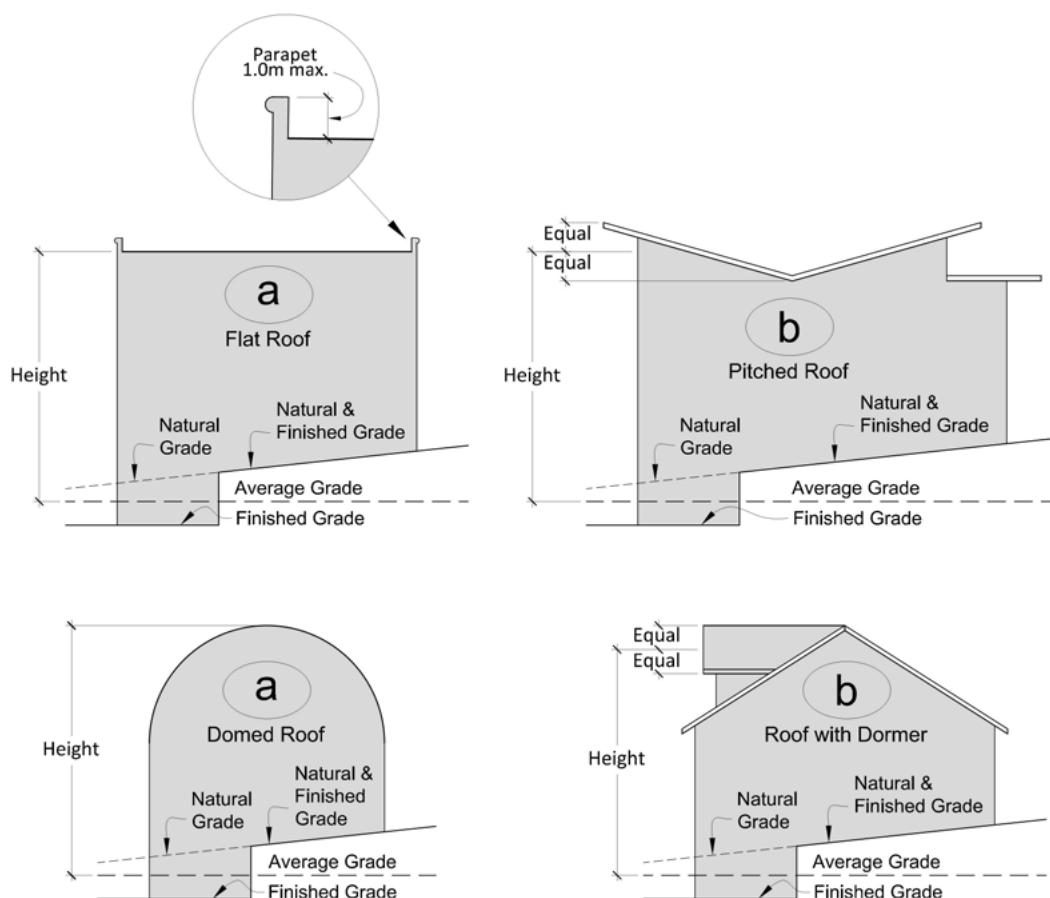


Front Yard means a yard located between the principal **Building** and the **Front Lot Line**, extending the full width of the **Lot**.

Part 2 - Definitions

Height means the distance measured in a vertical straight line between the highest point of a **Building** and the **Average Grade** directly below the highest point; and is determined as follows:

- for **Buildings** with a flat or domed roof, the highest point is the highest part of the roof;
- for **Buildings** with a pitched roof, the highest point is the midpoint between the highest ridge and the highest eave of the roof; and
- for **Buildings** with a gambrel roof, the highest point is the midpoint between the ridge and the hip line of the roof.
- the highest point excludes any mast, rainwater **Cistern**, **Rooftop Structure**, rooftop greenhouse, **Stormwater Retention or Water Quality Facilities** together with their supporting structures.



Landscape Screen means a visual barrier formed by shrubs, trees, fences or masonry walls, or any combination of these or like materials.

Loading Space means a parking space associated with a commercial or industrial use that is used temporarily for the loading or unloading of products or materials.

Lot means an area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a highway or another **Lot**, each division thereof constituting a single area of land shall be deemed to be a separate **Lot**, and includes a strata lot in a bare land strata plan but does not include any other strata lot or an air space parcel.

Lot Area means the area of land within the boundaries of a **Lot**.

Part 2 - Definitions

Lot Coverage means the horizontal area of all **Buildings** and outdoor covered areas on a **Lot**, expressed as a percentage of the **Lot Area**.

Lot Depth means the average distance between the **Front Lot Line** and the **Rear Lot Line** of a **Lot**.

Lot Line means the **Boundary** line of a **Lot**, commonly referred to as the property line, as indicated in a plan registered at the Victoria Land Title Office.

Lot Width means the lesser of the horizontal dimensions of the smallest rectangle within which a **Lot** can be contained.

Natural Grade means the elevation of the ground surface of land prior to any land alteration, including, but not limited to, disturbance, excavation, filling, or construction. Where land alteration has occurred, the **Natural Grade** shall be determined by a building inspector on the basis of historical records or by interpolation from adjacent **Natural Grades**.

Parapet means a vertical projection of a wall at the outer edge of a roof.

Parking Area means all parking spaces, **Driveways** and **Drive Aisles** on a **Lot**.

Permeable means hard surfacing specifically designed to allow water to flow through the surface, but does not include unconsolidated materials such as crushed rock, gravel, grass, earth or other loose materials.

Principal Residence means the usual **Dwelling Unit** where an individual makes their home.

Rear Lot Line means a **Lot Line** opposite to the **Front Lot Line** that spans the width of the **Lot**, provided that in the case of triangular shaped lots with no **Rear Lot Line**, the point of intersection between two **Side Lot Lines** or a **Side Lot Line** and a **Flanking Street Lot Line** shall be deemed the **Rear Lot Line**.

Rooftop Structure includes antennas, elevator penthouses, elevator landings, stair access and landings, mechanical equipment, chimneys, ventilation systems, solar heating panels, green roof systems and similar structures that project above a roof, are non-habitable and which may be enclosed or unenclosed.

Setback means the required separation distance between a **Lot Line** and a **Building**.

Side Lot Line means a **Lot Line**, not being a **Rear Lot Line** that separates two **Lots**.

Storey means the space between two floors of a **Building** or between any floor and the roof next above, but does not include a **Basement**, **Crawlspace** or a **Rooftop Structure**.

Stormwater Retention and Water Quality Facility has the same meaning as under the Sanitary Sewer and Stormwater Utilities Bylaw, as amended or replaced from time to time.

Street includes a lane, road, sidewalk and other public highway.

Unobstructed Access means the ability of the intended user of the parking space to access and egress to the **Street** at the time that the parking space is required.

VicMap means the electronic geographic information system database maintained by the City of Victoria and made available to the public through the City's internet website.

Zoning Map means the zoning information layer in **VicMap** as amended from time to time.

2.2 Use Definitions

1. In this bylaw,

Accessory Building means a **Building** that is subordinate to the principal use on a **Lot**.

Assembly means facilities used for a place of worship, convention facilities, cinemas, commercial recreation facilities and education and training facilities and does not include commercial casinos.

Assisted Living Facility means premises in which housing, meal services, housekeeping services, laundry services, social and recreational opportunities, a 24 hour emergency response system, and one or two prescribed services as defined in the Community Care and Assisted Living Act are provided by or through the operator to 3 or more adults who are not related by blood or marriage to the operator of the premises.

Automotive Repair means facilities used for mechanical or body repairs or inspections of motor vehicles, but does not include the sale of automotive fuel.

Brew Pub (beer, spirits, wine) means facilities used for the consumption of beer, spirits, wine or other alcoholic beverages which are produced and manufactured on the premises and which may be provided in combination with **Food and Beverage Service** or **Retail Trade**.

Cannabis means cannabis as defined in the Controlled Drugs and Substances Act and includes any products containing cannabis.

Care Facility means a day care facility or residential care facility, in each case licensed under the Community Care and Assisted Living Act.

Civic Facility means premises in which government services are provided to the public including but not limited to a legislature, municipal hall, law court, hospital, fire hall, library, ambulance or police station.

Cultural Facility means facilities used for artistic performances and the display of art and cultural artifacts, including but not limited to art galleries, theatres other than cinemas, and museums.

Drinking Establishment means facilities that are licensed through the Liquor Control and Licensing Act for the sale and consumption of liquor within the facilities and where entertainment may be provided in the form of recorded music, live performances or a dance floor including but not limited to nightclubs, bars and pubs.

Equipment Rental means facilities used for the rental of home, **Office**, medical, garden or sports equipment, or motor vehicles.

Financial Service means facilities providing financial services including but not limited to chartered banks, credit unions, trust companies, insurance brokers or mortgage brokers.

Food and Beverage Service includes the operation of catering establishments, portable food vendors, cafes and restaurants.

Foodstand means a container or structure which holds, shelves or otherwise displays products of **Small-scale Commercial Urban Agriculture** for retail purposes outdoors.

Heavy Industrial means fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials.

Part 2 - Definitions

Home Occupation means the use of a **Residential Dwelling Unit** for the practice of a profession, trade, art or craft, by one or more residents of the premises.

Hotel means facilities offering transient lodging accommodation to the general public and may provide accessory uses such as restaurant, meeting rooms and recreational facilities, and includes motels and hostels.

Light Industrial means facilities used for fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials that does not potentially cause neighbourhood impact beyond the premises through noise, odour, vibration or otherwise.

Office means facilities used for the provision of administrative, clerical, management, professional or technical services.

Parkade means parking that is regularly available to the general public whether located above or below grade.

Personal Service means services provided to a person including but not limited to barbering, hairstyling, optometry, spa, medical and dental care, and services provided to the apparel of a customer including laundry and dry cleaning services, tailoring, and shoe, jewellery and watch repair.

Residential means a self-contained **Dwelling Unit** of any type, including **Assisted Living**, **Residential** care facilities, **Studio** uses containing dwelling uses and a **Dwelling Unit** associated with an artist's or artisan's **Studio**.

Residential Lock-off Unit means a self-contained **Dwelling Unit** within a multi-residential building with a lesser **Floor Area** than that of the principal **Dwelling Unit** from which it may be locked off, which must have both independent external access and shared internal access.

Retail Liquor Sale means facilities used for the retail sale of packaged liquor.

Retail Trade means the retail sale, repair, servicing, or refurbishment of consumer goods other than automobiles or automotive fuels, but does not include **Retail Liquor Sale** or **Storefront Cannabis Retailer**.

Service Station means facilities that are used for the retail sale and dispensing of automotive fuels and may also include the retail sale of vehicle accessories, foods, drinks and other convenience goods.

Short-term Rental means the renting of a **Dwelling Unit**, or any portion of it, for a period of less than 30 days and includes vacation rentals.

Small-scale Commercial Urban Agriculture means:

- a. Cultivating and harvesting plants or fungi;
- b. Beekeeping and harvesting honey;
- c. Keeping poultry to collect eggs; or
- d. Sorting, cleaning, packaging, selling or storing for retail purposes the items listed in a. through c. above that had been harvested on the premises.

Part 2 - Definitions

Storefront Cannabis Retailer means premises where **Cannabis** is sold or otherwise provided to a person who attends at the premises.

Studio means a purpose-designed work space for an artist or artisan engaged in an art or craft that is compatible with **Residential** uses, which may include an associated **Dwelling Unit** and in which works produced in the **Studio** may be sold.

Utility means infrastructure that is used to provide water, sewer, drainage, district heat, gas, electrical, or telecommunications service whether located on, above or below ground and includes pump stations and service vaults and kiosks but does not include sewage treatment plants.

3.1 General Regulations

1. Unless a contrary intention appears in another Part of this bylaw, the following regulations apply to all land to which this bylaw applies.
2. Each use that is listed in Part 4 of this bylaw with the heading “Permitted Uses” is permitted in the relevant zone, and all other uses are prohibited in that zone unless a use is permitted under the site specific regulations in which case that use is permitted on the applicable property but is not permitted anywhere else in that zone.
3. The uses permitted in Part 4 of this bylaw include uses that are normally incidental to and associated with the use.
4. Drive through businesses of any kind, including drive through restaurants and **Financial Service** institutions are prohibited in all zones.
5. Storage of rental equipment in an **Equipment Rental** use must be enclosed in a **Building**.
6. The top surface of a **Cistern** must not exceed 15m² in area.
7. A **Dwelling Unit** or premises in a **Building** may be used as a display unit or sales centre for **Residential Dwelling Units** located in the **Building**.
8. A **Studio** use may include an associated **Residential Dwelling Unit** only if at least one artist or artisan engaged in their art or craft on the premises resides in the **Dwelling Unit**.
9. **Home Occupations** must comply with the following:
 - a. A **City** business license is required;
 - b. The sale of goods on the premises is not permitted, except as accessory to the primary business; and
 - c. The provision of escort and dating services within a multi-residential **Building** is not permitted; and
 - d. The operation of any cannabis-related business is not permitted
 - e. The operation of **Short-term Rental** is not permitted, except as provided in sub section 9(i)
 - d. A **Home Occupation** may not create noise, electronic interference, dust, odour, smoke or any other nuisance detectable beyond the premises in which it is being conducted, including in any common areas or other **Dwelling Units** in a multi-residential **Building**.
 - g. No more than three **Home Occupations** shall be carried on in any one **Dwelling Unit**, provided that only one of the **Home Occupations** has customers that attend the **Dwelling Unit**.
 - h. Except as expressly permitted in this bylaw, or in the Sign By-law, no sign or other advertising device or advertising matter may be exhibited or displayed on any **Lot** on which a **Home Occupation** is being carried on.

Part 3 - Use of Land, Buildings and Structures

- i. Subject to the following requirements, a **Short-term Rental** is permitted as a **Home Occupation** in a **Principal Residence**.
 - (i) subject to subparagraph (ii), no more than two bedrooms may be used for **Short-term Rental** and the **Short-term Rental** cannot occupy an entire self-contained **Dwelling Unit**;
 - (ii) the entire **Principal Residence** may be used for a **Short-term Rental** only occasionally while the operator is temporarily away; and
 - (iii) no liquor may be provided to **Short-term Rental** guest.
- 10. **Rooftop Structures** must comply with the following:
 - a. A **Rooftop Structure** must not occupy more than 20% of the roof area of the **Building**; and
 - b. A **Rooftop Structure** must be set back a minimum of 3m from the outer edge of the roof.
- 11. **Small-scale Commercial Urban Agriculture** and sales are permitted in all zones, provided that the use is not noxious or offensive to neighbours or the general public by reason of emitting odor, noise or artificial lighting, and subject to compliance with Part 6, Schedule B of this bylaw.
- 12. Rooftop greenhouses must comply with the following:
 - a. A rooftop greenhouse must not exceed 3.65m in height;
 - b. A rooftop greenhouse must be set back a minimum of 3m from the outer edge of the roof; and
 - c. A rooftop greenhouse must not exceed the lesser of 28m² or 50% of the building roof area.

4.1 Central Business District-1 Zone (CBD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation 	<ul style="list-style-type: none"> l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental. c. <ul style="list-style-type: none"> i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service. ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building. e. Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier. 	
2. Density of Development	
a. Density of Development - Maximum:	3.0:1
3. Height	
a. Height - Maximum:	43.0m
b. Projections into Height - Maximum:	
i. Parapets:	1.0m
ii. Rooftop Structures:	5.0m

Part 4 - Zones

4. Setbacks and Projections

a. Front Setback Plane - Minimum	
i. Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height :	5:1 (Angle of Inclination)
ii. All other Buildings , for any portion above 15.0m in Height :	5:1 (Angle of Inclination)
b. Side and Rear Lot Line Setbacks - Minimum	
i. Exterior walls 20.0m up to 30.0m in Height :	3.0m
ii. Exterior walls over 30.0m and up to 43.0m in Height :	6.0m
iii. Exterior walls abutting Douglas Street 30.0m or more in Height :	9.0m
c. Projections into Setbacks - Maximum	
i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:	0.6m
ii. Exterior wall treatments, insulation and rainscreen systems:	0.13m

5. Motor Vehicle and Bicycle Parking

- a. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw.
- b. Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a **Building**.

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	940 Blanshard Street 735 Broughton Street LOTS 1 & 2 OF LOTS 79-85, 89-92, VICTORIA, VIS4516	a. Maximum Density of Development : 3.08:1	
2.	980 Blanshard Street LOT 1 PLAN 39153 VICTORIA OF LOTS 86/87/88	a. Maximum Density of Development : 3.6:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
3.	1107 Blanshard Street LOT 281, VICTORIA CITY	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
4.	1115 Blanshard Street PARCEL A (DD 189158I) OF LOTS 302 & 303, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
5.	1125 Blanshard Street LOT A PLAN VIP73975 VICTORIA OF LOTS 302 & 303	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
6.	1461 Blanshard Street LOT A PLAN VIP73786 VICTORIA OF LOTS 432 & 433 SEC 339 LGA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
7.	1520 Blanshard Street LOT B OF LOT 1257, VICTORIA, VIP60943	a. Maximum Density of Development : 0.8:1 b. At least 60% of the area of the Lot must be open space. c. No Building or structure, other than a public plaza or Driveway providing access to underground parking, may be located within 18.0m of the western Boundary of the site. d. The Height of a structure that is within 18m of the western Boundary of the site must not exceed the Height of Pandora Avenue or Cormorant Street, whichever is nearer the structure.	
8.	734 Broughton Street LOT 63, VICTORIA	a. Maximum Density of Development : 3.3:1	i. At least 15 bicycle parking spaces are provided on the site; and; ii. The Broughton Street frontage of any Building on the site is glazed and used for Retail Trade or restaurant uses only.
9.	740 Burdett Avenue LOT A PLAN 26090 SECTION 88 VICTORIA & OF LOT 100	a. Maximum Density of Development : 3.6:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
10.	905 Douglas Street LOT A (DD 18381W) OF LOTS 75, 76, 77 AND 94, VICTORIA, PLAN 1061	a. Motor vehicle parking spaces may be provided on a separate Lot within 125m of the use for which they are provided, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner of 905 Douglas Street.	
11.	777 Fort Street STRATA PLAN VIS700	a. Maximum Density of Development : 3.52:1 b. Maximum Floor Area : 1,095m ² c. Maximum Building Height : 15.0m	
12.	778 Fort Street THE W 1/2 OF LOT 28, VICTORIA, EXCEPT THE S 8 FT	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 100m ² ; ii. The use is restricted to the ground floor; iii. Only one Storefront Cannabis Retailer at a time is operational on the Lot .
13.	810 Fort Street LOT 282, VICTORIA, EXCEPT THE S 8 FEET OF SAID LOT TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
14.	814 Fort Street LOT 286 VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
15.	822 Fort Street THE W 30 FT OF LOT 287, VICTORIA, EXCEPT THE S 8 FT THEREOF TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
16.	824 Fort Street EASTERLY 1/2 OF LOT 287, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
17.	826 Fort Street LOT 288, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
18.	838 Fort Street LOT 289, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 2.8:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	
19.	840 Fort Street LOT 290, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	a. Maximum Density of Development : 3.7:1 b. Maximum Building Height : 21.5m c. Maximum Lot Area : 630m ² d. Maximum Lot Coverage : 84%	
20.	848 Fort Street LOT 1 PLAN 27779 VICTORIA LOT 1 OF 291/2	a. Maximum Building Height : 15.0m	
21.	880 Fort Street LOT 293 VICTORIA	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m ² or less, or a width of 18.5m or less.	
22.	722 Johnson Street	a. Parkade is a permitted use	
	LOT 142 VICTORIA	b. Bonus Density of Development : 4.0:1	i. A Parkade is provided within any Building .
23.	727 Johnson Street LOT 33 VICTORIA	a. Hotel is not a permitted use. b. Off-street motor vehicle and Bicycle Parking, Short-term parking spaces are not required.	
		c. Bonus Density of Development : 4.35:1	i. Rehabilitation of the existing Building on the lands in accordance with the heritage conservation plan in Schedule B of the restrictive covenant registered against the title to the lands pursuant to section 219 of the land Title Act; and ii. Provision of a housing agreement pursuant to section 483 of the Local Government Act to require that all Residential dwellings are to be used and occupied as rental units in perpetuity.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
24.	818 Johnson Street THE N 60 FT OF LOT 378, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
25.	844 Johnson Street LOT 1 PLAN 32453 VICTORIA OF LOTS 394/395 & 400/401	a. Maximum Density of Development : 2.5:1 b. Maximum Building Height : 37.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit	i. Lot Coverage does not exceed 50%
		d. Bonus Density of Development : 3.0:1	i. Lot Coverage does not exceed 30%
26.	851 Johnson Street LOT 379 VICTORIA	a. Residential is not a permitted use b. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 25m ² ; ii. The use is restricted to the ground floor.
		c. Maximum Density of Development : 1.5:1 d. Maximum Building Height : 15.0m e. Maximum Lot Coverage : 60%	
27.	881 Johnson Street THE N 60 FT OF LOT 378, VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
28.	823 Pandora Avenue LOT A PLAN VIP63518 VICTORIA OF LOTS 402 407 408 AND 409 SEC 339 LGA	a. Parkade is a permitted use on the west half of the Lot , provided that no motor vehicle parking spaces are located within 6m of a Street . b. Maximum Density of Development for Office and Retail Trade on the west half of the Lot : 2.0:1 c. Maximum Density of Development on the east half of the Lot : 2.0:1 d. Maximum Density of Development for Office on the east half of the Lot : 1.0:1 e. Maximum Building Height on the east half of the Lot : 15.5m	
		f. Bonus Density of Development on the west half of the Lot : 3.5:1	i. At least 200 motor vehicle parking spaces are provided within a Building .

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
29.	1126 Quadra Street LOT 294 VICTORIA PARCEL A	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
30.	1314 Quadra Street LOT 378 VICTORIA S PT	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
31.	1400 Quadra Street LOT 2 OF LOT 397, VICTORIA, PLAN 4255	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
32.	1412 Quadra Street LOT 2, OF LOTS 397 & 398, VICTORIA, PLAN 41744	a. Residential is not a permitted use b. Maximum Density of Development : 1.5:1 c. Maximum Building Height : 15.0m d. Maximum Lot Coverage : 60%	
33.	1420 Quadra Street LOT 1, OF LOTS 398 & 399, VICTORIA, PLAN 41744	a. Maximum Density of Development : 2.0:1 b. Maximum Density of Development for Office : 1.0:1 c. Maximum Building Height : 15.5m	
34.	812 View Street LOT 1, OF LOTS 304, 305, 326, & 327, VICTORIA, PLAN 27731	a. Maximum Density of Development for Retail Trade and Office : 2.0:1	
35.	815 View Street LOT 301, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
36.	865 View Street STRATA PLAN VIS3578	a. Maximum Building Height : 37.0m b. Maximum Density of Development : 3.2:1 c. Not more than 140m ² of Floor Area on the 12 th Storey of any Building may be used for Office uses other than medical or dental Offices . d. Off-street motor vehicle parking spaces are not required in respect of any Floor Area on the 12 th Storey of any Building .	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
37.	706 Yates Street LOT A, VICTORIA, PLAN 46366	a. Bonus Density of Development: 3.8:1	i. A Building provides at least 1850m ² of Floor Area on the first floor for Retail Trade or restaurant use or for pedestrian circulation uses.
38.	769 Yates Street LOT 105 VICTORIA PLAN 1	a. Maximum Density of Development: 3.9:1 b. Maximum Building Height: 15.0m	
39.	858 Yates Street LOT 376 VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15m d. Maximum Lot Coverage: 60%	
40.	866 Yates Street LOT 377 VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15m d. Maximum Lot Coverage: 60%	

4.2 Central Business District-2 Zone (CBD-2)

1. Permitted Uses					
a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation		l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility			
1.1 Location and Siting of Uses					
a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental . c. i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service . ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building . e. Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier.					
2. Density of Development					
a. Density of Development - Maximum:		4.0:1			
b. Density of Development - Maximum for Residential Uses:		3.0:1			
3. Height					
a. Height - Maximum:		HA-1	HA-2	HA-3	HA-4
		72.0m	60.0m	50.0m	45.0m
b. Notwithstanding sub section (a), maximum Height for Buildings or any portion located within 40m from the Lot Line abutting the east side of Douglas Street:		45.0m			
c. Projections into Height - Maximum:					
i. Parapets :		1.0m			
ii. Rooftop Structures :		5.0m			

Part 4 - Zones

4. Setbacks and Projections

a. Front Setback Plane - Minimum	
i. Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height :	5:1 (Angle of Inclination)
ii. All other Buildings , for any portion above 15.0m in Height :	5:1 (Angle of Inclination)
b. Side and Rear Lot Line Setbacks - Minimum	
i. Exterior walls 20.0m up to 30.0m in Height :	3.0m
ii. Exterior walls over 30.0m and up to 45.0m in Height :	6.0m
iii. Exterior walls over 45.0m in Height :	10.0m
iv. Exterior walls abutting Douglas Street 30.0m or more in Height :	9.0m
c. Projections into Setbacks - Maximum	
i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:	0.6m
ii. Exterior wall treatments, insulation and rainscreen systems:	0.13m

5. Motor Vehicle and Bicycle Parking

a. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw.
b. Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a Building .

6. Lot Coverage and Open Space

(Intentionally left blank)

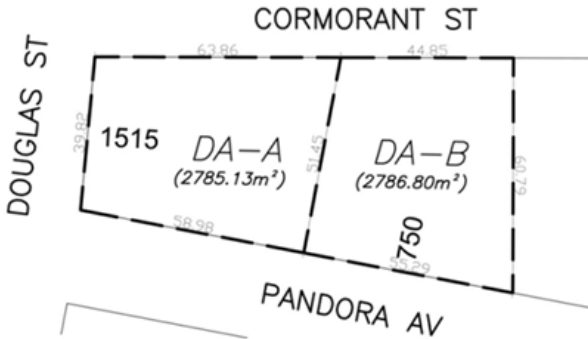
7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	1321 Blanshard Street LOT A OF LOTS 368-370, 385-387 VICTORIA, VIP83640	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 43.0m c. Bonus Density of Development for all uses: 5.0:1	i. At least 80% of the Floor Area is used for Office uses; ii. The south and west frontages of any Building on the site are glazed and used for Retail Trade or restaurant uses only; iii. Public art having a value of at least \$100,000 is provided on the site; and iv. At least 160 motor vehicle parking spaces are provided underground on the site and at least 125 of the spaces are made available for general public use after ordinary office hours.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
2.	<p>1515 Douglas Street 750 Pandora Ave.</p> <p>LOT 1 OF LOT 1247, 1248 AND 1257 VICTORIA EPP27886</p> <p>Development Area – A (DA-A) Development Area – B (DA-B)</p>	<p><i>Note: In this subsection, the “Development Areas” are those depicted in the following sketch as DA-A and DA-B:</i></p> 	
	Development Area - A	<p>a. Maximum Building Height: 29.0m</p> <p>b. Maximum Density of Development: 2.91:1</p> <p>c. Maximum Floor Area for Residential uses: in Development Area DA-A must not exceed 7,468m².</p> <p>d. Up to 258m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from floor area calculations.</p> <p>e. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces.</p> <p>f. Maximum Lot Coverage: 78%</p> <p>g. Bonus Density of Development: 3.7:1</p>	<p>i. At least 140 motor vehicle parking spaces are provided underground on the site in addition to those otherwise required by Section 7 of this Part;</p> <p>ii. At least 34 Bicycle Parking Long-term spaces and 34 storage lockers for use by cyclists are provided on the site.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
	Development Area - B	<p>h. Maximum Building Height: 56.5m</p> <p>i. Maximum Density of Development 2.86:1</p> <p>j. Up to 400m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from Floor Area calculations.</p> <p>k. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the motor vehicle parking spaces.</p> <p>l. Maximum Lot Coverage: 61%</p>	
		<p>m. Bonus Density of Development: 5.88:1</p>	<p>i. A public walkway with an average width of 3.7m and a minimum width at all points of 3m is constructed on the site to connect Pandora Avenue and Cormorant Street, and secured by a statutory right of way and covenant in favour of the City.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
3.	<p>1701 Douglas Street/770 Fisgard Street</p> <p>LOT 1 OF LOTS 692 TO 696 INCLUSIVE, AND OF LOTS 707 TO 711 INCLUSIVE, VICTORIA,EPP3862</p> <p>(Development Area 1)</p>	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces.</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1 cm for each 5cm of building Height that exceeds 10m.</p> <p>e. Bonus Density of Development for all uses: 3.26:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
4.	<p>780 Fisgard Street</p> <p>LOT 2 OF LOTS 696 TO 698 INCLUSIVE, AND OF LOTS 705 TO 707 INCLUSIVE, VICTORIA EPP3862 EXCEPT PART IN AIR SPACE EPP38768</p> <p>(Development Area 2)</p>	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, including an air space parcel, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m.</p> <p>e. Bonus Density of Development: 4.88:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all dwelling units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
5.	1700 Blanshard Street LOT A, OF LOTS 699 TO 700 INCLUSIVE, AND OF LOTS 703 TO 707 INCLUSIVE, VICTORIA, PLAN 13333, EXCEPT PART IN PLAN EPP3862 (Development Area 3)	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the parking area and an easement in favour of the owner who requires the parking spaces.</p> <p>c. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m.</p> <p>d. Bonus Density of Development for all uses: 7.47:1</p>	<p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a Housing Agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
6.	1406 Blanshard Street LOT 2 OF LOTS 147 & 148, VICTORIA, VIS6683	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 43.0m c. There are no minimum front, side or rear yard setbacks required d. Bonus Density of Development for all uses: 6.06:1	i. At least 3700m ² of Residential Floor Area is provided; ii. Retail Trade and restaurant uses only are operated at grade level; iii. Landscaped open space accessible to the public is provided between the Building on the site and the adjacent Streets ; and iv. All motor vehicle parking spaces other than those for visitor use are provided underground.
7.	1810 Blanshard Street LOT A, OF LOTS 717-720, VICTORIA, VIP52793	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 43.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit , and for Office uses is 1 space per 170m ² of Floor Area . d. Bonus Density of Development for all uses: 5.0:1	i. The site has an area of at least 2,000m ² ; ii. No fewer than 80 underground motor vehicle parking spaces are provided on the Lot ; and iii. At least 10% of the area of the Lot adjacent to the intersection of Blanshard and Herald Streets is an open plaza to a Height of at least 5.5m above grade.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
8.	720 Broughton Street LOT A PLAN VIP59410 VICTORIA OF LOTS 57 58 59 AND 60	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit and for Office uses is 1 space per 95m² of Floor Area, and no other motor vehicle parking or Loading Spaces are required.</p> <p>d. Bonus Density of Development for all uses: 4.6:1</p>	<p>i. The site has an area of at least 2,500m²;</p> <p>ii. All motor vehicle parking spaces are provided underground;</p> <p>iii. At least 425m² of open space is provided on the site; and</p> <p>iv. At least 50% of the site frontage on Douglas and Broughton Streets is in use for Retail Trade, restaurant or Financial Services uses having direct pedestrian access from one of those streets.</p>
9.	732 Cormorant Avenue STRATA PLAN VIS5950	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. Residential uses are permitted on the First Storey.</p> <p>d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.6 spaces per Dwelling Unit.</p> <p>e. Bonus Density of Development for all uses: 4.75:1</p>	<p>i. At least 50% of the Floor Area on the site is Residential.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
10.	809 Douglas Street LOT 1 OF LOTS 95-98 AND 104, VICTORIA VIS6797	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 43.0m c. Bonus Density of Development for all uses: 5.5:1	i. At least 10,000m ² of Residential Floor Area is provided; ii. Retail Trade and restaurant uses only are operated at grade level; iii. Landscaped open space accessible to the public is provided at grade level; iv. All motor vehicle parking spaces other than those for visitor use are provided underground; and v. Public art having a value of at least \$150,000 is provided on the site.
11.	1405 Douglas Street LOT 1 OF LOTS 139 & 140, VICTORIA, PLAN 21972	a. Maximum Density of Development for all uses: 4:1 b. Maximum Building Height : 43.0m c. Individual Retail Trade and restaurant premises must have a Floor Area of at least 70m ² . d. Grade level Douglas Street site frontage and Johnson Street site frontage that is within 6m of Douglas Street may be used only for Retail Trade and restaurant uses. e. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit .	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
12.	741 Fisgard Street LOT 684 & LOT 683, VICTORIA, EXCEPT PART SHOWN COLOURED RED ON PLAN 316 BL, THE E 1/2 OF LOT 685 AND THE W 1/2 OF LOT 685, VICTORIA	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 58.0m</p> <p>c. At least 140 motor vehicle parking spaces must be provided underground.</p> <p>d. At least 42 bicycle parking spaces must be provided.</p> <p>e. Bonus Density of Development for all uses: 7.6:1</p>	<p>i. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City;</p> <p>ii. A statutory right of way is granted to the City for the 2m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses;</p> <p>iii. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City;</p> <p>iv. A statutory right of way is granted to the City for the 2 m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses;</p> <p>v. Public art having a value of at least \$350,000 is provided on the site; and</p> <p>vi. The owner contributes at least \$100,000 to the City's Housing Reserve Trust Fund.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
13.	834 Johnson Street STRATA PLAN EPS522	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 41.0m c. Bonus Density of Development for all uses: 5.76:1	i. The Floor Area of Office uses may not exceed 60% of the area of the site; ii. The Floor Area of non- Residential uses, excluding areas used for underground motor vehicle parking spaces, may not exceed 50% of the Floor Area on the site; iii. Non- Residential uses other than Home Occupations are not permitted above the second Storey ; iv. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.65 spaces per Dwelling Unit , and no motor vehicle parking spaces are required for non- Residential uses; and v. At least 15% of the area of the site must be open space.
14.	1250 Quadra Street LOT A PLAN 19445 VICTORIA OF LOTS 311/314 849 Yates LOT 315 VICTORIA	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 37.0m c. Bonus Density of Development for all uses: 4.0:1	i. The owner enters into a housing agreement with the City that requires at least 33 Dwelling Units on the site to be rental units. ii. At least 35% of the area of the site is open space; and iii. All motor vehicle parking spaces are provided underground.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
15.	835 View Street STRATA PLAN VIS3578	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 37.0m c. At least 39% of the area of the site must be open space. d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit . e. Bonus Density of Development for all uses: 4.4:1	i. For any Building with at least 8000m ² of Floor Area used for Residential uses, and the proportion of Residential use of the site is unrestricted.
16.	728 Yates Street STRATA PLAN EPS2516	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 48.0m c. Bonus Density of Development for all uses: 6.4:1	i. The façade of the Building at 738-740 Yates Street is conserved, including restoration of the brick Parapet and upper façade brick; ii. Grade level Yates Street site frontage and the site frontage on the walkway is used only for Retail Trade and restaurant uses; and iii. A landscaped area of at least 50m ² is provided for public use between any Building on the site and Yates Street.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
17.	743 Yates Street STRATA PLAN VIS4308	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 46.5m</p> <p>c. Bonus Density of Development for all uses: 5.4:1</p> <p>d. Bonus Density of Development for all uses: 5.6:1</p>	<p>i. At least 150m² of Floor Area is in use for child care services;</p> <p>ii. At least 50m² of open space is provided along each Lot Line that abuts a Street;</p> <p>iii. At least 43 motor vehicle parking spaces are provided in addition to those otherwise required by Section 7 of this Part; and</p> <p>iv. At least 50% of the site frontage on View and Yates Streets is in use for Retail Trade, Office or Financial Services uses having direct pedestrian access from one of those streets.</p> <p>i. The conditions described above in sub sections (i.) thru (iv.) are met and an area equal to at least 20% of the site area is in use for an enclosed public arcade or mall.</p>

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
18.	819 Yates Street LOT A, DISTRICT LOTS 306, 307, 324 & 325, VICTORIA, PLAN 33016	<p>a. Maximum Density of Development: 3.0:1</p> <p>b. Maximum Building Height: 55.0m</p> <p>c. Residential uses may be located on the First Storey.</p> <p>d. Buildings with frontage on Yates Street must be sited at least 1.4m from the Street to the 10m Height level and 3.5m from the Street above that level.</p> <p>e. Buildings with frontage on View Street must be sited at least 1.5m from the Street to the 10m Height level and 5.3m from the Street above that level.</p> <p>f. Buildings must be sited at least 3.0m from the easterly Boundary of the site.</p> <p>g. Bonus Density of Development for all uses: 5.83:1</p>	<p>i. A public walkway at least 3.0m wide is constructed on the site to connect Yates Street to View Street along the easterly Boundary of the site, and secured by a statutory right of way in favour of the City.</p> <p>ii. At least 80% of the Floor Area is Residential</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement for at least 10 years following issuance of an occupancy permit for any Dwelling Unit;</p> <p>iv. Public art having a value of at least \$100,000 is provided on the site; and</p> <p>v. The owner contributes at least \$100,000 to the City's Housing Reserve Trust Fund.</p>
19.	836 Yates LOT A OF LOTS 373 & 382, VICTORIA, PLAN 60321	<p>a. Maximum Density of Development for all uses: 4.0:1</p> <p>b. Maximum Building Height: 43.0m</p> <p>c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit.</p>	

4.3 Mixed Use Residential District-1 Zone (MRD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Care Facility d. Civic Facility e. Financial Service f. Food and Beverage Service g. Home Occupation h. Office 	<ul style="list-style-type: none"> i. Personal Service j. Residential k. Residential Lock-off Unit l. Retail Trade m. Small-scale Commercial Urban Agriculture n. Studio o. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. Non-Residential uses, other than Home Occupation, are not permitted above the second Storey. b. A maximum 50% of the Floor Area may be used for non-Residential uses. 	
2. Density of Development	
<ul style="list-style-type: none"> a. Density of Development - Maximum for Office: 	0.6:1
3. Height - Maximum	
<ul style="list-style-type: none"> a. Height - Maximum: b. Projections into Height: <ul style="list-style-type: none"> i. Parapets: ii. Rooftop Structures: 	<ul style="list-style-type: none"> 30.0m 1.0m 5.0m
4. Setbacks and Projections	
<ul style="list-style-type: none"> a. Front Lot Line Setback - Minimum <ul style="list-style-type: none"> i. Buildings with Residential use on First Storey: ii. Buildings with non-Residential use on First Storey: b. Projections into Setbacks - Maximum: <ul style="list-style-type: none"> i. Balconies, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: ii. Exterior wall treatments, insulation and rainscreen systems: 	<ul style="list-style-type: none"> 3.5m 0.5m 0.6m 0.13m
5. Motor Vehicle and Bicycle Parking	
<ul style="list-style-type: none"> a. Notwithstanding the requirements contained in Part 5 of this bylaw, no motor vehicle parking is required. b. Notwithstanding the requirements contained in Part 5 of this bylaw, all motor vehicle parking must be located within a Building. 	

4.4 Old Town District-1 Zone (OTD-1)

1. Permitted Uses	
<ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation 	<ul style="list-style-type: none"> l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility
1.1 Location and Siting of Uses	
<ul style="list-style-type: none"> a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles are permitted outside of a Building for the use of Equipment Rental. c. <ul style="list-style-type: none"> i. The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service. ii. Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building, except where located directly adjacent to, and where direct access is provided to a lane, alleyway, through-block walkway or interior courtyard. 	
2. Density of Development	
<ul style="list-style-type: none"> a. Density of Development - Maximum: b. Density of Development - Maximum for Office within any Building constructed after 1914. 	<ul style="list-style-type: none"> 3.0:1 1.0:1
3. Height - Maximum	
<ul style="list-style-type: none"> a. Height - Maximum: b. Projections into Height: <ul style="list-style-type: none"> i. Parapets: ii. Rooftop Structures: 	<ul style="list-style-type: none"> 15.0m 1.0m 5.0m

Part 4 - Zones

4. Setbacks and Projections

- a. Projections into **Setbacks** - Maximum:
- i. **Balconies**, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: 0.6m
 - ii. Exterior wall treatments, insulation and rainscreen systems: 0.13m

5. Motor Vehicle and Bicycle Parking

- a. Motor vehicle parking is only required for any **Lot** that has an overall area of 1100m² or greater, and subject to paragraph (b), shall be provided in accordance with Part 5 of this bylaw.
- b. Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a **Building**.

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	10 Bastion Square Parcel E (DD 169756-I) of Lots 197, 198, 200 & 204	a. Off-street motor vehicle parking is not required	
2.	28 to 30 Bastion Square Lot 1 Plan VIP17052	a. Off-street motor vehicle parking is not required	
3.	1215 Broad Street Lot 1 Plan VIP64889	a. Maximum Building Height : 43.0m	
4.	1415 to 1419 Broad Street Lot 666 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
5.	525 Broughton Street Strata Plan VIS730	a. Maximum Density of Development for all uses: 3.0:1	
6.	608 Broughton Street Lot 1 Plan EPS1336	a. Maximum Building Height : 34.0m b. Bonus Density of Development : 5.1:1	i. Retail Trade or restaurant provided as the principal ground level uses; and ii. A minimum of 45 motor vehicle parking spaces are provided, of which at least 35 are located underground and two are permitted to be stacked one behind the other.

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
7.	617 Broughton Street Lot A Plan VIP14044	a. Parkade is a permitted use. b. Maximum Density of Development : 3.9:1	
8.	1 Centennial Square Lot 2 Plan VIP76432	a. Maximum Density of Development for all uses: 3.0:1	
9.	629 Chatham Street Lot 633 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
10.	635 Chatham Street Lot 632 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
11.	611 to 623 Chatham Street Lot 634 & 635 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
12.	619 - 625 Courtney Street Lot 4 Plan VIS4624	a. Maximum Building Height : 20.3m b. Maximum Floor Area for Brew Pub (beer, spirits, wine) : 250m ² c. Bonus Density of Development : 4.6:1	i. A minimum of 630m ² of the First Storey area of a Building and at least 50% of the Building's interior First Storey area adjacent to Street frontage are devoted to Retail Trade or restaurant use.
13.	631 - 639 Courtney Street 634/38 Humbolt Street 808 Douglass Street Lot 1 Plan 26451	a. The minimum number of off-street motor vehicle parking spaces for Residential Uses is 0.25 spaces per Dwelling Unit .	
14.	818 Douglas Street Lot 2 Plan VIP26451	a. Maximum Density of Development for all uses: 3.0:1	
15.	850 Douglas Street Lot 1 Plan VIP16810	a. Maximum Building Height : 43.0m	
16.	1150 Douglas Street Lot A Plan VIP48135	a. Maximum Density of Development for all uses: 3.0:1	
17.	1200 Douglas Street Lot B Plan VIP48444	a. Maximum Building Height : 43.0m	
18.	1214 Douglas Street Lot A Plan VIP48444	a. Maximum Building Height : 43.0m	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
19.	1222 Douglas Street S. Pt. Lot 426 & E. Pt. Lot 427 and Pcl. A of Lots 427/428 City Plan	a. Maximum Building Height : 43.0m	
20.	1280 Douglas Street Lot 426 Plan CITY	a. Maximum Building Height : 43.0m	
21.	1402 Douglas Street The Easterly 60 Feet of Lot 671 Plan CITY	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 200m ² ; ii. Only one Storefront Cannabis Retailer at a time is operational on the Lot .
22.	1672 Douglas Street Lot A Plan VIP11299	a. Maximum Density of Development for all uses: 3.0:1	
23.	1708 Douglas Street Lot 609 & 610 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
24.	1720 Douglas Street LOT 611 & 612, VICTORIA, CITY	a. Maximum Density of Development for all uses: 3.0:1	
25.	1802 Douglas Street Lot 1 Plan VIP36720	a. Maximum Building Height : 26.0m b. Bonus Density of Development : 5.0:1	i. At least 270m ² of First Storey space is provided for Retail Trade or restaurant use; ii. At least 17m of linear Building Floor Area along Herald Street is used for Retail Trade or restaurant use; iii. At least 10% of the Lot Area adjacent to the Street intersection is maintained as a Street level open plaza to a distance of not less than 5.5m above Street level ; and iv. A minimum of 60 underground on-site motor vehicle parking spaces are provided.
26.	1850 Douglas Street Lot A Plan VIP25475	a. Maximum Density of Development for all uses: 3.0:1	
27.	505 Fisgard Street Lot A Plan VIP42419	a. Maximum Floor Area used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages is the lesser of 190.4m ² or 46% of the site area.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
28.	517-519 Fisgard Street Lot 4 Plan EPS1833 524-528 Pandora Ave. Lot 2 Plan EPS1833 530 Pandora Ave. Lot 1 Plan EPS1833	a. Maximum Density of Development : 5.5:1 b. Parkade is a permitted use. c. Off-street motor vehicle parking is not required	
29.	618 Fisgard Street Lot 604 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
30.	625 Fisgard Street Lot 1 Plan VIP76432	a. Maximum Density of Development for all uses: 3.0:1	
31.	638 Fisgard Street Lot 1 Plan VIP55957	a. Residential uses may be located on the First Storey except within 3m from any Street . b. Maximum Building Height : 22.0m c. Bonus Density of Development : 4.0:1	i. A minimum Density of Development of 2.0:1 is provided for Residential uses.
32.	520 Fort Street Lot A Plan VIP23498	a. Maximum Density of Development for all uses: 3.0:1	
33.	623 Fort Street Lot A Plan VIP87839	a. Bicycle Parking, Short-Term stalls are not required. b. Bonus Density of Development : 3.38:1 for all uses	i. At least 75% of the total Floor Area of the Building is provided exclusively for Office uses.
34.	685-695 Fort Street 1060-1080 Douglas Street Lot 1 Plan VIP16563	a. Maximum Building Height : 43.0m	
35.	801 Government Street Lot A Plan VIP27815	a. Off-street motor vehicle parking is not required	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
36.	888 Government Street Lot A Plan EPP69462	a. Maximum Floor Area for Brew Pub (beer, spirits, wine) : 175m ² b. Maximum Building Height : 17.7m c. Maximum Floor Area for Retail Liquor Sale : 50m ² where provided as an accessory use to Brew Pub (beer, spirits, wine) . d. Off-street motor vehicle parking is not required e. Bonus Density of Development : 4.0:1	i. Rehabilitation of the façade of the existing Customs House on the westerly portion of the site in accordance with Heritage Revitalization Agreement Bylaw no. 15-057.
37.	900 Government Street Lot Plan VIP918 BL	a. Maximum Density of Development for all uses: 3.0:1	
38.	910 Government Street 955 Wharf Street 525 Broughton Street Strata Plan VIS612 Strata Plan VIS730	a. Maximum Density of Development for all uses: 3.0:1 b. A minimum of 220 motor vehicle parking spaces shall be provided c. A minimum of 15% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Retail Trade . d. A maximum of 85% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Office .	
39.	1001 Government Street Lot 7 & 8 Plan VIP2671	a. Maximum Building Height : 16.0m b. Maximum Density of Development : 4.1:1	i. Where Retail Trade, Offices and financial institutions have direct access to and are located along at least 50% of the Street frontage along Government Street.
40.	1230 Government Street Lot 1 Plan VIP7696	a. Maximum Density of Development for all uses: 3.0:1	
41.	1312 Government Street Lot 1 Plan EPS1881 1314 Government Street Lot 2 Plan EPS1881 Portion on Roadway Lot Plan EPP37406	a. Maximum Building Height : 18.6m b. Bonus Density of Development : 3.85:1	i. A conservation covenant of the existing Building is provided ii. A Housing Agreement is established to require that all Residential dwellings in this Zone are provided as rental units.
42.	1411 Government Street Lot 1 Plan VIS4995	a. Maximum Density of Development : 3.32:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
43.	1450 Government Street Lot 1 Plan VIS6012 595 Pandora Ave. Lot 1 Plan VIP77724 599 Pandora Ave. Lot 2 Plan VIS6012	a. Maximum Density of Development : 2.2:1 b. Maximum Building Height : 15.2m c. Maximum Lot Coverage : 70%	
44.	1701 Government Street Lot A Plan VIP2779	a. Maximum Density of Development for all uses: 3.0:1	
45.	1725 Government Street Lot 1 Plan EPS569	a. Maximum Density of Development for all uses: 3.0:1	
46.	1885 Government Street Lot A Plan VIP45681	a. Automotive Repair is the only permitted use	
47.	461 Herald Street Lot A Plan VIP33307	a. Residential uses are prohibited b. Maximum Density of Development for Office and all other uses: 1.5:1 c. Bonus Density of Development : 2.0:1	i. At least 500m ² of First Storey area is used for Retail Trade or restaurant.
48.	517 Herald Street Lot 1, Victoria, Plan 14527	a. Off-street motor vehicle parking is not required	
49.	530 - 532 Herald Street Lot A Plan VIP68503	a. Off-street motor vehicle parking is not required	
50.	536 Herald Street Lot A Plan VIP72416	a. Off-street motor vehicle parking is not required	
51.	601 Herald Street Lot 3 Plan EPS569	a. Maximum Density of Development for all uses: 3.0:1	
52.	610 Herald Street LOT 620, 621, AND 622, VICTORIA	a. Maximum Density of Development for all uses: 3.0:1	
53.	613 Herald Street Lot 617 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
54.	618 Herald Street Lot 623 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
55.	624 Herald Street Lot 624 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
56.	648 - 652 Herald Street Lot 3 Plan VIS5362	a. Maximum Density of Development for all uses: 3.0:1	
57.	655 Herald Street Lot A Plan VIP42094	a. Maximum Density of Development for all uses: 3.0:1	
58.	658 Herald Street Lot 626 Plan City	a. Maximum Density of Development for all uses: 3.0:1	
59.	681 Herald Street Lot 613 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
60.	521 Johnson Street Lot A Plan VIP34849	a. Off-street motor vehicle parking is not required	
61.	634 Johnson Street Lot A Plan VIP34894	a. Only the following uses are permitted: Hotel, Retail Trade and restaurant b. Maximum Density of Development : 5.23:1 c. Maximum Building Height : 23.0m	
62.	506 Pandora Ave. Lot 1 Plan EPP35103	a. The maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) is the lesser of 190.4m ² or 44% of the Lot Area . b. The maximum Floor Area for a Drinking Establishment is 146.2m ²	
63.	595 Pandora Ave. Lot 1 Plan VIP77724	a. Off-street motor vehicle parking is not required	
64.	599 Pandora Ave. Lot 2 Plan VIS6012	a. Off-street motor vehicle parking is not required	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
65.	603 Pandora Ave. Lot 1 Plan VIP7110	a. Maximum Floor Area : 6793m ² b. Maximum Building Height : 23.1m c. Maximum Lot Coverage : 89% d. Bonus Density of Development : 4.57:1	i. Rehabilitation of the existing Plaza Hotel Building in accordance with Heritage Revitalization Agreement (603-607 Pandora Avenue) Bylaw No. 13-040; ii. Construction of a public plaza at the corner of Government Street and Pandora Avenue valued at least \$180,000; and iii. Payment to the City of Victoria of \$27,500 to contribute to the long term maintenance of the public water feature to be constructed as part of the public plaza.
66.	625 Pandora Street Lot 1 Plan VIP32978	a. Maximum Density of Development for all uses: 3.0:1	
67.	1441 Store Street Lot 1 Plan VIS1580	a. Maximum Density of Development : 4.0:1	
68.	1610 Store Street Lots 1 to 127 Plan EPS3614 456 Pandora Avenue Lots 1 to 127 Plan EPS3614	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated. b. Off-street motor vehicle parking is not required	
69.	1622 - 1624 Store Street Lot A Victoria EPP70042	a. Off-street motor vehicle parking is not required	
70.	1624 Store Street Lot 1 Plan VIP5617	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	
71.	1630 Store Street Parcel A (DD 83205I) of Lot 126 City Plan	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
72.	1705 Store Street Lot 1 of Lot 451, 452, 467 & 468 Victoria City Plan VIP76332	a. Automotive Repair is the only permitted use on the south half of the Lot . b. Maximum Building Height : 11.0m c. Not more than one Building is permitted on the Lot . d. Minimum setback to any Street on the south half of the Lot : 4.5m e. Off-street motor vehicle parking is not required on the north half of the Lot .	
73.	1720 Store Street Lot A Plan VIP18303	a. Residential uses are prohibited b. Maximum Density of Development for Office and all other uses: 1.5:1 c. Off-street motor vehicle parking is not required d. Bonus Density of Development : 2.0:1	i. At least 500m ² of First Storey area is used for Retail Trade or restaurant.
74.	407-409 Swift Street Lot 100 Plan VIS4930	a. Docks, public washrooms and showers are permitted uses. b. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ² c. Off-street motor vehicle parking is not required	
75.	440 Swift Street Lot A Plan VIP85421	a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development : 1.5:1 c. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ² d. Off-street motor vehicle parking is not required	
76.	450 Swift Street Lot 1 Plan VIP36884	a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development : 1.5:1 c. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) : 200m ²	
77.	467 Swift Street Lot A Plan VIP49848	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	
78.	650 View Street Lot C Plan VIP48444	a. Maximum Building Height : 43.0m	

Part 4 - Zones

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
79.	1019 Wharf Street Lot 1 Plan VIP21300	a. Off-street motor vehicle parking is not required	
80.	503 Yates Street Lot 1 Plan VIP7167	a. Off-street motor vehicle parking is not required	
81.	524 Yates Street Lot 1 Plan VIS6630	a. Off-street motor vehicle parking is not required	
82.	546 Yates Street LOT 1 OF LOTS 175, 176, 186, 187, VICTORIA, PLAN 30210	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 800m ² ; ii. The use is restricted to the ground floor; and iii. Only one Storefront Cannabis Retailer at a time is operational on the property.
83.	575 Yates Street Lot 2 Plan VIP18712	a. Off-street motor vehicle parking is not required	
84.	615 Yates Street Lot 1 Plan VIP38582	a. Off-street motor vehicle parking is not required	

5.1 Off-Street Parking Regulations

1. Required Vehicle and Bicycle Parking Spaces

- a. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Column A	Column B	Column C
Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
Residential		
Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>)	0.65 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.80 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1.20 spaces per Dwelling Unit that is more than 70m ²	
Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement)	0.50 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.60 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1 space per Dwelling Unit that is more than 70m ²	
Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement)	0.20 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.50 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	0.75 spaces per Dwelling Unit that is more than 70m ²	
All other multiple dwellings	0.65 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit
	0.80 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²	
	1.20 spaces per Dwelling Unit that is more than 70m ²	
Assisted Living Facility	0.35 spaces per Dwelling Unit or residential unit	0.10 spaces per Dwelling Unit or residential unit
Commercial		
Hotel	0.25 spaces per room	-

- b. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street bicycle parking spaces in accordance with Table 2 of this Part and calculated in accordance with Table 2 of this Part.

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Table 2: Minimum Number of Required Bicycle Parking Spaces

Column A	Column B	Column C
Use or Class of Use	Minimum Number of Bicycle Parking, Long-Term Spaces	Minimum Number of Bicycle Parking, Short-Term Spaces
Residential		
Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement)	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
	1.25 spaces per Dwelling Unit that is 45m ² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Assisted Living Facility	1 space per 20 Dwelling Units or residential unit	1 space per 50 Dwelling Units or residential units
Commercial		
Brew Pub (beer, spirits, wine)	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Drinking Establishment	1 space per 400m ² of Floor Area , or part thereof	1 space per 100m ² of Floor Area , or part thereof
Equipment Rental	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Financial Service	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Food and Beverage Service	1 space per 400m ² of Floor Area plus outside seating and serving area, or part thereof	1 space per 100m ² of Floor Area plus outside seating and serving area, or part thereof
Hotel	1 space per 25 rooms	1 space per 40 rooms
Office	1 space per 150m ² of Floor Area , or part thereof	1 space per 400m ² of Floor Area , or part thereof
Personal Service	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Retail Liquor Sale	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Retail Trade	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Storefront Cannabis Retailer	1 space per 200m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof
Institutional		
Assembly	-	1 space per 200m ² of Floor Area , or part thereof
Civic Facility	1 space per 400m ² of Floor Area , or part thereof	1 space per 400m ² of Floor Area , or part thereof
Cultural Facility	1 space per 450m ² of Floor Area , or part thereof	1 space per 130m ² of Floor Area , or part thereof
Care Facility	1 space per 700m ² of Floor Area , or part thereof	1 space per 200m ² of Floor Area , or part thereof

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

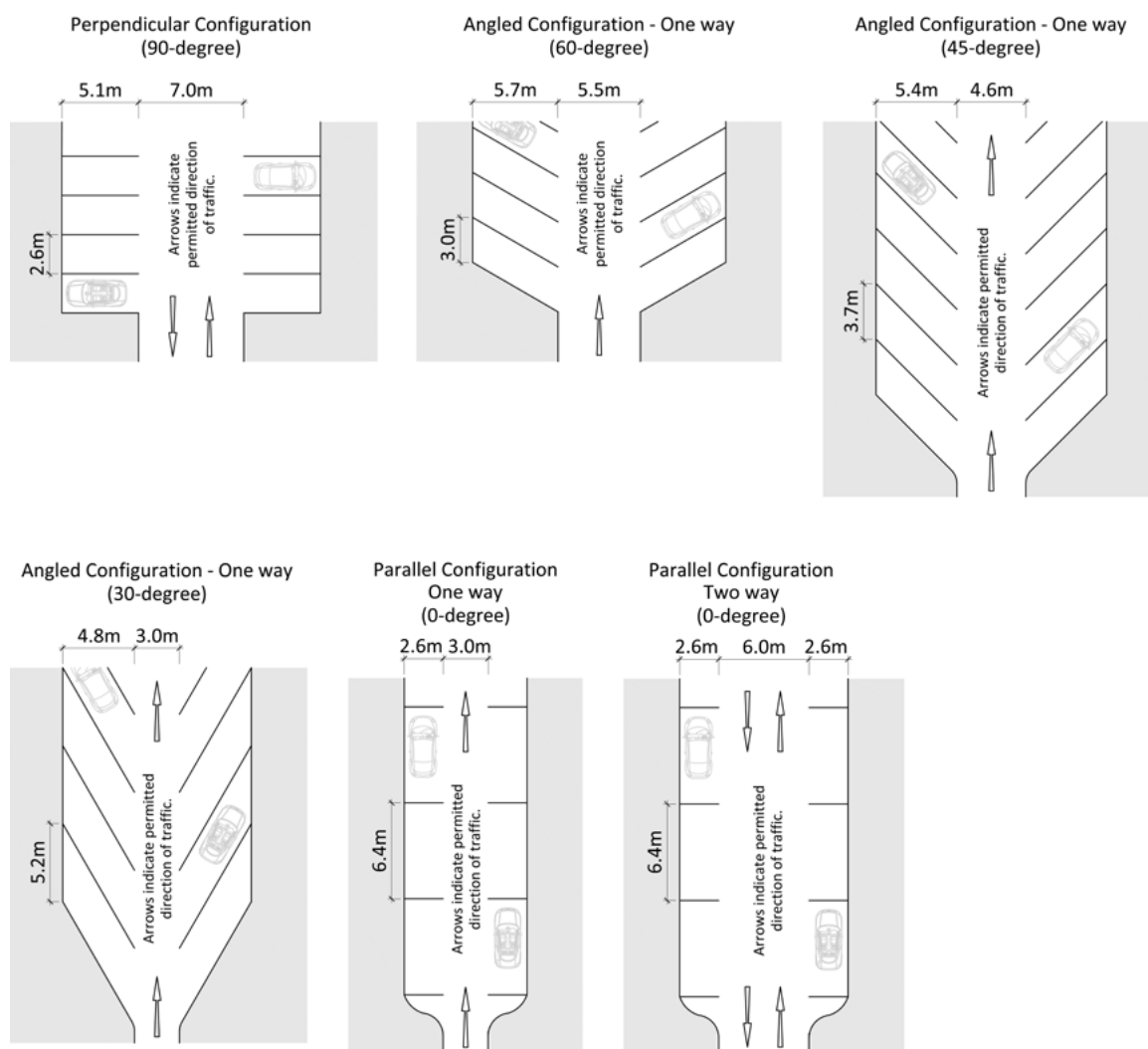
2. Vehicle Parking Appearance

- Each vehicle parking space must be clearly delineated on the parking surface.
- Each visitor vehicle parking space required under this bylaw must be clearly identified for the sole use of visitors.

3. Vehicle Parking Location and Dimensions

- All vehicle parking spaces required under this bylaw must be provided on the same **Lot** as the **Building** or use which they serve.
- A vehicle parking space must have **Unobstructed Access**.
- All vehicle parking spaces and **Drive Aisles** must have dimensions not less than those identified in Figure 1 of this Part.

Figure 1: Minimum Parking Space and **Drive Aisle** Dimensions (all measurements in metres)



Part 5 - Requirements for Motor Vehicle and Bicycle Parking

- d. One way access and egress through the **Parking Area** is required where:
 - i. More than one vehicle parking space is provided in the **Parking Area**, and
 - ii. The vehicle parking spaces are not configured parallel or perpendicular to the **Drive Aisle**.
- e. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
- f. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
- g. Where a vehicle parking space or **Drive Aisle** is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.
- h. Where a **Drive Aisle** or parking space is located within 6.0m of a **Street Boundary** it must comply with applicable grade requirements prescribed in this Part and the Highway Access Bylaw.
 - i. The maximum grade for a **Drive Aisle** or parking stall is 8%.
 - ii. The maximum grade for a **Driveway** is 15%.

Example: Maximum Grades for Parking Areas



Example parkade configuration

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

4. Bicycle Parking Specifications

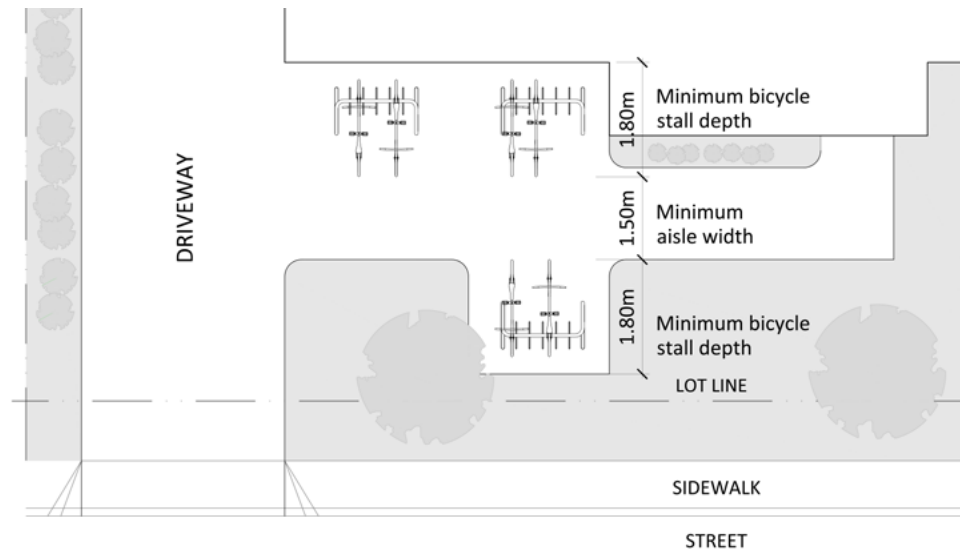
- a. All bicycle parking spaces required under this bylaw must be provided on the same **Lot** as the Building or use which they serve.
- b. Each **Bicycle Parking, Short-Term** space required under this bylaw must be:
 - i. designed and installed to the minimum dimensions shown in Table 3 of this Part; and
 - ii. provided as a bicycle rack that is permanently anchored to the ground or a wall.
- c. Each **Bicycle Parking, Short-Term** space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a **Building** entrance that is accessible by visitors.
- d. Notwithstanding section (c), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- e. Each **Bicycle Parking, Short-Term** space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a **Building** entrance that is accessible by the public.
- f. Notwithstanding section (e), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- g. Each **Bicycle Parking, Short-Term** space required under this bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary Building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

	Ground Anchored Rack		Wall Mounted Rack	
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a Building)	>45 degrees	<45 degrees	>45 degrees	<45 degrees
Minimum stall depth	1.8	1.45	1.2	1.2
Minimum aisle width	1.5	1.5	1.5	1.5
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6

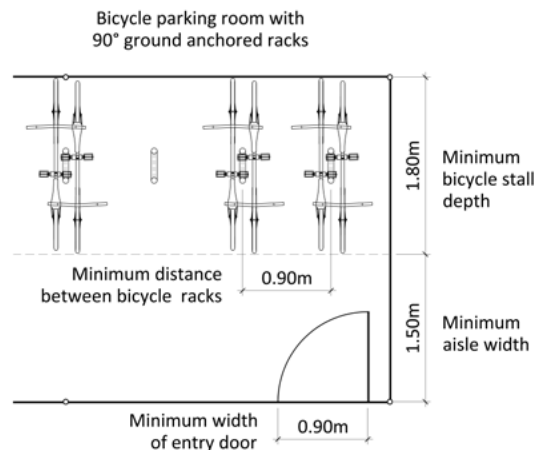
Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Example: Bicycle Parking, Short-Term Configuration

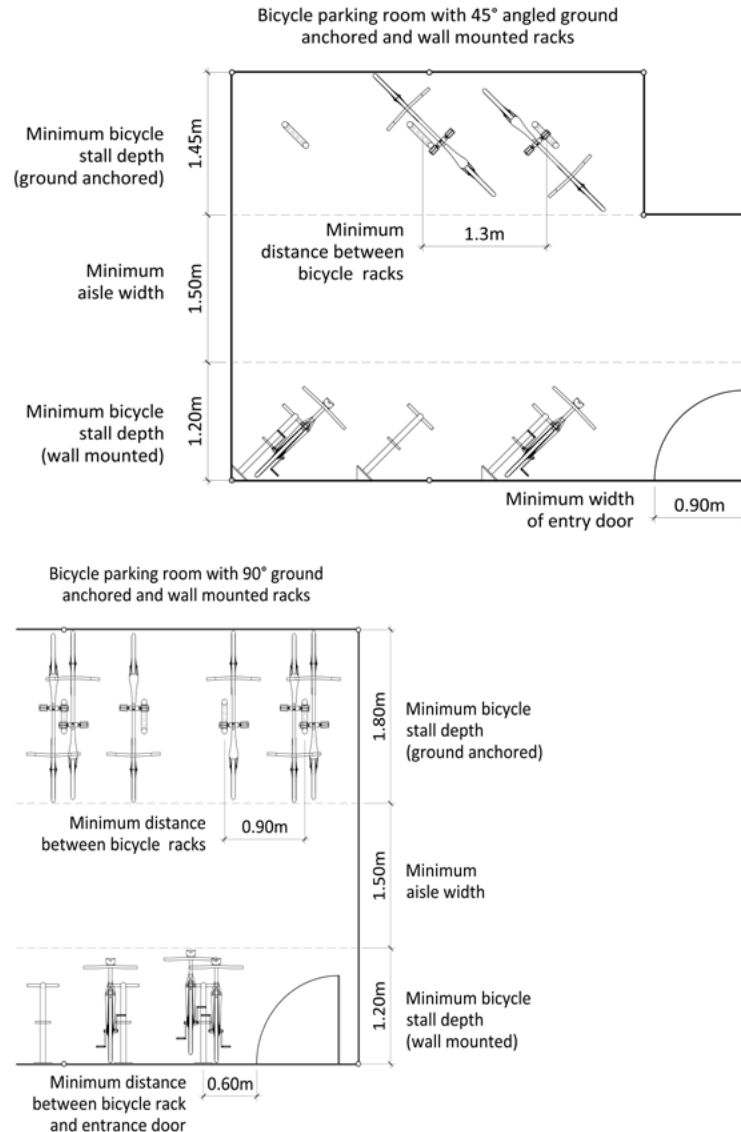


- h. Each **Bicycle Parking, Long-Term** space required under this bylaw must:
 - i. be designed and installed to the minimum dimensions shown in Table 3 of this Part;
 - ii. be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - iii. have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - iv. be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the **Building**;
 - v. be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - vi. be located within one floor of **Finished Grade** and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
- i. At least half of the **Bicycle Parking, Long-Term** spaces required under this bylaw must be ground anchored.

Example: Bicycle Parking Long-Term Configurations



Part 5 - Requirements for Motor Vehicle and Bicycle Parking



5. Bicycle Parking Exemptions

- a. Notwithstanding section 5.1.1(b):
 - i. **Bicycle Parking, Short Term** spaces are not required to be provided where the siting and design of a **Building** existing on the date of adoption of this bylaw physically prohibits such spaces from being provided on a **Lot**;
 - ii. No additional **Bicycle Parking, Short Term** or **Bicycle Parking, Long Term** spaces are required to be provided where only alterations or changes of use to a **Building** are proposed and the **Building** existed on the date of adoption of this bylaw; and
 - iii. If additions are proposed to a **Building** existing on the date of adoption of this bylaw, additional **Bicycle Parking, Short Term** and **Bicycle Parking, Long Term** spaces must be provided for the additional bicycle parking required with respect to the **Building** addition only.

Schedule A - CBD-2 Zone Height Areas Map



Schedule B - Small Scale Commercial Urban Agriculture

1. Products

- a. Subject to subsection (b), only the following items may be cultivated, harvested, kept, sorted, cleaned and packaged as part of **Small-scale Commercial Urban Agriculture**:
 - i. Fruits
 - ii. Vegetables
 - iii. Edible flowers
 - iv. Edible fibre
 - v. Edible seeds
 - vi. Nuts
 - vii. Seedlings and cuttings of edible plants
 - viii. Culinary herbs
 - ix. Eggs
 - x. Honey
 - xi. Mushrooms
- b. Plants regulated under the Controlled Drug and Substances Act (Canada) may not be produced as part of **Small-scale Commercial Urban Agriculture**

2. Sale on Lot

Sale of products of **Small-scale Commercial Urban Agriculture** is permitted on a **Lot** on which **Small-scale Commercial Urban Agriculture** occurs, regardless of whether **Retail Trade** is permitted, provided it occurs:

- a. within a **Foodstand** located in the **Front Yard**; or
- b. as a component of any of the following permitted uses of the Lot:
 - i. **Retail Trade**
 - ii. **Food and Beverage Service**
 - iii. any other use which permits the sale of the items in section 1(a)

3. Foodstand

A **Foodstand** must not:

- a. Exceed an area of 1.85m² and a **Height** of 3.35m
- b. Be located within 0.60m of a **Lot Line**
- c. Be fully enclosed
- d. Remain on the **Front Yard** without items for sale in excess of eight consecutive days
- e. Hold, shelve or otherwise display an item unless it:
 - i. is listed in section 1(a) of this Schedule;
 - ii. was harvested on the **Lot** on which the **Foodstand** is located; and
 - iii. is displayed and sold in raw, unprocessed form.
- f. No more than one **Foodstand** may be used or erected on one **Lot**.

READ A FIRST TIME the **12th** day of **July** 2018

READ A SECOND TIME the **12th** day of **July** 2018

PUBLIC HEARING HELD on the day of 2018

READ A THIRD TIME the day of 2018

ADOPTED on the day of 2018

CITY CLERK

MAYOR

J. **BYLAWS**

J.4 **Bylaw for Administrative Amendment to Zoning Regulation Bylaw**

Moved By Councillor Coleman

Seconded By Councillor Lucas

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 18-082

CARRIED UNANIMOUSLY



Council Report
For the Meeting of July 12, 2018

To: Council **Date:** June 27, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Administrative Amendment to Zoning Regulation Bylaw (No. 80-159)**

RECOMMENDATION

That Council give first and second reading of Bylaw No. 18-082 to amend the Introduction and General Regulations section of Zoning Regulation Bylaw No. 80-159, prior to a public hearing.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with Bylaw No.18-082, which outlines an administrative amendment to the Introduction and General Regulations section of the current Zoning Regulation Bylaw (No. 80-159). The proposed amendment identifies that the Zoning Regulation Bylaw does not apply within the parts of the City (downtown area) that are subject to the new Zoning Bylaw 2018 (No. 18-072). This amendment has been prepared in consultation with the City's Legal Services to provide improved clarity and interpretation of the current Zoning Regulation Bylaw and support the introduction of the new Zoning Bylaw 2018.

CONCLUSIONS

The proposed amendment provides improved clarity and interpretation of the current Zoning Regulation Bylaw and supports the introduction of the new Zoning Bylaw 2018.

Respectfully submitted,

Robert Batallas, Senior Planner
Community Planning Division

Jonathan Tinney, Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

Date: June 29, 2018

List of Attachments:

- Attachment A: Bylaw No. 18-082

NO. 18-082

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw No. 80-159 to exempt from that bylaw those areas of the City of Victoria that will be regulated by the Zoning Bylaw 2018, No. 18-082.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1132)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Introduction and
General Regulations by repealing section 3 and replacing it with the following:
- “3 (1) Pursuant to section 479 of the Local Government Act, the City is divided
into zones.
- (2) This bylaw does not apply to parts of the City that are subject to the
Zoning Bylaw 2018 except as expressly provided for in that bylaw.”
- 3 This Bylaw comes into force on adoption.

READ A FIRST TIME the day of 2018

READ A SECOND TIME the _____ day of _____ 2018

Public hearing held on the _____ day of _____ 2018

READ A THIRD TIME the _____ day of _____ 2018

ADOPTED on the _____ day of _____ 2018

CITY CLERK

MAYOR

NO. 18-082

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw No. 80-159 to exempt from that bylaw those areas of the City of Victoria that will be regulated by the Zoning Bylaw 2018, No. 18-082.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1132)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Introduction and General Regulations by repealing section 3 and replacing it with the following:
 - “3 (1) Pursuant to section 479 of the Local Government Act, the City is divided into zones.
 - (2) This bylaw does not apply to parts of the City that are subject to the Zoning Bylaw 2018 except as expressly provided for in that bylaw.”
- 3 This Bylaw comes into force on adoption.

READ A FIRST TIME the **12th** day of **July** 2018

READ A SECOND TIME the **12th** day of **July** 2018

Public hearing held on the day of 2018

READ A THIRD TIME the day of 2018

ADOPTED on the day of 2018

CITY CLERK

MAYOR

J. **BYLAWS**

J.5 **Bylaw for Review of Off-Street Parking Regulations and Delegation of Minor Parking Variances**

Moved By Councillor Coleman
Seconded By Councillor Thornton-Joe

That Council give first and second readings and direct staff to set the Public Hearing for the attached Zoning Regulation Bylaw Amendment Bylaw No. 18-017 to amend Schedule A and replace Schedule C of the Zoning Regulation Bylaw.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council give first, second, and third readings to Land Use Procedures Bylaw Amendment Bylaw No. 18-018 and that Council consider enacting the Land Use Procedures Bylaw Amendment Bylaw No. 18-018 if Zoning Regulation Amendment Bylaw No. 18-017 is approved.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs in the City of Victoria. This review shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

CARRIED UNANIMOUSLY



Council Report

For the Meeting of July 12, 2018

To: Council **Date:** June 28, 2018
From: Jonathan Tinney, Director of Sustainable Planning and Community Development
Subject: Review of Off-Street Parking Regulations (Schedule C of Zoning Regulation Bylaw 80-159) and Delegation of Minor Parking Variances

RECOMMENDATION

1. That Council give first and second reading and direct staff to set the Public Hearing for the attached Zoning Regulation Bylaw Amendment Bylaw No. 18-017 to amend Schedule A and replace Schedule C of the Zoning Regulation Bylaw.
2. That Council give first, second and third reading to Land Use Procedures Bylaw Amendment Bylaw No. 18-018 and that Council consider enacting the Land Use Procedures Bylaw Amendment Bylaw No. 18-018 if Zoning Regulation Amendment Bylaw No. 18-017 is approved.
3. That Council direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs in the City of Victoria. This review shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on the Council conditions set out in the following motion moved by Council on October 12, 2017:

"That Council direct staff to:

1. *Undertake focused public consultation on the draft Off-Street Parking Regulations.*
2. *Report back to Council with the proposed Off-Street Parking Regulations that considers the public feedback received and a related Bylaw prior to advancing to a Public Hearing.*
3. *Prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines and report back to Council prior to preparing the related Official Community Plan amendment.*
4. *Report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.*

5. *Prepare amendments to the Land Use Procedures Bylaw to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an Official Community Plan amendment.*
6. *Send to the Neighbourhood Associations welcoming comments.*
7. *Send to the Accessibility Working Group and Disability Resources Centre."*

This report provides an update on the items listed in the above motion and recommends that Council consider directing staff to schedule a Public Hearing for the *Zoning Regulation Bylaw* amendment proposing new off-street parking regulations, and give first and second reading to a *Land Use Procedures Bylaw* amendment that would allow the delegation of certain minor parking variances relating to small businesses.

Public Consultation

In response to Council's direction to staff to carry out focused public consultation on the draft off-street parking regulations, staff have undertaken the following engagement with the public and key stakeholders:

Website: The project webpage was updated with links to the draft regulations and outlines opportunities to provide feedback.

Technical Advisory Group: The draft regulations were shared with the following organizations which comprise the project Technical Advisory Group and feedback was invited:

- Buildings Owners and Managers Association of British Columbia
- Victoria Residential Builders Association
- Greater Victoria Housing Society
- Urban Development Institute
- Greater Victoria Chamber of Commerce
- Downtown Victoria Business Association
- Vancouver Island Strata Owners Association.

Urban Development Institute (UDI), October 24, 2017: Staff met with members of the UDI to share information and receive feedback on the draft regulations and proposed delegation of minor parking variances. In addition, staff presented the emerging regulations to the UDI at a breakfast event (for members under the age of 40) on March 28, 2018.

Accessibility Working Group, December 4, 2017: Staff gave a presentation to the Accessibility Group and sought feedback relating to barrier-free parking. Written comments were received from the Accessibility Working Group on December 21, 2017, and are included in Attachment B.

Disability Resource Centre: Staff sent relevant project information to the Executive Director of the Disability Resource Centre and invited feedback. Representatives of the Disability Resource Centre attended the aforementioned Accessibility Working Group meeting and provided verbal comments.

Public Open House, November 20, 2017: Invitations to the Open House, along with relevant project information, was sent to all Neighbourhood Associations, Technical Advisory Group Members and other key stakeholders. Details of the event, which sought feedback in relation to

the proposed delegation of minor parking variances for small businesses, in addition to the draft off-street parking regulations, were also posted on the City website. The feedback received is included in Attachment B.

CALUC Meeting, April 17, 2018: Staff invited all CALUC members to a presentation and Q&A session relating to the emerging regulations. The minutes of the meeting are included in Attachment B.

The feedback received from the aforementioned consultation was largely positive in nature and, as a result of the comments received, staff made a number of revisions and refinements to the regulations which include:

- increasing the threshold for reduced parking rates for residential dwelling units from 40m² to 45m² to ensure that undersized residential units are not incentivized by reduced parking rates and to better reflect the size of bachelor suites
- adding the requirement for an additional parking stall where two secondary suites or a secondary suite and a garden suite are located on the same lot as a single-family dwelling or duplex
- revising commercial bicycle parking requirements to address the demand for long-term versus short-term bicycle parking in different commercial uses (i.e. offices have a proportionally higher demand for long-term bicycle parking, whereas for restaurants or drinking establishments there is a proportionally higher demand for short-term bicycle parking)
- reducing the number of short-term bicycle stalls that must be located within a minimum distance of 15m from building entrance to allow more flexibility in locating stalls on the property where larger numbers of stalls are required
- revising short-term bicycle parking requirements for multiple-dwellings to better address demand.

In addition to the above, staff have also proposed further work in relation to potential regulations and guidelines relating to barrier-free parking (see below).

Barrier Free Parking

Barrier free parking is currently regulated through the *BC Building Code* (where it is referred to as "parking for persons with disabilities"). However, in the case of such parking, the City's *Zoning Regulation Bylaw* can set out more stringent requirements than the Code requirements. On October 5, staff reported the following to Committee of the Whole:

"Staff considered including regulations relating to barrier free parking in the Zoning Regulation Bylaw. Correspondence with members of the City's Accessibility Working Group suggested that the current requirement, outlined in the BC Building Code, is not providing enough barrier free parking stalls. It was suggested that the City consider increasing the supply to help those with mobility constraints. Staff also heard some opposition to this approach from the development industry. The concerns primarily related to the fact that, as this is regulated through the BC Building Code, the inclusion of potentially contradictory regulations in the Zoning Regulation Bylaw could result in considerable confusion for applicants. Issues with the allocation of such barrier free stalls in strata developments were also raised."

Staff carried out further consultation with the development industry to determine whether the issues raised could be satisfactorily resolved and to what degree additional barrier-free parking stalls could be provided. The feedback received was largely a reiteration of previous concerns; however, the

point was also made that, in the residential context, any additional stalls would come at a significant cost per stall and, as these stalls cannot be sold, the cost would be passed on to the buyer and, therefore, would impact affordability. Staff heard a strong preference that barrier-free parking should continue to be regulated through the *BC Building Code* and the City would be creating a complex regulatory scheme by adding more stringent requirements in the *Zoning Regulation Bylaw*.

Staff also engaged with the Accessibility Working Group and the Disability Resource Centre on this issue, as directed by Council. In addition to the summary notes taken by staff at the December 21, 2017 meeting, written comments were also received from the Accessibility Working Group (both documents are included in Attachment B).

Key themes included:

- in terms of stall supply, the *BC Building Code* requirements for barrier-free parking are too low, especially in Victoria
- stall dimensions, as specified under the Code, are insufficient and do not provide enough space to accommodate vehicles with wheelchair ramps
- other design considerations should be addressed either through regulations or guidelines, and could address issues such as grades for barrier-free parking, location of curb cuts and space for mobility scooters.

Based on the feedback received and staff research to date, it is evident that the development industry has concerns relating to the inclusion of barrier-free parking requirements in the *Zoning Regulation Bylaw* that are more stringent than those set out in the *BC Building Code*. The provision of such stalls does carry a financial cost which is passed on to the purchaser and affects housing affordability. On the other hand, there appears to be sufficient evidence that the Code does not provide for enough barrier-free parking stalls in the City of Victoria. For example, based on information provided by the Disability Resource Centre, there are currently approximately 16,500 disability parking permits in circulation in metro Victoria (includes the City of Victoria, the District of Oak Bay, the District of Saanich, and the Township of Esquimalt); when comparing this figure to an approximate population of 235,000, approximately 7% of the total population has a disability parking permit. In comparison, for most types of development, the *BC Building Code* does not typically require any barrier-free parking stalls for parking areas of up to 50 stalls. Where more than 50 stalls are provided, barrier-free parking stalls are provided at a ratio of 1 stall for every 100 parking stalls. The requirements in the Code do not attain the 7% which appears to be the need based on the percentage of the population which have a disability parking permit.

In light of the above, staff recommend that Council consider proceeding with one of the following options:

Option 1 (recommended):

Direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs assessment in the City of Victoria. This assessment shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

Option 2:

Continue to refer to the *BC Building Code* for barrier-free parking requirements in the City of Victoria.

Staff are recommending that Council consider proceeding with Option 1, given the evidence that

the *BC Building Code* requirements do not address the demand for barrier-free parking in the City of Victoria. It is anticipated that such work would be carried out by a specialist, professional consultant, or organization. It would involve working closely with the development industry and persons with accessibility needs, and any final recommendations would include recommendations for potential regulations and guidelines to ensure that barrier-free parking is provided in a manner that meets the needs of our citizens but does not adversely impact key Council objectives, such as housing affordability. Should Council proceed with this option, staff anticipate reporting back with a scope of work, anticipated timelines and associated costs, in Q4 2018, concurrently with a project brief for Design Guidelines for Bicycle Parking (see below).

Design Guidelines for Bicycle Parking

As it is not currently included in the work plan for 2018, Council directed staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.

Staff will report back to Council with this information, including a project brief, in Q4 2018.

Design Guidelines for Electric Vehicles

Council directed staff to prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines, and report back to Council prior to preparing the related OCP amendment. It is anticipated that this work will commence this year under the general scope of work anticipated within the City's Climate Action Program.

Minor Parking Variances for Commercial Uses

Council directed staff to prepare amendments to the *Land Use Procedures Bylaw* to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an OCP amendment.

In response to the above, staff have prepared an amendment to the *Land Use Procedures Bylaw* that would, if adopted, allow proposals that meet the following conditions to be delegated to the Director of Sustainable Planning and Community Development:

- the variance is being triggered by a change of use that is permitted in the applicable *Zoning Regulation Bylaw*
- the change of use relates to a commercial, institutional or industrial use
- the proposed variance is for a motor vehicle parking stall variance not exceeding 5 stalls
- the proposed variance is for a short-term and/or long-term bicycle parking stall variance not exceeding 6 stalls.

This approach was presented at the November 20, 2017 Public Open House and feedback was generally supportive (see Attachment B).

This delegation would be limited to Development Permit with Variance and Heritage Alteration Permit with Variance applications only as it has been determined we cannot legally delegate a Development Variance Permit application. However, as a change of use normally includes some

associated form of exterior alteration, it is anticipated that in the majority of cases, variances which meet the aforementioned conditions will be delegated to staff.

With respect to the creation of associated Design Guidelines, after further review, staff recommend that a preferred approach would be to simply incorporate advisory/guidance notes in the Delegated Development Permit application form. The reason for this is that there is a risk associated with the inclusion of guidelines for one type of variance within the OCP when other variances have no guidelines. There may be an argument to be made that, in relation to other variance applications that may be declined, that as a particular type of variance has no applicable guidelines while parking variances do have guidelines, there is no basis to decline a different type of variance application (for example, a setback variance).

Transition Provisions and Process for In-Stream Applications

The proposed *Zoning Regulation Bylaw* amendment provides a process for transitioning and processing a variety of development applications that may overlap with the current Schedule C and the introduction of the new Schedule C. For example, if a Development Permit was previously approved under the current *Zoning Regulation Bylaw*, then the transition regulations identify specific conditions for allowing the related Building Permit to be processed using the regulations that existed when the Development Permit was approved, rather than the regulations of the new Schedule C. This approach provides improved certainty for land owners and reduces the need for potential variances to account for differences between the current and proposed Schedule C. Similarly the new transition provisions also allow a previously approved variance (issued within two years prior to adoption of the proposed Schedule C) to continue to apply.

It is also possible that a number of development applications that have, or are about to be, presented to Committee of the Whole and have been assessed under the current Schedule C, will be subject to the new Schedule C by the time they are considered by Council following an opportunity for public comment.

To ensure that applications are not unduly delayed as a result of the new regulations, staff recommend that, for development applications affected by the new off-street parking regulations (Schedule C of the *Zoning Regulation Bylaw*), where those applications have been presented to Committee of the Whole and Council have made a motion to move the application forward to a Council meeting for an opportunity for public comment or a Public Hearing, that Council direct staff to present an updated motion at the meeting where Council receive the public comment. Appropriate wording is provided in the *Zoning Regulation Bylaw* amendment should Council decide to direct staff to process in-stream applications in this manner.

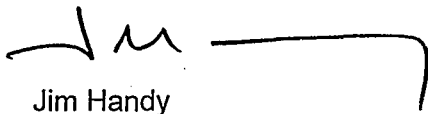
Conclusion

Staff recommend for Council's consideration that the *Zoning Regulation Bylaw* amendment proposing new off-street parking regulations is ready to proceed to a Public Hearing. Furthermore, the *Land Use Procedures Bylaw* amendment proposing the delegation of minor parking variances for small businesses can be given first and second reading and have third and final reading following adoption of the proposed *Zoning Regulation Bylaw* amendment.

Staff also recommend that Council consider directing staff to commence work associated with a review of barrier-free parking needs in the City.

Finally, staff have outlined a process for transitioning and processing a variety of development applications that may overlap with the current Schedule C and the introduction of the proposed new Schedule C.

Respectfully submitted,




Jim Handy
Senior Planner – Development Agreements
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: June 29, 2018

List of Attachments:

- Attachment A – Draft Off-Street Parking Regulations (Schedule C)
- Attachment B – Consultation Feedback

Schedule 1

Zoning Bylaw No. 80-159
Schedule C:
Off-Street Parking Regulations

1. Parking Requirements

1.1 Application of Requirements

1. The minimum number of parking spaces required for each use must be calculated to the nearest whole number.
2. Where a building contains more than one use, the total number of parking spaces required shall be the sum of the number of parking spaces required for each use, or type of use, calculated separately.

Example: Calculating Vehicle Parking Requirements

Type of <u>Building</u> or Use	Units / Floor Area	Parking Required	Visitor Parking Required	Total Parking Required
Multi-Residential, Condominium	8 units between 45-70m ² in the Core Area	$8 \times 0.8 = 6.4$	$14 \times 0.1 = 1.4$ (1.4 → 1)	$14 + 1 = 15$
	6 units greater than 70m ² in the Core Area	$6 \times 1.2 = 7.2$		
		$6.4 + 7.2 = 13.6$ (13.6 → 14)		
Restaurant	155m ²	3.88 (3.88 → 4)	N/A	4
Office, Health Care	678m ²	13.6 (13.6 → 14)	N/A	14

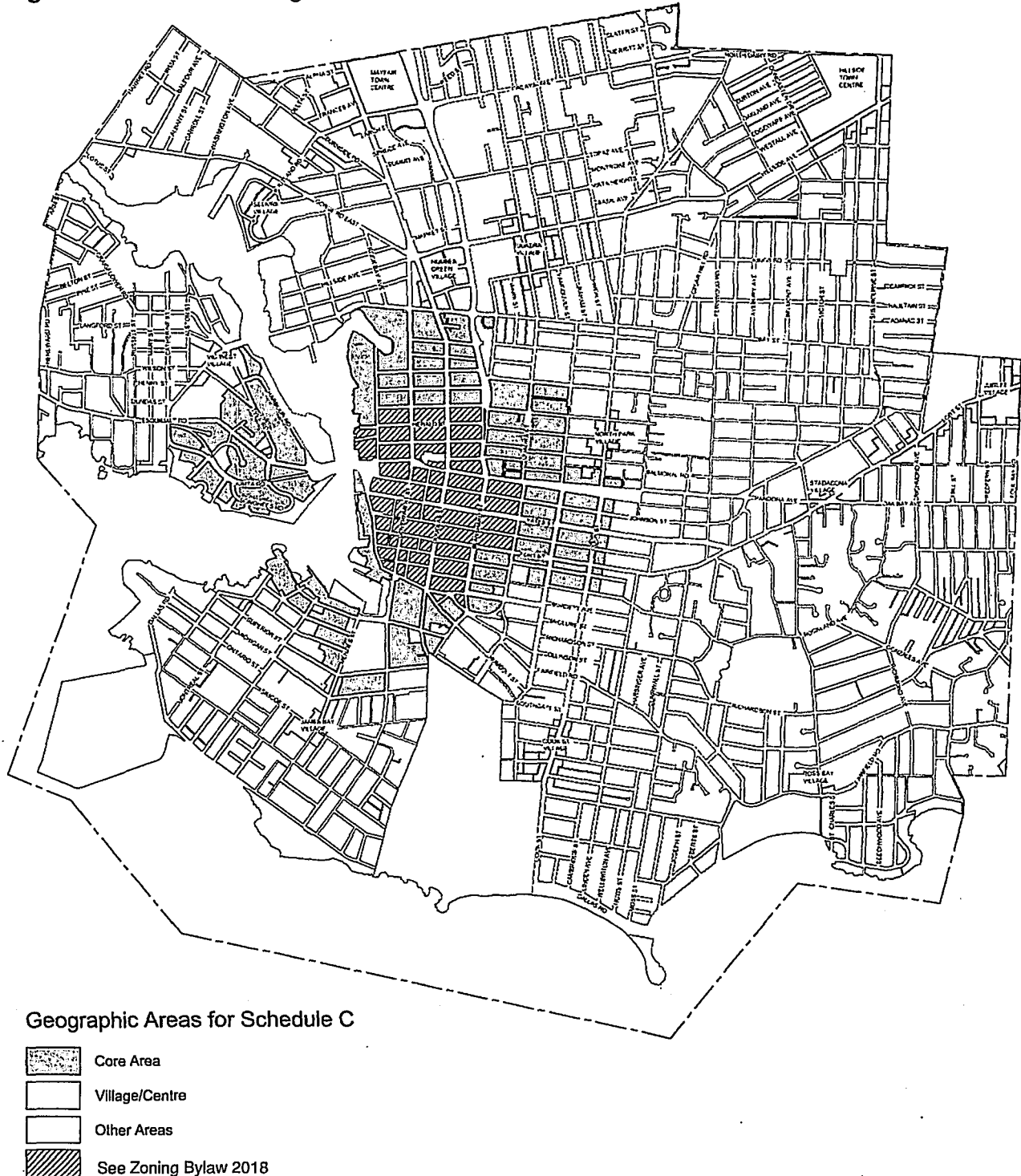
**Total Vehicular Parking Spaces
Required**

33

3. If a use is not specifically listed in Table 1 or Table 2 of this Schedule, the number of parking spaces required shall be calculated on the basis of a use or class of use that is most similar to the actual use, based on parking demand characteristics.
4. Unless otherwise stated, all references to "floor area" in this Schedule shall be calculated as gross floor area.
5. For the purpose of calculating parking requirements under this Bylaw, in addition to all internal floor areas, all outside seating and serving areas located on a lot and associated with a Restaurant or a Drinking Establishment use shall be counted as floor area.

6. For the purposes of calculating parking requirements, the City is divided into "Core Area", "Village / Centre", and "Other Area", as shown in Figure 1 of this Schedule and more specifically detailed in Appendix 1.

Figure 1: Off-Street Parking Sub-Areas



1.2 Required Vehicle and Bicycle Parking Spaces

1. The owner or occupier of any land or any building or other structure, for each use present on the land or in the building or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
Residential		
<u>Single Family Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Two Family Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Semi-attached Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Attached Dwelling</u>	1.0 space per <u>dwelling unit</u>	0.1 spaces per <u>dwelling unit</u>
<u>Secondary Suite</u> or <u>Garden Suite</u>	n/a unless two <u>Secondary Suites</u> , two <u>Garden Suites</u> , or a <u>Secondary Suite</u> and a <u>Garden Suite</u> , are located on the same <u>lot</u> in which case 1.0 space shall be provided in addition to the number of spaces required for the <u>Single Family Dwelling</u> , <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u>	n/a
Assisted Living Facility (<u>dwelling unit</u> or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes <u>Nursing Homes</u>)	0.35 spaces per <u>dwelling unit</u> or residential unit	0.1 spaces per <u>dwelling unit</u> or residential unit

Use or Class of Use	Minimum Number of Parking Spaces			Minimum Number of Visitor Parking spaces
Multiple Dwelling	Core Area	Village / Centre	Other Area	
Condominium (<u>dwelling unit</u> in a <u>building</u> regulated by the <i>Strata Property Act</i>)	0.65 spaces per <u>dwelling unit</u> that is less than 45m ²	0.70 spaces per <u>dwelling unit</u> that is less than 45m ²	0.85 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u> .
	0.80 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.85 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	1.00 space per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.20 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	1.45 spaces per <u>dwelling unit</u> that is more than 70m ²	
Apartment (<u>dwelling unit</u> secured as rental in perpetuity through a legal agreement)	0.50 spaces per <u>dwelling unit</u> that is less than 45m ²	0.60 spaces per <u>dwelling unit</u> that is less than 45m ²	0.75 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u>
	0.60 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.70 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.90 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.00 space per <u>dwelling unit</u> that is more than 70m ²	1.10 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	
Affordable (<u>affordable dwelling units</u> secured in perpetuity through a legal agreement)	0.20 per <u>dwelling unit</u> that is less than 45m ²			0.1 spaces per <u>dwelling unit</u>
	0.50 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²			
	0.75 spaces per <u>dwelling unit</u> that is more than 70m ²			

Use or Class of Use	Minimum Number of Parking Spaces			
	Core Area	Village / Centre	Other Area	
All other <u>multiple dwellings</u>	0.65 spaces per <u>dwelling unit</u> that is less than 45m ²	0.70 spaces per <u>dwelling unit</u> that is less than 45m ²	0.85 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u>
	0.80 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.85 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	1.00 space per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.20 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	1.45 spaces per <u>dwelling unit</u> that is more than 70m ²	
Commercial	Core Area	Village / Centre	Other Area	
Office	1 space per 70m ² floor area	1 space per 55m ² floor area	1 space per 50m ² floor area	
Medical Office (includes dental offices, surgeries and similar uses)	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
<u>Financial Service</u>	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
<u>Restaurant</u>	1 space per 40m ² floor area	1 space per 25m ² floor area	1 space per 20m ² floor area	
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	n/a	1 space per 70m ² floor area	1 space per 60m ² floor area	

Use or Class of Use		Minimum Number of Parking Spaces		
Commercial		Core Area	Village / Centre	Other Area
Retail		1 space per 80m ² floor area	1 space per 50m ² floor area	1 space per 37.5m ² floor area
Grocery Store	800m ² or less	1 space per 80m ² floor area	1 space per 50m ² floor area	1 space per 37.5m ² floor area
	> 800m ²	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 20m ² floor area
<u>Transient Accommodation</u>		0.25 spaces per room	0.50 spaces per room	
Institutional		Core Area	Village / Centre	Other Area
<u>Hospital</u>		1 space per 80m ² floor area		
Elementary / Middle School		1 space per 150m ² floor area		
Secondary School		1 space per 75m ² floor area		
University / College (as defined under British Columbia legislation, and regulated as such under said legislation)		1 space per 80m ² floor area		
Arts and Culture (includes museums, art galleries, theatres and other similar uses, but does not include cinemas)		1 space per 80m ² floor area		1 space per 40m ² floor area
Place of Worship		n/a	1 space per 80m ² floor area	1 space per 40m ² floor area
Assembly (includes convention facilities, cinemas, training facilities and other similar uses)		1 space per 30m ² floor area	1 space per 20m ² floor area	
Health and Fitness (commercial recreational facilities, gymnasiums and other similar uses)		1 space per 30m ² floor area	1 space per 20m ² floor area	
Care Facility (day use facilities, and includes preschool, day care, residential care facilities and similar uses)		1 space per 100m ² floor area	1 space per 80m ² floor area	

Use or Class of Use	Minimum Number of Parking Spaces		
	Core Area	Village / Centre	Other Area
Transitional Housing and Emergency Shelters (a staffed facility, open year round, that provides temporary accommodation for persons who are homeless or at risk of homelessness, and may include food and support services)	1 space per 80m ² floor area		
Industrial			
Industrial	1 space per 140m ² floor area		
Warehouse	1 space per 100m ² floor area		

2. The owner or occupier of any land or any building or other structure, for each use present on the land or in the building or other structure, must provide off-street bicycle parking spaces in accordance with Table 2.

Table 2: Minimum Number of Required Bicycle Parking Spaces

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces		Minimum Number of Short Term Bicycle Parking Spaces
Residential			
<u>Single Family Dwelling</u> , <u>Two Family Dwelling</u> , <u>Semi-attached Dwelling</u> , <u>Secondary Suite</u> , <u>Garden Suite</u>	n/a		n/a
<u>Attached Dwelling</u>	1 per <u>dwelling unit</u> , except where the <u>dwelling unit</u> has access to a private garage		The greater of 6 spaces per <u>building</u> or 0.1 spaces per <u>dwelling unit</u>
<u>Multiple Dwelling</u>	1 space per <u>dwelling unit</u> that is less than 45m ²	1.25 spaces per <u>dwelling unit</u> that is 45m ² or more	The greater of 6 spaces per <u>building</u> or 0.1 spaces per <u>dwelling unit</u>

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Residential		
Assisted Living Facility (<u>dwelling unit</u> or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes <u>Nursing Homes</u>)	1 space per 20 <u>dwelling units</u> or residential units	1 space per 50 <u>dwelling units</u> or residential units
Commercial		
Office	1 space per 150m ² floor area, or part thereof	1 space per 400m ² floor area, or part thereof
Medical Office (includes dental office, surgeries and similar uses)	1 space per 200m ² floor area, or part thereof	1 space per 300m ² floor area, or part thereof
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Financial Service</u>	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Restaurant</u>	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Retail	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
Grocery Store	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Transient Accommodation</u>	1 space per 25 rooms, or part thereof	1 space per 40 rooms, or part thereof

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Institutional		
<u>Hospital</u>	1 space per 500m ² floor area, or part thereof	6 spaces per public <u>building</u> entrance
Elementary / Middle School	1 space per 1,600m ² floor area, or part thereof	1 space per 160m ² floor area, or part thereof
Secondary School	1 space per 1,600m ² floor area, or part thereof	1 space per 125m ² floor area, or part thereof
University / College (as defined under British Columbia legislation, and regulated as such under said legislation)	1 space per 1,600m ² , or part thereof	1 space per 100m ² , or part thereof
Arts and Culture (includes museums, art galleries, theatres and other similar uses, but does not include cinemas)	1 space per 450m ² floor area, or part thereof	1 space per 130m ² floor area, or part thereof
Place of Worship	n/a	1 space per 200m ² floor area, or part thereof
Assembly (includes convention facilities, cinemas, training facilities and other similar uses)	n/a	1 space per 200m ² floor area, or part thereof
Health and Fitness (commercial recreational facilities, gymnasiums and other similar uses)	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Care Facility (day use facilities, and includes preschool, day care, residential care facilities and similar uses)	1 space per 700m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
Industrial		
Industrial	1 space per 1,200m ² floor area, or part thereof	6 spaces
Warehouse	1 space per 1,200m ² floor area, or part thereof	6 spaces

2. Vehicle Parking Specifications

2.1 Vehicle Parking Appearance

1. A vehicle parking area or vehicle parking space must be surfaced with asphalt, concrete, pavers, or permeable material that provides a durable surface.
2. Each vehicle parking space must be clearly delineated on the parking surface.
3. Vehicle parking areas consisting of five (5) or more parking spaces must be illuminated with shield lighting that is directed toward the ground and designed so that the light does not directly fall on an adjacent lot or street.
4. Each visitor vehicle parking space required under this Bylaw must be clearly identified for the sole use of visitors.

2.2 Vehicle Parking Location and Dimensions

1. All vehicle parking spaces required under this Bylaw must be provided on the same lot as the building or use which they serve.
2. Notwithstanding section 2.2.1, parking spaces may be provided on a different lot from the lot on which the building or use is to which they appertain, where:
 - (a) the lot on which the parking spaces are is not more than 125m from the building or use to which they appertain; and
 - (b) if the lot on which the parking spaces are forms part of a separate parcel of land for Land Title Office purposes, there is registered against its title an easement providing for such parking requirements, and appurtenant to the lot on which the building is, and there is furthermore registered a covenant in favour of the City restricting the use of the easement area on the servient tenement to parking purposes for as long as the provisions of this Schedule have application to the dominant tenement; and
 - (c) the conditions outlined in subsections (a) and (b) existed on the date of the adoption of the Bylaw incorporating this Schedule.
3. A vehicle parking space must not be closer than 1.0m to a street.
4. A vehicle parking space must have unobstructed access.
5. All vehicle parking spaces and drive aisles must have dimensions not less than those identified in Figure 2 of this Schedule.

6. Notwithstanding section 2.2.5, where:
 - (a) the vehicle parking space is associated with either a Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling use, and
 - (b) the vehicle parking space is accessed directly from a street,
 the width of the adjacent street may be included towards the total width of the drive aisle provided.
7. One way vehicle access and egress through the parking area is required where:
 - (a) more than one vehicle parking space is provided in the parking area, and
 - (b) the vehicle parking spaces are not configured parallel or perpendicular to the drive aisle.
8. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
9. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
10. Where a vehicle parking space or drive aisle is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.

Figure 2: Minimum Parking Space and Drive Aisle Dimensions (all measurements in metres)

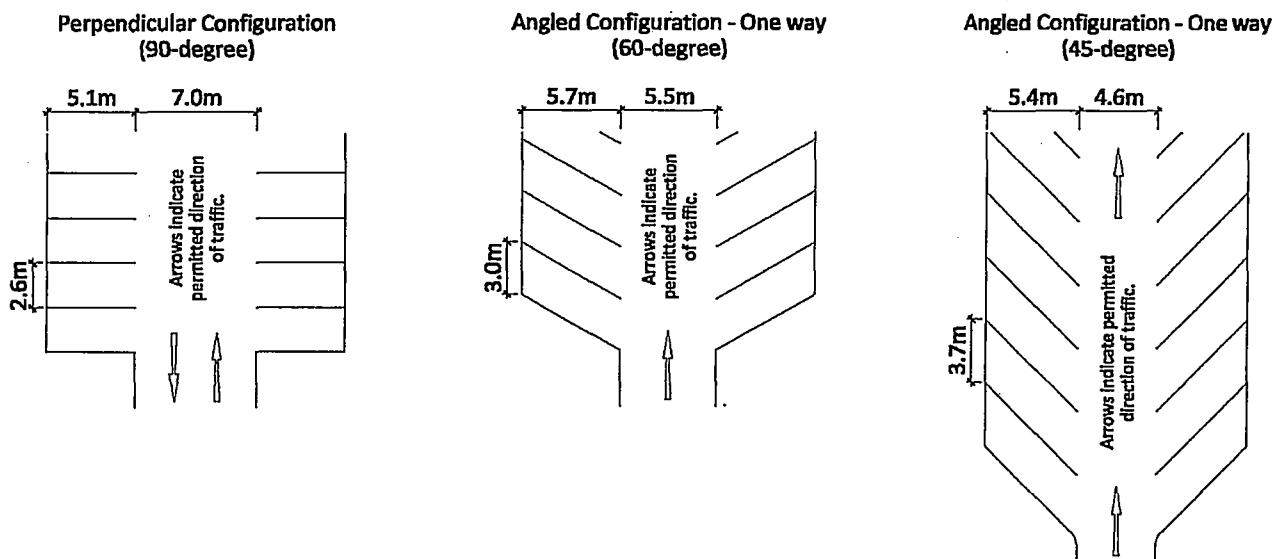
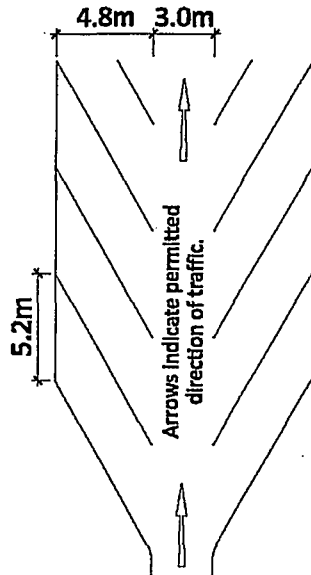
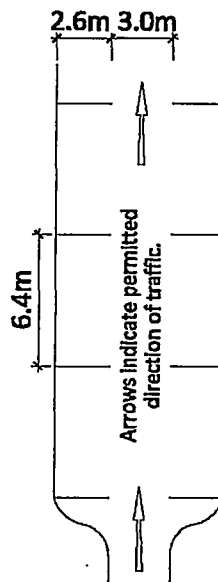


Figure 2 Cont.

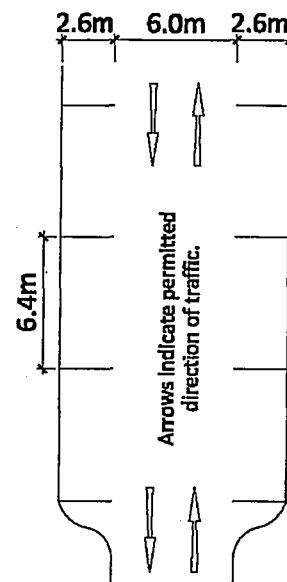
Angled Configuration - One way
(30-degree)



Parallel Configuration
One way
(0-degree)



Parallel Configuration
Two way
(0-degree)

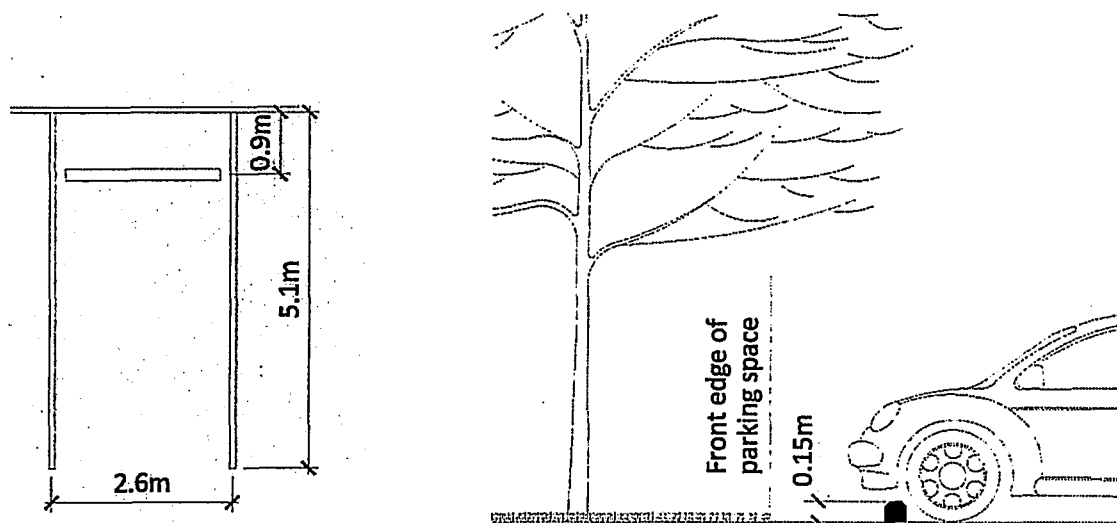


11. Vehicle parking is not permitted in the front yard of a lot except as follows:

- (a) Parking may be provided in the front yard of a lot where:
 - (i) the principal use of the lot is industrial or warehouse,
 - (ii) such parking is required to serve that use, and
 - (iii) the number of parking spaces in the front yard does not exceed the total amount of parking spaces required by this Bylaw;
- (b) Parking may be provided in the front yard of a property where:
 - (i) the principal use of the lot is commercial or institutional,
 - (ii) such parking is required to serve that use, and
 - (iii) the building on the lot existed on the date of adoption of the Bylaw incorporating this Schedule;
- (c) A maximum of one parking space that meets the minimum dimensions described in this Schedule may be provided in the front yard of a property where the principal use of the lot is Single Family Dwelling; or
- (d) A maximum of two parking spaces that meet the minimum dimensions described in this Schedule may be provided in the front yard of a property where the principal use of the lot is Two Family Dwelling or Semi-attached Dwelling.

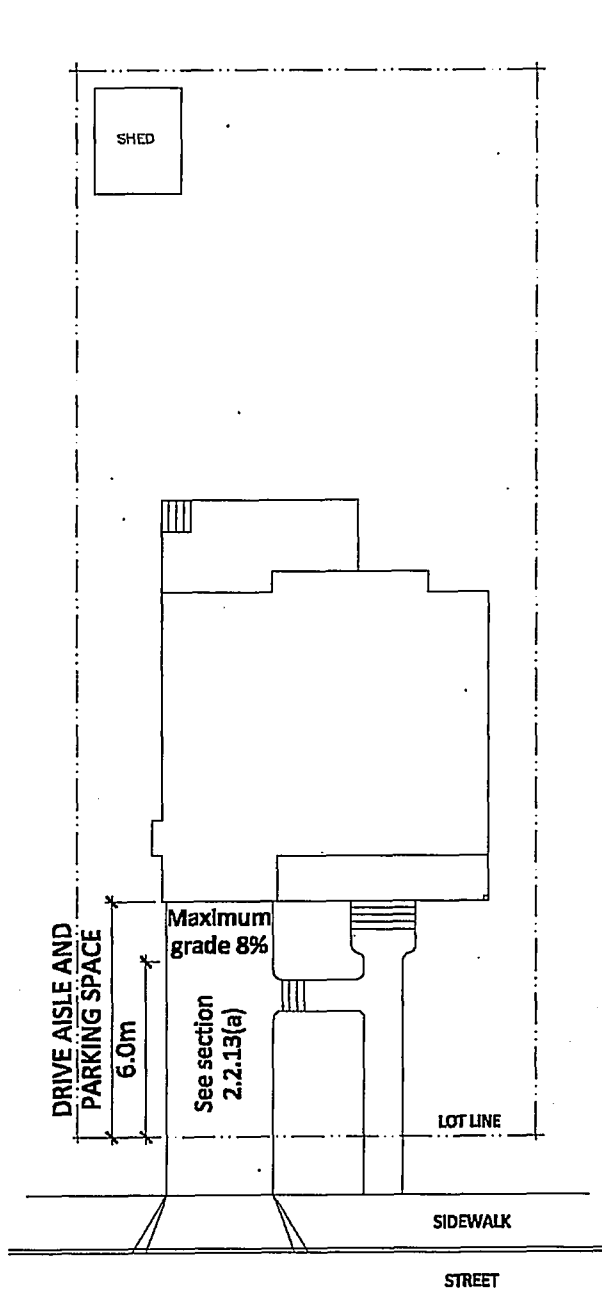
12. (a) An unenclosed surface vehicle parking space that abuts a pedestrian walkway or landscaped area without a barrier curb between the parking space and the pedestrian walkway or landscaped area must have a wheel stop centered horizontally within the parking space and placed 0.9m from the end of the parking space adjacent to the pedestrian walkway or landscaped area, in accordance with Figure 3 of this Schedule.
- (b) The requirements of subsection (a) do not apply to a parking space that satisfies at least one of the following conditions:
 - (i) The parking space is configured parallel to the curb or drive aisle;
 - (ii) The parking space shares a common front boundary with another parking space; or
 - (iii) The parking space is associated with either a Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling use.
- (c) Where a wheel stop is provided pursuant to subsection (a), the portion of the parking space between the wheel stop and the front edge of the parking space, as marked in Figure 3, is exempt from the requirements of section 2.1.1 and may be surfaced with permeable material or landscaping, provided that no landscaping exceeds 0.15m in height.

Figure 3: Required Wheel Stop Placement

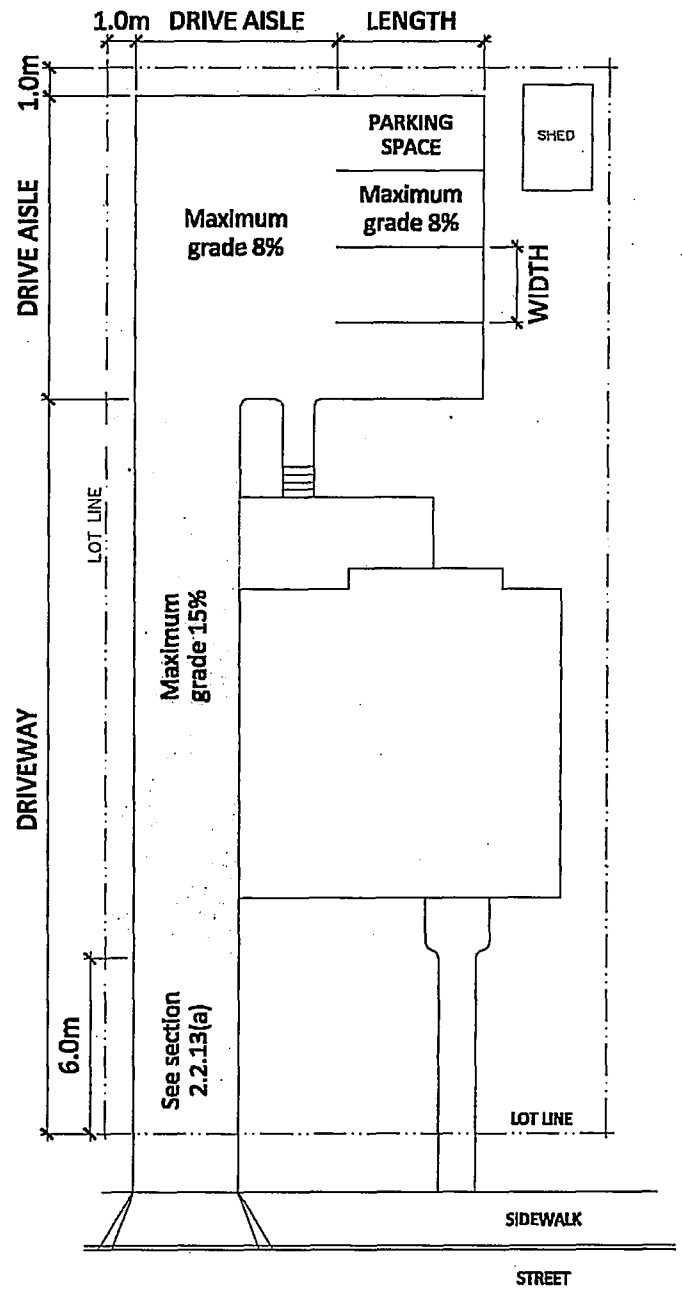


13. (a) Where a drive aisle or parking space is located within 6.0m of a street boundary it must comply with applicable grade requirements prescribed in this Schedule and the *Highway Access Bylaw*.
- (b) The maximum grade for a drive aisle or parking stall is 8%.
- (c) The maximum grade for a driveway is 15%.

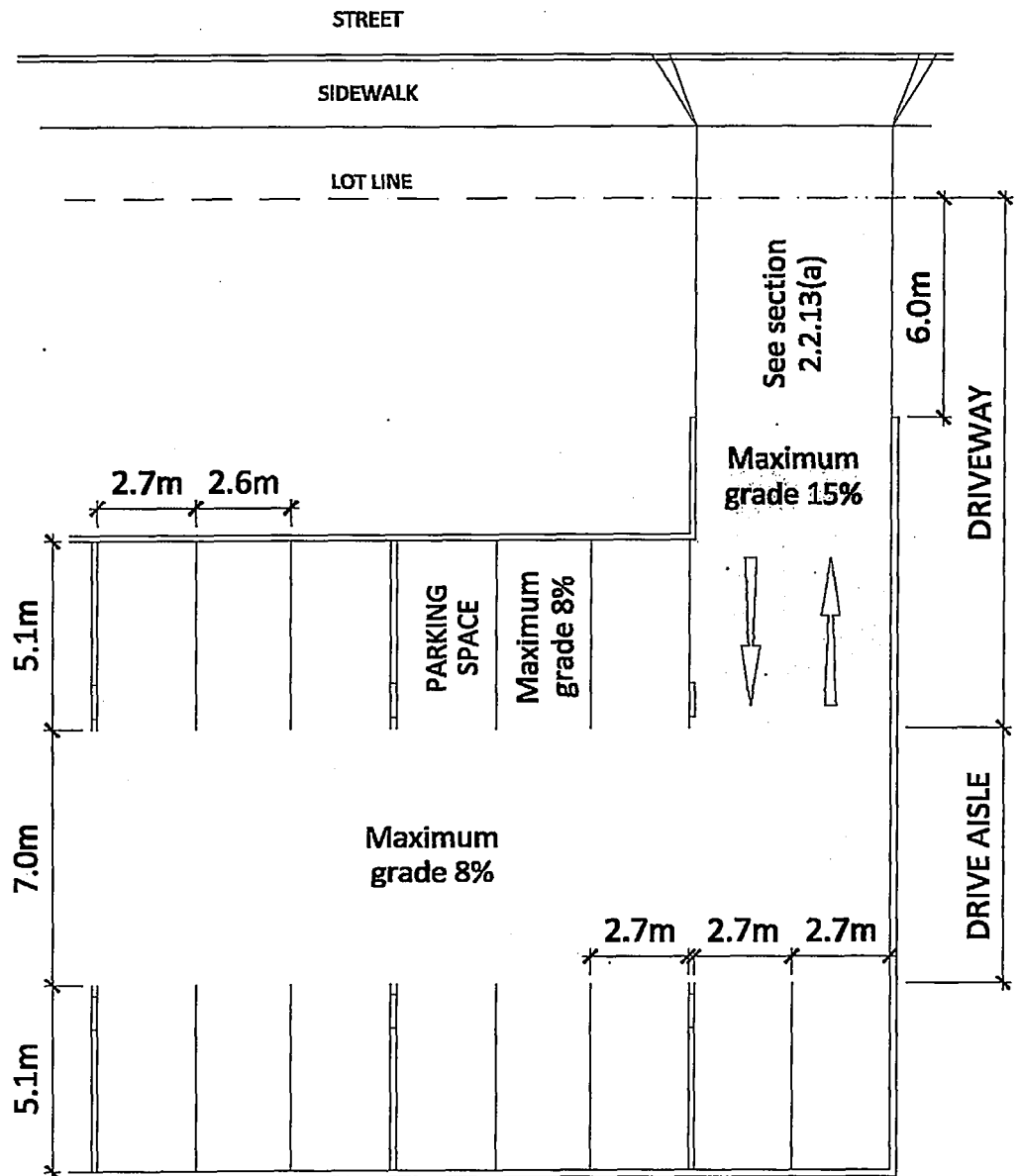
Examples: Maximum Grades for Parking Areas



Example single family dwelling configuration



Example multiple dwelling configuration

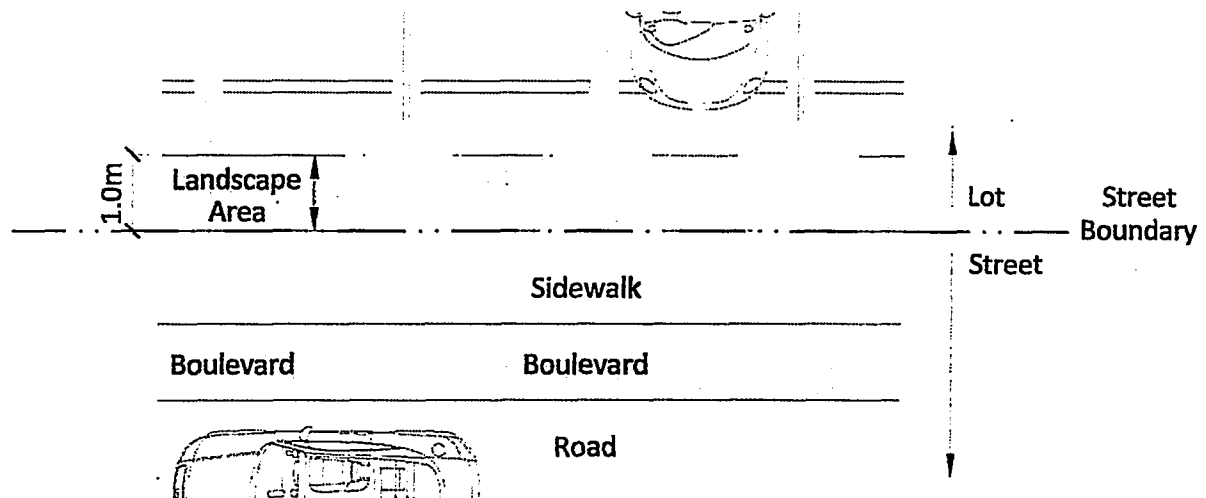


Example parkade configuration

2.3 Vehicular Parking Landscaping and Screening

1. If a surface vehicle parking area or vehicle parking space is located adjacent to a street, it must include a soft landscaped area, with a minimum width of 1.0m between the parking area or parking space and the street boundary.

Example: Minimum Landscape Area Adjacent to a Street Boundary



2. A surface vehicle parking area or surface vehicle parking space must include:
 - (a) continuous soft landscape areas with a minimum width of 1.0m, and
 - (b) a continuous landscape screenbetween the parking area or parking space and any adjacent lot used primarily for residential purposes, excluding the area where landscaping is prohibited pursuant to the *Highway Access Bylaw*:
3. The requirements of sections 2.3.1 and 2.3.2 do not apply where the principal use of the lot is Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling.
4. Where thirty (30) or more vehicle parking spaces are provided on a lot as surface parking, a minimum of 10% of the parking area must be soft landscaped (soft landscaping could include grass, shrubs or trees).

3. Bicycle Parking

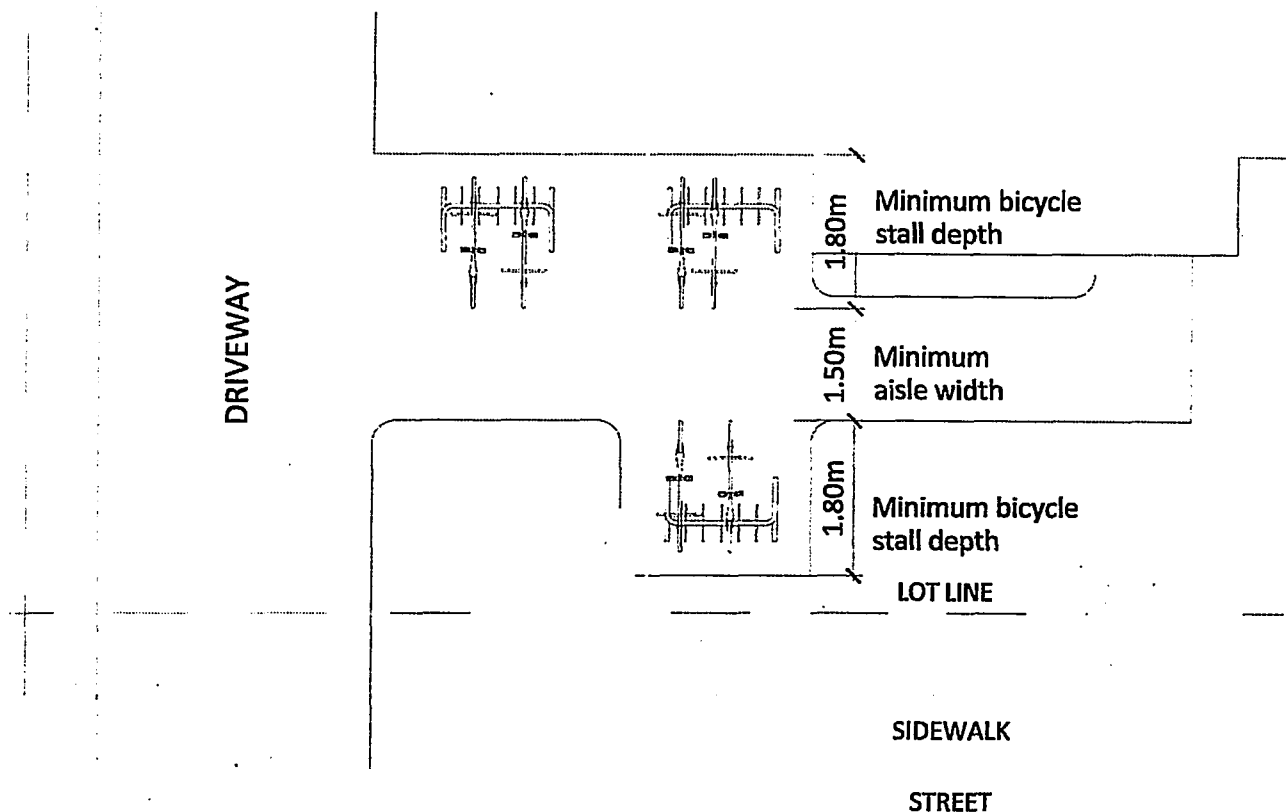
3.1 Bicycle Parking Specifications

1. All bicycle parking spaces required under this Bylaw must be provided on the same lot as the building or use which they serve.
2. (a) Each bicycle parking, short term space required under this Bylaw must be:
 - (i) designed and installed to the minimum dimensions shown in Table 3 of this Schedule; and
 - (ii) provided as a bicycle rack that is permanently anchored to the ground or a wall.
- (b) Each bicycle parking, short term space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a building entrance that is accessible by visitors.
- (c) Notwithstanding subsection (b), where a minimum of 6 bicycle parking, short term spaces are located within 15.0m of each building entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a building entrance.
- (d) Each bicycle parking, short term space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a building entrance that is accessible by the public.
- (e) Notwithstanding subsection (d), where a minimum of 6 bicycle parking, short term spaces are located within 15.0m of each building entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a building entrance.
- (f) Each bicycle parking, short term space required under this Bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

	Ground Anchored Rack		Wall Mounted Rack	
	>45 degrees	≤45 degrees	>45 degrees	≤45 degrees
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a <u>building</u>)				
Minimum stall depth	1.8	1.45	1.2	1.2
Minimum aisle width	1.5	1.5	1.5	1.5
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6

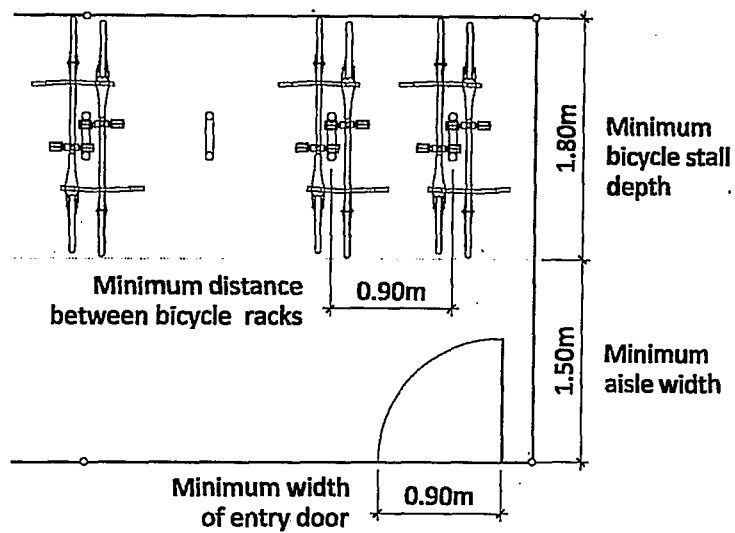
Example: Short-Term Bicycle Parking Configuration



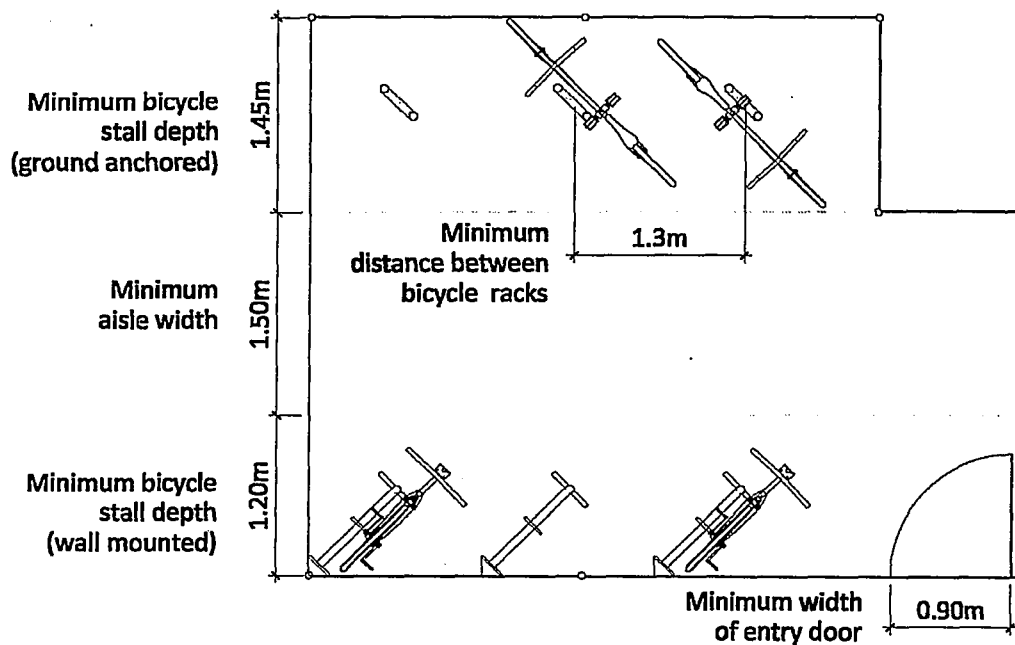
3. (a) Each bicycle parking, long term space required under this Bylaw must:
 - (i) be designed and installed to the minimum dimensions shown in Table 3 of this Schedule;
 - (ii) be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - (iii) have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - (iv) be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the building;
 - (v) be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - (vi) be located within one floor of finished grade and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
- (b) At least half of the bicycle parking, long term spaces required under this Bylaw must be ground anchored.

Examples: Long-term Bicycle Parking Configurations

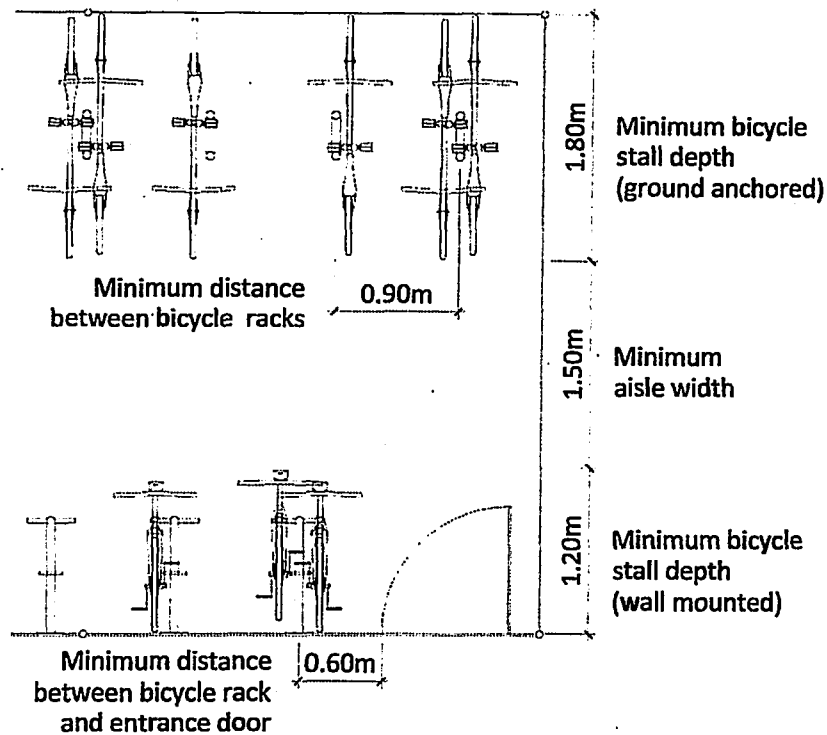
Bicycle parking room with
90° ground anchored racks



Bicycle parking room with 45° angled ground
anchored and wall mounted racks



**Bicycle parking room with 90° ground
anchored and wall mounted racks**

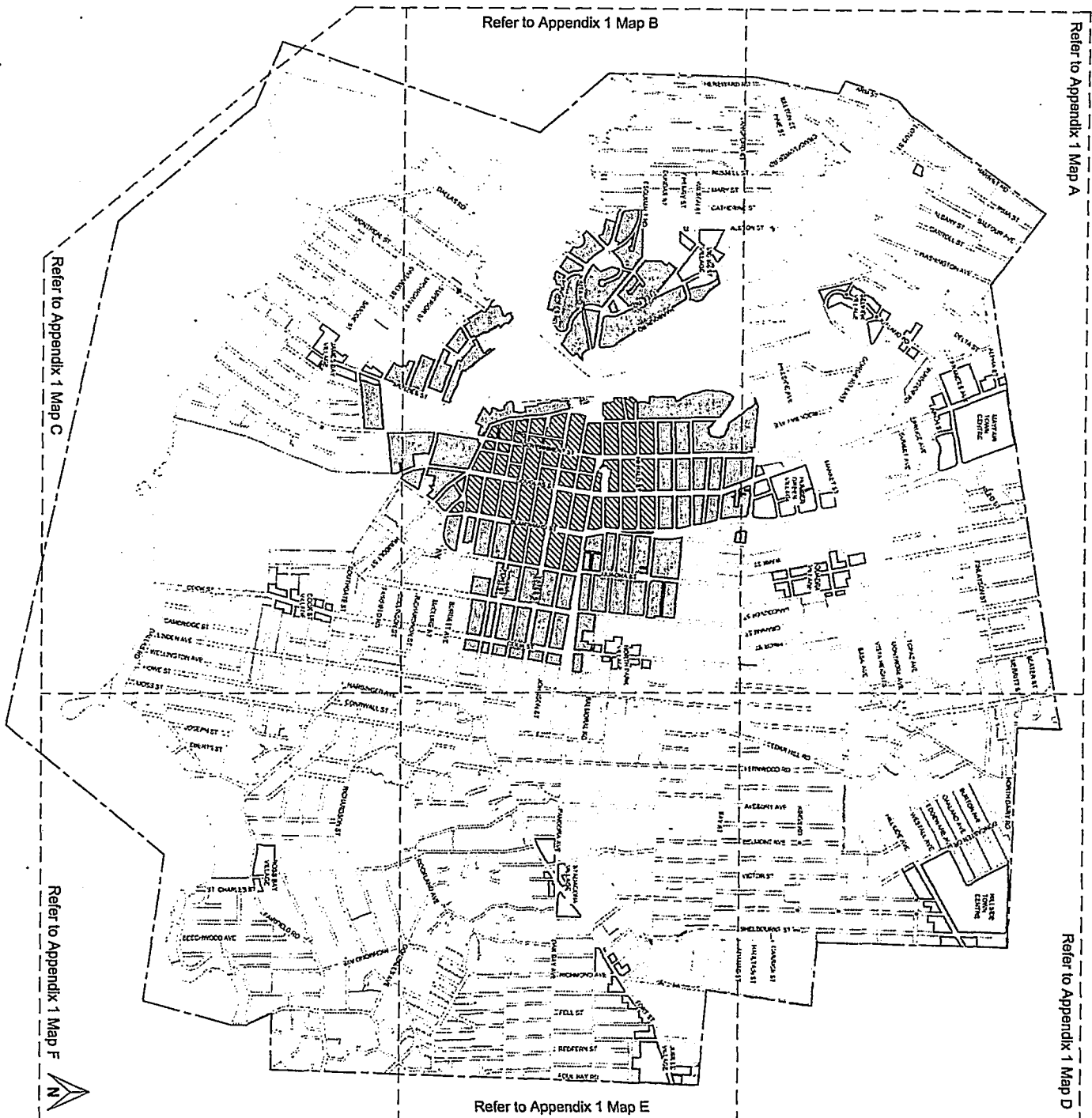


3.2 Bicycle Parking Exemptions





1. Notwithstanding section 1.2.2:

- (a) bicycle parking, short term spaces are not required to be provided where the siting and design of a building existing on the date of adoption of the Bylaw incorporating this Schedule physically prohibits such spaces from being provided on a lot in accordance with this Bylaw;
- (b) no additional bicycle parking, short term or bicycle parking, long term spaces are required to be provided where only alterations or changes of use to a building are proposed and the building existed on the date of adoption of the Bylaw incorporating this Schedule; and
- (c) if additions are proposed to a building existing on the date of adoption of the Bylaw incorporating this Schedule, additional bicycle parking, short term and bicycle parking, long term spaces must be provided for the additional bicycle parking required with respect to the building addition only.

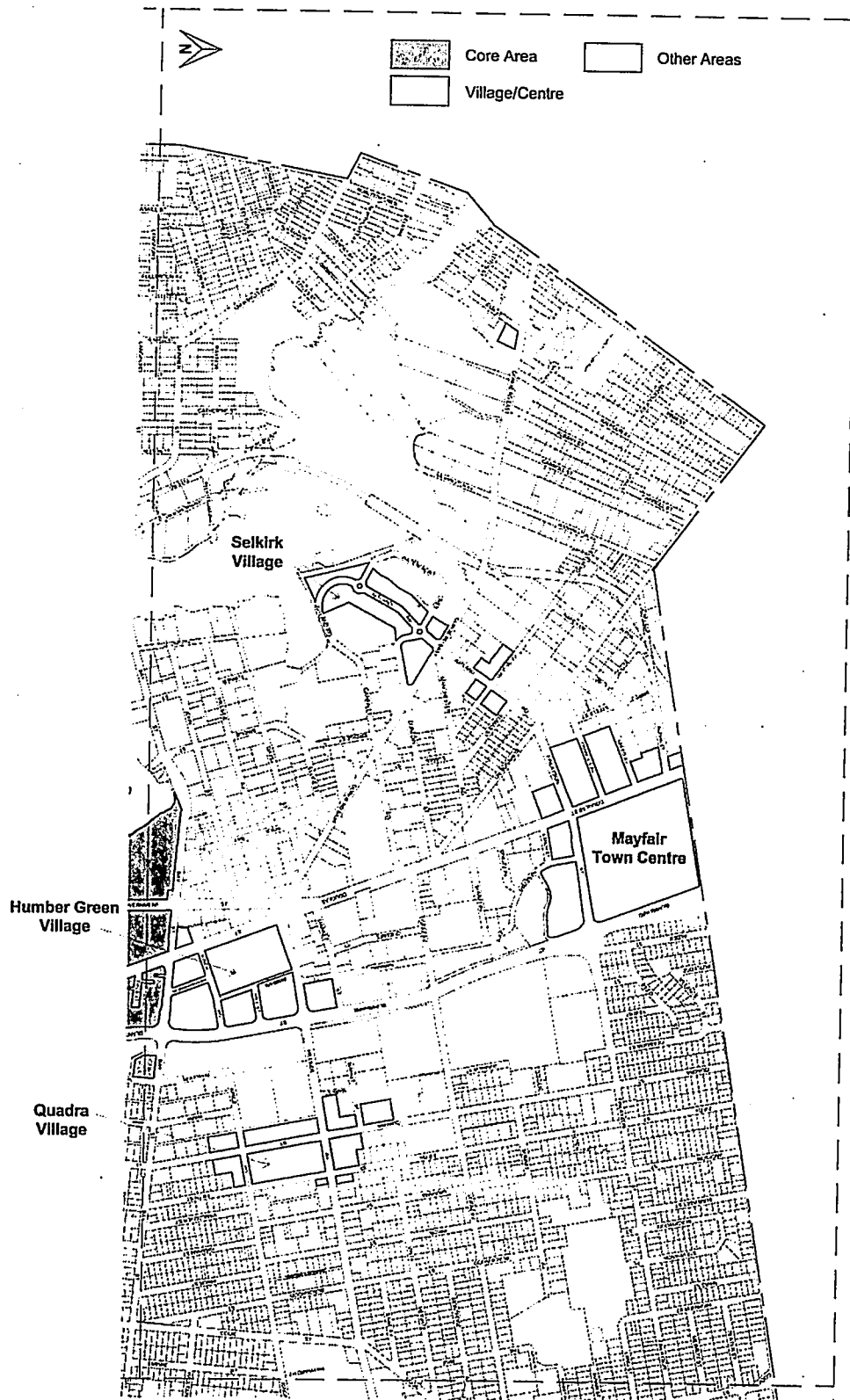
Appendix 1



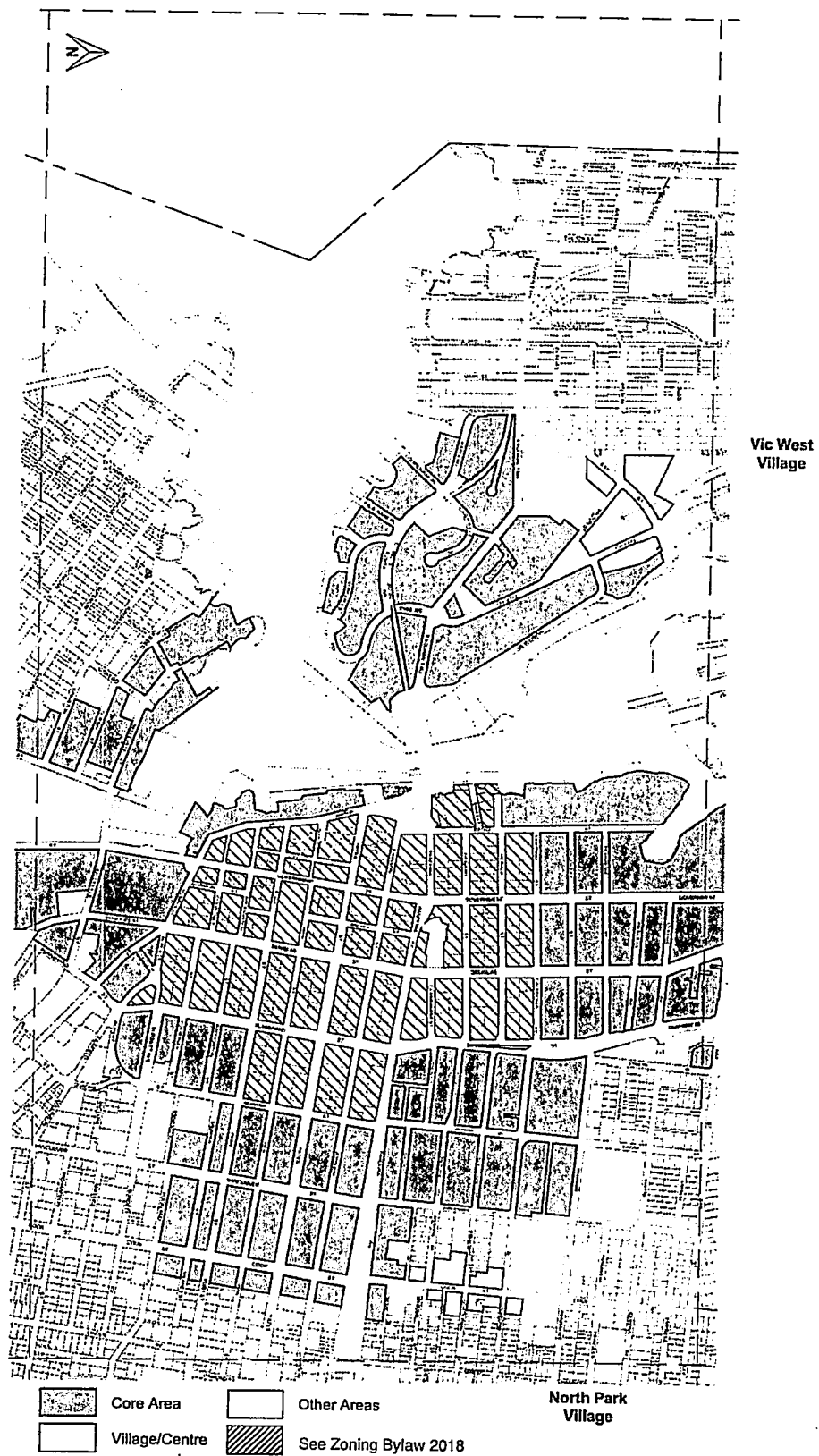
Geographic Areas for Schedule C

	Core Area		Other Areas
	Village/Centre		See Zoning Bylaw 2018

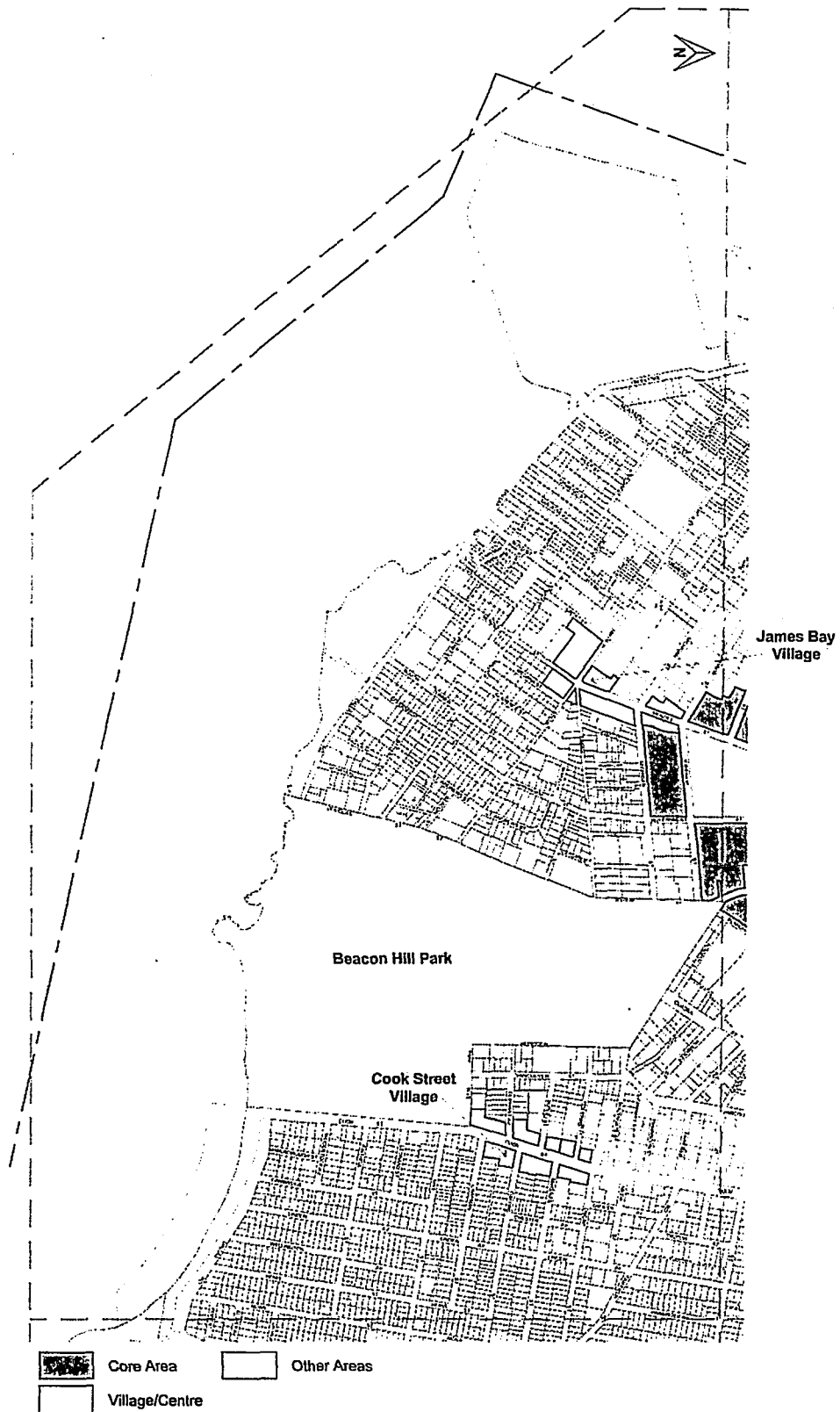
Map A



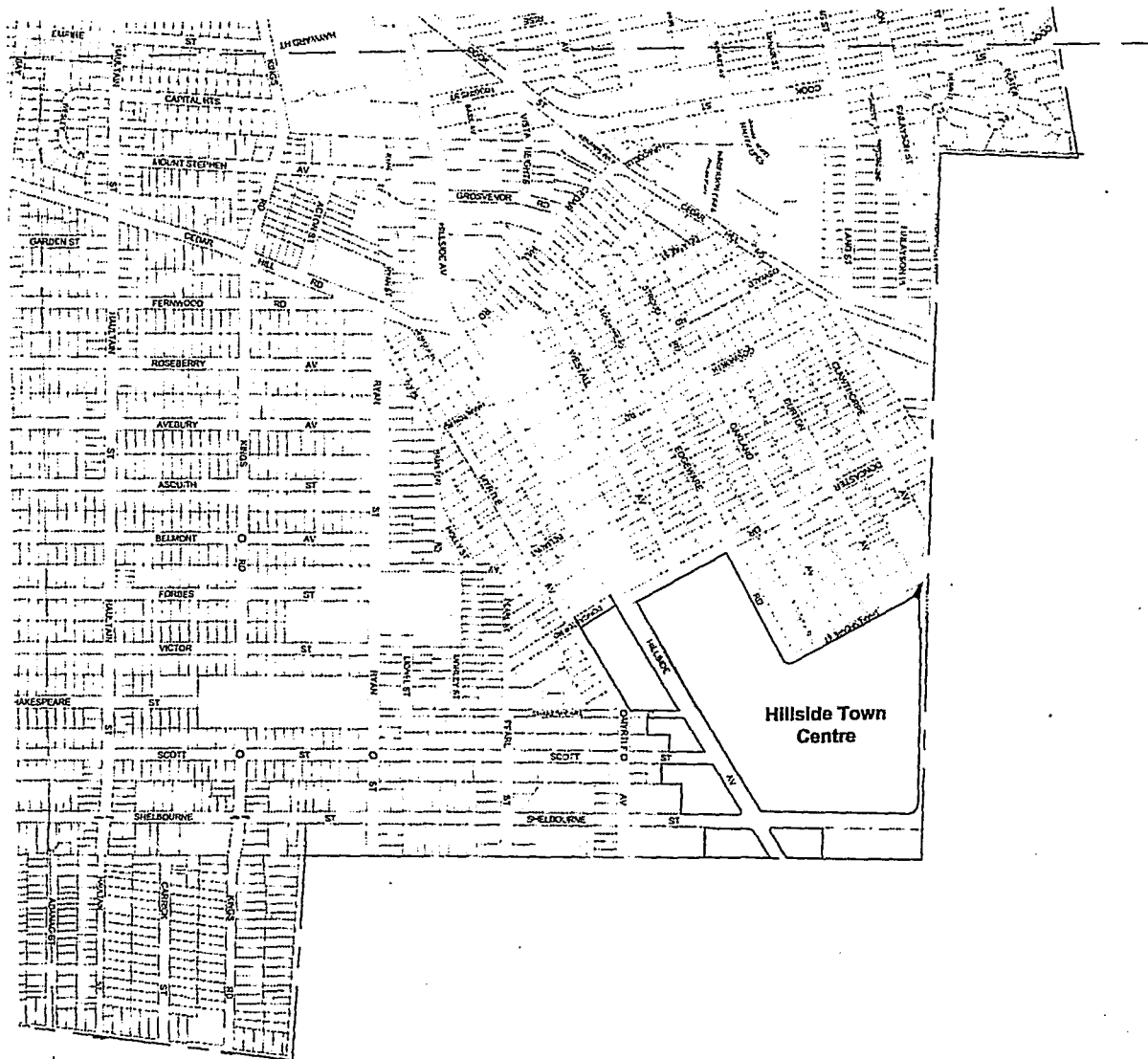
Map B






Map C

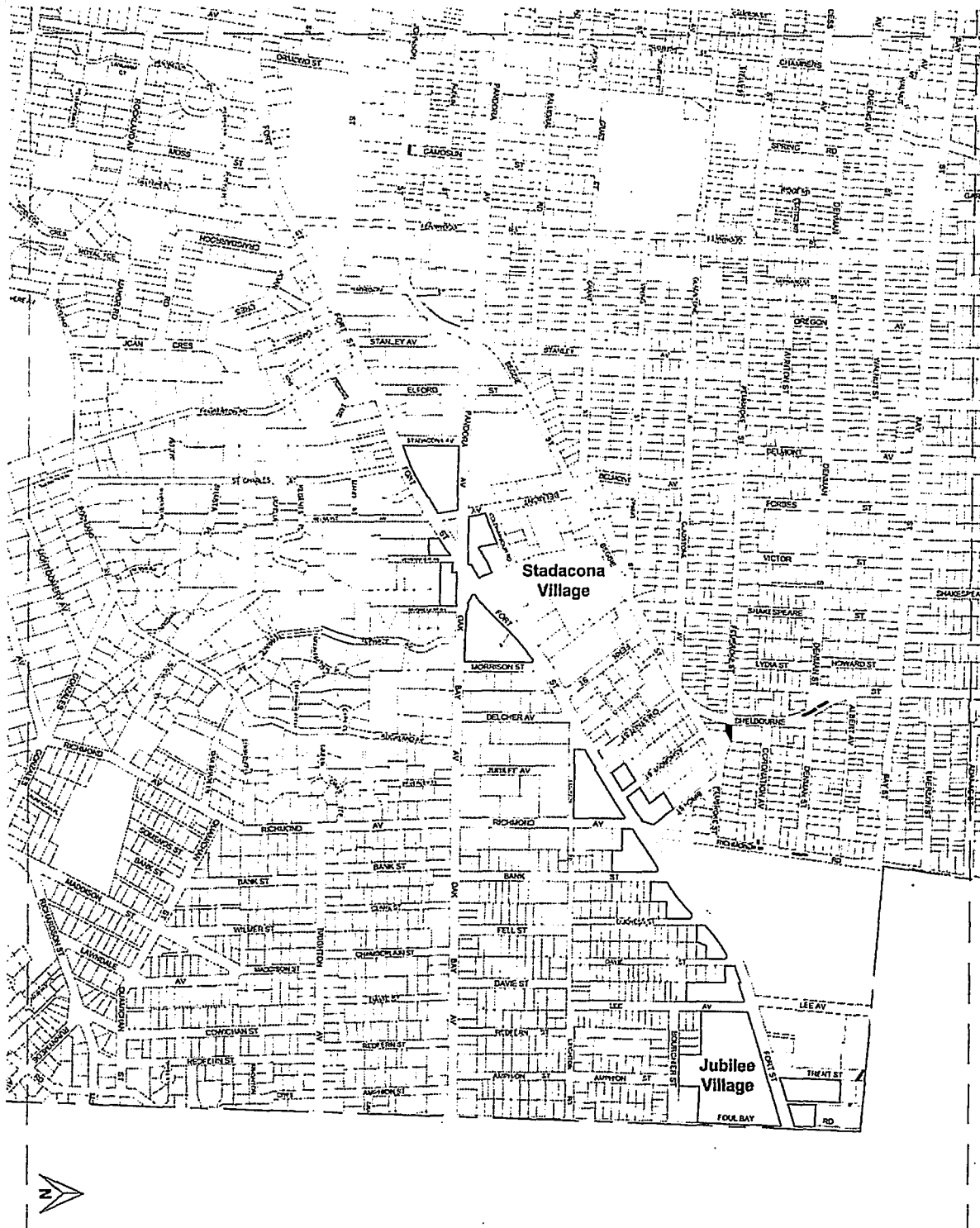


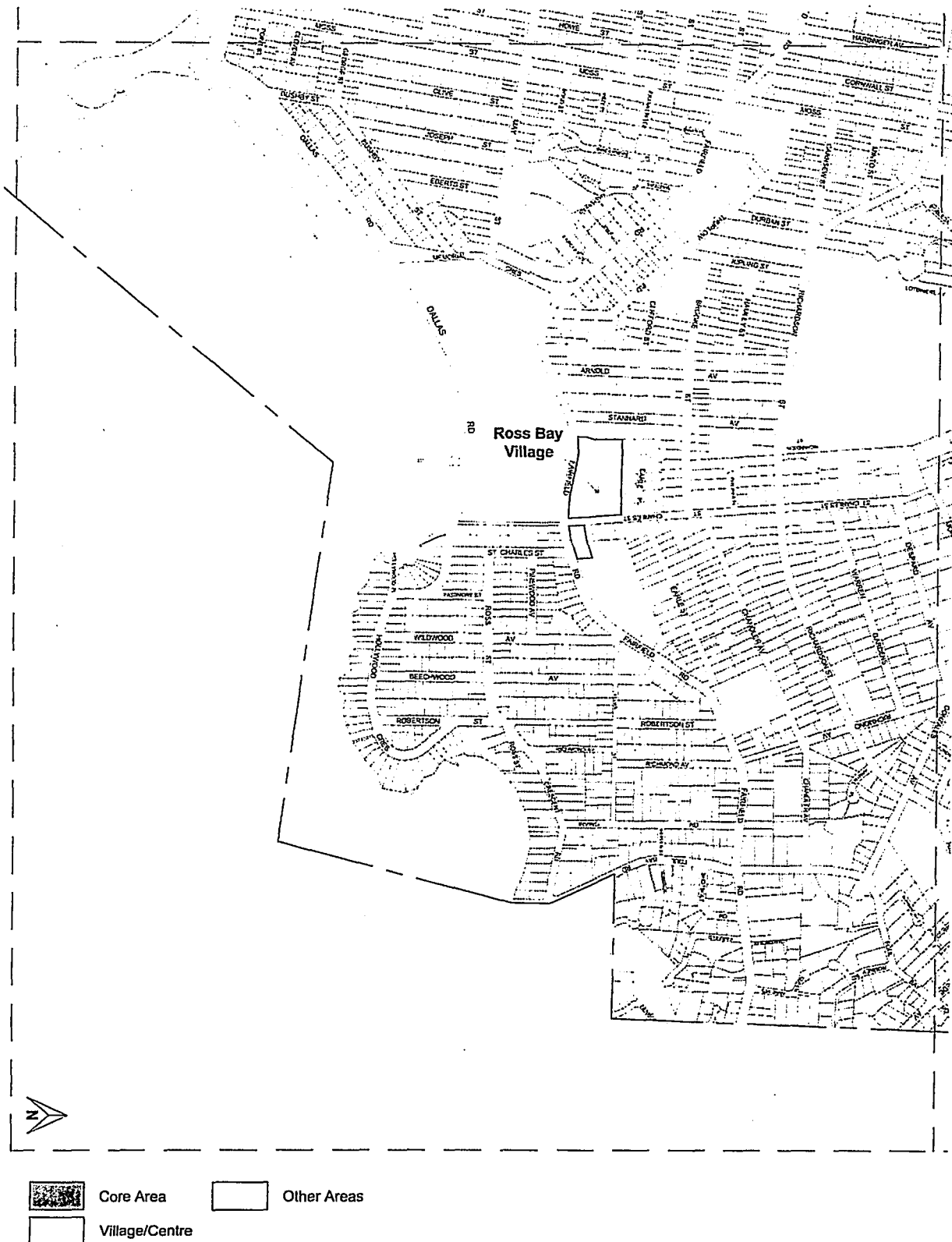
Map D



- | | | | |
|---|----------------|---|-------------|
|  | Core Area |  | Other Areas |
|  | Village/Centre | | |

Map E



Map F

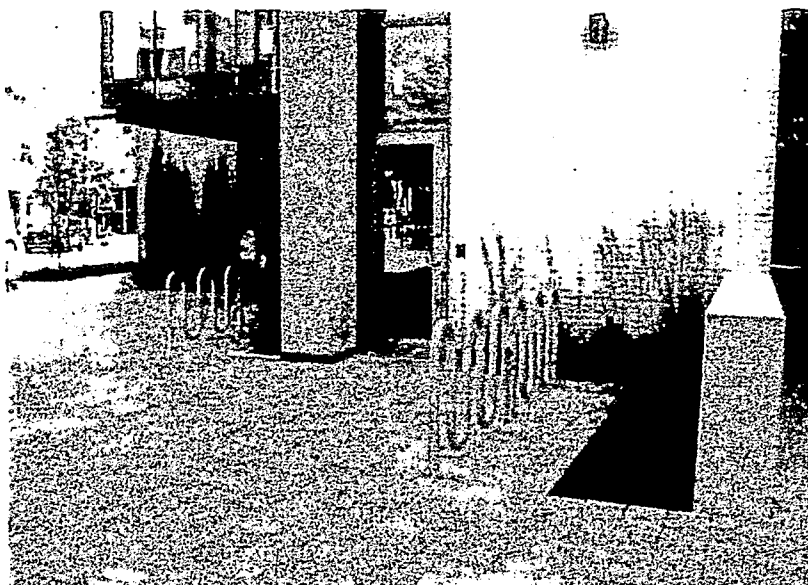
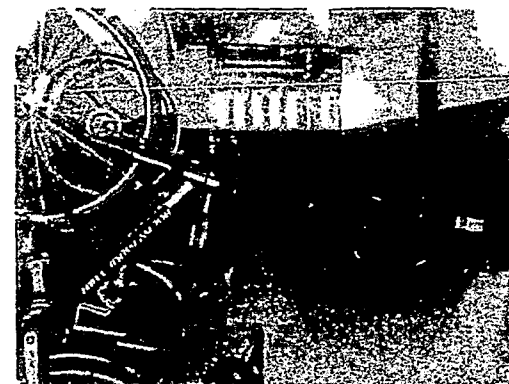
Attachment B – Consultation Feedback

- Open House Boards, November 20, 2017
- Summary of Open House Feedback
- Staff summary notes from Accessibility Working Group meeting, December 4, 2017
- Letter from Accessibility Working Group, December 21, 2017
- Minutes from meeting with CALUC members, April 17, 2018
- Correspondence

Welcome

Why are you here today?

- Find out more about the draft off-street parking regulations
- Provide feedback on the proposal to delegate minor parking variances for small businesses to staff

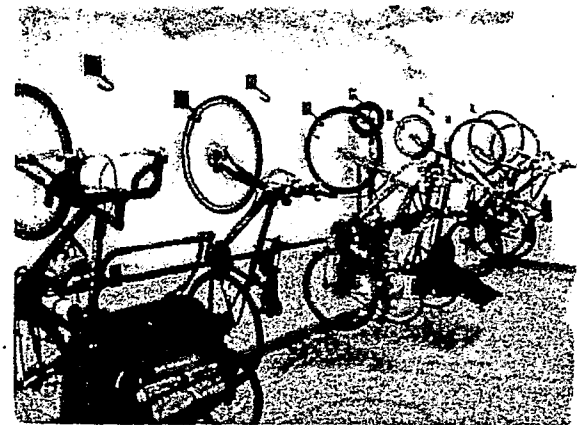


Off-Street Parking Regulations

Why are the off-street parking regulations being updated?

- Have not had a comprehensive review since 1981.
- To provide regulations and design standards for vehicle and bicycle parking that reflect actual parking demand, current practices and trends.
- To reduce the number of parking variances thereby improving the Development Permit Application review process.
- To better support affordable housing and healthier communities.
- To support Active Transportation (i.e. bicycles, public transit etc.).
- To create a more user friendly format for the off-street parking regulations.
- To better support existing and future businesses.

The updated "Schedule C" bylaw will require a public hearing and Council approval before taking effect.



Off-Street Parking Regulations

What is off-street parking?

- Off-street parking regulations specify the type, quantity, and design of off-street parking facilities required on private property.
- Regulations primarily relate to parking for passenger vehicles and bicycles.
- Victoria's off-street parking regulations form part of the City's Zoning Regulations Bylaw and are commonly referred to as "Schedule C".

What isn't off-street parking?

- On-street parking management, public parking lots or parkades.



Process and Timeline

What is the process for reviewing the off-street parking regulations?

SPRING/SUMMER 2016

PHASE 1

Initiate Project

- Establish project website
- Establish Technical Advisory Group

Research and Analysis

- Compare parking rates to other cities
- Explore best practice
- Collect and analyze vehicle ownership data for multi-residential uses (ICBC data)
- Observe and analyze data for commercial and visitor parking demand
- Analyze parking demand by land use

Stakeholder Outreach

- "Focus Group" meetings
- Technical Advisory Group meetings
- Discussions with Stakeholder groups

FALL/WINTER 2016

PHASE 2

Identify Changes to "Schedule C"

- Vehicle parking supply rates
- Bicycle parking regulations
- Innovations and incentives
- Document organization and "read-ability"

Public and Stakeholder Outreach

- Advisory Group meeting
- Stakeholder discussions
- Project website
- Open House (December 7, 2016)

Review Feedback

- Confirm proposed changes to off-street parking regulations

WINTER 2017/2018

PHASE 3

Update Off-Street Parking Regulations

- Prepare draft Bylaw based on identified changes (Phase 2)
- Present draft Bylaw to Committee of the Whole

Public Comment

- Draft "Schedule C" Bylaw available on City website
- Opportunity for public feedback
- Open House (today)

Finalize and Adopt New Regulations

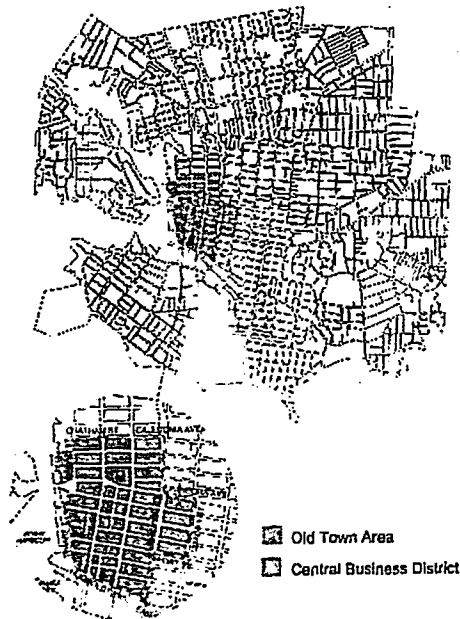
- Revised Bylaw presented to Council (First and second reading, December 2017 TBC)
- Requires Public Hearing prior to adoption (January 2017 TBC)

We Are Here

Parking Regulations by Geographic Area

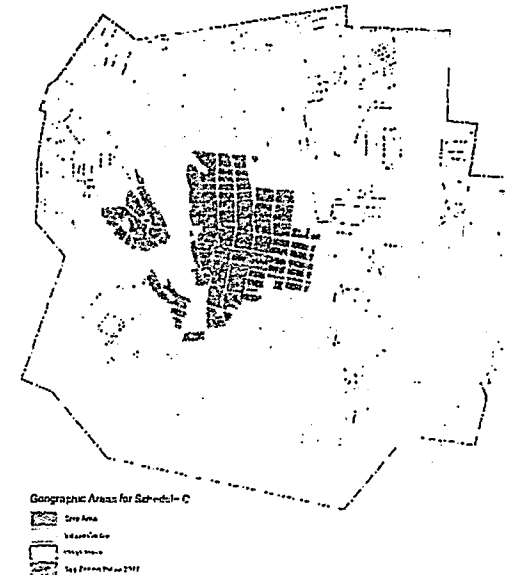
The Off-Street Parking Regulations will replace "Schedule C" of Zoning Regulation Bylaw No. 80-159 and will be included in the emerging Zoning Bylaw 2017 (Downtown).

Zoning Bylaw 2017 (Downtown)



- provides new zones and regulations for the Central Business District and Old Town Area
- no minimum off-street parking requirement within Old Town Area (supports retention and re-use of heritage buildings)
- minimum off-street parking requirement only for residential and hotel uses within the Central Business District

Zoning Regulation Bylaw No. 80.159



- applies to all other parts of the City that are not covered by Zoning Bylaw 2017
- lower parking supply requirements in the Core Area compared to the Large Urban Villages/Town Centres
- lower parking supply requirements in the Large Urban Villages/Town Centres compared to the other areas

Delegating Minor Parking Variances for Small Businesses

Background

The City heard from small business owners that the requirement to provide off-street parking can be a barrier to opening a business in Victoria. This is mostly due to the timeline and lack of certainty with the required permitting process for handling parking variances.

Proposal

Application would be delegated to staff if:

- the proposal is for a change of use only (i.e. retail store to restaurant) and would not apply to new buildings or building additions
- the proposed parking variance does not exceed five vehicle parking stalls
- the proposal relates to a commercial, industrial or institutional use not exceeding 300m²

Design Guidelines would establish appropriate criteria for considering these applications. If staff declined an application, the applicant would be able to appeal to Council.

Do you agree?

Vote with
sticky dots!

YES

NO

Use a sticky
note to write
comments

WHY?

WHY?

Next Steps

Winter 2017/2018

Review Feedback

From November 20
Open House and
finalize draft off-street
parking regulations

Present to Council

Present final draft
off-street parking
regulations to Council
for first and second
reading (anticipated
December 14, 2017)

Public Hearing

Opportunity to
comment on the
proposed off-street
parking regulations
(anticipated
January, 2018)

Implementation

General Comments

Please use the sticky notes to provide any general comments related to the off-street parking regulations.

Comments

Use a sticky
note to write
comments



Large empty rectangular area for writing comments.

PUBLIC OPEN HOUSE, NOVEMBER 20, 2017

Comments received in response to draft Off-Street Parking Regulations

- Limit the number of vehicles parked in the front yard to one. Other parking to the rear or side yards.
- Plan for parking areas for construction workers.
- If shared parking is removed in some places due to bike paths should City consider purchasing a lot to handle those removed spaces.
- Encourage parking to the rear and side of dwellings and front yard for people and green space.
- Misusing tax payer dollars is not respected by planning staff and/or Council.
- Stop paving back yards for parking. Front yard parking or if screened nicely. Need yards for family use.
- Street parking is at a premium in residential neighbourhoods. With increasing density, having parking in the driveway in front of the house makes a lot of sense. Many existing houses don't have adequate space to the side to allow parking beside or behind the house.
- Good work! Keep it up. Find more ways to make housing more affordable.
- Better urban design for R1 Zones. Promote an active streetscape by reserving the space between curb and house/building for people and green space.
- Since each driveway displaces an on-street space there is no gain in parking supply from a single off-street space. Eliminate off-street requirements for single-family houses and better manage on-street parking.
- The Fernwood village has a huge parking issue, and this will get worse with the proposed Vic High School situation. How will your proposal help or hinder parking in the community.
- New standards are reasonable. They must be used and enforced by staff and Council.
- The Urban Village (DPA 6A) on Oak Bay should be an Urban Village in the new parking Bylaw.
- Adopt best practices in Class 1 and Class 2 bicycle parking require such in all lots greater than duplex / 2 units.
- What are you doing with the Rock Bay area parking issues?
- If off-street parking improves density it will be a benefit to our City.
- Good work. Now can we end variances.
- Maintain the R1-B front-door pedestrian streetscape by only permitting single-wide curb-cuts. Double garages to the rear and side.

Comments received in response to proposed Delegation of Minor Parking Variances for Small Businesses

In favour of Delegating Minor Parking Variances for Small Businesses – 10

Not in favour of Delegating Minor Parking Variances for Small Businesses – 3

Comment:

- If staff declines an application there are good/valid reasons for this – why should a developer/etc. be able to go to Council.

Accessibility Working Group Meeting – Schedule C (Barrier Free Parking) Feedback

Staff Notes December 4, 2017

- Unanimous agreement from AWG that BC Building Code rates for disabled parking are too low especially for Victoria in consideration that 12-14% of the population has some form of disability, Victoria has a higher proportion of seniors.
- Best practice research recommends that approximately 5% of stalls (1/20) should be for disabled parking
- A possible approach for determining the right number would be to look at the total number of disabled parking permits issued in Victoria in comparison to the number of registered vehicles or licensed drivers
- Identified that most new developments typically only provide the minimum amount of disabled parking that is required through the Building Code
- Several concerns raised with respect to the minimum stall width (3.7m) as this does not provide sufficient room to accommodate vehicles with wheel chair ramps. Ideally there should be a requirement for an additional buffer space on both sides of the stall
- The space at the end of a parking row often contains a landscaped area, suggestion that these areas should be kept paved and flat to allow for wheel chair ramps to extend out
- Disabled parking stalls should also be required to be on a flat surface, otherwise concerns with wheelchairs not staying in place.
- Consider design guidelines that address curb cuts and unobstructed access between disabled parking stalls and curb cuts
- Suggest exploring other universal barrier free design guidelines for reference
- Parking amenities such as EV charging should be designed for access and use by people with disabilities
- Consider design guidelines for mobility scooters as well
- Although the minimum requirements for motor vehicle parking may differ between condos, apartments and affordable housing, there should be a consistent requirement for disabled parking in all forms of development, especially multi family.
- Need to ensure that disabled parking stalls are provided both for tenants and visitors
- Consider if some disabled parking stalls can be designated for people in wheelchairs only

Accessibility Working Group (AWG) Consultation Report

Re: City of Victoria Off Street Parking Regulations

Consultation: December 4, 2017

Report: December 21, 2017

Introduction:

Victoria is well known as having not only a high population of seniors but it also has a higher than average rate (twice as many) of students with disabilities. The mild weather is favourable to many of those with particular medical conditions. More persons with disabilities (PWD) are now living in the community and have their own private accessible transportation, often made possible by recent government funded employment programs. As Victoria residents live to an increasing age, they are more likely to experience a temporary or permanent disability which may require the use of a mobility device or adapted vehicle in order to maintain their independence. Contrary to the City's findings, PWD need for parking may be the same regardless of whether they own or rent their accommodation.

There are various reasons PWD may need parking, which may differ from the general population:

1. For PWD who own their own vehicles that they drive themselves. These may be users of wheelchairs who drive modified vehicles, or people with endurance and mobility challenges like seniors who still drive. The latter may approach a vehicle with a walker and not need as much extra space as people transferring from wheelchairs or using a vehicle ramp, but the former require accessible *resident's* parking stalls.
2. For people whose disability or economic situation means that they cannot drive or own a vehicle and who therefore rely disproportionately on in-house personal services and deliveries. This creates a need for *visitor* parking that need not be accessible, but is a very important consideration when determining the amount of visitor parking for rental, affordable and assisted living residential types. Peak usage may be during the day but it may also entail visits to put residents to bed in the evening.
3. For PWD who require drivers to take them to medical appointments and various errands for everyday living. This creates a demand for accessible parking in both *visitor* and *resident* areas. Where drivers pick up people with disabilities, they may need to use wheelchair ramps and thus require extra space than is provided with a regular accessible parking stall. Further, drivers may need to park and accompany a PWD from their suite, meaning they need to park properly, and not just use a pick-up zone. If the service is required frequently, the need might best be accommodated by an accessible resident's parking spot associated with the suite, to ensure that if visitor accessible parking is occupied the PWD can still get out of their vehicle.

The BC Building Code regulates parking on private property. The AWG has been asked if the City should consider accessible parking requirements above and beyond the Building Code in the Zoning Regulation Bylaw and if so, for its recommendations. We would like to point out that the AWG could have been of more service to the City had the project consulted earlier, at a time when our concerns could have been incorporated into the research plan.

Recommendations:

Find below a description of what the current Code requirements are, our comments and recommendations.

1. Number of Accessible Parking Stalls Required

Building Code: Accessible parking stalls are only required where more than 50 parking stalls are dictated. For 50 – 100 stalls, the Code requires 1 accessible stall, and for every 100 stalls (or part of 100) over that, one additional accessible stall is required. This equates to between 0 - 2% accessible stalls.

Comments: Victoria's parking requirements should be based on Victoria's particular population mix, and thus, departures from minimum Provincial standards are warranted. Approximately 15,000 disabled parking permits are in use in Victoria at any given time. Disabled Parking Permits are assigned to individuals, based on documented medical need, and are assigned to the individual, not the vehicle. They can be used by anyone driving the PWD holding the permit, in any vehicle. Given a population (same geographic area) of 209,000, this equates to about 7% of the population requiring accessible parking. If compared to number of licensed personal vehicles instead of total population, this percentage would be even higher than 7%.

AWG Recommendations:

- (a) That the City require a minimum of 7% of parking stalls be accessible.

The AWG also advises that the City Investigate Barrier-Free BC recommendations given that a B.C. persons with Disabilities Act will be legislated and Victoria's goal should be to meet or exceed what is legislated. Universal Design standards and those used by SPARC should also be investigated.

- (b) Every residential development, including single family homes and low density developments, should have at least one accessible parking stall, consistent with Universal Design Standards. There should be no minimum threshold of total parking stalls, even for low density developments before an accessible stall is required. Even for single family dwellings, parking needs to meet Universal design standards, or PWD who require accessible parking are relegated to large multi-unit developments and would not have housing choice.

Explanation: Even though research has shown that a smaller proportion of residents living in rental accommodation own vehicles compared to those living in condominiums, and that this number is even lower in affordable rental buildings, for persons with disabilities, the need for an accessible parking stall may be independent of vehicle ownership. PWDs often require accessible parking to be picked up and dropped off to carry out daily activities

Persons on fixed and low incomes, which is the case for many persons with disabilities, are more likely to live in affordable rental units.

- c) Maintain a consistent number of accessible parking stalls regardless of whether the development is a condo, or rental (including affordable) accommodation. The number of accessible parking stalls in an affordable rental building should be the same (possibly even more) than a condominium complex with the same number of units, and they should be located in both visitor and resident parking areas.

2. Width of Accessible Parking Stalls

Building Code: Accessible parking stalls are to be 3.7 metres wide

Comments: 3.7 metres may be wide enough for a person using a walker, but it is often not wide enough for a person using a wheelchair and rarely wide enough for those with a van with a side ramp. A vehicle door generally must be fully open to facilitate transfer from a wheelchair to a car seat. But where a side ramp is required, to accommodate a person in a wheelchair, there must not only be room for a side ramp, but also for the person using a wheelchair to approach the ramp and turn.

AWG Recommendations:

- a) That the City requires a buffer zone on either side of some (not all) accessible parking stalls (marked with diagonal yellow lines) to accommodate vans with side ramps, to provide room to load and unload a wheelchair.
- b) That the City requirements include two accessible parking stall designations: one for vans (whose specification include a buffer zone) and one that is 3.7 metres wide for those who do not require the extra width of the buffer zone. Where more than one accessible parking spot is required, both types should be furnished.

3. Possible Design Guidelines:

Project Staff mentioned that some requirements might be more suited for inclusion in Design Guidelines than a Bylaw.

AWG Recommendations for design guidelines:

- a) Replace curb and garden area beside end parking stall with level buffer zone.
- b) Install curb cut at head of buffer zone rather than at head of accessible parking stall.
- c) Require all parking amenities (such as charging stations) to be accessible.
- d) Accessible Parking guidelines should differ depending on the type of housing, according to known demand by PWD. For instance, scooter parking at senior's residences, and a high proportion of accessible visitor parking stalls at assisted living facilities.
- e) Accessible parking stalls should be required in each category of parking: visitor and resident.
- f) Require accessible parking stalls to be level.
- g) Bicycle parking should take into consideration the need for space to accommodate specialty bikes and/or trikes that may be used by PWD. Non-standard spaces need to be labeled as accessible only, and subject to similar rules as vehicle parking so that they aren't used for regular bicycles. (This may need to be written into the bylaw rather than guidelines).
- h) Bike racks should be highly visible (contrast with surroundings), especially at night, to avoid injury to people with visual impairments. (E.g if black, a florescent painted strip should be applied).

The AWG would like to express its appreciation of the City's proactive approach with regards to potential bylaw changes to the Zoning Regulations as they pertain to the provision of accessible parking. The AWG would also like to extend an invitation to the City to come back to the AWG for a future consultation once more specific regulations are drafted.

Submitted by: Linda Bartram, AWG chair

Minutes
CALUC meeting to Discuss Schedule C
April 17, 2018
Songhees Boardroom

Neighbourhoods Represented

James Bay, Fernwood, Fairfield/Gonzales, Hillside-Quadra, Downtown/Harris Green

City Staff: Jim Handy, Robert Batallas, Jonathan Tinney, Brad Dellebuur

- Jim Handy provided a general overview of the review and update to the off-street parking regulation as contained in Schedule C of the Zoning Regulation Bylaw
- Presentation highlighted case studies to demonstrate that the new parking regulations can result in increased parking requirements contrary to any perception that they are reducing parking across the city
- Updated Schedule C will be advanced to Council along with Zoning Bylaw 2017 for Councils consideration, otherwise there is a risk that if Zoning Bylaw 2017 is not approved that there would be no off-street parking regulations for the downtown area
- Copies of presentation slides are included with these minutes
- Robert and Jim encouraged all CALUC members to contact either one of them if they have any further questions

CALUC Comments

- Appreciate the new Schedule C and the work that has gone into developing the new regulations
- CALUCs in attendance are in support of the new regulations and would hope that the development industry are also in support
- General concern that Council should also commit to sticking with the new regulations instead of approving parking variances that undermine the new regulations
- Appreciate the potential of increasing the threshold for reduced parking for residential dwelling units less than 45m² from the current threshold of 40m².
- Some CALUC members provided examples of where recent projects had received parking variances that were less than the new Schedule C rates or where the rationale for reduced parking did not relate to transportation demand management (TDM)
- General concern that any approved TDM measures should be long-term and not just temporary in nature
- General question of qualifications that are required for parking demand consultants and how many local consultants can perform this work?
- It appears that parking impact studies never identify that a project will not work, rather the outcomes tend to be tailored to support the project
- What can we do to address Council before they make a decision on a parking variance?
 - City staff identified that staff will identify any related concerns to Council
 - The City is also going through a training process with the development community to identify that the City expects to see the new parking standards reflected development proposals

- City staff regularly question why an applicant is seeking a parking variance and to highlight the new parking regulations. However applicants always have the ability to apply for a variance and the final decision is made by Council
- Several CALUC members supported the idea of the CALUCs requesting Council the opportunity to meet to discuss any outstanding concerns with respect to the approval of variances, impacts from on-street parking, potential impacts from 'gentle density' and to express general support for implementing the updated Schedule C requirements
 - City staff identified that the City may undertake a review of on-street parking at a later time and that on-street parking should not be used as rationale for accommodating required on-site parking as there is no guarantee that on-street parking will always be available.
- General question as to why cash-in-lieu was rejected as part of Schedule C? City should consider this approach as a means to fund new parkades.
 - City staff explained cash in lieu was examined through focus groups with local municipalities that have implemented this approach, however, based on the complexity of the approach it was recommended that cash in lieu should be re-explored at a later time. Details to cash in lieu are included in Working Paper #4. Which is available on the project website.
- Some CALUC members that live in neighbourhoods close to the downtown or key destinations such as Jubilee Hospital and Fernwood Village noted that there are issues with employees parking on streets which can impact the availability of parking spaces for customers or visitors to these areas/facilities
- City staff encouraged CALUC members to look at the full set of proposed off-street parking regulations (available on the project website) and to contact either Jim Handy or Robert Batallas if they have any further questions.
- In response to a suggestion for front yard parking, staff confirmed that the revised off-street parking regulations allow parking within the front yard of a single detached dwelling as a means of better supporting the development of garden suites and secondary suites which may generate additional parking.

Jim Handy

From: Jim Handy
Sent: November 23, 2017 10:56 AM
To: Jim Handy
Subject: FW: Off Street Parking Review

From: J Drew [<mailto:janetdrew@telus.net>]
Sent: Wednesday, October 25, 2017 9:29 PM
To: Engagement <engage@victoria.ca>
Cc: J Drew <janetdrew@telus.net>
Subject: Off Street Parking Review

Hello,

Once again I am not likely to agree with you on the number of parking spaces needed in residential and commercial buildings. Some of you people seem to think that this modern society needs less parking spaces than we did in the past, and this is simply not true.

Every adult in my family (6 in total) walks, cycles, occasionally takes a bus AND owns an automobile. It is not realistic to believe that today's society will walk, cycle and take the bus ONLY any more than people did in the past. There will always be people who cycle,

take buses and walk, but that doesn't mean that these people are willing to give up their automobiles. The RJH reduced parking when they built the new hospital, and sometimes staff can't find a spot to park!

I would suggest you look among yourselves (employees at city hall) and discuss how many people who walk, take the bus or ride their bikes to work also own an automobile. It is not practical to ride a bike for all occasions and so, I don't believe that the number of

parking spaces should be reduced. On the contrary, families are more likely to have more than one automobile now than they did in the past as we lead much busier lives. It is getting harder and harder to find parking spaces in the downtown area when there is an

event going on meaning some of us (especially the disabled) are being excluded from tax payer events such as concerts at the legislative buildings, symphony splash and fireworks displays.

I am against reducing the parking requirements for residential and commercial buildings, in fact many should be increased.

Janet Drew
1740 Haultain St.
Victoria BC
250-595-1026

Katie Lauriston

From: UDIVictoria <UDIVictoria@udi.org>
Sent: Thursday, November 02, 2017 7:51 AM
To: Jim Handy
Cc: Robert Batallas
Subject: RE: Off-Street Parking Regulations

Hello Jim and Robert –

Please see below comments in red from both Dave Chard and Robert Jawl.

Cheers

Kathy Hogan – Executive Director
Urban Development Institute – Capital Region
#101 – 727 Fisgard Street, Victoria BC V8W 1R8
250-383-1072 (Office)
250-888-1671 (Mobile)
www.udicapitalregion.ca

From: Jim Handy [mailto:JHandy@victoria.ca]
Sent: November 1, 2017 12:18 PM
To: UDIVictoria <UDIVictoria@udi.org>
Cc: Robert Batallas <RBatallas@victoria.ca>
Subject: Off-Street Parking Regulations

Hi Kathy

I just wanted to follow up to say thank you again for organizing last weeks meeting. We received some very useful feedback, particularly around the bicycle parking issues, and we plan to work on those items and share any subsequent amendments to the emerging regulations with the UDI.

We also wanted to clarify that, for Downtown, the proposed regulations do not propose minimum motor vehicle parking requirements for Old Town and, for the Central Business District, minimum motor vehicle parking requirements would apply to multi-residential and hotel uses only. However, bicycle parking requirements would apply to all uses in the downtown (although the draft regulations describe a couple of scenarios where they don't apply, for example, where there is an existing building on the lot and bicycle parking could not physically be accommodated on-site consistent with the regulations).

We would also welcome comments from your members on the following specific topics:

- Barrier free parking – City Council have directed staff to carry out further engagement on this issue. We are trying to determine whether the BC Building Code adequately regulates parking for people with disabilities or whether the Zoning Bylaw should be amended to include additional regulations relating to stall supply rates and specifications.

Stay with bc building code , do not confuse the issue with different regulations and add to more regulatory approvals

- Delegating Minor Parking Variances for Small Businesses – again, this is something that Council have directed staff to pursue as the current process/timeline for approval of such a variance can be a barrier to small business. The creation of Design Guidelines, an Official Community Plan amendment and an amendment to the City's Land Use Procedures Bylaw would be required to facilitate this.

Yes , delegating to staff on these minor parking regulations is an excellent idea .

Should any of your members have any questions relating to the above, they can contact myself or Robert Batallas (rbatallas@victoria.ca 250 361 0286) directly. We would also be happy to meet with any of your members individually should they request it.

Regards

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386



Katie Lauriston

From: R Forrest Smith [REDACTED] >
Sent: Wednesday, November 08, 2017 2:13 PM
To: Jim Handy
Cc: Chris Coleman (Councillor); Pam Madoff (Councillor)
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Hello Jim

I saw recently that the City is working on a new by-law that specifies the number of Visitor Parking Spaces required and does now base Visitor Parking to be provide based on the number of units just as they do in the BC Strata Act and uses the same factor 10% —BUT they **call for moving to the nearest whole number and use the example, if the result is 1.4 spaces provide ONE spot.**

This is not a good practice for two reasons. First when it comes to regulations and acts they specify the MINIMUM, you can always provide more, BUT not less! So for 1.4 according to the Strata Act and your old by-laws you provide TWO spaces and indeed two if the answer is even as low as 1.1.

It is never a good practice as a city to have a by-law that is in conflict with the higher jurisdictions specification. If 1.4 is the minimum, ONE will not comply, only two complies. Your by-law then conflicts and is null and void and just confuses people when it conflicts with a provincial enactment.

Next what do you do when it is 1.5?

Lastly, I can see why one might want to provide less individual private residential parking spots and round those down even. However, Visitor parking spots are for entirely different purposes and those purposes are not going down like the need for residents to have cars is in the near future (10 to 20 years).

For your consideration.

I hope I misread the proposed by-law.

Regards,

Forrest

PS yes I know the strata act only kicks in under restricted circumstances but that possibility still exists so my point about “not a good practice” still holds.

On May 26, 2016, at 08:57, Jim Handy <Jlhandy@victoria.ca> wrote:

Hi Forrest

Yes, I will share your recommendations with the Consultant team. Please feel free to drop me a line at any time if you have any further questions or would like an update on our progress with this project.

Thanks

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386

<image001.gif> <image002.png><image003.gif> <image004.gif> <image005.gif>

From: Forrest [mailto:]
Sent: Thursday, May 26, 2016 8:49 AM
To: Jim Handy <JHandy@victoria.ca>
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Thanks Jim for the prompt update. Question: did you pass along my point that visitor parking in a strata should be based on number of units because this is more logical and consistent with the BC Strata act? If not could you do this please?

Thanks in advance to you attention to my question and request above.

Forrest

On May 26, 2016, at 8:43 AM, Jim Handy <JHandy@victoria.ca> wrote:

Dear Mr Smith

The review of Schedule C of the Zoning Regulation Bylaw is underway. Brief background details on the project can be found on our website:

<http://www.victoria.ca/EN/main/departments/planning-development/off-street-parking-review.html>

The City have secured the services of Boulevard Transportation to assist with this and they are currently collecting data and carrying out the necessary research to assist with determining appropriate parking rates (including visitor parking rates).

Regards

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386

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From: Forrest [mailto: [REDACTED]]
Sent: Wednesday, May 25, 2016 5:29 PM
To: Jim Handy <JHandy@victoria.ca>
Subject: Re: Visitor Parking – Strata Act Provisions Article 258

Greetings

As it has been a year since we last communicated, thought I would check in again. I know that neighbourhood plan requirements are a priority so I am curious as to what is happening with a review of the general Zoning Regulations and visitor parking in particular. Can you advise please?

Forrest
[REDACTED]

On Jun 22, 2015, at 15:44, Jim Handy <JHandy@victoria.ca> wrote:

Dear Mr Smith

Thank you for your email.

We are hoping to commence work on the review of Schedule C of the Zoning Regulation Bylaw later this year. We appreciate that this is later than originally envisaged. As part of this work we will be reviewing the requirements for visitor parking, however, at this stage, as the review as not commenced, we are unable to provide any additional information.

Regards

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386

<image001.gif> <image002.png><image003.gif> <image004.gif> <image005.gif>

From: Forrest [mailto: [REDACTED]]
Sent: Friday, Jun 12, 2015 4:02 PM
To: Jim Handy

Cc: Thom Pebernat; Alison Meyer
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Greetings

It will soon be almost a year since I last heard (see e-mail from August 2014) was wondering what is happening, where are we in the process, when might the change take effect?

I noted that the recent list of ideas from the Mayor's task force on affordable housing had a proposals to reduce required parking. This would make it even more important to decouple the requirement for visitor parking from residential parking numbers. Trades and service people still visit affordable housing as do friends and relatives. The number of visitors and their mode of transportation and need for parking does not vary with the number of cars or parking spots owned by the occupants being visited.

Does staff concur that the rationale for visitor parking should be one for every ten strata lots/units as it is in the Strata Act and NOT 10% of the number of residential parking spots? Is the change moving forward?

Thanks in advance for considering my questions.

Regards.

Forrest

Forrest
[REDACTED]

On Aug 11, 2014, at 14:39, Alison Meyer
<ameyer@victoria.ca> wrote:

Thanks again for the input. By way of copy I have forwarded your suggestion to Jim Handy who will be leading the review of our Parking Regulation Bylaw.

Thanks, Alison Meyer

From: Forrest [mailto:[REDACTED]]
Sent: Monday, Aug 11, 2014 2:23 PM
To: Alison Meyer
Cc: Thom Pebernat
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258
Importance: High

Greetings

Thanks for the update. Just to reiterate by suggestion—visitor parking should be based on number of dwelling units for two reasons. Number of dwelling units is more indicative of the demand/need for visitor parking and this Strata Act uses this criteria (one for every ten dwelling units).

Glad to hear that you have reinstated verification of the provision of visitor parking and if you set the criteria the same as the Strata Act then there will be less confusion.

Thanks again.

Forrest

[REDACTED]

On Aug 11, 2014, at 13:40, Alison Meyer
<ameyer@victoria.ca> wrote:

Dear Mr. Smith,

Thank you for the follow up email. In response to your inquiry regarding visitor parking requirements in strata titled developments we can offer the following information:

- Staff will be undertaking a comprehensive review of Schedule C of the *Zoning Regulation Bylaw* this year. Changes to the visitor parking requirements will be considered as part of this review. Your feedback has been provided to the appropriate staff person who will be in charge of conducting the review of the bylaw.
- A municipality may not withhold the issuance of an Occupancy Permit for a development for reasons related to the presentation of a strata plan. The Building Inspector may only withhold Occupancy for safety issues. However, prior to the issuance of an Occupancy Permit, the process of having staff attend the site to ensure

the required number of parking stalls is provided and visitor parking stalls are labelled has been reinstated.

I believe the staff person that assisted you before was Thom Pebernat, Zoning Administrator. His phone number is 250-361-0284. please feel free to give him a call if you have any further questions. Thom's email address is also provided above.

Sincerely,

Alison Meyer

From: Forrest [mailto: [REDACTED]]
Sent: Friday, August 08, 2014 05:34 AM
To: Pam Madoff (Councillor)
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Hello Pam

Trust your summer is going well ours sure is. With respect to Visitor Parking for a Strata, I did receive a phone call message back in April 2014 when I was in Europe from a staff person saying he appreciated my input and would e-mail me the update. I never received an e-mail and regrettably deleted the message so I do not have a name and phone number to follow up with.

Can you ask the staff person to phone me again please.

Thanks in advance.

Forrest
[REDACTED]

On Oct 30, 2013, at 16:53, Pam Madoff (Councillor) <pmadoff@victoria.ca> wrote:

Thanks, Forrest.

This is very helpful and very interesting. I will follow up with staff and keep you posted.

Pamela

From: Forrest [mailto: [REDACTED]]
Sent: Wednesday, October 30, 2013 02:51 PM
To: Pam Madoff (Councillor)
Subject: Visitor Parking -- Strata Act Provisions Article 258

Pam

To follow up on our conversation, below is the applicable article from the Strata Act. Now this element will only kick in if the Developer is allocating an "extra parking" stall but note that in the Strata Act the number of visitor parking required is function of the number of strata lots not the number of parking stalls. Makes sense, the demand or need for visitor parking is based on the number of households, not the number of automobiles they own.

I recommend that the City By-Law be amended to match this section of the Strata Act and dictate "one visitor stall per ten strata lots" vice "one per ten parking stalls"

I also point out that if the developer plans to sell "extra parking" then they must first provide one parking stall per strata lot. My sense is every strata sold to date has provided one stall per strata lot and all the time and effort spent at the development permit stage negotiating anything less than this is ineffective. I know of no strata where each and every lot has less than one parking stall.

Lastly and perhaps more important, there is not now a means, process or procedure in place to ensure that the number of visitor stalls required under your by-laws are provided. This can easily be rectified if your process is amended to include a requirement of the builder/developer to provide documentary proof in the form of a strata plan or strata plan amendment certified to be accurate at the time of filing that the required number of stalls have been provided as a pre-condition for an "Occupancy Permit".

Note, the strata I live in was provided with only 2 Visitor Parking Stalls, we negotiated three more for a total of five. Based on the approved number of parking stalls the city negotiated for our 41 strata lots we were only entitled to 4 visitor parking stalls. The Strata Act came into play as there was an extra parking stall assigned so we got in the end a total of

five allocated but we (I) had to first research the issue and then fight tooth and nail to get that change. A friend lives in strata where they were also short changed so our problem is not unique. An ounce of prevention is worth a pound of cure—amend the by-law and instituted a procedural/process change to ensure Visitor Parking is appropriately provided with ease.

For your consideration.

Note, I would be glad to discuss and explain further at your convivence.

Parking designated by owner developer as limited common property

258 (1) An owner developer may, at any time before the first annual general meeting of the strata corporation, amend the strata plan to designate parking stalls as limited common property for the exclusive use of owners of strata lots in the strata plan.

(2) In designating parking stalls under subsection (1), the owner developer acts as the council and must

(a) act honestly and in good faith with a view to the best interests of the strata corporation, and

(b) exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.

(3) An owner developer may, at any time before the first annual general meeting of the strata corporation, amend the strata plan to designate a maximum of 2 extra parking stalls

as limited common property for the exclusive use of the owners of each strata lot in the strata plan.

(4) In this section, "**extra parking stalls**" means any parking stalls, on land shown on the strata plan as set aside for parking, that are in addition to the total number of parking stalls calculated by adding

(a) one stall per strata lot, or any greater number of stalls required by an applicable municipal bylaw, Nisga'a Government law, treaty first nation law or other enactment, plus

(b) **one stall per 10 strata lots** for visitor parking or any greater number of visitor parking stalls required by an applicable municipal bylaw, Nisga'a Government law, treaty first nation law or other enactment.

(5) In designating extra parking stalls under subsection (3), the owner developer is not required to act with a view to the best interests of the strata corporation, but must act honestly and in good faith and exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.

(6) A designation of parking stalls under subsection (1) or (3) does not require approval by a resolution at an annual or special general meeting.


(7) An application to amend the strata plan under this section must be made to the registrar accompanied by a reference or explanatory plan, whichever the registrar requires, that

(a) shows the amendment, and

(b) is in a form required under the *Land Title Act* for a reference or explanatory plan.

Regards.

Forrest




Katie Lauriston

From: Rebecca Penz
Sent: Tuesday, November 21, 2017 12:22 PM
To: Jim Handy
Cc: Robert Batallas
Subject: FW: Feedback re:proposed parking changes

Follow Up Flag: Follow up
Flag Status: Flagged

From: Engagement
Sent: Tuesday, November 21, 2017 9:03 AM
To: Michelle Harris <MHarris@victoria.ca>
Subject: FW: Feedback re:proposed parking changes

From: Lisa Mortimore [<mailto:> 
Sent: Monday, November 20, 2017 6:17 PM
To: Engagement <engage@victoria.ca>
Subject: Feedback re:proposed parking changes

I am writing to express my strong concerns and objections about reducing the number of required parking spots for rentals, development, housing etc. I live in James Bay and we have CHRONIC parking issues on our street (in part to the unregulated air bnbs). Often we cannot find parking on our street which is already zoned residential only and often we have to call the parking enforcement. Reducing the requirements for residential parking will only serve to create more problems, congestion and neighbour disputes and will place a further burden for street parking.

I am in support of more secure bike stalls for commercial properties.

thank you and I hope you maintain the current parking regulations.

Lisa Mortimore, PhD
www.lisamortimore.com



"Out beyond ideas of wrongdoing and rightdoing, there is a field. I'll meet you there". ~ Rumi

Katie Lauriston

From: Rebecca Penz
Sent: Tuesday, November 21, 2017 12:21 PM
To: Jim Handy
Cc: Robert Batallas
Subject: FW: Off-Street Parking Review

Follow Up Flag: Follow up
Flag Status: Flagged

From: Engagement
Sent: Tuesday, November 21, 2017 9:04 AM
To: Michelle Harris <MHarris@victoria.ca>
Subject: FW: Off-Street Parking Review

From: Alanah Nasadyk [<mailto:> 
Sent: Monday, November 20, 2017 7:20 PM
To: Engagement <engage@victoria.ca>
Subject: Off-Street Parking Review

I would like to see some requirements for electric car charging parking in Off-street parking to encourage and all for sustainable transport.

Cheers,

Alanah Nasadyk

Katie Lauriston

From: Jim Handy
Sent: Thursday, November 23, 2017 10:53 AM
To: Jim Handy
Subject: FW: Feedback on new parking regulations

From: Ben Cram [mailto:]
Sent: Tuesday, November 21, 2017 6:56 AM
To: Engagement <engage@victoria.ca>
Subject: Feedback on new parking regulations

Hello:

I am writing to voice my support of the new schedule for off street parking. I feel the new regulations are better suited to today's needs.

As a small business owner being directly impacted by the current timing schedule for variance applications I feel that the change to allow city staff to sign off on minor parking variances is a very good policy that would help small businesses relocate in less time and be able to schedule their move with more certainty. I feel that it is a change that will positively impact small business and the local economy in Victoria.

Thank you,

Ben Cram

--
Ben Cram
OWNER

FERNWOOD
COFFEE COMPANY

5/1115 North Park Street
Victoria, BC, Canada, V8T 1C7

EMAIL: ben@fernwoodcoffee.com
PHONE: 250 590 3320
MOBILE: 250 889 7800
FAX: 250 590 3326

WEB: www.fernwoodcoffee.com
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FACEBOOK: [fernwood.coffee.company](https://www.facebook.com/fernwood.coffee.company)

Katie Lauriston

From: Engagement
Sent: Wednesday, November 22, 2017 8:48 AM
To: Jim Handy; Robert Batallas
Subject: FW: Off-street parking review

Follow Up Flag: Follow up
Flag Status: Flagged

From: Joanne Thibault [mailto: [REDACTED]]
Sent: Tuesday, November 21, 2017 7:59 PM
To: Engagement <engage@victoria.ca>
Subject: RE: Off-street parking review

Hi There;

Thanks for this very informative reply. I was just at a By-law seminar hosted by the Vancouver Island Strata Owners Association where strata owners were advised that preparing for EVs was important. You folks may want to contact VISOA as they have done some great work on this topic. <https://www.visoa.bc.ca/>

Here are the remarks made by the presenter, Shawn M. Smith 1321 Johnston Road White Rock, BC V4B 3Z4 604-536-5002 www.clevelanddoan.com

Electric Vehicles The use of electric vehicles by residents within a strata corporation poses a new and interesting issue which most strata corporations have not yet faced. However, it is an issue that arises almost exclusively in apartment style strata corporations. 13 Electric vehicles can be charged by simply plugging them into a regular 120V outlet. This means that any owner, tenant or occupant with an electric vehicle can charge it by simply plugging it into an existing outlet in the parking garage.

Absent any restriction in the bylaws or rule, they arguably have every right to do so. However, the electricity supplied to that socket would be electricity for which the strata corporation pays. Since it is a common expense, the cost of charging that vehicle is borne by all owners proportionate to the relative unit entitlement - see s. 99 of the SPA. To many owners, that arrangement is considered to be unfair. The disproportionate consumption of common expenses is something which is not easily dealt with. Common expenses cannot be apportioned between owners on a formula other than relative unit entitlement unless there has been approval of that formula by way of a unanimous vote under s.100 of the SPA. In other words, the cost of electricity cannot simply be apportioned on a higher basis to those owners who (or whose tenants or occupants) have an electric vehicle.

However, that does not mean that the strata corporation cannot recover at least some of the costs of the electricity being consumed by those types of vehicles. S.110 of the SPA provides for user fees in relation to use of the common property. While the electricity being consumed is not common property, the outlet is. As such, the strata corporation can pass a bylaw prohibiting the use of electrical outlets to charge vehicles unless the owner tenant or occupant pays a fee in relation to the same. (Although S.110 refers to the fee being set out in the bylaw, if the bylaw makes reference to a rule, which in turn specifies a sum that should suffice. Setting out the fee in the Rules gives a greater degree of flexibility with respect to the amount).

There are some limitations on the amount to be charged. In both *The Owners, Strata Plan LMS383 v. DeVuyst*, 2011 BCSC 1252 and *Cody Watson v. The Owners, Strata Plan BCS1721*, BCCRT10, it was confirmed that such fees needed to be reasonable. Whether the fee was reasonable depended on prevailing market conditions and the actual costs the strata corporation incurred in allowing the particular use in question. In other words, fees for use of the common property are not to be "profit centers".

Some owners with electric vehicles may wish to install a charging station which allows for the faster charging of the vehicle. For the most part, these stations must be hardwired. Not only are there the same issues with respect to the consumption of electricity, but now the owner is making a change to the common property. In order to control the installation of charging stations a strata corporation needs to ensure that its bylaws cover such scenario. Standard Bylaw 6 would not necessarily do that given that it refers only to "alteration". (As will be discussed below, not every change is an "alteration"). Either the charging station bylaw or the general alteration bylaw should address that issue. (Even if installed in a garage of an individual strata lot there should still be approval required).

The strata corporation will also want the bylaw to require that an "assumption of liability agreement" is signed by the owner. That will ensure that any costs related to the repair and maintenance of the charging station are paid by that owner and any subsequent owners. Strata corporations considering installing a bank of charging stations and designating an area of the common property for the charging of electric vehicles should keep in mind the provisions of s.71 of the SPA which requires a significant change in the use or appearance of the common 14 property to be approved by a ¾ vote. Depending on what is done, such a vote may be required. If a fee is to be charged (either directly or through a third party) the bylaws should provide for that.

Cheers, Joanne

Joanne Thibault
Treasurer, Strata VIS364
1021 Collinson St, Unit 403
Victoria, BC
V8V 3B9

From: Engagement [<mailto:engage@victoria.ca>]
Sent: Tuesday, November 21, 2017 4:58 PM
To: [REDACTED]
Subject: RE: Off-street parking review

Hi Joanne,

Thanks for your email regarding EVs and the City's regulation of them moving forward. The City recognizes the need to support installation of EV charging infrastructure in existing buildings and more generally to support EV ownership for those that do not have ready access to charging at home. We have a number of approaches in mind towards addressing this need. Our first step will be to create an EV strategy in 2018. This strategy will inform the City on the most effective means to support adoption of EVs in the community. We expect to support the installation of EV (and other charging infrastructure) in existing buildings. This support be through topping up provincial programs or by other means. We are also interested in provisioning fast charging stations in suitable locations. The latter has the opportunity to preclude a reliance on the provision of EV charging at home. This design guidance will then be added to each development permit area within the Official Community Plan to provide leverage so that new developments consider and implement EV infrastructure in their proposals.

Hope this helps

From: Joanne Thibault [REDACTED]
Sent: Monday, November 20, 2017 1:49 PM
To: Engagement <engage@victoria.ca>
Subject: Off-street parking review

Hello There;

Many thanks for the work on this. Just one question;

Regarding electric vehicle charging stations, what, if any, involvement will the City of Victoria have in regulating or encouraging EV stations in existing multiple dwellings (rental and condominium)?

This isn't in the scope of off-street parking review per se but I thought you might have news on this.

Many thanks, Joanne

Joanne Thibault
1021 Collinson St, Unit 403
Victoria, BC V8V 3B9
[REDACTED]

Katie Lauriston

From: Engagement
Sent: Wednesday, November 22, 2017 8:49 AM
To: Jim Handy; Robert Batallas
Subject: FW: Proposed off street parking regulations

Follow Up Flag: Follow up
Flag Status: Flagged

From: Stacy Jensen [mailto: [REDACTED]]
Sent: Tuesday, November 21, 2017 9:53 PM
To: Engagement <engage@victoria.ca>
Subject: Proposed off street parking regulations

I'm a long term resident of Ladysmith Street in James Bay and am writing to implore you to not relax the off street parking regulations. If off street regulations are relaxed, it will push even more cars onto the on street parking, which is increasingly hard to find, even though Ladysmith Street is resident only. One of the main drivers of the parking crunch is the short term vacation rentals- the owners of the vacation rentals- of which there are a number on my block, give up their off street parking for their guests and park on the street, often doubling the number of vehicles vying for parking. If you examine the amount of tickets given out by bylaw in resident only areas, I think that you will see that there needs to be more off street parking, not less.

Regards
Stacy Jensen

--

Katie Lauriston

From: Wayne Hopkins [REDACTED]
Sent: Tuesday, November 21, 2017 9:25 AM
To: Jim Handy
Subject: Parking Review Suggested Change

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jim,

Thanks for taking the time yesterday to discuss the designation of the Oak Bay Avenue urban village area as an urban area in the new off-street parking bylaw.

As discussed, the Oak Bay Avenue urban area is shown in the OCP (Map 48) as a small urban village. This area is relatively large, and abuts and continues the urban village known as Oak Bay Village, located in the municipality of Oak Bay. If this continuous urban village is viewed as it truly functions, without municipal boundaries, this urban village is large, and operates as a large urban centre. .

The portion of Oak Bay Avenue in the City of Victoria continues to see redevelopment occurring, including the recent mixed use project approved by the City of Victoria at 1965 Oak Bay Avenue, and the opening of the new Red Barn Market. Oak Bay Avenue provides excellent public transportation options, is heavily used by cyclists (commuting and recreational), and is known for it's walkable options for shops, services and recreation. Oak Bay Avenue functions as a large urban village.

When looking at the draft off-street parking bylaw and the other areas to be designated as urban village in regards to parking requirements, the Oak Bay Avenue area noted in the City's OCP is comparable to or larger than Stadacona Village, Jubilee Village, Ross Bay, Quadra Village, North Park Village. **Oak Bay Avenue should be included as a Village / Centre in the new parking bylaw.**

Thank you for considering the inclusion of Oak Bay Avenue, please do not hesitate to contact me with any questions, or to discuss further.

Regards,

Wayne Hopkins
Merdyn Group of Companies
Cell Direct: [REDACTED]
Fax: [REDACTED]

Katie Lauriston

From: Rebecca Penz
Sent: Wednesday, November 22, 2017 1:52 PM
To: Jim Handy; Robert Batallas
Subject: FW: Off Street Parking Review

Follow Up Flag: Follow up
Flag Status: Flagged

From: Engagement
Sent: Wednesday, November 22, 2017 1:49 PM
To: Rebecca Penz <rpenz@victoria.ca>
Subject: FW: Off Street Parking Review

From: Dave Davies [mailto: [REDACTED]]
Sent: Wednesday, November 22, 2017 12:29 PM
To: Engagement <engage@victoria.ca>
Subject: Off Street Parking Review

Hello. :)

Unfortunately I missed the public hearing on the off-street parking changes being discussed. The numbers I've come up with in my research on the issue don't match the city's assertions that basically - renters own less cars.

Can you please send me the data being used to make this assertion so I can fully understand what's being considered. I assume when Mr. Tinney said, "...we know that somebody living in a studio apartment is going to own fewer cars than somebody in a three-bedroom apartment." that there is data collected to support this statement. I'd love to see what the car-ownership-to-rental-status numbers you have are as I can't find anything that matches what is being claimed and worse - everything I have on the renter-to-car-owner stats shows quite the contrary.

Thanks !

--



Dave Davies
CEO
Beanstalk Internet Marketing
t: 877-370-9750
w: www.beanstalkim.com [REDACTED]



Katie Lauriston

From: Engagement
Sent: Wednesday, November 22, 2017 9:08 AM
To: Jim Handy; Robert Batallas
Subject: FW: Proposed new parking regulations.

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: Monica Kingsbury [mailto: [REDACTED]]
Sent: Wednesday, November 22, 2017 7:51 AM
To: Engagement <engage@victoria.ca>
Subject: Proposed new parking regulations.

Hello,

I'm glad for the opportunity to speak to this issue. I am completely opposed to lowering the requirement for parking in Victoria.

The lack of parking in Victoria is a major problem has recently altered my decisions to frequent restaurants, movie theatres or shop at small business.

I am a Victoria resident since 1974 and of course have seen tremendous growth and change. This is understandable. We also must support the infrastructure needed to live with this growth.

More downtown condos, more parking needed.

I normally love to go into town and have dinner out and spend time in our lovely city. In the past few years, the lack of parking has been such a problem. Often the city lots are full and therefore I spend time driving around and around looking for parking. I find myself giving up and returning home these days. That decision has cost many restaurants or shops the revenue from my business, which they would have if I could only park my car and shop.

I love our city and therefore strongly urge you to take the need for parking into consideration to support this continued growth in our community. Please, let's not become like Seattle or Vancouver!

thank you,

... Monica Kingsbury
60 Menzies Street.
Victoria BC V8V 2G2

Katie Lauriston

From: Jim Handy
Sent: Tuesday, November 28, 2017 10:51 AM
To: Jim Handy
Subject: FW: Community Planning

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Tuesday, November 28, 2017 7:20 AM
To: Community Planning email inquiries <CommunityPlanning@victoria.ca>
Subject: Community Planning

From: Alix Freiburger
Email: [REDACTED]
Reference : <http://www.victoria.ca/EN/main/residents/community-planning/current-initiatives.html>
Daytime Phone : [REDACTED]
Hello there,

I was not able to attend your meeting on November 20 in which you reviewed the parking regulations. I live in the Oaklands area in a single family dwelling. I would like to develop my basement including my drive-in garage to create additional living space for my adult daughters. I am not planning on developing a full suite. In this very expensive rental market, my daughters will have a hard time finding affordable housing that will allow them to get ahead despite good jobs. I would like to be able to help them out. Under current regulations I would not be allowed to do this because I have no way to create parking in my back yard. However, I have a parking space in my driveway.

I strongly urge you to remove barriers for home owners who would like to create additional living space within their existing foot print. The city and the city's renters need it.

Thank you very much for listening and reading.

Alix

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IP Address: [REDACTED]

Noraye Fjeldstad

From: Jim Handy
Sent: Thursday, May 03, 2018 2:12 PM
To: Jim Handy
Subject: FW: New Policy Tools For Carsharing TDM Measures

From: Sylvain Celaire [mailto:]
Sent: January 30, 2018 6:56 AM
To: Steve Hutchison <shutchison@victoria.ca>; Jim Handy <JHandy@victoria.ca>; Brad Dellebuur <bdellebuur@victoria.ca>; Steve Young <SYoung@victoria.ca>; Sarah Webb <swebb@victoria.ca>
Cc: Selena McLachlan < >
Subject: New Policy Tools For Carsharing TDM Measures

Hello all,

Further to recent conversations with some of you, I would like to confirm Modo's desire to support the City of Victoria in the development of evidence-based policies to maximize the public benefits from carsharing services.

Victoria's Climate Leadership Plan and revised Schedule C of Zoning Regulation Bylaw make a strong case for the creation of new and flexible policy tools that would allow staff to achieve the City's goals in terms of multi-modal mobility, land-use, GHG emission reduction and low carbon transportation. We believe that appropriate Design Guidelines and Bylaw regulations relative to bicycle parking, electric vehicle parking standards and carsharing would provide the City of Victoria with additional opportunities to ensure real estate developers are building a desirable urban environment. One where more individuals and businesses can thrive with minimal need to use a vehicle. And where, for those occasions when a vehicle is required, the vehicle used is a shared and low emission one.

Formalized carshare TDM measures informed by the City's experience, peer-reviewed research, local data and collaborations with academics and carshare providers could go a long way to further enhance the City's success with carsharing. Appetite for carsharing in Victoria is at an all time high. Modo's membership and vehicle fleet in Greater Victoria have grown 250% within the last 24 months, despite challenges finding suitable parking locations in high demand areas. Though we do intend to add another 20 shared vehicles in 2018, the total remains relatively small in relation to privately owned vehicles. To address the region's growing challenges with personal vehicle ownership, use and parking, more shared vehicles are needed to complement walking, cycling and public transit.

At several municipalities with formal carshare TDM measures in place, we have observed that in addition to seeking to maximize positive impacts in terms of vehicle ownership reduction, GHG emissions, land use and mode shift, they have also:

- simplified and normalized the use of carsharing as a TDM;
- reduced pressure on staff by limiting the negotiating power of developers;
- streamlined processes;
- guaranteed equity across developments; and
- improved integration of carsharing in development projects.

We recommend that City of Victoria staff ask Council support the development of evidence-based carsharing TDM Guidelines or Bylaw regulations for real estate developments that take the above features into account. It would be our pleasure to assist by contributing expertise, data or any other inputs you deem helpful.

My best,

Sylvain Celaire
Business Development Manager



July 9, 2018

Mayor and Council
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Re: Schedule C Review

Mayor and Council –

The Urban Development Institute (UDI) – Capital Region thanks the City of Victoria for involving us in the review process of the Schedule C – Off Street Parking Regulations. Schedule C is an important component to Zoning Bylaw 2018. We appreciate the opportunity to review, comment and meet with the City on this topic.

In particular, we would like to thank Robert Batallas and Jim Handy who facilitated the open dialogue during the review process and were very receptive to our comments.

The review of the off street parking regulations was long overdue, with the current version in place since 1981. Parking has become a complicated issue in Victoria over the past couple of years. However, it is UDI's opinion that it is not the residential influx that has created this problem. It is daytime, workforce commuters (who lack adequate transportation alternatives such as car share and a robust transit system) that put pressure on all the parkades and street stalls, which in turn creates a parking shortage for shoppers and business clients.

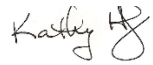
Positive strides were taken with this review by separating rental and affordable housing from standard condos requirements. UDI supports the Schedule C review in general, however, we feel that the review has not gone far enough in terms of reductions. Victoria is a compact city with improving transit and cycling infrastructure – we are already tied with Montreal with the highest proportion of trips for walking, biking and transit for journeys to and from work. In general, we think the maximum amount of required residential parking should be lower. This helps with housing affordability by reducing underground parking stall costs of \$60,000 per stall.

UDI appreciates the conversation we had with staff regarding bicycle regulations. Bike parking is becoming a greater demand as more and more people choose to cycle to and from work. If the bylaw is adopted by council, long-term bike parking will be removed from the buildings FSR, allowing more density to be applied to living space. This is yet another positive advancement to help with housing affordability.

UDI would like to see a more focused parking bylaw, one that matches the vision of the city, rather than relying on historical demand. A bylaw that supports the City's growth and sustainability policies, enables housing affordability and encourages economic development while maintaining healthy lifestyles.

Once again, UDI Capital Region would like to thank the City's staff for their continued engagement. We look forward to future collaboration.

Kind Regards,

A handwritten signature in black ink, appearing to read "Kathy H", with a stylized flourish at the end.

Kathy Hogan – Executive Director
(On behalf of the UDI Capital Region Executive Directors)



Mayor and Council
1 Centennial Square
Victoria, BC V8W 1N9

Re: Off-Street Parking Regulations and Staff Report

Mayor Helps and council members,

Greater Victoria Housing Society (GVHS) fully supports the proposal for Off-Street Parking Regulations and the accompanying staff report. We would like to congratulate Mayor Helps, council, and city staff on this initiative that will help enable future affordable housing developments in the City of Victoria. We also thank the city for including GVHS in the consultation process as a part of the Technical Working Group. We look forward to participating in future consultations that may help to increase the affordable housing supply in the region.

Regards,

A handwritten signature in blue ink, appearing to read "James Munro", is located below the "Regards," text.

James Munro
Director Real Estate Development
Greater Victoria Housing Society
2326 Government Street
Victoria, BC V8T 5G5

CC: Kaye Melliship

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by adding and amending definitions in Schedule A – Definitions and replacing Schedule C – Off-Street Parking with new off-street parking regulations.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1130)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
 - (a) Schedule A – definitions is amended:
 - (i) by adding the following definition immediately after the definition of **“Accessory Garden Structure”**:

“**“Affordable”** means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household’s annual income.”;
 - (ii) by adding the following definition immediately after the definition of **“Basement”**:

“**“Bicycle Parking, Long-Term”** is intended for long-term users of a building, such as employees or residents, and will consist of a secure space dedicated for bicycle parking within a structure or building on the same lot and has the same meaning as “Class 1” bicycle parking.”;
 - (iii) by adding the following definition immediately after the definition of **“Bicycle Parking, Long-Term”**:

“**“Bicycle Parking, Short-Term”** is intended for short-term use by visitors and customers and will consist of bicycle racks located in a publicly accessible space at or near a building entrance and has the same meaning as “Class 2” bicycle parking.”;
 - (iv) by adding the following definition immediately after the definition of **“Dock”**:

“**“Drive Aisle”** means a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls.”;
 - (v) by adding the following definition immediately after the definition of **“Drive Aisle”**:

“**“Driveway”** means that portion of the lot that provides access to parking stalls, loading spaces or the drive aisle within the lot and is considered to be the extension of the lot’s driveway crossing. For certainty, a ramp provided to access parking stalls is considered a driveway.”;

- (vi) by adding the following definition immediately after the definition of “**Parcel**”:
““**Parking Area**” means all parking spaces, driveways and drive aisles on a lot.”;
- (vii) by adding the following definition immediately after the definition of “**Parking Screen Wall**”:
““**Permeable**” means hard surfacing specifically designed to allow the movement of water to flow through the surface, but does not include unconsolidated materials such as crushed rock, gravel, grass, earth or other loose materials.”;
- (viii) by adding the following definition immediately after the definition of “**Stormwater Retention and Water Quality Facility**”:
““**Street**” includes a lane, road, sidewalk, and other public highway.”;
- (ix) by adding the following definition immediately after the definition of “**Underground Parking Space**”;
““**Unobstructed Access**” means the ability of the intended user of the parking space to access and egress to the street at the time that the parking space is required.”;
- (x) by repealing the definition of “**Area**” when used in reference to a floor of a storey of a building and substituting the following:
““**Area**” when used in reference to a floor of a storey of a building means the entire area which in plan is enclosed by the interior face of the exterior walls of the storey at floor level plus the area enclosed by any cantilevered element that is within that storey and that is above floor level, but does not include of the following areas:
 - a) the area used or intended to be used for required parking or movement of motor vehicles, as set out in this bylaw, which is calculated starting from the lowest level of the building;
 - b) the area used or intended to be used for required Bicycle Parking, Long-Term, as set out in this bylaw, which is calculated starting from the lowest level of the building;
 - c) the area or areas of balconies, exposed decks, patios or roofs; and
 - d) the area of elevator shafts.”

- 3 The Zoning Regulation Bylaw is further amended by repealing the entire Schedule C – Off-Street Parking and replacing it with Schedule 1 of this Bylaw.

Transition Provisions

- 4 In this section,

“**New Schedule C**” means the Schedule C – Off-Street Parking requirements in effect on the day after the date of adoption of this Bylaw

“Permit” means a Development Permit, Heritage Alteration Permit, Development Variance Permit or Temporary Use Permit

“Previous Schedule C” means the Schedule C – Off-Street Parking requirements in effect on the day before the date of adoption of this Bylaw

- (a) Any Permit or other agreement authorized by the Local Government Act that varies or supplements the Previous Schedule C, issued within two years prior to the adoption of this bylaw, continues to apply as if varying or supplementing the New Schedule C, with the necessary changes and so far as applicable.
- (b) A development permit issued within two years prior to the adoption of this bylaw continues to apply, with the necessary changes and so far as applicable, as if the development authorized by it had been authorized under the New Schedule C and, without limiting the generality of the foregoing, a building permit or a business licence that is consistent with such development permit may be issued as if it complied with the New Schedule C, provided that it is applied for within two years of the date of the adoption of this bylaw.
- (c) If prior to the adoption of this bylaw, Council has authorized the issuance of a Permit, but the Permit had not been issued prior to the adoption of this bylaw, the Permit may be issued, with all the necessary changes and as applicable, as if it had been authorized under the New Schedule C, provided that:
 - (i) all terms and conditions of the Council authorization are met; and
 - (ii) it is issued within two years of the date of the Council authorization.
- (d) If prior to the adoption of this bylaw, Council has moved an application for a Permit forward for an opportunity for public comment at a future Council meeting and such meeting is not held prior to the adoption of this bylaw, the Council motion is deemed to be amended to reflect the requirements of the New Schedule C and the Director is authorized to bring forward an amended motion for Council’s consideration at the opportunity for public comment, provided that:
 - (i) the opportunity for public comment takes place no later than one year after the date of the adoption of this bylaw;
 - (ii) there are no significant alterations or differences in the development from that considered by Council at the time of the motion to advance it to the opportunity for public comment, with the exception of an increase in the number of vehicle or bicycle parking spaces being provided; and
 - (iii) the intent of the Council motion remains unchanged.
- (e) For certainty, nothing in this section 4 is intended to modify or extend the validity of any Permit beyond the time that it would lapse or expire but for this section.

Effective Date

- 5 This Bylaw comes into force on adoption.

READ A FIRST TIME the **12th** day of **July** 2018

READ A SECOND TIME the **12th** day of **July** 2018

Public hearing held on the _____ day of _____ 2018

READ A THIRD TIME the _____ day of _____ 2018

ADOPTED on the _____ day of _____ 2018

CITY CLERK

MAYOR

Zoning Bylaw No. 80-159
Schedule C:
Off-Street Parking Regulations

1. Parking Requirements

1.1 Application of Requirements

1. The minimum number of parking spaces required for each use must be calculated to the nearest whole number.
2. Where a building contains more than one use, the total number of parking spaces required shall be the sum of the number of parking spaces required for each use, or type of use, calculated separately.

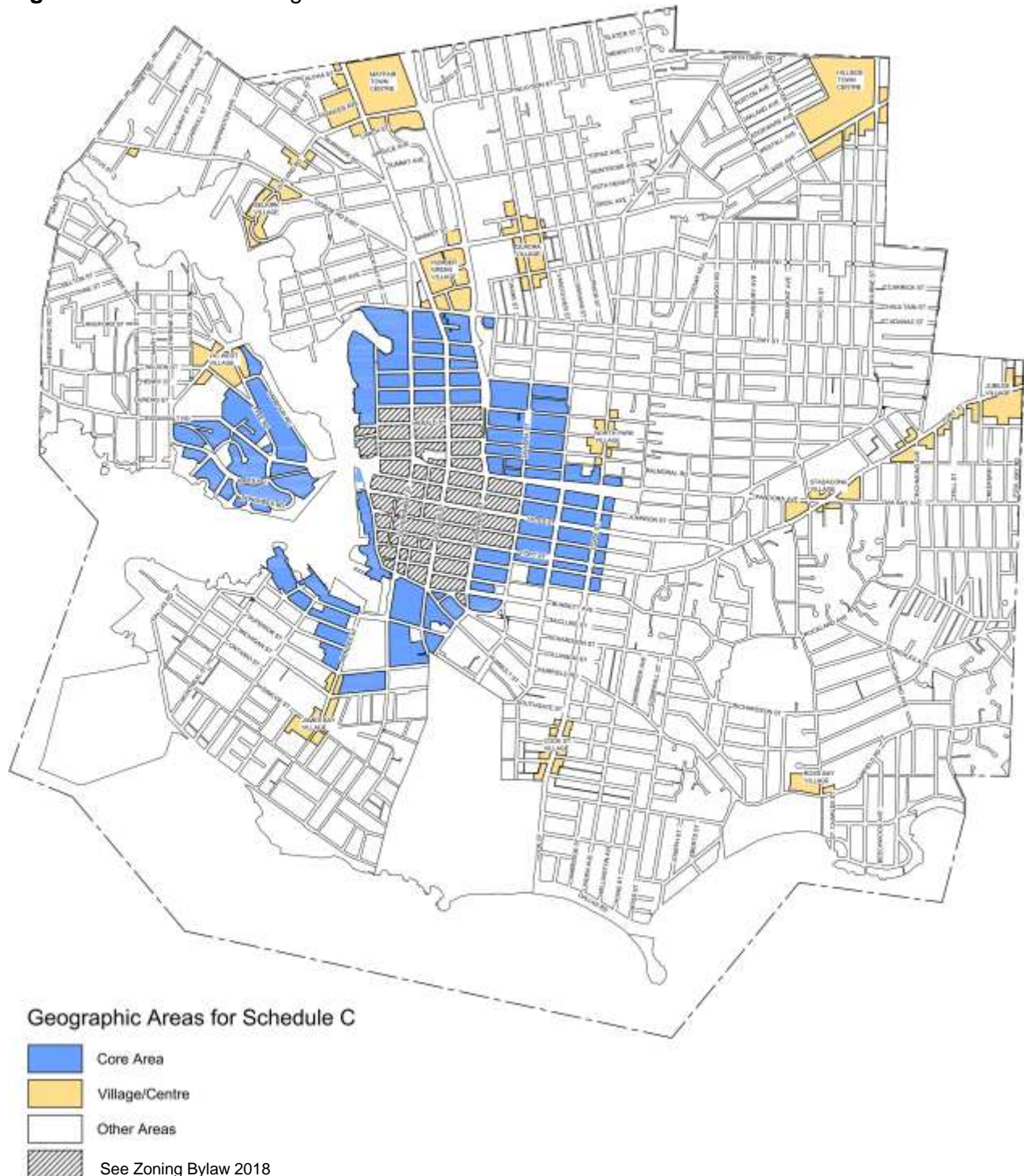
Example: Calculating Vehicle Parking Requirements

Type of <u>Building</u> or Use	Units / Floor Area	Parking Required	Visitor Parking Required	Total Parking Required
Multi-Residential, Condominium	8 units between 45-70m ² in the Core Area 6 units greater than 70m ² in the Core Area	8 x 0.8 = 6.4 6 x 1.2 = 7.2 6.4 + 7.2 = 13.6 (13.6 → 14)	14 x 0.1 = 1.4 (1.4 → 1)	14 + 1 = 15
Restaurant	155m ²	3.88 (3.88 → 4)	N/A	4
Office, Health Care	678m ²	13.6 (13.6 → 14)	N/A	14
Total Vehicular Parking Spaces Required				33

3. If a use is not specifically listed in Table 1 or Table 2 of this Schedule, the number of parking spaces required shall be calculated on the basis of a use or class of use that is most similar to the actual use, based on parking demand characteristics.
4. Unless otherwise stated, all references to “floor area” in this Schedule shall be calculated as gross floor area.
5. For the purpose of calculating parking requirements under this Bylaw, in addition to all internal floor areas, all outside seating and serving areas located on a lot and associated with a Restaurant or a Drinking Establishment use shall be counted as floor area.

6. For the purposes of calculating parking requirements, the City is divided into “Core Area”, “Village / Centre”, and “Other Area”, as shown in Figure 1 of this Schedule and more specifically detailed in Appendix 1.

Figure 1: Off-Street Parking Sub-Areas



1.2 Required Vehicle and Bicycle Parking Spaces

1. The owner or occupier of any land or any building or other structure, for each use present on the land or in the building or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
Residential		
<u>Single Family Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Two Family Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Semi-attached Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Attached Dwelling</u>	1.0 space per <u>dwelling unit</u>	0.1 spaces per <u>dwelling unit</u>
<u>Secondary Suite or Garden Suite</u>	n/a unless two <u>Secondary Suites</u> , two <u>Garden Suites</u> , or a <u>Secondary Suite</u> and a <u>Garden Suite</u> , are located on the same <u>lot</u> in which case 1.0 space shall be provided in addition to the number of spaces required for the <u>Single Family Dwelling</u> , <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u>	n/a
Assisted Living Facility (<u>dwelling unit</u> or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes <u>Nursing Homes</u>)	0.35 spaces per <u>dwelling unit</u> or residential unit	0.1 spaces per <u>dwelling unit</u> or residential unit

Use or Class of Use	Minimum Number of Parking Spaces			Minimum Number of Visitor Parking spaces
<u>Multiple Dwelling</u>	Core Area	Village / Centre	Other Area	
Condominium (<u>dwelling unit</u> in a <u>building</u> regulated by the <i>Strata Property Act</i>)	0.65 spaces per <u>dwelling unit</u> that is less than 45m ²	0.70 spaces per <u>dwelling unit</u> that is less than 45m ²	0.85 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u>
	0.80 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.85 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	1.00 space per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.20 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	1.45 spaces per <u>dwelling unit</u> that is more than 70m ²	
Apartment (<u>dwelling unit</u> secured as rental in perpetuity through a legal agreement)	0.50 spaces per <u>dwelling unit</u> that is less than 45m ²	0.60 spaces per <u>dwelling unit</u> that is less than 45m ²	0.75 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u>
	0.60 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.70 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.90 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.00 space per <u>dwelling unit</u> that is more than 70m ²	1.10 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	
Affordable (<u>affordable dwelling units</u> secured in perpetuity through a legal agreement)	0.20 per <u>dwelling unit</u> that is less than 45m ²			0.1 spaces per <u>dwelling unit</u>
	0.50 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²			
	0.75 spaces per <u>dwelling unit</u> that is more than 70m ²			

Use or Class of Use	Minimum Number of Parking Spaces			
	Core Area	Village / Centre	Other Area	
All other <u>multiple dwellings</u>	0.65 spaces per <u>dwelling unit</u> that is less than 45m ²	0.70 spaces per <u>dwelling unit</u> that is less than 45m ²	0.85 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u>
	0.80 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.85 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	1.00 space per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.20 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	1.45 spaces per <u>dwelling unit</u> that is more than 70m ²	
Commercial	Core Area	Village / Centre	Other Area	
Office	1 space per 70m ² floor area	1 space per 55m ² floor area	1 space per 50m ² floor area	
Medical Office (includes dental offices, surgeries and similar uses)	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
<u>Financial Service</u>	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
<u>Restaurant</u>	1 space per 40m ² floor area	1 space per 25m ² floor area	1 space per 20m ² floor area	
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	n/a	1 space per 70m ² floor area	1 space per 60m ² floor area	

Use or Class of Use		Minimum Number of Parking Spaces		
Commercial		Core Area	Village / Centre	Other Area
Retail		1 space per 80m ² floor area	1 space per 50m ² floor area	1 space per 37.5m ² floor area
Grocery Store	800m ² or less	1 space per 80m ² floor area	1 space per 50m ² floor area	1 space per 37.5m ² floor area
	> 800m ²	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 20m ² floor area
Transient Accommodation		0.25 spaces per room	0.50 spaces per room	
Institutional		Core Area	Village / Centre	Other Area
Hospital		1 space per 80m ² floor area		
Elementary / Middle School		1 space per 150m ² floor area		
Secondary School		1 space per 75m ² floor area		
University / College (as defined under British Columbia legislation, and regulated as such under said legislation)		1 space per 80m ² floor area		
Arts and Culture (includes museums, art galleries, theatres and other similar uses, but does not include cinemas)		1 space per 80m ² floor area		1 space per 40m ² floor area
Place of Worship		n/a	1 space per 80m ² floor area	1 space per 40m ² floor area
Assembly (includes convention facilities, cinemas, training facilities and other similar uses)		1 space per 30m ² floor area	1 space per 20m ² floor area	
Health and Fitness (commercial recreational facilities, gymnasiums and other similar uses)		1 space per 30m ² floor area	1 space per 20m ² floor area	
Care Facility (day use facilities, and includes preschool, day care, residential care facilities and similar uses)		1 space per 100m ² floor area	1 space per 80m ² floor area	

Use or Class of Use	Minimum Number of Parking Spaces		
	Core Area	Village / Centre	Other Area
Transitional Housing and Emergency Shelters (a staffed facility, open year round, that provides temporary accommodation for persons who are homeless or at risk of homelessness, and may include food and support services)	1 space per 80m ² floor area		
Industrial			
Industrial	1 space per 140m ² floor area		
Warehouse	1 space per 100m ² floor area		

- The owner or occupier of any land or any building or other structure, for each use present on the land or in the building or other structure, must provide off-street bicycle parking spaces in accordance with Table 2.

Table 2: Minimum Number of Required Bicycle Parking Spaces

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces		Minimum Number of Short Term Bicycle Parking Spaces
Residential			
<u>Single Family Dwelling</u> , <u>Two Family Dwelling</u> , <u>Semi-attached Dwelling</u> , <u>Secondary Suite</u> , <u>Garden Suite</u>	n/a		n/a
<u>Attached Dwelling</u>	1 per <u>dwelling unit</u> , except where the <u>dwelling unit</u> has access to a private garage		The greater of 6 spaces per <u>building</u> or 0.1 spaces per <u>dwelling unit</u>
<u>Multiple Dwelling</u>	1 space per <u>dwelling unit</u> that is less than 45m ²	1.25 spaces per <u>dwelling unit</u> that is 45m ² or more	The greater of 6 spaces per <u>building</u> or 0.1 spaces per <u>dwelling unit</u>

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Residential		
Assisted Living Facility (<u>dwelling unit</u> or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes <u>Nursing Homes</u>)	1 space per 20 <u>dwelling units</u> or residential units	1 space per 50 <u>dwelling units</u> or residential units
Commercial		
Office	1 space per 150m ² floor area, or part thereof	1 space per 400m ² floor area, or part thereof
Medical Office (includes dental office, surgeries and similar uses)	1 space per 200m ² floor area, or part thereof	1 space per 300m ² floor area, or part thereof
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Financial Service</u>	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Restaurant</u>	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Retail	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
Grocery Store	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Transient Accommodation</u>	1 space per 25 rooms, or part thereof	1 space per 40 rooms, or part thereof

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Institutional		
<u>Hospital</u>	1 space per 500m ² floor area, or part thereof	6 spaces per public <u>building</u> entrance
Elementary / Middle School	1 space per 1,600m ² floor area, or part thereof	1 space per 160m ² floor area, or part thereof
Secondary School	1 space per 1,600m ² floor area, or part thereof	1 space per 125m ² floor area, or part thereof
University / College (as defined under British Columbia legislation, and regulated as such under said legislation)	1 space per 1,600m ² , or part thereof	1 space per 100m ² , or part thereof
Arts and Culture (includes museums, art galleries, theatres and other similar uses, but does not include cinemas)	1 space per 450m ² floor area, or part thereof	1 space per 130m ² floor area, or part thereof
Place of Worship	n/a	1 space per 200m ² floor area, or part thereof
Assembly (includes convention facilities, cinemas, training facilities and other similar uses)	n/a	1 space per 200m ² floor area, or part thereof
Health and Fitness (commercial recreational facilities, gymnasiums and other similar uses)	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Care Facility (day use facilities, and includes preschool, day care, residential care facilities and similar uses)	1 space per 700m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
Industrial		
Industrial	1 space per 1,200m ² floor area, or part thereof	6 spaces
Warehouse	1 space per 1,200m ² floor area, or part thereof	6 spaces

2. Vehicle Parking Specifications

2.1 Vehicle Parking Appearance

1. A vehicle parking area or vehicle parking space must be surfaced with asphalt, concrete, pavers, or permeable material that provides a durable surface.
2. Each vehicle parking space must be clearly delineated on the parking surface.
3. Vehicle parking areas consisting of five (5) or more parking spaces must be illuminated with shield lighting that is directed toward the ground and designed so that the light does not directly fall on an adjacent lot or street.
4. Each visitor vehicle parking space required under this Bylaw must be clearly identified for the sole use of visitors.

2.2 Vehicle Parking Location and Dimensions

1. All vehicle parking spaces required under this Bylaw must be provided on the same lot as the building or use which they serve.
2. Notwithstanding section 2.2.1, parking spaces may be provided on a different lot from the lot on which the building or use is to which they appertain, where:
 - (a) the lot on which the parking spaces are is not more than 125m from the building or use to which they appertain; and
 - (b) if the lot on which the parking spaces are forms part of a separate parcel of land for Land Title Office purposes, there is registered against its title an easement providing for such parking requirements, and appurtenant to the lot on which the building is, and there is furthermore registered a covenant in favour of the City restricting the use of the easement area on the servient tenement to parking purposes for as long as the provisions of this Schedule have application to the dominant tenement; and
 - (c) the conditions outlined in subsections (a) and (b) existed on the date of the adoption of the Bylaw incorporating this Schedule.
3. A vehicle parking space must not be closer than 1.0m to a street.
4. A vehicle parking space must have unobstructed access.
5. All vehicle parking spaces and drive aisles must have dimensions not less than those identified in Figure 2 of this Schedule.

6. Notwithstanding section 2.2.5, where:
 - (a) the vehicle parking space is associated with either a Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling use, and
 - (b) the vehicle parking space is accessed directly from a street,
 the width of the adjacent street may be included towards the total width of the drive aisle provided.
7. One way vehicle access and egress through the parking area is required where:
 - (a) more than one vehicle parking space is provided in the parking area, and
 - (b) the vehicle parking spaces are not configured parallel or perpendicular to the drive aisle.
8. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
9. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
10. Where a vehicle parking space or drive aisle is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.

Figure 2: Minimum Parking Space and Drive Aisle Dimensions (all measurements in metres)

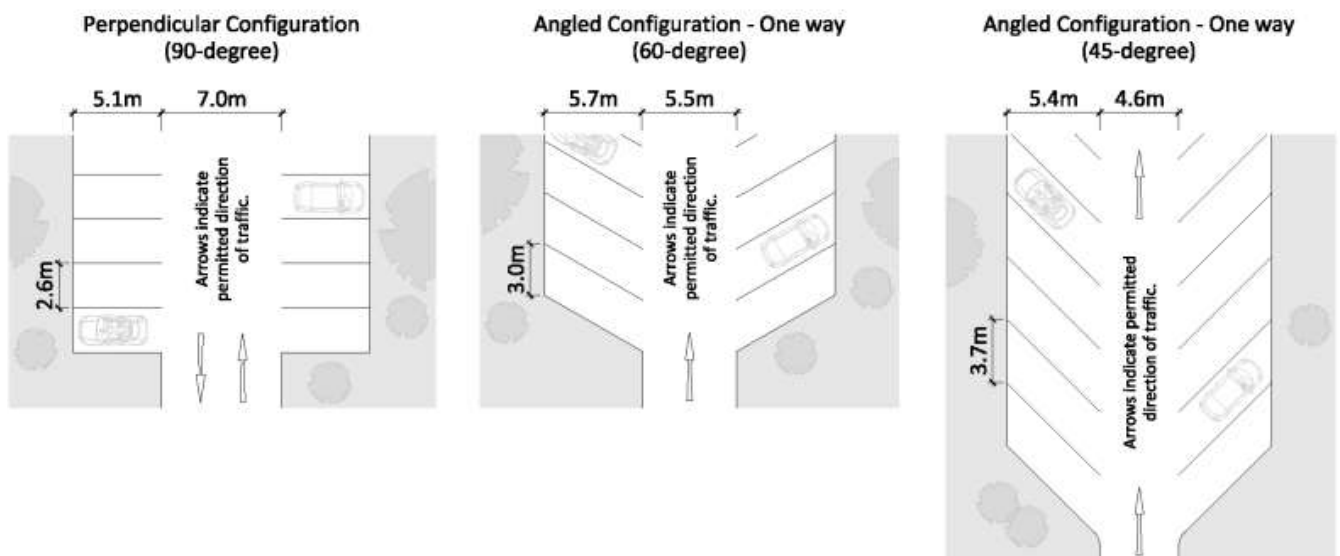
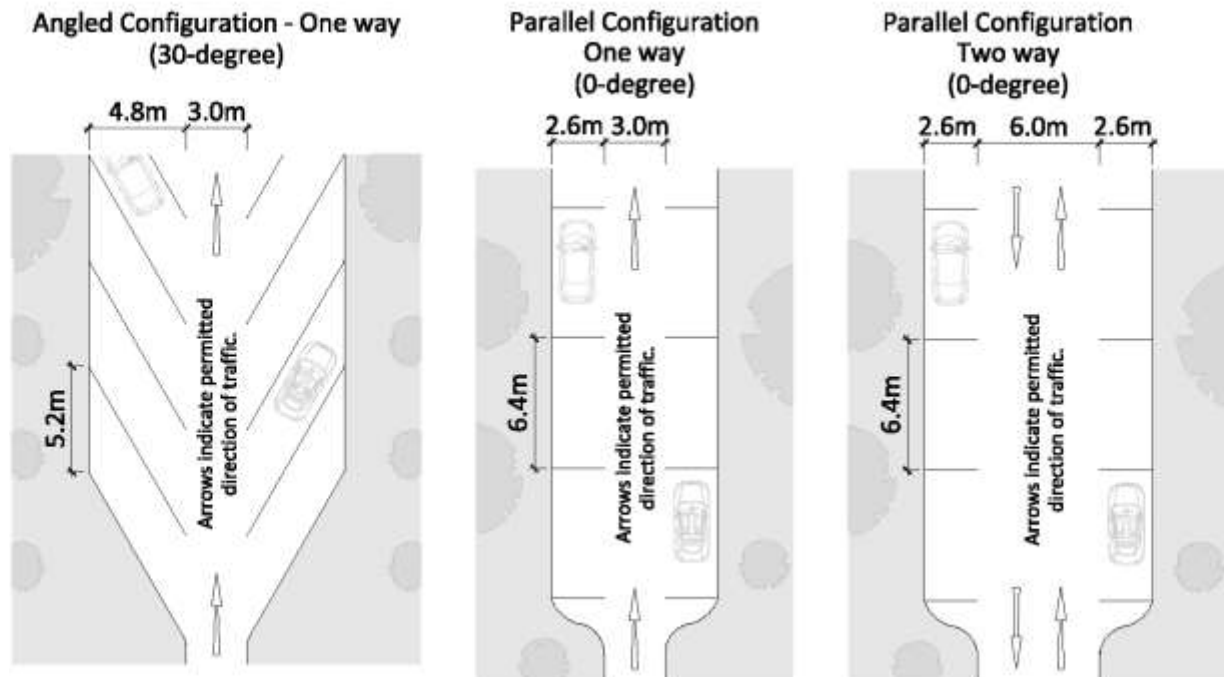


Figure 2 Cont.

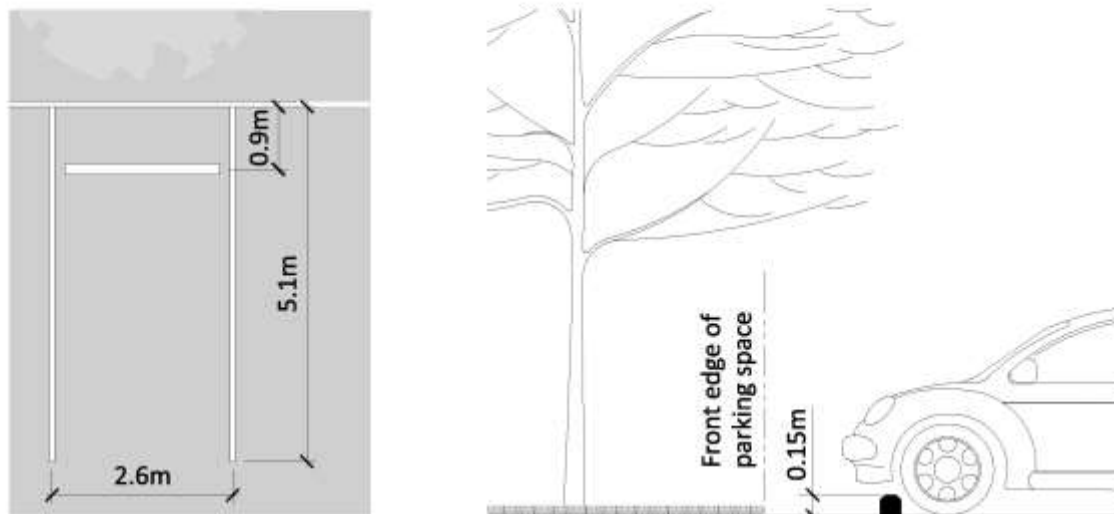


11. Vehicle parking is not permitted in the front yard of a lot except as follows:

- (a) Parking may be provided in the front yard of a lot where:
 - (i) the principal use of the lot is industrial or warehouse,
 - (ii) such parking is required to serve that use, and
 - (iii) the number of parking spaces in the front yard does not exceed the total amount of parking spaces required by this Bylaw;
- (b) Parking may be provided in the front yard of a property where:
 - (i) the principal use of the lot is commercial or institutional,
 - (ii) such parking is required to serve that use, and
 - (iii) the building on the lot existed on the date of adoption of the Bylaw incorporating this Schedule;
- (c) A maximum of one parking space that meets the minimum dimensions described in this Schedule may be provided in the front yard of a property where the principal use of the lot is Single Family Dwelling; or
- (d) A maximum of two parking spaces that meet the minimum dimensions described in this Schedule may be provided in the front yard of a property where the principal use of the lot is Two Family Dwelling or Semi-attached Dwelling.

12. (a) An unenclosed surface vehicle parking space that abuts a pedestrian walkway or landscaped area without a barrier curb between the parking space and the pedestrian walkway or landscaped area must have a wheel stop centered horizontally within the parking space and placed 0.9m from the end of the parking space adjacent to the pedestrian walkway or landscaped area, in accordance with Figure 3 of this Schedule.
- (b) The requirements of subsection (a) do not apply to a parking space that satisfies at least one of the following conditions:
 - (i) The parking space is configured parallel to the curb or drive aisle;
 - (ii) The parking space shares a common front boundary with another parking space; or
 - (iii) The parking space is associated with either a Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling use.
- (c) Where a wheel stop is provided pursuant to subsection (a), the portion of the parking space between the wheel stop and the front edge of the parking space, as marked in Figure 3, is exempt from the requirements of section 2.1.1 and may be surfaced with permeable material or landscaping, provided that no landscaping exceeds 0.15m in height.

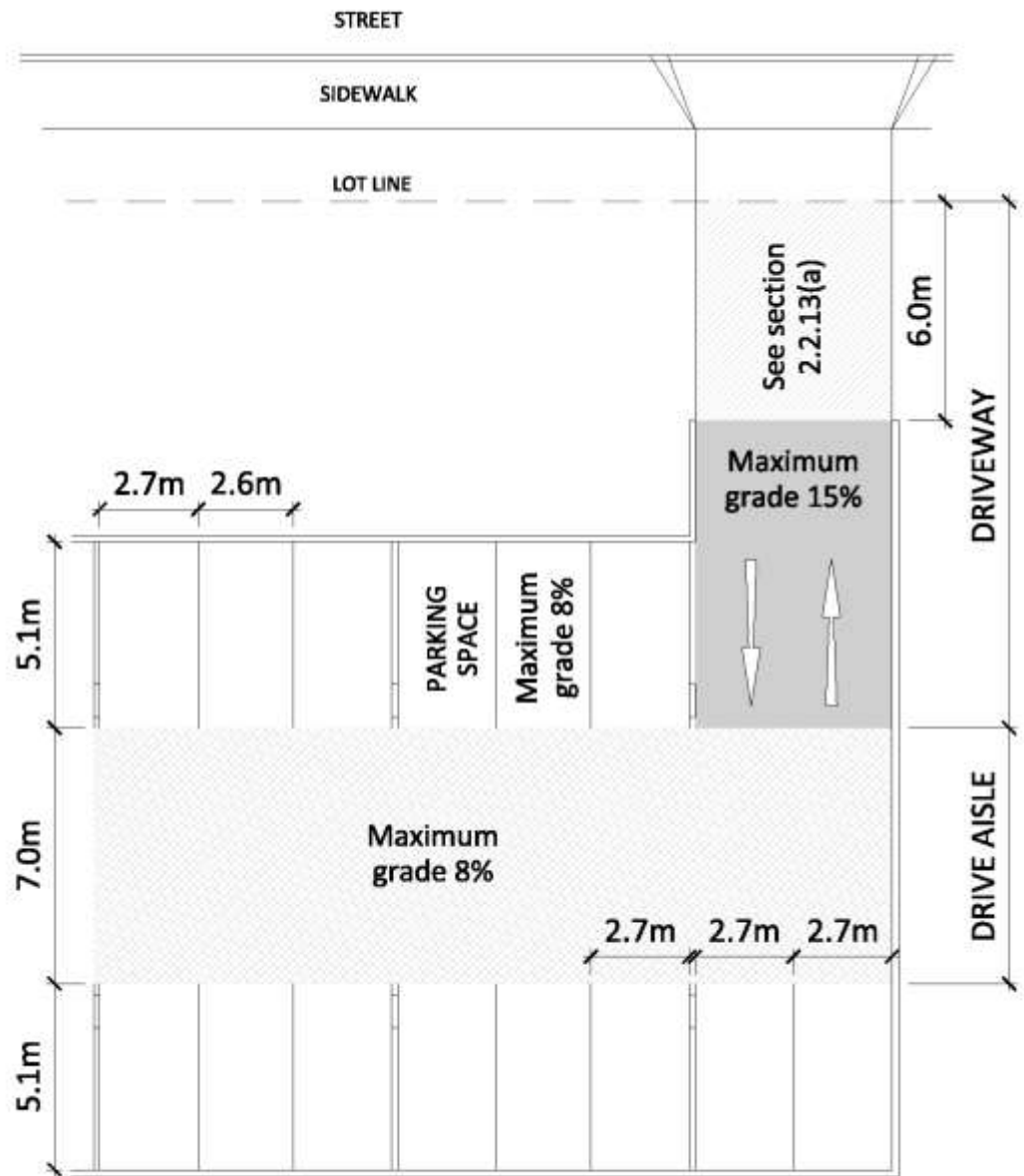
Figure 3: Required Wheel Stop Placement



13. (a) Where a drive aisle or parking space is located within 6.0m of a street boundary it must comply with applicable grade requirements prescribed in this Schedule and the *Highway Access Bylaw*.
- (b) The maximum grade for a drive aisle or parking stall is 8%.
- (c) The maximum grade for a driveway is 15%.

Examples: Maximum Grades for Parking Areas



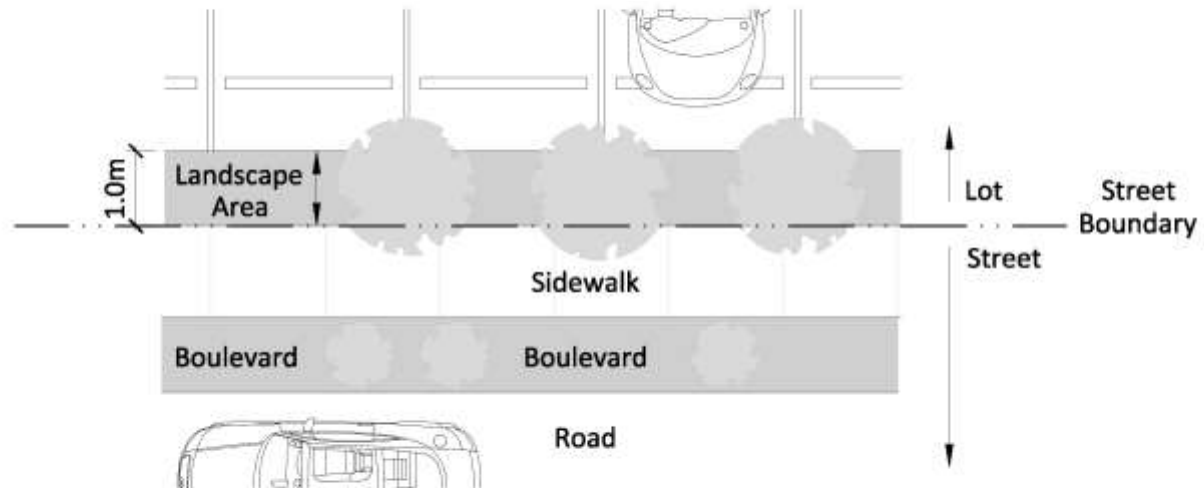


Example parkade configuration

2.3 Vehicular Parking Landscaping and Screening

1. If a surface vehicle parking area or vehicle parking space is located adjacent to a street, it must include a soft landscaped area, with a minimum width of 1.0m between the parking area or parking space and the street boundary.

Example: Minimum Landscape Area Adjacent to a Street Boundary



2. A surface vehicle parking area or surface vehicle parking space must include:
 - (a) continuous soft landscape areas with a minimum width of 1.0m, and
 - (b) a continuous landscape screenbetween the parking area or parking space and any adjacent lot used primarily for residential purposes, excluding the area where landscaping is prohibited pursuant to the *Highway Access Bylaw*.
3. The requirements of sections 2.3.1 and 2.3.2 do not apply where the principal use of the lot is Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling.
4. Where thirty (30) or more vehicle parking spaces are provided on a lot as surface parking, a minimum of 10% of the parking area must be soft landscaped (soft landscaping could include grass, shrubs or trees).

3. Bicycle Parking

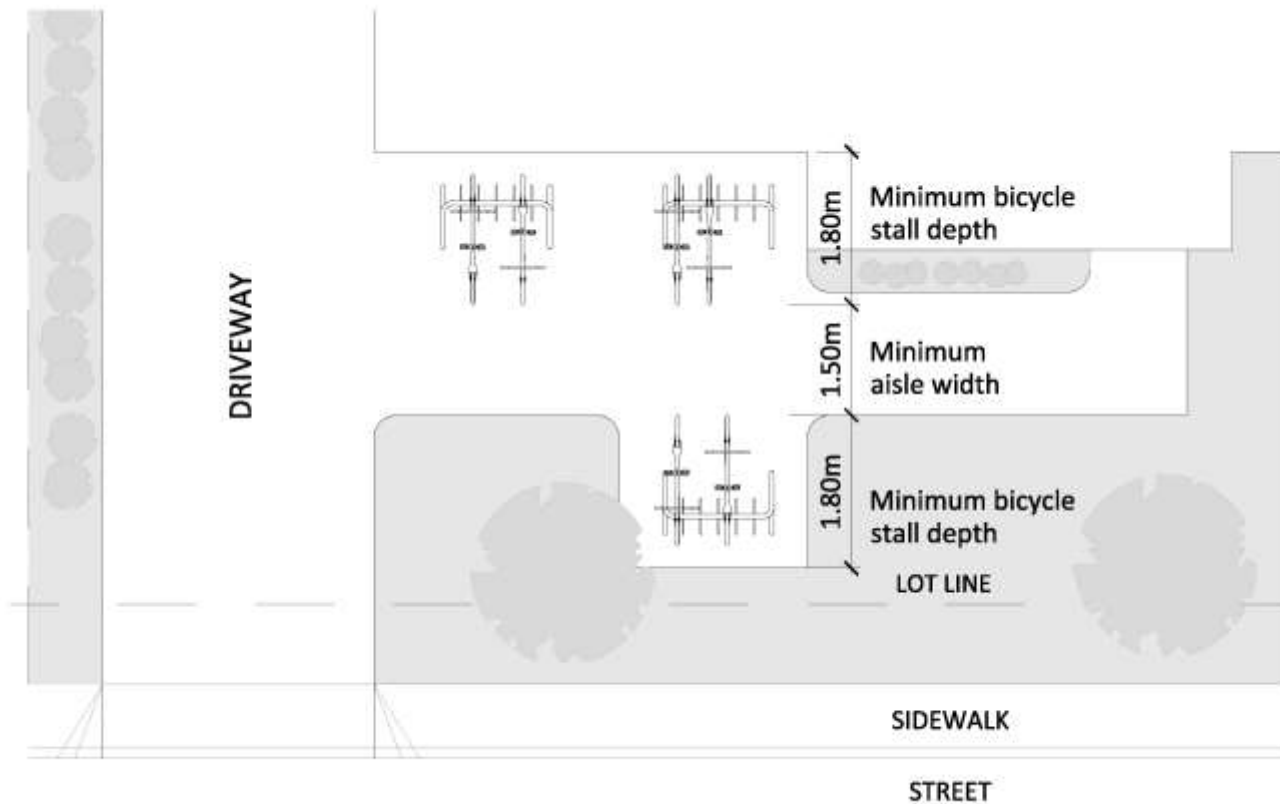
3.1 Bicycle Parking Specifications

1. All bicycle parking spaces required under this Bylaw must be provided on the same lot as the building or use which they serve.
2. (a) Each bicycle parking, short term space required under this Bylaw must be:
 - (i) designed and installed to the minimum dimensions shown in Table 3 of this Schedule; and
 - (ii) provided as a bicycle rack that is permanently anchored to the ground or a wall.
- (b) Each bicycle parking, short term space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a building entrance that is accessible by visitors.
- (c) Notwithstanding subsection (b), where a minimum of 6 bicycle parking, short term spaces are located within 15.0m of each building entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a building entrance.
- (d) Each bicycle parking, short term space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a building entrance that is accessible by the public.
- (e) Notwithstanding subsection (d), where a minimum of 6 bicycle parking, short term spaces are located within 15.0m of each building entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a building entrance.
- (f) Each bicycle parking, short term space required under this Bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

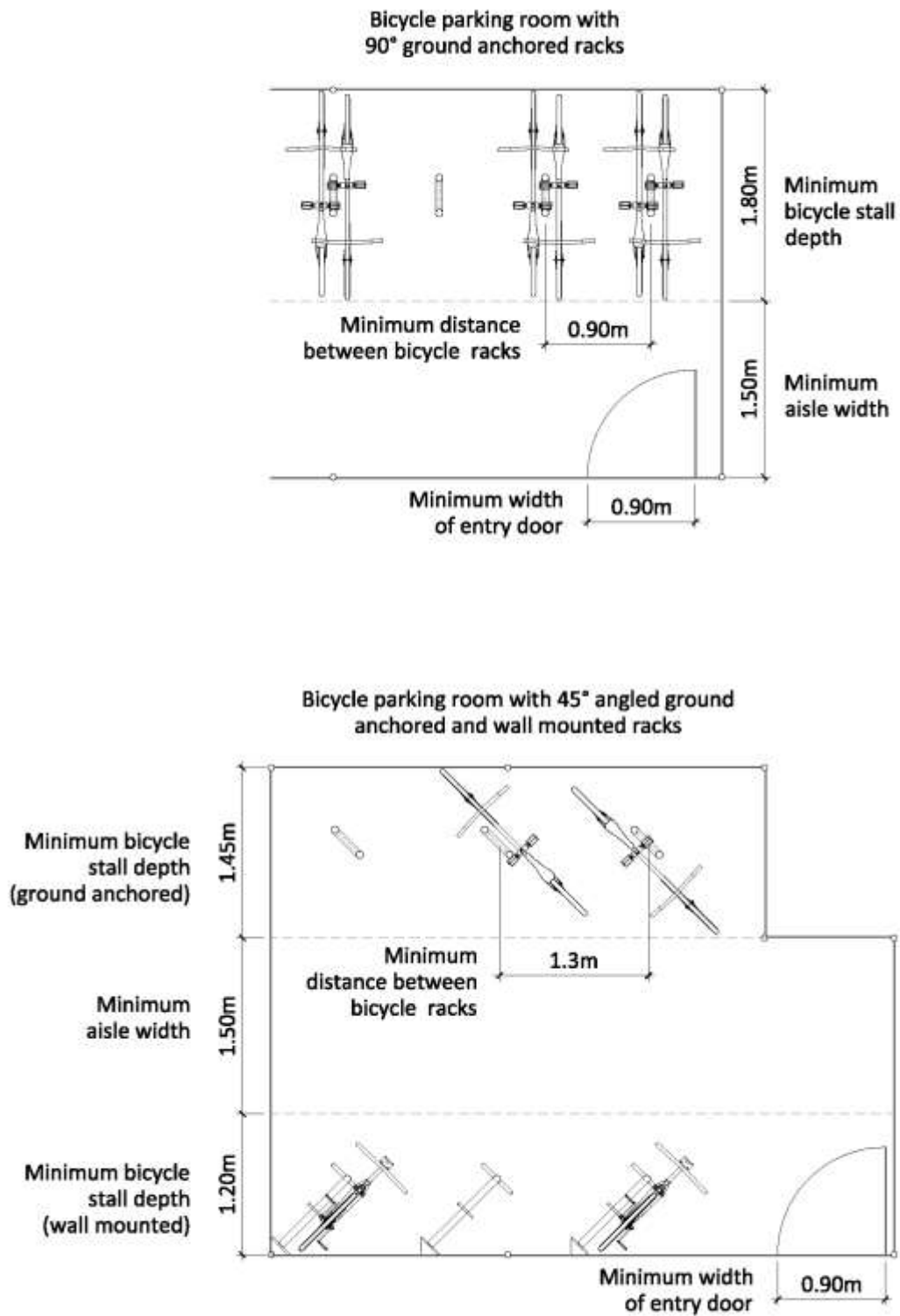
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a <u>building</u>)	Ground Anchored Rack		Wall Mounted Rack	
	>45 degrees	≤45 degrees	>45 degrees	≤45 degrees
Minimum stall depth	1.8	1.45	1.2	1.2
Minimum aisle width	1.5	1.5	1.5	1.5
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6

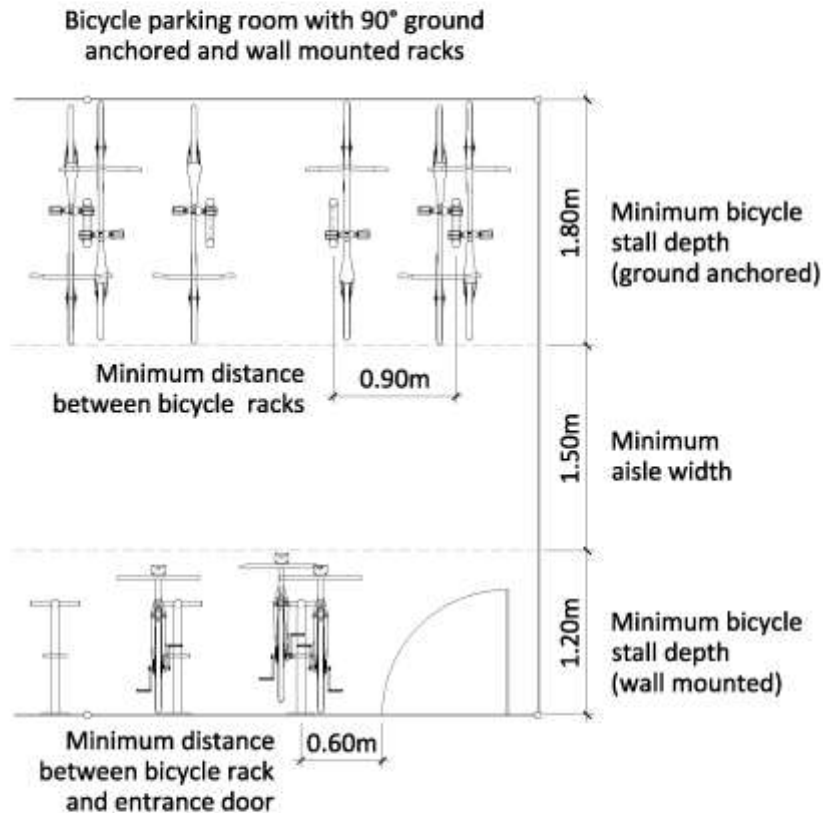
Example: Short-Term Bicycle Parking Configuration



3. (a) Each bicycle parking, long term space required under this Bylaw must:
- (i) be designed and installed to the minimum dimensions shown in Table 3 of this Schedule;
 - (ii) be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - (iii) have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - (iv) be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the building;
 - (v) be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - (vi) be located within one floor of finished grade and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
- (b) At least half of the bicycle parking, long term spaces required under this Bylaw must be ground anchored.

Examples: Long-term Bicycle Parking Configurations



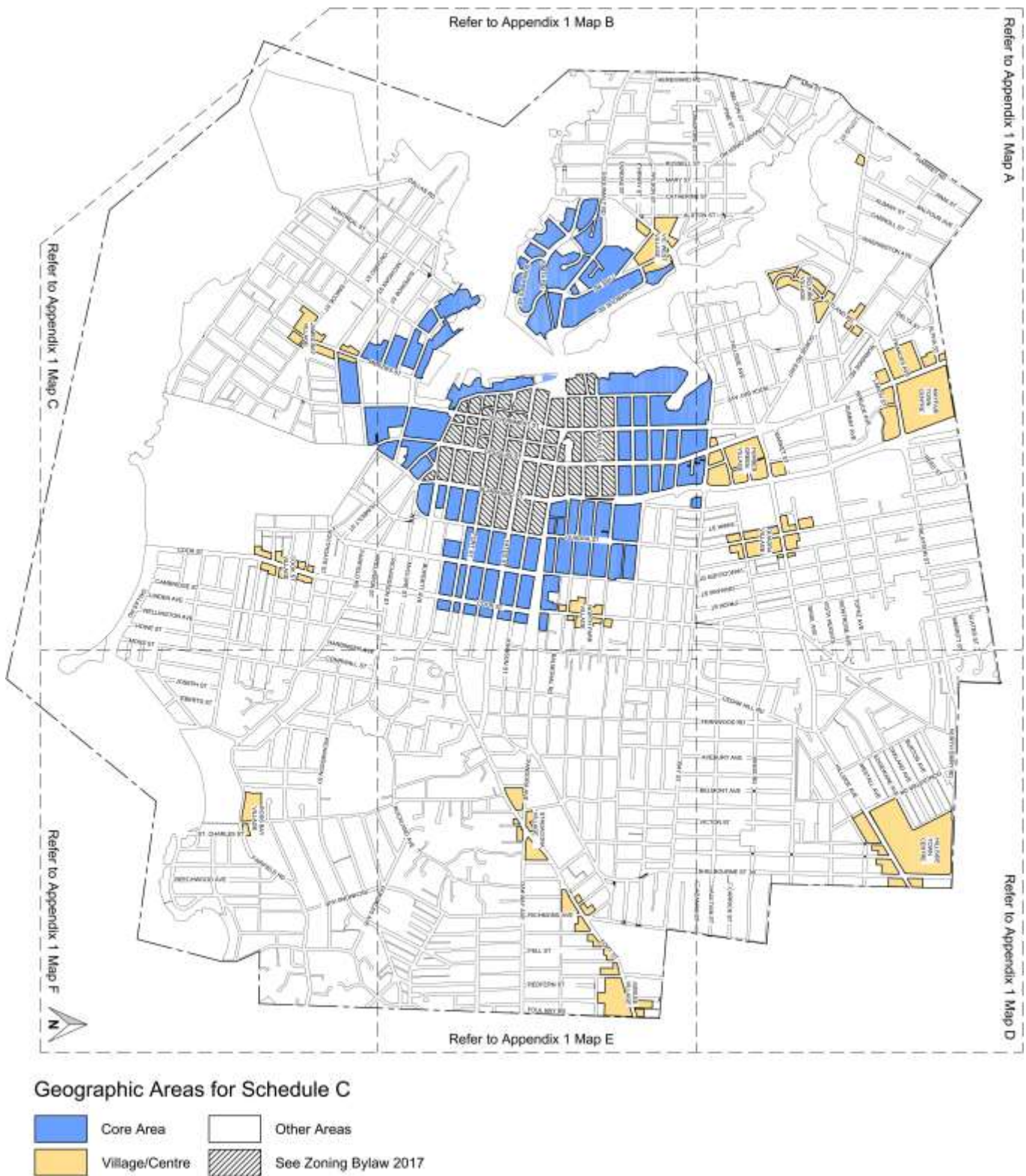


3.2 Bicycle Parking Exemptions

1. Notwithstanding section 1.2.2:

- (a) bicycle parking, short term spaces are not required to be provided where the siting and design of a building existing on the date of adoption of the Bylaw incorporating this Schedule physically prohibits such spaces from being provided on a lot in accordance with this Bylaw;
- (b) no additional bicycle parking, short term or bicycle parking, long term spaces are required to be provided where only alterations or changes of use to a building are proposed and the building existed on the date of adoption of the Bylaw incorporating this Schedule; and
- (c) if additions are proposed to a building existing on the date of adoption of the Bylaw incorporating this Schedule, additional bicycle parking, short term and bicycle parking, long term spaces must be provided for the additional bicycle parking required with respect to the building addition only.

Appendix 1



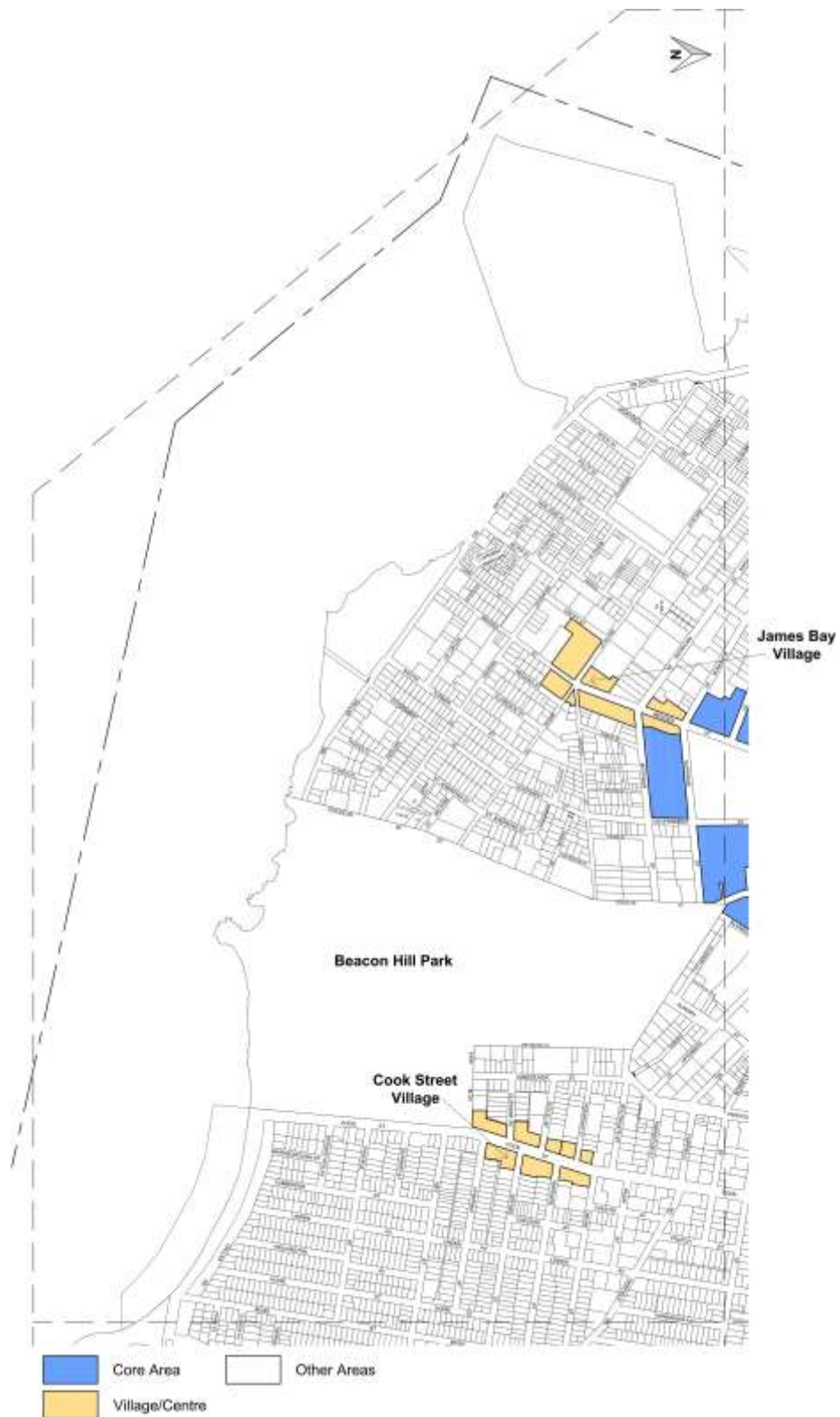
Map A



Map B



Map C



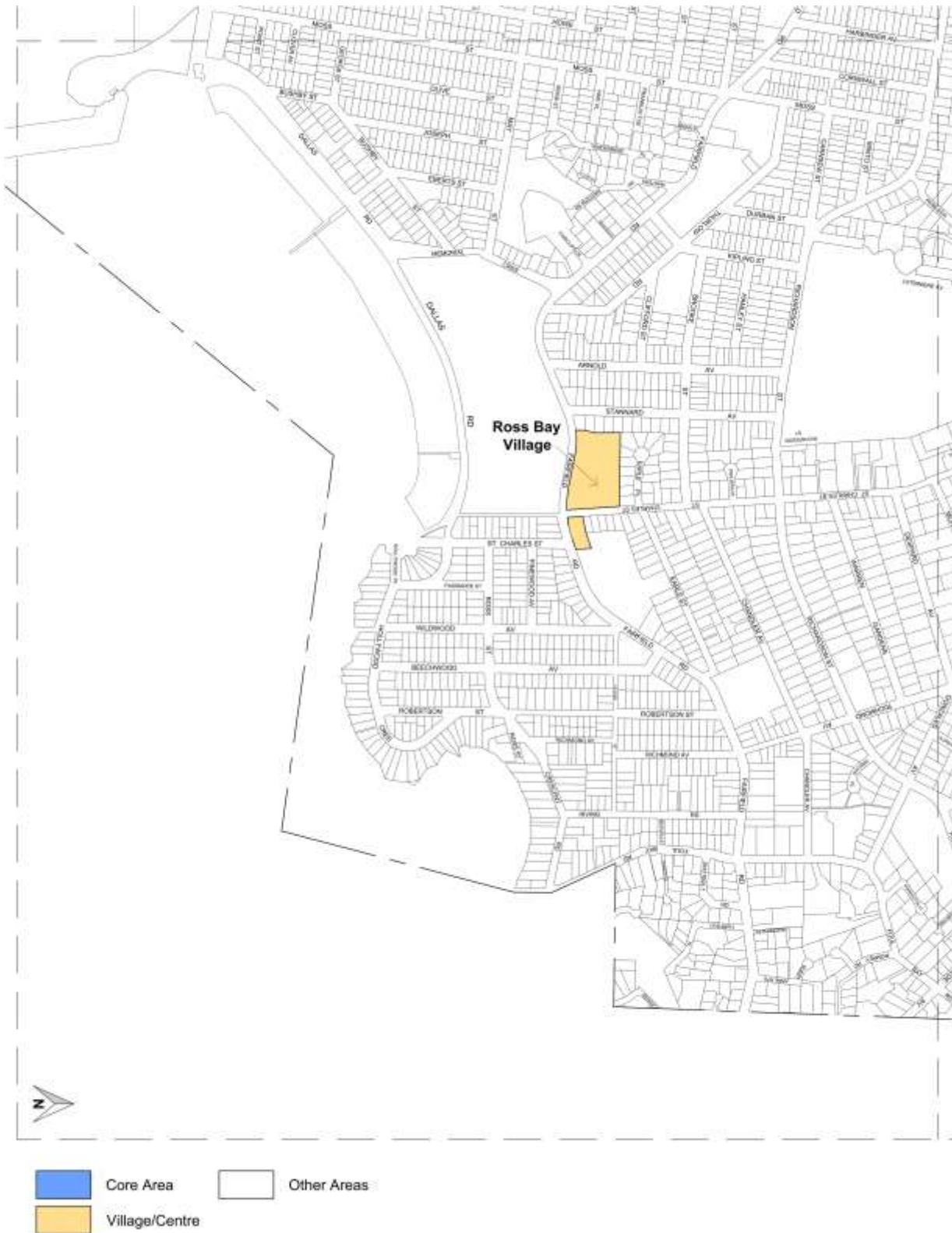
Map D



Map E



Map F



NOTICE OF PUBLIC HEARING

ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1130) – No. 18-017:

To amend the Zoning Regulation Bylaw:

- (a) to replace Schedule C – Off-Street Parking provisions with new off-street parking regulations; and
- (b) to add and amend definitions associated with off-street parking regulations in Schedule A – Definitions.

This amendment bylaw will affect properties throughout the City as it will replace the current off-street parking regulations with new off-street parking regulations. To check how a particular property will be affected, please contact the Zoning Department at 250-361-0316 or zoning@victoria.ca.

Members of the public interested in any of these matters will be given an opportunity to be heard by City Council at a Public Hearing to be held in the Council Chamber, City Hall, 1 Centennial Square, Victoria, BC, on Thursday, xxxxxxx at 6:30 p.m.

Correspondence can be submitted for inclusion in the meeting agenda via mail to the address noted above, or by email at: publichearings@victoria.ca. Correspondence should be received by 11:00 a.m. the day before the Council meeting.

Please note that all correspondence submitted to the City of Victoria in response to this Notice will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

Copies of the proposed Bylaws and other relevant documents and information may be inspected at City Hall, 1 Centennial Square, Victoria, BC from the date of this Notice to and including the date of the Public Hearing, from 8:00 a.m. to 4:30 p.m., from Monday to Friday both inclusive, excluding public holidays.

LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 7)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Land Use Procedures Bylaw to delegate additional development approvals to the Director of Sustainable Development and Community Planning in the following Development Permit Areas:

DPA 1 (HC): Core Historic
 DPA 2 (HC): Core Business
 DPA 3 (HC): Core Mixed-Use Residential
 DPA 4: Town Centres
 DPA 5: Large Urban Villages
 DPA 6A: Small Urban Villages
 DPA 6B (HC): Small Urban Villages Heritage
 DPA 7A: Corridors
 DPA 7B (HC): Corridors Heritage
 DPA 9 (HC): Inner Harbour
 DPA 10A: Rock Bay
 DPA 10B (HC): Rock Bay Heritage
 DPA 11: James Bay and Outer Harbour
 DPA 12 (HC): Legislative Precinct
 DPA 13: Core Songhees
 DPA 14: Cathedral Hill Precinct
 DPA 16: General Form and Character

Under its statutory powers, including Part 14 of the *Local Government Act* and section 154 of the *Community Charter*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

Title

1. This Bylaw may be cited as the “LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 7)”.

Amendments

2. Bylaw No. 16-028, Land Use Procedures Bylaw, 2016, is amended as follows:
 - (i) In Schedule D, Delegated Approvals, the following row is added after the last row in the table in that Schedule, under Columns A, B and C respectively:

<p>A DP or HAP with a parking variance, where:</p> <p>i) the DP or HAP is delegated elsewhere in this table; and</p> <p>ii) the change of use relates to a commercial,</p>	<p>DPA 1 (HC): Core Historic DPA 2 (HC): Core Business DPA 3 (HC): Core Mixed-Use Residential DPA 4: Town Centres DPA 5: Large Urban Villages DPA 6A: Small Urban Villages DPA 6B (HC): Small Urban Villages Heritage</p>	<p>The Director is satisfied that the proposal associated with the proposed parking variance does not adversely impact the neighbourhood by unduly</p>
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<p>iii) institutional or industrial use; and the variance does not exceed 5 motor vehicle parking stalls; and</p> <p>iv) the total variance of long-term and/or short-term bicycle parking stalls does not exceed 6 stalls.</p>	<p>DPA 7A: Corridors DPA 7B (HC): Corridors Heritage DPA 9 (HC): Inner Harbour DPA 10A: Rock Bay DPA 10B (HC): Rock Bay Heritage DPA 11: James Bay and Outer Harbour DPA 12 (HC): Legislative Precinct DPA 13: Core Songhees DPA 14: Cathedral Hill Precinct DPA 16: General Form and Character</p>	<p>contributing to on-street parking issues.</p>
---	---	--

- (ii) In Schedule A, Application Fees, section 2(8) is amended by adding the following sentence after “The base application fee for a permit which the Director is authorized to issue is \$200.”:

“Where a parking variance is proposed an additional fee of \$250 will apply.”

Effective Date

3. This Bylaw comes into force on adoption.

READ A FIRST TIME the **12th** day of **July** 2018

READ A SECOND TIME the **12th** day of **July** 2018

READ A THIRD TIME the **12th** day of **July** 2018

ADOPTED on the _____ day of _____ 2018

CITY CLERK

MAYOR

July 24, 2018

To: Victoria City Council

Re: Background Information on Domestic Hot Water Delivery and Consumer Safety

The BC Government mandates that hot water delivered to a shower / tub must not exceed 49 degree C. The 2012 BC Plumbing code, in article 2.2.10.7. Water Temperature Control, has 3 subsections outlining the type of tap to be used and a 4th subsection stating:

"4. The temperature of water discharging into a bathtub shall not exceed 49 deg C"

In an appendix to this article, the Code further states:

"Hot water delivered at 60°C will severely burn human skin in 1 to 5 seconds. At 49°C, the time for a full thickness scald burn to occur is 10 minutes. Children, the elderly and persons with disabilities are particularly at risk of scald burns. Compliance with Article 2.2.10.7. will reduce the risk of scalding in showers and bathtubs, and reduce the risk of thermal shock from wall-mounted shower heads."

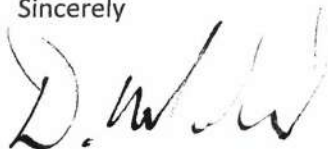
The temperature of water delivered to other taps is not regulated.

The Government of Canada recommends that the temperature at all taps not exceed 49 deg C.

BC Hydro makes the same recommendation.

BC Housing, in residences that it owns (through the PHRC) mandates that the temperature at all taps not exceed 49 deg C.

Sincerely

A handwritten signature in black ink, appearing to read 'D. Macdonald', written in a cursive style.

David Macdonald



JUN 29 2018

Her Worship Lisa Helps
Mayor of the City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

MAYOR'S OFFICE

JUL 10 2018

VICTORIA, B.C.

Dear Madam Mayor:

The Office of the Prime Minister has forwarded to me a copy of your letter of December 4, 2017, concerning a price on carbon pollution. I regret the delay in responding.

As you noted, taking action on climate change, including by extending carbon pricing throughout Canada, is important for reducing greenhouse gas emissions and fostering a transition to a low-carbon economy.

The Government of Canada continues to make progress on the implementation of the pan-Canadian carbon pricing benchmark, which is designed to ensure that carbon pricing applies to a broad set of emission sources throughout Canada in 2018 with increasing stringency over time. The benchmark recognizes the provincial systems already in place. However, it gives provinces and territories the flexibility to maintain or implement the type of carbon pricing system that makes sense for their circumstances, but also sets some common criteria. This includes a minimum benchmark carbon price for direct-pricing systems (starting at \$20 per tonne in 2019 rising to \$50 in 2022) that all systems must meet in order to ensure they are fair and effective.

The benchmark also commits the Government of Canada to developing a carbon pricing backstop system that would apply in whole or in part in any province or territory that requests it, or that does not have a carbon pricing system in place in 2018 that meets the benchmark. The proposed federal carbon pricing system consists of two elements: a charge on fossil fuels that is generally payable by fuel producers or distributors; and a performance-based system for greenhouse gas emissions-intensive, trade-exposed industrial facilities to minimize competitiveness risks while ensuring a carbon price signal and incentive to reduce greenhouse gas emissions.

The Government of Canada released additional details on the proposed federal system in January 2018. For more information, please visit www.canada.ca/en/environment-climate-change/news/2018/01/government_of_canadareleases_furtherdetailsonfederalcarbon-pollut.html.

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Provinces and territories have been asked to confirm their plans by September 1, 2018, including those that intend to maintain or establish their own carbon pricing systems. The federal system (at \$20 per tonne) will apply in whole or in part on January 1, 2019, in those jurisdictions that request it or that do not have a system in place that aligns with the benchmark. From 2019 onward, there will be an annual verification process to ensure carbon pricing systems continue to meet the benchmark.

As you know, clarity on the price trajectory over time is important for investors, businesses and consumers. As committed to in the Pan-Canadian Framework on Clean Growth and Climate Change, federal, provincial and territorial governments will work together to establish the approach for the review of carbon pricing, including expert assessment of stringency and effectiveness that compares carbon pricing systems across Canada. This review will be completed by early 2022 to provide certainty on the path forward. An interim report, which will be reviewed and assessed by First Ministers, will be completed in 2020. As an early deliverable, this review will assess approaches and best practices to address the competitiveness of emissions-intensive trade-exposed sectors. This work is currently under way.

In addition, Canada continues to work closely with international partners to implement the Paris Agreement and tackle climate change bilaterally, and also through multilateral fora such as the Carbon Pricing Leadership Coalition which brings together leaders from governments, business and civil society to support the introduction and implementation of carbon pricing.

The Government of Canada agrees that extending carbon pricing throughout Canada is important in ensuring that Canadians are well placed to benefit from the opportunities created by the global shift toward cleaner, more sustainable growth.

In addition to pricing carbon, the Government is making other significant investments to enable Canadian businesses and workers to participate in the trillion-dollar opportunities offered by the world's transition to a clean-growth economy. The federal government is supporting this transition with historic investments. In June 2017, it launched the Low Carbon Economy Fund to leverage provincial and territorial investments in projects that will support clean growth and reduce greenhouse gas emissions from buildings, industries, forestry and agriculture. On March 14, 2018, the Low Carbon Economy Challenge, a component of the Low Carbon Economy Fund, was launched. The Challenge will provide more than \$500 million for projects that will generate clean growth and reduce greenhouse gas emissions. All provinces, territories, businesses,

.../3

municipalities, not-for-profit organizations, and Indigenous communities and organizations that meet eligibility criteria will be able to apply. Further details on the Low Carbon Economy Fund is available at www.canada.ca/en/environment-climate-change/services/climate-change/low-carbon-economy-fund/challenge.html.

I appreciate your bringing the views of the City of Victoria to my attention. Please accept my best regards.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. McKenna', with a stylized flourish at the end.

Thank you for
your support!

The Honourable Catherine McKenna, P.C., M.P.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD July 19, 2018

For the Council Meeting of July 26, 2018, the Committee recommends the following:

1. **350 Bay Street - Development Variance Permit Application No. 00217 (Burnside)**
An application regarding a proposal to add a new distillery and tasting room to the existing building and add to the number of seats in the existing brew-pub.
That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:
"That Council authorize the issuance of Development Variance Permit Application No. 00217 for 350 Bay Street, in accordance with:
 1. Plans date stamped June 15, 2017.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
Schedule C - Section 16.C.13: Reduce the required parking stalls from 44 to 26 (existing variance of 7 stalls [previously approved] is included within this current request).
 3. The Development Variance Permit lapsing two years from the date of this resolution.
2. **Late Night Advisory Committee Referral**
Be it resolved that:
 - a. That the Mayor write to the Liquor Control and Licensing Branch to require Food Primary licensees who consistently serve significantly more alcohol than food to obtain a Liquor Primary or split liquor licence.
 - b. That the Mayor write to the Liquor Control and Licensing Branch requesting an increase in the number of liquor inspectors serving the Greater Victoria area.
 - c. That Mayor and Council direct staff to report back at the next quarterly update on the resource implications to assess the opportunity for developing a municipal alcohol policy with the support of a BC Healthy Communities grant.
 - d. That the City give consideration to a new sidewalk washroom in the 900 block of Douglas Street area in the 2019 budget.
 - e. That the Mayor write a letter to the BC Transit Commission to support the request for extended late night service.
 - f. That the Mailout Notice be forwarded to the Late Night Advisory Committee to review and make recommendations on wording to ensure that those most affected have the opportunity to express whether or not there are any concerns with the application.
3. **1415 Broad Street - Application for a Permanent Change to Hours of Service for a Liquor Primary License for the Victoria Event Centre**
An application to the Liquor Licensing Agency for a permanent change of hours of liquor service to the Victoria Event Centre from 5:00 pm to 1:00 am daily, to 9:00 am to 2:00 am daily.
That Council direct Staff to provide the following response to the Liquor Licensing Agency:
 1. Council, after conducting a review with respect to noise and community impacts, does support the application of Victoria Event Centre, located at 1415 Broad Street, to change the hours of liquor service from 5:00 pm to 1:00 am daily, to 9:00 am to 2:00 am daily.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request is not expected be a significant issue.
- b. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local business and employer. The Victoria Event Centre is also known to contribute positively to the cultural vitality of the region.
- c. The views of residents were solicited via a mail-out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters opposed to the application, one letter from the Downtown Victoria Residents Association stating preferred hours and overall support, and one letter indicating support.
- d. Council recommends the issuance of the license.
- e. That a change to a nightclub use would require an application for a change to the license including input from Victoria Council.

4. **Motion Arising - Liquor License Policy**

That the Mayor write to the provincial government to ask that the province reconsider its liquor license policy to distinguish between not-for-profit and for-profit venues.

5. **Crystal Pool and Wellness Centre Replacement Project Update and Parking at Crystal Pool**

That Council receive this report for information and that staff be requested to examine alternatives for providing parking for pool users to ensure no net loss of park space.

6. **Crystal Pool Uses Requiring Park Dedication Removal Bylaw**

That Council receive this report for information.

7. **Accessibility at City Hall**

That Council direct staff to report back at the next quarterly update on the implications of achieving 1 and 2:

1. Take steps on a priority basis to create a meeting space at City Hall that is accessible to people with a range of disabilities, including people who cannot participate due to allergens / air quality.
2. Continue to remove barriers to access in the Council Chamber and other public areas at City Hall, including entrances, corridors and washroom facilities associated with access to, and use of, these public spaces.

8. **Adoption of Canadian Code of Advertising Standards**

That Council:

1. Direct staff to report back at the next quarterly update on the implications of adopting the Canadian Code of Advertising Standards for advertisements posted on City of Victoria infrastructure, including parking pay stations; and
2. Request that the Mayor, on behalf of Council, write to the Victoria Regional Transit Commission, copying the Chief Executive Officer of BC Transit, requesting that BC Transit consider the adoption of the Canadian Code of Advertising Standards for advertisements posted on bus shelters and transit buses operating within the City of Victoria.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JULY 26, 2018

For the Council Meeting of July 26, 2018, the Committee recommends the following:

1. Urban Food Table

1. That Council adopt the revised Terms of Reference of the Urban Food Table at Attachment 1.
2. That Council refer to the City's 2019 budget process consideration of an annual allocation of \$6,000 for the Urban Food Table.

2. Victoria Airport Authority- Report to Nominators Presentation

That Council receive the report for information.

3. Update Report: 1501 Haultain Street - Development Variance Permit Application No. 00066 (Fernwood)

An application to expand and renovate the exterior of the building and construct a third residential storey

That, subject to the preparation and execution of legal agreements to secure a transportation demand management program, to the satisfaction of the Director of Sustainable Planning and

Community Development, which would include:

- purchase of one car share vehicle
- dedication of a car share parking space onsite
- provision of five car share memberships (one for each residential unit)
- provision of car share usage credits in the amount of \$100 towards each car share membership.
- car share membership for each residential unit
- provision of each resident with a \$400 contribution towards the purchase of a bicycle.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street, subject to registration of the required legal agreements, to the satisfaction of the City Solicitor, and in accordance with:

1. Plans date stamped July 10, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Decrease the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection.
 - ii. Decrease the south side setback from 3.00m to 1.06m for the staircase projection only.
 - iii. Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
3. Provide a sketch of the proposed gate to be installed adjacent to the staircase on the north side of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

4. Official Community Plan 5-Year Review

1. That Council:
Receive the following for information and direct staff to communicate the findings and highlights to the public:
 - a. Official Community Plan Annual Review 2017
 - b. City of Victoria 2017 Housing Report
 - c. Official Community Plan Annual Review 2016
 - d. City of Victoria 2016 Housing Report
2. Consider the data and trends highlighted in the OCP 5-Year Review to inform future policy initiatives and priorities.
3. Direct staff to report back with the second annual review of the Victoria Housing Strategy at a Council workshop in November 2018 to summarize progress on action items and establish new actions for an updated strategy.
4. Direct staff to hold a workshop with Council in early 2019 to get direction on which indicators are most important to track and capture in the next 5 years.

5. Climate Leadership Plan and Climate Action Program Update

That Council approve the City's Climate Leadership Plan for publishing and ongoing work/collaboration with community stakeholders.

6. Overnight Sheltering and Supports Program

That Council approve \$100,000 in additional funding for the Overnight Sheltering and Supports program, to be funded from 2018 Financial Plan Contingencies.

7. Living Wage for Families

That Council:

1. Endorse the "Living Wage For Families" campaign.
2. Agree in principle to the adoption of a Living Wage Policy, and direct staff to report back with a draft policy for Council's consideration, as a step toward becoming a certified Living Wage Employer.

8. Sheltering Prohibition in Reeson Park and Quadra Park

1. That Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering in Reeson Park and Quadra Park.
2. That Council direct staff to work with BC Housing to ensure that in the summer of 2019 there is no net loss of sheltering spaces even while the cold weather beds may need to close because of programming considerations of shelter operators.



Council Report

For the Meeting of July 26, 2018

To: Council

Date: July 17, 2018

From: C. Coates, City Clerk

Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-071.

The issue came before Council on April 26, 2018 where the following resolution was approved:

Rezoning Application No. 00593 for 930 Fort Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00593 for 930 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Registration of legal agreements to the satisfaction of the Director of the Sustainable Planning and Community Development, securing an amenity contribution in the amount of \$270,675.74 toward the Local Amenities Reserve Fund in accordance with the *City of Victoria Density Bonus Policy*.
2. Registration of legal agreements to the satisfaction of the Director of the Sustainable Planning and Community Development to secure frontage improvements including: raised concrete median, mid-block cross walk, raised crossing of protected bike lane and associated signs and paint markings, bike racks, and bollards on the north side of Fort Street.

Respectfully submitted,

Chris Coates

Deputy City Clerk

Report accepted and recommended by the City Manager.

Date:

July 19, 2018

List of Attachments:

Bylaw No. 18-071

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the CA-84 Zone, Harris Green (930 Fort Street) District, and to rezone land known as 930 Fort Street from the CA-42 Zone, Harris Green Commercial District to the CA-84 Zone, Harris Green (930 Fort Street) District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1156)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 6 – CENTRAL AREA ZONES by adding the following words:

“6.98 CA-84 Zone, Harris Green (930 Fort Street) District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 6.97 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 930 Fort Street, legally described as PID 000-416-592, Lot 1, of Lots 776 and 777, Victoria City, Plan 36636 and shown hatched on the attached map, is removed from the CA-42 Zone, Harris Green Commercial District, and placed in the CA-84 Zone, Harris Green (930 Fort Street) District.

READ A FIRST TIME the	day of	2018
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READ A SECOND TIME the	day of	2018
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Public hearing held on the	day of	2018
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READ A THIRD TIME the	day of	2018
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ADOPTED on the	day of	2018
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CITY CLERK

MAYOR

PART 6.98 – CA-84 ZONE, HARRIS GREEN (930 FORT STREET) DISTRICT**6.98.1 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the CA-42 Zone, Harris Green Commercial District, subject to the regulations in Part 6.55 of the Zoning Regulation Bylaw
- b. Notwithstanding subsection (a), a commercial/residential building is subject to the regulations in Part 6.55, except as otherwise specified in this Part.

6.98.2 Community Amenities

- a. As a condition of additional density pursuant to Part 6.98.2 the following monetary contributions, as adjusted pursuant to Part 6.98.2 b., must be provided as a community amenity:
 - \$203,006.80 to the Downtown Core Area Public Realm Improvement Fund
 - \$67,668.94 to the Downtown Heritage Buildings Seismic Upgrade Fund.
- b. The amenity contributions identified in Part 6.98.2 a. shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw #18-071 is adopted and each year thereafter, by adding to the base contribution an amount calculated by multiplying the base contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.
- c. For the purposes of this Part 6.98.2 b. "CPI" means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

6.98.3 Floor Space Ratio

- a. Floor space ratio (maximum) where the community amenity has not been provided pursuant to Part 6.98.2 2:1
- b. Floor space ratio (maximum) where the community amenity has been provided pursuant to Part 6.98.2 5.5:1
- c. For the purposes of calculating the floor space ratio under subsections (a) and (b), the total floor area shall exclude any area used or intended to be used for bicycle parking, up to a maximum of 344 square metres.

6.98.4 Height, Storeys

- a. Principal building height (maximum) 45m
- b. Storeys (maximum) 13

PART 6.98 – CA-84 ZONE, HARRIS GREEN (930 FORT STREET) DISTRICT**6.98.5 Setbacks**

- a. The setback (minimum) from a street 0.5m

6.98.6 Vehicle and Bicycle Parking

- a. Vehicle and bicycle parking (minimum) Subject to the regulations in Schedule “C”, except as otherwise specified by the regulations in this Part.
- b. Surface parking spaces on a lot must be located:
- i. in the rear yard; and
 - ii. at least 12m from the front lot line.



Council Report

For the Meeting of July 26, 2018

To: Council **Date:** July 17, 2018
From: C. Coates, City Clerk
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1155) No. 18-068

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1155) No. 18-068

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-068.

The issue came before Council on January 11, 2018 where the following resolution was approved:

Rezoning Application No. 00579 for 3175-3177 Harriet Road & 105 Burnside Road East

That Council:

1. Instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00579 for 3175-3177 Harriet Road & 105 Burnside Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once Staff receive proof of registration at the Land Titles Survey Authority of an executed Statutory Right-of-Way (SRW) of 3.66m on Burnside Road East.
2. Direct staff to send a letter to the Municipality of Saanich and the Gorge Tillicum Community Association to inform them of this application and of the public hearing date.

Respectfully submitted,

Deputy Chris Coates C. Havelka
City Clerk

Report accepted and recommended by the City Manager:

Date: July 20, 2018

List of Attachments:

- Bylaw No. 18-068

The Council of The Corporation of the City of Victoria enacts the following provisions:

- #### “4.91 C1-3, Limited Commercial (Cannabis)”

PART 4.91 – C1-3 ZONE, LIMITED COMMERCIAL (CANNABIS) DISTRICT**4.91.1 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the C-1 Zone, Limited Commercial District; and
- b. Storefront cannabis retailer provided that only one storefront cannabis retailer is permitted to operate on a single lot.

4.91.2 Size & Location of Uses

A storefront cannabis retailer must:

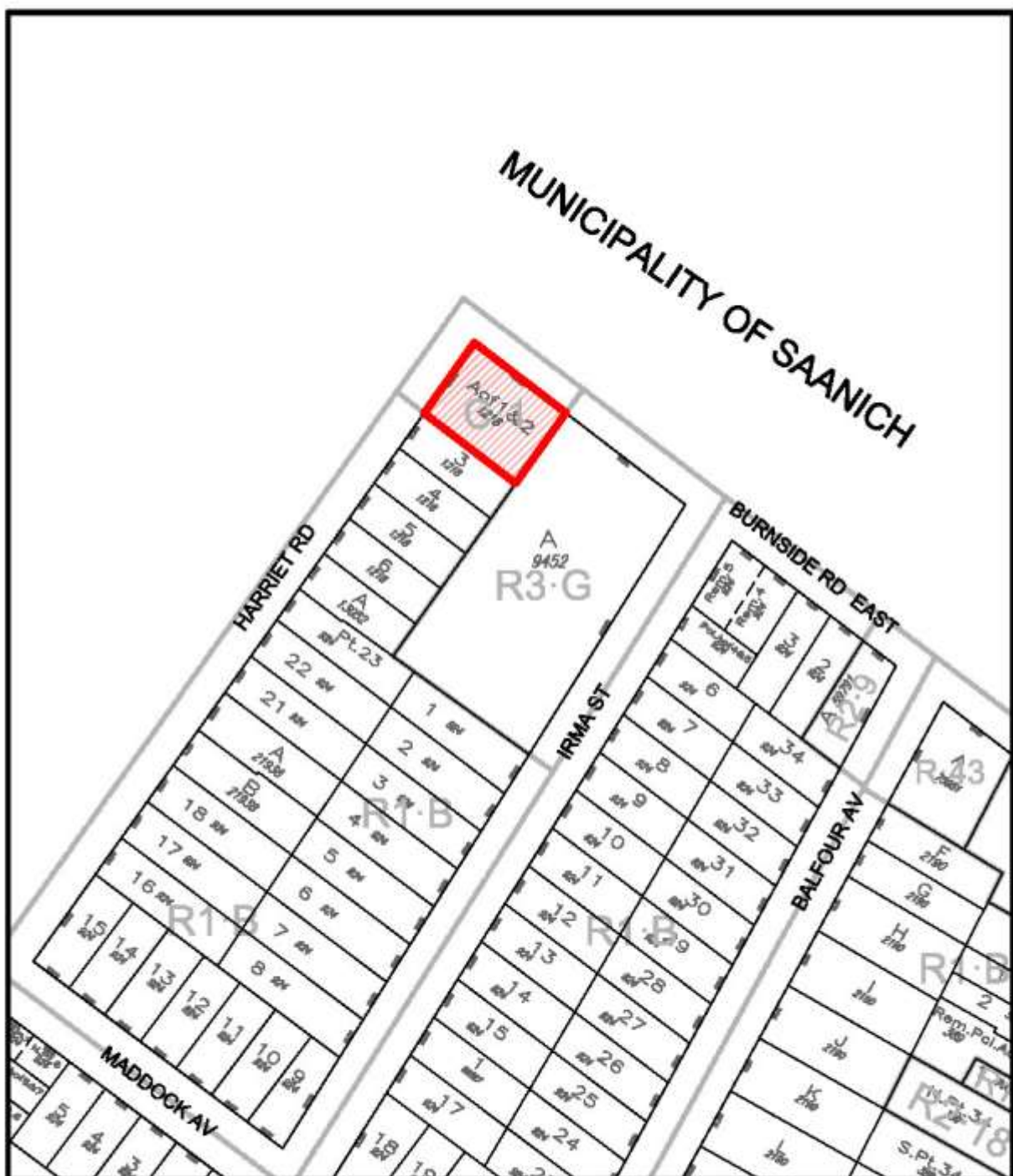
- a. not occupy more than 97m²; and
- b. be located on the ground floor.

4.91.3 Parking

- a. One parking stall shall be provided for each 200m² of floor area for a storefront cannabis retailer.
- b. Except as provided in paragraph a., the parking requirements in Schedule “C” apply.

4.91.4 General Regulations

- a. Subject to the regulations in this Part 4.91, the regulations in the C-1 Zone, Limited Commercial District apply in this Zone.



3175 Harriet Road
Rezoning No.00579





Council Report
For the Meeting of July 26, 2018

To: Council **Date:** July 17, 2018
From: C. Coates, City Clerk
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-055.

The issue came before Council on April 19, 2018 where the following resolution was approved:

Rezoning Application No. 00619 for 356 Harbour Road

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00619 for 356 Harbour Road, that first and second reading of the Zoning Regulation Bylaw amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Registration of reciprocal access easements on title to the satisfaction of the City Solicitor.

Respectfully submitted,

~~Chris Coates~~ C. Havelka

Deputy City Clerk

Report accepted and recommended by the City Manager:

Date:

List of Attachments:

- Bylaw No. 18-055

NO. 18-055

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw CD-9 Zone, Dockside District by adding brewery, distillery, and liquor retail store as permitted uses to the land known as 356 Harbour Road, legally described as PID 027-424-804, Lot 7 District Lot 119 Esquimalt District Plan VIP84612.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1152)”.
- 2 The Zoning Regulation Bylaw is amended in section 13.1.2 of Part 12.9 – CD-9 Zone,
Dockside District, by adding the words “and D2” after the words “In Sub-Area D1”.

READ A FIRST TIME the day of 2018

READ A SECOND TIME the _____ day of _____ 2018

Public hearing held on the _____ day of _____ 2018

READ A THIRD TIME the _____ day of _____ 2018

ADOPTED on the _____ day of _____ 2018

CITY CLERK

MAYOR

PART 12.9 – CD-9 ZONE, Dockside DISTRICT**PART 12.9 - CD-9 ZONE, DOCKSIDE DISTRICT****1. General Regulations****a. Development Areas:**

This Zone is divided into Development Areas A to F. Development Areas D and E contain sub areas that regulate the location of residential and work/live uses within those Development Areas, as outlined within Appendix A. Development Areas A, B, and D contain Sub-Areas, being Sub-Areas A1, A2, A3, B1, D1 and D2 respectively, that provide for additional regulations with respect to permitted uses, height and, in the case of Sub-Area D1 only, maximum floor area for residential uses. The Sub-Areas are outlined within Appendix C and are labelled in that Appendix, and hereafter, referred to as Sub-Areas A1, A2, A3, B1, D1 and D2, respectively.

2. Definitions**a. General Definitions**

The following definitions apply to the CD-9 Zone:

"Affordable Housing", for the purpose of parking calculations, means housing that meets one of the following measures of affordability:

- (a) housing that costs (rent or mortgage plus taxes, and including 10% down payment) 30% or less of a household's gross annual income, targeting households with an income less than \$40,000, in 2005 dollars; or,
- (b) housing that costs (rent or mortgage plus taxes, and including 10% down payment) no more than 30% of the Housing Income Limits (HILs) that are determined from time-to-time by the British Columbia Housing Management Commission.

"Canadian Geodetic Datum" means the Canadian Geodetic Vertical Datum of 1928.

"Dockside Lands" means all the lands shown outlined in heavy broken line on the map attached as Appendix A to these CD-9 Zone Regulations.

"Live/work" means not more than 2 persons engaged in any of the following uses:

- a) artist studio;
- b) high tech;
- c) making, processing and assemble of product on a small scale;
- d) offices;
- e) personal and professional services.

and at least one of those persons resides in the dwelling unit where the use they engage in is carried on.

"Master Development Agreement" means the agreement between Dockside Green Limited and the City of Victoria that was registered at the Victoria Land Title Office against title to the Dockside Lands as a covenant pursuant to section 219 of the *Land Title Act* under registration number EX128524.

"Private Power Generation Facility" means a facility less than 2000m² in floor area used for the production of power to supply buildings on the Dockside Lands and to be sold to public utilities. It incorporates different types of energy creation which may include, but are not limited to, electric,

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

bio-diesel, solar, hydro-electric, waste wood gasification and other green forms of power generation.

“Sewage Treatment” means a facility less than 2000m² in floor area used for the treatment, composting and management of sanitary services.

“Sustainability Centre” means a facility operating within a building that includes a combination of any of the following uses: cultural facility, education facilities, reactional facilities, high tech, high tech manufacturing, office including professional services, marine and environmental research and technology, retail and tourist facility, where the facility acts as a centre that promotes sustainable communities.

“Work/live” means combines residential use as an accessory use, with any of the following uses:

- a) bakeries;
- b) call centre;
- c) educational facilities;
- d) garages;
- e) high tech;
- f) high tech manufacturing;
- g) limited light industries, including testing, servicing, repair, manufacturing, processing and assembly;
- h) mail order businesses;
- i) marine and environmental research and technology;
- j) office;
- k) printing and publishing;
- l) professional services, including those provided by architects, engineers, and surveyors;
- m) restaurants;
- n) retail;
- o) retail sales and offices as accessory uses that: are incidental to, or normally associated, with a principal use permitted under this section of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- p) retail sales of home furnishings, home supplies, or sporting goods;
- q) schools, including trade schools;
- r) tourist facility;
- s) transient accommodation;
- t) veterinary hospitals, provided that all runs are totally enclosed within a building;
- u) warehouses;
- v) wholesale;

and is located in a unit that is a suite of rooms of which not more than 50% of the floor space is used for residential use.

PART 12.9 – CD-9 ZONE, Dockside DISTRICT**b. Development Area E and Development Area Sub-Area Additional Definitions**

The following definitions, which are in addition to those listed in section 2a. above, and apply to Development Area E and Sub-Areas A1, A2, A3, B1, D1 and D2 only:

“Brewery” means the manufacturing, storage and distribution of beer in a building where that activity is licensed under the *Liquor Control and Licensing Act* as amended or replaced from time-to-time.

“Distillery” means the manufacturing, storage and distribution of distilled alcohols in a building where that activity is licensed under the *Liquor Control and Licensing Act* as amended or replaced from time-to-time.

“Dockside BETA building” means a building with a floor area less than 150 m², but for certainty does not include food trucks or kiosks that must be moved on and off of the Dockside Lands on a daily basis.

“Seniors’ housing – assisted living” means a facility where regular care or supervision is given by a health care professional, as well as, assistance with the performance of the personal functions and activities necessary for daily living for persons, such as the aged or chronically ill, who are unable to perform these functions efficiently for themselves.

“Seniors’ housing – independent living” means a residential building containing in any combination of two or more dwelling units, housekeeping units, or sleeping units for the accommodation of elderly persons; including the ancillary common areas, and accessory personal service and convenience uses, for the exclusive use of residents.

3. Density and Floor Area

Each Development Area has a maximum floor area assigned to it; however, any Development Area can exceed its maximum floor area by 10%, provided that the overall density of the Dockside Lands does not exceed 2.084:1, and provided that floor area is transferred within groups of uses. The groups of uses are:

- a) office, retail and hotel;
- b) residential and live/work;
- c) industrial and work/live.

Despite the provisions of Section 3 stated above, the floor area of uses referred to in paragraphs a) and c) above are prohibited from being transferred within, from or to, any of Sub Areas A1, A2, A3, B1, and D1.

Despite the groups of uses listed above, 5,895 m² of floor area from an industrial and work/live use on DA-D may be transferred to a residential and live/work use on DA-A, provided that a biomass facility is built on DA-D and at least 920m² of the building commonly known as the ‘Princess Mary building’ is retained.

The following will be excluded from floor area calculations:

- a) floor area of a sustainability centre that is greater than 2000m², but less than 4645m², and is accompanied by a \$400,000 contribution from the developer towards the creation of a sustainability centre, in accordance with the Master Development Agreement, as it may be amended or replaced from time to time;
- b) 1.5m² per residential unit where that unit meets the City’s Adaptable Housing Policy as set out in Schedule O of the Master Development Agreement;
- c) mechanical rooms for ground source heat pumps;
- d) rainwater collection systems.

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

The maximum amount of retail permitted on the Dockside Lands is 7,100m².

The maximum floor plate of any retail unit must not exceed 300m²; however, one retail unit may be up to 2000m² and one other retail unit may be up to 600m².

The maximum amount of office space permitted on the Dockside Lands is 11,800m², excluding offices for architects, engineers and surveyors.

The maximum amount of residential uses permitted on DA-D and DA-E is 6,200m², except that an additional 3,667m² of residential uses are permitted within Sub-Area D1.

2.5% of the total site area, including Point Ellice Park, is required to be park/greenspace (vegetated or pond area).

4. Height Exemption for Roof Top Structures

The following roof structures may be permitted above the stated maximum heights provided they do not cover more than 30% of the roof area of the floor directly below, and do not exceed 55% of the width and length of the floor directly below, and shall not exceed a maximum floor area of 140m² per building:

- a) architectural appurtenances such as towers, trellises, turrets, cupolas and similar structures;
- b) elevator overruns, mechanical rooms and access stairs to mechanical space;
- c) roof top stairway access with accessory storage area.

5. Number of Buildings on a Lot

- a) a lot may contain more than one building;
- b) a building may straddle a lot or a zoning boundary.

6. Setbacks

The setback must be at least

- a) 3m from Tyee Road;
- b) 1m from Esquimalt Road.

7. Parking

Schedule C of the Zoning Regulation Bylaw applies except:

- | | | |
|----|--|-----------------------------|
| a) | affordable housing | 0 spaces / unit |
| b) | docks | 0 spaces |
| c) | hotels | 0.4 space / hotel room |
| d) | live/ work units | 1.5 spaces / unit |
| e) | manufacturing | 1 space / 140m ² |
| f) | multiple residential (> or = to 70m ²) | 1 space / unit |
| g) | multiple residential (< 70m ²) | 0.75 space/ unit |
| h) | Restaurants / pubs / lounges | 1 space per 7.5 seats |
| i) | office | 1 / space 65m ² |
| j) | parks | 0 spaces |
| k) | studio residential (< 40m ²) | 0.5 space / unit |

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

l)	seniors housing	0.25 space / unit
m)	wholesale / warehouse	1-space / 140m ²
n)	wise energy systems	1 space / 140m ²
o)	work/live	2 space / unit

Parking may be located on a lot within 125m of the lot where the parking is actually required, provided that a covenant is registered on title of the property linking the parking to the use.

The following additional parking regulations apply to Development Area E and Sub-Areas A1, A2, A3, B1, D1 and D2 only:

a)	<u>brewery</u>	1 space per 90m ²
b)	<u>cultural facility</u>	1 space per 40m ²
c)	<u>distillery</u>	1 space per 90m ²
d)	<u>Dockside BETA building</u>	1 space per 20.9m ²
e)	bakery, dry cleaners, financial institutions, high tech, marine and environmental research and technology, printing and publishing, personal services, retail, Sustainability Centre, and tourist facility.	1 space per 45m ²
f)	<u>liquor retail store</u> as an accessory to a <u>brewery</u> or <u>distillery</u>	1 space per 45m ²
g)	<u>seniors' housing – assisted living</u>	0.25 space per unit
h)	<u>seniors' housing – independent living</u>	0.25 space per unit

8. Breweries and Distilleries

Brewery and Distillery uses are subject to the following regulations:

- There shall be no more than one brewery and one distillery within Sub Area D1, D2 and DA-E.
- The manufacturing component of a distillery use shall not exceed 500m² floor area.
- The manufacturing component of brewery use shall not exceed 500m² floor area.
- A liquor retail store, as an accessory use to a distillery or a brewery, shall not exceed 100m² floor area.
- There shall be no more than one liquor retail store as an accessory use to a distillery.
- There shall be no more than one liquor retail store as an accessory use to a brewery.

9. Dockside BETA

- A Dockside BETA building may be located in DA-E, Sub-Area D1 or Sub-Area D2.
- The maximum combined floor area of all Dockside BETA buildings permitted in DA-E, Sub-Area D1 and Sub-Area D2 combined is 550m².
- The maximum height of a Dockside BETA building is 11.5m, except that a maximum of two Dockside BETA buildings may have a maximum height of 18m (all measurements relate to Canadian Geodetic Datum).

PART 12.9 – CD-9 ZONE, Dockside DISTRICT**10. DA-A**

10.1 In Development Area A the following uses are permitted:

- a) attached dwellings;
- b) educational facilities;
- c) financial institutions;
- d) live/work;
- e) multiple dwellings;
- f) offices, including professional services, personal services and medical/dental services;
- g) pubs and lounges (limited to 10% use on a lot);
- h) recreational facilities;
- i) restaurants (limited to 10% use on a lot);
- j) retail;
- k) tourist facility; and
- l) transient accommodation.

10.1.1 In Sub-Areas A1, A2 and A3 the following uses, which are in addition to those listed in section 10.1, are permitted:

- a) kindergarten;
- b) parks;
- c) seniors' housing – assisted living; and
- d) seniors' housing – independent living.

10.1.2 In Sub-Areas A1 and A2 the following uses are prohibited, despite section 10.1:

- a) retail; and
- b) offices, including professional services, personal services and medical/dental services.

10.1.3 In Sub-Areas A1, A2 and A3 transient accommodation is prohibited within a self-contained dwelling unit, despite section 10.1:

10.2 Maximum Floor Area

85,855m².

10.3 Height

- a) The height of a building in any part of Development Area A, other than Sub-Area A1, Sub-Area A2 and Sub-Area A3, must not exceed 45.13m, except that one building may have a maximum height of 66m and one other building may have a maximum height of 57.25m.
- b) The maximum height of a building in Sub-Area A1, Sub-Area A2 and Sub-Area A3 is subject to the following regulations:
 - i. except as otherwise stated in sub-sections ii. through iv., the height of any building must not exceed 45.13m;
 - ii. the building in Sub-Area A1, that under the provisions of this bylaw may be sited closest to the southernmost boundary of Sub-Area A1, may have a maximum height of 54.5m; the building in Sub-Area A1, that under the provisions of this

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

bylaw may be sited closest to the northernmost boundary of Sub-Area A1, may have a maximum height of 48.0m; and one other building in Sub-Area A1 may have a maximum height of 51.0m;

- iii. the building in Sub-Area A2, that under the provisions of this bylaw may be sited nearest the intersection of Tyee Road and Esquimalt Road, may have a maximum height of 66m; one other building along Tyee Road may have a maximum height of 60m, and one other building along Esquimalt Road may have a maximum height of 52.5m; and,
- iv. the maximum height of any building in Sub-Area A3 is 33.5m.

(all measurements in sub-sections 10.3(a) and 10.3(b), i. through iv., relate to Canadian Geodetic Datum).

10.4 The uses permitted in Section 10.1(f) of this Zone:

- (a) are limited to the following parcels, also shown on the attached Appendix B, but this limitation does not apply to that portion of PID # 017-941-911, not within Development Area A:

PID # 027-429-989, Strata Lot 1, District Lot 119, Esquimalt District, Strata Plan VIS6511, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V

PID # 027-430-057, Strata Lot 8, District Lot 119, Esquimalt District, Strata Plan VIS6511, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V

PID # 027-430-553, Strata Lot 58, District Lot 119, Esquimalt District, Strata Plan VIS6511, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V

PID # 027-424-839 Lot 10, District Lot 119, Esquimalt District, Plan VIP84612
 PID # 027-424-847 Lot 11, District Lot 119, Esquimalt District, Plan VIP84612
 PID # 027-424-855 Lot 12, District Lot 119, Esquimalt District, Plan VIP84612
 PID # 017-941-911 Lot 8, District Lot 119, Esquimalt District, Plan VIP53097
 Except Part in Plan VIP84612;

- b) must not exceed a maximum floor area of 250m² for any separate office premises;
- c) must be located on the first storey (ground floor) of a building;
- d) must not occupy more than 50% of the building frontage facing Tyee Road.

11. DA-B

11.1 In Development Area B the following uses are permitted:

- a) attached dwellings;
- b) docks for ferry boats;
- c) docks for pleasure boats;
- d) live/work;
- e) multiple dwellings;
- f) parks;
- g) pubs and lounges (limited to 10% of use on a lot);
- h) recreational facilities;
- i) restaurants (limited to 10% of use on a lot);

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

- j) retail; and
- k) tourist facilities.

11.1.1 In Sub-Area B1 the following uses, which are in addition to those listed in Section 11.1, are permitted:

- a) kindergarten;
- b) parks and their accessory uses;
- c) seniors' housing – assisted living; and
- d) seniors' housing – independent living.

11.2 Maximum Floor Area

- a) 17,760m²
- b) The maximum floor area of all retail uses in Sub-Area B1 is 610 m².

11.3 Height

Buildings must not exceed a geodetic datum of 47.0m (using Canadian Geodetic Datum).

12. **DA-C**

12.1 Permitted Uses

The following uses are permitted provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard:

- a) attached dwellings;
- b) bakeries;
- c) biodiesel storage and sale;
- d) call centre;
- e) car washes, except those equipped with hand operated sprayers and other driver operated machinery;
- f) carpet cleaning;
- g) churches;
- h) dry cleaners;
- i) dye works;
- j) educational facilities;
- k) garages;
- l) high tech;
- m) high-tech manufacturing;
- n) limited light industries, including testing, servicing and repair, manufacturing, processing or assembly;
- o) live/work;
- p) mail order businesses;
- q) marine and environmental research and technology;
- r) multiple dwellings;

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

- s) office;
- t) private power generation facility and processing of any associated by-products;
- u) printing and publishing;
- v) professional services, including those provided by architects, engineers and surveyors;
- w) pubs and lounges;
- x) public buildings;
- y) recreational facilities;
- z) restaurants;
- aa) retail;
- bb) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- cc) retail sales of home furnishings, home supplies, or sporting goods; schools, including trade schools;
- dd) sewage treatment;
- ee) tourist facility;
- ff) transient accommodation;
- gg) veterinary hospitals, provided that all runs are totally enclosed within a building;
- ii) warehouses;
- jj) wholesale; and
- kk) work/live.

12.2 Maximum Floor Area

1645m².

12.3 Height

Buildings must not exceed a geodetic datum 25.04m (using Canadian Geodetic Datum).

13. DA-D**13.1.1 Permitted Uses**

In Development Area D the following uses are permitted provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard, are permitted:

- a) attached dwellings;
- b) bakeries;
- c) biodiesel storage and sale;
- d) call centre;
- e) car washes, except those equipped with hand operated sprayers and other driver operated machinery;

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

- f) carpet cleaning;
- g) churches;
- h) dry cleaners;
- i) dye works;
- j) educational facilities;
- k) financial institutions;
- l) garages;
- m) high tech;
- n) high-tech manufacturing;
- o) limited light industries, including testing, servicing and repair, manufacturing, processing or assembly;
- p) live/work;
- q) mail order businesses;
- r) marine and environmental research and technology;
- s) multiple dwellings;
- t) offices, including professional services, personal services and medical/dental services;
- u) Private power generation facility and processing of any by-products;
- v) professional services, including those provided by architects, engineers, and surveyors;
- w) pubs and lounges;
- x) public buildings;
- y) recreational facilities;
- z) restaurants;
- aa) retail;
- bb) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- cc) retail sales of home furnishings, home supplies, or sporting goods;
- dd) schools, including trade schools;
- ee) sewage treatment;
- ff) tourist facility;
- gg) transient accommodation;
- hh) veterinary hospitals, provided that all runs are totally enclosed within a building;
- ii) warehouses;
- jj) wholesale; and
- kk) work/live.

13.1.2 Permitted Uses

In Sub-Area D1 and D2 the following uses, which are in addition to those listed in section 13.1.1, are permitted, provided they are not noxious or offensive to any adjacent property or the general public

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard:

- a) brewery;
- b) kindergarten;
- c) cultural facility;
- d) distillery;
- e) liquor retail store as an accessory to a brewery or distillery;
- f) parks and their accessory uses;
- g) seniors' housing – assisted living; and
- h) seniors' housing – independent living.

13.1.3 In Sub-Areas D1 and D2 the following uses are prohibited despite section 13.1.1.

- a) biodiesel storage and sale;
- b) carpet cleaning;
- c) dye works; and
- d) garages.

13.1.4 In Sub-Area D1 the following uses are only permitted in a Dockside BETA building.

- a) retail;
- b) offices, including professional services, personal services and medical/dental services.

13.2 Maximum Floor Area

16570m².

13.3 Height

Buildings must not exceed a geodetic datum of 26.51m (using Canadian Geodetic Datum).

13.4 Attached Dwellings and Multiple Dwellings

- a) Attached dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any attached dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.
- b) Multiple dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.
- c) Live/work dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.
- d) Work/live dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.

14. DA-E**14.1 Permitted Uses:**

The following uses, provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard, are permitted in Development Area E:

- a) attached dwellings;
- b) bakeries;
- c) brewery;
- d) call centre;
- e) car washes, except those equipped with hand operated sprayers and other driver operated machinery;
- f) kindergarten;
- g) churches;
- h) cultural facility;
- i) distillery;
- j) dry cleaners;
- k) educational facilities;
- l) financial institutions;
- m) high tech;
- n) high tech manufacturing;
- o) limited light industries, including testing, servicing and repair, manufacturing, processing or assembly;
- p) liquor retail store as an accessory to a brewery or distillery;
- q) live/work;
- r) mail order businesses;
- s) marine and environmental research and technology;
- t) multiple dwellings;
- u) offices, including professional services, personal services and medical/dental services;
- v) parks and their accessory uses;
- w) private power generation facility and processing of any associated by-products;
- x) printing and publishing;
- y) professional services, including those provided by architects, engineers, and surveyors;
- z) public buildings;
- aa) pubs and lounges;
- bb) recreational facilities;
- cc) restaurants;
- dd) retail;

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

- ee) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- ff) retail sales of home furnishings, home supplies, or sporting goods;
- gg) schools, including trade schools;
- hh) seniors' housing – assisted living;
- ii) seniors' housing – independent living;
- jj) sewage treatment;
- kk) sustainability centre;
- ll) tourist facility;
- mm) transient accommodation;
- nn) veterinary hospitals, provided that all runs are totally enclosed within a building;
- oo) warehouses;
- pp) wholesale; and
- qq) work/live.

14.2 Maximum Floor Area

8145m².

14.3 Height

Buildings must not exceed a geodetic datum of 26.51m (using Canadian Geodetic Datum).

14.4 Attached Dwellings and Multiple Dwellings

- a) Attached dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any attached dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.
- b) Multiple dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.
- c) Live/work dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.
- d) Work/live dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

14.5 Transient Accommodation

- a) transient accommodation is prohibited within a self-contained dwelling unit, despite section 14.1.

15. DA-F

15.1 Permitted Uses

The following uses provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard:

- a) bakeries;
- b) biodiesel storage and sale;
- c) call centre;
- d) car washes, except those equipped with hand operated sprayers and other driver operated machinery;
- e) carpet cleaning;
- f) churches;
- g) dry cleaners;
- h) dye works;
- i) educational facilities;
- j) garages;
- k) high tech;
- l) high tech manufacturing;
- m) limited light industries, including testing, servicing and repair, manufacturing, processing or assembly;
- n) mail order businesses;
- o) marine and environmental research and technology;
- p) printing and publishing;
- q) professional services, including those provided by architects, engineers, and surveyors;
- r) pubs and lounges;
- s) public buildings;
- t) private power generation facility and processing of any associated by-products;
- u) Recreational facilities;
- v) restaurants;
- w) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- x) retail sales of home furnishings, home supplies, or sporting goods;
- y) schools, including trade schools;
- z) sewage treatment;

PART 12.9 – CD-9 ZONE, Dockside DISTRICT

- aa) tourist facility;
- bb) transient accommodation;
- cc) veterinary hospitals, provided that all runs are totally enclosed within a building;
- dd) warehouses; and
- ee) wholesale.

15.2 Maximum Floor Area

4366m².

15.3 Height

Buildings must not exceed a geodetic datum of 30.5m (using Canadian Geodetic Datum).

Bylaw 17-005 Adopted Jan. 26/17

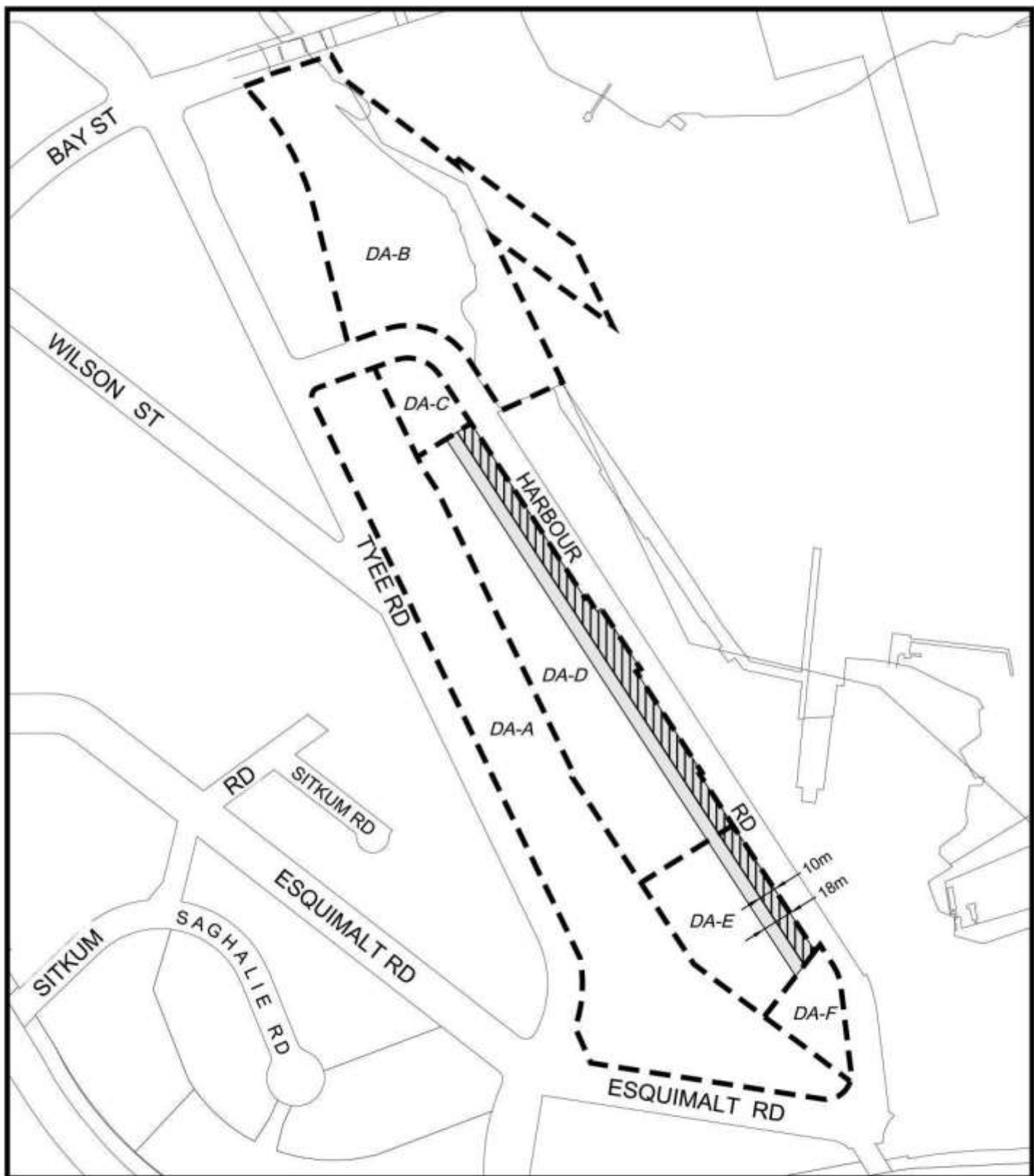
Bylaw 15-066 adopted Oct 15/15 – amending Sections 12.9, 11.1 and 11.4

Bylaw 05-85 Adopted Sept. 22/05



Section 3 Amended by Bylaw 07-092 adopted Jan. 31/08

Sections 3, 8.2, 8.3, 11.1 and 12.1 amended by Bylaw 08-090 adopted Oct. 23/08

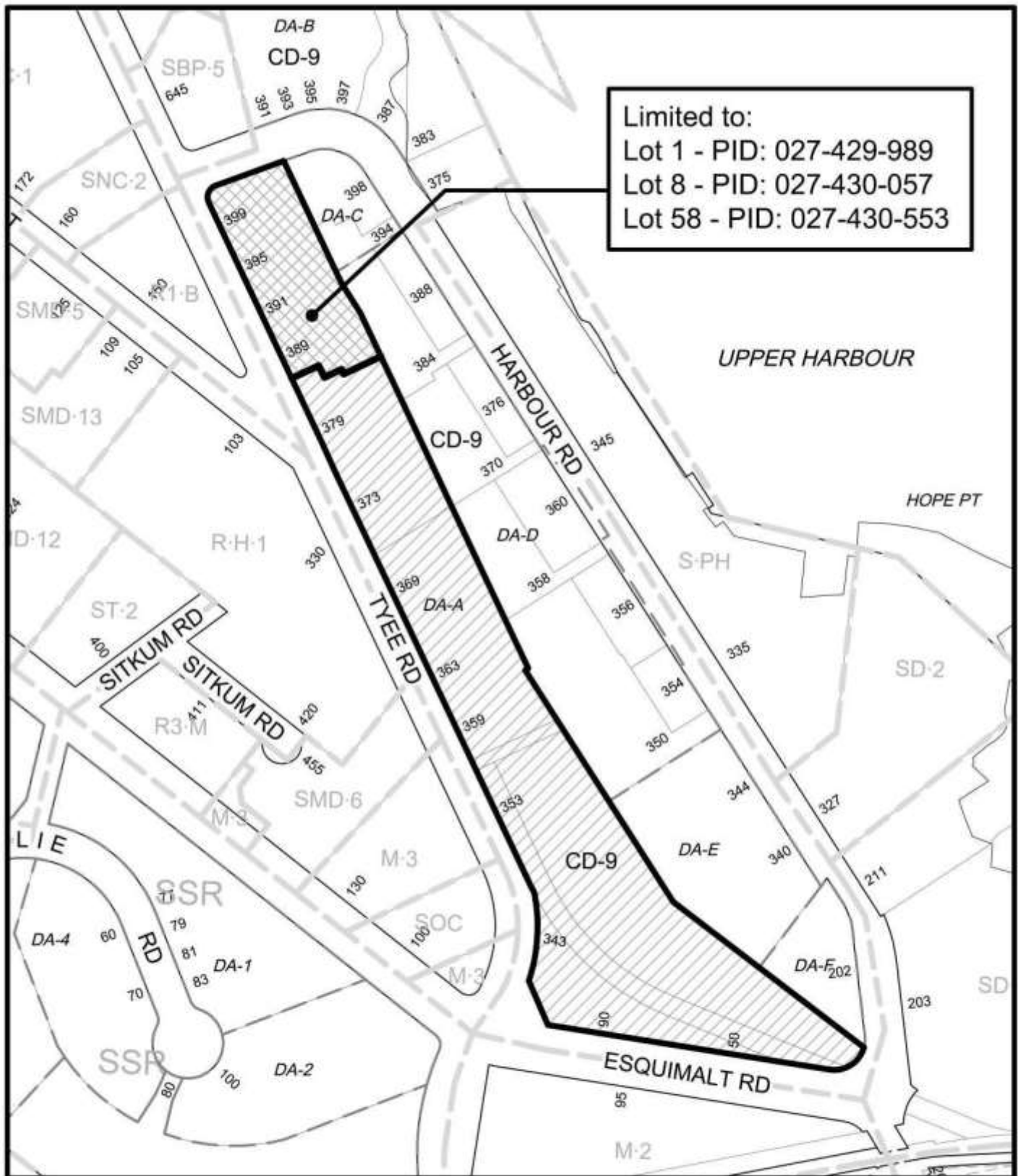
Section 12.9 amended by Bylaw 09-024 adopted Mar 26/09



Appendix A
Dockside
Bylaw #05-85

 No "Work/Live" use permitted (10m)
  No "Residential" use permitted (18m)



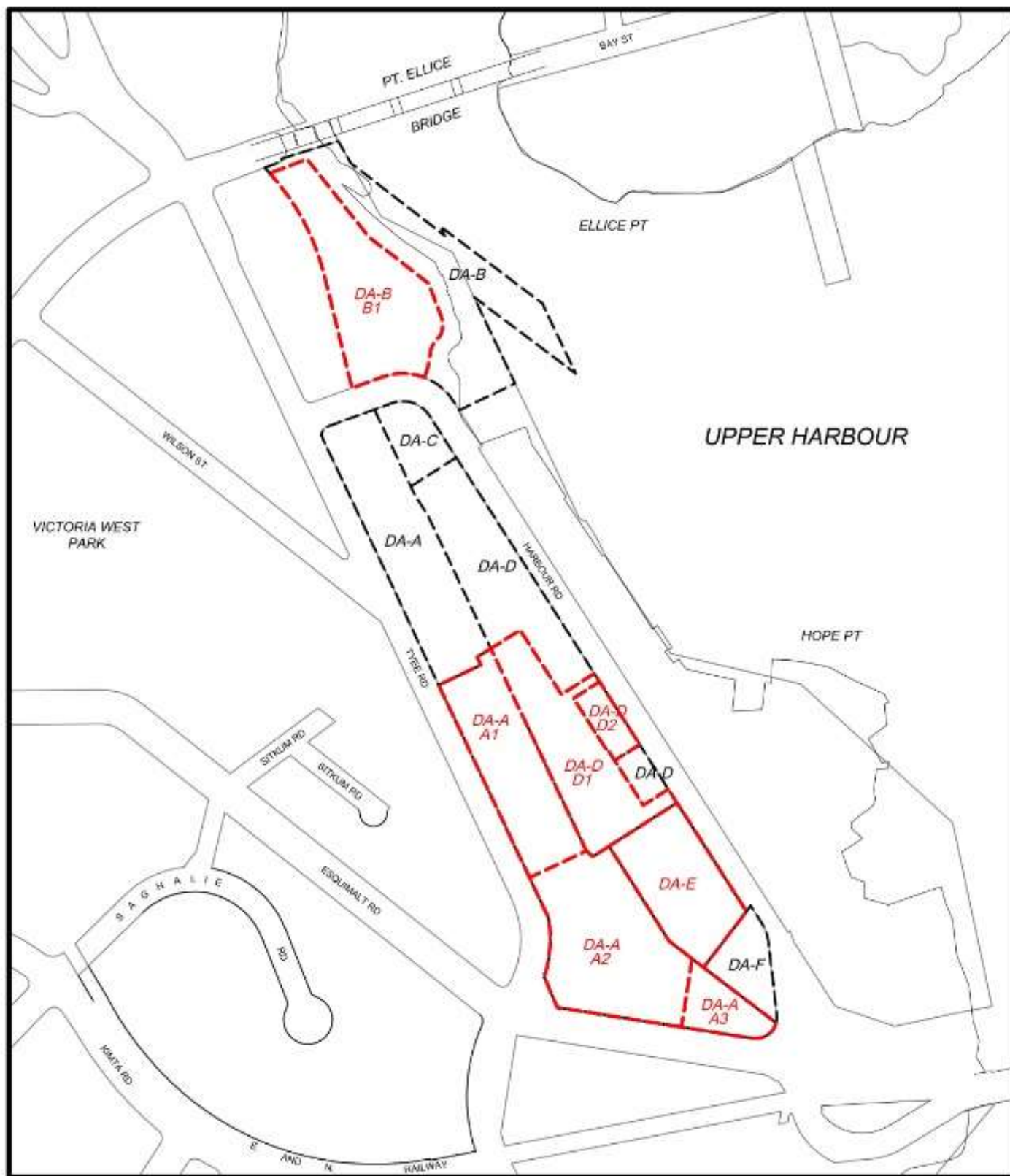


Limited to:
 Lot 1 - PID: 027-429-989
 Lot 8 - PID: 027-430-057
 Lot 58 - PID: 027-430-553



Appendix B Dockside





Appendix C
Dockside - Sub-areas
Bylaw #05-85





Council Report

For the Meeting of July 26, 2018

To: Council **Date:** July 17, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Heritage Tax Exemption Bylaw No. 18-062 for 727-729 Johnson Street

RECOMMENDATION

That Council give first, second and third reading to the Heritage Tax Exemption (727 Johnson Street) Bylaw No. 18-062.

LEGISLATIVE AUTHORITY

In accordance with Section 225 of the *Community Charter*, Council may exempt protected heritage property from taxation under Section 197(1)(a) to the extent provided in the bylaw and subject to conditions established by the exemption agreement.

EXECUTIVE SUMMARY

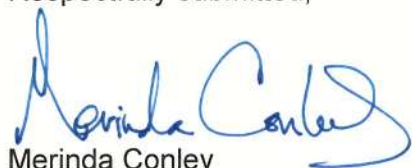
The purpose of this report is to inform Council that, in accordance with Council's motion of February 8, 2018, the necessary Heritage Tax Exemption Bylaw and Notice (attached) for 727-729 Johnson Street has been prepared for a 10 year period pursuant to Section 392 of the *Local Government Act*, with the following conditions:

1. That a covenant identifying the tax exemption be registered on the title to the property and any possible future strata titles.
2. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

The Heritage Tax Exemption Bylaw must be given three readings by Council before staff can proceed with preparation of a covenant, identifying the tax exemption to be registered on the title.

Once proof of the final registration of the covenant has been provided by the applicant, legal notification for advertising will occur in the newspaper for two consecutive weeks prior to Council's final adoption of the bylaw.

Respectfully submitted,


Merinda Conley
Senior Heritage Planner
Development Services Division


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Joelyn Jenkins
Date: *July 19, 2018*

List of Attachments

- Attachment A: Committee of the Whole report, February 1, 2018
- Attachment B: Council Minutes, February 8, 2018
- Attachment C: Tax Exemption Bylaw No. 18-062
- Attachment D: Notice of Proposed Permissive Tax Exemption.



Committee of the Whole Report For the Meeting of February 1, 2018

To: Committee of the Whole **Date:** January 19, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Tax Incentive Program Application No. 00028 for 727-729 Johnson Street

RECOMMENDATION

That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 727-729 Johnson Street for 10 years, pursuant to Section 392 of the *Local Government Act*, subject to the building receiving Heritage Designation, with the following conditions:

1. That a covenant identifying the tax exemption be registered on the title to the property and any possible future strata titles.
2. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

LEGISLATIVE AUTHORITY

In accordance with Section 225 of the *Community Charter*, Council may exempt protected heritage property from taxation under Section 197(1)(a) to the extent provided in the bylaw and subject to conditions established by the exemption agreement.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an application for a 10-year tax exemption under the City's Tax Incentive Program to assist in the rehabilitation of the heritage building at 727-729 Johnson Street (Garesché Stables & Offices). The application is for a rehabilitation project to create commercial use on the ground floor and 30 residential units on four upper storey floors (two existing floors plus two new floors set back from the existing facade) with a variety of one and two bedroom purpose built rental apartments.

BACKGROUND

The application is to assist the rehabilitation project involving the conversion of a heritage building to residential use. The estimated cost of the total project is \$5,723,800. The cost of seismic upgrading is estimated to be \$1,053,616.60.

A Heritage Designation Application was unanimously supported by Council on September 10, 2015, subject to the applicant undertaking the following steps:

1. Development of a conservation plan that details the restoration/rehabilitation work
2. Obtaining appropriate permits to undertake the restoration/rehabilitation of the Johnson Street façade
3. Undertaking the restoration/rehabilitation in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada*
4. Revising the Heritage Designation Application No. 000153 to reflect restoration/rehabilitation work undertaken that reinstates its architectural integrity for Council's consideration of the revised application for heritage designation.

A Development Permit Application, concurrent with a Rezoning Application, to restore the existing building and to add a two-storey rooftop addition which is stepped back from the front and rear elevations was reviewed by the Heritage Advisory Panel at its meeting on June 14, 2016. On April 13, 2017, Council adopted a Zoning Regulation Bylaw, Amendment Bylaw and a Housing Agreement Bylaw, and approved a Development Permit for the construction of a two-storey addition to the existing building and converting the office building to ground floor retail and residential above.

The Heritage Tax Incentive Program Application was reviewed by the Victoria Civic Heritage Trust at its meeting on December 4, 2017, and was recommended for approval (see attached letter, dated December 5, 2017).

ISSUES

In March 1998, City Council approved the Tax Incentive Program to provide tax exemptions of up to 10 years to assist heritage building owners with the high cost of seismic upgrading which was affecting the economic viability of converting the upper floors of heritage buildings to residential use. Not including the current project, the program has created 694 new residential units in 43 rehabilitated heritage buildings and attracted \$228 million in private investment in the Downtown Core.

Applications for the Tax Incentive Program require a building to be heritage designated. However, the conditions of Council's support for Heritage Designation Application No. 000153 for 727-729 Johnson Street carried on September 10, 2015, requires all restoration/rehabilitation work to be completed and the Heritage Designation Application revised to reflect the work undertaken for Council's consideration. The recommendation provided for Council's consideration has been worded to ensure that heritage designation would either occur before or concurrently with the granting of a tax exemption.

ANALYSIS

Staff recommend for Council's consideration that the project is worthy of support as it contributes to the City's strategic objectives of strengthening the Downtown Core with additional residential development; assisting in the preservation and rehabilitation of heritage buildings; and improving public safety through the seismic upgrading of this unreinforced masonry building, and when rehabilitated, will advance City policy through the revitalization of these key properties in the Downtown Core.

The proposed exemption is consistent with the following policies.

Official Community Plan

8 Placemaking - Urban Design and Heritage

Goals:

8 (B) Victoria's cultural and natural heritage resources are protected and celebrated.

Broad Objectives:

8 (j) That heritage property is conserved as resources with value for present and future generations.

8 (l) That heritage and cultural values are identified, celebrated, and retained through community engagement.

City Form:

8.6 Conserve and enhance the heritage value, character and special features of areas, districts, streetscapes, cultural landscapes and individual properties throughout the City.

8.52 Continue to enable and support heritage conservation through incentives and allowances including, but not limited to: property tax reductions; grants; bonus density provision; and, zoning variances.

8.54 Continue to work with senior government, community and business partners to identify, protect and conserve property of heritage value.

13 Housing and Homelessness

Housing Diversity:

13.18 Continue to develop incentives to support the rehabilitation and conversion of designated commercial, institutional and industrial designated heritage buildings to residential or residential mixed uses.

14 Economy

Tourism and Visitor Services:

14.32 Continue to invest in the heritage character of the Downtown and other neighbourhoods through incentives for rehabilitation and seismic upgrades.

Downtown Core Area Plan

7 Heritage

Objectives:

1. Retain, protect and improve real property with aesthetic, historic, scientific, cultural, social or spiritual value and heritage character as a benefit to the public.

5. City of Victoria support for the conservation and celebration of properties with heritage value is maintained and enhanced.

Areas and Districts - Policies and Actions:

- 7.7. Continue to support the conversion of the upper storeys of heritage-designated property from non-residential uses to residential uses in strategic locations within the Downtown Core Area that serve to support the policies of this Plan.

Buildings and Sites - Policies and Actions:

- 7.26. Encourage owners of property with heritage value or character in the Downtown Core Area, particularly landmarks or those in the Historic Commercial District and Inner Harbour District, to upgrade the seismic conditions of buildings and structures.

Heritage Incentives - Policies and Actions:

- 7.29. Continue and enhance incentives for heritage conservation such as, tax incentives, parking variances and other zoning variances, where broadly consistent with the policies for each District of the Downtown
- 7.30. Maintain and develop financial incentives for building rehabilitation, particularly seismic upgrading, for eligible heritage-designated commercial, institutional, industrial and residential property in the Downtown Core Area.

9 Community Vitality

Diversity and Inclusion:

- 9.6. Expand the use of heritage revitalization agreements and incentive programs to upgrade and revitalize heritage buildings for market and non-market housing.

Emergency Preparedness:

- 9.17. Continue to support the seismic upgrading and rehabilitation of heritage buildings through heritage revitalization incentive programs.

Resource Impacts

The building rehabilitation will create 30 new residential units on four upper storey floors (two existing floors plus two new floors set back from the existing facade) with a variety of one and two bedroom purpose built rental apartments. The estimated cost of the project is estimated at \$5,723,800. The existing total 2017 property tax is \$26,427.80 (municipal portion \$16,020.60).

The Victoria Civic Heritage trust reviewed the structural engineering and other technical details of the proposal on December 4, 2017 and has recommended that Council approve the tax exemption.

BC Assessment reviewed the proposed plans and estimates the revised property assessment and the City of Victoria's Finance Department estimates the taxes following rehabilitation and seismic upgrading to be as follows:

	Assessment	Total Annual Tax	Taxes - Municipal	Taxes - Other Agencies	Total Tax
Current	\$1,888,000	\$26,427.80	\$16,020.60	\$10,407.20	\$26,427.80
Proposed	\$5,750,000	\$45,322.28	\$28,520.67	\$16,801.61	\$45,322.28

The value of a ten year tax exemption for 727 Johnson Street at the 2017 property tax rate is \$264,278.00 (\$26,427.80 x 10 years). The formula to determine the term of the tax exemption is based on the rate of the current year's property tax multiplied by the number of years (to a maximum of 10) to arrive at a value that is less than the estimated cost of seismic upgrading.

Cost of seismic upgrading = \$1,053,616.60 > \$264,278.00 (\$26,427.80 x 10 years)

Based on the above formula, 727 Johnson Street is eligible for the maximum ten year tax exemption as the cost of seismic upgrading exceeds the value of existing property taxes multiplied by the maximum number of ten years.

Upon completion, BC Assessment estimates the value of the property will increase from \$1,888,000 (2017) to \$5,750,000. Based on the 2017 tax rates, the estimated value of the tax exemption will be \$453,222.80 (\$45,322.28 x 10) over the 10 year period which is still less than the estimated cost of \$1,053,616.60 for seismic upgrading.

The City will redistribute the tax exemption to non-exempt taxpayers over the 10 year period. Although the exemption will reallocate the tax revenue, the City will receive additional tax revenue at the expiry of the 10 year term.

The net impact of additional residents living downtown and their support for downtown businesses will also be a positive economic benefit.

CONCLUSIONS

As the project benefits the Downtown Core, improves the seismic resistance of a hazardous structure, and rehabilitates a heritage building, it is recommended for Council's consideration that the project be approved.

ALTERNATE MOTION

That Council decline Tax Incentive Program Application No. 00028 at 727-729 Johnson Street.

Respectfully submitted,

Merinda Conley
Senior Heritage Planner
Development Services

Jonathan Tinney
Director
Sustainable Planning and Community Development

Susanne Thompson
Director
Finance

Report accepted and recommended by the City Manager:

Date: _____

List of Attachments

- Attachment A: Subject Map
- Attachment B: Photos
- Attachment C: Site Plans of proposed project, date stamped December 7, 2017
- Attachment D: Letter from the Victoria Civic Heritage Trust, dated December 5, 2017
- Attachment E: Analysis by BC Assessment Authority.

5. Tax Incentive Permit Application No. 00028 for 727-729 Johnson Street

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 727-729 Johnson Street for 10 years, pursuant to Section 392 of the *Local Government Act*, subject to the building receiving Heritage Designation, with the following conditions:

1. That a covenant identifying the tax exemption be registered on the title to the property and any possible future strata titles.
2. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

Carried Unanimously

NO. 18-062

TAX EXEMPTION (727-729 JOHNSON STREET) BYLAW**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to assist in the preservation and rehabilitation of the heritage building located at 727-729 Johnson Street, including the seismic upgrading and residential use of the heritage building, by exempting it from municipal property taxes for 10 years.

Contents

- 1 Title
- 2 Definitions
- 3 Tax exemption
- 4 Effective date

Under its statutory powers, including section 225 of the *Community Charter*, the Council of the Corporation of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "TAX EXEMPTION (727-729 JOHNSON STREET) BYLAW".

Definitions

- 2 In this Bylaw,

"improvements"

means all of the Land's improvements that exist at any time during the 10-year period that section 3 is in effect;

"Land"

means the land, including its improvements, located at civic address 727-729 Johnson Street in Victoria, British Columbia, and legally described as:

PID: 005-137-993
Lot 33, Victoria City

Tax exemption

- 3
 - (1) The Land is exempt from property taxes, imposed under section 197(1)(a) of the *Community Charter*, for a period of 10 consecutive calendar years, beginning in the year that this section comes into effect.
 - (2) The exemption under subsection (1) is subject to the conditions established by tax exemption agreement #18-0046.

Effective date

- 4** The tax exemption in section 3 comes into effect either:
- (a) in the calendar year following the year this Bylaw is adopted on or before October 31; or
 - (b) in the second calendar year following the year this Bylaw is adopted after October 31.

READ A FIRST TIME the day of , 2018.

READ A SECOND TIME the day of , 2018.

READ A THIRD TIME the day of , 2018.

ADOPTED by at least 2/3 of all members of the Council on the day of , 2018.

CITY CLERK

MAYOR

NOTICE OF PROPOSED PERMISSIVE TAX EXEMPTION

For the purpose of strengthening the downtown with additional residential development and to assist in the preservation and rehabilitation of heritage property, including the seismic upgrading and residential use of heritage property, the Council of the Corporation of the City of Victoria proposes a bylaw that would exempt from municipal property taxes for 10 years the heritage-designated building located at 727-729 Johnson Street, Victoria, BC and having a legal description of PID 005-137-993, Lot 33, Victoria City.

The exemption would apply if:

- (a) the Victoria Civic Heritage Trust verifies and advises the City that the upgrading of the property is complete and fully paid for by the owner, and is in accordance with the B.C. Building Code;
- (b) all residential dwelling units located above the ground floor of the heritage building are used for residential purposes;
- (c) a covenant pursuant to section 219 of the *Land Title Act* identifying the tax exemption and the restrictions on the use of residential dwelling units stated in paragraph (b) of this notice has been registered at the Land Title Office.

The estimated amount of municipal property taxes that would be imposed on the property if it were not exempt for the year in which Bylaw 18-062 takes effect and the following two years is approximately \$45,322.28.

TAX EXEMPTION (727-729 JOHNSON STREET) BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to assist in the preservation and rehabilitation of the heritage building located at 727-729 Johnson Street, including the seismic upgrading and residential use of the heritage building, by exempting it from municipal property taxes for 10 years.

Contents

- 1 Title
- 2 Definitions
- 3 Tax exemption
- 4 Effective date

Under its statutory powers, including section 225 of the *Community Charter*, the Council of the Corporation of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "TAX EXEMPTION (727-729 JOHNSON STREET) BYLAW".

Definitions

- 2 In this Bylaw,

"improvements"

means all of the Land's improvements that exist at any time during the 10-year period that section 3 is in effect;

"Land"

means the land, including its improvements, located at civic address 727-729 Johnson Street in Victoria, British Columbia, and legally described as:

PID: 005-137-993
Lot 33, Victoria City

Tax exemption

- 3
 - (1) The Land is exempt from property taxes, imposed under section 197(1)(a) of the *Community Charter*, for a period of 10 consecutive calendar years, beginning in the year that this section comes into effect.
 - (2) The exemption under subsection (1) is subject to the conditions established by tax exemption agreement #18-0046.

Effective date

- 4** The tax exemption in section 3 comes into effect either:
- (a) in the calendar year following the year this Bylaw is adopted on or before October 31; or
 - (b) in the second calendar year following the year this Bylaw is adopted after October 31.

READ A FIRST TIME the day of , 2018.

READ A SECOND TIME the day of , 2018.

READ A THIRD TIME the day of , 2018.

ADOPTED by at least 2/3 of all members of the Council on the day of , 2018.

CITY CLERK

MAYOR



Council Report

For the Meeting of July 26, 2018

To: Council **Date:** July 17, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Heritage Tax Exemption Bylaw No. 18-063 for 888 Government Street / 811-813 Wharf Street**

RECOMMENDATION

That Council give first, second and third reading to the Heritage Tax Exemption (888 Government Street / 811-813 Wharf Street) Bylaw No. 18-063.

LEGISLATIVE AUTHORITY

In accordance with Section 225 of the *Community Charter*, Council may exempt protected heritage property from taxation under Section 197(1)(a) to the extent provided in the bylaw and subject to conditions established by the exemption agreement.

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of February 22, 2018, the necessary Heritage Tax Exemption Bylaw and Notice (attached) for 888 Government Street / 811-813 Wharf Street has been prepared for 51.99% of assessed value for a 10 year period pursuant to Section 392 of the *Local Government Act*, with the following conditions:

1. That a covenant identifying the tax exemption be registered on the title to the property and any possible future strata titles.
2. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

The Heritage Tax Exemption Bylaw must be given three readings by Council before staff can proceed with preparation of a covenant, identifying the tax exemption to be registered on the title.

Once proof of the final registration of the covenant has been provided by the Applicant, legal notification for advertising will occur in the newspaper for two consecutive weeks prior to Council's final adoption of the bylaw.

Respectfully submitted,



Merinda Conley
Senior Heritage Planner
Development Services Division

a.muyi



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

July 19, 2018

List of Attachments

- Attachment A: Committee of the Whole report, February 22, 2018
- Attachment B: Council Minutes, February 22, 2018
- Attachment C: Tax Exemption Bylaw No. 18-063
- Attachment D: Notice of Proposed Permissive Tax Exemption.

To: Committee of the Whole **Date:** February 7, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Tax Incentive Program Application No. 00029 for 816 Government Street / 811-813 Wharf Street

656

exemption); and 1610 Store Street, where there was a rear addition (38.05% exemption). Analysis of the proposed project has determined that the existing building footprint area in relation to the total building footprint area equals 51.59%.

BACKGROUND

The existing buildings located on the consolidated property of 816 Government Street / 811-813 Wharf Street consist of the heritage-designated 1914 Customs House and the modern 1957 Federal Building, which has since been re-clad with faux details to mimic its historic context. Both buildings have been vacant for several years. The application is to assist the rehabilitation and seismic upgrading project involving the conversion of a heritage building to residential use. The applicant has secured the necessary approvals, including a Rezoning, a Heritage Alteration Permit, a Heritage Revitalization Agreement and a Housing Agreement.

City Council adopted the following Bylaws on September 10, 2015:

- Zoning Regulation Bylaw No. 15-048 to create and rezone the property to the CA-CH Zone, Central Area Customs House District, to permit increased density in exchange for heritage conservation measures, and to allow for an increase in the height of buildings in this zone
- Heritage Designation Bylaw No. 15-059 to designate the exterior of the building known as the Customs House as protected heritage property
- Heritage Revitalization Bylaw No. 15-057 for the purpose of authorizing a Heritage Revitalization Agreement between the City and the owner of the lands for the rehabilitation of the building known as the Post Office and Customs House Extensions with respect to redevelopment of the lands to meet the *Standards and Guidelines for the Conservation of Historic Places in Canada*, and conservation of the exterior and seismic upgrading of the Customs House
- Housing Agreement Bylaw No. 15-058.

On September 10, 2015, Council approved a Heritage Alteration Permit Application for 816 Government Street / 811-813 Wharf Street to permit the rehabilitation of the building known as the Post Office and Customs House Extensions, to permit the redevelopment of the remainder of the lands with a new mixed-use, commercial and residential building and to vary the regulations under the CA-CH Zone, Central Area Customs House District, of the Zoning Regulation Bylaw by increasing the maximum allowed height from 17.70m to 27.84m.

The project will rehabilitate and convert the upper three floors of the historic four-storey Customs House (1914) building to contain approximately 22 units, and one new floor with an additional three residential units on the fifth floor roof level, plus one unit also accessible from the new building on the same level. The proposal provides ground level commercial / retail space, with residential parking, storage and bike lockers located in the basement levels.

The development involves the demolition of the existing modern 1957 Federal Building to be replaced with a new concrete building wing with floor levels designed to align and connect with the Customs House building. The new building wing will contain approximately 32 residential units on the upper six floors, and ground level retail / commercial space, with parking, storage, elevators and stairs located in the basement level.

For older unreinforced masonry (URM) buildings that undergo a change of use or occupancy, the City of Victoria generally requires the seismic design's lateral load resistance for life safety to achieve a standard equal to 70% of the seismic force level specified in the 2012 British Columbia Building Code. The proposed seismic design exceeds this standard with seismic

upgrades and restraint to the heritage façade that will meet 100% of the 2012 British Columbia Building Code seismic and wind forces.

The Heritage Tax Incentive Program Application was reviewed by the Victoria Civic Heritage Trust at its meeting on January 15, 2018, and was recommended for approval (see attached letter, dated January 16, 2018).

In March 1998, City Council approved the Tax Incentive Program to provide tax exemptions of up to 10 years to assist heritage-designated building owners with the high cost of seismic upgrading which was affecting the economic viability of converting the upper floors of heritage buildings to residential use. Not including the current project, the program has created 694 new residential units in 43 rehabilitated heritage buildings and attracted \$228 million in private investment in the Downtown Core.

ANALYSIS

Staff recommend for Council's consideration that the project is worthy of support as it contributes to the City's strategic objectives of strengthening the Downtown Core with additional residential development; assisting in the preservation and rehabilitation of heritage buildings; and improving public safety through the seismic upgrading of this unreinforced masonry (URM) building and, when rehabilitated, will advance City policy through the revitalization of these key properties in the Downtown Core.

The proposed exemption is consistent with the following policies.

Official Community Plan

8 Placemaking - Urban Design and Heritage

Goals:

8 (B) Victoria's cultural and natural heritage resources are protected and celebrated.

Broad Objectives:

8 (j) That heritage property is conserved as resources with value for present and future generations.

8 (l) That heritage and cultural values are identified, celebrated, and retained through community engagement.

City Form:

8.6 Conserve and enhance the heritage value, character and special features of areas, districts, streetscapes, cultural landscapes and individual properties throughout the City.

8.52 Continue to enable and support heritage conservation through incentives and allowances including, but not limited to: property tax reductions; grants; bonus density provision; and, zoning variances.

8.54 Continue to work with senior government, community and business partners to identify, protect and conserve property of heritage value.

14 Economy

Tourism and Visitor Services:

14.32 Continue to invest in the heritage character of the Downtown and other neighbourhoods through incentives for rehabilitation and seismic upgrades.

Downtown Core Area Plan

7 Heritage

Objectives:

1. Retain, protect and improve real property with aesthetic, historic, scientific, cultural, social or spiritual value and heritage character as a benefit to the public.
5. City of Victoria support for the conservation and celebration of properties with heritage value is maintained and enhanced.

Areas and Districts - Policies and Actions:

- 7.7. Continue to support the conversion of the upper storeys of heritage-designated property from non-residential uses to residential uses in strategic locations within the Downtown Core Area that serve to support the policies of this Plan.

Buildings and Sites - Policies and Actions:

- 7.26. Encourage owners of property with heritage value or character in the Downtown Core Area, particularly landmarks or those in the Historic Commercial District and Inner Harbour District, to upgrade the seismic conditions of buildings and structures.

9 Community Vitality

Emergency Preparedness:

- 9.17. Continue to support the seismic upgrading and rehabilitation of heritage buildings through heritage revitalization incentive programs.

Resource Impacts

The project will rehabilitate and convert the upper three floors of the historic four-storey Customs House (1914) building to contain approximately 22 residential units, and add one new floor with an additional three residential units on the fifth floor roof level, plus one unit also accessible from the new building on the same level. The new building wing will contain approximately 32 residential units on the upper six floors. The estimated cost of the total project, including the new addition and interior improvements, is \$28,190,000. The cost of seismic upgrading is estimated to be \$6,524,950. The current 2017 property tax rate on the consolidated property is \$283,120.43.

The formula to determine the term of the tax exemption is based on the rate of the current year's property tax multiplied by the number of years (to a maximum of 10) required to meet the estimated cost of seismic upgrading. The term requested is 10 years as the total tax incentive is estimated at \$2,831,204.30 (\$283,120.43 x 10) which is less than the estimated seismic upgrading costs of \$6,524,950.

BC Assessment reviewed the proposed plans and estimates the revised property assessment and the City of Victoria's Finance Department estimates the taxes following rehabilitation and seismic upgrading to be as follows:

	Assessment	Total Annual Tax	Taxes - Municipal	Taxes - Other Agencies
Current	\$13,790,000	\$283,120.43	\$180,073.26	\$103,047.17
Proposed	\$141,600,000	\$1,051,149.19	\$656,117.52	\$395,031.67

The value of a 10-year tax exemption for 816 Government Street / 811-813 Wharf Street at the 2017 property tax rate is estimated at \$ 2,831,204.30 (\$283,120.43 x 10 years). The formula to determine the term of the tax exemption is based on the rate of the current year's property tax multiplied by the number of years (to a maximum of 10) to arrive at a value that is less than the estimated cost of seismic upgrading.

Cost of seismic upgrading = \$6,524,950.00 > \$2,831,204.30 (\$283,120.43 x 10)

Based on the above formula, 816 Government Street / 811-813 Wharf Street is eligible for the maximum 10-year tax exemption as the cost of seismic upgrading exceeds the value of existing property taxes multiplied by the maximum number of ten years.

However, the proposed project includes the existing Customs House heritage building, as well as a new building to replace the 1957 Federal Building that does not qualify for a tax exemption. The amount of the tax exemption only applicable to the heritage portion of the project is calculated as a percentage of the area of the building footprint of the Customs House building in relation to the total building footprint. Analysis of the proposed project has determined that the existing building footprint area of the Customs House in relation to the total building footprint area equals 51.59%. Therefore, the project would only be eligible to receive a tax exemption up to 51.59% of the total annual tax for the consolidated property over ten years.

Upon completion, BC Assessment estimates the value of the property will increase from \$13,790,000 (2017) to \$141,600,000. Based on the estimated 2017 tax rate, and the estimated 2018 general municipal tax after the project is complete, the estimated value of the tax exemption will be \$5,422,878.67 (\$1,051,149.19 x 10 x .5159) over the 10 year period which is still less than the estimated cost of \$6,524,950 for seismic upgrading.

The City will redistribute the tax exemption to non-exempt taxpayers over the 10 year period. Although the exemption will reallocate the tax revenue, the City will receive additional tax revenue at the expiry of the 10 year term.

The net impact of additional residents living downtown and their support for downtown businesses will also be a positive economic benefit.

CONCLUSIONS

As the project benefits the Downtown Core, improves the seismic resistance of a hazardous structure, and rehabilitates a heritage building, it is recommended for Council's consideration that the project be approved.

ALTERNATE MOTION

That Council decline Tax Incentive Program Application No. 00029 for 816 Government Street / 811-813 Wharf Street.

Respectfully submitted,

Merinda Conley
Senior Heritage Planner
Development Services

Jonathan Tinney
Director
Sustainable Planning and Community Development

Susanne Thompson
Director
Finance

Report accepted and recommended by the City Manager:

Date: _____

List of Attachments

- Attachment A: Subject Map
- Attachment B: Photos
- Attachment C: Site Plans of proposed project, date stamped January 17, 2018
- Attachment D: Letter from the Victoria Civic Heritage Trust, dated January 16, 2018
- Attachment E: Analysis by BC Assessment Authority
- Attachment F: City of Victoria 2017 and 2018 Tax Summary provided by Finance Department.

1. Tax Incentive Application No. 00029 for 816 Government Street and 811-813 Wharf Street**Motion:**

It was moved by Councillor Young, seconded by Councillor Thornton-Joe, that Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 816 Government Street / 811-813 Wharf Street for 51.59% of assessed value for 10 years, pursuant to Section 225 of the *Community Charter*, with the following conditions:

1. That a covenant identifying the tax exemption be registered on the title to the property and any possible future strata titles.
2. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, Thornton-Joe, and Young
Opposed: Councillors Isitt and Loveday

NO. 18-063

TAX EXEMPTION (888 GOVERNMENT STREET AND 811-813 WHARF STREET)**BYLAW****A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to assist in the preservation and rehabilitation of the heritage building located at 888 Government Street and 811-813 Wharf Street, including the seismic upgrading and residential use of the heritage building, by exempting it from municipal property taxes for 10 years.

Contents

- 1 Title
- 2 Definitions
- 3 Tax exemption
- 4 Effective date

Under its statutory powers, including section 225 of the *Community Charter*, the Council of the Corporation of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "TAX EXEMPTION (888 GOVERNMENT STREET AND 811-813 WHARF STREET) BYLAW".

Definitions

- 2 In this Bylaw,

"improvements"

means all of the Land's improvements that exist at any time during the 10-year period that section 3 is in effect;

"Land"

means the land, including its improvements, located at civic address 816 Government Street and 811-813 Wharf Street in Victoria, British Columbia, and legally described as:

PID: 030-378-974

LOT A SECTION 18 VICTORIA CITY PLAN EPP69462

Tax exemption

- 3 (1) Fifty-one decimal fifty-nine percent (51.59%) of the assessed value of the Land is exempt from property taxes, imposed under section 197(1)(a) of the *Community Charter*, for a period of 10 consecutive calendar years, beginning in the year that this section comes into effect.

- (2) The exemption under subsection (1) is subject to the conditions established by tax exemption agreement #18-0048.

Effective date

- 4** The tax exemption in section 3 comes into effect either:
- (a) in the calendar year following the year this Bylaw is adopted on or before October 31; or
 - (b) in the second calendar year following the year this Bylaw is adopted after October 31.

READ A FIRST TIME the day of , 2018.

READ A SECOND TIME the day of , 2018.

READ A THIRD TIME the day of , 2018.

ADOPTED by at least 2/3 of all members of the Council on the day of , 2018.

CITY CLERK

MAYOR

NOTICE OF PROPOSED PERMISSIVE TAX EXEMPTION

For the purpose of strengthening the downtown with additional residential development and to assist in the preservation and rehabilitation of heritage property, including the seismic upgrading and residential use of heritage property, the Council of the Corporation of the City of Victoria proposes a bylaw that would exempt from municipal property taxes for 10 years the heritage-designated building located at 888 Government Street / 811-813 Wharf Street, Victoria, BC and having a legal description of PID 030-378-974, Lot A, Section 18, Victoria City, Plan EPP69462.

The exemption would apply if:

- (a) the Victoria Civic Heritage Trust verifies and advises the City that the upgrading of the property is complete and fully paid for by the owner, and is in accordance with the B.C. Building Code;
- (b) all residential dwelling units located above the ground floor of the heritage building are used for residential purposes;
- (c) a covenant pursuant to section 219 of the *Land Title Act* identifying the tax exemption and the restrictions on the use of residential dwelling units stated in paragraph (b) of this notice has been registered at the Land Title Office.

The estimated amount of municipal property taxes that would be imposed on the property if it were not exempt for the year in which Bylaw 18-063 takes effect and the following two years is approximately \$1,051,149.19.

TAX EXEMPTION (888 GOVERNMENT STREET AND 811-813 WHARF STREET)

BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to assist in the preservation and rehabilitation of the heritage building located at 888 Government Street and 811-813 Wharf Street, including the seismic upgrading and residential use of the heritage building, by exempting it from municipal property taxes for 10 years.

Contents

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READ A FIRST TIME the day of , 2018.

READ A SECOND TIME the day of , 2018.

READ A THIRD TIME the day of , 2018.

ADOPTED by at least 2/3 of all members of the Council on the day of , 2018.

CITY CLERK

MAYOR



For the Council Meeting of July 26 2018

Date:	Tuesday, July 24, 2018	From:	Mayor Helps
Subject:	Reconsideration of Rezoning and Development Permit with Variances Application for 224 Superior Street		

Background

On July 12th 2018, Council held a hearing for a rezoning, development permit with variances and heritage alteration permit for a heritage conversion and a small lot house at 224 Superior Street. Council voted 4-4 on this proposal and it failed on a tie.

Both the property owner and at least one councillor who voted against the project have indicated that they wish to have the proposal reconsidered. See Appendix A for letter from the property owner that addresses the concerns of councillors who voted against the project.

In response to an email from Councillor Thornton-Joe asking how the application could be reconsidered, Council received this advice from staff:

The *Council Procedures Bylaw* permits a Council member to make a motion to reconsider a matter at the next Council Meeting. But as the rezoning application for 224 Superior was considered at the July 12 Council meeting and the next Council meeting was on July 19, that time frame has passed.

However, under the *Community Charter*, the Mayor may reconsider the matter within the 30 days following the meeting, so it would require a motion from the Mayor to reconsider the application.

As a courtesy to the property owner and a councillor who may be wishing to reconsider the application, I will request that Council reconsider the application.

Staff's advice is that if Council wishes to rescind the decision, the legislation's provisions around reconsideration being "subject to the same conditions that applied to the original decision" are construed on balance to mean that a reconsideration should be done with another public hearing held before a vote to consider the bylaw is taken. This has added transparency, eliminates the "new information" possibility, but most importantly is considered to be the intent behind that legislative requirement.

Recommendation

1. That Council rescind its decision with regard to third reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019.
2. That Council direct staff to work with the applicant to secure the changes outlined in the applicant's letter (Appendix A) and return to Council with a revised proposal.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "M. Helps", is positioned above the printed name.

Mayor Helps

APPENDIX A – Letter from Applicant

July 24, 2018

Dear Mayor Helps,

Re: 224 Superior Street

First of all, thank-you very much for your time today and for your help in moving our project forward. As I said at the meeting, Fernando and I are artists and know little or nothing about development or municipal politics, so your suggestions are gratefully appreciated.

We have been working on the project for 2 years and have worked with City staff in both the Heritage and Planning Departments throughout. During this 2 year period, both departments made a number of suggestions and requests, and we were happy to address any concerns that were expressed to us and all those changes have been accepted.

Subsequent to our Public Hearing on July 12, and the disappointing result at that meeting, I have been making revisions to the design, specifically in response to concerns that were expressed by some Council members. If it were possible for these changes to be presented again to Council, I feel confident that we could gain Council's support for the project.

Specifically:

1. In response to concerns that the house crowded the heritage house, we can easily consider the following options to reduce the size of the new house:
 - a. Reduce the height of the roof
 - b. Reduce the overhang of the eaves
 - c. Reduce the size of the gable on the east side
 - d. Reduce the width of the house
 - e. Push back the second floor bay window
 - f. Reduce the side of the lower roof.
2. We can eliminate the need for a variance by eliminating the second floor piano windows.
3. We are happy to sign a covenant that would require the strata to permit rentals.

I hope that our willingness to make changes addressing concerns expressed by Council will make it possible for you to bring our project forward at the Council meeting on Thursday.

Yours sincerely,

Don Halton
Fernando García