

NO. 23-065

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by adding a new definition for child care facility in Schedule A – Definitions, amending Schedule G – House Conversion Regulations to better support child care facilities in existing buildings and amending the General Regulations by adding a new regulation that allows child care facilities in all zones, with the following exceptions and restrictions:

- child care facilities are not permitted in industrial zoned properties
- child care facilities are allowed on lots that permit single-family dwellings or two-family dwellings where there is an existing single-family dwelling or two-family dwelling
- child care facilities are not permitted in a garden suite, unless all or part of the principal building is used as a child care facility
- child care facilities are permitted on the ground floor of a multiple dwelling
- the outdoor component of a child care facility is permitted anywhere on the subject lot.

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 “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1306)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
 - (a) Schedule A – Definitions is amended as follows:
 - (i) by adding the following definition immediately after the definition of “**Centre Line**”:

“**Child Care Facility**” means a facility licensed under the Community Care and Assisted Living Act to provide day care to children under 13 years of age.”
 - (ii) by deleting “kindergarten” from the definition of “**House Conversion**” and replacing with “child care facility”
 - (b) Introduction and General Regulations is amended as follows:
 - (i) by adding the following immediately after section 49:

“50. (1) Child Care Facilities are permitted in all zones with the following exceptions and restrictions:
 - (a) not permitted in Part 7 - Industrial and Service Zones
 - (b) permitted on lots that permit single family dwellings or two family dwellings where there is an existing single family dwelling or two family dwelling,
 - (c) not permitted in a garden suite, unless all or part of the principal building is used as a child care facility,
 - (d) for multiple dwellings, the indoor component of a child care facility is permitted in the first storey only,

- (e) where child care facilities are permitted on a lot, associated outdoor play space may be accommodated anywhere on the subject lot.
- (2) If a building was constructed as a single family dwelling or a two family dwelling;
 (a) prior to September 14, 2023, or
 (b) a minimum of 5 years before a child care facility use is to commence,
 it may be converted in whole or in part to a child care facility.
- (3) A building converted pursuant to section 50(2) will be subject to the regulations set out in the applicable site zoning and not to Schedule G – House Conversion Regulations.
- (4) Subject to the applicable site zoning, a conversion pursuant to section 50(2) may result in a child care facility and no more than two self-contained dwelling units.”
- (c) Schedule G – House Conversion Regulations is amended as follows:
- (i) by deleting “or, kindergarten” from the uses listed in the left hand column in section 1. b.
- (ii) by deleting section 2. b. and replacing with the following:
 “b. Restrictions on multiple uses A building that has been converted to any use set out in section 1 of this Schedule “G”, and which is not excepted under section 50 of the Regulations, may not contain more than one permitted use.”
- (iii) by deleting section 3. c. vi. and replacing with the following:
 “vi. an addition to a two family dwelling, boarding house, rooming house, housekeeping apartment building, rest homes - class “B” and multiple dwelling converted prior to June 28, 1984 to a maximum of 333m² including the area of all floors;”

Effective Date

3 This Bylaw comes into force on adoption.

READ A FIRST TIME the **6th** day of **July** 2023

READ A SECOND TIME the **6th** day of **July** 2023

