

## A

Development Permit  
Areas and Heritage  
Conservation Areas

## OVERVIEW

The areas covered by Development Permit Area (“DPA”) and Heritage Conservation Area (“HCA”) designations include sensitive areas of the city. Appendix A includes guidelines that provide oversight for change in DPAs & HCAs and identifies purposes of designation, special conditions, objectives and guidelines that are specific to designated areas.

## 1. General Application

This Appendix includes multiple DPA and HCA designations and areas, some of which overlap.

- (a) Development Permits and Heritage Alteration Permits are required in accordance with the *Local Government Act*, subject only to the General Exemptions identified in the following section and the specific exemptions identified in each DPA and HCA.
- (b) Where land is located in more than one Development Permit Area or Heritage Conservation Area, the following applies:
  - (i) the provisions of each of those designated areas shall apply, and
  - (ii) an exemption relating to one designated area only relieves the requirement for a permit under that designation, not under other designations applicable to the land;

- (c) Either or both a Development Permit and Heritage Alteration Permit may be required for the same property.
- (d) One or more Development Permits and Heritage Alteration Permits may be combined into one document or permit.

## 2. General Exemptions for Development Permit Areas and Heritage Conservation Areas (collectively, the “General Exemptions”)

- (a) Development Permit Areas: In accordance with Section 488(4) of the *Local Government Act*, a Development Permit is not required in any designated Development Permit Areas under any of the following conditions:
  - (i) The demolition stage of an existing building or other structure, or part thereof, provided that:
    - (1) a Development Permit has been obtained for the construction of a new building or other structure, or part thereof which may include conditions (including the provision of security) that the property be fully and suitably landscaped;
    - (2) where a Development Permit is exempted or not required for the construction of a new building or other structure, or part thereof, a Building Permit has been obtained for the construction of a new building or other structure, or part thereof, which may include conditions (including the provision of security) that the property be fully and suitably landscaped; or,

- (3) an agreement is secured that the property be fully and suitably landscaped and properly maintained, such that it provides continuity with surrounding development, and that the pedestrian experience and street presence of the property be maintained or enhanced, which agreement may require provision of security.
- (ii) Building envelope remediation, so long as there are no changes to appearance or design when the remediation is completed, and the only change to materials is in-kind replacements;
- (iii) In kind replacements of missing, worn or damaged exterior materials, so long as there are no changes to appearance or design when the replacements are completed; ,
- (iv) The construction or installation of a rain garden, bioswale, permeable paving, green roof, or cistern that is no more than 9000 litres in capacity, that has been approved by the City's Director of Engineering and Public Works under the rainwater management credit program, as established under the Sanitary and Storm Water Utilities Bylaw, provided that:
  - (1) the rain garden, bioswale, permeable paving, green roof or cistern is constructed in accordance with:
    - › the plans and specifications approved by the Director of Engineering and Public Works;
    - › all other terms and conditions of the approval given by the Director of Engineering and Public Works under the Sanitary and Storm Water Utilities Bylaw;
    - › all other applicable regulations under the Building Bylaw, the Plumbing Bylaw, the Sanitary and Storm Water Utilities Bylaw, and the Zoning Regulation Bylaw; and
  - (2) this exemption shall not apply where the rain garden, bioswale, permeable paving, green roof or cistern is to be constructed or installed concurrently with or as an integral part of the construction of a new building; and
- (v) The subdivision of land, provided that:
  - (1) it does not create or otherwise involve a panhandle lot; and
  - (2) it is not located in DPA 12(HC), Legislative Precinct or DPA 13, Core Songhees, subject to the exceptions provided in those DPAs;
- (vi) Altering land for small-scale commercial urban food production, provided the alteration is not done in association with another alteration of building or land which requires a Development Permit. For the purposes of this paragraph, small-scale commercial urban food production has the same meaning as the Zoning Regulation bylaw.
- (b) HCAs: In accordance with section 614(3)(a) of the *Local Government Act*, a heritage alteration permit is not required in any designated heritage conservation areas under any of the following conditions:
  - (i) Building envelope remediation, so long as there are no changes to appearance or design when the remediation is completed, and the only change to materials is in-kind replacements;
  - (ii) In kind replacements of missing, worn or damaged exterior materials, so long as there are no changes to appearance or design when the replacements are completed;
  - (iii) The construction or installation of a rain garden, bioswale, permeable paving or cistern that is no more than 9000 litres in capacity, that has been approved by the City's Director of Engineering and Public Works under the rainwater management credit program, as established under the Sanitary and Storm Water Utilities Bylaw, provided that:
    - (1) the rain garden, bioswale, permeable paving or cistern is constructed in accordance with:
      - › the plans and specifications approved by the Director of Engineering and Public Works;
      - › all other terms and conditions of the approval given by the Director of Engineering and Public Works under the Sanitary and Storm Water Utilities Bylaw;
      - › all other applicable regulations under the Building Bylaw, the Plumbing Bylaw, the Sanitary and Storm Water Utilities Bylaw, and the Zoning Regulation Bylaw; and
    - (2) this exemption shall not apply where the rain garden, bioswale, permeable paving or cistern is to be constructed or installed concurrently with or as an integral part of the construction of a new building; and
  - (iv) the subdivision of land, provided it does not create or otherwise involve a panhandle lot.

### 3. General Guidelines

These General Guidelines are in addition to guidelines identified in each DPA and HCA and are to be considered and applied for both Heritage Alteration Permits and Development Permits in all designated areas:

- (a) Regulations within City bylaws may be varied or supplemented to achieve development in a manner that best suits the guidelines of a particular designation, or that is not otherwise inconsistent with such guidelines.
- (b) Where development includes features related to amenities or publicly accessible areas, conditions may be included in a Development Permit to provide such in advance of other portions of development, provided such can be achieved safely.
- (c) Development should proceed expeditiously with minimal disruption to, and maximum integration with, adjacent land uses, buildings and other structures and therefore:
  - (i) The sequence and timing of construction may be further specified in conditions appropriate to the purpose of the designation area(s), the type of development, and the local area; and
  - (ii) Conditions may be included in a permit that the property be fully and suitably landscaped and properly maintained, and that the pedestrian experience and street presence of the property be maintained or enhanced including through the retention of existing frontages or creation of interim frontages, which conditions may be different before, during, and after construction.
- (d) Incomplete buildings and excavations are to be avoided and therefore conditions (including the provision of security) may be included in a Development Permit for interim landscaping, screening and other appropriate measures, including but not limited to safety, continuity with surrounding development, and maintenance or enhancement of the pedestrian experience.
- (e) All development should consider and be generally consistent with the Urban Place Guidelines (Figure 8) and the Walkable Urban Thoroughfare Guidelines (Figure 11) in this plan, in treatment of form and character and the public realm, respectively.

**Map 34-32:** Composite Map of Development Permit Areas and Heritage Conservation Areas**MAP 34-32****COMPOSITE MAP OF  
DEVELOPMENT PERMIT  
AREAS AND HERITAGE  
CONSERVATION AREAS**

- DPA 1 (HC): Core Historic
- DPA 2 (HC): Core Business
- DPA 3 (HC): Core Mixed-Use Residential
- DPA 4: Town Centres
- DPA 5: Large Urban Villages
- DPA 6A: Small Urban Villages
- DPA 6B (HC): Small Urban Villages Heritage
- DPA 7A: Corridors
- DPA 7B (HC): Corridors Heritage
- DPA 8: Victoria Arm Gorge Waterway
- DPA 9 (HC): Inner Harbour
- DPA 10A: Rock Bay
- DPA 10B (HC): Rock Bay Heritage
- DPA 11: James Bay and Outer Harbour
- DPA 12 (HC): Legislative Precinct
- DPA 13: Core Songhees
- DPA 14: Cathedral Hill Precinct
- DPA 17 (HC): North Park Village Area
- HCA 1: Traditional Residential
- HCA 2: Robert Street Heritage Conservation Area
- DPA 15C: Intensive Residential Rockland

See Map 76 for DPA 16A: General Urban Design

The following designations apply to all areas within the City of Victoria and are not shown on this map:

- DPA 15A: Intensive Residential Small Lot
- DPA 15B: Intensive Residential Panhandle Lot
- DPA 15D: Intensive Residential Duplex
- DPA 15E: Intensive Residential Garden Suites
- DPA 15F: Missing Middle Housing
- DPA 16: General Form and Character

This composite map is provided for reference only. Please see the detailed maps for legal information.

