

**G.1 Bylaw for 1022 Summit Avenue: Rezoning Application No. 00790**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1270) No. 22-017

**CARRIED UNANIMOUSLY**

DRAFT



## **Council Report**

**For the Meeting of March 24, 2022**

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**To:** Council **Date:** March 1, 2022  
**From:** C. Kingsley, City Clerk  
**Subject:** 1022 Summit Avenue – Rezoning Application No. 00790

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### **RECOMMENDATION**

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1270) No. 22-017

### **BACKGROUND**

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 22-017.

The issue came before Council on December 9, 2021 where the following resolution was approved:

1022 Summit Avenue: Rezoning Application No. 00790 (Hillside/Quadra)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00790 for 1022 Summit Avenue, 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. Revised plans to add a door to the long-term bicycle storage and to provide more details regarding the landscape screening and type of short-term bicycle rack, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Provision of a Replacement Tree Plan that ensures the tree minimum is met as outlined in the Bylaw 21-035, to the satisfaction of the Director of Parks, Recreation and Facilities.

Respectfully submitted,

Curt Kingsley  
City Clerk

**Report accepted and recommended by the City Manager**

### **List of Attachments:**

- Bylaw No. 22-017

NO. 22-017

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R1-HC Zone, Three Family House Conversion District, and to rezone land known as 1022 Summit Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-HC Zone, Three Family House Conversion District.

The Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1270)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 1 – DETACHED DWELLING ZONES by adding the following words:

“1.155 R1-HC Three Family House Conversion District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 1.154 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1022 Summit Avenue, legally described as PID: 007-630-522, Lot 3, Block A, Section 4, Victoria District, Plan 1283, and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the R1-HC Zone, Three Family House Conversion District.

READ A FIRST TIME the	day of	2022
READ A SECOND TIME the	day of	2022
Public hearing held on the	day of	2022
READ A THIRD TIME the	day of	2022
ADOPTED on the	day of	2022

CITY CLERK

MAYOR

**PART 1.155 – R1-HC ZONE, THREE FAMILY HOUSE CONVERSION DISTRICT**

**1.155.1 Permitted Uses**

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

- a. Single family dwelling with no more than one of the following accessory uses:
  - Secondary suite; or
  - Garden suite subject to the regulations in Schedule “M”; or
  - Roomers and/or Boarders up to a maximum of 4
- b. House conversion, subject to the regulations in Schedule “G”, except as specified in Part 1.155.3
- c. Home occupation subject to the regulations in Schedule “D”
- d. Accessory buildings subject to the regulations in Schedule “F”
- e. Private garage
- f. Public building
- g. Garage sales limited to no more than 2 in any year
- h. notwithstanding paragraphs a. through g., the only uses permitted on a panhandle lot created by way of subdivision after July 10, 2009, are the uses described in paragraphs a., c. (subject to the regulations in Schedule “D”), d., e., and h., which uses are subject to the regulations in Schedule “H”
- i. notwithstanding paragraphs a. through h., the only use permitted on a lot with a site area less than 230m<sup>2</sup> or with an average lot width less than 7.5m is a private garage

**1.155.2 Site Area, Lot Width**

- a. Lot area (minimum) 460m<sup>2</sup>
- b. Lot width (minimum average) 15m
- c. Panhandle lot Subject to the regulations in Schedule “H”

**1.155.3 Floor Area of the Principal Building**

- a. Floor area, of all floor levels combined (maximum) 322m<sup>2</sup>
- b. Private garage: floor area of all floor levels combined (maximum) 37m<sup>2</sup>
- c. Public buildings Not applicable
- d. Despite the restrictions in section 3.a.i and 3.b.ii of Schedule “G”, an extension made to a building 5 years prior to the commencement of a use as a result of a house conversion that creates additional enclosed floor area is permitted.

**PART 1.155 – R1-HC ZONE, THREE FAMILY HOUSE CONVERSION DISTRICT****1.155.4 Height, Storeys, Roof Decks**

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|--|--|
| a. Residential <u>building</u> (maximum) | 7.6m in <u>height</u> and 2 <u>storeys</u> |
| b. <u>Public building</u> (maximum)      | 11m in <u>height</u> and 2½ <u>storeys</u> |
| c. <u>Roof deck</u>                      | Not permitted                              |

**1.155.5 Setbacks, Projections**

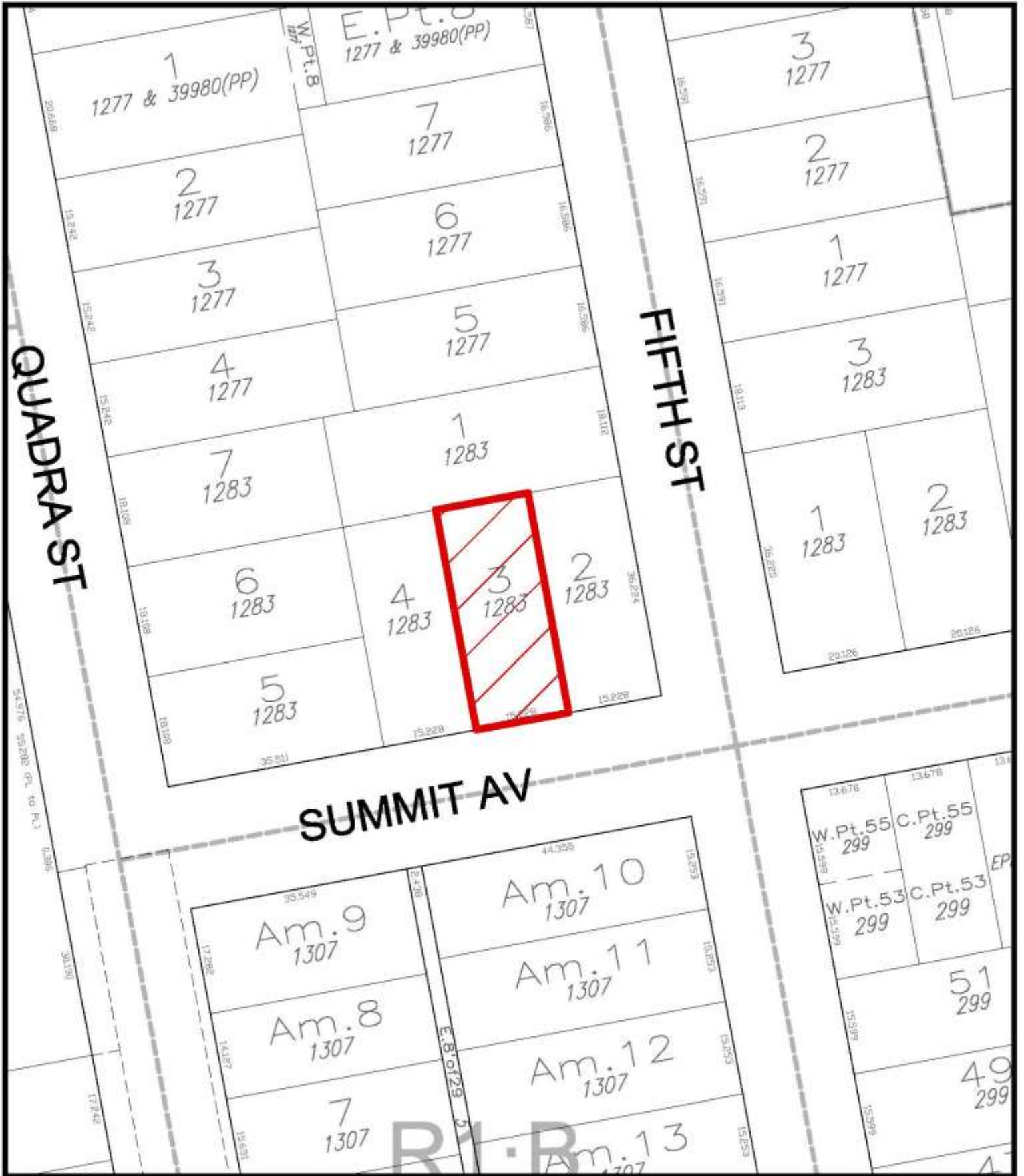
- |   |   |
|---|---|
| a. <u>Front yard setback</u> (minimum)<br>Except for the following maximum<br>projections into the setback: | 7.5m  |
| • Steps less than 1.7m in <u>height</u>   | 2.5m  |
| • <u>porch</u>  | 1.6m  |
| b. <u>Rear yard setback</u> (minimum)   | 7.5m or 25% of <u>lot depth</u> whichever is<br>greater   |
| c. <u>Side yard setback</u> from interior <u>lot lines</u><br>(minimum)                                     | 1.5m or 10% of the lot width whichever is<br>greater<br>3.0m for one <u>side yard</u> when the <u>lot</u> is not<br>serviced by a rear lane |
| d. Combined <u>side yard setbacks</u> (minimum)   | 4.5m  |
| e. <u>Side yard setback</u> on a flanking <u>street</u><br>for a <u>corner lot</u> (minimum)                | 3.5m or 10% of the <u>lot width</u> whichever is<br>greater   |
| f. Eave projections into <u>setback</u> (maximum)   | 0.75m   |

**1.155.6 Site Coverage, Parking**

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|-----------------------------------|--|
| a. <u>Site coverage</u> (maximum) | 40%  |
| b. Parking                        | Subject to the regulations in Schedule “C” |

**1.155.7 Outdoor Features**

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| a. The <u>setbacks</u> set out in section 1.155.5 apply to <u>outdoor features</u> as though they are <u>buildings</u>                       |
| b. <u>Outdoor features</u> may not exceed a <u>height</u> of 3.5m from <u>natural grade</u> or <u>finished grade</u> ,<br>whichever is lower |



1022 Summit Avenue  
Rezoning No. 00790

