

NO. 23-110

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by amending the CD-12 Zone, Roundhouse District to increase the permitted height and density for the proposed Roundhouse mixed-use precinct.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1327)”.
- 2 The Zoning Regulation Bylaw is amended by replacing Part 12.12 with the provisions contained in Schedule 1 of this Bylaw.

READ A FIRST TIME the                    **14<sup>th</sup>**    day of                    **December**                    2023

READ A SECOND TIME the                    **14<sup>th</sup>**    day of                    **December**                    2023

Public hearing held on the                    day of                    2024

READ A THIRD TIME the                    day of                    2024

ADOPTED on the                    day of                    2024

CITY CLERK

MAYOR

**PART 12.12 – CD-12 ZONE, ROUNDHOUSE DISTRICT****12.12.1 Regulations in the CD-12 Zone**

- a. This Zone is divided into Development Areas 1 to 9 as shown on the map attached as Appendix 1. Development Area 1 contains sub areas DA-1a and DA-1b and Development Area 2 contains sub areas DA-2a and DA-2b.
- b. All regulations in this Zone apply to all Development Areas, unless expressly stated otherwise.
- c. Notwithstanding Section 19 of the General Regulations:
  - i. A lot may contain more than one building.
  - ii. A building may straddle a lot or Development Area boundary.
- d. Vehicle parking for a building located within one Development Area or lot may be located in a different Development Area or lot within this Zone, and may straddle a Development Area or lot boundary, provided that an easement, and a covenant in favour of the City of Victoria, are registered on title to secure the use of the required parking spaces.
- e. Height is measured using Canadian Geodetic Datum.
- f. Height excludes Rooftop Structures.
- g. Hotel has a maximum Floor Area of 27,500m<sup>2</sup> across the Roundhouse Lands, which can be divided amongst a maximum of two buildings.
- h. The following will be excluded from Floor Area calculations:
  - i. Floor Area of up to twelve railway rolling stock/rail cars located on site for interpretive/attraction purposes, retail, food and beverage service or exhibition space;
  - ii. Architectural features such as a rail themed water tower or viewing platform;
  - iii. Non-habitable open-sided structures that are used for weather protection, or temporary exhibition and commercial uses; and
  - iv. Other non-habitable structures that:
    - A. are temporarily placed or constructed for a period of not more than 30 consecutive days; and
    - B. are used for exhibition and commercial uses.

**12.12.2 Definitions**

In this Zone:

- a. “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.
- b. “Canadian Geodetic Datum” means the Canadian Geodetic Vertical Datum of 2013.
- c. “Food and Beverage Service” includes the operation of catering establishments, portable food vendors, cafes and restaurants.
- d. “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:

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- i. The area of any balcony, veranda, exposed deck, patio or roof;
  - ii. The area of any crawlspace or basement;
  - iii. The area of Rooftop Structures; and
  - iv. The area that is used to provide bicycle parking required by this bylaw.
- e. "Hotel" means a commercial use that provides transient accommodation for the travelling public accessed by contiguous common space, all, including the contiguous common space, under a single ownership, and
- i. is not the principal residence of the operator;
  - ii. includes a motel and a motor hotel; and
  - iii. must include a staffed service desk and may include accessory amenities such as but not limited to a Food and Beverage Service or meeting rooms.
- f. "Multi-use pathway" means a portion of the E&N Rail Trail right-of-way on the Roundhouse Lands linking Sitkum Road and Catherine Street.
- g. "Railway easement" means the corridor set aside on the Roundhouse Lands for the operation of the E&N Railway and successive railway companies linking Sitkum Road and Catherine Street.
- h. "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.
- i. "Retail Trade" means the retail sale, repair, servicing, or refurbishment of consumer goods other than automobiles or automotive fuels, but does not include liquor retail store or storefront cannabis retailer.
- j. "Rooftop Structure" means 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.
- k. "Roundhouse Lands" means all the lands shown outlined in heavy broken line on the map attached as Appendix 1 to these CD-12 Zone Regulations.
- l. "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.
- m. "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.

**12.12.3 Permitted Uses**

The following uses are permitted in all Development Areas:

- a. Assembly
- b. Civic Facility

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- c. Cultural Facility
- d. Food and Beverage Service
- e. Office
- f. Personal Service
- g. Public Building
- h. Retail Trade
- i. Studio
- j. Utility

**12.12.4 Floor Space Ratio**

- a. Floor space ratio for all Development Areas combined (maximum) 4.58:1
- b. Each Development Area has a maximum Floor Area assigned to it under this bylaw, however, any Development Area may exceed its maximum Floor Area in accordance with Sections 12.12.4.c to 12.12.4.e provided that:
  - i. the overall density of the Roundhouse Lands does not exceed 4.58:1;
  - ii. the additional Floor Area is transferred from another Development Area;
  - iii. the additional Floor Area is transferred within the following groups of uses:
    - i. commercial; and
    - ii. residential and hotel.
- c. Any Development Area may exceed its maximum residential Floor Area by up to 10%.
- d. Any Development Area may exceed its maximum commercial Floor Area by up to 50%, provided that the commercial Floor Area of the Development Area from which the Floor Area is transferred must not be reduced by more than 50%.
- e. Floor Area must not be transferred from Development Area 1.

**12.12.5 Vehicle and Bicycle Parking**

- a. Vehicle parking (minimum) Subject to the regulations in Schedule “C”
- b. Bicycle parking (minimum) Subject to the regulations in Schedule “C”

**PART 12.12 – CD-12 ZONE, ROUNDHOUSE DISTRICT****12.12.6 Development Area 1**

- |  |  |
|--|--|
| a. Permitted uses  | <ul style="list-style-type: none"> <li>i. Brew Pub (beer, spirits, wine)</li> <li>ii. <u>Commercial Exhibit</u></li> <li>iii. Drinking Establishment</li> <li>iv. <u>Financial Service</u></li> <li>v. Light Industrial</li> <li>vi. <u>Liquor Retail Store</u></li> </ul> |
| b. Floor Area (maximum)  | 3800m <sup>2</sup>   |
| c. In this Section 12.12.6, Floor Area located within a <u>mezzanine</u> is exempt from the calculation of Floor Area. |  |
| d. <u>Height</u> (maximum)   |  |
| DA-1a  | 35m  |
| DA-1b  | 19m  |
| e. <u>Setbacks</u>   |  |
| From a railway easement  | 3.0m   |
| From a <u>street</u>   | 2.0m   |

**PART 12.12 – CD-12 ZONE, ROUNDHOUSE DISTRICT****12.12.7 Development Area 2**

- |                                      |   |
|--------------------------------------|---|
| a. Permitted uses                    | i. Brew Pub (beer, spirits, wine)   |
|                                      | ii. Drinking Establishment  |
|                                      | iii. <u>Financial Service</u>   |
|                                      | iv. <u>Home Occupation</u> , subject to the regulations in Schedule D – Home Occupation |
|                                      | v. Hotel  |
|                                      | vi. <u>Liquor Retail Store</u>  |
|                                      | vii. Residential  |
|                                      |   |
| b. Floor Area within DA-2a (maximum) |   |
| For residential or hotel uses        | 22,039m <sup>2</sup>  |
| For all other uses                   | 311m <sup>2</sup>   |
| c. Floor Area within DA-2b (maximum) |   |
| For residential or hotel uses        | 21,676m <sup>2</sup>  |
| For all other uses                   | 524m <sup>2</sup>   |
| d. <u>Height</u> (maximum)           |   |
| DA-2a                                | 108m  |
| DA-2b                                | 99m   |
| e. <u>Setbacks</u>                   |   |
| From a railway easement              | 3.0m  |
| From a <u>street</u> or park         | 2.0m  |

**PART 12.12 – CD-12 ZONE, ROUNDHOUSE DISTRICT****12.12.7 Development Area 3**

- |                               |   |
|-------------------------------|---|
| a. Permitted uses             | <ul style="list-style-type: none"> <li>i. Brew Pub (beer, spirits, wine)</li> <li>ii. Drinking Establishment</li> <li>iii. <u>Financial Service</u></li> <li>iv. <u>Home Occupation</u>, subject to the regulations in Schedule D – Home Occupation</li> <li>v. Hotel</li> <li>vi. Residential</li> </ul> |
| b. Floor Area (maximum)       |   |
| For residential or hotel uses | 19,060m <sup>2</sup>  |
| For all other uses            | 800m <sup>2</sup>   |
| c. <u>Height</u> (maximum)    |   |
|                               | 90m   |
| d. <u>Setbacks</u>            |   |
| From a railway easement       | 9.0m  |
| From a multi-use pathway      | 2.0m  |
| From a <u>street</u> or park  | 2.0m  |

**PART 12.12 – CD-12 ZONE, ROUNDHOUSE DISTRICT****12.12.7 Development Area 4**

- |                               |   |
|-------------------------------|---|
| a. Permitted uses             | <ul style="list-style-type: none"> <li>i. Brew Pub (beer, spirits, wine)</li> <li>ii. Drinking Establishment</li> <li>iii. <u>Financial Service</u></li> <li>iv. <u>Home Occupation</u>, subject to the regulations in Schedule D – Home Occupation</li> <li>v. Hotel</li> <li>vi. Residential</li> </ul> |
| b. Floor Area (maximum)       |   |
| For residential or hotel uses | 24,165m <sup>2</sup>  |
| For all other uses            | 325m <sup>2</sup>   |
| c. <u>Height</u> (maximum)    |   |
|                               | 114m  |
| d. <u>Setbacks</u>            |   |
| From a railway easement       | 9.0m  |
| From a multi-use pathway      | 2.0m  |
| From a <u>street</u>          | 2.0m  |

**12.12.7 Development Area 5**

- |                               |  |
|-------------------------------|--|
| a. Permitted uses             | <ul style="list-style-type: none"> <li>i. <u>Home Occupation</u>, subject to the regulations in Schedule D – Home Occupation</li> <li>ii. Hotel</li> <li>iii. Residential</li> </ul> |
| b. Floor Area (maximum)       |  |
| For residential or hotel uses | 19,975m <sup>2</sup>   |
| c. <u>Height</u> (maximum)    |  |
|                               | 105m   |
| d. <u>Setbacks</u>            |  |
| From a railway easement       | 9.0m   |
| From a multi-use pathway      | 2.0m   |
| From a <u>street</u>          | 2.0m   |



**PART 12.12 – CD-12 ZONE, ROUNDHOUSE DISTRICT****12.12.7 Development Area 6**

- |                               |  |
|-------------------------------|--|
| a. Permitted uses             | i. <u>Home Occupation</u> , subject to the regulations in Schedule D – Home Occupation |
|                               | ii. Hotel  |
|                               | iii. Residential   |
|                               |  |
| b. Floor Area (maximum)       |  |
| For residential or hotel uses | 15,385m <sup>2</sup>   |
| c. <u>Height</u> (maximum)    | 70m  |
| d. <u>Setbacks</u>            |  |
| From a railway easement       | 9.0m   |
| From a multi-use pathway      | 2.0m   |
| From a <u>street</u>          | 2.0m   |

**12.12.7 Development Area 7**

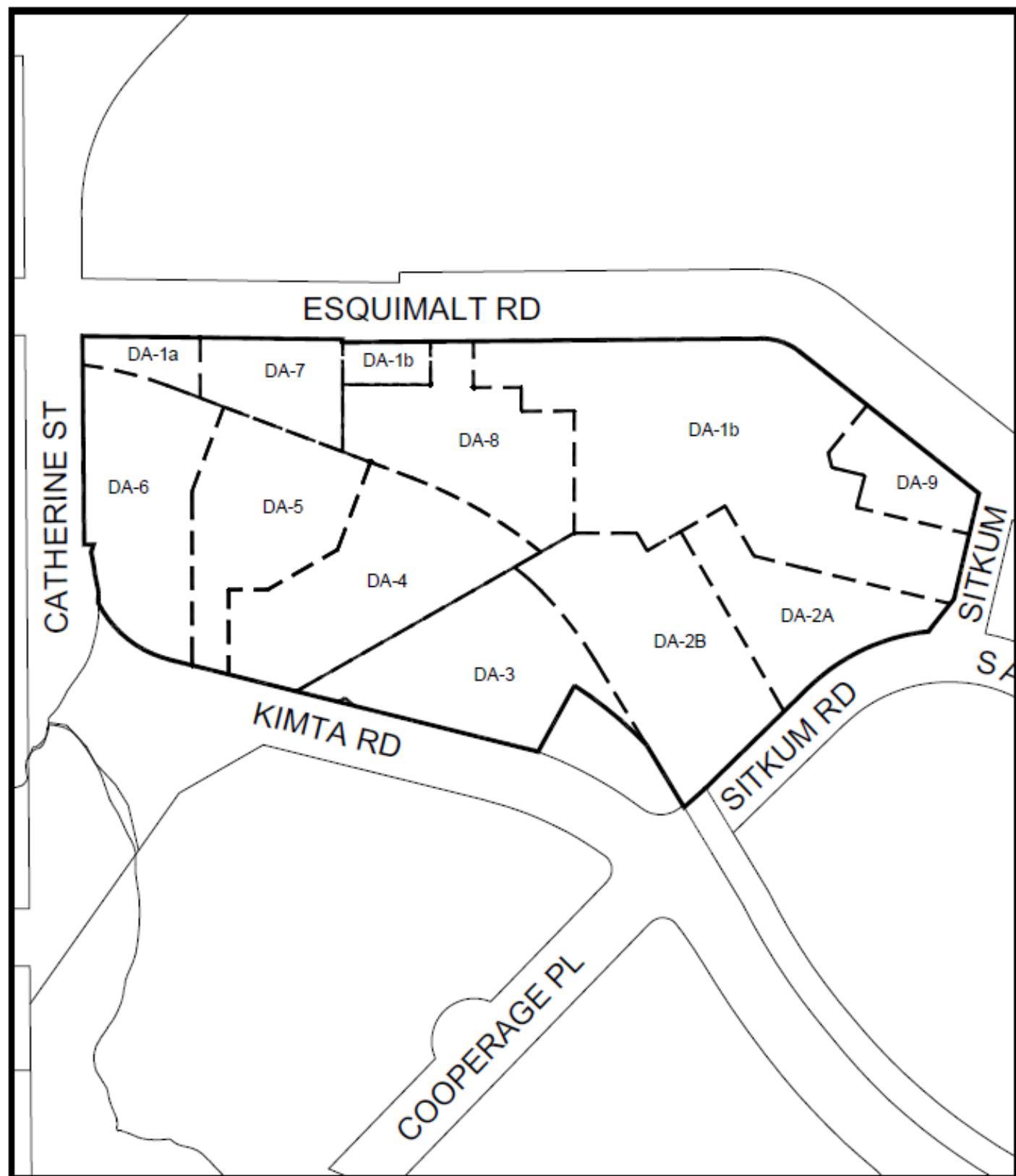
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|----------------------------|---|
| a. Permitted uses          | i. <u>Financial Service</u>   |
|                            | ii. <u>Home Occupation</u> , subject to the regulations in Schedule D – Home Occupation |
|                            | iii. Residential  |
|                            |   |
| b. Floor Area (maximum)    |   |
| For residential uses       | 15,378m <sup>2</sup>  |
| For all other uses         | 372m <sup>2</sup>   |
| c. <u>Height</u> (maximum) | 87m   |
| d. <u>Setbacks</u>         |   |
| From a railway easement    | 3.0m  |
| From a <u>street</u>       | 2.0m  |

**PART 12.12 – CD-12 ZONE, ROUNDHOUSE DISTRICT****12.12.7 Development Area 8**

- |                            |  |
|----------------------------|--|
| a. Permitted uses          | <ul style="list-style-type: none"> <li>i. Brew Pub (beer, spirits, wine)</li> <li>ii. Drinking Establishment</li> <li>iii. <u>Financial Service</u></li> <li>iv. <u>Home Occupation</u>, subject to the regulations in Schedule D – Home Occupation</li> <li>v. <u>Liquor Retail Store</u></li> <li>vi. Residential</li> </ul> |
| b. Floor Area (maximum)    |  |
| For residential uses       | 18,968m <sup>2</sup>   |
| For all other uses         | 372m <sup>2</sup>  |
| c. <u>Height</u> (maximum) |  |
|                            | 90m  |
| d. <u>Setbacks</u>         |  |
| From a railway easement    | 3.0m   |
| From a <u>street</u>       | 2.0m   |

**12.12.7 Development Area 9**

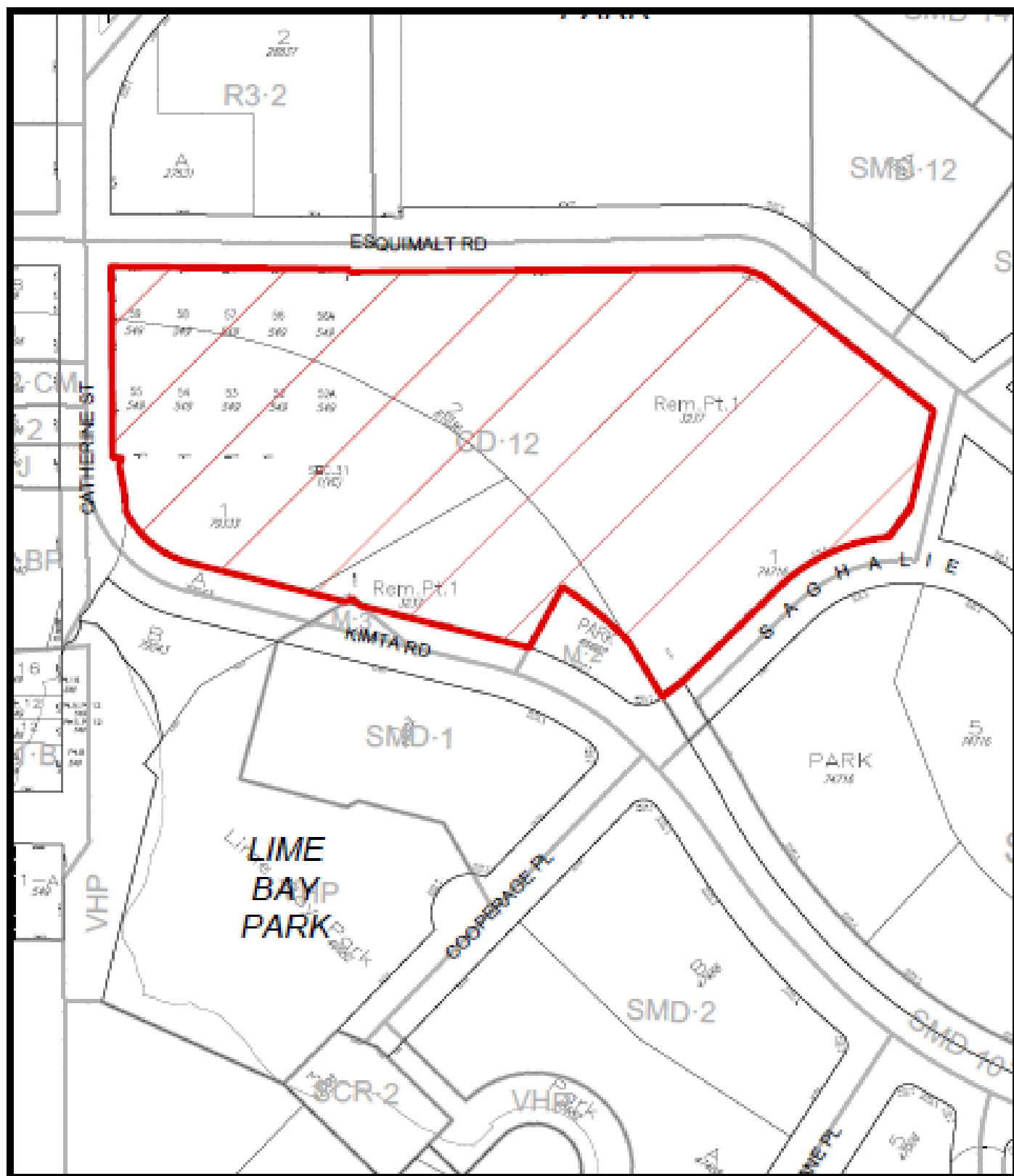
- |   |   |
|---|---|
| e. Permitted uses                       | <ul style="list-style-type: none"> <li>i. Brew Pub (beer, spirits, wine)</li> <li>ii. Drinking Establishment</li> <li>iii. <u>Financial Service</u></li> <li>iv. <u>Home Occupation</u>, subject to the regulations in Schedule D – Home Occupation</li> <li>v. Hotel</li> <li>vi. Residential</li> </ul> |
| f. Floor Area (maximum)                 |   |
| For residential or hotel uses           | 6580m <sup>2</sup>  |
| g. <u>Height</u> (maximum)              |   |
|   | 50m   |
| h. <u>Setbacks</u> from a <u>street</u> |   |
|   | 2.0m  |



## Appendix 1

Development Areas  
Roundhouse District





251-259 Esquimalt Road, 45 Saghalie Road,  
355 Catherine Street & 200-210 Kimta Road  
Rezoning No.00729

