

## **UNFINISHED BUSINESS**

### **1. Rezoning Application No. 00478 for 370 and 384 Harbour Road**

Council received a report dated September 30, 2015 from the Sustainable Planning and Community Development Department informing Council that there was a technical error in the bylaw amendment prepared for Rezoning Application No. 00478 for 370 and 384 Harbour Road.

#### **Motion:**

It was moved by Councillor Madoff, seconded by Councillor Alto, that Council amend *Zoning Regulation Bylaw* Amendment No. 15-066 as follows:

1. By creating a new section titled 2(c) and adding the following words:  
"in section 11.1 by deleting the following words from the definition of "multiple dwellings":  
(only on the second floor and up, not within 18m of the Harbour Road and no part of any unit can face the Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line).
2. By creating a new section title 2(d) and adding the words "and Multiple Dwellings".
3. By adding the following section 2(d)  
"(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."

Carried Unanimously



## Council Report For the Meeting of October 1, 2015

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**To:** Council **Date:** September 30, 2015  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Rezoning Application No. 00478 for 370 and 384 Harbour Road

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### RECOMMENDATION

That Council amend Zoning Regulation Bylaw Amendment No 15-066 as follows:

1. By creating a new section titled 2(c) and adding the following words:  
"in section 11.1 by deleting the following words from the definition of "multiple dwellings":  
(only on the second floor and up, not within 18m of the Harbour Road and no part of any unit can face the Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line).
2. By creating a new section titled 2(d) and adding the words "and Multiple Dwellings".
3. By adding the following in section 2(d):  
"(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."

### EXECUTIVE SUMMARY

The purpose of this report is to inform Council that there was a technical error in the bylaw amendment prepared for Rezoning Application No. 00478 for 370 and 384 Harbour Road. The intent of the bylaw amendment was to modify the siting requirements for residential uses within the Zone. The bylaw amendment that was prepared only addressed "attached dwellings", however, as the proposal involves "multiple dwellings" the siting requirements for this use must also be amended. The Application has not changed from what was previously presented to Council. Staff have prepared a bylaw amendment for Council's consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike Wilson".

Mike Wilson  
Senior Planner – Urban Design  
Development Services Division

A handwritten signature in black ink, appearing to read "Jonathan Tinney".

Jonathan Tinney, Director  
Sustainable Planning and Community  
Development

Report accepted and recommended by the City Manager:

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

Date: October 1, 2015

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw for the CD-9 Zone, Dockside District, to provide a new definition for "Affordable Housing" and to amend the regulations relating to attached dwellings in Development Area D of this Zone.

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. 1047)".
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in Schedule B, Part 12.9 [*CD-9 Zone, Dockside District*] as follows:
  - (a) in section 2 by deleting the definition of "Affordable Housing" and substituting the following:

""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.";
  - (b) in section 11.1 by deleting the following words from the definition of "attached dwellings":

"(only on the second floor and up, not within 18m of the Harbour Road and no part of any unit can face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line)";
  - (c) in section 11.1 by deleting the following words from the definition of "multiple dwellings":

"(only on the second floor and up, not within 18m of the Harbour Road and no part of any unit can face the Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line)";
  - (d) by adding the following new section 11.4 immediately after section 11.3:

"11.4 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.”

|                            |                  |        |            |      |
|----------------------------|------------------|--------|------------|------|
| READ A FIRST TIME the      | 10 <sup>th</sup> | day of | September, | 2015 |
| READ A SECOND TIME the     | 10 <sup>th</sup> | day of | September, | 2015 |
| AMENDED on the             |                  | day of |            | 2015 |
| Public hearing held on the |                  | day of |            | 2015 |
| READ A THIRD TIME the      |                  | day of |            | 2015 |
| ADOPTED on the             |                  | day of |            | 2015 |

CORPORATE ADMINISTRATOR

MAYOR

