

A BYLAW OF THE CITY OF VICTORIA

The purposes of this bylaw are to amend the Zoning Bylaw 2018 to move three properties from the Zoning Regulation Bylaw to the Zoning Bylaw 2018 prior to provincial limitations on density bonus provisions coming into effect.

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Under its statutory powers, including Part 14 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

**Title**

- 1 This bylaw may be cited as the “ZONING BYLAW 2018, AMENDMENT BYLAW (NO. 22)”.

**Definitions**

- 2 In this bylaw:
  - (a) “**1314-1318 Wharf St**” means the lands legally described as PID: 031-303-153, LOT A OF LOT 182-F VICTORIA CITY PLAN EPP107260;
  - (b) “**930 Fort St**” means the lands legally described as PID: 000-416-592, LOT 1, OF LOTS 776 AND 777, VICTORIA CITY, PLAN 36636; and
  - (c) “**Fisherman’s Wharf**” means the lands legally described as follows:
    - (i) PID 025-392-247, LOT A OF THE BED OF VICTORIA HARBOUR VICTORIA DISTRICT PLAN VIP73551,
    - (ii) PID: 002-012-804, LOT 1 OF LOTS 1352A, 1366, 1367, 1368, AND 1369 VICTORIA CITY PLAN 28160, and
    - (iii) PID: 009-422-455, LOT 1293 VICTORIA CITY EXCEPT THAT PART IN PLAN 21724.

**Rezoning**

- 3 Bylaw No. 18-072, the Zoning Bylaw 2018, is amended as follows:
  - (a) 1314-1318 Wharf St is placed in the Old Town District – 1 Zone (OTD-1) on the Zoning Map;

- (b) 930 Fort St is placed in the Mixed Use Residential District – 1 Zone (MRD-1) on the Zoning Map;
- (c) Fisherman’s Wharf is placed in the Marine Industrial – 1 Zone (MI-1) on the Zoning Map; and
- (d) the Zoning Map is amended to indicate that 1314-1318 Wharf St, 930 Fort St and Fisherman’s Wharf are subject to site specific regulations.

**Amendments**

4 The Zoning Bylaw 2018 is further amended in Part 1.1, Section 2, by deleting Map 2 and replacing it with the Map 2 attached as Appendix 1 to this Bylaw.

5 The Zoning Bylaw 2018 is further amended in Part 2.2 as follows:

- (a) Immediately after the definition of “Financial Service”, the following new definitions are inserted:

“**Floating Commercial Unit** means a structure, incorporating a flotation system or a converted vessel that can accommodate a commercial use, other than a Home Occupation within a Float Home, and one Dwelling Unit is permitted above the First Storey.

**Float Home** means a structure incorporating a flotation system or a converted vessel that is used as a Dwelling Unit but is not intended for navigational purposes.”;

- (b) In the definition of “Home Occupation”, immediately after the words “Dwelling Unit” the following is inserted: “or Float Home”; and

- (c) Immediately after the definition of “Light Industrial”, the following new definition is inserted:

“**Live-aboard** means a vessel that is primarily used as a Dwelling Unit and is designed or intended to be used for navigational purposes.”.

6 The Zoning Bylaw 2018 is further amended in Part 4.7 (MRD-1 Zone) by:

- (a) adding the following sections after section 5:

<b>6. Lot Coverage and Open Space</b>
(Intentionally left blank)

<b>7. Lot Dimension and Area</b>
(Intentionally left blank)

## 8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	930 Fort Street  Lot 1, of Lots 776 And 777, Victoria City, Plan 36636	<p>a. Art and Cultural Facility is a permitted use.</p> <p>b. Maximum Density of Development: 2.0:1</p> <p>c. Maximum Building Height: 45m</p> <p>d. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw. Notwithstanding the requirements in Part 5 of this bylaw, any surface parking motor vehicle spaces must be located in the Rear Yard and at least 12m from the Front Lot Line.</p> <p>e. Bonus Density of Development for all uses: 5.67:1</p>	<p>i. A monetary contribution of \$103,006.80 to the Downtown Core Area Public Realm Improvement Fund</p> <p>ii. A monetary contribution of \$100,000.00 to the Victoria Housing Reserve Fund</p> <p>iii. A monetary contribution of \$67,668.94 to the Downtown Heritage Buildings Seismic Upgrade Fund.</p> <p>iv. The amenity contributions identified in i., ii. and iii. shall be adjusted annually on January 1 commencing the second calendar year following the year 2018 and each year thereafter, by adding to the base contribution an amount calculated by multiplying the base contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.</p> <p>v. For the purposes of subsection (iv), "CPI" means the all-items Consumer Price Index for Victoria published</p>

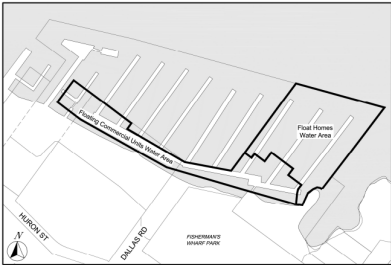
			by Statistics Canada or its successor in function.
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7 The Zoning Bylaw 2018 is further amended in Part 4.8 (OTD-1 Zone) by adding to section 8 the following row after row 80 in that table and renumbering all subsequent rows accordingly:

81.	1314 & 1318 Wharf Street  Lot A of Lot 182-F Victoria City Plan EPP107260	<ul style="list-style-type: none"> <li>a. Maximum Density of Development: 1.0:1</li> <li>b. The First Storey shall be determined as the Storey immediately above the high water mark.</li> <li>c. Residential must be located at least one Storey above the grade at Wharf Street.</li> <li>d. No Building may extend more than 8m above Wharf Street.</li> <li>e. Minimum Setback from the high water mark: 7.5m.</li> <li>f. No motor vehicle parking is required.</li> <li>g. Bicycle parking to be provided in accordance with Part 5 of this bylaw.</li> </ul>	
		<ul style="list-style-type: none"> <li>h. Bonus Density of Development: 3.39:1</li> </ul>	<ul style="list-style-type: none"> <li>i. A monetary contribution of \$72,000 to the City's Local Amenities Reserve Fund for the planting of trees.</li> <li>ii. A monetary contribution of \$2,500 to the City's Downtown Core Area Public Realm Improvement Reserve Fund for the installation of short-term bike racks.</li> <li>iii. A monetary contribution of \$16,000 to the City's Downtown Core Area Public Realm Improvement Reserve Fund for the construction of a future vehicle turn-around.</li> </ul>

8

The Zoning Bylaw 2018 is further amended in Part 4.10 (MI-1 Zone) by adding to section 8 the following as a new row 1 in that table and renumbering the subsequent row accordingly:

<p>1.</p>	<p>1 Dallas Road</p> <p>Lot A of the Bed of Victoria Harbour Victoria District Plan VIP73551</p> <p>Lot 1 of Lots 1352A, 1366, 1367, 1368, and 1369 Victoria City Plan 28160</p> <p>310 St Lawrence</p> <p>Lot 1293 Victoria City Except That Part in Plan 21724</p>	<p>a. Maximum Density of Development for all uses excluding Float Homes and Live-aboards: 0.0225:1</p> <p>b. Art and Cultural Facility, Food and Beverage Service, Float Home, Floating Commercial Unit, Live-aboard, marine Service Station, and Vehicle Sales and Rental limited to the marine industry are permitted uses.</p> <p>c. Float Homes and Floating Commercial Units must be located within the following water areas:</p>  <p>d. Part 4.10.1.1 does not apply.</p> <p>e. Maximum number of Float Homes: 33</p> <p>f. Maximum number of Live-aboards: 31</p> <p>g. Maximum Float Home Height: 7.5m from main floor level</p> <p>h. Maximum Floating Commercial Unit Height: 6.0m from main floor level</p> <p>i. Maximum Height for a Building located on a Dock, Pier and Wharf: 7.5m from Dock, Pier and Wharf level</p> <p>j. Maximum Height for Buildings on land: 6.0m</p>	
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		<p>k. A Lot may contain more than one Building</p> <p>l. A Building may straddle a Lot boundary between two Lots that are within the same zone</p> <p>m. Vehicle and Bicycle Parking is subject to the regulations in Part 5 except as specified in m. and n.</p> <p>n. Minimum vehicle parking: 1 stall per Float Home, 1 stall per bedroom or Guest Bedroom used for a Home Occupation Short-term Rental or Bed and Breakfast, and 1 stall per four berths for Live-aboard or Dock, Pier and Wharf.</p> <p>o. Required parking may be on a different Lot provided the Lot is within the same zone.</p>	
		<p>p. Maximum Bonus Density of Development for all uses excluding Float Homes and Live-aboards: 0.0676:1</p>	<p>i. A public washroom must be provided and maintained as a community amenity.</p> <p>ii. Maximum Retail Trade Floor Area including Floating Commercial Units: 1740m<sup>2</sup></p> <p>iii. Maximum Office Floor Area: 270m<sup>2</sup></p>

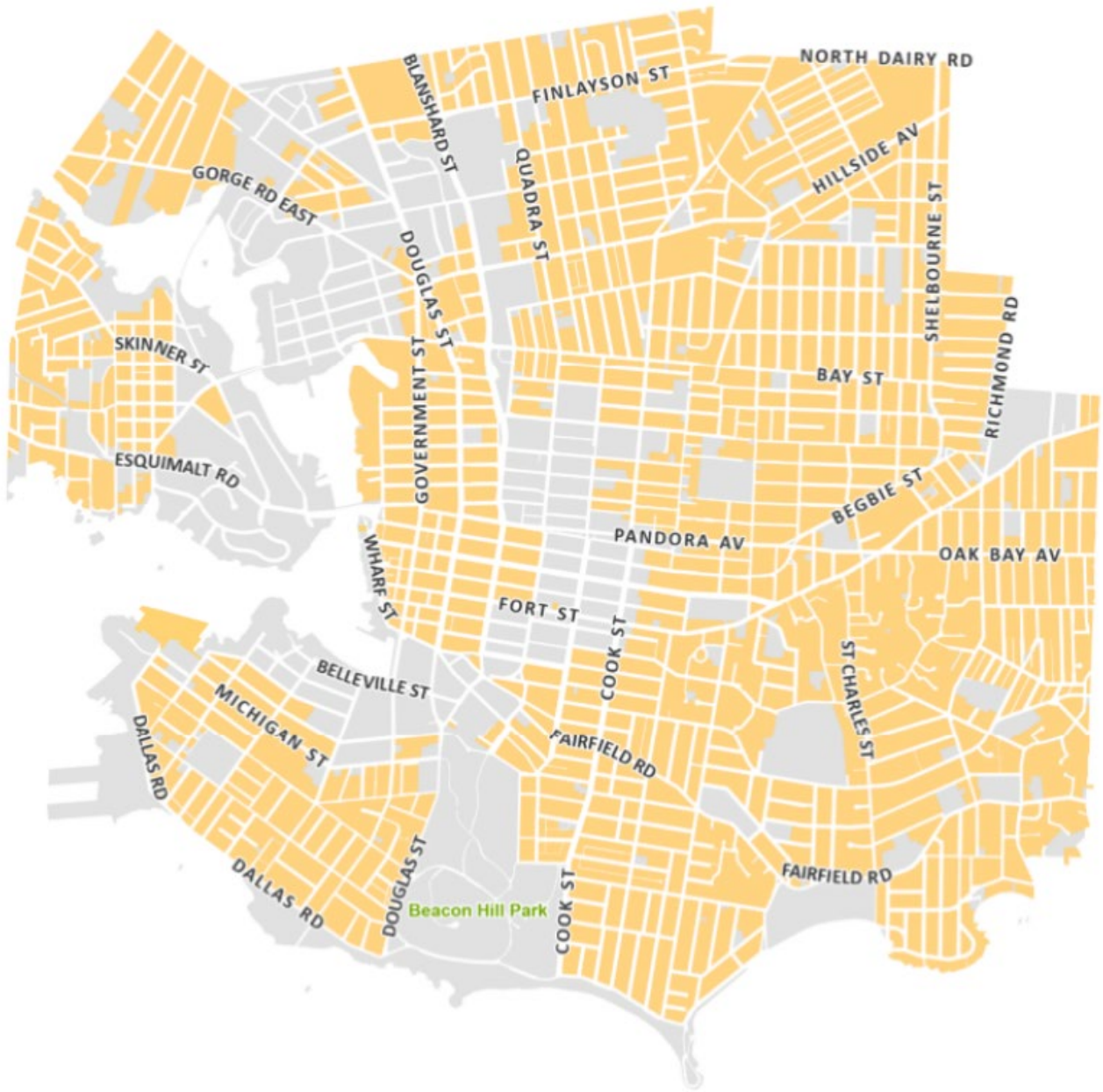
### Consequential Amendments to the Zoning Regulation Bylaw

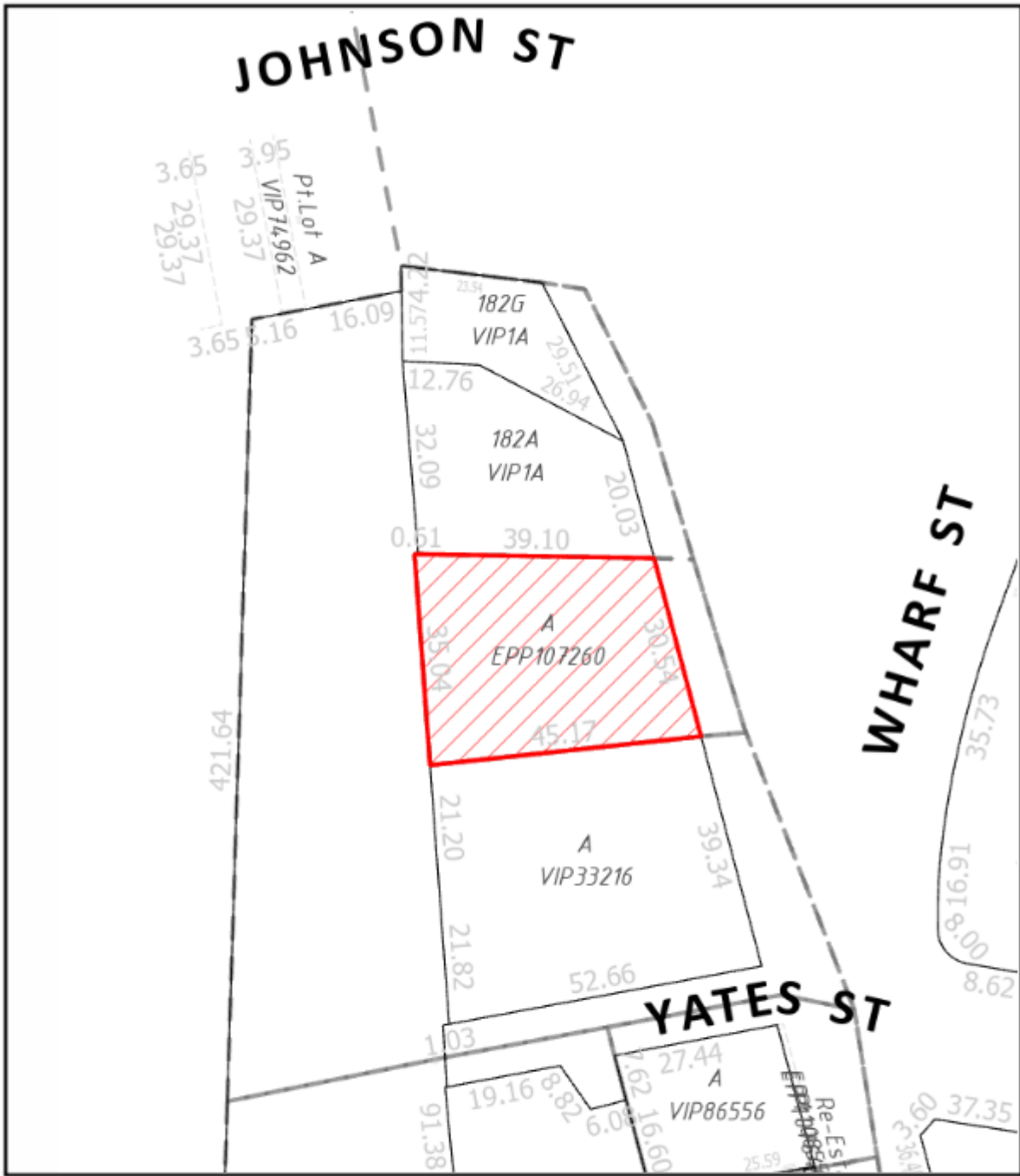
9 Bylaw No. 80-159, the Zoning Regulation Bylaw, is further amended as follows:

- (a) By repealing Part 6.98 – CA-84 Zone, Harris Green (930 Fort Street) District;
- (b) By repealing Part 7.54 – FWM Zone, Fisherman’s Wharf Marine District;
- (c) By repealing Part 8.22 – IHH Zone, Inner Harbour Heritage District; and
- (d) By updating Schedule B – Table of Contents to reflect the changes in subsections (a)-(c).



Appendix 1

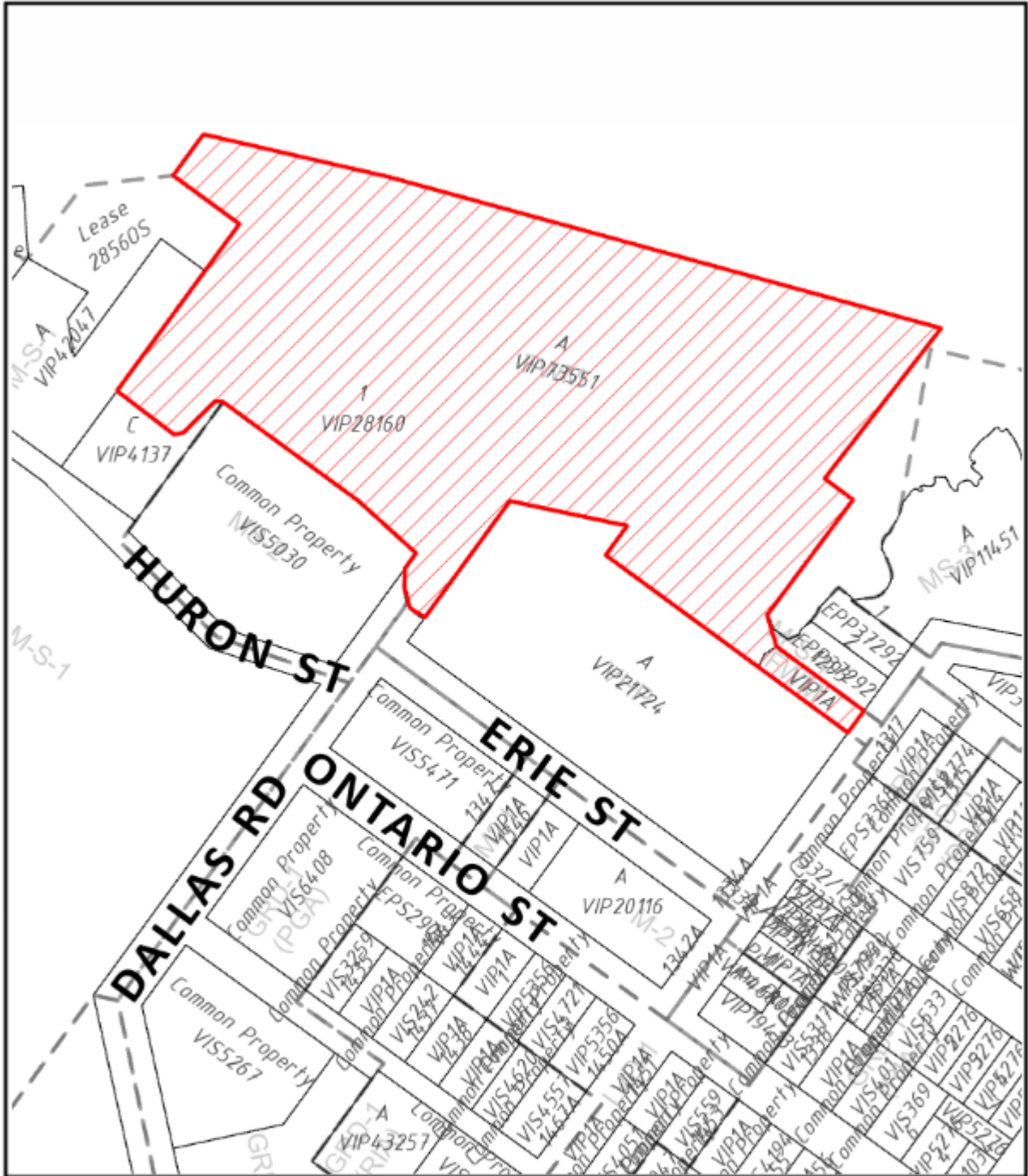




1314 Wharf Street







1 Dallas Road and  
310 St Lawrence Street

