

NO. 17-005

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the provisions of Part 12.9 of the Zoning Regulation Bylaw – CD-9 Zone, Dockside District, as they apply to certain portions of the Dockside Lands.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1076)”.
- 2 Part 12.9 – CD-Zone, Dockside District, of Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended by deleting sections 1 through 13, as well as Schedules A and B, and substituting the text and Schedules that are attached to and form part of this bylaw as Appendix 1.

READ A FIRST TIME the **12th** day of **January** 2017.

READ A SECOND TIME the **12th** day of **January** 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

PART 12.9 - CD-9 ZONE, DOCKSIDE DISTRICT

1. General Regulations

Development Areas:

This Zone is divided into Development Areas A to F. Development Areas D and E contain sub areas, as outlined within Appendix A, that regulate the location of residential and work/live uses within those Development Areas. Development Areas A, B, and D contain Sub-Areas, being Sub-Areas A1, A2, A3, B1, D1 and D2 respectively, that provide for additional regulations with respect to permitted uses, height and, in the case of Sub-Area D1 only, maximum floor area for residential uses. The Sub-Areas are outlined within Appendix C and labelled in that Appendix and hereafter referred to as as Sub-Areas A1, A2, A3, B1, D1 and D2, respectively.

2. Definitions

a. General Definitions

The following definitions apply to the CD-9 Zone:

"Affordable Housing", for the purpose of parking calculations, means housing that meets one of the following measures of affordability:

- (a) housing that costs (rent or mortgage plus taxes and including 10% down payment) 30% or less of a household's gross annual income, targeting households with an income less than \$40,000, in 2005 dollars, or
- (b) housing that costs (rent or mortgage plus taxes and including 10% down payment) no more than 30% of the Housing Income Limits ("HILs") that are determined from time to time by the British Columbia Housing Management Commission.

"Canadian Geodetic Datum" means the Canadian Geodetic Vertical Datum of 1928.

"Dockside Lands" means all the lands shown outlined in heavy broken line on the map attached as Appendix A to these CD-9 Zone Regulations.

"Live/work" means not more than 2 persons engaged in any of the following uses:

- a) artist studio;
- b) high tech;
- c) making, processing and assemble of product on a small scale;
- d) offices;
- e) personal and professional services;

and at least one of those persons resides in the dwelling unit where the use they engage in is carried on.

"Master Development Agreement" means the agreement between Dockside

Green Limited and the City of Victoria that was registered in the Victoria Land Title Office against title to the Dockside Lands as a covenant pursuant to section 219 of the *Land Title Act* under registration number EX128524.

“Private Power Generation Facility” means a facility less than 2000m² in floor area used for the production of power to supply buildings on the Dockside Lands and to be sold to public utilities. It incorporates different types of energy creation which may include but are not limited to electric, bio diesel, solar, hydro-electric, waste wood gasification and other green forms of power generation.

“Sewage Treatment” means a facility less than 2000m² in floor area used for the treatment, composting and management of sanitary services.

“Sustainability Centre” means a facility operating within a building that includes a combination of any of the following uses: cultural facility, education facilities, reactional facilities, high tech, high tech manufacturing, office including professional services, marine and environmental research and technology, retail and tourist facility, where the facility acts as a centre that promotes sustainable communities.

“Work/live” means combines residential use as an accessory use, with any of the following uses:

- a) bakeries;
- b) call centre;
- c) educational facilities;
- d) garages;
- e) high tech;
- f) high tech manufacturing;
- g) limited light industries, including testing, servicing, repair, manufacturing, processing and assembly;
- h) mail order businesses;
- i) marine and environmental research and technology;
- j) office;
- k) printing and publishing;
- l) professional services, including those provided by architects, engineers, and surveyors;
- m) restaurants;
- n) retail;
- o) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- p) retail sales of home furnishings, home supplies, or sporting goods;
- q) schools, including trade schools;
- r) tourist facility;
- s) transient accommodation;
- t) veterinary hospitals, provided that all runs are totally enclosed within a building;
- u) warehouses;
- v) wholesale;

and is located in a unit that is a suite of rooms of which not more than 50% of the floor space is used for residential use.

b. Development Area E and Development Area Sub-Area Additional Definitions

The following definitions, which are in addition to those listed in section 2a. above, apply to Development Area E and Sub-Areas A1, A2, A3, B1, D1 and D2 only:

“Brewery” means the manufacturing, storage and distribution of beer in a building where that activity is licenced under the *Liquor Control and Licencing Act* as amended or replaced from time to time.

“Distillery” means the manufacturing, storage and distribution of distilled alcohols in a building where that activity is licenced under the *Liquor Control and Licencing Act* as amended or replaced from time to time.

“Dockside BETA building” means a building with a floor area less than 150m², but for certainty does not include food trucks or kiosks that must be moved on and off of the Dockside Lands on a daily basis.

“Seniors’ housing – assisted living” means a facility where regular care or supervision is given by a health care professional as well as assistance with the performance of the personal functions and activities necessary for daily living for persons such as the aged or chronically ill who are unable to perform them efficiently for themselves.

“Seniors’ housing – independent living” means a residential building containing in any combination, two or more dwelling units, housekeeping units, or sleeping units for the accommodation of elderly persons, including the ancillary common areas and accessory personal service and convenience uses, for the exclusive use of residents.

3. Density and Floor Area

Each Development Area has a maximum floor area assigned to it, however, any Development Area can exceed its maximum floor area by 10%, provided that the overall density of the Dockside Lands does not exceed 2.084:1 and provided that floor area is transferred within groups of uses. The groups of uses are:

- a) office, retail and hotel;
- b) residential and live/work;
- c) industrial and work/live.

Despite the provisions of Section 3 stated above, the floor area of uses referred to in paragraphs a) and c) above are prohibited from being transferred within, from or to any of Sub Areas A1, A2, A3, B1, and D1.

Despite the groups of uses listed above, 5,895m² of floor area from an industrial and work/live use on DA-D may be transferred to a residential and live/work use on DA-A, but not to any of Sub Areas A1, A2, or A3, provided that a biomass facility is built on

DA-D and at least 920m² of the building commonly known as the 'Princess Mary building' is retained.

The following will be excluded from floor area calculations:

- a) floor area of a sustainability centre that is greater than 2000m² but less than 4645m² and is accompanied by a \$400,000 contribution from the developer towards the creation of a sustainability centre in accordance with the Master Development Agreement, as it may be amended or replaced from time to time;
- b) 1.5m² per residential unit where that unit meets the City's Adaptable Housing Policy as set out in Schedule O of the Master Development Agreement;
- c) mechanical rooms for ground source heat pumps;
- d) rainwater collection systems.

The maximum amount of retail permitted on the Dockside Lands is 7,100m².

The maximum floor plate of any retail unit must not exceed 300m², however, one retail unit may be up to 2000m² and one other retail unit may be up to 600m².

The maximum amount of office space permitted on the Dockside Lands is 11,800m², excluding offices for architects, engineers and surveyors.

The maximum amount of residential uses permitted on DA-D and DA-E is 6,200m², except that an additional 3,667m² of residential uses are permitted within Sub-Area D1.

2.5% of the total site area, including Point Ellice Park, is required to be park/greenspace (vegetated or pond area).

4. Height Exemption for Roof Top Structures

The following roof structures may be permitted above the stated maximum heights provided they do not cover more than 30% of the roof area of the floor directly below and do not exceed 55% of the width and length of the floor directly below and shall not exceed a maximum floor area of 140m² per building:

- a) architectural appurtenances such as towers, trellises, turrets, cupolas and similar structures;
- b) elevator overruns, mechanical rooms and access stairs to mechanical space;
- c) roof top stairway access with accessory storage area.

5. Number of Buildings on a Lot

- a) a lot may contain more than one building;
- b) a building may straddle a lot or a zoning boundary.

6. Setbacks

The setback must be at least

- a) 3m from Tyee Road;
- b) 1m from Esquimalt Road.

7. Parking

Schedule C of the Zoning Regulation Bylaw applies except:

| | | |
|----|----------------------------------------------------|-----------------------------|
| a) | affordable housing | 0 spaces / unit |
| b) | docks | 0 spaces |
| c) | hotels | 0.4 space / hotel room |
| d) | live/ work units | 1.5 spaces / unit |
| e) | manufacturing | 1 space / 140m ² |
| f) | multiple residential (> or = to 70m ²) | 1 space / unit |
| g) | multiple residential (< 70m ²) | 0.75 space/ unit |
| h) | restaurants/ pubs/ lounges | 1 space per 7.5 seats |
| i) | office | 1 /space 65 m ² |
| j) | parks | 0 spaces |
| k) | studio residential (< 40m ²) | 0.5 space / unit |
| l) | seniors housing | 0.25 space/ unit |
| m) | wholesale / warehouse | 1 space/ 140m ² |
| n) | wise energy systems | 1 space/ 140m ² |
| o) | work/live | 2 space / unit |

Parking may be located on a lot within 125m of the lot where the parking is actually required, provided that a covenant is registered on title of the property linking the parking to the use.

The following additional parking regulations apply to Development Area E and Sub-Areas A1, A2, A3, B1, D1 and D2 only:

| | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| a) | <u>brewery</u> | 1 space per 90m ² |
| b) | <u>cultural facility</u> | 1 space per 40m ² |
| c) | <u>distillery</u> | 1 space per 90m ² |
| d) | <u>Dockside BETA building</u> | 1 space per 20.9m ² |
| e) | bakery, dry cleaners, financial institutions, high tech, marine and environmental research and technology, printing and publishing, personal services, retail, Sustainability Centre, and tourist facility. | 1 space per 45m ² |
| f) | <u>liquor retail store</u> as an accessory to a <u>brewery</u> or <u>distillery</u> | 1 space per 45m ² |
| g) | <u>seniors' housing – assisted living</u> | 0.25 space per unit |
| h) | <u>seniors' housing – independent living</u> | 0.25 space per unit |

8. Breweries and Distilleries

Brewery and Distillery uses are subject to the following regulations:

- a) There shall be no more than one brewery and one distillery within Sub Area D1 and DA-E.
- b) The manufacturing component of a distillery use shall not exceed 500m² floor area.
- c) The manufacturing component of brewery use shall not exceed 500m² floor area.
- d) A liquor retail store, as an accessory use to a distillery or a brewery, shall not exceed 100m² floor area.
- e) There shall be no more than one liquor retail store as an accessory use to a distillery.
- f) There shall be no more than one liquor retail store as an accessory use to a brewery.

9. Dockside BETA

- a) A Dockside BETA building may be located in DA-E, Sub-Area D1 or Sub-Area D2.
- b) The maximum combined floor area of all Dockside BETA buildings permitted in DA-E, Sub-Area D1 and Sub-Area D2 combined is 550m².
- c) The maximum height of a Dockside BETA building is 11.5m, except that a maximum of two Dockside BETA buildings may have a maximum height of 18 m (all measurements relate to Canadian Geodetic Datum).

10. DA-A

10.1 In Development Area A the following uses are permitted:

- a) attached dwellings;
- b) educational facilities;
- c) financial institutions;
- d) live/work;
- e) multiple dwellings;
- f) offices, including professional services, personal services and medical/dental services;
- g) pubs and lounges (limited to 10% use on a lot);
- h) recreational facilities;
- i) restaurants (limited to 10% use on a lot);
- j) retail;
- k) tourist facility; and
- l) transient accommodation.

10.1.1 In Sub-Areas A1, A2 and A3 the following uses, which are in addition to those listed in section 10.1, are permitted:

- a) kindergarten;
- b) parks;
- c) seniors' housing – assisted living; and
- d) seniors' housing – independent living.

10.1.2 In Sub-Areas A1 and A2 the following uses are prohibited, despite section 10.1:

- a) retail; and
- b) offices, including professional services, personal services and medical/dental services.

10.1.3 In Sub-Areas A1, A2 and A3 transient accommodation is prohibited within a self-contained dwelling unit, despite section 10.1.

10.2 Maximum Floor Area

85,855m².

10.3 Height

- a) The height of a building in any part of Development Area A, other than Sub-Area A1, Sub-Area A2 and Sub-Area A3, must not exceed 45.13 m, except that one building may have a maximum height of 66 m and one other building may have a maximum height of 57.25 m.
- b) The maximum height of a building in Sub-Area A1, Sub-Area A2 and Sub-Area A3 is subject to the following regulations:
 - i. except as otherwise stated in sub-sections ii. through iv., the height of any building must not exceed 45.13 m;
 - ii. the building in Sub-Area A1 that under the provisions of this bylaw may be sited closest to the southernmost boundary of Sub-Area A1 may have a maximum height of 54.5 m, the building in Sub-Area A1 that under the provisions of this bylaw may be sited closest to the northernmost boundary of Sub-Area A1 may have a maximum height of 48.0 m, and one other building in Sub-Area A1 may have a maximum height of 51.0 m;
 - iii. the building in Sub-Area A2 that under the provisions of this bylaw may be sited nearest the intersection of Tyee Road and Esquimalt Road may have a maximum height of 66.0 m, one other building along Tyee Road may have a maximum height of 60.0 m and one other building along Esquimalt Road may have a maximum height of 52.5 m; and
 - iv. the maximum height of any building in Sub-Area A3 is 33.5 m.

(all measurements in sub-sections 10.3(a) and 10.3(b)i. through iv relate to Canadian Geodetic Datum).

10.4 The uses permitted in Section 10.1(f) of this Zone:

- (a) are limited to the following parcels, also shown on the attached Appendix

B, but this limitation does not apply to that portion of PID #017-941-911 not within Development Area A:

PID #027-429-989 Strata Lot 1, District Lot 119, Esquimalt District, Strata Plan VIS6511, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V

PID #027-430-057 Strata Lot 8, District Lot 119, Esquimalt District, Strata Plan VIS6511, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V

PID #027-430-553 Strata Lot 58, District Lot 119, Esquimalt District, Strata Plan VIS6511, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V

PID #027-424-839 Lot 10, District Lot 119, Esquimalt District, Plan VIP84612

PID #027-424-847 Lot 11, District Lot 119, Esquimalt District, Plan VIP84612

PID #027-424-855 Lot 12, District Lot 119, Esquimalt District, Plan VIP84612

PID #017-941-911 Lot 8, District Lot 119, Esquimalt District, Plan VIP53097 EXCEPT part in Plan VIP84612;

- b) must not exceed a maximum floor area of 250m² for any separate office premises;
- c) must be located on the first storey (ground floor) of a building;
- d) must not occupy more than 50% of the building frontage facing Tyee Road.

11. DA-B

11.1 In Development Area B the following uses are permitted:

- a) attached dwellings;
- b) docks for ferry boats;
- c) docks for pleasure boats;
- d) live/work;
- e) multiple dwellings;
- f) parks;
- g) pubs and lounges (limited to 10% of use on a lot);
- h) recreational facilities;
- i) restaurants (limited to 10% of use on a lot);
- j) retail; and
- k) tourist facilities.

11.1.1 In Sub-Area B1 the following uses, which are in addition to those listed in Section 11.1, are permitted:

- a) kindergarten;

- b) parks and their accessory uses;
- c) seniors' housing – assisted living; and
- d) seniors' housing – independent living.

11.2 Maximum Floor Area

- a) 17,760m².
- b) The maximum floor area of all retail uses in Sub-Area B1 is 610m².

11.3 Height

Buildings must not exceed a geodetic datum of 47.0m (using Canadian Geodetic Datum)

12. DA-C

12.1 Uses

The following uses are permitted provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard:

- a) attached dwellings;
- b) bakeries;
- c) biodiesel storage and sale;
- d) call centre;
- e) car washes, except those equipped with hand operated sprayers and other driver operated machinery;
- f) carpet cleaning;
- g) churches;
- h) dry cleaners;
- i) dye works;
- j) educational facilities;
- k) garages;
- l) high tech;
- m) high-tech manufacturing;
- n) limited light industries, including testing, servicing and repair, manufacturing, processing or assembly;
- o) live/work;
- p) mail order businesses;
- q) marine and environmental research and technology;
- r) multiple dwellings;
- s) office;
- t) private power generation facility and processing of any associated by-products;
- u) printing and publishing;
- v) professional services, including those provided by architects, engineers and surveyors;

- w) pubs and lounges;
- x) public buildings;
- y) recreational facilities;
- z) restaurants;
- aa) retail;
- bb) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- cc) retail sales of home furnishings, home supplies, or sporting goods;
- dd) schools, including trade schools;
- ee) sewage treatment;
- ff) tourist facility;
- gg) transient accommodation;
- hh) veterinary hospitals, provided that all runs are totally enclosed within a building;
- ii) warehouses;
- jj) wholesale; and
- kk) work/live.

12.2 Maximum Floor Area

1645m².

12.3 Height

Buildings must not exceed a geodetic datum 25.04m (using Canadian Geodetic Datum).

13. DA-D

13.1.1 Uses

In Development Area D the following uses are permitted provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard, are permitted:

- (a) attached dwellings;
- (b) bakeries;
- (c) biodiesel storage and sale;
- (d) call centre;
- (e) car washes, except those equipped with hand operated sprayers and other driver operated machinery;
- (f) carpet cleaning;
- (g) churches;
- (h) dry cleaners;
- (i) dye works;

- (j) educational facilities;
- (k) financial institutions;
- (l) garages;
- (m) high tech;
- (n) high-tech manufacturing;
- (o) limited light industries, including testing, servicing and repair, manufacturing, processing or assembly;
- (p) live/work;
- (q) mail order businesses;
- (r) marine and environmental research and technology;
- (s) multiple dwellings;
- (t) offices, including professional services, personal services and medical/dental services;
- (u) Private power generation facility and processing of any by-products;
- (v) professional services, including those provided by architects, engineers, and surveyors;
- (w) pubs and lounges;
- (x) public buildings;
- (y) recreational facilities;
- (z) restaurants;
- (aa) retail;
- (bb) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- (cc) retail sales of home furnishings, home supplies, or sporting goods;
- (dd) schools, including trade schools;
- (ee) sewage treatment;
- (ff) tourist facility;
- (gg) transient accommodation;
- (hh) veterinary hospitals, provided that all runs are totally enclosed within a building;
- (ii) warehouses;
- (jj) wholesale; and
- (kk) work/live.

13.1.2 In Sub-Area D1 the following uses, which are in addition to those listed in section 13.1.1, are permitted, provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard,

- a) brewery;
- b) kindergarten;
- c) cultural facility;
- d) distillery;
- e) liquor retail store as an accessory to a brewery or distillery;
- f) parks and their accessory uses;

- g) seniors' housing – assisted living; and
- h) seniors' housing – independent living.

13.1.3 In Sub-Areas D1 and D2 the following uses are prohibited despite section 13.1.1.

- a) biodiesel storage and sale;
- b) carpet cleaning;
- c) dye works; and
- d) garages.

13.1.4 In Sub-Area D1 the following uses are only permitted in a Dockside BETA building.

- a) retail;
- b) offices, including professional services, personal services and medical/dental services;

13.1.5 In Sub-Areas D1 and D2 transient accommodation is prohibited within a self-contained dwelling unit, despite section 13.1.1.

13.2 Maximum Floor Area

16570m²

13.3 Height

Buildings must not exceed a geodetic datum of 26.51m (using Canadian Geodetic Datum).

13.4 Attached Dwellings and Multiple Dwellings

a) Attached dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any attached dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line;

b) Multiple dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.

c) Live/work dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.

d) Work/live dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any

multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.

14. DA-E

14.1 Permitted uses:

The following uses, provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard, are permitted in Development Area E:

- a) attached dwellings
- b) bakeries;
- c) brewery;
- d) call centre;
- e) car washes, except those equipped with hand operated sprayers and other driver operated machinery;
- f) kindergarten;
- g) churches;
- h) cultural facility;
- i) distillery;
- j) dry cleaners;
- k) educational facilities;
- l) financial institutions;
- m) high tech;
- n) high tech manufacturing;
- o) limited light industries, including testing, servicing and repair, manufacturing, processing or assembly;
- p) liquor retail store as an accessory to a brewery or distillery;
- q) live/work;
- r) mail order businesses;
- s) marine and environmental research and technology;
- t) multiple dwellings;
- u) offices, including professional services, personal services and medical/dental services;
- v) parks and their accessory uses;
- w) private power generation facility and processing of any associated by-products;
- x) printing and publishing;
- y) professional services, including those provided by architects, engineers, and surveyors;
- z) public buildings;
- (aa) pubs and lounges;
- (bb) recreational facilities;
- (cc) restaurants;
- (dd) retail;
- (ee) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not

together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;

- (ff) retail sales of home furnishings, home supplies, or sporting goods;
- (gg) schools, including trade schools;
- (hh) seniors' housing – assisted living;
- (ii) seniors' housing – independent living;
- (jj) sewage treatment;
- (kk) sustainability centre;
- (ll) tourist facility;
- (mm) transient accommodation;
- (nn) veterinary hospitals, provided that all runs are totally enclosed within a building;
- (oo) warehouses;
- (pp) wholesale; and
- (qq) work/live.

14.2 Maximum Floor Area

8145m².

14.3 Height

Buildings must not exceed a geodetic datum of 26.51m (using Canadian Geodetic Datum).

14.4 Attached Dwellings and Multiple Dwellings

- a) Attached dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any attached dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line;
- b) Multiple dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.
- c) Live/work dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.
- d) Work/live dwellings are only permitted on the second floor and up of any building and must not be sited within 18m of Harbour Road, and no part of any multiple dwelling shall face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.

14.5 Transient Accommodation

- a) transient accommodation is prohibited within a self-contained dwelling unit, despite section 14.1.

15. DA-F

15.1 Uses

The following uses provided they are not noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration or hazard:

- a) bakeries;
- b) biodiesel storage and sale;
- c) call centre;
- d) car washes, except those equipped with hand operated sprayers and other driver operated machinery;
- e) carpet cleaning;
- f) churches;
- g) dry cleaners;
- h) dye works;
- i) educational facilities;
- j) garages;
- k) high tech;
- l) high tech manufacturing;
- m) limited light industries, including testing, servicing and repair, manufacturing, processing or assembly;
- n) mail order businesses;
- o) marine and environmental research and technology;
- p) printing and publishing;
- q) professional services, including those provided by architects, engineers, and surveyors;
- r) pubs and lounges;
- s) public buildings;
- t) private power generation facility and processing of any associated by-products;
- u) Recreational facilities;
- v) restaurants;
- w) retail sales and offices as accessory uses that: are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated;
- x) retail sales of home furnishings, home supplies, or sporting goods;
- y) schools, including trade schools;
- z) sewage treatment;
- aa) tourist facility;

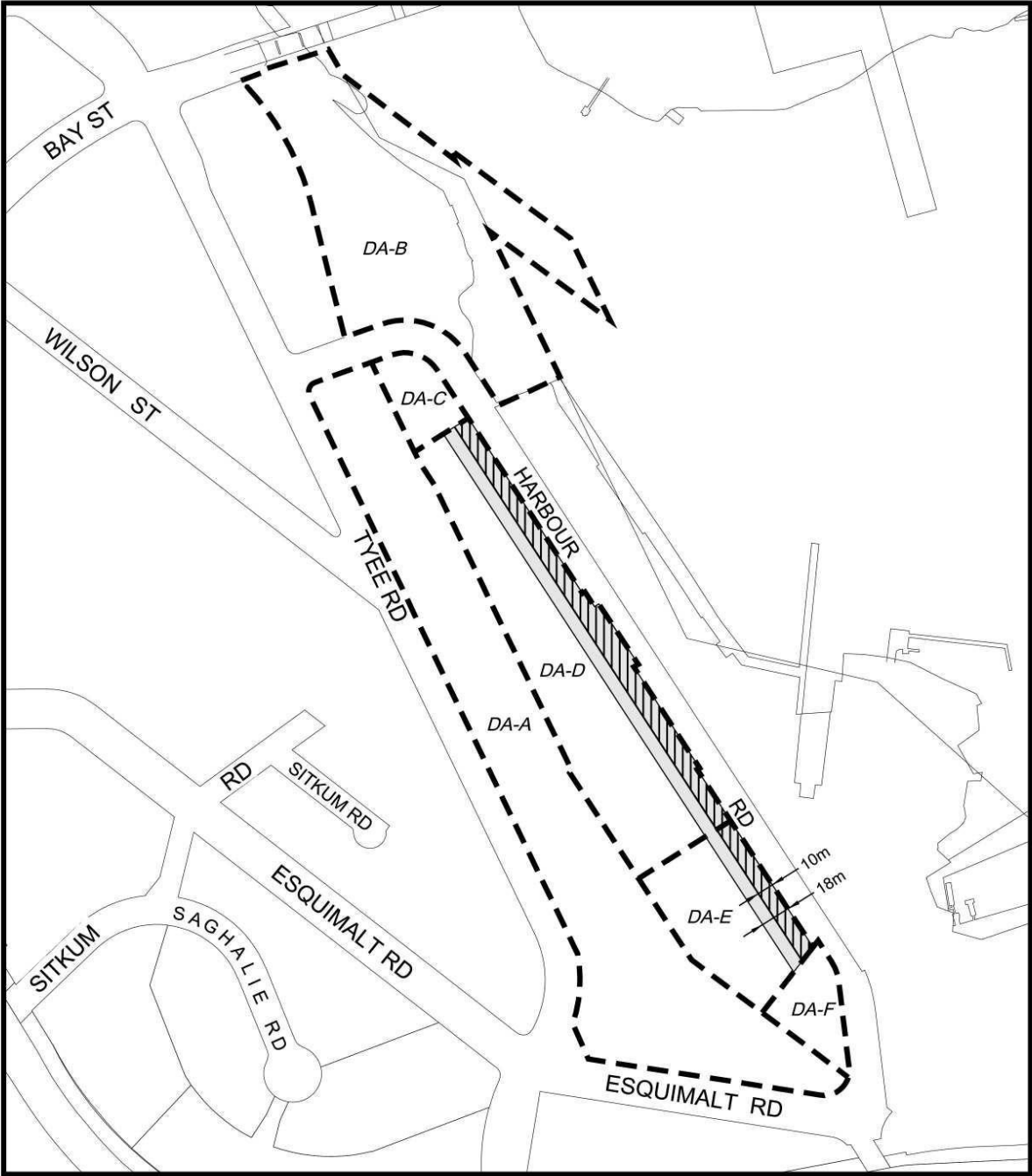
- bb) transient accommodation;
- cc) veterinary hospitals, provided that all runs are totally enclosed within a building;
- dd) warehouses; and
- ee) wholesale.


15.2 Maximum Floor Area

4366m².


15.3 Height



Buildings must not exceed a geodetic datum of 30.5m (using Canadian Geodetic Datum).

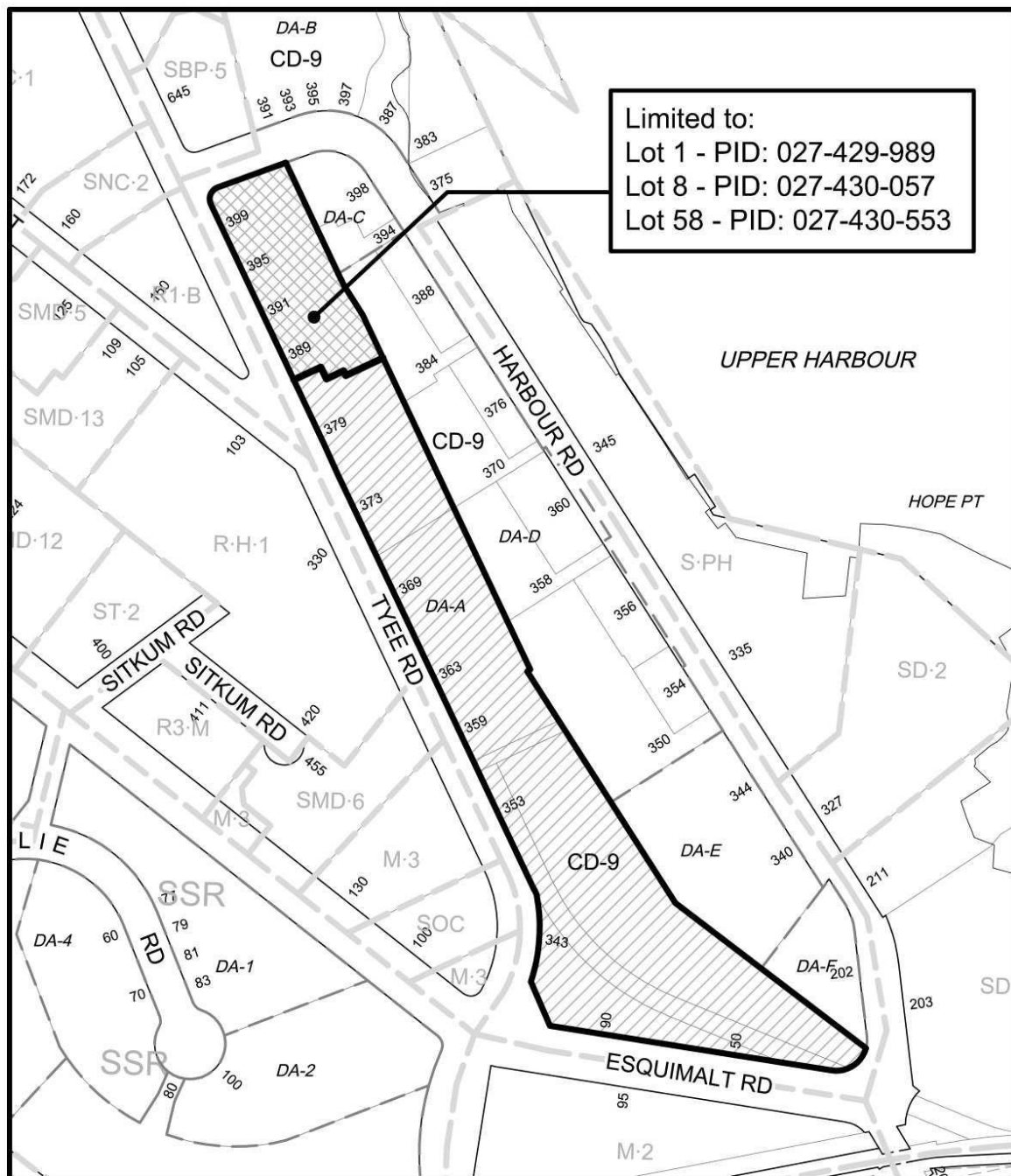




Appendix A
Dockside
Bylaw #05-85

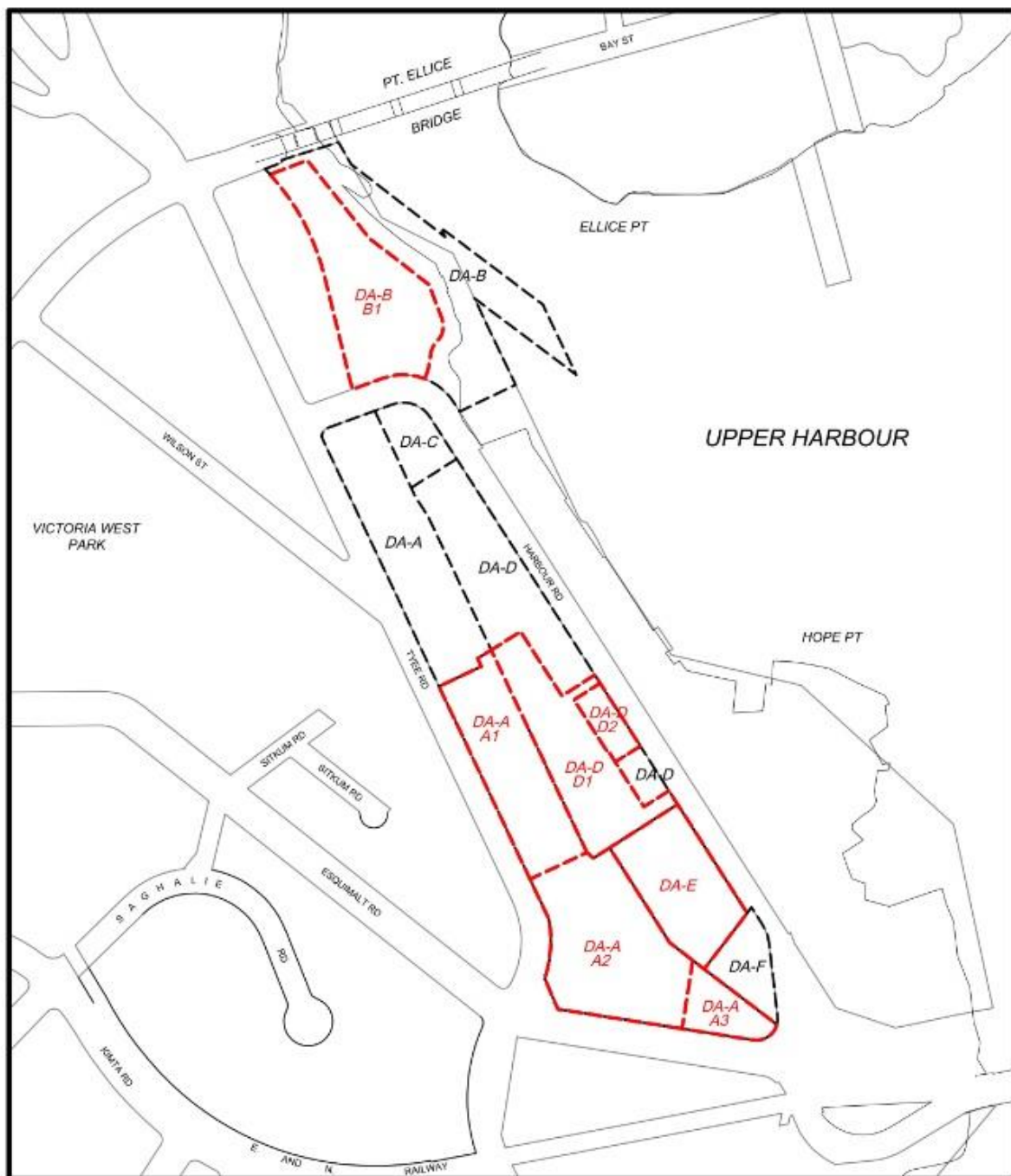


 No "Work/Live" use permitted (10m)  No "Residential" use permitted (18m)



Appendix B
Dockside





Appendix C
Dockside - Sub-areas
Bylaw #05-85

