

PART 7.14

M-CS-1 ZONE, MARINE - COMPREHENSIVE SERVICE DISTRICT

Permitted Uses:

- 1 (a) restaurants;
- (b) transient accommodation;
- (c) transient accommodation accessory uses as defined in the T-1 Zone, Limited Transient Accommodation District;
- (d) multiple dwellings;
- (e) parking and loading facilities;
- (f) docks, wharves, piers and similar structures used or intended to be used for or in connection with the use and enjoyment of the Victoria Harbour or for navigational purposes;
- (g) facilities for the construction, repair and maintenance of marine vessels, including work on hulls, decks, holds and engines;
- (h) activities associated with commercial fishing, including fish packing and processing plants and ship chandlers;
- (i) retail businesses associated with the fishing industry;
- (j) radio and radar sales and service facilities;
- (k) storage, repair and supply of fishing equipment;
- (l) electrical shops;
- (m) bulk storage of oil, gasoline or propane, the volume of which may not exceed 130,000 l on any lot.

Height

- 2 No building shall exceed 18.6 m in height, measured from 7.0 m geodetic.

Floor Space Ratio

- 3 (1) Subject to subsection (2), and Sections 4 and 8, the floor space ratio shall not exceed 0.4 to 1.
- (2) Subject to Sections 4 and 8, where the uses permitted pursuant to Section 1, paragraphs (f) through (m) are the only uses conducted, the floor space ratio shall not exceed 1.5 to 1.
- 4 (1) Where
- (a) two or three lots having a combined site area of at least 8,468 m²;
- (b) the lots are within this zone and developed at the same time;
- (c) at least 2,377.4 m² of floor area is used for any of the uses permitted pursuant to Section 1, paragraphs (f) through (m) the floor space ratio on one lot, the area of which shall be not more than 4,190 m², shall not exceed 2.4 to 1 and the average floor space ratio of all lots shall not exceed 1.7 to 1.
- 2 Where the provisions of subsection (1) apply
- (a) not more than 729.3 m² of floor area of all buildings on the lots may be used as a restaurant;
- (b) not more than 4,250 m² of floor area of all buildings on the lots may be used for transient accommodation and transient accommodation accessory use, excluding restaurants;

-3-

(c) not more than 10,850 m² of floor area of all buildings on the lots may be used as multiple dwellings.

- Buildings on Lot
- 5 (1) More than one building may be sited on a lot.
- (2) Any building may encroach into an adjacent water lot.
- Site Area
- 6 (1) Subject to subsection (2) the minimum area of any lot shall be 4,190 m².
- (2) Where the only uses conducted on a lot are multiple dwellings and parking and loading facilities, the minimum area of a lot shall be 1,244 m².
- (3) Only one lot within this zone may have an area of less than 4,190 m².
- (4) Except as provided in subsection (2), no lot may be used for multiple dwellings unless on the lot, any of the uses permitted pursuant to Section 1, paragraphs (f) through (m) are conducted.
- Site Area and Restaurant Use
- 7 No building on a lot having an area of less than 4,190 m², may be used as a restaurant.
- 8 (1) Subject to subsection (2), where any lot has a site area of at least 9,712 m², the floor space ratio shall not exceed 0.4 to 1.
- (2) Where any lot has a site area of at least 9,712 m² and at least 2,377.4 m² of floor area is used for any of the uses permitted pursuant to Section 1, paragraphs (f) through (m), the floor space ratio shall not exceed 1.7 to 1 and

- (a) not more than 729.3 m² may be used as a restaurant;
- (b) not more than 4,250 m² of floor area may be used for transient accommodation and transient accommodation accessory use excluding restaurants;
- (c) not more than 10,850 m² of floor area may be used as multiple dwellings.

Setbacks

- 9 The minimum setback from Montreal Street shall be 3.8 m.
- 10 The minimum setback from Kingston Street shall be 3 m.
- 11 The minimum setback from the north lot line shall be 6 m.
- 12 The minimum setback from the west lot line shall be 6 m.
- 13 No setback is required from any shoreline or high water mark.

Landscaping

- 14 Except where access driveways are provided, the setback area from any street shall be landscaped and planted with shrubs and trees having a minimum height of 1 m.

Prohibition

- 15 No industrial activity which generates noise levels, dust, odors, or emissions incompatible with adjoining office, commercial or residential uses shall be permitted.

Parking

- 16 Any parking required pursuant to the provisions of this bylaw may be sited on another lot within this zone and where so sited shall be secured by registered easement.
- 17 Except for that area which falls within Kingston Street, no building shall be erected, maintained or used in the area beyond 59.4 m from Montreal Street.

-5-

- 18 Except for that area which falls within Montreal Street, no building shall be erected, maintained or used in the area beyond 48.7 m from Kingston Street.