



## Council Report

For the Meeting of June 16, 2016

---

**To:** Council **Date:** June 15, 2016

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Zoning Bylaw Corrections for Rezoning Application No. 00301 and Concurrent Official Community Plan Amendment Application for 605-629 Speed Avenue and 606-618 Frances Avenue

---

### RECOMMENDATION

That Council rescind the second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1036), make the amendments shown blacklined in Schedule "A" to this report, and give a second reading to Zoning Regulation Bylaw, Amendment Bylaw (No. 1036), as amended.

### EXECUTIVE SUMMARY

Staff recommend that the second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1036) be rescinded and that this bylaw be amended to make the changes shown blacklined in Schedule "A" to this report in order to correct section and bylaw reference numbers and underline certain defined terms. An unmarked copy of the bylaw with the suggested amendments is attached as Schedule "B" to this report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian Sikstrom'.

Brian Sikstrom, Senior Planner  
Development Services Division

A handwritten signature in black ink, appearing to read 'J. Tinney'.

Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to be a stylized 'M'.

Date: June 16, 2016

### List of Attachments

- Schedule A
- Schedule B

## SCHEDULE A

NO. 16-053

### A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-81 Zone, Speed and Frances Multiple Dwelling District and to rezone land known as 605-629 Speed Avenue and 606-618 Frances Avenue from the R1-B Zone, Single Family Dwelling District and R1-SLVH Zone, Single Family Storage Lot/Vehicle Sales District to the R-81 Zone, Speed and Frances Multiple Dwelling District.

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. 1036)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 3 – Multiple Dwelling Zones by adding the following words:  
  
“3.104 R-81 Speed and Frances Multiple Dwelling District”.
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.103 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 605-629 Speed Avenue and 606-618 Frances Avenue legally described as Lots 16, 17, 18, 19, 20, 21 and 23 Section 4, Victoria District, Plan 358; Lot 22, Section 4, Victoria District Plan 358, except the westerly 10 feet; and the westerly 10 feet of Lot 22, Section 4, Victoria District, Plan 358 and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District and R1-SLVH Zone, Single Family Storage Lot/Vehicle Sales District and placed in the R-81 Zone, Speed and Frances Multiple Dwelling District.

READ A FIRST TIME the 9<sup>th</sup> day of June 2016

READ A SECOND TIME the 9<sup>th</sup> day of June 2016

Public hearing held on the day of 2016

READ A THIRD TIME the day of 2016

ADOPTED on the day of 2016

CITY CLERK

MAYOR

**PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT****3.104.1 Permitted Uses in this Zone**

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

- a. The uses permitted in the R1-B Zone, Single Family Dwelling District, subject to the regulations set out in Part 1.2 of the Zoning Regulation Bylaw
- b. Multiple dwelling
- c. Bakeries used predominantly for the retail sale of bakery products sold from the premises
- d. Office
- e. Financial service
- f. Retail
- g. Restaurant
- h. Personal services including but not limited to barbering, hairdressing, tailoring, shoemaking and shoe repair, optical, watch and jewelry repair and small animal services
- i. Cultural facility
- j. Gymnasia
- k. Launderettes and dry-cleaning establishments used or intended to be used for the purpose of dealing with the public served thereby
- l. Studios
- m. High tech
- n. Storage lots for undamaged vehicles intended for sale
- o. Vehicle sales and rentals

**3.104.2 Location of Permitted Uses**

- a. The uses identified in Part 3.99 **104.1** q n. and r o. are only permitted on the following lots:  
 Lot 16, Section 4, Victoria District, Plan 358  
 Lot 17, Section 4, Victoria District, Plan 358  
 Lot 18, Section 4, Victoria District, Plan 358
- b. All of the uses described in Part 3.99 **104.1** c–m must be located on the ground floor of a multiple dwelling.

**PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT****3.104.3 Community Amenities**

As a condition of additional density pursuant to Part 3.104.5 a monetary contribution to Victoria Housing Fund in the amount of \$ 975,000, as adjusted pursuant to this Part 3.104.3 must be provided as a community amenity.

The amenity contribution in the amount of \$975,000 (the "Base Contribution") shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw # 45-031 ~~16-053~~ is adopted and each year thereafter, by adding to the Base Contribution an amount calculated by multiplying the Base Contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.

For the purposes of this Part 3.104.3 "CPI" means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

**3.104.4 Lot Area, Lot Width**

- a. A multiple dwelling may not be erected, used or maintained on a lot have an area less than 5340m<sup>2</sup>
- Underlined.....* b. Lot area (minimum) 460m<sup>2</sup>
- c. Lot width (minimum average) 24m
- d. Panhandle lot Subject to the regulations in Schedule "H"

**3.104.5 Floor Space Ratio, Number of Buildings**

- a. Floor space ratio (maximum) where the community amenity has not been provided pursuant to Part 3.104.3 1.0:1
- b. Floor space ratio (maximum) where the community amenity has been provided pursuant to Part 3.104.3 3.08:1
- Underlined.....* c. Floor area (maximum) for all of the uses described in Part 3.104.1 c-m where the community amenity has been provided pursuant to Part 3.104.3 2440m<sup>2</sup>
- Underlined.....* d. Number of principal buildings (maximum) 2

**3.104.6 Height, Storeys**

Principal building height (maximum) 37m

**3.104.7 Setbacks, Projections**

- a. Front yard setback – Speed Avenue (minimum) 6.0m
- b. Rear yard setback – Frances Avenue (minimum) Nil
- c. Side yard setback - East (minimum) 5.9m
- d. Side yard setback - West (minimum) Nil

**PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT****3.104.8 Site Coverage, Open Site Space**

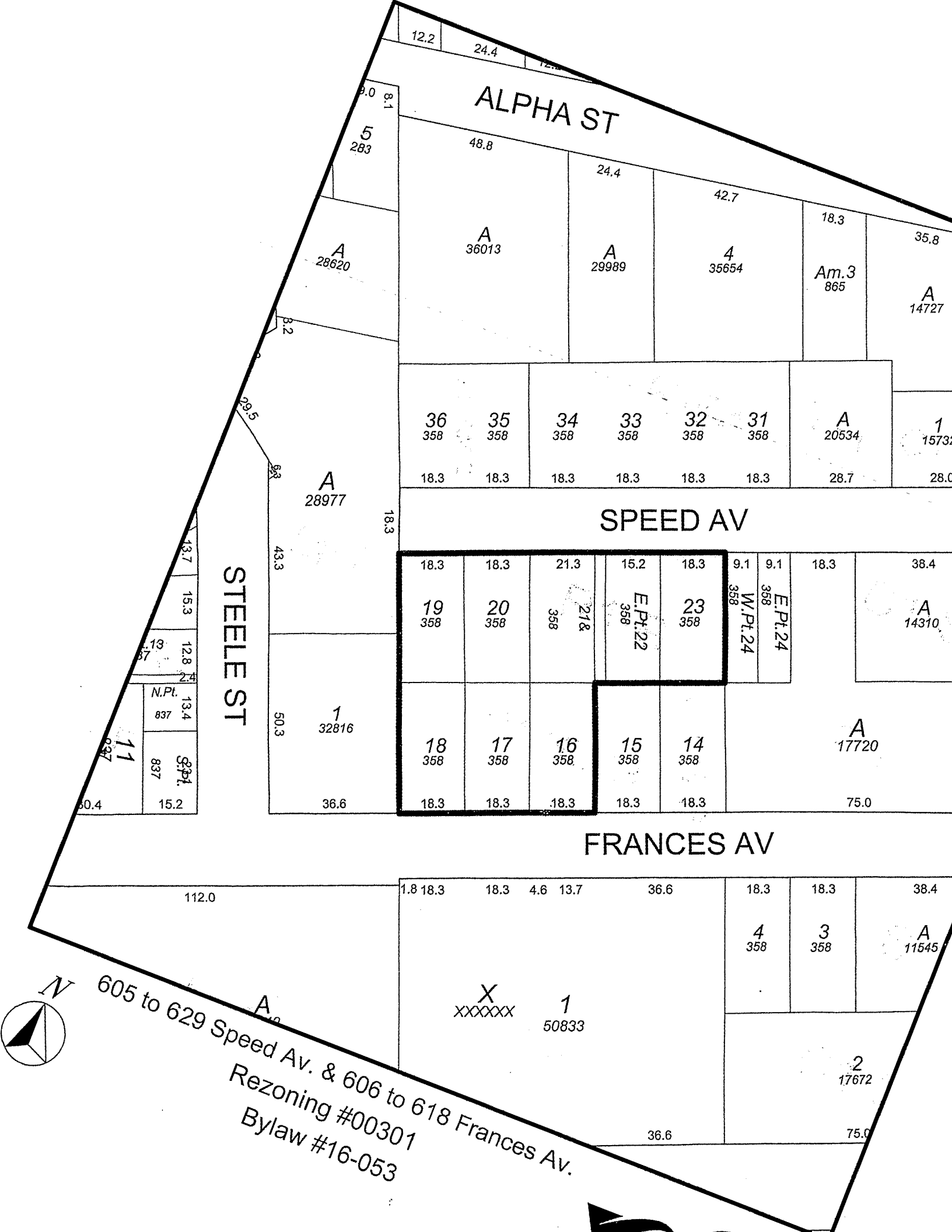
- |  |     |
|--|-----|
| a. <u>Site Coverage</u> coverage (maximum) | 66% |
| b. <u>Open site space</u> (minimum)        | 14% |

**3.104.9 Vehicle and Bicycle Parking**

- |   |                                       |
|---|---------------------------------------|
| a. Residential (minimum)  | 0.96 vehicle spaces per dwelling unit |
| b. Except as otherwise provide this part, vehicle and bicycle parking is to be In accordance with the regulations in Schedule” C” |                                       |

**3.104.10 Regulations for Undamaged Vehicles and Vehicle Sales and Rentals**

- a. Where any land is used as permitted pursuant to Part 3.104.1 n. and o., a landscaped strip of not less than 0.6m in width and 1.5m in height shall be maintained along the west, north and east lot lines.
- b. Except as provided in this Part 3.104.10, the provisions of Schedule C apply to land used as permitted pursuant to Part 3.104.1 n. and o.



## SCHEDULE B

NO. 16-053

# A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-81 Zone, Speed and Frances Multiple Dwelling District and to rezone land known as 605-629 Speed Avenue and 606-618 Frances Avenue from the R1-B Zone, Single Family Dwelling District and R1-SLVH Zone, Single Family Storage Lot/Vehicle Sales District to the R-81 Zone, Speed and Frances Multiple Dwelling District.

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. 1036)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of  
Schedule “B” under the caption PART 3 – Multiple Dwelling Zones by adding the  
following words:
- “3.104 R-81 Speed and Frances Multiple Dwelling District”.
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.103  
the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 605-629 Speed Avenue and 606-618 Frances Avenue legally  
described as Lots 16, 17, 18, 19, 20, 21 and 23 Section 4, Victoria District, Plan 358; Lot  
22, Section 4, Victoria District Plan 358, except the westerly 10 feet; and the westerly 10  
feet of Lot 22, Section 4, Victoria District, Plan 358 and shown hatched on the attached  
map, is removed from the R1-B Zone, Single Family Dwelling District and R1-SLVH  
Zone, Single Family Storage Lot/Vehicle Sales District and placed in the R-81 Zone,  
Speed and Frances Multiple Dwelling District.

READ A FIRST TIME the day of 2016

READ A SECOND TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2016

Public hearing held on the \_\_\_\_\_ day of \_\_\_\_\_ 2016

READ A THIRD TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2016

ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_ 2016

CITY CLERK

MAYOR

**PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT**

**3.104.1 Permitted Uses in this Zone**

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

- a. The uses permitted in the R1-B Zone, Single Family Dwelling District, subject to the regulations set out in Part 1.2 of the Zoning Regulation Bylaw
- b. Multiple dwelling
- c. Bakeries used predominantly for the retail sale of bakery products sold from the premises
- d. Office
- e. Financial service
- f. Retail
- g. Restaurant
- h. Personal services including but not limited to barbering, hairdressing, tailoring, shoemaking and shoe repair, optical, watch and jewelry repair and small animal services
- i. Cultural facility
- j. Gymnasia
- k. Launderettes and dry-cleaning establishments used or intended to be used for the purpose of dealing with the public served thereby
- l. Studios
- m. High tech
- n. Storage lots for undamaged vehicles intended for sale
- o. Vehicle sales and rentals

**3.104.2 Location of Permitted Uses**

- a. The uses identified in Part 3.104.1 n. and o. are only permitted on the following lots:

Lot 16, Section 4, Victoria District, Plan 358  
Lot 17, Section 4, Victoria District, Plan 358  
Lot 18, Section 4, Victoria District, Plan 358

- b. All of the uses described in Part 3.104.1 c–m must be located on the ground floor of a multiple dwelling.



**PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT****3.104.3 Community Amenities**

As a condition of additional density pursuant to Part 3.104.5 a monetary contribution to Victoria Housing Fund in the amount of \$ 975,000, as adjusted pursuant to this Part 3.104.3 must be provided as a community amenity.

The amenity contribution in the amount of \$975,000 (the "Base Contribution") shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw #16-053 is adopted and each year thereafter, by adding to the Base Contribution an amount calculated by multiplying the Base Contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.

For the purposes of this Part 3.104.3 "CPI" means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

**3.104.4 Lot Area, Lot Width**

- a. A multiple dwelling may not be erected, used or maintained on a lot have an area less than 5340m<sup>2</sup>
- b. Lot area (minimum) 460m<sup>2</sup>
- c. Lot width (minimum average) 24m
- d. Panhandle lot Subject to the regulations in Schedule "H"

**3.104.5 Floor Space Ratio, Number of Buildings**

- a. Floor space ratio (maximum) where the community amenity has not been provided pursuant to Part 3.104.3 1.0:1
- b. Floor space ratio (maximum) where the community amenity has been provided pursuant to Part 3.104.3 3.08:1
- c. Floor area (maximum) for all of the uses described in Part 3.104.1 c–m where the community amenity has been provided pursuant to Part 3.104.3 2440m<sup>2</sup>
- d. Number of principal buildings (maximum) 2

**3.104.6 Height, Storeys**

Principal building height (maximum) 37m

**PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT****3.104.7 Setbacks, Projections**

- |  |      |
|--|------|
| a. <u>Front yard setback</u> – Speed Avenue (minimum)  | 6.0m |
| b. <u>Rear yard setback</u> – Frances Avenue (minimum) | Nil  |
| c. <u>Side yard setback</u> - East (minimum)           | 5.9m |
| d. <u>Side yard setback</u> - West (minimum)           | Nil  |

**3.104.8 Site Coverage, Open Site Space**

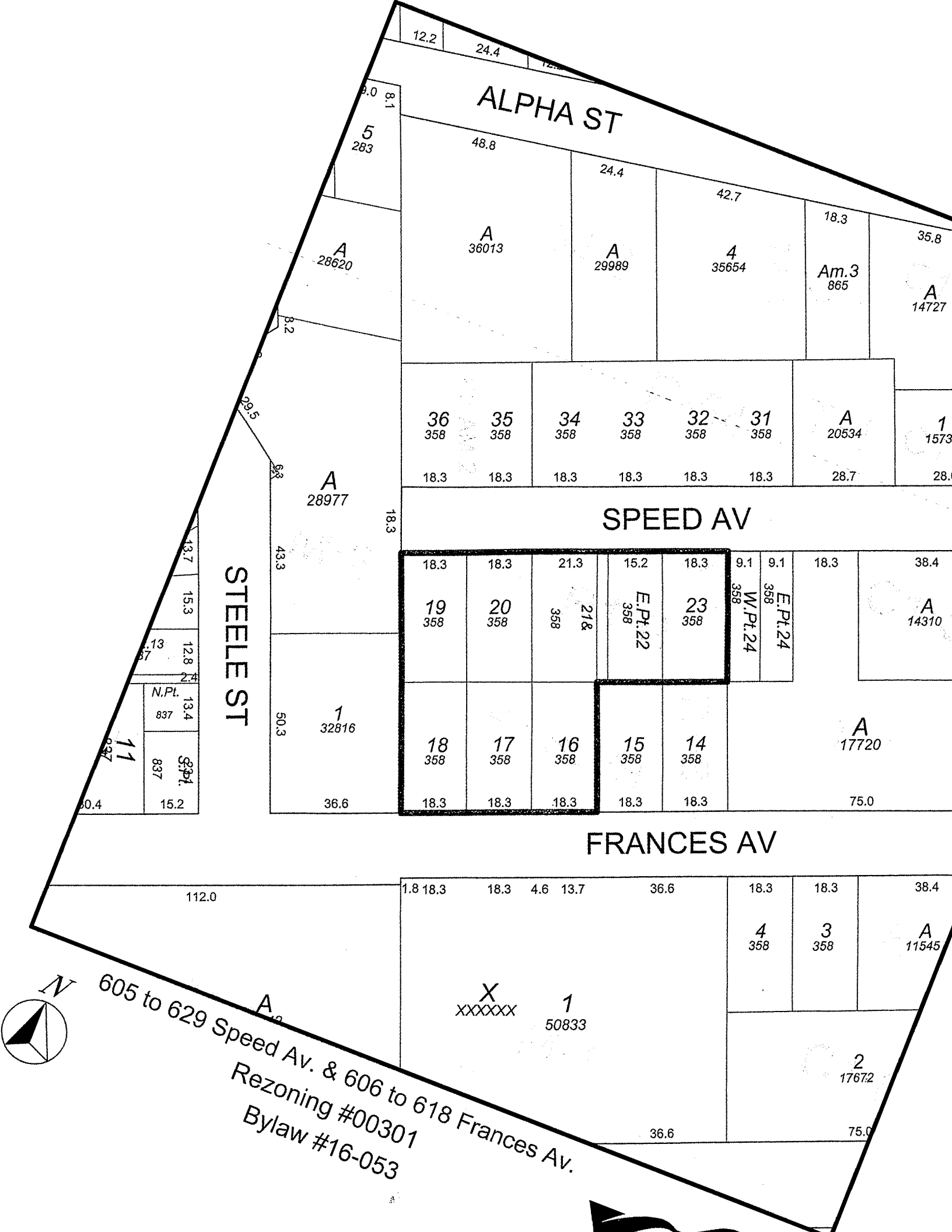
- |                                     |     |
|-------------------------------------|-----|
| a. <u>Site coverage</u> (maximum)   | 66% |
| b. <u>Open site space</u> (minimum) | 14% |

**3.104.9 Vehicle and Bicycle Parking**

- |   |                                       |
|---|---------------------------------------|
| a. Residential (minimum)  | 0.96 vehicle spaces per dwelling unit |
| b. Except as otherwise provide this part, vehicle and bicycle parking is to be in accordance with the regulations in Schedule "C" |                                       |

**3.104.10 Regulations for Undamaged Vehicles and Vehicle Sales and Rentals**

- |   |  |
|---|--|
| a. Where any land is used as permitted pursuant to Part 3.104.1 n. and o., a landscaped strip of not less than 0.6m in width and 1.5m in height shall be maintained along the west, north and east <u>lot lines</u> . |  |
| b. Except as provided in this Part 3.104.10, the provisions of Schedule C apply to land used as permitted pursuant to Part 3.104.1 n. and o.  |  |



ALPHA ST

SPEED AV

FRANCES AV

STEELE ST



605 to 629 Speed Av. & 606 to 618 Frances Av.  
Rezoning #00301  
Bylaw #16-053