

NO. 20-022

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-97 Zone, Mount St. Angela Seniors' Housing District, and to rezone the lands known as:

- (a) 913 Burdett Avenue and 914 McClure Street from the R-K Zone, Medium Density Attached Dwelling District; and
- (b) 917-929 Burdett Avenue and 924 McClure Street from the CD-10 Zone, Mount St. Angela District,

all to the R-97 Zone, Mount St. Angela Seniors' Housing District, and to delete the CD-10 Zone, Mount St. Angela 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. 1217)".
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" as follows:
 - (a) under the caption PART 3 – MULTIPLE DWELLING ZONES by adding the following words:

"3.131 R-97 Mount St. Angela Seniors' Housing District"; and
 - (b) under the caption PART 12 – COMPREHENSIVE DEVELOPMENT ZONES CONTINUED by striking out the following words:

"12.10 CD-10 Mount St. Angela".
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.130 the provisions contained in Schedule 1 of this Bylaw.
- 4 The properties described below and shown hatched on the attached map are removed from the R-K Zone, Medium Density Attached Dwelling Zone, and placed in the R-97 Zone, Mount St. Angela Seniors' Housing District:
 - (a) 913 Burdett Avenue, legally described as PID: 027-551-989, Lot 1, Christ Church Trust Estate, Victoria City, Plan VIP85236; and
 - (b) 914 McClure Street, legally described as PID: 009-332-049, Lot 22, Block 6, Christ Church Trust Estate, Victoria City, Plan 35.
- 5 The land known as 917, 923 and 929 Burdett Avenue and 924 McClure Street, legally described as PID: 027-552-004, Lot 2, Christ Church Trust Estate, Victoria City, Plan VIP85236, and shown cross-hatched on the attached map, is removed from the CD-10 Zone, Mount St. Angela District, and placed in the R-97 Zone, Mount St. Angela Seniors' Housing District.

6 The Zoning Regulation Bylaw is also amended by striking out Part 12.10 CD-10 Zone, Mount St. Angela District.

READ A FIRST TIME the 9th day of July 2020

READ A SECOND TIME the 9th day of July 2020

Public hearing held on the day of 2020

READ A THIRD TIME the day of 2020

ADOPTED on the day of 2020

CITY CLERK

MAYOR

PART 3.131 – R-97 ZONE, MOUNT ST. ANGELA SENIORS’ HOUSING DISTRICT

3.131.1 Definitions

- a. In this Part, 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 them efficiently for themselves.
- b. In this Part, seniors’ housing – independent living means a residential building containing in any combination, 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 and tenants of the building and their guests.

3.131.2 Permitted Uses in this Zone

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

- a. seniors’ housing – assisted living
- b. seniors’ housing – independent living
- c. multiple dwelling
- d. home occupation subject to the regulations in Schedule “D”
- e. accessory buildings subject to the regulations in Schedule “F”.

3.131.3 Community Amenities

As a condition of additional density pursuant to Part 3.131.4, all of the following community amenities must be provided:

- a. Registration of a legal agreement, or legal agreements, securing:
 - i. no less than 50% of the total dwelling units as rental (the “Rental Units”) for no less than 60 years;
 - ii. no less than 26 of the Rental Units as seniors’ housing – assisted living for no less than 60 years;
 - iii. no less than 5 of the dwelling units, none of which are Rental Units, as affordable rental units for no less than 60 years; and
 - iv. that no strata corporation can pass bylaws that would prohibit or restrict the rental of dwelling units to non-owners in perpetuity.
- b. Registration of a legal agreement to ensure that any buildings in this Zone achieve Built Green Canada Bronze certification or an equivalent sustainable building certification.
- c. Registration of a covenant providing that none of the buildings will be used or occupied until the existing buildings in the Zone are rehabilitated in accordance with the heritage conservation measures stated in Heritage Alteration Permit with Variance Application No. 00214.

PART 3.131 – R-97 ZONE, MOUNT ST. ANGELA SENIORS' HOUSING DISTRICT

3.131.4 Lot Area, Floor Space Ratio

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|---|--------------------|
| a. <u>Lot area</u> (minimum) | 5425m ² |
| b. <u>Floor space ratio</u> where the amenities have not been provided pursuant to Part 3.131.3 (maximum) | 0.6:1 |
| c. <u>Floor space ratio</u> where the amenities have been provided pursuant to Part 3.131.3 (maximum) | 1.96:1 |

3.131.5 Height

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| a. Principal <u>building height</u> (maximum) | 16.5m |
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3.131.6 Setbacks, Projections

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| a. <u>Front yard setback</u> (minimum) | 10.6m |
| b. <u>Rear yard setback</u> (minimum) | 5.4m |
| c. <u>Side yard setback</u> from interior <u>lot lines</u> (minimum) | 3.6m |
| d. Stairs may project into a <u>setback</u> (maximum) | 2.0m |

3.131.7 Site Coverage, Open Site Space

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| a. <u>Site Coverage</u> (maximum) | 50% |
| b. <u>Open site space</u> (minimum) | 38% |

3.131.8 Vehicle and Bicycle Parking

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|---|---|
| a. Vehicle parking for <u>seniors' housing – independent living</u> and <u>seniors' housing – assisted living</u> (minimum) | Subject to the regulations in Schedule "C" for Assisted Living Facilities |
| b. Vehicle parking for all other uses (minimum) | Subject to the regulations in Schedule "C" |
| c. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |

