

Air Space Parcel Subdivision

Amendments to Zoning Regulation Bylaw



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Purpose

- Council's consideration of Zoning Regulation Bylaw Amendment Bylaw No. 20-029 that proposes to include air space parcel regulations similar to those that exist in Zoning Bylaw 2018.
- Amendment ensures that air space parcels are regulated in a consistent manner across the city.

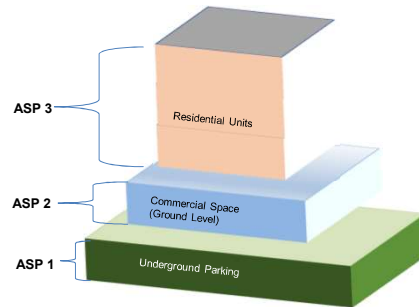


Accommodating Air Space Parcels in the Zoning Regulation Bylaw

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Air Space Parcels (ASP)

- Defined by Land Title Act as:
“A volumetric parcel, whether or not occupied in whole or in part by a building or other structure, shown as such in an air space plan”.
- Common form of subdivision for large and complex developments.
- Allows for better legal separation and ownership of different parts of a building.



Zoning Bylaw Regulations

- Zoning Bylaw 2018 contains regulations to accommodate air space parcels.
- ASP regulations are not included within Zoning Regulation Bylaw that applies to the remainder of the city - results in the need for site specific zones.



Amendments to Zoning Regulation Bylaw

Revised 'Lot' definition:

- *“Lot” means a single area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a lane or otherwise, each division thereof constituting a single area of land shall be deemed to be a separate lot, and includes a strata lot in a bare land strata plan but does not include any other strata lot or an air space parcel.*

Proposed General Regulation (New)

- *For the purposes of this bylaw, an air space parcel is deemed to be part of the same lot as the parcel at ground level.*



Consultation

- Notice of the public hearing will be advertised in the local newspaper and on the City website.
- Information will also be available at the City's Development Centre.
- Notification of the proposed zoning amendment bylaw will be emailed to all Community Association Land Use Committees and the Urban Development Institute prior to the public hearing.



Recommendation

- That Council give first and second readings to the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-029, to clarify the treatment of air space parcels under zoning regulations by excluding air space parcels from the definition of Lot and to add a general regulation that deems air space parcels to form part of the Lot at ground level, and direct staff to advertise and schedule a public hearing to consider third reading and adoption of this bylaw.

