

UPT.1 Information Notes

Where text is in *Italics* and is followed by the words “Information Notes”, the contents of the text are provided only to assist in the understanding of the Bylaw and do not form a part of it.

UPT.2 Definitions

Definitions:

In this Zone

“**Amenity area**” for the purposes of calculating Gross Floor Area, means an indoor or sheltered area designed for the use of all residents living on site for cultural, social and recreational activities.

“**Building Width**” a structure or building at its widest as measured parallel to the street frontage.

“**First Storey**” means the lowest Storey above grade which provides a flush, level, entry point to the building. A building or structure may have more than one First Storey.

“**Floor Space Ratio**” means the gross floor area excluding those portions located more than 1.5 m (4.9 ft) below finished grade divided by the area of the Ultimate Site.

“**High Volume Roads**” For the purposes of this schedule, means Blanshard Street, Boleskine Road, Douglas Street, Saanich Road, Cloverdale Avenue.

“**Lot Line**” For the purposes of this Schedule, means a property line after land dedication.

“**Multi-use Pathway**” means a 5 m wide pathway for pedestrians and cyclists, as identified in the Subdivision Bylaw.

“**Streetwall**” means the lower portion of a building’s massing, often referred to as a ‘podium’, nearest to the Lot Line creating a street enclosure above which a building’s massing is stepped back, see Diagram 4.

“**Storey**” means an above grade, portion of a building that is situated between the surface of any floor and the surface of the floor next above it and, if there is no floor above it, that portion between the surface of such floor and the ceiling surface above it.

“**Ultimate Site**” means the parcel of land after the completion of land dedications that may be required by the Servicing Officer designated pursuant to the *Local Government Act*.

UPT.3 Uses Permitted

Commercial Uses limited to:

Auto Wash
Entertainment Venue
Fitness Centre Private
recreation
Home Occupation Office and Daycare
Liquor Retail
Neighbourhood Public House
Retail Food Store
Non-medical Cannabis Retail
Office
Personal Service
Retail sales of goods and services
Restaurant, including Fast food Restaurant
Tourist Accommodation
Vehicle Dealer
Veterinary Clinic and Veterinary Hospital

Institutional Uses limited to:

Assembly
Church
College
Community Centre
Commercial Instruction and Education
Community Care Facility
Daycare, Adult
Daycare, Child
Library
Medical Service
Recreation Facility
Theatre
University

Light Industrial Uses limited to:

Accessory Wholesale and Resale
Auto Wash, accessory to Vehicle Dealer
Brewery / Distillery
High Technology Manufacturing

Research

Servicing and Repair of Motor Vehicles, accessory to Vehicle Dealer

Residential uses limited to:

Apartment

Congregate Housing

Live-work units

UPT.4 Conditions of Use

- (a) Vehicle Dealer, Servicing and Repair of Motor Vehicles and Auto Wash use:
 - i. is wholly contained within a building or structure; and
 - ii. residential uses are contained within upper storeys.

- (b) No portion of the first storey of a development, to a depth of 11 m from the front wall of a building and extending across its full width, with frontage along Blanshard Street, Cloverdale Avenue, Douglas Street, Oak Street, Saanich Road and Tolmie Avenue may not be used for residential or Tourist Accommodation uses, except for entrances to the residential or Tourist Accommodation portion of the building.

- (c) Light Industrial Uses are limited to Development Area A.

- (d) First Storey Commercial on Oak Steet shall be limited to:
 - a. Entertainment Venue
 - b. Restaurant, including Fast Food Restaurant
 - c. Neighbourhood Public House
 - d. Retail sales of goods
 - e. Liquor Retail Store
 - f. Non-medical Cannabis Retail Store

- (e) Areas used for the storage of waste or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier from the street.

- (f) Notwithstanding Section 7 of this Bylaw, all vehicle parking must be located within a building.

- (g) Short Term Rentals are prohibited in all residential dwelling units.

- (h) Service Station use is limited to:

- a. Lot A, Section 7, Victoria District, Plan VIP73054 (*3393 Douglas Road*) and
 - b. Lot A, Section 7, Victoria District, Plan 18216, Except Plans 42769 AND EPP64165. (*3201 Douglas Road*).
- (i) At least 30% of residential dwelling units must include two or more bedrooms, of which:
- i. At least 20% of the total dwelling units must be two-bedroom units; and
 - ii. At least 10% of the total dwelling units must be three-bedroom units.

UPT.5 Density

- a) Within Development Area A:
 - i. Buildings and structures shall not exceed a Floor Space Ratio of 5.0
 - ii. For properties which have frontage along Douglas Street and Blanshard Street, Buildings and structures shall not exceed a Floor Space ratio of 6.5
- b) Within Development Area B, Buildings and structures shall not exceed a Floor Space Ratio of 4.0.
- c) For the purposes of calculating Floor Space Ratio, when the following uses are provided the Gross Floor Area must exclude:
 - i. Shared residential amenity areas up to 1 m² per dwelling unit.
 - ii. Above grade end of trip facilities for cyclists, up to a maximum of 100 m²
 - iii. 50% of all Commercial and Institutional uses above the first storey, up to a maximum of 0.8 FSR.
 - iv. Daycare above the first storey, up to a maximum of 600 m².

UPT.6 Height

- a) Within Development Area A:
 - i. Building and structures shall have a minimum height of 36 m (*12 Storeys*).
 - ii. Buildings and structures shall not exceed a height of 60 m (*18 Storeys*).
 - iii. Buildings and structures, which have frontage along Douglas Street and Blanshard Street, shall not exceed a height of 80 m (*24 storeys*).
- b) Within Development Area B:
 - i. Buildings and structures shall have a minimum height of 18 m (*6 Storeys, Information Notes*).
 - ii. Buildings and structures shall not exceed a height of 45 m (*12 Storeys, Information Notes*).

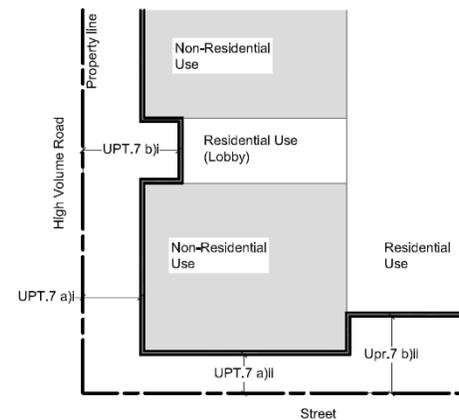
- c) For the purpose of calculating height:
 - i. A Storey which is solely utilized for the mechanical servicing and/or indoor Amenity Area adjoining to a roof top exterior amenity area, which is setback a minimum of 2 m from the exterior wall of the level below, is excluded from the height calculation of a building.
 - ii. First Storey shall have a minimum floor-to-floor height of 4.5 m.
 - iii. All Storeys which contain non-residential uses shall have a minimum floor-to-floor height of 4.0 m.

UPT.7 Setbacks

The portion of Building and/or Structure which contain:

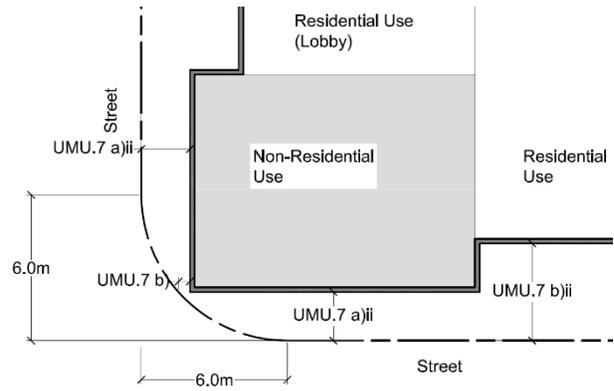
- a) Non-Residential Uses at grade shall be sited not less than:
 - i. 3.0 m from any Lot Line abutting a High Volume Road.
 - ii. 2.0 m from any Lot Line abutting a street.
 - iii. 5.0 m from any Lot Line abutting The Galloping Goose Regional Trail
 - iv. 0 m from any interior Lot Line adjoining a site zoned UPT
 - v. 1.5 m for any interior Lot Line, not zoned UPT
 - vi. 1.0 m from a Multi-use Pathway

- b) Residential Uses at grade shall be sited not less than:
 - i. 5.0 m from any Lot Line abutting a High Volume Road.
 - ii. 4.0 m from any Lot Line abutting a street.
 - iii. 5.0 m from any Lot Line abutting The Galloping Goose Regional Trail.
 - iv. 4.0 m from any interior Lot Line
 - v. 2.0 m from a Multi-use Pathway



Plan Diagram 1: Setback by Use, UPT.7

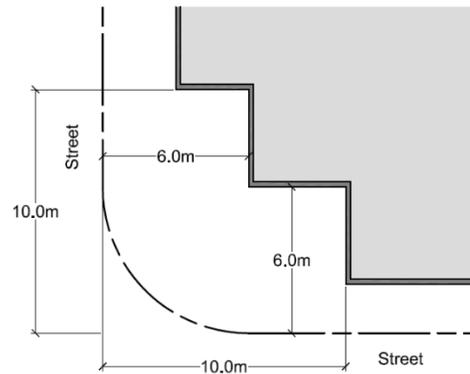
- c) Notwithstanding UPT.7 a) & b), a building and/or structure shall be sited no less than 0.5 m within 6 m of an intersection of two Lot Lines abutting roads, where UPT.8 does not apply.



Plan Diagram 2: Corner Setbacks, UPT.7 c)

UPT.8 Corner Plazas Setbacks

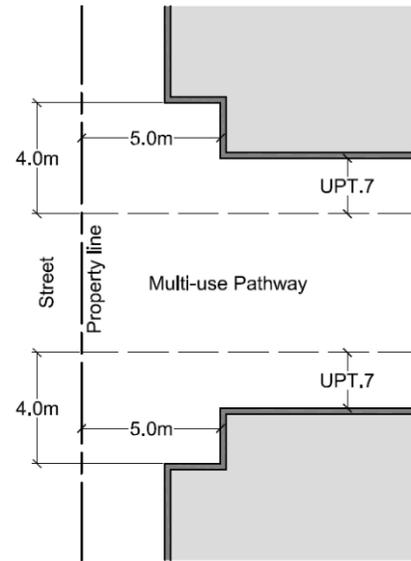
Where a building and/or structure is sited at an intersection of two roads, excluding intersections with Douglas Street and Blanshard Street, it shall be sited not less than 6.0 m from a Lot Line within 10 m of the intersection of the Lot Lines.



Plan Diagram 3: Corner Plaza Setbacks, UPT.8

UPT.9 Multi-use Pathway

Where a building and/or structure is located at an intersection of a street and a Multi-use Pathway it shall be sited not less than 5.0 m from a Lot Line abutting a street and within 4.0 m of a Multi-use Pathway.



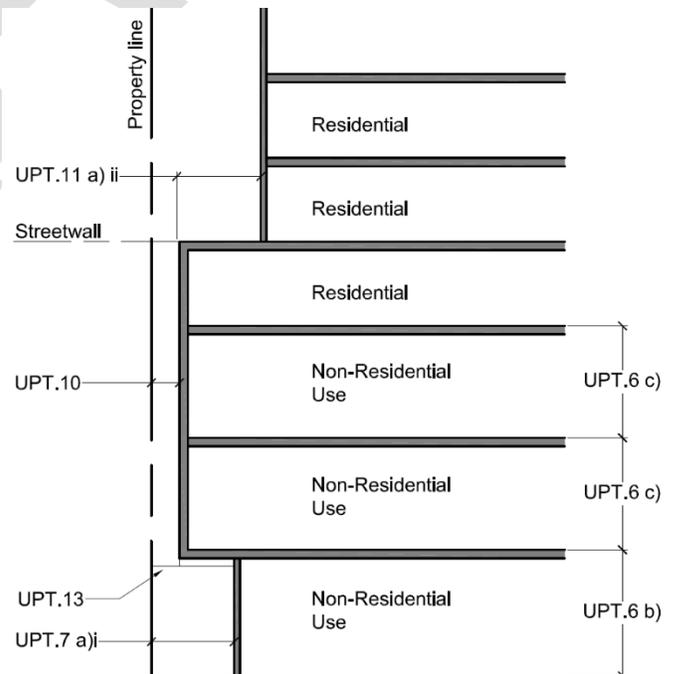
Plan Diagram 4: Multi-use Pathway setbacks, UPT.9

UPT.10 Volumetric Setbacks:

Where a building and/or structure has non-residential Uses at grade, the streetwall above the first storey shall be sited not less than 1 m from a Lot Line abutting a street, other than Oak Street.

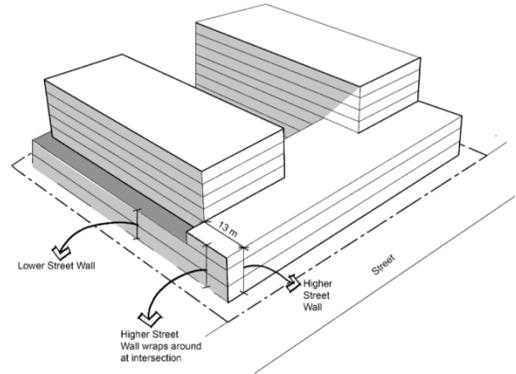
UPT.11 Stepback from Streetwall:

- a) Building and Structures, above the streetwall height identified on MAP 1:
 - i. shall be sited an additional 5 m from the setback requirements noted in UPT.7 from Oak Street.
 - ii. shall be sited an additional 3 m from the setback requirements noted in UPT.7, on streets not otherwise named.



Sectional Diagram 1: Volumetric Setback, UPT.10 & UPT.11

- b) Where two differing streetwall heights intersect on MAP 1, the higher streetwall height shall apply to a maximum depth of 13 m.



Perspective Diagram 1: Streetwall Height, UPT.11 b)

UPT.12 Building Width

- a) Within Development Area A, buildings and structures above the maximum streetwall height, identified on Map 1, shall not exceed a horizontal building width of 32 m.
- b) Within Development Area B, buildings and structures above the maximum streetwall height, identified on Map 1, shall not exceed a horizontal building width of 60 m.

UPT.13 Building separation and setbacks above the streetwall height

- a) Within Development Area A, Buildings and Structures above the maximum streetwall height, identified on Map 1, shall have a minimum building separation of:
- i. 20 m for non-residential uses and a setback of 10 m from an interior Lot Line; and
 - ii. 24.5 m for residential uses and a setback of 12.25 m from an interior Lot Line.
- b) Within Development Area B, Buildings and Structures above the maximum streetwall height, identified on Map 1, shall have a minimum building separation of:
- i. 20 m for non-residential uses and a setback of 4 m from an interior Lot Line; and
 - ii. 24.5 m for residential uses and a setback of 4 m from an interior Lot Line.

UPT.14 Projections

Notwithstanding Section 5.8, where canopies and awnings project beyond the building face, the minimum distance to a Lot Line abutting a street as permitted elsewhere in this

Bylaw may be reduced to 0.0 m, provided such reduction shall apply only to the projecting feature

UPT.15 General

Unless otherwise specified in this zone schedule, the relevant provisions of Sections 5, 6, 7, 8 and Schedules B and I of this Bylaw shall apply.

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UPT.16 Maximum Streetwall Height – MAP 1



LEGEND

- 9M (2 STOREY STREETWALL)
- WWW** 15M (3STOREY STREETWALL)
- - - - 18M (4STOREY STREETWALL)
- 23M (6STOREY STREETWALL)

0 25 50 100M

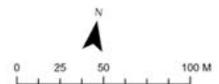
Streetwall Heights

UPT.17 Plan of Development Areas



LEGEND

- Development Area A
- Development Area B



Development Areas