

A BYLAW OF THE CITY OF VICTORIA

The Council of The Corporation of the City of Victoria enacts the following provisions:

- | | | |
|----------------------------|--------|------|
| READ A FIRST TIME the | day of | 2020 |
| READ A SECOND TIME the | day of | 2020 |
| Public hearing held on the | day of | 2020 |
| READ A THIRD TIME the | day of | 2020 |
| ADOPTED on the | day of | 2020 |

MAYOR

PART 12.16 – CD-16 ZONE, FERNWOOD COMPREHENSIVE DEVELOPMENT DISTRICT

12.16.1 General Regulations

- a. This Zone is divided into Development Areas 1, 2 and 3, as shown on the map attached as Appendix 1.
- b. Within this Zone, all parcels created within a Development Area by the deposit in the Land Title Office of an air space plan will be treated as a single lot for all purposes, and the definition of lot as defined within Schedule A – Definitions, is so amended for this Zone.
- c. In Development Area 1, a non-residential use, excluding home occupation, may be located on a first or second storey.
- d. Vehicle and bicycle parking subject to the regulations in Schedule C – Off-street Parking.

12.16.2 Community Amenity

It is a condition of using the additional density contemplated by Part 12.16.6.b and Part 12.16.13.b that, prior to building permit issuance for any Development Area, the owner enter into an agreement with the City and BC Housing, pursuant to BC Housing's Affordable Home Ownership Program, which will ensure that dwelling units in Development Area 2 will be sold and owned pursuant to that Program, and that any resulting payments to the City contemplated by that Program and agreement will be treated as amenity contributions by the owner and will be added to the City's Affordable Housing Reserve Fund.

12.16.3 Development Area 1 (DA-1)

The regulations in Part 12.16.4 to 12.16.9 apply to Development Area 1 (DA-1) only.

12.16.4 Uses

The following uses are the only uses permitted in this section:

- a. daycare
- b. financial service
- c. high tech
- d. home occupation, subject to the regulations in Schedule D – Home Occupation
- e. multiple dwelling
- f. office, including but not limited to professional services and medical and dental services.
- g. personal service
- h. restaurant
- i. retail.

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12.16.5 Lot Area

- | | |
|------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 1589m ² |
|------------------------------|--------------------|

12.16.6 Floor Space Ratio

- | | |
|--|-------|
| a. <u>Floor space ratio</u> (maximum) | 1.4:1 |
| b. <u>Floor space ratio</u> (maximum) where the community amenity has been provided pursuant to Part 12.16.2 | 5.5:1 |

12.16.7 Height

- | | |
|---|-----|
| a. Principal <u>building height</u> (maximum) | 40m |
|---|-----|

12.16.8 Setbacks

- | | |
|---|-------|
| a. Cook Street <u>setback</u> (minimum) | 0.4m |
| b. Interior <u>lot</u> line setback (east) (minimum) | 4.65m |
| c. Yates Street <u>setback</u> on a flanking street for a <u>corner lot</u> (minimum) | 0.65m |
| d. A portion of the principal building within 18.35m from Cook Street must have a <u>side yard setback</u> of 7.5m from the northern property line. All other portions of the principal building can have a minimum <u>side yard setback</u> of 0m from the northern property line. | |

12.16.9 Site Coverage, Open Site Space

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 77% |
| a. <u>Open site space</u> (minimum) | 25% |

12.16.10 Development Area 2 (DA-2)

The regulations in Part 12.16.11 to 12.16.16 apply to Development Area 2 (DA-2) only.

12.16.11 Uses

The following uses are the only uses permitted in this section:

- | | |
|---|--|
| a. <u>multiple dwelling</u> | |
| b. <u>home occupation</u> , subject to the regulations set out in Schedule D – Home Occupation. | |

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12.16.12 Lot Area

- | | |
|------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 2614m ² |
|------------------------------|--------------------|

12.16.13 Floor Space Ratio

- | | |
|--|--------|
| a. <u>Floor space ratio</u> (maximum) | 1.4:1 |
| b. <u>Floor space ratio</u> (maximum) where the community amenity has been provided pursuant to Part 12.16.2 | 2.55:1 |

12.16.14 Height

- | | |
|---|-----|
| a. Principal <u>building height</u> (maximum) | 23m |
|---|-----|

12.16.15 Setbacks, Projections

- | | |
|--|-------|
| a. Johnson Street <u>setback</u> (minimum) | 3.3m |
| Except for the following maximum projections into the <u>setback</u> : | |
| • balconies (maximum) | 0.3m |
| • parkade (maximum) | 0.9m |
| b. <u>Rear yard setback</u> (south) (minimum) | 0.15m |
| c. <u>Side yard setback</u> (east) (minimum) | 4.75m |
| Except for the following maximum projections into the <u>setback</u> : | |
| • balconies (maximum) | 0.5m |
| • parkade (maximum) | 4.4m |
| d. <u>Side yard setback</u> (west) (minimum) | 9.55m |
| Except for the following maximum projections into the <u>setback</u> : | |
| • Parkade (maximum) | 0.45m |

12.16.16 Site Coverage, Open Site Space

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 66% |
| b. <u>Open site space</u> (minimum) | 35% |

12.16.17 Development Area 3 (DA-3)

The regulations in Part 12.16.18 to 12.16.23 apply to Development Area 3 (DA-3) only.

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12.16.18 Uses

The following uses are the only uses permitted in this section:

- a. daycare
- b. financial service
- c. high tech
- d. office, including but not limited to professional services and medical and dental services.
- e. personal service
- f. restaurant
- g. retail.

12.16.19 Lot Area

- a. Lot area (minimum) 2126m²

12.16.20 Floor Space Ratio

- a. Floor space ratio (maximum) 1.73:1

12.16.21 Height

- b. Principal building height (maximum) 23.5m

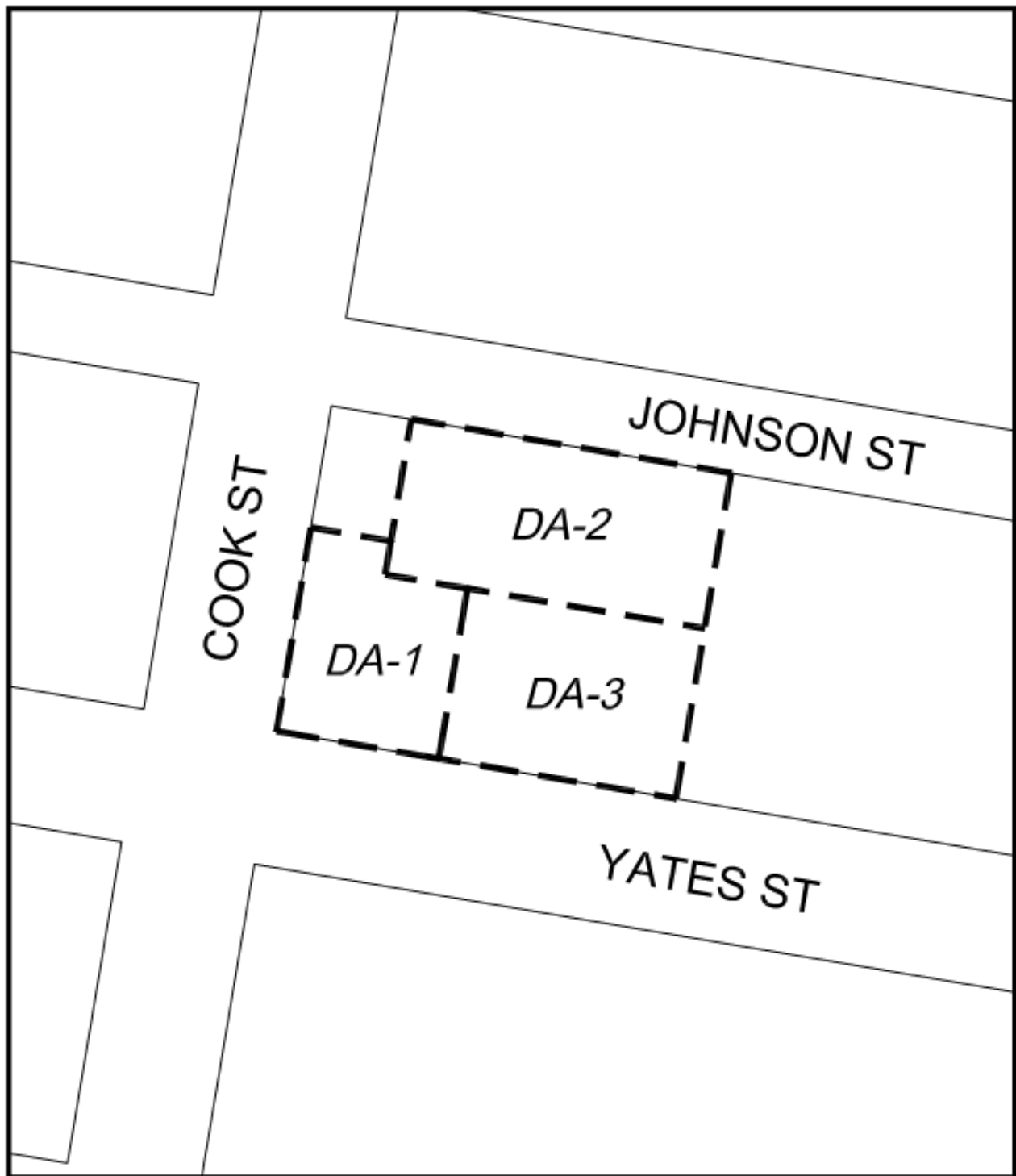
12.16.22 Setbacks

- a. Yates Street setback to building (minimum) 6.25m
- b. Yates Street setback to canopy (minimum) 4.4m
- c. Rear yard setback to building (minimum) 11m
- d. Rear yard setback to canopy (minimum) 8.9m
- e. Side yard setback (east) (minimum) 8.8m
- f. Side yard setback (west) (minimum) 8.3m

12.16.23 Site Coverage, Open Site Space

- a. Site Coverage (maximum) 51%
- b. Open site space (minimum) 55%

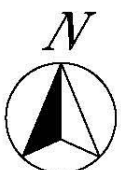
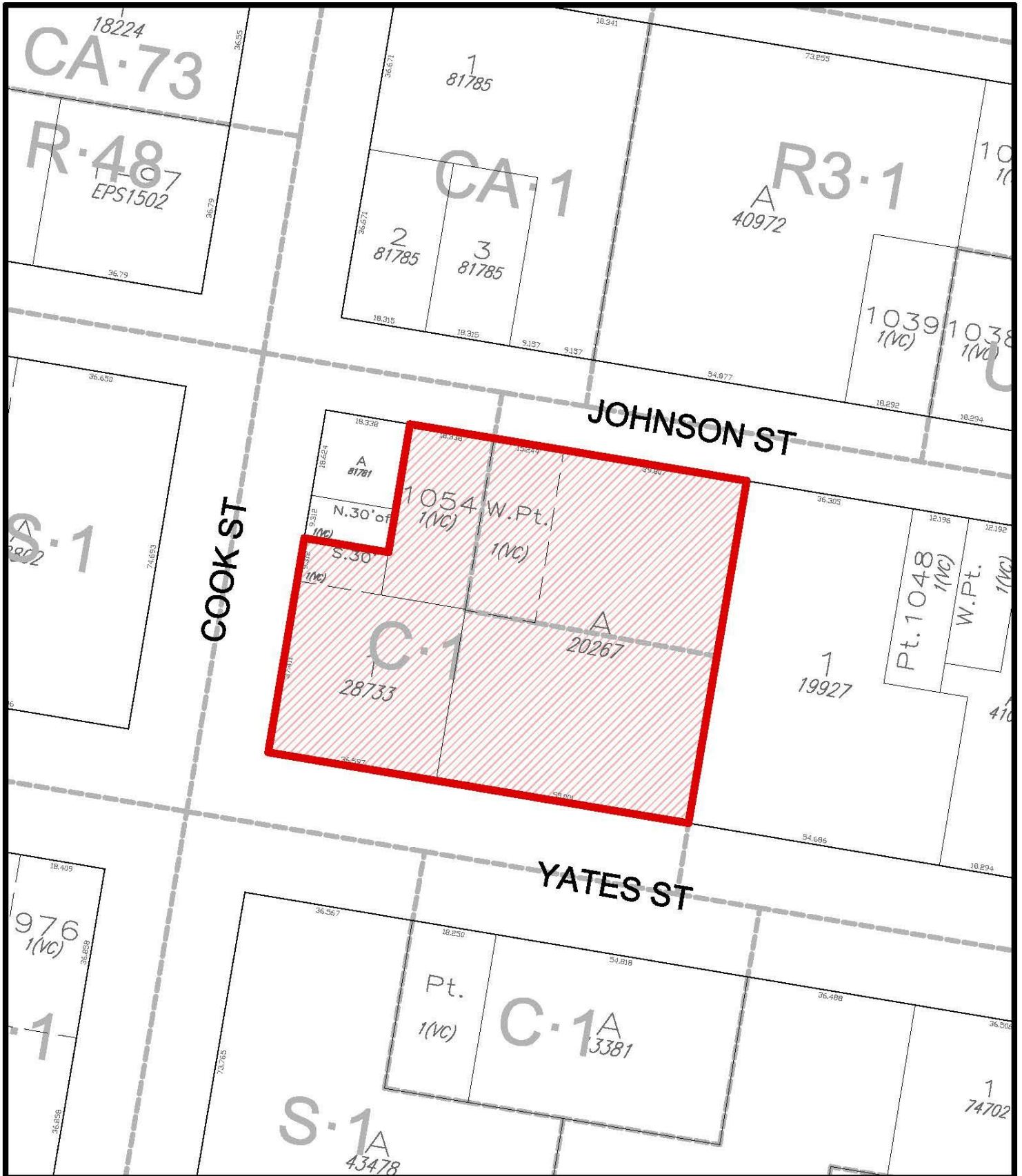
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Appendix 1
Development Areas

Fernwood Comprehensive Development District





1309 and 1315 Cook Street, 1100-1120
Yates Street and 1109-1115 Johnson Street
Rezoning No.00681

