



Council Report

For the Meeting of December 14, 2017

To: Council **Date:** December 4, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Zoning Bylaw 2017 with Revised Administrative Clause**

RECOMMENDATION

That Council consider the revised version of Zoning Bylaw 2017 as the basis for the related public hearing which includes an administrative clause to provide the ability to better transition Development Permits, Heritage Alteration Permits and related Building Permits that may overlap with the adoption of Zoning Bylaw 2017.

EXECUTIVE SUMMARY

The attached version of Zoning Bylaw 2017 (Attachment A) includes an administrative clause within the Interpretation section to ensure that if a Development Permit or Heritage Alteration Permit has been approved under the current Zoning Regulation Bylaw (No.80-159) then the corresponding Building Permit will be processed against the off-street parking regulations that were in existence prior to the adoption of Zoning Bylaw 2017 as long as the related Building Permit is received within 24 months of the date of adoption of Zoning Bylaw 2017.

BACKGROUND

Part 5 of Zoning Bylaw 2017 includes updated off-street parking regulations for motor vehicle and bicycle parking which have been developed as part of the comprehensive review and update of the citywide off-street parking regulations. One of the key changes that these regulations introduce are more detailed and higher requirements for both short-term and long-term bicycle parking. In preparing downtown properties to transition from the current Zoning Regulation Bylaw to the new Zoning Bylaw 2017, staff have identified a potential complexity which may occur if a Development Permit or heritage Alteration Permit has been reviewed and approved under the current Zoning Regulation Bylaw however the subsequent Building Permit is received after Zoning Bylaw 2017 is adopted. This situation would mean that the Building Permit application would be subject to the updated off-street parking requirements which would differ than the previously approved off-street parking requirements described in the Development Permit. Therefore the proposed administrative clause would allow staff to process the related Building Permit under the previous off-street parking regulations that were also used to process the Development Permit or Heritage Alteration Permit as long as the Building Permit is received within 24 months of the adoption of Zoning Bylaw 2017. It should be noted however, that any subsequent change of use, additions to a building or redevelopment would require compliance with the updated off-street parking regulations. Therefore

the revised version of Zoning Bylaw 2017 (Attachment A) includes the following clause within Part 1, section 1.1. Interpretation:

23. (a) Notwithstanding section 1.1.3., if a Development Permit or Heritage Alteration Permit is issued for a development prior to the date of adoption of this bylaw, with respect to motor vehicle and bicycle parking requirements only the Building Permit Application for the same development shall be processed in accordance with the Zoning Regulation Bylaw No. 80-159 Schedule C – Off Street Parking requirements in effect on the day before the date of adoption of this bylaw, provided that the Building Permit Application is received within twenty-four (24) months of the date of adoption of this bylaw.
- (b) Section (a) applies only to Building Permit Applications for the same development shown in the Development Permit or Heritage Alteration Permit that was approved and issued, and any altered or different development must comply with the motor vehicle and bicycle parking requirements in Part 5 of this bylaw.

CONCLUSIONS

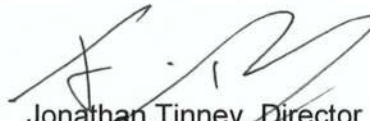
The revised version of Zoning Bylaw 2017 includes an administrative clause that provides a more equitable approach for processing Development Permits, Heritage Alteration Permits and their related Building Permits where they overlap with the adoption of the new Zoning Bylaw 2017.

Respectfully submitted,



Robert Batallas
Senior Planner
Community Planning Division

Alt.



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: December 8, 2017

List of Attachments

Attachment A: (Revised) Zoning Bylaw 2017 Bylaw No. 17-116



Zoning Bylaw 2017

Publishing Information

Title: Zoning Bylaw 2017

Prepared By: City of Victoria
Sustainable Planning and Community Development Department

Status: Draft Zoning Bylaw 2017 – November 2017

Contact Details: City of Victoria
Sustainable Planning and Community Development Department
1 Centennial Square
Victoria, BC V8W 1P6
E: planning@victoria.ca
W: victoria.ca

BYLAW NO. 17-116
ZONING BYLAW 2017
A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to divide the City into zones and to regulate and control the use of land and buildings within those zones.

Table of Contents

Part 1 - Administration

| | |
|--------------------|---|
| 1.1 Interpretation | 1 |
|--------------------|---|

Part 2 - Definitions

| | |
|--------------------------------|----|
| 2.1 Administrative Definitions | 5 |
| 2.2 Use Definitions | 12 |

Part 3 - Use of Land, Buildings and Structures

| | |
|-------------------------|----|
| 3.1 General Regulations | 15 |
|-------------------------|----|

Part 4 - Zones

| | |
|---|----|
| 4.1 Central Business District – 1 Zone (CBD-1) | 17 |
| 4.2 Central Business District – 2 Zone (CBD-2) | 24 |
| 4.3 Mixed Use Residential District – 1 Zone (MRD-1) | 36 |
| 4.4 Old Town District -1 Zone (OTD-1) | 37 |

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

| | |
|---|----|
| 5.1.1 Off-Street Parking Requirements | 43 |
| 5.1.2 Vehicle Parking Appearance | 45 |
| 5.1.3 Vehicle Parking Location and Dimensions | 45 |
| 5.1.4 Bicycle Parking Specifications | 47 |
| 5.1.5 Bicycle Parking Exemptions | 49 |

Part 6 - Schedules

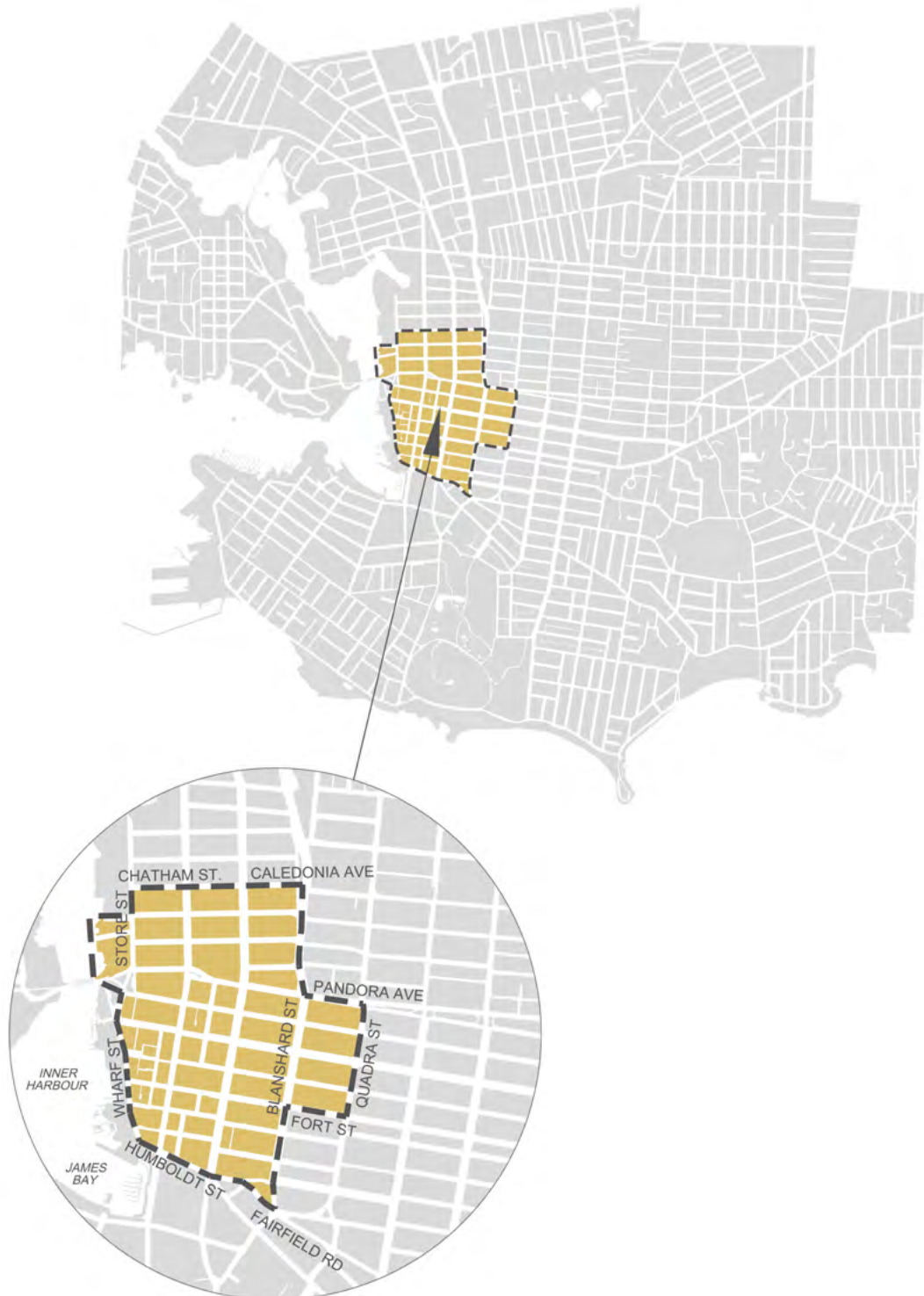
| | |
|--|----|
| Schedule-A: CBD Height Areas Map | 50 |
| Schedule-B: Small Scale Commercial Urban Agriculture | 51 |

Pursuant to its statutory powers, including sections 479, 482, and 525 of the Local Government Act, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1.1 Interpretation

1. This bylaw may be cited as the “Zoning Bylaw 2017”
2. This bylaw applies to the area indicated with a dashed line in Map 1.

Map 1: Area subject to Zoning Bylaw 2017



Part 1 - Administration

3. The Zoning Regulation Bylaw No. 80-159 is inapplicable to the area indicated within the dashed line in Map 1.
4. The area to which this bylaw applies is divided into the zones indicated on the **Zoning Map**, being the zoning information layer in **VicMap**.
 - 4.1 In all civil and criminal judicial proceedings a printout of the **Zoning Map**, purporting to be certified as such, shall be prima facie evidence of the location of each zone and of the lands included therein as at and since the date of the certificate, without proof of the signature or approval of the **Director**.
 - 4.2 Whenever any land is removed from one zone into another by a rezoning bylaw the **Director** shall, forthwith after the adoption of the such bylaw, cause the **Zoning Map** to be updated to reflect the changes.
5. The regulations, requirements and definitions in Parts 1 through 6 of this bylaw apply to land in the area to which this bylaw applies in accordance with the zoning designations indicated on the **Zoning Map**, and if Parts 3 through 6 specify regulations and requirements for a particular location within a zone that is identified by civic address, legal description or both, then the specific regulations and requirements take precedence over the general regulations and requirements for the zone.
 - 5.1 Without limiting the scope of section 5, where a property is specifically identified in column A of the "Site Specific Regulations" table in the zone regulations applicable to that property, the specific regulations and requirements set out in column B of that table apply, subject to the conditions or requirements to provide amenities set out in column C, if any.
 - 5.2 Where a property is divided into two or more development areas (DA) as shown in a plan included in the applicable "Site Specific Regulations" table, section 5.1 applies to each development area as if that development area was a separate property.
 - 5.3 In the event of a conflict, the regulations or requirements applicable pursuant to section 5.1 apply despite any other provisions of this bylaw.
 - 5.4 Where a property to which section 5.1 applies is subdivided, section 5.1 applies to all properties that had formerly formed part of that property as if they were individually listed in the table.
 - 5.5 Where a property to which section 5.1 applies is consolidated or otherwise merged with another property, section 5.1 applies only to that part of the new property to which section 5.1 applied before consolidation or merger.
 - 5.6 Where a property is identified in this bylaw by reference to a civic address and a legal description, the legal description shall be deemed to be the correct description in the event of any conflict or inconsistency.
6. For certainty, if the **Zoning Map** indicates that a **Lot** lies within two or more zones, each portion of the **Lot** may be used and built upon only in accordance with the regulations and requirements applicable to that portion under Part 3 or 4.
7. Unless otherwise indicated on the **Zoning Map**:
 - 7.1 **Streets** and lanes are deemed to have the same zoning designation as the abutting land, and any zone boundary that coincides with a **Street** or lane is deemed to be located at the centerline of the **Street** or lane;

Part 1 - Administration

- 7.2 Any zone boundary that coincides with a railway right of way is deemed to be located at the centreline of the right of way;
- 7.3 The surface of all water is within the same zone as the nearest land to it within the City boundaries unless zoned otherwise; and
- 7.4 Whenever any land, fronting on a **Street**, railway, or water, is removed from one zone and placed into another that portion of the **Street**, railway, or water to which this section applies shall also be so removed and rezoned.
8. For the purposes of this bylaw, an airspace parcel is deemed to be part of the same **Lot** as the parcel at ground level.
9. In the event of any inconsistency between the text of this bylaw and an illustration or diagram that relates to the text, the text takes precedence over the illustration or diagram.
10. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
11. No person shall place, erect, construct or alter a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
12. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with the requirements of this bylaw in respect of the provision of motor vehicle and bicycle parking spaces, the provision of **Loading Spaces** and the provision of screening or landscaping.
13. An officer or employee of the City appointed to administer this bylaw may enter on land including any place that is occupied as a private dwelling, to inspect and determine whether the regulations and requirements in this bylaw are being met, and in the case of a private dwelling may enter only in accordance with s. 16(5) of the Community Charter.
14. A person who contravenes this bylaw is liable to a maximum fine of \$10,000 and, in the case of a continuing offence, each day on which the contravention continues constitutes a separate offence that is subject to that maximum fine.
15. This bylaw may be enforced by means of a municipal ticket information, in which case the offence descriptions and ticket fines set out in the Ticket Bylaw apply.
16. The figure indicated in a column of section 2, Part 4 of this bylaw adjacent to the heading "Density of Development – Maximum" is the maximum **Floor Space Ratio** of any **Building** that may be constructed or erected in the relevant zone.
17. The figure indicated in a column of section 3, Part 4 of this bylaw adjacent to the heading "Height – Maximum" is the maximum **Height** of any **Building** that may be constructed or erected in the relevant Height Area of the relevant zone shown on Schedule A to Part 6, for the Central Business District zones, or in the relevant zone, for all other zones.
18. The **Building** elements identified in a column of section 3, Part 4 of this bylaw adjacent to the heading "Projections into Height - Maximum" may project beyond the maximum **Height** to the extent indicated in the table.
19. The **Building** elements identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into Setbacks - Maximum" may project into the minimum required setback areas to the extent indicated in the table.
20. The ratio indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading "**Front Setback Plane** – Minimum" is the angle of inclination of the **Front Setback Plane** for any portion of a **Building** that may be constructed or erected in the relevant zone, provided that building features identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into Setbacks - Maximum" may project beyond the **Front Setback Plane** to the extent indicated in the table.

Part 1 - Administration

21. The figure indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading “Side and Rear Lot Line Setbacks – Minimum” is the minimum horizontal distance between any portion of a **Building** and the **Side** or **Rear Lot Lines** of the **Lot** on which the **Building** is located, provided that building features indicated in the relevant table with the heading “Projections into Setbacks - Maximum” in section 4, Part 4 may project into the minimum setback to the extent indicated in the table.
22. Development variance permits, board of variance orders, and other agreements and permits authorized by the Local Government Act varying or supplementing the Zoning Regulation Bylaw No. 80-159 continue to apply as if varying or supplementing this bylaw, with the necessary changes and so far as applicable.
23.
 - a. Notwithstanding section 1.1.3, if a Development Permit or Heritage Alteration Permit is issued for a development prior to the date of adoption of this bylaw, with respect to motor vehicle and bicycle parking requirements only the Building Permit Application for the same development shall be processed in accordance with the Zoning Regulation Bylaw No. 80-159 Schedule C – Off Street Parking requirements in effect on the day before the date of adoption of this bylaw, provided that the Building Permit Application is received within twenty-four (24) months of the date of adoption of this bylaw.
 - b. Section (a) applies only to Building Permit Applications for the same development shown in the Development Permit or Heritage Alteration Permit that was approved and issued, and any altered or different development must comply with the motor vehicle and bicycle parking requirements in Part 5 of this bylaw.
24. If any provision or part of this bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the bylaw and the balance of the bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

2.1 Administrative Definitions

1. In this bylaw,

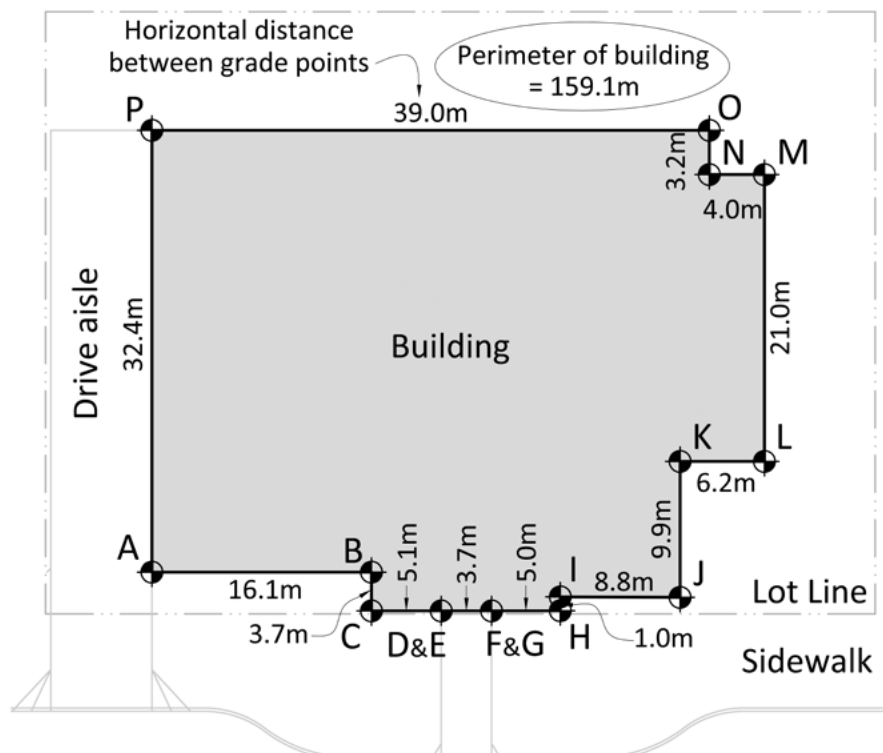
Accessory Landscape Structure means gates, fences, walls, trellises, gazebos, pergolas or a similar ornamental feature which is open to the elements and includes sheds that are less than 9.3m².

Affordable means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household's annual income.

Average Grade means the elevation calculated by averaging the elevation of **Natural Grade** or **Finished Grade**, whichever is lower at any points where a **Building** comes into contact with the surface of the **Lot**, excluding any artificial mounds of earth or rocks placed at or near the wall of a **Building**, any portion of an exterior wall that is in a window well, calculated in the method indicated in the following example:

Grade Points:

| | | |
|---------------------|---------------------|---------------------|
| Grade point A: 15.7 | Grade point F: 14.5 | Grade point K: 15.8 |
| Grade point B: 16.0 | Grade point G: 15.8 | Grade point L: 15.7 |
| Grade point C: 16.1 | Grade point H: 16.0 | Grade point M: 16.0 |
| Grade point D: 16.0 | Grade point I: 16.1 | Grade point N: 15.9 |
| Grade point E: 14.5 | Grade point J: 15.9 | Grade point O: 15.9 |
| | | Grade point P: 16.0 |



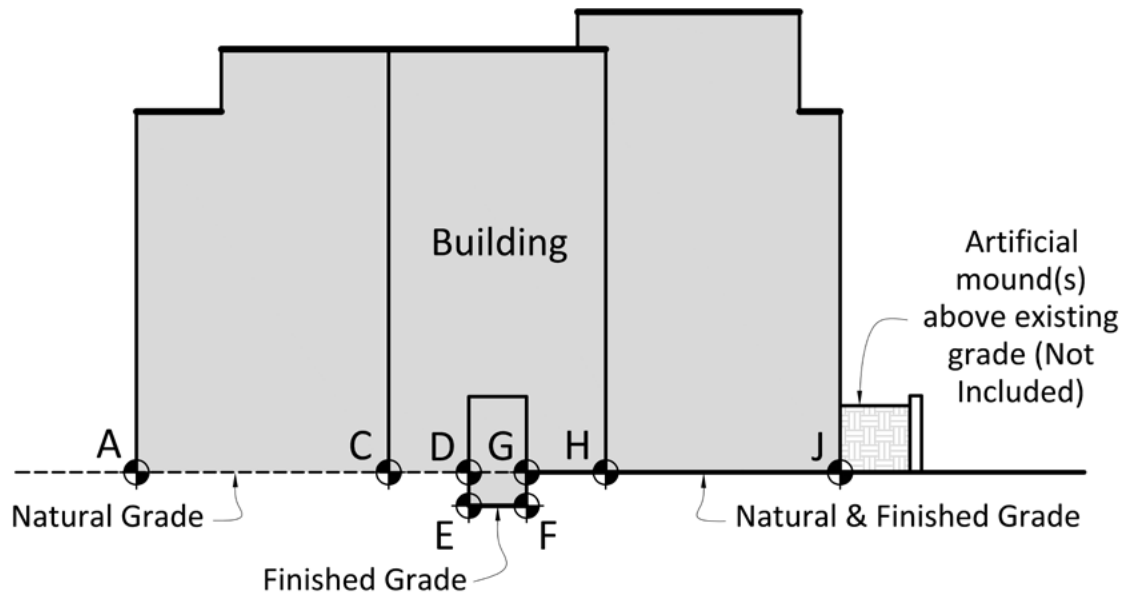
Part 2 - Definitions

Calculation Example:

| Grade Points | Average of Points | Distance Between Grade points | Totals |
|---------------|--------------------------|-------------------------------|-----------|
| Points A & B: | $((15.7 + 16.0) \div 2)$ | x 16.1m | = 255.19 |
| Points B & C: | $((16.0 + 16.1) \div 2)$ | x 3.7m | = 59.39 |
| Points C & D: | $((16.1 + 16.0) \div 2)$ | x 5.1m | = 81.86 |
| Points E & F: | $((14.5 + 14.5) \div 2)$ | x 3.7m | = 53.65 |
| Points G & H: | $((15.8 + 16.0) \div 2)$ | x 5.0m | = 79.50 |
| Points H & I: | $((16.0 + 16.1) \div 2)$ | x 1.0m | = 16.05 |
| Points I & J: | $((16.1 + 15.9) \div 2)$ | x 8.8m | = 140.80 |
| Points J & K: | $((15.9 + 15.8) \div 2)$ | x 9.9m | = 156.92 |
| Points K & L: | $((15.8 + 15.7) \div 2)$ | x 6.2m | = 97.65 |
| Points L & M: | $((15.7 + 16.0) \div 2)$ | x 21.0m | = 332.85 |
| Points M & N: | $((16.0 + 15.9) \div 2)$ | x 4.0m | = 63.80 |
| Points N & O: | $((15.9 + 15.9) \div 2)$ | x 3.2m | = 50.88 |
| Points O & P: | $((15.7 + 16.0) \div 2)$ | x 39.0m | = 618.15 |
| Points P & A: | $((16.0 + 15.7) \div 2)$ | x 32.4m | = 513.54 |
| | | | = 2520.23 |

Grade Calculation:

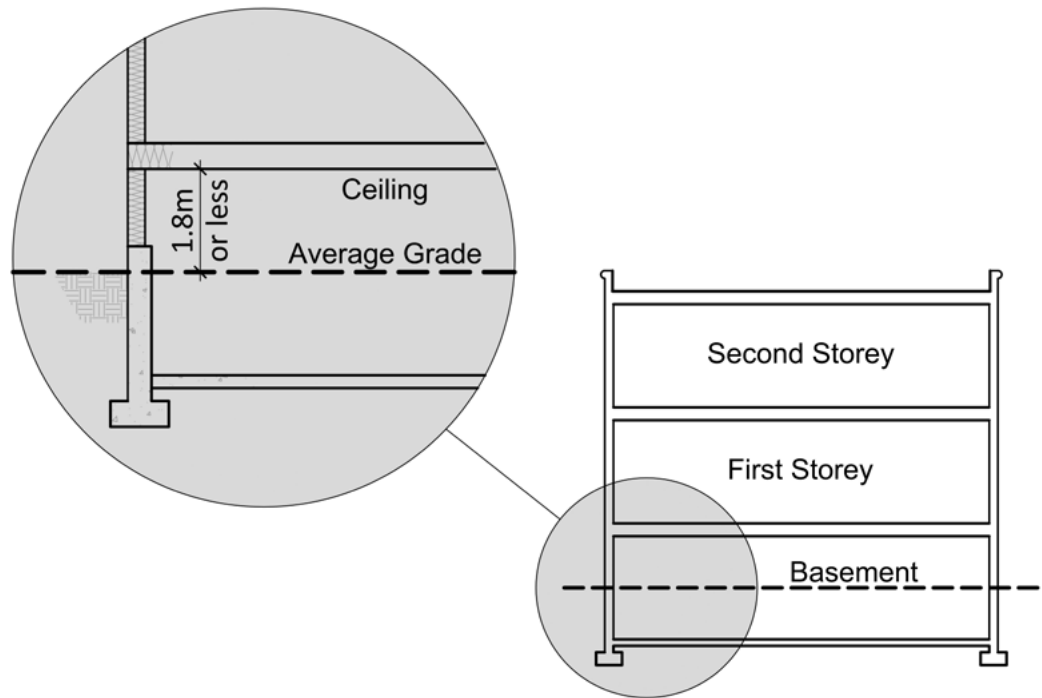
$$2520.23 \div 159.10\text{m (perimeter of building)} = 15.84$$



Balcony means a projecting portion of a **Building** above the **First Storey**, the perimeter of which is, on at least one side, wholly unenclosed except by a guard of the minimum height required by the BC Building Code.

Part 2 - Definitions

Basement means a **Storey** of a **Building** any portion of which is below **Average Grade** and that has a ceiling that is not more than 1.8m above **Average Grade**.



Bicycle Parking, Long-Term is intended for long-term users of a **Building**, such as employees or residents, and will consist of a secure space dedicated for bicycle parking within a structure or **Building** on the same **Lot**.

Bicycle Parking, Short-Term is intended for short-term use by visitors and customers and will consist of bicycle racks located in a publicly accessible location at or near a **Building** entrance.

Boundary in reference to a **Lot**, extends throughout its length both upwards and downwards ad infinitum from the surface of the **Lot**.

Building means anything constructed or placed on a **Lot** and used or intended for supporting or sheltering any use, excluding landscaping, docks, wharfs and piers.

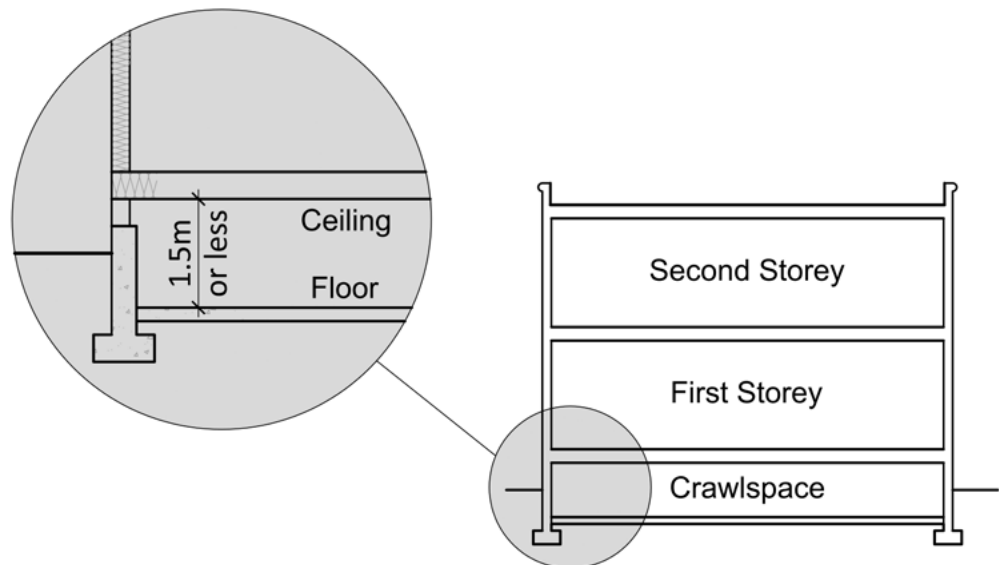
Cistern means a rainwater storage tank that is at least 1200 litres in capacity and that forms part of a **Stormwater Retention and Water Quality Facility**.

City means the Corporation of the City of Victoria.

Corner Lot means a Lot at the intersection or junction of two or more **Streets**.

Part 2 - Definitions

Crawlspace means an area beneath the lowest habitable **Storey** of a **Building**, with clearance of 1.5m or less.



Density of Development is the maximum **Floor Space Ratio** of any **Building** of the type that is constructed or erected in the zone for which that maximum **Floor Space Ratio** is indicated.

Director means the person employed by the City of Victoria to perform the duties and functions of the position of the Director of Sustainable Planning and Community Development, as that position title is amended from time to time, and includes persons acting under his or her authority.

Driveway means that portion of a **Lot** that provides access to parking, **Loading Space** or the **Drive Aisle** within the **Lot** and is considered to be the extension of the **Lot's Driveway** crossing. For certainty, a ramp provided to access parking stalls is considered a **Driveway**.

Drive Aisle means a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls.

Dwelling Unit means a self-contained unit comprised of one or more rooms designed as a residence for a single household with a sleeping area, a principal kitchen for food cooking and a separate bathroom facility.

Finished Grade means the finished elevation of the ground surface of land following construction or land altering activities.

First Storey means the **Storey** immediately above the basement of a **Building**, and in the case of a **Building** without a **Basement**, means the lowest **Storey**.

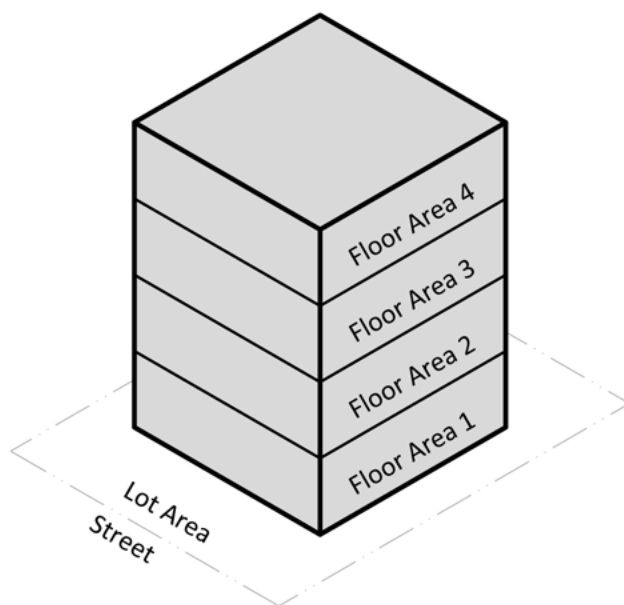
Flanking Street Lot Line means a **Lot Line**, not being a **Front** or **Rear Lot Line** that is common to a **Lot** and a **Street**.

Floor Area is measured to the interior surface of the exterior walls of **Buildings** and includes the area of any mezzanine, loft or partial **Storey**, and excludes the following:

- a. the area of any **Balcony**, veranda, exposed deck, patio or roof;
- b. the area of any **Crawlspace** or **Basement**;
- c. the area of **Rooftop Structures**; and
- d. the area that is used to provide bicycle parking required by this bylaw.

Part 2 - Definitions

Floor Space Ratio means the ratio of the total **Floor Area** of all **Storeys** of all **Buildings** and structures on a **Lot** to the area of the **Lot** on which the **Buildings** are located. The **Floor Space Ratio** of a **Lot** with a water boundary is determined according to the location of the natural boundary at the time the maximum **Floor Space Ratio** regulation is being applied, and not according to any survey previously filed in the Land Title Office.



Floor Space Ratio Calculation: (Example)

| | |
|---------------|---------------------|
| Floor Area 1: | 345m ² + |
| Floor Area 2: | 345m ² + |
| Floor Area 3: | 345m ² + |
| Floor Area 3: | 345m ² + |

Total (Structure): 1380m²

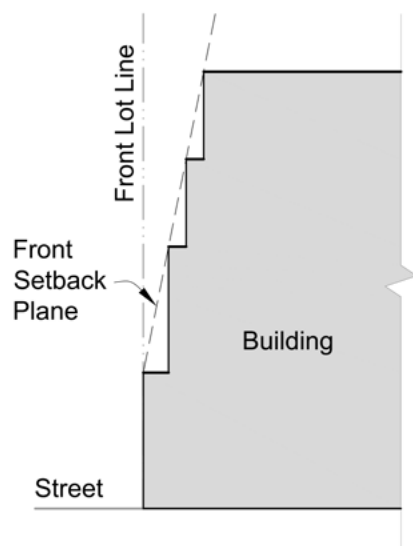
Lot Area: 460m²

$$\frac{\text{Total (Structure)}}{\text{Lot Area}} = \frac{1380\text{m}^2}{460\text{m}^2} = 3.00 =$$

3:1

Front Lot Line means the **Lot Line** abutting a public **Street**, and in the case of a **Corner Lot**, the **Lot Line** having the shortest length abutting one **Street** shall be considered the **Front Lot Line**.

Front Setback Plane means a plane having an angle of inclination expressed as a ratio (rise over run), based at a specified point above the **Front Lot Line**, as illustrated in the following sketch, beyond which no portion of a **Building** on the **Lot** may project.

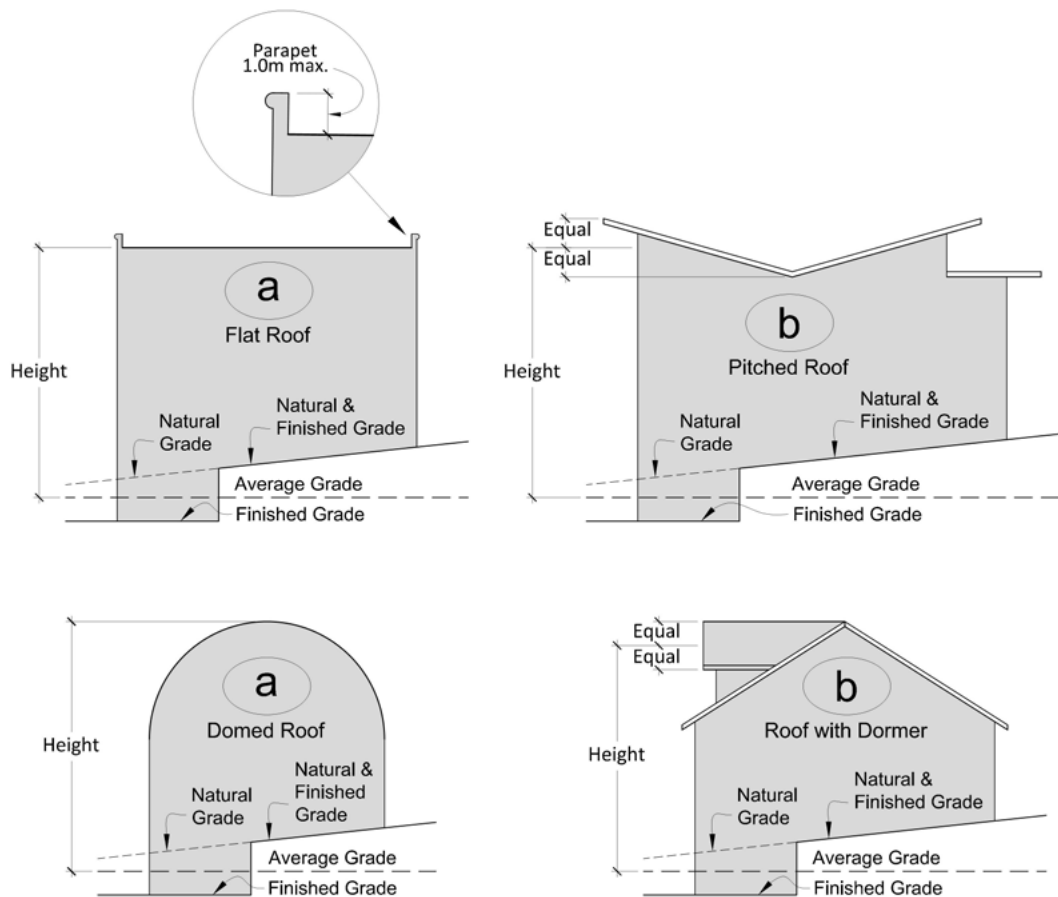


Front Yard means a yard located between the principal **Building** and the **Front Lot Line**, extending the full width of the **Lot**.

Part 2 - Definitions

Height means the distance measured in a vertical straight line between the highest point of a **Building** and the **Average Grade** directly below the highest point; and is determined as follows:

- for **Buildings** with a flat or domed roof, the highest point is the highest part of the roof;
- for **Buildings** with a pitched roof, the highest point is the midpoint between the highest ridge and the highest eave of the roof; and
- for **Buildings** with a gambrel roof, the highest point is the midpoint between the ridge and the hip line of the roof.
- the highest point excludes any mast, rainwater **Cistern**, **Rooftop Structure**, rooftop greenhouse, **Stormwater Retention or Water Quality Facilities** together with their supporting structures.



Landscape Screen means a visual barrier formed by shrubs, trees, fences or masonry walls, or any combination of these or like materials.

Loading Space means a parking space associated with a commercial or industrial use that is used temporarily for the loading or unloading of products or materials.

Lot means an area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a highway or another lot, each division thereof constituting a single area of land shall be deemed to be a separate **Lot**, and includes a strata lot in a bare land strata plan but does not include any other strata lot or an air space parcel.

Lot Area means the area of land within the boundaries of a **Lot**.

Part 2 - Definitions

Lot Coverage means the horizontal area of all **Buildings** and outdoor covered areas on a **Lot**, expressed as a percentage of the **Lot Area**.

Lot Depth means the average distance between the **Front Lot Line** and the **Rear Lot Line** of a **Lot**.

Lot Line means the **Boundary** line of a **Lot**, commonly referred to as the property line, as indicated in a plan registered at the Victoria Land Title Office.

Lot Width means the lesser of the horizontal dimensions of the smallest rectangle within which a **Lot** can be contained.

Natural Grade means the elevation of the ground surface of land prior to any land alteration, including, but not limited to, disturbance, excavation, filling, or construction. Where land alteration has occurred, the **Natural Grade** shall be determined by a building inspector on the basis of historical records or by interpolation from adjacent **Natural Grades**.

Parapet means a vertical projection of a wall at the outer edge of a roof.

Parking Area means all parking spaces, **Driveways** and **Drive Aisles** on a **Lot**.

Permeable means hard surfacing specifically designed to allow water to flow through the surface, but does not include unconsolidated materials such as crushed rock, gravel, grass, earth or other loose materials.

Rear Lot Line means a **Lot Line** opposite to the **Front Lot Line** that spans the width of the **Lot**, provided that in the case of triangular shaped lots with no **Rear Lot Line**, the point of intersection between two **Side Lot Lines** or a **Side Lot Line** and a **Flanking Street Lot Line** shall be deemed the **Rear Lot Line**.

Rooftop Structure includes 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.

Side Lot Line means a **Lot Line**, not being a **Rear Lot Line** that separates two **Lots**.

Storey means the space between two floors of a **Building** or between any floor and the roof next above, but does not include a **Basement**, **Crawlspace** or a **Rooftop Structure**.

Stormwater Retention and Water Quality Facility has the same meaning as under the Sanitary Sewer and Stormwater Utilities Bylaw, as amended or replaced from time to time.

Street includes a lane, road, sidewalk and other public highway.

Unobstructed Access means the ability of the intended user of the parking space to access and egress to the **Street** at the time that the parking space is required.

VicMap means the electronic geographic information system database maintained by the City of Victoria and made available to the public through the City's internet website.

Zoning Map means the zoning information layer in **VicMap** as amended from time to time.

2.2 Use Definitions

1. In this bylaw,

Assembly means facilities used for a place of worship, convention facilities, cinemas, commercial recreation facilities and education and training facilities and does not include commercial casinos.

Assisted Living Facility means premises in which housing, meal services, housekeeping services, laundry services, social and recreational opportunities, a 24 hour emergency response system, and one or two prescribed services as defined in the Community Care and Assisted Living Act are provided by or through the operator to 3 or more adults who are not related by blood or marriage to the operator of the premises.

Automotive Repair means facilities used for mechanical or body repairs of motor vehicles, but does not include the sale of automotive fuel.

Brew Pub, Distillery and Winery means facilities in which not more than 35% of the **Floor Area** is used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages and includes the retail sale of products made on the premises for consumption off-site and may be provided in combination with **Food and Beverage Service**.

Cannabis means cannabis as defined in the Controlled Drugs and Substances Act and includes any products containing cannabis.

Care Facility means a day care facility or residential care facility, in each case licensed under the Community Care and Assisted Living Act.

Civic Facility means premises in which government services are provided to the public including but not limited to a legislature, municipal hall, law court, hospital, fire hall, library, ambulance or police station.

Cultural Facility means facilities used for artistic performances and the display of art and cultural artifacts, including but not limited to art galleries, theatres other than cinemas, and museums.

Drinking Establishment means facilities that are licensed through the Liquor Control and Licensing Act for the sale and consumption of liquor within the facilities and where entertainment may be provided in the form of recorded music, live performances or a dance floor including but not limited to nightclubs, bars and pubs.

Equipment Rental means facilities used for the rental of home, **Office**, medical, garden or sports equipment, or motor vehicles.

Financial Service means facilities providing financial services including but not limited to chartered banks, credit unions, trust companies, insurance brokers or mortgage brokers.

Food and Beverage Service includes the operation of catering establishments, portable food vendors, cafes and restaurants.

Foodstand means a container or structure which holds, shelves or otherwise displays products of **Small-scale Commercial Urban Agriculture** for retail purposes outdoors.

Heavy Industrial means fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials.

Part 2 - Definitions

Home Occupation means the use of a **Residential Dwelling Unit** for the practice of a profession, trade, art or craft, by one or more residents of the premises.

Hotel means facilities offering transient lodging accommodation to the general public and may provide accessory uses such as restaurant, meeting rooms and recreational facilities, and includes motels and hostels.

Light Industrial means facilities used for fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials that does not potentially cause neighbourhood impact beyond the premises through noise, odour, vibration or otherwise.

Office means facilities used for the provision of administrative, clerical, management, professional or technical services.

Parkade means parking that is regularly available to the general public whether located above or below grade.

Personal Service means services provided to a person including but not limited to barbering, hairstyling, optometry, spa, medical and dental care, and services provided to the apparel of a customer including laundry and dry cleaning services, tailoring, and shoe, jewellery and watch repair.

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**.

Residential Lock-off Unit means a self-contained **Dwelling Unit** within a multi-residential building with a lesser **Floor Area** than that of the principal **Dwelling Unit** from which it may be locked off, which must have both independent external access and shared internal access.

Retail Liquor Sale means facilities used for the retail sale of packaged liquor.

Retail Trade means the retail sale, repair, servicing, or refurbishment of consumer goods other than automobiles or automotive fuels, but does not include **Retail Liquor Sale** or **Storefront Cannabis Retailer**.

Short-term Rental means the renting of a **Dwelling Unit**, or any portion of it, for a period of less than 30 days and includes vacation rentals.

Small-scale Commercial Urban Agriculture means:

- a. Cultivating and harvesting plants or fungi;
- b. Beekeeping and harvesting honey;
- c. Keeping poultry to collect eggs; or
- d. Sorting, cleaning, packaging, selling or storing for retail purposes the items listed in a. through c. above that had been harvested on the premises.

Storefront Cannabis Retailer means premises where **Cannabis** is sold or otherwise provided to a person who attends at the premises.

Part 2 - Definitions

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.

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.

3.1 General Regulations

1. Unless a contrary intention appears in another Part of this bylaw, the following regulations apply to all land to which this bylaw applies.
2. Each use that is listed in Part 4 of this bylaw with the heading “Permitted Uses” is permitted in the relevant zone, and all other uses are prohibited in that zone unless a use is permitted under the site specific regulations in which case that use is permitted on the applicable property but is not permitted anywhere else in that zone.
3. The uses permitted in Part 4 of this bylaw include uses that are normally incidental to and associated with the use.
4. Drive through businesses of any kind, including drive through restaurants and **Financial Service** institutions are prohibited in all zones.
5. Storage of rental equipment in an **Equipment Rental** use must be enclosed in a **Building**.
6. The top surface of a **Cistern** must not exceed 15m² in area.
7. A **Dwelling Unit** or premises in a **Building** may be used as a display unit or sales centre for **Residential Dwelling Units** located in the **Building**.
8. A **Studio** use may include an associated **Residential Dwelling Unit** only if at least one artist or artisan engaged in their art or craft on the premises resides in the **Dwelling Unit**.
9. **Home Occupations** must comply with the following:
 - a. A City business license is required;
 - b. The sale of goods on the premises is not permitted, except as accessory to the primary business; and
 - c. The provision of escort and dating services within a multi-residential building is not permitted; and
 - d. A **Home Occupation** may not create noise, electronic interference, dust, odour, smoke or any other nuisance detectable beyond the premises in which it is being conducted, including in any common areas or other **Dwelling Units** in a multiple-unit **Residential** building.
10. **Rooftop Structures** must comply with the following:
 - a. A **Rooftop Structure** must not occupy more than 20% of the roof area of the **Building**; and
 - b. A **Rooftop Structure** must be set back a minimum of 3m from the outer edge of the roof.
11. **Small-scale Commercial Urban Agriculture** and sales are permitted in all zones, provided that the use is not noxious or offensive to neighbours or the general public by reason of emitting odor, noise or artificial lighting, and subject to compliance with Part 6, Schedule B of this bylaw.

Part 3 - Use of Land, Buildings and Structures

12. Rooftop greenhouses must comply with the following:
 - a. A rooftop greenhouse must not exceed 3.65m in height;
 - b. A rooftop greenhouse must be set back a minimum of 3m from the outer edge of the roof;
and
 - c. A rooftop greenhouse must not exceed the lesser of 28m² or 50% of the building roof area.

4.1 Central Business District-1 Zone (CBD-1)

| 1. Permitted Uses | | | | | |
|--|--|--|-------|-------|-------|
| a. Assembly b. Assisted Living Facility c. Brew Pub, Distillery and Winery d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation | | l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility | | | |
| 1.1 Location and Siting of Uses | | | | | |
| a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental . c. No First Storey Brew Pub, Distillery and Winery is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub, Distillery and Winery is provided in conjunction with Retail Trade or Food and Beverage Service . d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building . e. Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier. | | | | | |
| 2. Density of Development | | | | | |
| a. Density of Development - Maximum: | | 3.0:1 | | | |
| 3. Height | | | | | |
| a. Height - Maximum: | | HA-1 | HA-2 | HA-3 | HA-4 |
| | | 72.0m | 60.0m | 50.0m | 45.0m |
| b. Notwithstanding sub section (a), maximum Height for Buildings or any portion located within 40m from the Lot Line abutting the east side of Douglas Street: | | 45.0m | | | |
| c. Projections into Height - Maximum: | | | | | |
| i. Parapets : | | 1.0m | | | |
| ii. Rooftop Structures : | | 5.0m | | | |

Part 4 - Zones

4. Setbacks and Projections

| | |
|--|----------------------------|
| a. Front Setback Plane - Minimum | |
| i. Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height : | 5:1 (Angle of Inclination) |
| ii. All other Buildings , for any portion above 15.0m in Height : | 5:1 (Angle of Inclination) |
| b. Side and Rear Lot Line Setbacks - Minimum | |
| i. Exterior walls 20.0m up to 30.0m in Height : | 3.0m |
| ii. Exterior walls over 30.0m and up to 45.0m in Height : | 6.0m |
| iii. Exterior walls over 45.0m in Height : | 10.0m |
| iv. Exterior walls abutting Douglas Street 30.0m or more in Height : | 9.0m |
| c. Projections into Setbacks - Maximum | |
| i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: | 0.6m |

5. Motor Vehicle and Bicycle Parking

| |
|--|
| a. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw. |
| b. Notwithstanding the requirements in Part 5 of this bylaw, all required motor vehicle parking must be located below grade within a Building . |

6. Site Coverage and Open Space

| |
|------------------------------|
| ("Intentionally left blank") |
|------------------------------|

7. Lot Dimension and Area

| |
|------------------------------|
| ("Intentionally left blank") |
|------------------------------|

8. Site Specific Regulations

| | Column A | Column B | Column C |
|----|---|--|------------|
| | Civic and Legal Address | Regulations | Conditions |
| 1. | 940 Blanshard Street LOT 2 OF LOTS 79-85, 89-92, VICTORIA, VIS4516 | a. Maximum Density of Development : 3.08:1 | |
| 2. | 980 Blanshard Street LOT 1 PLAN 39153 VICTORIA OF LOTS 86/87/88 | a. Maximum Density of Development : 3.6:1 | |

Part 4 - Zones

| | Column A | Column B | Column C |
|----|--|--|---|
| | Civic and Legal Address | Regulations | Conditions |
| 3. | 1520 Blanshard Street LOT B OF LOT 1257, VICTORIA, VIP60943 | a. Maximum Density of Development : 0.8:1 b. At least 60% of the area of the site must be open space. c. No Building or structure, other than a public plaza or Driveway providing access to underground parking, may be located within 18 m of the western Boundary of the site. d. The Height of a structure that is within 18m of the western Boundary of the site must not exceed the Height of Pandora Avenue or Cormorant Street, whichever is nearer the structure. | |
| 4. | 734 Broughton Street LOT 63, VICTORIA | a. Maximum Density of Development : 3.3:1 | i. At least 15 bicycle parking spaces are provided on the site; and; ii. The Broughton Street frontage of any Building on the site is glazed and used for Retail Trade or restaurant uses only. |
| 5. | 735 Broughton Street LOT 1 OF LOTS 79- 85, 89-92 VICTORIA, VIS4516 | a. Maximum Density of Development : 3.08:1 | |
| 6. | 740 Burdett Avenue LOT A PLAN 26090 SECTION 88 VICTORIA & OF LOT 100 | a. Maximum Density of Development : 3.6:1 | |
| 7. | 905 Douglas Street LOT A (DD 18381W) OF LOTS 75, 76, 77 AND 94, VICTORIA, PLAN 1061 | a. Motor vehicle parking spaces may be provided on a separate Lot within 125m of the use for which they are provided, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner of 905 Douglas Street. | |

Part 4 - Zones

| | Column A | Column B | Column C |
|----|---|---|---|
| | Civic and Legal Address | Regulations | Conditions |
| 8. | <p>1515 Douglas Street</p> <p>LOT 1 OF LOT 1247, 1248 AND 1257 VICTORIA EPP27886</p> <p>Development Area – A (DA-A) Development Area – B (DA-B)</p> | <p><i>Note: In this subsection, the “Development Areas” are those depicted in the following sketch as DA-A and DA-B:</i></p> | |
| | Development Area - A | <p>a. Maximum Density of Development: 2.91:1</p> <p>b. Maximum Density of Development: 3.7:1</p> <p>c. Maximum Floor Area for Residential uses: in Development Area DA-A must not exceed 7,468m².</p> <p>d. Up to 258m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from floor area calculations.</p> <p>e. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.7 spaces per Dwelling Unit, and for Hotel uses is 0.5 spaces per accommodation unit. No other off street motor vehicle parking spaces are required.</p> <p>f. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces.</p> | <p>i. At least 140 motor vehicle parking spaces are provided underground on the site in addition to those otherwise required by Section 7 of this Part;</p> <p>ii. At least 34 Bicycle Parking Long-term spaces and 34 storage lockers for use by cyclists are provided on the site.</p> |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|---|--|---|
| | Civic and Legal Address | Regulations | Conditions |
| | Development Area - B | <p>g. Maximum Density of Development 2.86:1</p> <p>h. Maximum Density of Development: 5.88:1</p> <p>i. Up to 400m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from Floor Area calculations.</p> <p>j. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.7 spaces per Dwelling Unit, and for Hotel uses is 0.5 spaces per accommodation unit. No other off street motor vehicle parking spaces are required.</p> <p>k. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the motor vehicle parking spaces.</p> | <p>i. A public walkway with an average width of 3.7m and a minimum width at all points of 3m is constructed on the site to connect Pandora Avenue and Cormorant Street, and secured by a statutory right of way and covenant in favour of the City.</p> |
| 9. | 777 Fort Street STRATA PLAN VIS700 | <p>a. Maximum Density of Development: 3.52:1</p> <p>b. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.7 spaces per Dwelling Unit and for Hotel uses is 0.5 spaces per accommodation unit, and no off-street Loading Spaces are required.</p> | |
| 10. | 778 Fort Street THE W 1/2 OF LOT 28, VICTORIA, EXCEPT THE S 8 FT | <p>a. Storefront Cannabis Retailer is a permitted use</p> | <p>i. The use does not occupy more than 100m²;</p> <p>ii. The use is restricted to the ground floor;</p> <p>iii. Only one Storefront Cannabis Retailer at a time is operational on the property.</p> |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|---|---|--|
| | Civic and Legal Address | Regulations | Conditions |
| 11. | 838 Fort Street LOT 289, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF | a. Maximum Density of Development : 2.8:1 | |
| 12. | 840 Fort Street LOT 290, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF | a. Maximum Density of Development : 3.7:1 | |
| 13. | 722 Johnson Street LOT 142 VICTORIA | a. Parkade is a permitted use b. Maximum Density of Development : 4:1 | i. A Parkade is provided within any Building . |
| 14. | 727 Johnson Street LOT 33 VICTORIA | a. Maximum Density of Development : 4.35:1 b. Off-street motor vehicle and Bicycle Parking, Short-term parking spaces are not required. | i. Rehabilitation of the existing Building on the lands in accordance with the heritage conservation plan in Schedule B of the restrictive covenant registered against the title to the lands pursuant to section 219 of the land Title Act; and ii. Provision of a housing agreement pursuant to section 483 of the Local Government Act to require that all Residential dwellings are to be used and occupied as rental units in perpetuity. |
| 15. | 851 Johnson Street LOT 379 VICTORIA | a. Storefront Cannabis Retailer is a permitted use | i. The use does not occupy more than 25m ² ; ii. The use is restricted to the ground floor. |
| 16. | 823 Pandora Avenue LOT A PLAN VIP63518 VICTORIA OF LOTS 402 407 408 AND 409 SEC 339 LGA | a. Parkade is a permitted use, provided that no motor vehicle parking spaces are located within 6m of a street. b. Maximum Density of Development: 3.5:1 c. Maximum Density of Development for Office and Retail Trade: 2:1 | i. At least 200 motor vehicle parking spaces are provided within a Building . |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|--|--|---|
| | Civic and Legal Address | Regulations | Conditions |
| 17. | 812 View Street LOT 1, OF LOTS 304, 305, 326, & 327, VICTORIA, PLAN 27731 | a. Maximum Density of Development for Retail Trade and Office : 2.0:1 | |
| 18. | 865 View Street STRATA PLAN VIS3578 | a. Maximum Density of Development : 3.2:1 b. Not more than 140m ² of Floor Area on the 12 th Storey of any Building may be used for Office uses other than medical or dental Offices . c. Off-street motor vehicle parking spaces are not required in respect of any Floor Area on the 12 th Storey of any Building . | |
| 19. | 706 Yates Street LOT A, VICTORIA, PLAN 46366 | a. Maximum Density of Development : 3:8:1 | i. A Building provides at least 1850m ² of Floor Area on the first floor for Retail Trade or restaurant use or for pedestrian circulation uses. |
| 20. | 769 Yates Street LOT 105 VICTORIA PLAN 1 | a. Maximum Density of Development : 3.9:1 | |

4.2 Central Business District-2 Zone (CBD-2)

| 1. Permitted Uses | | | | | |
|--|--|--|-------|-------|-------|
| a. Assembly b. Assisted Living Facility c. Brew Pub, Distillery and Winery d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation | | l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility | | | |
| 1.1 Location and Siting of Uses | | | | | |
| a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental . c. No First Storey Brew Pub, Distillery and Winery is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub, Distillery and Winery is provided in conjunction with Retail Trade or Food and Beverage Service . d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building . e. Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier. | | | | | |
| 2. Density of Development | | | | | |
| a. Density of Development - Maximum: | | 4.0:1 | | | |
| b. Density of Development - Maximum for Residential Uses: | | 3.0:1 | | | |
| 3. Height | | | | | |
| a. Height - Maximum: | | HA-1 | HA-2 | HA-3 | HA-4 |
| | | 72.0m | 60.0m | 50.0m | 45.0m |
| b. Notwithstanding sub section (a), maximum Height for Buildings or any portion located within 40m from the Lot Line abutting the east side of Douglas Street: | | 45.0m | | | |
| c. Projections into Height - Maximum: | | | | | |
| i. Parapets : | | 1.0m | | | |
| ii. Rooftop Structures : | | 5.0m | | | |

Part 4 - Zones

4. Setbacks and Projections

| | |
|--|----------------------------|
| a. Front Setback Plane - Minimum | |
| i. Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height : | 5:1 (Angle of Inclination) |
| ii. All other Buildings , for any portion above 15.0m in Height : | 5:1 (Angle of Inclination) |
| b. Side and Rear Lot Line Setbacks - Minimum | |
| i. Exterior walls 20.0m up to 30.0m in Height : | 3.0m |
| ii. Exterior walls over 30.0m and up to 45.0m in Height : | 6.0m |
| iii. Exterior walls over 45.0m in Height : | 10.0m |
| iv. Exterior walls abutting Douglas Street 30.0m or more in Height : | 9.0m |
| c. Projections into Setbacks - Maximum | |
| i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: | 0.6m |

5. Motor Vehicle and Bicycle Parking

| |
|--|
| a. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw. |
| b. Notwithstanding the requirements in Part 5 of this bylaw, all required motor vehicle parking must be located below grade within a Building . |

6. Site Coverage and Open Space

| |
|------------------------------|
| ("Intentionally left blank") |
|------------------------------|

7. Lot Dimension and Area

| |
|------------------------------|
| ("Intentionally left blank") |
|------------------------------|

8. Site Specific Regulations

| | Column A | Column B | Column C |
|----|--|---|---|
| | Civic and Legal Address | Regulations | Conditions |
| 1. | 1321 Blanshard Street LOT A OF LOTS 368-370, 385-387 VICTORIA, VIP83640 | a. Maximum Density of Development : 5.0:1 | i. At least 80% of the Floor Area is used for Office uses; ii. The south and west frontages of any Building on the site are glazed and used for Retail Trade or restaurant uses only; iii. Public art having a value of at least \$100,000 is provided on the site; and iv. At least 160 motor vehicle parking spaces are provided underground on the site and at least 125 of the spaces are made available for general public use after ordinary office hours. |

Part 4 - Zones

| | Column A | Column B | Column C |
|----|---|---|---|
| | Civic and Legal Address | Regulations | Conditions |
| 2. | <p>1701 Douglas Street/770 Fisgard Street</p> <p>LOT 1 OF LOTS 692 TO 696 INCLUSIVE, AND OF LOTS 707 TO 711 INCLUSIVE, VICTORIA,EPP3862</p> <p>(Development Area 1)</p> | <p>a. Maximum Density of Development: 3.26:1</p> <p>b. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.7 spaces per Dwelling Unit, and for Hotel uses is 0.5 spaces per accommodation unit. No other off street motor vehicle parking spaces, and no off-street Loading Spaces, are required.</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces.</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1 cm for each 5cm of building Height that exceeds 10m.</p> | <p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.</p> |

Part 4 - Zones

| | Column A | Column B | Column C |
|----|---|--|---|
| | Civic and Legal Address | Regulations | Conditions |
| 3. | <p>780 Fisgard Street</p> <p>LOT 2 OF LOTS 696 TO 698 INCLUSIVE, AND OF LOTS 705 TO 707 INCLUSIVE, VICTORIA EPP3862 EXCEPT PART IN AIR SPACE EPP38768</p> <p>(Development Area 2)</p> | <p>a. Maximum Density of Development: 4.88:1</p> <p>b. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.7 spaces per Dwelling Unit, and for Hotel uses is 0.5 spaces per accommodation unit. No other off street motor vehicle parking spaces, and no off-street Loading Spaces, are required.</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, including an air space parcel, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m.</p> | <p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of dwelling units on the site to be adaptable units and that all dwelling units on the site be available for occupancy under a residential tenancy agreement.</p> |

Part 4 - Zones

| | Column A | Column B | Column C |
|----|--|--|---|
| | Civic and Legal Address | Regulations | Conditions |
| 4. | <p>1700 Blanshard Street</p> <p>LOT A, OF LOTS 699 TO 700 INCLUSIVE, AND OF LOTS 703 TO 707 INCLUSIVE, VICTORIA, PLAN 13333, EXCEPT PART IN PLAN EPP3862</p> <p>(Development Area 3)</p> | <p>a. Maximum Density of Development: 7.47:1</p> <p>b. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.7 spaces for Residential uses, and for Hotel uses is 0.5 spaces per accommodation unit. No other off street motor vehicle parking spaces, and no off-street Loading Spaces, are required.</p> <p>c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the parking area and an easement in favour of the owner who requires the parking spaces</p> <p>d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m.</p> | <p>i. At least 50% of the Floor Area of each development area is Residential;</p> <p>ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and</p> <p>iii. The owner enters into a Housing Agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.</p> |

Part 4 - Zones

| | Column A | Column B | Column C |
|----|--|--|---|
| | Civic and Legal Address | Regulations | Conditions |
| 5. | 1810 Blanshard Street LOT A, OF LOTS 717-720, VICTORIA, VIP52793 | <p>a. Maximum Density of Development: 5.0:1</p> <p>b. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit, and for Office uses is 1 space per 170m² of Floor Area.</p> | <p>i. The site has an area of at least 2,000m²;</p> <p>ii. No fewer than 80 underground motor vehicle parking spaces are provided on the site; and</p> <p>iii. At least 10% of the area of the site adjacent to the intersection of Blanshard and Herald Streets is an open plaza to a Height of at least 5.5m above grade.</p> |
| 6. | 720 Broughton Street LOT A PLAN VIP59410 VICTORIA OF LOTS 57 58 59 AND 60 | <p>a. Maximum Density of Development: 4.6:1</p> <p>b. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit and for Office uses is 1 space per 95m² of Floor Area, and no other motor vehicle parking or Loading Spaces are required.</p> | <p>i. The site has an area of at least 2500m²;</p> <p>ii. All motor vehicle parking spaces are provided underground;</p> <p>iii. At least 425m² of open space is provided on the site; and</p> <p>iv. At least 50% of the site frontage on Douglas and Broughton Streets is in use for Retail Trade, restaurant or Financial Services uses having direct pedestrian access from one of those streets.</p> |
| 7. | 732 Cormorant Avenue STRATA PLAN VIS5950 | <p>a. Maximum Density of Development: 4.75:1</p> <p>b. Residential uses are permitted on the First Storey.</p> <p>c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.6 spaces per Dwelling Unit.</p> | <p>i. At least 50% of the Floor Area on the site is Residential.</p> |

Part 4 - Zones

| | Column A | Column B | Column C |
|----|--|---|--|
| | Civic and Legal Address | Regulations | Conditions |
| 8. | 809 Douglas Street LOT 1 OF LOTS 95-98 AND 104, VICTORIA VIS6797 | a. Maximum Density of Development : 5.5:1 | i. At least 10,000m ² of Residential Floor Area is provided; ii. Retail Trade and restaurant uses only are operated at grade level; iii. Landscaped open space accessible to the public is provided at grade level; iv. All motor vehicle parking spaces other than those for visitor use are provided underground; and v. Public art having a value of at least \$150,000 is provided on the site. |
| 9. | 1405 Douglas Street LOT 1 OF LOTS 139 & 140, VICTORIA, PLAN 21972 | a. Maximum Density of Development : 4:1 b. Individual Retail Trade and restaurant premises must have a Floor Area of at least 70m ² . c. Grade level Douglas Street site frontage and Johnson Street site frontage that is within 6m of Douglas Street may be used only for Retail Trade and restaurant uses. d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit , and for Office uses is 1 space per 95m ² of Floor Area in excess of 2850m ² . | |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|--|---|--|
| | Civic and Legal Address | Regulations | Conditions |
| 10. | 741 Fisgard Street LOT 684 & LOT 683, VICTORIA, EXCEPT PART SHOWN COLOURED RED ON PLAN 316 BL, THE E 1/2 OF LOT 685 AND THE W 1/2 OF LOT 685, VICTORIA | <p>a. Maximum Density of Development: 7.6:1</p> <p>b. At least 140 motor vehicle parking spaces must be provided underground.</p> <p>c. At least 42 bicycle parking spaces must be provided.</p> | <p>i. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City;</p> <p>ii. A statutory right of way is granted to the City for the 2m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses;</p> <p>iii. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City;</p> <p>iv. A statutory right of way is granted to the City for the 2 m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses;</p> |
| 11. | 834 Johnson Street STRATA PLAN EPS522 | <p>a. Maximum Density of Development: 5.76:1</p> | <p>i. The Floor Area of Office uses may not exceed 60% of the area of the site;</p> <p>ii. The Floor Area of non-residential uses, excluding areas used for underground motor vehicle parking spaces, may not exceed 50% of the Floor Area on the site;</p> <p>iii. Non-residential uses other than Home Occupations are not permitted above the second Storey;</p> <p>iv. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.65 spaces per Dwelling Unit, and no motor vehicle parking spaces are required for non-residential uses; and</p> <p>v. At least 15% of the area of the site must be open space.</p> |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|---|---|---|
| | Civic and Legal Address | Regulations | Conditions |
| 12. | 1406 Blanshard Street LOT 2 OF LOTS 147 & 148, VICTORIA, VIS6683 | a. Maximum Density of Development: 6.06:1 b. There are no minimum front, side or rear yard setbacks | i. At least 3700m ² of Residential Floor Area is provided; ii. Retail Trade and restaurant uses only are operated at grade level; iii. Landscaped open space accessible to the public is provided between the Building on the site and the adjacent Streets ; and iv. All motor vehicle parking spaces other than those for visitor use are provided underground. |
| 13. | 1250 Quadra Street LOT A PLAN 19445 VICTORIA OF LOTS 311/314 | a. Maximum Density of Development: 4.0:1 | i. At least 35% of the area of the site is open space; and ii. All motor vehicle parking spaces are provided underground. |
| 14. | 835 View Street STRATA PLAN VIS3578 | a. Maximum Density of Development: 4.4:1 b. At least 39% of the area of the site must be open space. c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit . d. The minimum number of off-street motor vehicle parking spaces for uses located on the First Storey is 50% of the number otherwise required by this bylaw. | i. For any Building with at least 8000m ² of Floor Area used for Residential uses, and the proportion of Residential use of the site is unrestricted. |
| 15. | 728 Yates Street STRATA PLAN EPS2516 | a. Maximum Density of Development: 6.4:1 | i. The façade of the Building at 738-740 Yates Street is conserved, including restoration of the brick Parapet and upper façade brick; ii. Grade level Yates Street site frontage and the site frontage on the walkway is used only for Retail Trade and restaurant uses; and iii. A landscaped area of at least 50m ² is provided for public use between any Building on the site and Yates Street. |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|---|--|---|
| | Civic and Legal Address | Regulations | Conditions |
| 16. | 743 Yates Street STRATA PLAN VIS4308 | a. Maximum Density of Development: 5.4:1 | <ul style="list-style-type: none"> i. At least 150m² of Floor Area is in use for child care services; ii. At least 50m² of open space is provided along each Lot Line that abuts a Street; iii. At least 43 motor vehicle parking spaces are provided in addition to those otherwise required by Section 7 of this Part; and iv. At least 50% of the site frontage on View and Yates Streets is in use for Retail Trade, Office or Financial Services uses having direct pedestrian access from one of those streets. |
| | | b. Maximum Density of Development: 5.6:1 | <ul style="list-style-type: none"> i. The conditions described above in sub sections (i.) thru (iv.) are met and an area equal to at least 20% of the site area is in use for an enclosed public arcade or mall. |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|--|--|--|
| | Civic and Legal Address | Regulations | Conditions |
| 17. | 819 Yates Street LOT A, DISTRICT LOTS 306, 307, 324 & 325, VICTORIA, PLAN 33016 | <p>a. Maximum Density of Development: 5.83:1</p> <p>b. Residential uses may be located on the First Storey.</p> <p>c. Building Floor Area used for accessory bicycle storage is excluded from Floor Area calculations used to determine the Floor Space Ratio of a Building.</p> <p>d. Buildings with frontage on Yates Street must be sited at least 1.4m from the Street to the 10m Height level and 3.5m from the Street above that level.</p> <p>e. Buildings with frontage on View Street must be sited at least 1.5m from the Street to the 10m Height level and 5.3m from the Street above that level.</p> <p>f. Buildings must be sited at least 3.0m from the easterly Boundary of the site.</p> | <p>i. A public walkway at least 3.0m wide is constructed on the site to connect Yates Street to View Street along the easterly Boundary of the site, and secured by a statutory right of way in favour of the City.</p> <p>ii. At least 80% of the Floor Area is Residential</p> <p>iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement for at least 10 years following issuance of an occupancy permit for any Dwelling Unit;</p> <p>iv. Public art having a value of at least \$100,000 is provided on the site; and</p> <p>v. The owner contributes at least \$100,000 to the City's Housing Reserve Trust Fund.</p> |
| 18. | 836 Yates LOT A OF LOTS 373 & 382, VICTORIA, PLAN 60321 | <p>a. Maximum Density of Development: 4.0:1</p> <p>b. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit, and for Office uses is 1 space per 95m² of Floor Area in excess of 2850m²</p> | |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|-----------------------------------|--|--|
| | Civic and Legal Address | Regulations | Conditions |
| 19. | 849 Yates LOT 315 VICTORIA | a. Maximum Density of Development: 4.0:1 | i. At least 35% of the area of the site is open space; and ii. All motor vehicle parking spaces are provided underground. |

4.3 Mixed Use Residential District-1 Zone (MRD-1)

| 1. Permitted Uses | |
|--|---|
| <ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Care Facility d. Civic Facility e. Financial Service f. Food and Beverage Service g. Home Occupation h. Office | <ul style="list-style-type: none"> i. Personal Service j. Residential k. Residential Lock-off Unit l. Retail Trade m. Small-scale Commercial Urban Agriculture n. Studio o. Utility |
| 1.1 Location and Siting of Uses | |
| a. Non-Residential uses, other than Home Occupation , are not permitted above the second Storey . | |
| 2. Density of Development | |
| a. Density of Development - Maximum for Office : | 0.6:1 |
| b. Density of Development - Maximum for non-Residential uses, excluding Home Occupation : | 0.5:1 |
| 3. Height - Maximum | |
| a. Height - Maximum: | 30.0m |
| b. Projections into Height : | |
| i. Parapets : | 1.0m |
| ii. Rooftop Structures : | 5.0m |
| 4. Setbacks and Projections | |
| a. Front Lot Line Setback - Minimum | |
| i. Buildings with Residential use on First Storey : | 3.5m |
| ii. Buildings with non-Residential use on First Storey : | 0.5m |
| b. Projections into Setbacks - Maximum: | |
| i. Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: | 0.6m |
| 5. Motor Vehicle and Bicycle Parking | |
| a. Notwithstanding the requirements contained in Part 5 of this bylaw, no motor vehicle parking is required. | |

4.4 Old Town District-1 Zone (OTD-1)

| 1. Permitted Uses | |
|---|--|
| <ul style="list-style-type: none"> a. Assembly b. Assisted Living Facility c. Brew Pub, Distillery and Winery d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation | <ul style="list-style-type: none"> l. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility |
| 1.1 Location and Siting of Uses | |
| <ul style="list-style-type: none"> a. No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway. b. The display of rental sports equipment and rental motorized vehicles, other than automobiles are permitted outside of a Building for the use of Equipment Rental. c. No First Storey Brew Pub, Distillery and Winery is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub, Distillery and Winery is provided in conjunction with Retail Trade or Food and Beverage Service. d. Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building, except where located directly adjacent to, and where direct access is provided to a lane, alleyway, through-block walkway or interior courtyard. | |
| 2. Density of Development | |
| <ul style="list-style-type: none"> a. Density of Development - Maximum: b. Density of Development - Maximum for Office within any Building constructed after 1914: | <ul style="list-style-type: none"> 3.0:1 1.0:1 |
| 3. Height - Maximum | |
| <ul style="list-style-type: none"> a. Height - Maximum: b. Projections into Height: <ul style="list-style-type: none"> i. Parapets: ii. Rooftop Structures: | <ul style="list-style-type: none"> 15.0m 1.0m 5.0m |
| 4. Setbacks and Projections | |
| <ul style="list-style-type: none"> a. Projections into Setbacks - Maximum: <ul style="list-style-type: none"> i. Balconies, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens: | <ul style="list-style-type: none"> 0.6m |

Part 4 - Zones

5. Motor Vehicle and Bicycle Parking

- a. Notwithstanding the requirements contained in Part 5 of this bylaw, no motor vehicle parking is required.

6. Site Coverage and Open Space

("Intentionally left blank")

7. Lot Dimension and Area

("Intentionally left blank")

8. Site Specific Regulations

| | Column A | Column B | Column C |
|----|---|---|--|
| | Civic and Legal Address | Regulations | Conditions |
| 1. | 1215 Broad Street Lot 1 Plan VIP64889 | a. Maximum Building Height : 43m | |
| 2. | 608 Broughton Street Lot 1 Plan EPS1336 | a. Maximum Density of Development : 5.1:1 b. Maximum Building Height : 34m | i. Retail Trade or restaurant provided as the principal ground level uses; and ii. A minimum of 45 motor vehicle parking spaces are provided, of which at least 35 are located underground and two are permitted to be stacked one behind the other. |
| 3. | 617 Broughton Street Lot A Plan VIP14044 | a. Parkade is a permitted use. b. Maximum Density of Development : 3.9:1 | |
| 4. | 619 - 625 Courtney Street Lot 4 Plan VIS4624 | a. Maximum Density of Development : 4.6:1 b. Maximum Building Height : 20.3m | i. A minimum of 630m ² of the First Storey area of a Building and at least 50% of the Building's interior First Storey area adjacent to Street frontage are devoted to Retail Trade or restaurant use. |
| 5. | 850 Douglas Street Lot 1 Plan VIP16810 | a. Maximum Building Height : 43m | |
| 6. | 1200 Douglas Street Lot B Plan VIP48444 | a. Maximum Building Height : 43m | |
| 7. | 1214 Douglas Street Lot A Plan VIP48444 | a. Maximum Building Height : 43m | |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|--|---|---|
| | Civic and Legal Address | Regulations | Conditions |
| 8. | 1222 Douglas Street S. Pt. Lot 426 & E. Pt. Lot 427 and Pcl. A of Lots 427/428 City Plan | a. Maximum Building Height : 43m | |
| 9. | 1280 Douglas Street Lot 426 Plan CITY | a. Maximum Building Height : 43m | |
| 10. | 1402 Douglas Street The Easterly 60 Feet of Lot 671 Plan CITY | a. Storefront Cannabis Retailer is a permitted use | i. The use does not occupy more than 200m ² ; ii. Only one Storefront Cannabis Retailer at a time is operational on the property. |
| 11. | 1802 Douglas Street Lot 1 Plan VIP36720 | a. Maximum Density of Development : 5.0:1 | i. At least 270m ² of First Storey space is provided for Retail Trade or restaurant use; ii. At least 17m of linear Building Floor Area along Herald Street is used for Retail Trade or restaurant use; iii. At least 10% of the Lot Area adjacent to the Street intersection is maintained as a Street level open plaza to a distance of not less than 5.5m above Street level ; and iv. A minimum of 60 underground on-site motor vehicle parking spaces are provided |
| | | b. Maximum Building Height : 26m | |
| 12. | 517-519 Fisgard Street Lot 4 Plan EPS1833 530 Pandora Ave. Lot 1 Plan EPS1833 | a. Maximum Density of Development : 5.5:1 b. Parkade is a permitted use. | |
| 13. | 638 Fisgard Street Lot 1 Plan VIP55957 | a. Maximum Density of Development : 4.0:1 | i. A minimum density of 2.0:1 is provided for Residential uses. |
| | | b. Residential uses may be located on the First Storey except within 3m from any Street . c. Maximum Building Height : 22m | |
| 14. | 623 Fort Street Lot A Plan VIP87839 | a. Maximum Density of Development : 3.8:1 for all uses | i. At least 75% of the total Floor Area of the Building is provided exclusively for Office uses. |
| | | b. Bicycle Parking, Short-Term stalls are not required. | |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|---|--|--|
| | Civic and Legal Address | Regulations | Conditions |
| 15. | 685-695 Fort Street 1060-1080 Government Street Lot 1 Plan VIP16563 | a. Maximum Building Height : 43m | |
| 16. | 816 Government Street Lot Plan VIP219 | a. Maximum Density of Development : 4.0:1 b. Maximum Floor Area for distillery use: 175m ² c. Maximum Building Height : 17.7m | i. Rehabilitation of the façade of the existing Customs House on the westerly portion of the site in accordance with Heritage Revitalization Agreement Bylaw no. 15-057. |
| 17. | 910 Government Street 955 Wharf Street 525 Broughton Street Strata Plan VIS612 Strata Plan VIS730 | a. A minimum of 220 motor vehicle parking spaces shall be provided b. A minimum of 15% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Retail Trade . c. A maximum of 85% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Office . | |
| 18. | 1001 Government Street Lot 7 & 8 Plan VIP2671 | a. Maximum Density of Development : 4.0:1 b. Maximum Building Height : 16m | i. Where Retail Trade, Offices and financial institutions have direct access to and are located along at least 50% of the Street frontage along Government Street. |
| 19. | 1312 Government Street Lot 1 Plan EPS1881 1314 Government Street Lot 2 Plan EPS1881 Portion on Roadway Lot Plan EPP37406 | a. Maximum Density of Development : 3.85:1 b. Maximum Building Height : 18.6m | i. A conservation covenant of the existing Building is provided ii. A Housing Agreement is established to require that all Residential dwellings in this Zone are provided as rental units. |
| 20. | 1411 Government Street Lot 1 Plan VIS4995 | a. Maximum Density of Development : 3.32:1 | |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|---|--|--|
| | Civic and Legal Address | Regulations | Conditions |
| 21. | 1450 Government Street Lot 1 Plan VIS6012 595 Pandora Ave. Lot 1 Plan VIP77724 599 Pandora Ave. Lot 2 Plan VIS6012 | a. Maximum Density of Development: 2.2:1 b. Maximum Building Height: 15.2m | |
| 22. | 1885 Government Street Lot A Plan VIP45681 | a. Automotive Repair is a permitted use | |
| 23. | 461 Herald Street Lot A Plan VIP33307 1720 Store Street Lot A Plan VIP18303 | a. Residential uses are prohibited b. Maximum Density of Development for Office and all other uses: 1.5:1 | i. At least 500m ² of First Storey area is used for Retail Trade or restaurant. |
| | | c. Maximum Density of Development: 2.0:1 | |
| 24. | 634 Johnson Street Lot A Plan VIP34894 | a. Only the following uses are permitted: Hotel, Retail Trade and restaurant b. Maximum Density of Development: 5.23:1 c. Maximum Building Height: 23m | |
| 25. | 524-528 Pandora Ave. Lot 2 Plan EPS1833 | a. Parkade is a permitted use b. Maximum Density of Development: 5.5:1 | |
| 26. | 603 Pandora Ave. Lot 1 Plan VIP7110 | a. Maximum Density of Development: 4.57:1 | i. Rehabilitation of the existing Plaza Hotel Building in accordance with Heritage Revitalization Agreement (603-607 Pandora Avenue) Bylaw No. 13-040; ii. Construction of a public plaza at the corner of Government Street and Pandora Avenue valued at least \$180,000; and iii. Payment to the City of Victoria of \$27,500 to contribute to the long term maintenance of the public water feature to be constructed as part of the public plaza. |
| | | b. Maximum Floor Area: 6793m ² c. Maximum Building Height: 23.1m | |

Part 4 - Zones

| | Column A | Column B | Column C |
|-----|---|---|---|
| | Civic and Legal Address | Regulations | Conditions |
| 27. | 1441 Store Street Lot 1 Plan VIS1580 | a. Maximum Density of Development : 4.0:1 | |
| 28. | 1610 Store Street Lots 1 to 127 Plan EPS3614 456 Pandora Avenue Lots 1 to 127 Plan EPS3614 | a. The grade of a building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated. | |
| 29. | 1624 Store Street Lot 1 Plan VIP5617 | a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the building is situated. | |
| 30. | 1630 Store Street Parcel A (DD 83205I) of Lot 126 City Plan | a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the building is situated. | |
| 31. | 407-409 Swift Street Lot 100 Plan VIS4930 | a. Docks, public washrooms and showers are permitted uses. | |
| 32. | 440 Swift Street Lot A Plan VIP85421 450 Swift Street Lot 1 Plan VIP36884 | a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development : 1.5:1 | |
| 33. | 467 Swift Street Lot A Plan VIP49848 | a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the building is situated. | |
| 34. | 650 View Street Lot C Plan VIP48444 | a. Maximum Building Height : 43m | |
| 35. | 546 Yates Street LOT 1 OF LOTS 175, 176, 186, 187, VICTORIA, PLAN 30210 | b. Storefront Cannabis Retailer is a permitted use | i. The use does not occupy more than 800m ² ; ii. The use is restricted to the ground floor; and iii. Only one Storefront Cannabis Retailer at a time is operational on the property. |

5.1 Off-Street Parking Regulations

1. Required Vehicle and Bicycle Parking Spaces

- a. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

| Column A | Column B | Column C |
|--|--|--|
| Use or Class of Use | Minimum Parking Spaces | Minimum Visitor Parking Spaces |
| Residential | | |
| Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>) | 0.65 spaces per Dwelling Unit that is less than 40m ² | 0.10 spaces per Dwelling Unit |
| | 0.80 spaces per Dwelling Unit that is 40m ² or more but less than 70m ² | |
| | 1.20 spaces per Dwelling Unit that is more than 70m ² | |
| Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement) | 0.50 spaces per Dwelling Unit that is less than 40m ² | 0.10 spaces per Dwelling Unit |
| | 0.60 spaces per Dwelling Unit that is 40m ² or more but less than 70m ² | |
| | 1 space per Dwelling Unit that is more than 70m ² | |
| Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement) | 0.20 spaces per Dwelling Unit that is less than 40m ² | 0.10 spaces per Dwelling Unit |
| | 0.50 spaces per Dwelling Unit that is 40m ² or more but less than 70m ² | |
| | 0.75 spaces per Dwelling Unit that is more than 70m ² | |
| All other multiple dwellings | 0.65 spaces per Dwelling Unit that is less than 40m ² | 0.10 spaces per Dwelling Unit |
| | 0.80 spaces per Dwelling Unit that is 40m ² or more but less than 70m ² | |
| | 1.20 spaces per Dwelling Unit that is more than 70m ² | |
| Assisted Living Facility | 0.35 spaces per Dwelling Unit or residential unit | 0.10 spaces per Dwelling Unit or residential unit |
| Commercial | | |
| Hotel | 0.25 spaces per room | - |

- b. Subject to section 5.1.2(c), the owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street bicycle parking spaces in accordance with Table 2 of this Part and calculated in accordance with Table 2 of this Part.

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Table 2: Minimum Number of Required Bicycle Parking Spaces

| Column A | Column B | Column C |
|---|---|---|
| Use or Class of Use | Minimum Number of Bicycle Parking, Long-Term Spaces | Minimum Number of Bicycle Parking, Short-Term Spaces |
| Residential | | |
| Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>) | 1 space per Dwelling Unit that is less than 40m ² | The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit |
| | 1.25 spaces per Dwelling Unit that is more than 40m ² | The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit |
| Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement) | 1 space per Dwelling Unit that is less than 40m ² | The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit |
| | 1.25 spaces per Dwelling Unit that is more than 40m ² | The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit |
| Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement) | 1 space per Dwelling Unit that is less than 40m ² | The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit |
| | 1.25 spaces per Dwelling Unit that is more than 40m ² | 0The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit |
| Assisted Living Facility | 1 space per 20 Dwelling Units or residential unit | 1 space per 50 Dwelling Units or residential units |
| Commercial | | |
| Brew Pub, Distillery and Winery | 1 space per 200m ² of Floor Area , or part thereof | 1 space per 200m ² of Floor Area , or part thereof |
| Drinking Establishment | 1 space per 400m ² of Floor Area , or part thereof | 1 space per 100m ² of Floor Area , or part thereof |
| Equipment Rental | 1 space per 200m ² of Floor Area , or part thereof | 1 space per 200m ² of Floor Area , or part thereof |
| Financial Service | 1 space per 200m ² of Floor Area , or part thereof | 1 space per 200m ² of Floor Area , or part thereof |
| Food and Beverage Service | 1 space per 400m ² of Floor Area plus outside seating and serving area, or part thereof | 1 space per 100m ² of Floor Area plus outside seating and serving area, or part thereof |
| Hotel | 1 space per 25 rooms | 1 space per 40 rooms |
| Office | 1 space per 150m ² of Floor Area , or part thereof | 1 space per 400m ² of Floor Area , or part thereof |
| Personal Service | 1 space per 200m ² of Floor Area , or part thereof | 1 space per 200m ² of Floor Area , or part thereof |
| Retail Liquor Sale | 1 space per 200m ² of Floor Area , or part thereof | 1 space per 200m ² of Floor Area , or part thereof |
| Retail Trade | 1 space per 200m ² of Floor Area , or part thereof | 1 space per 200m ² of Floor Area , or part thereof |
| Storefront Cannabis Retailer | 1 space per 200m ² of Floor Area , or part thereof | 1 space per 200m ² of Floor Area , or part thereof |
| Institutional | | |
| Assembly | - | 1 space per 200m ² of Floor Area , or part thereof |
| Civic Facility | 1 space per 400m ² of Floor Area , or part thereof | 1 space per 400m ² of Floor Area , or part thereof |
| Cultural Facility | 1 space per 450m ² of Floor Area , or part thereof | 1 space per 130m ² of Floor Area , or part thereof |
| Care Facility | 1 space per 700m ² of Floor Area , or part thereof | 1 space per 200m ² of Floor Area , or part thereof |

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

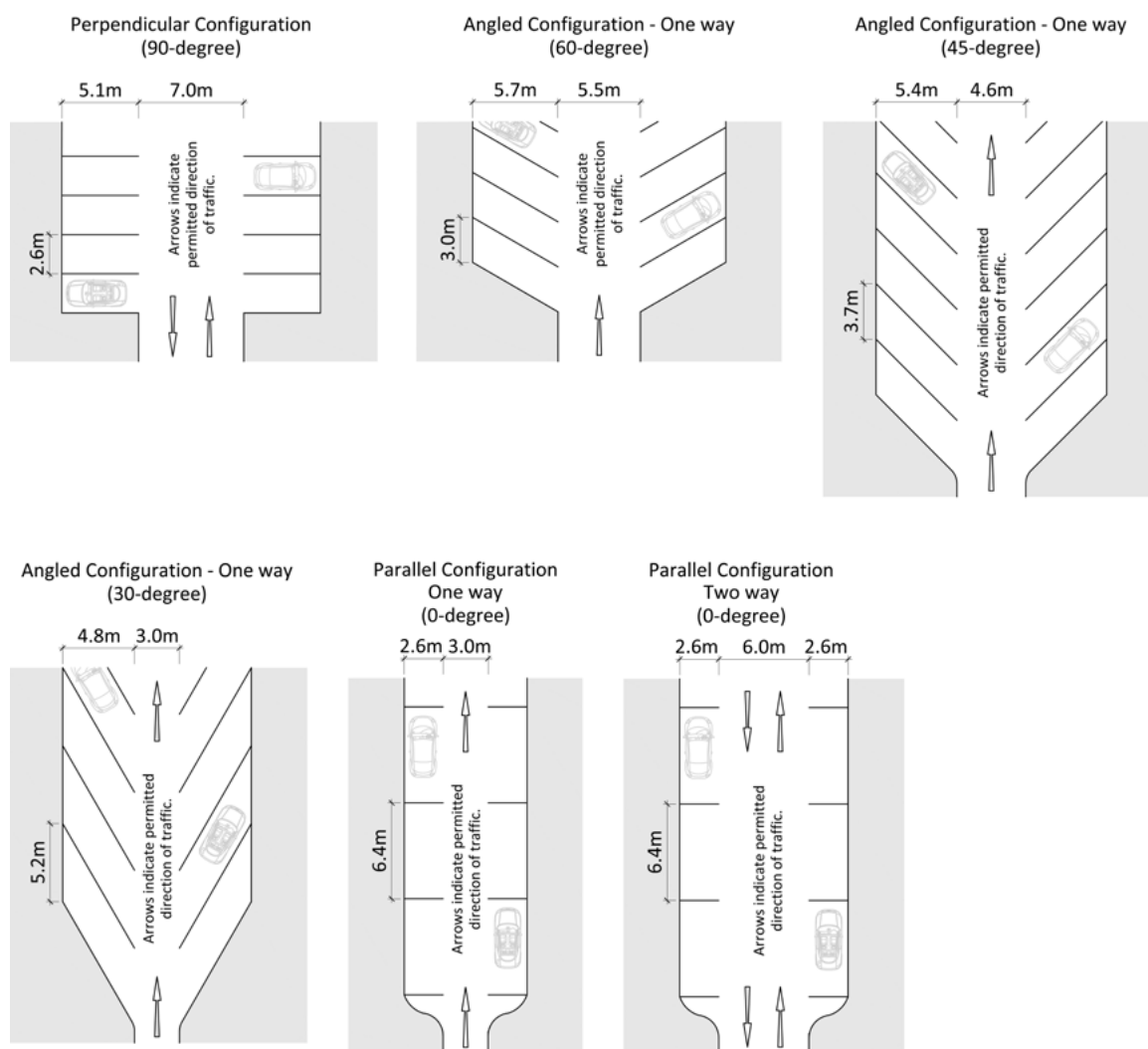
2. Vehicle Parking Appearance

- Each vehicle parking space must be clearly delineated on the parking surface.
- Each visitor vehicle parking space required under this bylaw must be clearly identified for the sole use of visitors.

3. Vehicle Parking Location and Dimensions

- All vehicle parking spaces required under this bylaw must be provided on the same **Lot** as the **Building** or use which they serve.
- A vehicle parking space must have **Unobstructed Access**.
- All vehicle parking spaces and **Drive Aisles** must have dimensions not less than those identified in Figure 1 of this Part.

Figure 1: Minimum Parking Space and **Drive Aisle** Dimensions (all measurements in metres)



Part 5 - Requirements for Motor Vehicle and Bicycle Parking

- d. One way access and egress through the **Parking Area** is required where:
 - i. More than one vehicle parking space is provided in the **Parking Area**, and
 - ii. The vehicle parking spaces are not configured parallel or perpendicular to the **Drive Aisle**.
- e. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
- f. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
- g. Where a vehicle parking space or **Drive Aisle** is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.
- h. Where a **Drive Aisle** or parking space is located within 6.0m of a **Street Boundary** it must comply with applicable grade requirements prescribed in this Part and the Highway Access Bylaw.
 - i. The maximum grade for a **Drive Aisle** or parking stall is 8%.
 - ii. The maximum grade for a **Driveway** is 15%.

Example: Maximum Grades for Parking Areas



Example parkade configuration

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

4. Bicycle Parking Specifications

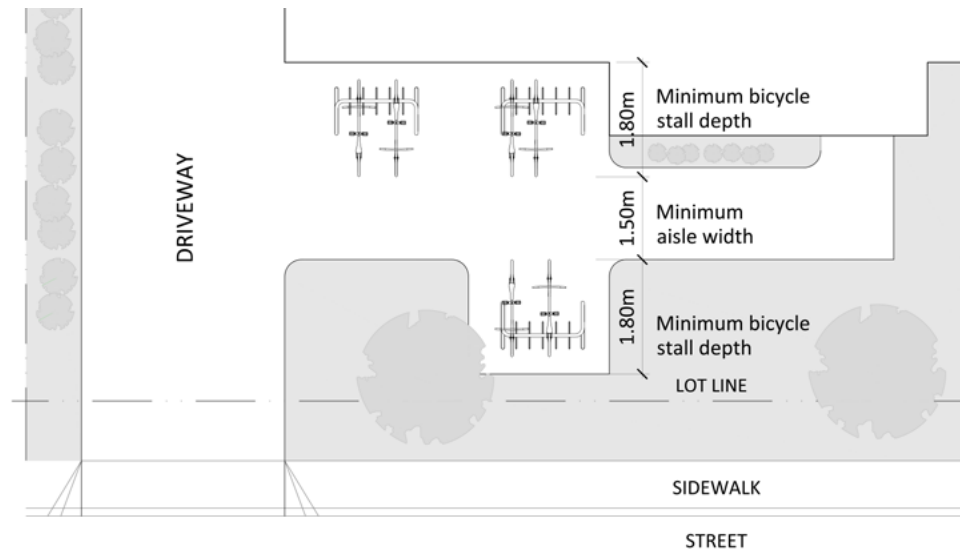
- a. All bicycle parking spaces required under this bylaw must be provided on the same **Lot** as the Building or use which they serve.
- b. Each **Bicycle Parking, Short-Term** space required under this bylaw must be:
 - i. designed and installed to the minimum dimensions shown in Table 3 of this Part; and
 - ii. provided as a bicycle rack that is permanently anchored to the ground or a wall.
- c. Each **Bicycle Parking, Short-Term** space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a **Building** entrance that is accessible by visitors.
- d. Notwithstanding section (c), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- e. Each **Bicycle Parking, Short-Term** space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a **Building** entrance that is accessible by the public.
- f. Notwithstanding section (e), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- g. Each **Bicycle Parking, Short-Term** space required under this bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary Building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

| | Ground Anchored Rack | | Wall Mounted Rack | |
|---|----------------------|-------------|-------------------|-------------|
| Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a Building) | >45 degrees | <45 degrees | >45 degrees | <45 degrees |
| Minimum stall depth | 1.8 | 1.45 | 1.2 | 1.2 |
| Minimum aisle width | 1.5 | 1.5 | 1.5 | 1.5 |
| Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle) | 0.45 | 0.65 | 0.45 | 0.65 |
| Minimum distance between bicycle racks (for racks that accommodate two or more bicycles) | 0.9 | 1.3 | 0.9 | 1.3 |
| Minimum distance between bicycle racks and entrance door to bicycle storage facility | 0.6 | 0.6 | 0.6 | 0.6 |

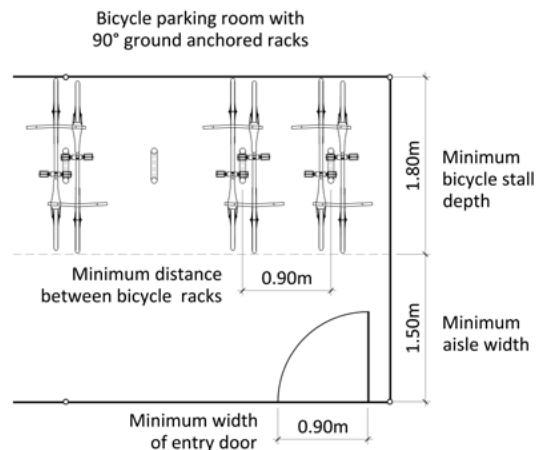
Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Example: Bicycle Parking, Short-Term Configuration

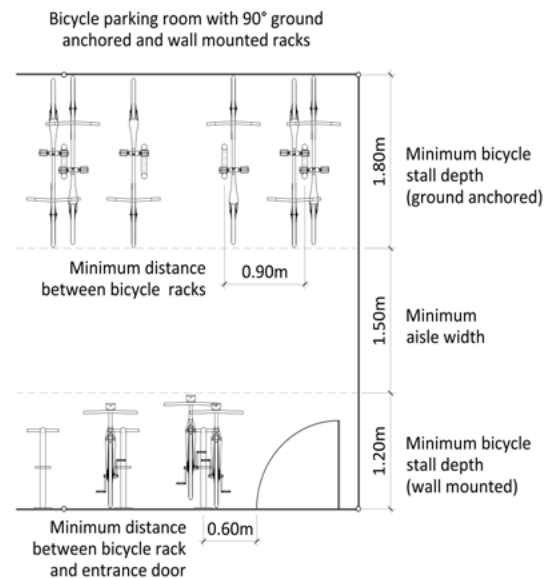
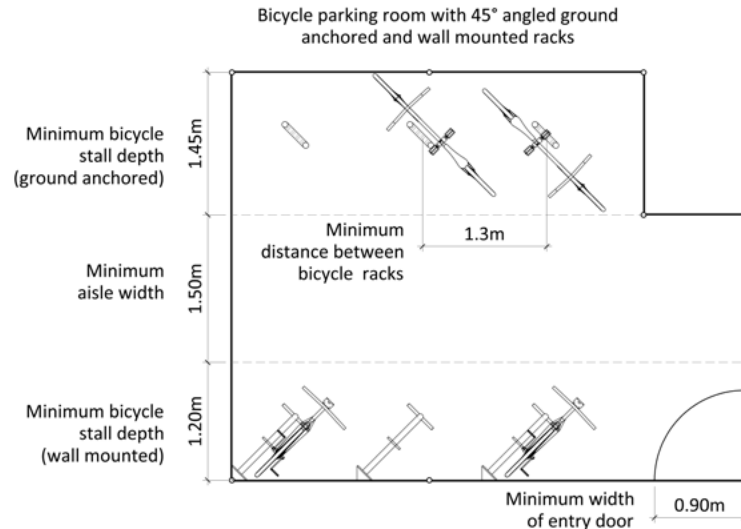


- h. Each **Bicycle Parking, Long-Term** space required under this bylaw must:
 - i. be designed and installed to the minimum dimensions shown in Table 3 of this Part;
 - ii. be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - iii. have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - iv. be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the **Building**;
 - v. be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - vi. be located within one floor of **Finished Grade** and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
- i. At least half of the **Bicycle Parking, Long-Term** spaces required under this bylaw must be ground anchored.

Example: Bicycle Parking Long-Term Configurations



Part 5 - Requirements for Motor Vehicle and Bicycle Parking



5. Bicycle Parking Exemptions

- a. Notwithstanding sections 5.1.1(b), **Bicycle Parking, Short-Term** spaces are not required to be provided where the siting and design of a **Building** existing on the date of adoption of this bylaw physically prohibits such spaces from being provided on a **Lot** in accordance with this bylaw.
- b.
 - i. Notwithstanding section 5.1.1(b), no additional **Bicycle Parking Short-Term** or **Bicycle Parking Long-Term** spaces are required to be provided where any additions, alterations or changes of use to a **Building** existing on the date of adoption of this bylaw would, in total, result in an increase up to 20% of the number of spaces required prior to the additions, alterations or change of use.
 - ii. For clarity, in the event that any additions, alterations or changes of use to a **Building** existing on the date of adoption of the bylaw would, in total, result in an increase of more than 20% of the number of **Bicycle Parking Short-Term** or **Bicycle Parking Long-Term** spaces required prior to the additions, alterations or changes of use, then only the additional required spaces must be provided.

Schedule A - CBD Height Areas Map



Schedule B - Small Scale Commercial Urban Agriculture

1. Products

- a. Subject to subsection (b), only the following items may be cultivated, harvested, kept, sorted, cleaned and packaged as part of **Small-scale Commercial Urban Agriculture**:
 - i. Fruits
 - ii. Vegetables
 - iii. Edible flowers
 - iv. Edible fibre
 - v. Edible seeds
 - vi. Nuts
 - vii. Seedlings and cuttings of edible plants
 - viii. Culinary herbs
 - ix. Eggs
 - x. Honey
 - xi. Mushrooms
- b. Plants regulated under the Controlled Drug and Substances Act (Canada) may not be produced as part of **Small-scale Commercial Urban Agriculture**

2. Sale on Lot

Sale of products of **Small-scale Commercial Urban Agriculture** is permitted on a **Lot** on which **Small-scale Commercial Urban Agriculture** occurs, regardless of whether **Retail Trade** is permitted, provided it occurs:

- a. within a **Foodstand** located in the **Front Yard**; or
- b. as a component of any of the following permitted uses of the Lot:
 - i. **Retail Trade**
 - ii. **Food and Beverage Service**
 - iii. any other use which permits the sale of the items in section 1(a)

3. Foodstand

A **Foodstand** must not:

- a. Exceed an area of 1.85m² and a **Height** of 3.35m
- b. Be located within 0.60m of a **Lot Line**
- c. Be fully enclosed
- d. Remain on the **Front Yard** without items for sale in excess of eight consecutive days
- e. Hold, shelve or otherwise display an item unless it:
 - i. is listed in section 1(a) of this Schedule;
 - ii. was harvested on the **Lot** on which the **Foodstand** is located; and
 - iii. is displayed and sold in raw, unprocessed form.
- f. No more than one **Foodstand** may be used or erected on one **Lot**.

READ A FIRST TIME the **23rd** day of **November** 2017

READ A SECOND TIME the **23rd** day of **November** 2017

PUBLIC HEARING HELD on the day of 2017

READ A THIRD TIME the day of 2017

ADOPTED on the day of 2017

CITY CLERK

MAYOR