

## **PART 12.1 - CD-1 ZONE, SELKIRK COMPREHENSIVE DISTRICT**

Definitions	1	<p>In this Part,</p> <p><u>"build to line distance"</u> means, for the first three storeys of a <u>building</u>,</p> <p>(a) the horizontal distance at which 75% of a <u>building</u> wall, excluding entrance canopies and porches, must be located from a <u>street right-of-way</u>; and</p> <p>(b) the minimum horizontal distance at which 25% of the <u>building</u> wall, excluding entrance canopies and porches, must be located from that <u>right-of-way</u>;</p> <p><u>"height"</u> means the vertical distance above a bordering <u>street's</u> average finished elevation at that <u>street's right-of-way</u> boundary;</p> <p><u>"maximum floor area"</u> means the gross <u>area</u>, including <u>basements</u>, of all <u>buildings</u> or parts of <u>buildings</u> that are used for specified uses in a Development Area;</p> <p><u>"right-of-way"</u> includes an easement or a statutory right-of-way for highway purposes;</p> <p><u>"storage yard"</u> means the use of an open area of land for the storage of equipment, goods or vehicles intended for lease, sale or rent, including above-ground ancillary fuel storage but not including the storage of discarded or scrap equipment, goods, vehicles or vehicle parts or the use of land for a recycling depot or junk yard.</p>
Area	2	<p>This Zone is divided into four Development Areas that contain the lands described, for each Development Area, in Appendix 1, as shown on the map attached to Appendix 1.</p>
General Siting	3	<p>A <u>building</u> must not be located in more than one Development Area.</p>
Parking	3A	<p>Despite Schedule C, off-street parking spaces that are required under Schedule C to accompany a non-parking use in any Development Area in this zone may be located on a <u>lot</u> in this zone other than the <u>lot</u> containing the parking spaces</p> <p>(a) is a separate parcel of land for Land Titles Office purposes, and</p> <p>(b) has registered against its title an easement providing for those parking requirements.</p>

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### **Development Area 1**

- Uses 4 The following uses are permitted in Development Area 1:
- (a) multiple dwellings;
  - (b) retail stores;
  - (c) Rest Homes - Class A and B;
  - (d) parking.
- 5 **In Development Area 1**
- Maximum Floor Area (a) the maximum floor area of
- (i) multiple dwellings and Rest Homes – Classes A and B must not exceed 35,900 m<sup>2</sup>;
  - (ii) retail uses must not exceed 100m<sup>2</sup>;
- Site Coverage (b) the site coverage must not exceed 50%;
- Height (c) a building must not exceed 24 m in height nor 6 storeys;
- Build to Line (d) the build to line distance from Waterfront Crescent is 3.5m;
- Setbacks (e) that part of a building that is above its third storey must be at least 2.5 m further from a street right-of-way than the building's build to line distance;
- (f) the setback, excluding entrance canopies and porches, from Gorge Road must be at least 10.0m;
- (g) the setback, excluding entrance canopies and porches, from an internal boundary must be at least the greater of
- (i) 2.5 m; and
  - (ii) one quarter of the height of the nearest wall of the building being setback;
- (h) the setback, excluding entrance canopies and porches, from
- (i) a park must be at least 10.5 m; and
  - (ii) Cecelia Creek Pathway and Viaduct Park must be at least 3.0 m;

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- Parking
- (i) parking spaces
    - (i) must be provided in accordance with Schedule C;
    - (ii) must be enclosed parking spaces unless they are only for the use of visitors to the building for which the spaces are required; and
    - (iii) that are surface parking spaces, despite subparagraph (i) and Schedule C, must not be located closer than 3.5 m to a street right-of-way; and
  - (j) despite subparagraph (i) and Schedule C, there must be at least .55 parking spaces for each senior citizens' residence dwelling unit.

### **Development Area 2**

- Uses
- 6 The following uses are permitted in Development Area 2:
- (a) multiple dwellings;
  - (b) commercial-residential buildings
    - (i) the first and second storeys of which are used or intended to be used for a use named in paragraphs (a) and (c) to (k); and
    - (ii) the third or higher storeys of which are used or intended to be used only for permanent residential uses;
  - (c) business offices;
  - (d) professional businesses;
  - (e) chartered banks;
  - (f) retail stores;
  - (g) restaurants;
  - (h) clubs for social or recreational purposes;
  - (i) bakeries, the baked or otherwise prepared products of which are sold or intended to be sold by retail in or from the bakery;
  - (j) laundrettes.
  - (k) schools;
  - (l) daycare,

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(m) parking.

### **7 In Development Area 2**

- Siting  
Jutland Road;
- Maximum  
Floor Area
- Site Coverage
- Height
- Build to Line
- (a) multiple dwellings must not be located on the east side of
  - (b) the maximum floor area of
    - (i) residential uses must not exceed 17,400m<sup>2</sup>; and
    - (ii) business offices and professional businesses must not exceed 22,100m<sup>2</sup> and on the west side of Jutland Road must not exceed 9,650m<sup>2</sup>;
    - (iii) chartered banks, retail stores, restaurants, clubs, bakeries and laundrettes must not exceed 3,300m<sup>2</sup>;
    - (iv) subject to paragraph (b1) schools and daycare must not exceed 2,850m<sup>2</sup>.
    - (v) all uses must not exceed 47,800m<sup>2</sup>
    - (vi) the gross area of residential uses specified in paragraph (b)(i) must be decreased by the amount of floor area used for schools and daycare centres up to a maximum decrease of 2,850m<sup>2</sup>.
  - (c) subject to paragraph (d), the maximum floor area of residential uses may exceed 17,400m<sup>2</sup> by up to 10% of the maximum floor area permitted for non-residential uses;
  - (d) if the increase described in paragraph (c) is utilized, the permitted maximum floor area of uses other than residential uses is decreased by the amount of that increase;
  - (e) the site coverage must not exceed
    - (i) 50% for multiple dwellings; and
    - (ii) 80% for non-residential uses, including commercial-residential uses;
  - (f) a building must not exceed 24m in height nor 6 storeys;
  - (g) the build to line distance is
    - (i) 3.5m from Waterfront Crescent;

Words that are underlined see definitions in Schedule "A" of the Zoning Regulation Bylaw

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- Setbacks
- (ii) 3.0m from the west side of Jutland Road;
  - (iii) 0.5m from the east side of Jutland Road; and
  - (iv) 0.5m from Dunedin Street;
- (h) that part of a building that is above its third storey must be at least 2.5m further from a street right-of-way than the building's build to line distance;
- (i) the setback, excluding entrance canopies and porches, from Gorge Road must be at least 10.0m; and
  - (j) the setback, excluding entrance canopies and porches, from an internal boundary must be, at least, the greater of
    - (i) 2.5 m; and
    - (ii) one quarter of the height of the nearest wall of the building being setback;
  - (k) the setback, excluding entrance canopies and porches, from
    - (i) Selkirk Green must be at least 10.5 m; and
    - (ii) a high water mark must be at least 7.0 m;
- Parking
- (l) parking spaces must be provided in accordance with Schedule C;
  - (m) despite paragraph (l) and Schedule C, parking spaces that are surface parking spaces
    - (i) must not be located closer than 3.5 m to the Waterfront Crescent right-of-way;
    - (ii) on the west side of Jutland Road must not be located closer than 3.0 m to the Jutland Road right-of-way;
    - (iii) on the east side of Jutland Road must not be located closer than 1.0 m to the Jutland Road right-of-way; and
    - (iv) must not be located closer than 1.0m to the Dunedin Street right-of-way; and
  - (n) despite paragraph (l) and Schedule C, there must be at least .55 parking spaces for each senior citizens' residence dwelling unit.

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### **Development Area 3**

- Uses 8 The following uses are permitted in Development Area 3 if these uses are not noxious or offensive to the immediate neighbourhood or the general public because of the emission of smoke, noise, vibration, dirt, glare, odour, electrical broadcast interference, dust, effluent, radiation, humidity, heat or hazard:
- (a) offices and retail;
  - (b) banks and other financial institutions;
  - (c) restaurants;
  - (d) neighbourhood pubs;
  - (e) bakeries;
  - (f) dry cleaners;
  - (g) printing and publishing;
  - (h) wholesale;
  - (i) light industry, including manufacturing, processing, assembly, testing, servicing and repair;
  - (j) warehouse;
  - (k) schools;
  - (l) parkades;
  - (m) veterinary hospitals that have enclosed runs;
  - (n) residences for caretakers as an accessory use;
  - (o) docks and other facilities for pleasure boats, commercial tour boats and ferry boats, excluding marinas,
  - (p) parking other than in a parkade,
  - (q) high tech;
  - (r) storage yard;
  - (s) call centre.
- 9 **In Development Area 3**
- Maximum Floor Area (a) the maximum floor area of uses that are not a parkade use must not exceed 7,200 m<sup>2</sup>;
- (b) the maximum floor area of parkades must not exceed 6,600 m<sup>2</sup>;
- Site Coverage (c) the site coverage must not exceed
- (i) 80% for uses that are not parkade uses, and

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- (ii) 100% for parkade uses;
- Height
  - (d) a building must not exceed
    - (i) a height of 13m nor 3 storeys if it is not used primarily for offices,
    - (ii) a height of 20m nor 4 storeys if it is used primarily for offices;
  - (e) any equipment, goods or vehicles stored on a lot shall not exceed a height of 8m;
- Number of Buildings on a Lot
  - (f) more than one building may be located on a lot;
  - (g) the build to line distance is
    - (i) nil from the north side of Jutland Road, and
    - (ii) nil from the south side of Jutland Road;
- Setbacks
  - (h) despite paragraph (h), the setback must be at least 0.1m from eastern and southern lot lines;
  - (i) the setback, excluding entrance canopies and porches, from an internal boundary must be at least the greater of the following distances:
    - (i) 2.5m,
    - (ii) one quarter of the height of the nearest wall of the building being set back;
  - (j) the setback, excluding entrance canopies and porches, from a high water mark must be at least 7.0m;
  - (k) for the purposes of protecting view lines, a driveway must be unobstructed to a 45 degree angle from any point within 3m of an exit to a street or right-of-way for highway or transportation purposes;
- Parking
  - (l) parking spaces must be provided in accordance with Schedule C;
  - (m) despite paragraph (k) and Schedule C, parking spaces that are surface parking spaces must not be located closer than 1.0m to the Jutland Road right-of-way;
- Loading
  - (n) each lot must have a loading area that is
    - (i) at least 4m wide, 9m long and 4.3m high, and
    - (ii) located within a building or in its rear yard;

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- (o) despite paragraph (m), a loading bay is not required for a building that has primarily office or high tech use;
- (p) access must be provided, by a passage that is at least 5m wide, between a loading area and its adjacent streets;
- (q) access to the loading areas of two adjoining lots may be provided by one passage if that access
  - (i) is at least 5m wide, and
  - (ii) to each lot is secured by an easement registered in the Land Title Office; and
- (r) a yard or other open area of land that is used for parking, loading or storage, including a storage yard must
  - i) have a concrete or asphalt surface,
  - ii) be graded and drained, and
  - iii) have a 1.0m wide landscape screen between the yard and the public path or right-of-way.

### **Development Area 4**

- |                    |    |  |
|--------------------|----|--|
| Uses               | 10 | The following uses are permitted in Development Area 4: <ul style="list-style-type: none"><li>(a) business offices;</li><li>(b) professional businesses;</li><li>(c) chartered banks;</li><li>(d) retail stores;</li><li>(e) <u>restaurants</u>;</li><li>(f) neighbourhood pubs;</li><li>(g) clubs for social or recreational purposes;</li><li>(h) bakeries, the baked or otherwise prepared products of which are sold or intended to be sold by retail in or from the bakery;</li><li>(i) <u>laundrettes</u>;</li><li>(j) docks and other facilities for pleasure boats, commercial tour boats and ferry boats, excluding marinas;</li><li>(k) parking;</li><li>(l) no more than one liquor retail store.</li></ul> |
| Maximum Floor Area | 11 | <b>In Development Area 4</b> <ul style="list-style-type: none"><li>(a) the <u>maximum floor area</u> of<ul style="list-style-type: none"><li>(i) business offices and professional businesses must</li></ul></li></ul>   |



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- not exceed 9,400 m<sup>2</sup>,
- (ii) chartered banks, retail stores, restaurants, neighbourhood pubs, clubs, bakeries and laundrettes must not exceed 4,500 m<sup>2</sup>,
  - (iii) a liquor retail store must not exceed 42 m<sup>2</sup>.
- Site Coverage (b) the site coverage must not exceed 80%;
- Height (c) a building must not exceed 20 m in height nor 5 storeys;
- Build to Line (d) the build to line distance is
- (i) 0.5 m from the west side of Jutland Road, and
  - (ii) 0.5 m from the east side of Jutland Road;
- Setbacks (e) that part of a building that is above its third storey must be at least 2.5 m further from a street right-of-way than the building's build to line distance;
- (f) the setback, excluding entrance canopies and porches, from an internal boundary must be at least the greater of
- (i) 2.5 m; and
  - (ii) one quarter of the height of the nearest wall of the building being setback;
- (g) the setback, excluding entrance canopies and porches, from
- (i) a park on the west side of Development Area 4 must be at least 1.0 m, and
  - (ii) a high water mark on the south side of Development Area 4 must be at least 2.5 m;
- Parking (h) parking spaces must be provided in accordance with Schedule C;
- (i) despite paragraph (h) and Schedule C, parking spaces that are surface parking spaces
- (i) on the west side of Jutland Road must not be located closer than 1.0 m to the Jutland Road right-of-way, and

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- (ii) on the east side of Jutland Road must not be located closer than 1.0 m to the Jutland Road right-of-way.

### **APPENDIX 1**

#### **REZONING AND DEVELOPMENT AREAS**

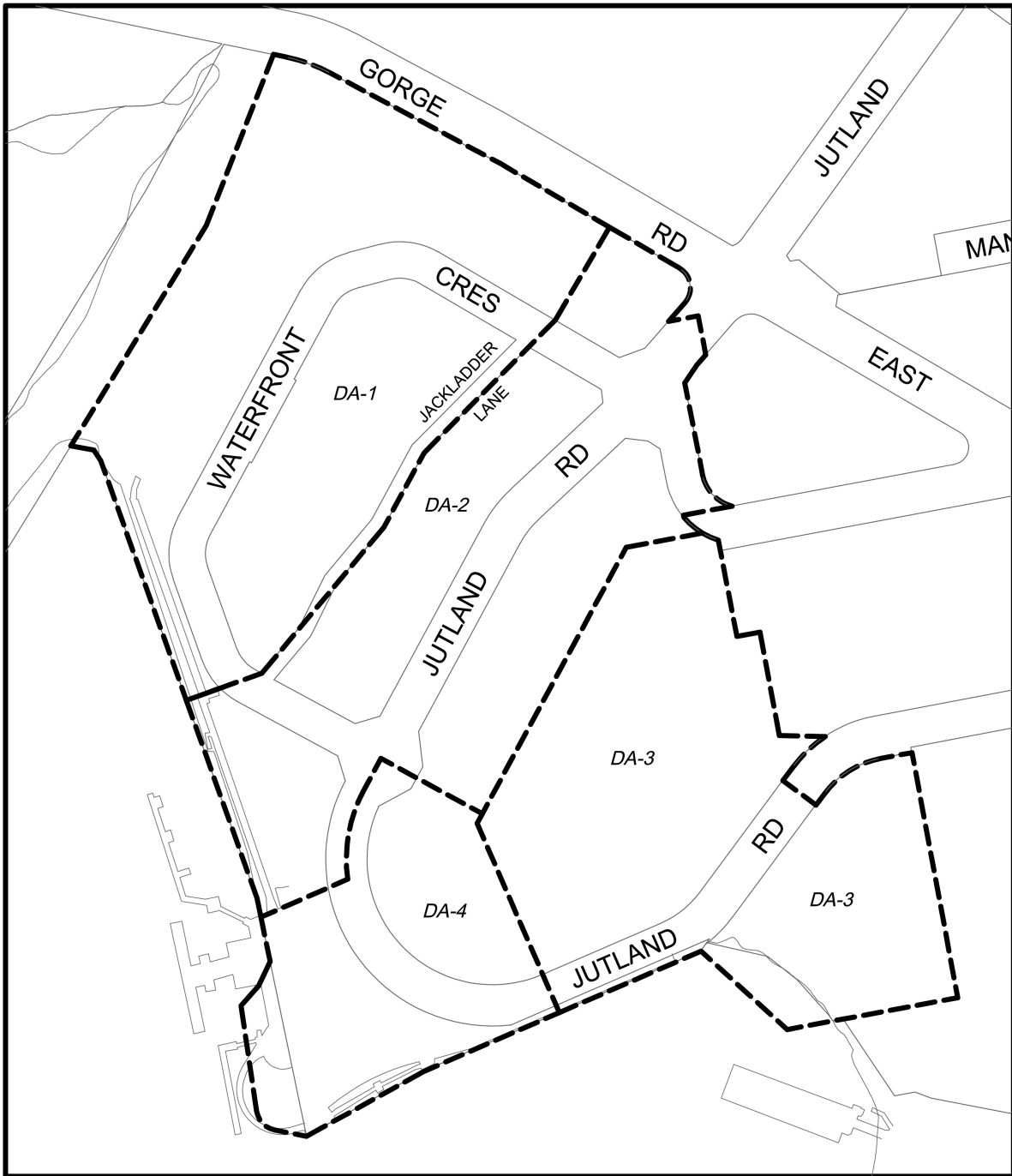
1. The land that is adjacent to Selkirk Water in the Harbour of Victoria, Gorge Road and Garbally Road, that is legally described and shown in heavy outline around Development Areas 1, 2, 3 and 4 on the attached map, is removed from the M-3 Zone, Heavy Industrial District and placed in the CD-1 Zone, Selkirk Comprehensive District.
2. Part of the land that is adjacent to Selkirk Water in the Harbour of Victoria and Gorge Road, that is shown as
  - (a) Development Area 1 on the attached map, is placed in Development Area 1 of the CD-1 Zone, Selkirk Comprehensive District;
  - (b) Development Area 2 on the attached map, is placed in Development Area 2 of the CD-1 Zone, Selkirk Comprehensive District;
  - (c) Development Area 3 on the attached map, is placed in Development Area 3 of the CD-1 Zone, Selkirk Comprehensive District; and
  - (d) Development Area 4 on the attached map, is placed in Development Area 4 of the CD-1 Zone, Selkirk Comprehensive District.

Amended June 8, 1995  
Amended May 25, 2000  
Amended July 12, 2001  
Amended May 8, 2003  
Amended February 11, 2010  
Amending Bylaw 12-055, adopted July 26, 2012  
Amending Bylaw 14-026, adopted April 10, 2014

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Words that are underlined see definitions in Schedule "A" of the Zoning Regulation Bylaw

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**Appendix 1**  
Development Areas  
CD-1 Zone, Selkirk Comprehensive District



Words that are underlined see definitions in Schedule "A" of the Zoning Regulation Bylaw