

SCHEDULE P – MISSING MIDDLE REGULATIONS

1.0 DEFINITIONS AND INTERPRETATION

1.1 In this Schedule:

- a. “affordable rental housing unit” means a dwelling unit for which rental tenure and affordability are secured for the greater of 60 years or the life of the building through a legal agreement in accordance with the specifications in the *Affordable Housing Standards Bylaw*. Amended December 7, 2023
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- b. “car share organization” means an entity registered in British Columbia whose principal objective is to provide its members, for a fee, with a car-sharing service by which such members have self-serve access to a fleet of at least ten shared vehicles in Victoria that they may reserve for use on an hourly or other basis, but does not include rental vehicle organizations.
- c. “car share vehicle” means a four-wheeled automobile, van or pick-up truck that is managed by a car share organization, and used exclusively for the car share organization’s car-sharing service.
- d. “City lane” has the same meaning as under the *Streets and Traffic Bylaw*.
- e. “corner townhouse” means a building on a corner lot having no less than three self-contained dwelling units, each dwelling unit having direct access to the outside for ingress and egress.
- f. “heritage conserving infill” means: Amended December 7, 2023
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- i. one or more residential buildings that are on a lot with a heritage designated building that is used for residential purposes, and
 - ii. an addition to a heritage designated building that results in one or more dwelling units being added to the lot.
- g. “heritage designated building” means a building that is designated pursuant to section 611 of the *Local Government Act*. Amended December 7, 2023
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- h. “houseplex” means a building having no less than three and no more than six self-contained dwelling units, with at least half of the total dwelling units having direct access to the outside for ingress and egress, and does not include a corner townhouse.
- i. “one-way car share service” means a car share organization that allows its members to begin and end their rental periods at any lawful and authorized space within the operating area of the car share organization.
- j. “secondary dwelling unit” means a self-contained dwelling unit that:
- i. considering all floors combined, has a floor area that is less than the floor area of the principal dwelling unit,

- ii. has both direct access to the outside for ingress and egress, and internal access to the principal dwelling unit,
 - iii. together with the principal dwelling unit occupies a single parcel under the *Land Title Act*.
- k. “two-way car share service” means a car share organization that has fixed or dedicated parking spaces, and its members are required to begin and end each rental period at the same parking space.

1.2 Where there is a percentage or decimal calculation in section 2.1.b., 6.1, or 6.2 in this Schedule, if the product of the calculation results in any decimal value equal to or over 0.50, it shall be rounded up to the nearest integer, and all lower values are rounded down to the nearest integer.

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1.3 Notwithstanding the definitions contained in Schedule “A”:

- a. With respect to the definition of “area”, for the purposes of calculation of total floor area and floor space ratio, the area of any exterior hallway and exterior staircase shall be included within the area of the floor.
- b. With respect to the definitions of “area” and “lot”, for the purposes of calculation of floor space ratio, where land that has been dedicated from a lot for public highway pursuant to section 2.3.a.i., such dedicated land shall be included within the area of the lot.
- c. With respect to the definitions of “open site space” and “lot”, for the purposes of calculation of open site space, where land that has been dedicated from a lot for public highway pursuant to section 2.3.a.i., such dedicated land shall be included within the open site space of the lot.
- d. Subsections b. and c. do not apply if the lot is not used for residential purposes or has been subdivided to create a new lot after the highway dedication pursuant to section 2.3.a.i.

2.0 GENERAL REGULATIONS

The following regulations apply to all uses in Schedule P:

2.1 Permitted Uses

- a. The following uses are permitted on the lots to which this Schedule applies:
 - i. heritage conserving infill
 - ii. secondary dwelling unit
 - iii. accessory building, subject to the regulations in Schedule “F”
 - iv. the uses created as a result of a house conversion, subject to the regulations in Schedule “G”

- v. houseplex, provided that the conditions in subsection b. have been met
 - vi. corner townhouse, provided that the conditions in subsection b. have been met
- b. Notwithstanding subsection a., houseplex and corner townhouse are permitted only if the greater of two dwelling units or 30% of the total dwelling units on the lot are three-bedroom dwelling units, at a minimum
- c. For the purposes of subsection b., bedrooms within a secondary dwelling unit may be counted toward the total number of bedrooms for the principal dwelling unit.

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2.2 Number and Dimensions of Buildings and Uses

- a. Notwithstanding section 19 of the Bylaw, more than one building is permitted on a lot where any such building exceeding the limitation of one building per lot is a corner townhouse, houseplex or heritage conserving infill, subject to the regulations in this Schedule.
- b. No more than 12 dwelling units may be located on a lot with a corner townhouse.

2.3 Community Amenities

- a. As a condition of additional density pursuant to section 2.4.e., f., or g., the following amenities must be provided as community amenities
 - i. Highway dedication in accordance with Schedule “Q” – Highway Dedication Amenity Requirements, unless exempted under that Schedule.
- b. The amenity contribution pursuant to subsection a.iv. shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw No. 22-045 is adopted 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 twelve-month period.
- c. For the purposes of this section, “CPI” means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

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2.4 Floor Area, Floor Space Ratio

- a. Floor area, of all floor levels combined, of any dwelling unit (minimum) 33m²
- b. Floor area of all floors combined on a lot (maximum) 1410m²
- c. For houseplex, floor area of any floor of the houseplex (maximum) 235m²
- d. Floor space ratio where the amenities have not been provided pursuant to section 2.3.a. (maximum) 0.5:1

- e. For houseplex, floor space ratio where the amenities have been provided pursuant to section 2.3.a. (maximum) 1.0:1
- f. For corner townhouse, floor space ratio where the amenities have been provided pursuant to section 2.3.a. (maximum) 1.1:1
- g. For heritage conserving infill, floor space ratio where the amenities have been provided pursuant to section 2.3.a. (maximum) 1.1:1
- h. Up to 4m² per dwelling unit dedicated for use as residential storage space shall be excluded from the calculation of floor area in subsections d. – g., provided it is:
 - i. a contiguous partitioned space designed for the purpose of storage, and
 - ii. located inside the dwelling unit and within 4m of its principal entrance

3.0 HOUSEPLEX REGULATIONS

The following regulations apply to houseplexes:

3.1 Location and Siting of Buildings and Uses





- a. Lot width for a lot with more than one houseplex (minimum) 12m per houseplex
- b. Lot width for a lot with one houseplex (minimum)
 - i. where one parking space is required after the provision of any transportation demand management measures in accordance with section 6.1.e. 12m
 - ii. where more than one parking space is required after the provision of any transportation demand management measures in accordance with section 6.1.e. 14m
- c. The entire building must be within 30m distance of a street, not including a City lane
- d. Subsection c. does not apply to outdoor features, porches or balconies over 0.6m in height from both natural grade and finished grade

3.2 Height and Dimensions of Buildings

- a. Building height for a flat roof (maximum) 11.0m
- b. Building height for any other roof type (maximum) 12.0m
- c. Finished ceiling height for lowest level of building (minimum) 1.1m above grade

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3.3 Setbacks, Projections, Building Separation

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|-----|--|---|---|
| a. | <u>Front yard setback</u> (minimum)
Except for the following maximum projections into the <u>setback</u> : | 4.0m |  |
| i. | <u>Porch</u> , ramps, and exterior lift devices | 2m |  |
| ii. | Stairs | 4m | |
| b. | <u>Setback</u> from any <u>street</u> other than a <u>City lane</u> where subsection a. does not apply (minimum)
Except for the following maximum projections into the <u>setback</u> : | 4m | |
| i. | <u>Porch</u> , ramps, and stairs | 2m | |
| c. | <u>Side yard setback</u> to which subsection b. does not apply (minimum) | 1.5m |  |
| d. | <u>Rear yard setback</u> to which subsection b. does not apply (minimum)
Except for the following maximum projections into the <u>setback</u> : | the greater of 10m or 25% of <u>lot depth</u> | |
| i. | Exterior lift devices | 2m |  |
| e. | Eave projection into any <u>setback</u> (maximum) | 0.75m | |
| f. | <u>Building separation</u> (minimum) | 5m | |

3.4 Site Coverage, Open Site Space

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| a. | <u>Site coverage</u> (maximum) | 40% |
| b. | <u>Open site space</u> (minimum) | 45% |
| c. | A single space | |
| i. | that is landscaped and not paved, | |
| ii. | that does not have above or below ground structures, and | the greater of 35m ² or 6.5% of <u>lot area</u> |
| iii. | all sides of which are at least 4.5m long (minimum area) | |

4.0 CORNER TOWNHOUSE REGULATIONS

The following regulations apply to corner townhouses:

4.1 Location and Siting of Buildings and Uses

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| a. | <u>Lot width</u> for a <u>lot</u> with a <u>corner townhouse</u> (minimum) | 18m |
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- b. The entire building must be within 36 m distance of at least two streets, not including a City lane
- c. Where more than one building is on the lot, excluding an accessory building, all buildings must be within 20 m distance of a street, not including a City lane
- d. Subsections b. and c. do not apply to outdoor features, porches or balconies over 0.6 m in height from both natural grade and finished grade

4.2 Height and Dimensions of Buildings

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- a. Building height for a flat roof (maximum) 11.0m
- b. Building height for any other roof type (maximum) 12.0m
- c. Finish ceiling height for lowest level of building (minimum) 1.1m above grade

4.3 Setbacks, Projections, Building Separation

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- a. Setback from any street other than a City lane (minimum) 2m

Except for the following maximum projections into the setback:

- i. Porch, ramps, and stairs 2m
- b. Any setback to which subsection a. does not apply (minimum):

- i. Where the building elevation facing the lot line includes a window to a habitable room 5m

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- ii. In all other circumstances 2m

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- c. Eave projection into any setback (maximum) 0.75m
- d. Building separation (minimum) 5m

4.4 Site Coverage, Open Site Space

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- a. Site coverage (maximum) 50%
- b. Open site space (minimum) 45%
- c. A single space
 - i. that is landscaped and not paved,
 - ii. that does not have above or below ground structures, and the greater of 35m² or 6.5% of lot area
 - iii. all sides of which are at least 4.5m long (minimum area)

5.0 HERITAGE CONSERVING INFILL REGULATIONS

The following regulations apply to heritage conserving infill:

5.1 Location and Siting of Buildings and Uses

- a. Heritage conserving infill must not be located closer to any street, excluding a City lane, than the heritage designated building on the same lot

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5.2 Height

- a. For any building that is not a heritage designated building, or for any addition to a heritage designated building (maximum) the greater of 7.6m or 80% of the height of the heritage designated building

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5.3 Setbacks, Projections

- a. The requirements of this section 5.3 only apply to any building that is not a heritage designated building, and to any addition to a heritage designated building

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- b. Setback from any street other than a City lane (minimum) 4m

Except for the following maximum projections into the setback:

- i. Porch, ramps, and stairs 2m
- c. Side yard and rear yard setback to which subsection b. does not apply (minimum) 5m
- d. Notwithstanding subsection c., where there is more than one side yard to which subsection b. does not apply, each additional side yard setback (minimum) 2m
- e. Eave projection into any setback (maximum) 0.75m

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5.4 Site Coverage, Open Site Space

- a. Site coverage (maximum) 50%
- b. Open site space (minimum) 30%

6.0 VEHICLE PARKING AND BICYCLE PARKING REGULATIONS

The following regulations apply to all uses in Schedule P:

6.1 Vehicle Parking

- a. Vehicle parking must be provided in accordance with Schedule “C” except as otherwise specified in this section.
- b. For all uses permitted in this Schedule, notwithstanding the contents of Table 1 of Schedule “C”, 0.77 vehicle parking spaces are required per dwelling unit, unless transportation demand measures are provided in substitution for any parking space in accordance with subsection e.
- c. As an exception to subsections a. and b., no vehicle parking spaces are required for secondary dwelling units, affordable rental housing units, or visitor parking.
- d. Notwithstanding section 4.1 of Schedule “C”, a minimum of one of the vehicle parking spaces for the lot must be an accessible parking space or a van accessible parking space in accordance with the following:
 - i. where the required number of vehicle parking spaces on the lot is 5 or fewer, one accessible parking space is required, or
 - ii. where the required number of vehicle parking spaces on the lot is more than 5, one van accessible parking space is required.
- e. Except for the requirement for one accessible parking space or van accessible parking space, which is always required, the minimum number of vehicle parking spaces required on a lot can be reduced through the ongoing provision of transportation demand management measures in accordance with the ratios specified in Table 1, where provision of the measures in the “Transportation Demand Management measure” column results in the corresponding required parking space reduction in the “Reduction in Required Vehicle Parking Spaces” column.

Table 1

Row	Transportation Demand Management measure	Reduction in Required Vehicle Parking Spaces
i.	One membership to a <u>two-way car share service</u> and an initial \$100 usage credit for the <u>two-way car share service</u> for every <u>dwelling unit</u>	0.15 parking spaces per <u>dwelling unit</u>
ii.	a. One <u>car share vehicle</u> for a <u>two-way car share service</u> for the use of residents, b. One dedicated parking space on the <u>lot</u> secured through a Car Share Parking Space SRW on the terms provided in Schedule “R”, c. One membership to the <u>two-way car share service</u> for every <u>dwelling unit</u> , and d. An initial \$100 usage credit for the <u>two-way car share service</u> for every <u>dwelling unit</u>	0.57 parking spaces per <u>dwelling unit</u>
iii.	Where a <u>car share vehicle</u> is not provided: One parking space dedicated for future use by a <u>car share vehicle</u> (for a <u>two-way car share service</u> or a <u>one-way car share service</u>) on the <u>lot</u> secured through a Car Share Parking Space SRW on the terms provided in Schedule “R”	0.15 parking spaces per <u>dwelling unit</u> , up to a maximum of one car share vehicle parking space
iv.	Where all <u>dwelling units</u> are secured as rental in perpetuity: one BC Transit public transit pass through the Eco PASS program, or its successor in function for BC Transit, for a minimum five-year term for every <u>dwelling unit</u> (Note that one <u>dwelling unit</u> on the <u>lot</u> may be owner occupied)	0.77 parking spaces per <u>dwelling unit</u> , up to a maximum of one transit pass for each <u>dwelling unit</u>

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- f. For certainty, if any of the transportation demand measures provided pursuant to subsection e. is discontinued, with the exception of the BC Transit public transit pass which may be discontinued after a five-year term, the parking space reduction for that measure no longer applies and parking required in accordance with subsection b. must be provided.
- g. Notwithstanding section 2.2.11 of Schedule “C”, a maximum of two vehicle parking spaces may be provided in the front yard.
- h. Where two vehicle parking spaces are provided in the front yard, notwithstanding the minimum drive aisle width prescribed pursuant to section 2.2.5 of Schedule “C” or the driveway crossing minimum widths prescribed pursuant to section 6 of the *Highway Access Bylaw*, the driveway crossing width must be the maximum crossing width prescribed by the *Highway Access Bylaw* for that street classification and number of parking spaces.

- i. Notwithstanding section 2.3.3 of Schedule “C”, the requirements of sections 2.3.1 and 2.3.2 of Schedule “C” apply to all uses in this Schedule.

6.2 Bicycle Parking

- a. Bicycle parking must be provided in accordance with Schedule “C”, except as otherwise specified in this section.
- b. Notwithstanding the contents of Table 2 of Schedule “C”, two bicycle parking, long-term spaces are required per dwelling unit, subject to the following exceptions:
 - i. secondary dwelling units require one bicycle parking, long-term space per dwelling unit, and
 - ii. no bicycle parking is required for each dwelling unit that has access to a private garage.
- c. Notwithstanding section 3.1.3(a)(i) and Table 4 of Schedule “C”, a minimum of 15% of the required bicycle parking, long-term spaces must accommodate oversized bicycles by having:
 - i. a minimum stall width of 0.9m,
 - ii. where the angle of the rack is equal to or less than 45 degrees (in an aerial perspective, measured from the plane of the nearest wall of a building), a minimum stall depth of 2.4m, and
 - iii. where the angle of the rack is more than 45 degrees (in an aerial perspective, measured from the plane of the nearest wall of a building), a minimum stall depth of 1.8m.
- d. A minimum of 50% of the bicycle parking, long-term spaces must be equipped with electric bicycle charging stations, each of which is comprised of a 110 V wall outlet.
- e. Where the lot contains more than six dwelling units, a bicycle maintenance facility must be provided that meets the following requirements, in addition to the requirements specified in section 3.1.3 of Schedule “C”:
 - i. it must be located in a secure area containing all required bicycle parking, long-term spaces,
 - ii. it must have minimum width of 0.9 m, minimum length of 2.4m, and a minimum height clearance in accordance with section 3.1.3(a)(iii) of Schedule “C”, with an adjacent aisle with a minimum width of 1.2m, and
 - iii. it must contain a ground or wall anchored bicycle repair stand, common bicycle maintenance tools, a bicycle pump, and a water faucet with functioning drainage.

Bylaw 22-045 adopted January 26, 2023
Amending Bylaw 23-099 adopted December 7, 2023