

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by adding new off-street parking provisions for house conversions to Schedule C – Off-Street Parking, and replacing Schedule G – House Conversion Regulations with new house conversion regulations in order to yield additional opportunities for house conversions in the City.

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. 1231)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
  - (a) Schedule C – Off-Street Parking is amended:
    - (i) In section 1, by adding the following new row in Table 1: Minimum Number of Required Vehicle Parking Spaces, directly below the row for “Assisted Living Facility”:

Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
<u>Two Family Dwelling or Multiple Dwelling - House Conversion</u> (Building converted to <u>two family dwelling or multiple dwelling</u> as a <u>house conversion</u> in accordance with Schedule “G”)	n/a	n/a

- (ii) In section 1, by adding the following new row in Table 2: Minimum Number of Required Bicycle Parking Spaces, directly below the row for “Single Family Dwelling, Two Family Dwelling, Semi-attached Dwelling, Secondary Suite, Garden Suite”:

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
<u>Two Family Dwelling or Multiple Dwelling - House Conversion</u> (Building converted to <u>two family dwelling or multiple dwelling</u> as a <u>house conversion</u> in accordance with Schedule “G”)	1 per <u>dwelling unit</u> , except where the <u>dwelling unit</u> has access to a private garage	n/a

(iii) In Section 2, by adding the following paragraphs immediately after section 2.2.11.d:

“(e). A maximum of one parking space that meets the minimum dimensions described in this Schedule may be provided in the front yard of a property where:

- (i) an existing building has been converted to Two Family Dwelling or Multiple Dwelling as a house conversion in accordance with Schedule “G”, and
- (ii) the building is not heritage designated.”

(iv) In Section 3.2.1(b), by inserting the words “subject to section 3.2.2” before “no”.

(v) In Section 3, by adding the following section immediately after section 3.2.1(c):

“2. The bicycle parking exemption in section 3.2.1(b) does not apply for any building converted to a Two Family Dwelling or Multiple Dwelling as a house conversion in accordance with Schedule “G”.”

3 The Zoning Regulation Bylaw is further amended by repealing the entire Schedule G – House Conversion Regulations and replacing it with Schedule 1 of this Bylaw.

**Effective Date**

4 This Bylaw comes into force on adoption.

READ A FIRST TIME the 8<sup>th</sup> day of October 2020

READ A SECOND TIME the 8<sup>th</sup> day of October 2020

Public hearing held on the day of 2020

READ A THIRD TIME the day of 2020

ADOPTED on the day of 2020

CITY CLERK

MAYOR

**SCHEDULE G - HOUSE CONVERSION REGULATIONS****1. Permitted Uses as a result of House Conversions**

The only uses created as a result of a house conversion are those listed in the left hand column of this section 1 provided that the conditions in the corresponding right hand column have been met.

- |  |   |
|--|---|
| a. <u>Two family dwelling</u> or <u>multiple dwelling</u>  | If the <u>building</u> was constructed as a <u>single family dwelling</u> or <u>two family dwelling</u> prior to 1984.  |
| b. <u>Boarding house</u> , <u>rooming house</u> , <u>housekeeping apartment building</u> , <u>rest home - class "B"</u> , or <u>kindergarten</u> | If the <u>building</u> was constructed as a <u>single family dwelling</u> prior to 1931 and has an existing <u>lot area</u> of 670m <sup>2</sup> and a <u>width</u> of not less than 18m, except when located in the R1-A Zone which requires an existing <u>lot area</u> of 740m <sup>2</sup> and a <u>width</u> of not less than 24m. |

**2. Restrictions for Strata Lots and Multiple Uses**

- |                                  |   |
|----------------------------------|---|
| a. Restrictions on strata lots   | <u>House conversions</u> are not permitted on any <u>lot</u> or in any <u>building</u> where strata lots have been created.                 |
| b. Restrictions on multiple uses | A <u>building</u> that has been converted to any use set out in section 1 of this Schedule "G" may not contain more than one permitted use. |

**3. Restrictions on Changes**

- |                                   |  |
|-----------------------------------|--|
| a. General Restriction on Changes | None of the changes listed in subsection (b) shall: <ul style="list-style-type: none"> <li>i. have been made to a <u>building</u> for 5 years prior to the commencement of a use created as a result of a <u>house conversion</u>, or</li> <li>ii. be permitted after the new use created as a result of a <u>house conversion</u> has commenced.</li> </ul> |
| b. Restricted Changes             | <ul style="list-style-type: none"> <li>i. The addition of any steps, staircases, decks or porches exceeding 1.5m in height on a <u>building</u> façade facing a street.</li> <li>ii. Any extension to a <u>building</u> that creates additional enclosed floor <u>area</u>.</li> <li>iii. Raising the <u>building</u> more than 0.6m.</li> </ul>             |

## Schedule 1

# SCHEDULE G - HOUSE CONVERSION REGULATIONS

### c. Permitted Changes

Notwithstanding any language to the contrary in subsection (b), none of the following changes are restricted:

- i. Changes to a building façade where the purpose and effect of the changes are to return the building to its original exterior finish;
  - ii. New windows or doors;
  - iii. The addition of floor area or storeys that are within the existing building footprint by
    - A. adding dormers,
    - B. raising the building to a maximum of 0.6m (not including the additional height created by adding dormers), or
    - C. converting an attached garage to living space;
  - iv. An extension to a building not greater in area than the bicycle parking area required by Schedule "C", provided that:
    - A. the extension is required in order to satisfy the bicycle parking area requirements of Schedule "C", and
    - B. the bicycle parking is located within the primary building;
  - v. Changes to a building that was converted to any of the uses in this Schedule prior to June 28, 1984;
  - vi. An addition to a two family dwelling, boarding house, rooming house, housekeeping apartment building, rest homes - class "B", multiple dwelling, or kindergarten converted prior to June 28, 1984 to a maximum of 333m<sup>2</sup> including the area of all floors;
  - vii. Any additional steps added to an existing staircase as a result of raising a building or adjusting staircases to meet existing British Columbia Building Code requirements;
  - viii. The addition of a main floor access ramp within the front yard of any building that is used as a rest home - class "B".
- d. Changes set out in section 3(b)(ii) are deemed to affect the density of land.

**Schedule 1**

**SCHEDULE G - HOUSE CONVERSION REGULATIONS**

**4. Number of Self-Contained Dwelling Units Permitted in a House Conversion**

a. The maximum number self-contained dwelling units permitted in a multiple dwelling or a two family dwelling shall be determined as follows:

Number of <u>self-contained dwelling units</u>	Required minimum habitable floor <u>area</u> per building	Required minimum habitable floor <u>area</u> per <u>building</u> that is: i. heritage designated; ii. rental in perpetuity; or iii. <u>affordable</u> in perpetuity	Required minimum habitable floor <u>area</u> per <u>building</u> that is heritage designated and: i. rental in perpetuity; or ii. <u>affordable</u> in perpetuity
2	150m <sup>2</sup>	100m <sup>2</sup>	80m <sup>2</sup>
3	250m <sup>2</sup>	200m <sup>2</sup>	175m <sup>2</sup>
4	350m <sup>2</sup>	250m <sup>2</sup>	240m <sup>2</sup>
5	450m <sup>2</sup>	300m <sup>2</sup>	280m <sup>2</sup>

For each additional self-contained dwelling unit an additional 46m<sup>2</sup> of habitable floor area is required.

**5. Minimum floor area for Individual Dwelling Units**

- a. two family and multiple dwelling units (minimum)                      33m<sup>2</sup>
- b. housekeeping apartment units (minimum)                      25.5m<sup>2</sup> exclusive of any common or shared space

**6. Storeys**

Notwithstanding Section 14(2)(b) of the General Regulations and any provision of Schedule "B", the maximum number of storeys for a house conversion is as follows:

- a. In R1-A - Rockland Single Family Dwelling District zone                      2 ½ storeys
- b. In R1-B - Single Family Dwelling District zone                      2 ½ storeys
- c. In R1-G - Gonzales Single Family Dwelling District zone
  - i. where no basement                      2 ½ storeys
  - ii. where basement                      2 storeys
- d. In all other zones                      2 ½ storeys

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

## SCHEDULE G - HOUSE CONVERSION REGULATIONS

### 7. Landscaping, Screening and Parking

- |  |   |
|--|---|
| a. Landscaping (minimum)   | Not less than 33% of the surface <u>area</u> of the <u>rear yard</u> and not less than 30% of the surface <u>area</u> of the entire <u>lot</u> shall be maintained in a landscaped condition, and used for no other purpose |
| b. Side <u>lot</u> line landscaping for unenclosed parking (minimum) | 0.6m wide with a <u>landscape screen</u> of at least 1.5m in height   |
| c. <u>Rear lot line</u> landscaping for unenclosed parking (minimum) | 1.5m wide with a <u>landscape screen</u> of at least 1.8m in height   |
| d. Vehicle parking   | Subject to the Regulations in Schedule "C"  |
| e. Bicycle parking   | Subject to the Regulations in Schedule "C"  |