

APPENDIX C – Analysis of Public Feedback

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1. User-Friendliness

Theme	Comments	Action to be Taken	Rationale
Clarity of Regulations	Regulations are clear. *Multiple comments provided.	No action	Support expressed for regulations in general.
	Regulations seem geared for planners, not citizens (use of jargon).	Consideration ongoing	One of the objectives of this project is for regulations to be in plain language and as clear as possible so the regulations are understandable, balanced with being legally sound.
	Definitions are clear and assisted with understanding all the zoning terms.	No action	Support expressed for definitions in general.
	Building height should be expressed in storeys (not just metres) so easier to understand	No action	The height of building storeys will vary depending on the use (i.e. floor to ceiling height of office space tends to be different than residential use). Therefore, maximum height needs to be expressed in metres. If both metres and storeys are expressed, it can lead to the need for zoning variances. For example, if a building meets the maximum building height but has more storeys due to lower floor-to-ceiling heights, a development variance process would need to be undertaken.
	Regulations for upper levels of buildings could be written more clearly	Consideration ongoing	One of the objectives of this project is for regulations to be in plain language and as clear as possible so the regulations are understandable, balanced with being legally sound.

***Multiple Comments = 3 or more**

Theme	Comments	Action to be Taken	Rationale
Zoning Bylaw Structure	Regulations are complex for a small district.	No action	The regulations reflect the policies within the Downtown Core Area Plan, 2011 (DCAP).
	The difference between CBD-1A, CBD-1B, CBD-1C and CBD-1D not obvious	No action	Each of these zones have different maximum building heights that apply to different parts of the Central Business District (72 m, 60 m, 50 m, 45 m). It proved difficult to create one zone describing where the four different height restrictions occurred throughout the Central Business District, so four zones were proposed for clarity.
	3-D representation of zoning regulations would be more user-friendly for public	Additional diagrams to help illustrate regulations will be considered	One of the objectives of this project is for regulations to be in plain language and as clear as possible so the regulations are understandable. Part of this includes diagrams to illustrate regulations where needed.
Relationship of zoning with policy	Not clear how the maximum building height regulations and the 90-metre height-sensitive radius in planning policy impact each other.	No action	Development proposals Downtown must comply with zoning regulations (which control land use, building height and placement) and must be consistent with Development Permit Area/Heritage Conservation Area guidelines (which control exterior design, finishes and landscaping).
			Zoning regulations and City policy/guidelines are applied together so that developments achieve community goals and objectives. The 90-metre height sensitive radius guideline requires applicants of development proposals to consider building designs that are respectful of heritage landmarks. It is not intended to reduce development potential in zoning.

2. Permitted Uses

Theme	Comments	Action to be Taken	Rationale
Suitability of Uses	Proposed permitted uses seem appropriate for the CBD.	No action	Support expressed for permitted uses.
	Permitted uses are logical and desirable.	No action	Support expressed for permitted uses.
	Most of the permitted uses appear to be already permitted and currently in use.	No action	Current zoning already permits a mix of uses Downtown, but clarity is needed in better defining the uses and some appropriate uses are missing in current zoning. The proposed list improves clarity and fills gaps.
	Support for multi-use buildings.	No action	Support expressed for permitted uses.
	Questioned if there is value in requiring new buildings to have commercial use in this area (for blocks that are mostly residential)	No action	The DCAP envisions the Central Business District to accommodate a strong concentration of commercial employment uses along with complementary uses that include multi-unit residential, hotels, restaurants, public institutions, personal service business and retail stores.
Rentals	Ensure any manufacturing, like high tech, is not a nuisance to residents.	Consideration ongoing	Uses like "artisan studios" are defined to ensure that the use is not offensively dirty or noisy in its operation to prevent land use conflicts. Consider if the definition for "high tech" needs to address this.
	Bicycle and scooter rentals should be permitted uses to accommodate changing transportation choices.	No action	Bicycle and scooter rentals are permitted in the proposed zones, under the category "rental business" which includes rental of transportation vehicles, both motorized and human-powered.

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Medical and Therapeutic	Ensure registered massage therapists, physiotherapy and chiropractic fit into the permitted uses.	No action	These uses are permitted under the category of "office" which includes medical and therapeutic offices.
Recreation and Culture	Ensure an art gallery, arts centre, library and Downtown pool are permitted.	No action	These uses are permitted under the categories of "cultural facility", "essential services" and "recreational facility".
Entertainment	Casinos noted in definitions, but having one in the region is sufficient.	General regulations to be prepared	It is intended that casinos will not be permitted in the new zones. Land owners would need to apply to rezone for a casino in accordance with City policy. A general regulation will be prepared in the next stage of work stating that if a use is not listed in a zone, it will not be permitted.
	Be cautious with more liquor stores, drinking establishments and nightclubs Downtown given concern for social and police costs.	Consideration ongoing General regulations to be prepared	There are some limitations on these, as these uses require applications to the Province of BC for liquor licenses.
	There should be more Downtown entertainment spots.	No action	The permitted uses include various forms of entertainment.
Outdoor Seating	Allow restaurants to have outdoor seating.	No action	This is already permitted on private property. It is also permitted to extend into the public sidewalk if a Sidewalk Cafe Permit is applied for and approval received by the City.

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Urban Agriculture	Permit urban agriculture such as community gardens or rooftop gardens.	No action	Gardens would be considered accessory to the other uses occurring on the lot, i.e. residential, etc.
	Consider greenhouses on roofs.	No action	Any structures on a roof would be subject to maximum building height and setback regulations in zoning.
Retail	Need to add grocery store as a separate permitted use. Concern it will be hidden under retail and not evident that it is permitted.	No action	Grocery stores are permitted Downtown and are a form of retail use. Listing out all types of retail would result in a very long list, be difficult to anticipate every scenario possible, and may have unintended consequences in future if new types of retail emerge that are not on the list, requiring a landowner to rezone their property.
Education	Need space designated for extension of University of Victoria campus Downtown.	No action	Zones will permit "educational facility".
Community Centre	A good-sized Downtown community centre is needed.	No action	Zones will permit "recreational facility" which will permit activities related to clubs or associations.
Live-Work	Allow live-work to permit two resident employees.	No action	There is no limit to the number of residents that can work in the live-work unit. Limitations are placed on the number of non-resident employees.
Residential	Permit housing cooperatives	No action	Zones will permit residential use (except located at ground level) and does not control tenure (ownership or occupants). Any type of ownership, including co-operatives, is permitted.

Theme	Comments	Action to be Taken	Rationale
Parking lots	Reasonable parking immediately outside of the Old Commercial District would improve tourism and shopping Downtown (like Quebec City).	No action	Parking in the form of surface parking lots or structured parking are not permitted Downtown with the exception of designated parkades. This is to achieve compact land use patterns, continuous building frontage along sidewalks and encourage walking, cycling and transit use. Parking is permitted on properties if it serves other uses (residential, office, retail, etc), but must be located underground.

3. Siting of Permitted Uses

Theme	Comments	Action to be Taken	Rationale
Commercial at Ground Level	Support for required commercial at grade with residential use above.	No action	Support expressed for location of uses.
	Non-retail services and restaurants disturb the shopping continuity.	No action	The zones propose to locate "inactive" uses to the second and higher storeys of buildings, including "apartment dwelling", "live-work", "hotel" (excluding lobbies) and "residential care facilities". The zones also permit "daycares", "high tech" and "office" uses at ground level, but not within 6 metres of the front of buildings. Restaurants and other commercial uses that have a customer component and windows to display activity or wares are seen as "active" uses that contribute to vibrancy.

Theme	Comments	Action to be Taken	Rationale
	Banks are dead spaces at ground level. Consider permitting banks to locate cash services at ground level but remaining bank functions in upper storeys.	No action	Requiring some bank functions on upper levels may discourage their presence. The regulations that will require "inactive" uses to be located away from the street will ensure other active uses will contribute to vibrancy.

4. Bonus Density Provisions

Theme	Comments	Action to be Taken	Rationale
Mechanics of Bonus Density System Amenities	Clear direction needed on bonus density system including conditions and costs.	Zoning regulations to be prepared	A Density Bonus Schedule will be prepared detailing the density bonus system, as described in the DCAP.
	Consider green building incentives for new buildings.	No action	DCAP policy has established that bonus density will be provided for monetary contributions that will be put towards improvements throughout the area that will have significant public benefit, including the Downtown Core Area Public Realm Improvement Fund and the Downtown Heritage Buildings Seismic Upgrading Fund.
	Bonus density monetary contributions should be applied to social housing.		
	Allow more density if upper floors are used for residences.		
	Concern that amenities are often just development features for marketing units.		

5. Regulations for Building Form

Theme	Comments	Action to be Taken	Rationale
Zone Structure	Regulations should explain maximum building heights instead of breaking into CBD-1A, CBD-1B, CBD-1C, CBD-1D.	No action	This was considered and it was difficult to describe maximum building heights that varied from block to block and within blocks. This method will permit the public to view the zoning map which will clearly indicate which CBD Zone their property is within.
Height	Maximum building height of 72 metres too high, even with setbacks.	No action	Policy framework for heights within the DCAP was approved by Council in 2011. The proposed zoning regulations are implementing the existing policies in DCAP.
	Increase ground level commercial storey height.	Consideration ongoing	The DCAP contains a policy which states that new development should include ground floor space that is capable of accommodating commercial uses. Heights currently under consideration range from 1.5 to 2 storeys. Two storeys will permit the opportunity to include mezzanine space (which is subject to density calculations).
Design Flexibility	Ensure zoning regulations permit flexibility in building design.	Consideration ongoing	Some content in the DCAP is not suitable as zoning regulations and will be applied as guidelines during development permit application processes when form, character, exterior design, finishes and landscaping are considered. This will ensure some design flexibility.

Theme	Comments	Action to be Taken	Rationale
Layout of Ground Level Commercial Space	For ground level commercial spaces, consider wide storefronts versus narrow and deep to encourage different kinds of businesses.	No action	Determining the minimum width of storefronts may be difficult given variable lot widths throughout the district, and to ensure other building functions can be accommodated such as lobbies, alternate exiting required by BC Building Code, and underground parking entrances. Imposing this restriction may lead to zoning variance applications.
Streetwall	Support streetwalls but add variety by having them punctuated with setbacks.	No action	Zoning will require primary street walls to occupy 60% of the building frontage and be located within 0-3 m of the front lot line, so some flexibility in design will be permitted. Detailed design of streetwalls will be considered during development permit application processes when form, character, exterior design, finishes and landscaping are considered.
Floor Plate Limitations	Support the restrictions on floor space for upper levels of buildings so the Downtown Core receives increased density without creating a "closed-in" feel.	No action	Support expressed for regulations for floor plate limitations.
Setbacks	Support the upper building setbacks for tall buildings to avoid shaded, uninviting streets, to eliminate the canyon effect, to see more of the sky and let more natural light into buildings. *Multiple comments provided.	No action	Support expressed for setback regulations.

*Multiple Comments = 3 or more

6. Off-Street Parking

Theme	Comments	Action to be Taken	Rationale
Required Parking	Support for no required parking to discourage use of cars and encourage more sustainable modes of transportation. *Multiple comments provided. Parking should be a requirement if population growth is expected. *Multiple comments provided. Concern that not having parking requirements will remove ability to negotiate alternatives to parking (such as car shares, etc) during development variance applications.	Reinstate current off-street parking requirements for properties that do not have Heritage Designation or Heritage Register status.	It is recommended that the CBD-H Zone affecting properties with Heritage Designation or properties listed on the Heritage Register not be required to provide off-street parking (as in the CA-3C Zone, Old Town District) given no available site area and to support rehabilitation of heritage buildings. It is further recommended that the CBD-1A, CBD-1B, CBD-1C, CBD-1D Zones affecting non-heritage properties maintain current parking requirements until City undertakes update to Schedule C - Off-Street Parking when a comprehensive parking study can be undertaken. Parking regulations for Downtown can be reassessed at that time.
Location of Parking	Placing parking underground is a viable option and will reduce demand for street parking.	No action	Support expressed for requirement that off-street parking be located underground.
Visitor Parking	There should be a requirement for visitor parking in residential and commercial buildings.	No action	Consideration for new parking requirements will be considered under a separate project when a comprehensive review of Schedule C - Off-Street Parking regulations are undertaken.

7. Bicycle Storage

Theme	Comments	Action to be Taken	Rationale
Bicycle Parking	Require cycling infrastructure outright and not as a bonus density incentive. Need regulation/procedure for bicycle parking in front of buildings and businesses.	No action at this time	The existing Zoning Regulation Bylaw Schedule C – Off-Street Parking includes regulations that require bicycle storage as part of private developments. This is proposed to be carried forward in the new Zoning Bylaw for the Central Business District. Any changes beyond what is currently in Schedule C – Off-Street Parking may be considered in a future work plan item.
Safety	Bike rooms are not safe or secure (as Class 1 bicycle storage). Consider individual bike lockers.		
Amount	Are there any plans to increase bike parking?		

8. Other Comments

Theme	Comments	Action to be Taken	Rationale
Green Space	Would like small parks or pocket parks. *Multiple comments provided.	No action	The DCAP does not envision new parks in the Central Business District, however, future parks or open spaces are envisioned in adjacent districts (the Residential Mixed-Use District and Rock Bay District). The zoning regulations do not preclude the development of pocket parks should a landowner or developer wish to include one as part of a development.

*Multiple Comments = 3 or more

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	Need more green space, pedestrian walkways and public commons for a more livable Downtown. *Multiple comments provided.	Consider how Bonus Density regulations should address scenarios where mid-block properties must provide a through-block walkway.	The DCAP identifies a future urban plaza near the intersection of Douglas and Chatham/Caledonia Streets. Negotiations would need to occur at the development application stage if appropriate. A through-block pedestrian walkway system is envisioned throughout the Central Business District, located approximately mid-block.
Views	Need to preserve view corridors to Olympic Mountains and Sooke Hills.	No action	The Downtown Core Area Plan includes guidelines to protect views of the Olympic Mountains along the Douglas and Quadra Street corridors that are applied at the rezoning and development permit application stages when considering the design of new buildings.
Electric Cars	City needs more electric vehicle charging stations.	No action at this time	Potential future work plan item.
Updating Zoning in other Downtown Core Area Districts	Consideration should be given in the Douglas-Government corridor (Historic Commercial District). Concern that zoning will not be updated in the Residential Mixed-Use District, as the site-specific zone on a property at the corner of Johnson and Vancouver Streets is too restrictive.	No action at this time	The Central Business District was selected as the first phase for updating zoning regulations. Other districts in the Downtown Core Area will follow in subsequent phases.

***Multiple Comments = 3 or more**

Theme	Comments	Action to be Taken	Rationale
Affordable Housing	Encourage more affordable housing Downtown for low/modest incomes.	No action	DCAP policy has established that bonus density will be provided for monetary contributions to fund public realm improvements and seismic upgrading of heritage buildings. Proposed zoning regulations will not require minimum unit sizes for residential use, so smaller units can be developed (this is already permitted in current zoning regulations Downtown and is proposed to be carried forward).