

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Official Community Plan to exempt certain types of development, in certain areas of the City, from the requirement to obtain a development permit.

Under its statutory powers, including Sections 471 to 475 and 488 to 491 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. This Bylaw may be cited as the “OFFICIAL COMMUNITY PLAN BYLAW, 2012, AMENDMENT BYLAW (NO. 20)”.
2. Bylaw No. 12-013, Official Community Plan Bylaw, 2012, is amended in Schedule A by making the following changes to Appendix A, “Development Permit Areas and Heritage Conservation Areas”:
  - a) In “Overview”, subsections 1(b)(i) and (ii) are deleted and replaced with the following:
    - (i) the provisions of each of those designated areas shall apply, and
    - (ii) an exemption relating to one designated area only relieves the requirement for a permit under that designation, not under other designations applicable to the land;
  - b) In “Overview”, Subsection 2(a) is deleted and replaced with the following:

“(a) Development Permit Areas: In accordance with Section 488(4) of the Local Government Act, a Development Permit is not required in any designated Development Permit Areas under any of the following conditions:”;
  - c) In “Overview”, Subsection 2(b) is deleted and replaced with the following:

“(b) HCAs: In accordance with section 614(3)(a) of the Local Government Act, a heritage alteration permit is not required in any designated heritage conservation areas under any of the following conditions:”;
  - d) In “DPA 4: Town Centres”, the following subsection is added as a specific exemption, immediately after subsection 2(b)(ii):

“(iii) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, that does not exceed 9.2m<sup>2</sup>.”

and the existing text in subsection 2(b) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsection.
  - e) In “DPA 5: Large Urban Villages”, the following subsections are added as specific exemptions, immediately after subsection 2(b)(i) (2):

- “(3) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, no greater than 9.2m<sup>2</sup>; or
- (4) changes to existing landscaping, other than landscaping identified in a development permit for the property.”

and the existing text in subsection 2(b)(i) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsections.

- f) In “DPA 6A: Small Urban Villages”, the following subsections are added as specific exemptions, immediately after subsection 2(b)(i) (2):

- “(3) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, no greater than 9.2m<sup>2</sup>; or
- (4) changes to existing landscaping, other than landscaping identified in a development permit for the property.”

and the existing text in subsection 2(b)(i) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsections.

- g) In “DPA 7A: Corridors”, the following subsections are added as specific exemptions, immediately after subsection 2(b)(i) (2):

- “(3) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, no greater than 9.2m<sup>2</sup>; or
- (4) changes to existing landscaping, other than landscaping identified in a development permit for the property.”

and the existing text in subsection 2(b)(i) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsections.

- h) In “DPA 10A: Rock Bay”, the following subsections are added as specific exemptions, immediately after subsection 2(b)(i) (2):

- “(3) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, no greater than 9.2m<sup>2</sup>; or
- (4) changes to existing landscaping, other than landscaping identified in a development permit for the property.”

and the existing text in subsection 2(b)(i) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsections.

- i) In “DPA 11: James Bay and Outer Harbour”, the following subsection is added as a specific exemption, immediately after subsection 2(b)(i) (2):

“(3) changes to existing landscaping, other than landscaping identified in a development permit for the property.”

and the existing text in subsection 2(b)(i) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsection.

- j) In “DPA 13: Core Songhees”, the following subsections are inserted as specific exemptions immediately after subsection 2(b)(i) (2):

“(3) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, no greater than 9.2m<sup>2</sup>;

(4) changes to existing landscaping, other than landscaping identified in a development permit for the property; or”

and the existing subsection 2(b)(i) (3) is renumbered subsection 2(b)(i) (5).

- k) In “DPA 14: Cathedral Hill Precinct” the following subsections are added as specific exemptions, immediately after subsection 2(b)(i) (2):

“(3) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, no greater than 9.2m<sup>2</sup>; or

(4) changes to existing landscaping, other than landscaping identified in a development permit for the property.”

and the existing text in subsection 2(b)(i) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsections.

- l) In “DPA 15A: Intensive Residential – Small Lot” the following subsection is added as a specific exemption, immediately after subsection 2(c)(i) (3):

“(4) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, no greater than 9.2m<sup>2</sup>.”

and the existing text in subsection 2(c)(i) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsection.

- m) In “DPA 15B: Intensive Residential – Panhandle Lot” the following subsection is added as a specific exemption, immediately after subsection 2(c)(i) (5):

“(6) the construction, placement or alteration of a building or structure having a total floor area, including any floor area to be added by alteration, no greater than 9.2m<sup>2</sup>.”

and the existing text in subsection 2(c)(i) is revised by making any punctuation or grammatical changes necessary to accommodate the new subsection.

