

PART 10.42 SSR ZONE, SAGHALIE ROAD DISTRICT

- Definitions 1 In this Part,
- (a) “build to line distance” means
- (i) the horizontal distance at which 80% of the nearest side of a building, excluding entrance canopies and porches, must be located from a right of way, and
- (ii) the minimum horizontal distance at which 20% of the nearest side of a building, excluding entrance canopies and porches, must be located from a right of way;
- (b) “live/work” means a use that includes
- (i) not more than 3 people engaged in any of the following uses that involve the making, servicing, or selling of goods, or the providing of services:
- (A) artist studio,
- (B) making, processing, and assembly of products in an area that does not exceed 280m²,
- (C) personal and professional services, including barber, hairdresser, bookkeeper, medical therapy,
- (D) testing, servicing, and repairing of goods, and
- (ii) at least one person residing in the dwelling unit where the use specified under subparagraph (i) is carried on;
- (c) “right of way” includes both of the following ways:
- (i) an easement for vehicle access;
- (ii) a statutory right of way for highway purposes.

Development Areas

2 This Zone is divided into Development Areas 1 to 5.

Development Area 1

Uses	3	The only uses permitted in Development Area 1 are: <ul style="list-style-type: none"> (a) <u>multiple dwellings</u>; (b) commercial; (c) live/work.
Height	4	A <u>building</u> must not be higher than <ul style="list-style-type: none"> (a) 45m when measured from <u>grade</u> to the highest ceiling, nor (b) 13 <u>storeys</u>.
Floor Area	5	Commercial use must not exceed 190m ² of any one <u>building</u> .
Floor Space Ratio	6	The <u>floor space ratio</u> must not exceed 2 to 1.
Lot Area	7	The <u>area</u> of a <u>lot</u> must be at least 7200m ² .
Lot Coverage	8	The <u>site coverage</u> must not exceed 40%.
Open Space	9	<u>Open site space</u> must be at least 50%.
Siting	10	(1) Commercial use may be located only on the ground floor of a <u>building</u> . (2) More than one building is permitted on a <u>lot</u> .
Build to Line Distance	11	The build to line distance for the first 2 <u>storeys</u> of a <u>building</u> is 6m from Saghalie Road.
Setbacks	12	The <u>setback</u> must be at least <ul style="list-style-type: none"> (a) 10m from Esquimalt Road; (b) 10m from a southeast <u>lot line</u>; (c) 3m from a west <u>lot line</u>.

Parking	13	The following parking requirements are in addition to those in Schedule C: (a) all parking must be in <u>enclosed parking spaces</u> ; (b) there must be at least 2 parking spaces for every live/work unit.
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Development Area 2

Uses	14	The only uses permitted in Development Area 2 are: (a) <u>multiple dwellings</u> ; (b) commercial; (c) live/work.
Height	15	A <u>building</u> must not be higher than (a) 35m when measured from <u>grade</u> to the highest ceiling, nor (b) 10 <u>storeys</u> .
Floor Area	16	Commercial use must not exceed 190m ² of any one <u>building</u> .
Floor Space Ratio	17	The <u>floor space ratio</u> must not exceed 2.6 to 1.
Lot Area	18	The <u>area</u> of a <u>lot</u> must be at least 6200m ² .
Lot Coverage	19	The <u>site coverage</u> must not exceed 40%.
Open Space	20	<u>Open site space</u> must be at least 40%.
Siting	21	(1) Commercial use may be located only on the ground floor of a <u>building</u> . (2) More than one building is permitted on a <u>lot</u> .
Build to Line Distance	22	The build to line distance for the first 2 <u>storeys</u> of a <u>building</u> is 6m from Saghalie Road.

Setbacks	23	The <u>setback</u> must be at least <ul style="list-style-type: none"> (a) 10m from Esquimalt Road; (b) 10m from a south <u>lot line</u>; (c) 3m from a west <u>lot line</u>.
Parking	24	The following parking requirements are in addition to those in Schedule C: <ul style="list-style-type: none"> (a) all parking must be in <u>enclosed parking spaces</u>; (b) there must be at least 2 parking spaces for every live/work unit.

Development Area 3-A

Uses	25	The only uses permitted in Development Area 3-A are: <ul style="list-style-type: none"> (a) <u>multiple dwellings</u>; (b) commercial; (c) live/work.
Height	26	A <u>building</u> must not be higher than <ul style="list-style-type: none"> (a) 17m when measured from <u>grade</u> to the highest ceiling; nor (b) 5 <u>storeys</u>.
Floor Area	27	Commercial use must not exceed 190m ² of any one <u>building</u> .
Floor Space Ratio	28	The <u>floor space ratio</u> must not exceed 0.72 to 1.
Lot Area	29	The <u>area</u> of a <u>lot</u> must be at least 3842m ² .
Lot Coverage	30	The <u>site coverage</u> must not exceed 40%.
Open Space	31	<u>Open site space</u> must be at least 50%.
Siting	32	Commercial use may be located only on the ground floor of a <u>building</u> .
Setbacks	33	The <u>setback</u> must be at least <ul style="list-style-type: none"> (a) 10m from a south <u>lot line</u>;

- (b) 3m from a north lot line;
 - (c) 6m from the east lot line;
 - (d) 3m from the west lot line.
- Parking 34 The following parking requirements are in addition to those in Schedule C:
- (a) all parking must be in enclosed parking spaces;
 - (b) there must be at least 2 parking spaces for every live/work unit.

Development Area 3-B

- Definitions 35 In Development Area 3-B
- (a) “accessory facilities” means collectively, all of the following: commercial grade kitchen, commercial dining area, laundry facility, entertainment room, recreation and hobby room and administrative office space, but does not mean or include any other commercial space, as permitted within this Development Area 3-B;
 - (b) “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;
 - (c) “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 and tenants of the building and their guests.
- Uses 36 The only uses permitted in Development Area 3-B are:
- (a) multiple dwellings;
 - (b) commercial;
 - (c) live/work;
 - (d) seniors’ housing - assisted living;

		(e) <u>seniors' housing – independent living.</u>
Height	37	A <u>building</u> must not be higher than <ul style="list-style-type: none"> (a) 17m when measured from <u>grade</u> to the highest ceiling; nor (b) 5 <u>storeys.</u>
Floor Area	38	Commercial use (excluding accessory facilities) must not exceed 190m ² of any one <u>building.</u>
Floor Space Ratio	39	The <u>floor space ratio</u> must not exceed 0.72 to 1.
Floor Space Ratio with community amenities	40	The maximum permitted density in Development Area 3-B is 1.79:1 <u>floor space ratio</u> when all community amenities referred to in paragraph 48 have been provided to the City.
Lot Area	41	The <u>area</u> of a <u>lot</u> must be at least 7944m ² .
Lot Coverage	42	The <u>site coverage</u> must not exceed 50%.
Open Space	43	<u>Open site space</u> must be at least 40%.
Siting	44	Commercial use (excluding accessory facilities) may be located only on the ground floor of a <u>building.</u>
Length of street wall	45	No <u>street</u> wall shall extend continuously for a horizontal distance in plane in excess of 39m and any one such plane shall be set back at least 1.5m from any adjacent plane;
Setbacks	46	The <u>setback</u> must be at least <ul style="list-style-type: none"> (a) 3m from a north <u>lot line</u>; (b) 10m from a south <u>lot line</u>; (c) 3m from the west <u>lot line</u>; (d) 3m from the east <u>lot line.</u>
Parking	47	The following parking requirements are in addition to those in Schedule C: <ul style="list-style-type: none"> (a) parking stalls must be in <u>enclosed parking spaces</u>, except for a maximum of eight (8) parking stalls that are unenclosed; (b) there must be at least 2 parking spaces for every live/work unit;

Community
Amenities

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- (c) for seniors' housing– independent living a ratio of 0.5 parking stalls per dwelling unit is required;
- (d) for seniors' housing – assisted living a ratio of 0.35 parking stalls per dwelling unit is required.

As a condition of additional density pursuant to paragraph 40, all of the following community amenities must be provided:

- (a) Accessory facilities within the buildings in Development Area 3-B with a total floor area of at least 19% of the total floor area of all buildings in Development Area 3-B for use by the occupants of the dwelling units in these buildings;
- (b) At least 75% of the total floor area of all buildings in this Development Area 3-B are used exclusively for seniors' housing – assisted living and seniors' housing – independent living use, excluding accessory facilities;
- (c) A Housing Agreement under Section 905 of the *Local Government Act* in the form attached as Schedule A to the Housing Agreement (80 Saghalie) Bylaw is applied to land in this Development Area 3-B, with such amendments as may be necessary if the owner elects to designate one or more dwelling units as rental only dwelling units to be occupied only by a non-owner of that dwelling unit;
- (d) A contribution, designated for greenways and non-market housing, to be divided equally between the Parks and Greenways Acquisition Reserve Fund and the Victoria Housing Reserve Fund, or such other funds established under s.188 of the *Community Charter* which have as one of their objects the development and improvement of the greenways system and non-market housing in the City of Victoria as determined by the Director of Finance, in an amount not less than the contribution amount calculated as follows:

$$S/T \times \$375,000 = \text{contribution amount}$$

Where:

S = the total floor area of all dwelling units in this Development Area 3-B excluding any dwelling unit designated as a rental only unit in the Housing Agreement referred in subparagraph 48(c); and

T = the total floor area of all dwelling units in Development Area 3-B,

which community amenities support special needs housing, including in particular supportive seniors housing, as well as the development of the Greenway system throughout the City of Victoria, all for the social benefit of the community.

Development Area 4

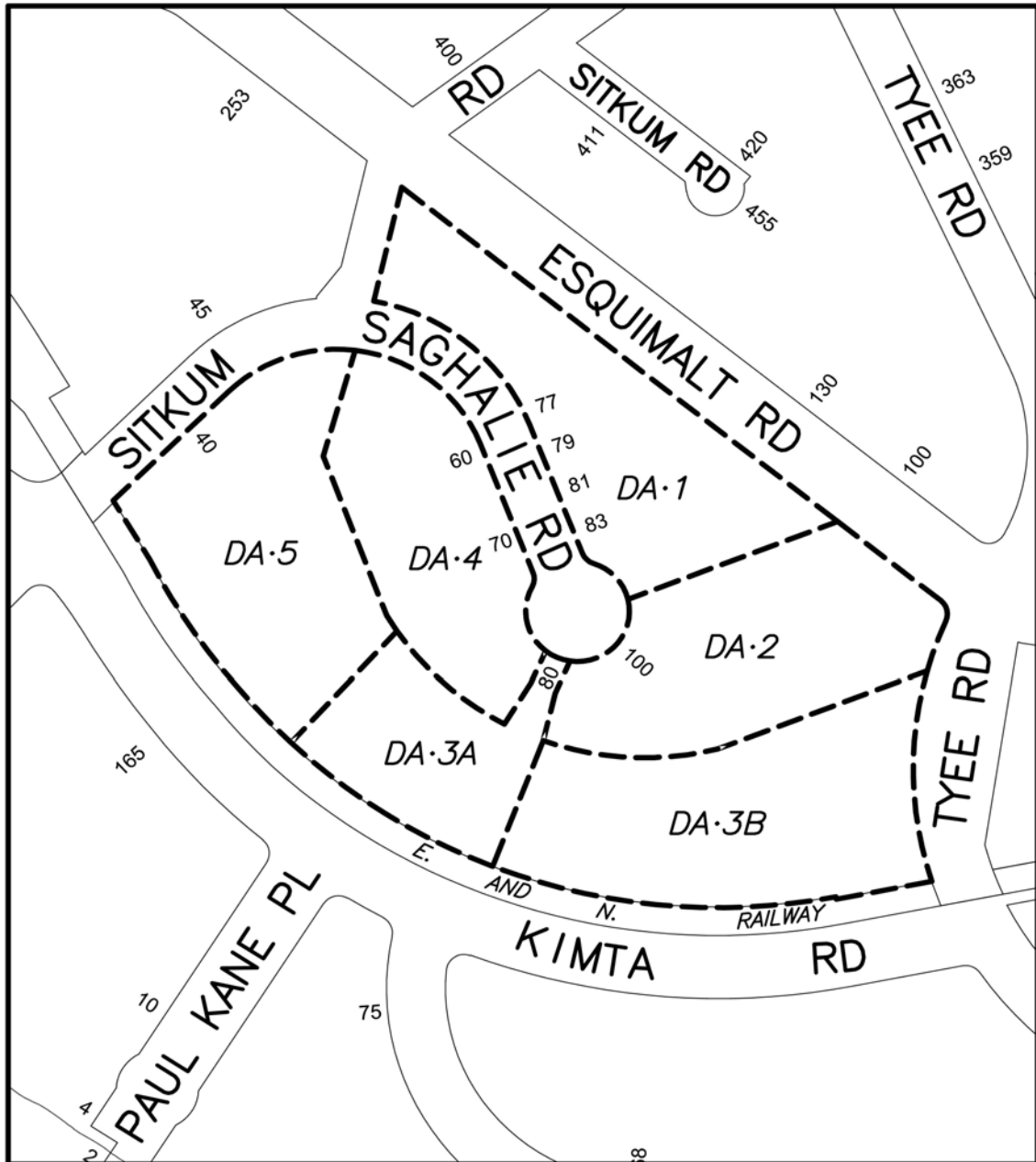
Uses	49	The only uses permitted in Development Area 4 are: <ul style="list-style-type: none"> (a) <u>multiple dwellings</u>; (b) commercial; (c) live/work.
Height	50	A <u>building</u> must not be higher than <ul style="list-style-type: none"> (a) 40m when measured from <u>grade</u> to the highest ceiling, nor (b) 11 <u>storeys</u>.
Floor Area	51	Commercial use must not exceed 190 m ² of any one <u>building</u> .
Floor Space Ratio	52	The <u>floor space ratio</u> must not exceed 2.6 to 1.
Lot Area	53	The <u>area</u> of a <u>lot</u> must be at least 5400m ² .
Lot Coverage	54	The <u>site coverage</u> must not exceed 40%.
Open Space	55	<u>Open site space</u> must be at least 40%.
Siting	56	(1) Commercial use may be located only on the ground floor of a <u>building</u> . (2) More than one building is permitted on a <u>lot</u> .
Build to Line Distance	57	The build to line distance for the first 2 <u>storeys</u> of a <u>building</u> is 6m from Saghalie Road.
Setbacks	58	The <u>setback</u> must be at least <ul style="list-style-type: none"> (a) 6m from a northwest <u>lot line</u>; (b) 6m from a west <u>lot line</u>; (c) 3m from an east <u>lot line</u>.

- Parking 59 The following parking requirements are in addition to those in Schedule C:
- (a) all parking must be in enclosed parking spaces;
 - (b) there must be at least 2 parking spaces for every live/work unit.

Development Area 5

- Uses 60 The only uses permitted in Development Area 5 are:
- (a) park;
 - (b) park accessory uses.

Schedule 2



Schedule #2
Development Areas
SSR Zone, Saghalie Road

