Colwood Land Use Bylaw No. 151, 1989

(With amendments to August 24, 2026)

Consolidated for convenience only:
All persons making use of this consolidation are advised that the amendments have been consolidated for convenience only, and that the original bylaws should be consulted for all purposes of interpretation and application of the bylaw.

Includes Amendments:

Amendment	Bylaw	Adoption
1	157	February 12, 1990
2	164	May 14, 1990
3	165	May 14, 1990
4	173	October 22, 1990
5	174	October 9, 1990
6	175	September 6, 1990
7	187	May 27, 1991
8	196	September 23, 1991
9	200	August 12, 1991
11	212	February 24, 1992
13	220	April 27, 1992
14	221	March 23, 1992
15	225	March 9, 1992
16	238	December 7, 1992
18	264	June 14, 1993
20	282	April 11, 1994
21	298	June 27, 1994
22	300	October 24, 1994
23	313	March 13, 1995
24	315	September 11, 1995
25	328	February 9, 1998
26	353	September 23, 1996
27	378	January 12, 1998
28	379	Defeated
29	387	December 15, 1997
30	388	August 19, 1997
31	405	June 22, 1998
32	406	June 22, 1998
33	419	May 25, 1998
34	429	June 22, 1998

Amendment	Bylaw	Adoption
36	450	April 12, 1999
37	464	April 12, 1999
38	536	August 28, 2000
39	539	July 10, 2000
40	550	December 18, 2000
42	561	November 27, 2000
43	571	March 26, 2001
44	620	December 10, 2001
45	632	June 10, 2002
46	638	April 22, 2002
47	639	May 13, 2002
48	643	May 13, 2002
49	656	October 28, 2002
50	668	November 12, 2002
51	672	October 21, 2002
52	673	November 12, 2002
53	683	January 27, 2003
55	700	September 29, 2003
56	703	July 14, 2003
57	706	July 28, 2003
58	709	December 22, 2003
60	714	November 24, 2003
63	763	April 26, 2004
64	784	August 30, 2004
65	787	October 25, 2004
66	788	October 25, 2004
67	791	January 24, 2005
68	792	November 22, 2004
69	806	March 29, 2005
71	814	July 11, 2005
72	823	June 13, 2005
75	829	October 24, 2005
76	832	July 11, 2005
77	833	November 14, 2005
78	841	February 23, 2007
79	848	March 27, 2006
80	852	April 24, 2006
81	853	September 25, 2006
82	858	June 26, 2006
84	890	March 20, 2007 (Lagoon Estates)
84	910	January 22, 2007 (Side yard setback)
85	911	July 9, 2007
86	912	December 18, 2006
87	914	January 22, 2007
88	915	February 12, 2007
89	920	July 9, 2007
90	923	June 25, 2007
91	936	July 14, 2008

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Amendment	Bylaw	Adoption
92	946	December 17, 2007
93	948	June 23, 2008
94	951	August 25, 2008
95	953	May 23, 2008
97	1021	September 29, 2008
98	1022	August 25, 2008
99	1023	August 25, 2008
101	1026	September 29, 2009
102	1027	August 31, 2009
103	1062	May 13, 2013
105	1099	November 23, 2009
106	1132	November 9, 2009
107	1144	August 31, 2009
108	1145	October 26, 2009
109	1282	July 12, 2010
110	1311	June 28, 2010
111	1317	August 30, 2010
112	1337	February 14, 2011
113	1360	November 22, 2010
114	1366	January 24, 2011
115	1370	March 14, 2011
116	1371	March 28, 2011
117	1374	March 7, 2011
118	1393	May 24, 2011
119	1399	October 24, 2011
120	1421	October 24, 2011
121	1428	November 29, 2011
122	1439	March 26, 2012
123	1440	March 26, 2012
124	1456	October 28, 2013
125	1480	July 23, 2012
126	1482	January 13, 2014
127	1484	November 13, 2012
129	1494	January 28, 2013
130	1506	July 8, 2013
132	1509	June 24, 2013
133	1512	July 8, 2013
134	1522	March 10, 2014
135	1523	December 2, 2013
137	1537	October 10, 2017
138	1538	October 14, 2014
139	1539	October 14, 2014
140	1545	July 14, 2014
141	1548	November 25, 2014
142	1552	November 25, 2014
143	1564	June 13, 2016

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Amendment	Bylaw	Adoption
144	-	Repealed
145	1583	January 11, 2016
146	1590	November 23, 2015
147	1593	January 11, 2016
148	1597	July 11, 2016
149	1598	September 24, 2018
150	1606	February 9, 2016
151	1657	April 10, 2017
152	1613	April 11, 2016
153	1621	June 27, 2016
154	1626	February 27, 2017
155	1650	December 18, 2017
156	1655	January 23, 2016
157	1666	July 10, 2017
158	1667	December 18, 2017
159	1668	July 10, 2017
160	1678	June 12, 2017
161	1681	February 26, 2018
162	1692	October 10, 2017
164	1734	June 10, 2019
166	1754	April 23, 2019
167	1759	May 13, 2019
168	1777	December 16, 2019
169	1788	April 14, 2020
171	1807	October 13, 2020
172	1816	January 11, 2020
173	1817	December 14, 2020
174	1825	September 28, 2020
175	1837	May 10, 2021
176	1839	September 28, 2020
177	1840	June 14, 2021
178	1841	October 26, 2020
179	1842	October 26, 2020
180	1852	March 8, 2021
181	1861	May 10, 2021
182	1892	November 8, 2021
183	1893	September 27, 2021
184	1897	September 27, 2021
185	1898	April 25, 2022
186	1908	June 13, 2022
187	1912	April 11, 2022
188	1913	August 28, 2023
189	1916	May 24, 2022
190	1919	June 13, 2022
191	1924	April 11, 2023
192	1924	September 26, 2022
193	1940	July 10, 2023
194	1946	September 26, 2022
195	1947	January 9, 2023

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Amendment	Bylaw	Adoption
196	1956	October 11, 2022
197	1955	October 11, 2022
198	1951	September 26, 2022
199	1958	Application Denied February 13, 2023
200	1963	December 5, 2022
201	1967	March 27, 2023
202	1971	March 25, 2024
203	1977	January 8, 2024
204	1986	July 10, 2023
205	1989	May 13, 2024
206	2003	March 11, 2024
207	2005	June 24, 2024
208	2007	February 26, 2023
209	2010	
210	2018	
211	2022	July 8, 2024
212	2027	
213	2026	June 10, 2024
214	2035	March 10, 2025
215	2036	March 10, 2025
216	2039	November 25, 2024
217	2048	
218	2052	
219	2053	
220	2054	
221	2055	October 27, 2025
222	2056	
223	2057	April 14, 2025
224	2073	Abandoned
225	2085	
226	2089	November 24, 2025
227	2091	August 24, 2026
228	2192	March 9, 2026
229	2094	
230	2104	March 9, 2026
231	2105	June 29, 2026
233	2118	August 24, 2026

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CITY OF COLWOOD

BYLAW NO. 151

COLWOOD LAND USE BYLAW 151, 1989

A BYLAW DIVIDING THE CITY OF COLWOOD INTO ZONES AND MAKING REGULATIONS IN RELATION THERETO PURSUANT TO THE PROVISIONS OF DIVISION 5 OF PART 14 OF THE *LOCAL GOVERNMENT ACT*

The Municipal Council of the City of Colwood, in open meeting assembled, hereby enacts as follows:

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DIVISION 1: ADMINISTRATION AND INTERPRETATION

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SECTION 1.1 PURPOSE

This Bylaw regulates the development and use of land and the location and use of buildings and structures erected thereon, having due regard to:

1. The promotion of health, safety, convenience, and welfare of the public;

2. The prevention of the overcrowding of land, and the preservation of the amenities peculiar to any zone;

3. The securing of adequate light, air, and access;

4. The value of the land and the nature of its present and prospective use and occupancy;

5. The character of each zone, the character of the buildings already erected, and the peculiar suitability of the zone for particular uses; and

6. The conservation of property values.

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"ACCESSORY BUILDING"
means a building, the use or intended use of which is ancillary or subordinate to that of the principal building.

“ACCESSORY DWELLING UNIT”
means an additional self-contained dwelling unit which is ancillary to a principal dwelling unit with which it is associated and is located on the same legal lot as the principal dwelling unit with which it is associated.

An accessory dwelling unit may be one of the following:

1. an addition to or contained within an accessory building on a lot containing a two-family dwelling unit;
2. an addition to or contained within an accessory building on a lot containing an attached housing dwelling unit;
3. contained within an apartment unit;
4. contained within an accessory building associated with a one-family use, a two-family dwelling use, or an attached housing dwelling use.

"ACCESSORY USE"
means a use which is ancillary or subordinate to the principal use.

"ACCESS STRIP"
means a strip of land extending from a highway to the front lot line of a panhandle lot.

"ADULT DAY CARE CENTRE"
means a facility for the supervised care of older adults, providing activities such as meals and socialization one or more days a week during specified daytime hours, and is often used as a respite by family members caring for an older person who cannot be left alone safely in the home. The participants, primarily persons with physical and/or mental limitations who need socialization, physical assistance, and/or psychological assistance, return to their own homes each evening.

“AFFORDABLE HOUSING”
means housing that is owned or controlled by a government or a non-profit entity and which is leased at less than market rent or which is made available for purchase at less than market value.

"AGRICULTURE"
means a use providing for growing, rearing, producing and harvesting of agricultural products; includes the storage and sale on an individual farm of the products harvested, reared, or produced on that farm and the storage of farm machinery and implements used on that farm; specifically excludes Intensive Agriculture and all manufacturing, processing, storage and repairs not specifically included in this definition.

"AMBULANCE HEADQUARTERS"
means a facility for the operation and maintenance of an ambulance service, including dispatch and office facilities and the parking and maintenance of ambulance vehicles.

“AMENITY SPACE”
means an outdoor or indoor area designed and provided for use by a residential strata development for social, cultural, workspace or recreational activities.

"ANIMAL HOSPITAL"
means any building in which animals are medically treated or hospitalized.

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"APARTMENT"
means a building divided into not less than three dwelling units other than Attached Housing, specifically excludes a building used for a Hotel or Motel.

"APARTMENT (SENIOR CITIZENS)"
means an apartment providing accommodation for persons over 55 years of age and constructed under provincial and/or federal cost sharing or funding programs and operated by provincial, federal, or municipal governments, or non-profit societies.

"ATTACHED HOUSING"
means a building (or buildings) divided into not less than three dwelling units, other than secondary suites, with each dwelling unit having direct access to the outside at grade; specifically excludes a building used for Hotel or Motel.

“ASSEMBLY AND ENTERTAINMENT”
means a use providing for the gathering of people or artifacts for scientific, educational, cultural, religious, philanthropic, charitable, or recreational purposes.

“AUTOMOTIVE DEALERSHIP”
means the use of a building or part of a lot for the display, storage, and sale or lease of new or used vehicles and may include ancillary repair and maintenance services.
"BOARDER"
means an individual who for consideration receives accommodation together with meals.

“BREWERY/DISTILLERY”
means an establishment engaged in the brewing and/or distilling of alcohol for human consumption and may include within the principal building a tasting room with ancillary food preparation, meeting or presentation room, and retail sales incidental to the brewery/distillery use including the retail sale of alcoholic beverages made on the site for consumption elsewhere than on the premises.

“BREWHOUSE”
means a public house or restaurant in which beer is brewed and sold on the premises.

"BUILDING"
means any structure used or intended for supporting or sheltering any use of persons, animals or property.

"CAMP SITE"
means a facility approved pursuant to the "Camp site Regulations" of the Health Act; specifically excludes a Mobile Home Park.

“CANNABIS”
means cannabis as defined in the *Controlled Drugs and Substances Act* and includes any products containing cannabis.

“CANNABIS RETAIL STORE”
means premises where cannabis is sold or otherwise provided to a person who attends at the premises.

“CARPORT”
means a building or structure or part thereof, of which more than 40% of the area of the perimeter faces is open and unobstructed by any wall, door or post, used for the parking or temporary storage of motor vehicles.

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"CHURCH"
means a building wherein persons regularly assemble for religious worship.

"CIVIC USE"
means an elementary or secondary school, college designated under the College and Institute Act, hospital operated in accordance with Part 1, Part 2 or Part 2.1 of the Hospital Act, community centre, library established under the Library Act, museum, court of law, correctional centre, penitentiary, fire hall, police station or office used for the delivery or administration of government services or programs.

"COMMUNITY CARE FACILITY"
means a facility licensed pursuant to the *Community Care Facility Act*.

“CONGREGATE HOUSING”
means a use providing serviced accommodation for those people with a frailty or with an acute or chronic illness or disability that do not require admission to a hospital and includes seniors congregate housing.

"CORNER LOT"
means a lot at the intersection or junction of two or more highways, both of which are ten or more metres in width.

“CONCRETE BATCH PLANT”
means an Industrial Use of land for the production of ready-mix concrete for delivery off-site and the limited production of manufactured concrete products from incidental surplus production of ready-mix concrete.

“DETACHED DWELLING”
means a one-family dwelling.

“DRIVE IN BUSINESS”
means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles which are driven on to the site where such business is carried on and where normally the customer remains in the vehicle for service, including drive-thru restaurants and drive-thru food establishments; specifically excludes financial institutions, drive in theatres and gasoline service stations.

“DUPLEX”
means a two-family dwelling.

"DWELLING, ONE FAMILY"
means a building containing one Dwelling Unit, or one Dwelling Unit and an accessory secondary suite used for residential use.

"DWELLING, TWO FAMILY"
means a building containing two Dwelling Units, other than secondary suites, used for residential use.

"DWELLING UNIT"
means one or a self-contained set of inter connected rooms for the use of one or more persons living together as a single domestic unit sharing cooking, eating, living, sleeping and sanitary facilities and having only one (1) room equipped for the preparation and cooking of food; one (1) electrical service and meter; one (1) water service, meter and distribution system; and one (1) principal entrance.

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“EATING AND DRINKING ESTABLISHMENT”
means a building and structure where food and beverages are prepared and served to the public, which may be licensed under the Liquor Control and Licensing Act. This use may include accessory outdoor seating areas, but does not include a drive-through restaurant.

“EXISTING SECONDARY SUITE or EXISTING ACCESSORY DWELLING UNIT”
means a secondary suite or an accessory dwelling unit which was occupied prior to July 1, 2009.

“EXIT”
means that part of a means of egress through a doorway that leads from the floor area within a building to an exterior open space protected from fire exposure from the building and having clear access to a place of safety.

“FAMILY"
means one or more persons occupying a dwelling unit as a single household, not exceeding four persons in total in the case of persons not related by consanguinity, marriage, adoption, common law marriage or foster parenthood.

"FLANKING STREET"
means the highway or access route in a bareland strata plan, abutting the side yard of a lot.

“FLOOR AREA RATIO”
means the gross floor area divided by the lot area.

"FRONTAGE"
means that part of a lot boundary which borders on a highway, other than a lane or walkway.

“FRONTING STREET”
means, where a lot is bounded either in whole or in part by more than one street, the widest of the abutting streets.

"FRONT BUILDING LINE"
means the extended line of the wall of a building which faces the front lot line.

"GARAGE”
means a detached accessory building or portion of a principal building, the perimeter faces of which are at least 60% enclosed, whose principal or intended use is for the parking or temporary storage of motor vehicles and in which there is no facilities for repairing or servicing such vehicles.

“GOLF COURSE”
means a tract of land laid out for playing the game of golf.

“GOLF PRACTICE RANGE”
means a place of recreation, either indoor or outdoor, specifically designed for instructing and practicing the game of golf.

“GRADE, FINISHED”
means the finished elevation of the ground surface of land following construction or land altering activities at which any part of a building comes into contact with the surface of a lot, excluding any artificial mounds of earth or rocks placed at or near the wall of a building, and excluding the minimum window well width and depth required by the *British Columbia Building Code*.

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"GROSS FLOOR AREA"
means the sum of the floor areas of every storey in every building on a lot measured to the outside face of the exterior walls, excluding:

a) accessory buildings and structures,
b) canopies, sundecks, and exterior stairs,
c) the first 50 m2 of an attached carport or garage,
d) those portions located more than 1.5 m below natural grade,
e) crawl spaces,
f) common amenity areas,
g) underground or concealed parking areas, unless such parking is a principal use,
h) exterior wall thickness in excess of 0.165 m (6.5 in) up to a maximum exclusion of 0.305 m (12 in) provided that the wall thickness is utilized for the provision of insulating materials and/or protection against wind, water, and vapour.

“GROSS LEASABLE FLOOR AREA”
means the total floor area, expressed in square metres, designed for tenant occupancy on which rent is paid or income produced, and includes basements, mezzanines, and upper floors, if any, but excludes underground parking. Gross leasable floor area is measured from outside wall faces and from the centre line of joint partitions.”

"GROUP HOME USE"
means the use of a Dwelling Unit for Residential use as a Community Care Facility licensed under the Community Care Facilities Act by not more than ten (10) persons.

"HEIGHT"

a. means the vertical distance from the natural grade of a building or structure to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof to the highest point of the structure, provided that:
   - in a case where it is proposed to construct a building or structure or any part thereof on land where the current surface of the land is below the original natural grade, the current surface of the land shall be deemed to be the natural grade of the land; and
   - where a building or structure incorporates a roof exceeding a pitch of 12:12, height shall be measured to the highest point of the building or structure;

b. Except that on the following lands:
   - Lot 9, Section 73, Metchosin District, Plan 39487 - 703 Bexhill Road
   - Lot A (DD ED50218), Section 73, Metchosin District, Plan 39487 - 725 Bexhill Road
   - Lot L, Section 73, Metchosin District, Plan VIS2420 - 804 Bexhill Place
   - Lot 14, Section 73, Metchosin District, Plan VIS2419 - 818 Bexhill Road
   - Lot 13, Section 73, Metchosin District, Plan VIS2419 - 820 Bexhill Place
   - Lot 6, Section 62, Metchosin District, Plan SP1731 - 3472 Blue Sky Place
   - Lot 117, Section 64, Esquimalt District, Plan 40290 - 653 Cairndale Road
   - Lot 6, Section 36, Esquimalt District, Plan 46383 - 3309 Crowhurst Place
   - Lot 7, Section 36, Esquimalt District, Plan 46383 - 3310 Crowhurst Place
   - Lot 1, Section 73, Metchosin District, Plan 35942 - 755 Cuaulta Crescent
   - Lot 2, Section 78, Esquimalt District, Plan 42613 - 803 Cuaulta Crescent
   - Lot 1, Section 78, Esquimalt District, Plan 42613 - 805 Cuaulta Crescent
   - Lot 3, Section 62, Esquimalt District, Plan SP1984 - 820 Glassview Lane
   - Common Property, Section 64, Esquimalt District, Plan VIS2826 - 3401 Haida Drive
   - Lot 132, Section 64, Esquimalt District, Plan 40290 - 3354 Haida Drive

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- Lot 133, Section 64, Esquimalt District, Plan 40290 - 3358 Haida Drive
- Lot 118, Section 64, Esquimalt District, Plan 40290 - 3359 Haida Drive
- Lot 13, Section 64, Esquimalt District, Plan VIS2046 - 3371 Haida Drive
- Lot 12, Section 64, Esquimalt District, Plan VIS2046 - 3377 Haida Drive
- Lot 1, Section 64, Esquimalt District, Plan 42346 - 3403 Karger Terrace
- Lot 3, Section 64, Esquimalt District, Plan 38610 - 3415 Karger Terrace
- Lot 14, Section 63, Esquimalt District, Plan 38610 - 3446 Karger Terrace
- Lot 12, Section 63, Esquimalt District, Plan 38610 - 3447 Karger Terrace
- Lot 13, Section 63, Esquimalt District, Plan 38610 - 3448 Karger Terrace
- Lot 8, Section 65, Esquimalt District, Plan VIP52410 - 676 Orca Place
- Lot A, Section 63, Esquimalt District, Plan VIP72776 - 509 Outlook Place
- Lot 69, Section 64, Esquimalt District, Plan 35838 - 3363 Pattison Way
- Lot 44, Section 64, Esquimalt District, Plan 35838 - 591 Stornoway Drive
- Lot 7, Section 77, Esquimalt District, Plan VIS2933 - 712 St. Barbara's Place
- Closed Road, Sections 40 & 54, Esquimalt District, Plan EPP65345;
- Lot B, Sections 40, 41, 42, 51, 52, 53 & 54, Esquimalt District, Plan VIP58414; Except Part in Plan VIP79370 and EPP100193;
- Lot C, Sections 40, 41 & 42, Esquimalt District, Plan VIP58414; Except Part in Plan VIP79370and EPP100193;
- Lot D, Sections 40 & 54, Esquimalt District, Plan VIP58414; Except Part in Plan VIP75020, ViP82319, EPP53441;
- Lot 1, Sections 40 & 41, Esquimalt District, Plan EPP100193
- Lot 31, Section 56, Esquimalt District, Plan V1P69848
- Lot G, Section 38, Esquimalt District, Plan VIP58414 & Section 55
- Lot H, Section 16, Esquimalt District, Plan VIP58414
- Lot I, Section 54, Esquimalt District, Plan VIP58414
- Lot J, Section 53, Esquimalt District, Plan VIP85414 & Section 54

Height means the vertical distance from the average finished grade at the perimeter of a building or structure to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel, or other sloping roof, and in the case of a structure without a roof to the highest point of the structure.

"HIGHWAY"
includes a street, road, lane, bridge, viaduct and any other way open to the use of the public but does not include a private right of way on private property.

"HOME OCCUPATION – OFFICE USE ONLY"
means a home occupation where no clients, customers, or non-residential employees come to the home.

"HOTEL"
means a building or buildings providing accommodation for the travelling public only, in units without cooking facilities each of which has its own sanitary facilities including water closet and wash basin, in respect of which:

a. a guest register is required to be kept pursuant to the *Hotel Guest Registration Act*;
b. a public dining room or cafe is associated.

"IMPLEMENT OF HUSBANDRY"
means a vehicle used exclusively in the conduct of an agricultural use, but does not include a vehicle used primarily for the transportation of persons or property on a highway.

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"INDUSTRIAL, LIGHT"
means a use for the warehousing, testing, service, repair or maintenance of an article, substance, material, fabric or compound, and includes artisan and manufacturing shops, movie production studio, and retail sales accessory to a principal use

"INDUSTRIAL USE
means a use providing for the processing, fabrication, assembling, storing, transportation, distributing, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things, and the selling of heavy industrial equipment and retail uses subordinate and incidental to a principal industrial use; includes the operation of truck terminals, docks, railways; specifically excludes the storage of Special Waste.

"INTENSIVE AGRICULTURE"
means piggeries, feed lots, mushroom farms, mink farms, and the keeping of animals which are other than farm livestock and manure storage piles.

"LANDSCAPE SCREEN"
means an opaque visual barrier formed by a row of shrubs or trees, a wooden fence, or a masonry wall, or a combination thereof.

"LANDSCAPING"
means the planting of lawns, shrubs and trees, and the addition of fencing, walks, drives, or other structures and materials used in landscape architecture.

“LIVE / WORK STUDIO”
Means a commercial or light industrial use of premises with a building that also has residential uses. Individual live/work/premises may be used solely for commercial or light industrial uses, or a commercial or light industrial use may be combined with a residential use in such a manner that the residential and commercial or light industrial uses constitute a single occupancy of the premises.

For the purpose of this definition, “light industrial uses” are not permitted to create dust, heat, glare, odour, noise, gas, smoke, recurrent generated vibrations, fire hazard, electrical disturbance, particulate matter, or radiation.

For the purpose of this definition a “commercial use” means on of the following:
1. Barber shops, beauty parlour and health spas,
2. Craft studios, including but without limiting the generality of the foregoing: painting, printing, photography, pottery and ceramics, sculpture, carvings, and excluding boat building and auto refurbishing,
3. Educational tutoring,
4. Garment making and the manufacture of small leather goods, but excluding the tanning or curing of leather,
5. Offices,
6. Professional office,
7. Repair of household furnishings, including computers, and
8. Retail sale of goods manufactured within a live/work studio.

"LODGER"
means an individual who for consideration receives accommodation but not meals.

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"LOT"
means any lot, block, or other area in which real property is held or into which real property is subdivided, and includes a strata lot created under the Bare Land Strata Regulations pursuant to the Condominium Act, but specifically excludes any other strata lot created pursuant to the Condominium Act or highway or portion thereof.

"LOT AREA
means the total area on a horizontal plane within the lot lines of a lot.

"LOT COVERAGE"
means the horizontal area within the vertical projection of the outermost walls of the buildings and structures on a lot, expressed as a percentage of the lot area.

"LOT LINE"
means a line which marks the boundary of a lot and in particular:

a. **Front Lot Line** means the lot line that divides the lot from the highway or access route in a bareland strata plan, provided that in the case of a corner lot the shorter lot line that abuts the highway or access route in a bareland strata plan, shall be deemed to be the front lot line. In the case of through lot, the lot lines abutting two parallel or approximately parallel highways or access route in a bareland strata plan, shall be considered as front lot lines;

b. **Front Lot Line - Panhandle Lot** means any lot line adjoining and approximately perpendicular to the access strip, but excluding any lot line in the access strip;

c. **Side Lot Line** means a lot line other than a front or rear lot line;

d. **Rear Lot Line** means the lot line opposite to and most distant from the front lot line, or where the rear portion of the lot is bounded by intersecting side lot lines, it shall be the point of such intersection.

"LOT WIDTH"
means the horizontal distance between side lot lines measured at right angles to the lot depth and ten metres from the front lot line.

"MANUFACTURING, CONTRACTORS OFFICE"
means an office use directly related to the creation, manufacturing, repairing or servicing of a product and shall include, but not be limited to, the following office uses: architect, general and trade contractors, computer and software developer, computer services, and data processing, engineer, surveyor, scientist, geologist, graphic designer, shipping agent, or wholesale broker; and applies to the following lands:

- Lot A, Section 1, Esquimalt District, Plan VIP36299

"MANUFACTURING, CREATIVE PRODUCTS"
means a use providing for the creation, development, prototyping and ancillary marketing of products produced in a physical or digital form that are the result of a customized design process, including but not limited to: clothing design, cabinetry, furniture design, industrial product design, technological equipment design, and similar uses; and applies to the following lands:

- Lot A, Section 1, Esquimalt District, Plan VIP36299

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"MANUFACTURING, HIGH TECHNOLOGY"
means a use providing for the production or assembly of computer software, computer hardware, electrical, electronic, communications, telecommunications, fibre optics or pharmaceutical, biotechnological, medical or scientific equipment and similar products and includes copying, packaging, storing and shipping; and applies to the following lands:

- Lot A, Section 1, Esquimalt District, Plan VIP36299

“MEDIA-RELATED ESTABLISHMENT”
means land, buildings and structures used for music, film and video production studios and radio and television stations.

“MINI-STORAGE WAREHOUSE”
means the use of a wholly enclosed building for the purpose of storing personal property in a self-contained, self-storage units, each of which units has separate and exclusive access from either the exterior or interior of the building.

"MOBILE HOME"
means a transportable dwelling unit meeting minimum CSA Z240 standards or equivalent, suitable for long term occupancy, which upon arriving at the lot or site for location is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy; does not include modular housing or a prefabricated dwelling meeting CSA A277 standards or equivalent.

"MOBILE HOME PARK"
means a lot on which are installed or intended to be installed for use as dwelling units, two or more mobile homes.

"MOTEL"
means a building or buildings providing accommodation for the travelling public only, each unit of which has its own sanitary facilities including water closet and wash basin, in respect of which a guest register is required to be kept pursuant to the Hotel Guest Registration Act.

“NATURAL GRADE”
means the average of the undisturbed ground levels recorded at the four corners of the smallest rectangle that will encompass the building or structure or proposed building or structure as determined by survey in relation to benchmark elevations determined at the time of subdivision approval or, if not determined at the time of subdivision approval, determined prior to the placing of fill or the alteration of the undisturbed ground level by any means.

“NATURAL PARK”
means a park devoted to the retention, preservation and enhancement of natural, historic or landscape features and is used primarily for informal or passive recreation purposes.

"NURSING HOME"
means a facility where regular care or supervision is given by a health care professional as well as assistance with the performance of the personal functions and activities necessary for daily living for the aged or chronically ill who are unable to perform them efficiently for themselves.

"OFFICE, FINANCIAL"
means a building or part thereof used for conducting the affairs of a bank, financial institution, insurance agency, real estate agency or similar activity.

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"OFFICE, MEDICAL"
means a building or part thereof used for the provision of medical services including, but not limited to medical clinic, veterinary clinic, dentist, chiropractor, massage therapist, physiotherapist, acupuncturist, holistic medical practitioner, ophthalmologist and medical lab.

"OFFICE, PROFESSIONAL"
means a building or part thereof used primarily for conducting the affairs of a business, profession, service, industry, government or like activity.

"PANHANDLE LOT"
means a lot which requires an access strip of not more than 10 m in width to provide the vehicular access to a highway.

"PARKING AREA"
means any portion of the surface of a lot designed and used for parking motor vehicles, includes parking lots, garages, and driveways.

"PERSONAL CARE USE"
means a use providing for the care of the sick, injured, young or aged, other than in a public hospital; may or may not be licensed under the Community Care Facility Act.

"PERSONAL SERVICE"
means the provision of hairdressing, barbering, therapeutic massage, manicure, pedicure, tattoo or body piercing services; physiotherapists and chiropractors; self-service laundries, dry cleaners and tailors; beauty salons; photographers' studios; and premises used for the repair of shoes, watches, eyeglasses or small household appliances. Except that on the following lands:

- Closed Road, Sections 40 & 54, Esquimalt District, Plan EPP65345;
- Lot B, Sections 40, 41, 42, 51, 52, 53 & 54, Esquimalt District, Plan VIP58414; Except Part in Plan VIP79370 and EPP100193;
- Lot C, Sections 40, 41 & 42, Esquimalt District, Plan VIP58414; Except Part in Plan VIP79370 and EPP100193;
- Lot D, Sections 40 & 54, Esquimalt District, Plan VIP58414; Except Part in Plan VIP75020, VIP82319, EPP53441;
- Lot 1, Sections 40 & 41, Esquimalt District, Plan EPP100193
- Lot 31, Section 56, Esquimalt District, Plan VIP69848
- Lot G, Section 38, Esquimalt District, Plan VIP58414 & Section 55
- Lot H, Section 16, Esquimalt District, Plan VIP58414
- Lot I, Section 54, Esquimalt District, Plan VIP58414
- Lot J, Section 53, Esquimalt District, Plan VIP85414 & Section 54

"PERSONAL SERVICE"
means the provision of hairdressing, barbering, manicure, pedicure, tattoo or body piercing services, self-service laundries, dry cleaners, tailors, beauty salons, gymnasium and fitness studios, photography studios, and premises used for the repair of shoes, watches, eyeglasses or small household appliances.

"PET DAYCARE"
means care provided to pets which must be kept within an entirely closed building and must not be kept overnight.

"PIGGERY"
means a premises keeping more than one sow or gilt of breeding age and more than 14 feeder pigs.

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“PRESCRIBED BUS STOP”
means at least one bus route that is scheduled to stop at least every 15 minutes, on average, between the hours of:

- 7am and 7pm, Monday to Friday, and
- 10am and 6pm, Saturday and Sunday.

“PRESENTATION CENTRE”
means a structure, facility or building on a portion of a lot which is constructed for the temporary purpose of selling residential units that will be constructed on the lot. This definition is synonymous with “sales centre.”

“PRESENT NATURAL BOUNDARY”
means the visible high water mark of any lake, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river stream, or other body of water a character distinct from that of the banks both in vegetation and in the nature of the soil itself (BC Land Act). In marine systems, the natural boundary is generally determined as the lower elevation of terrestrial vegetation or the upper boundary of distinctive aquatic vegetation. The present natural boundary may be different than a previously registered plan.

"PRINCIPAL BUILDING"
means a building which is the chief or main one among the buildings on a lot.

"PRINCIPAL USE"
means the primary and chief purpose for which land, buildings and structures are located.

"PUBLIC BUILDING"
means the non-commercial use of land, building and structures for government services, art or cultural exhibits, church, community centre, library, fire hall, police station, court of law, recreation facility, or school.

"PUBLIC UTILITY USE"
means water, sewer, drainage, electrical, telecommunications, district heat and similar services.

"RECREATION VEHICLE"
means a motor vehicle or trailer designed or used primarily for accommodation during travel or recreation.

"RESIDENTIAL BUILDING"
means a one family dwelling, two family dwelling, attached housing or apartment.

"RESIDENTIAL USE"
means the occupancy or use of a building or part thereof as a dwelling unit.

“RETAINING WALL”
means a vertical structure used to retain soil for the purpose of altering the natural grade by either excavating from or adding fill to natural grade.

"RETAIL STORE"
means a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such stores, but does not include any other retail use specifically permitted by this Bylaw.

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“SCIENTIFIC OR TECHNOLOGICAL RESEARCH FACILITY”
means a building where the design, research, manufacture, testing and servicing of commercial products, including computer software and hardware, in the field of electronics, telecommunications, engineering, robotics, bio-technology, health care, or related industries, are undertaken.

“SECONDARY SUITE”
means an additional self-contained dwelling unit which is ancillary to a principal residential use and which:

1. is within a building or a part of a building of residential occupancy containing only one other dwelling unit; and,
2. is located in a building or a part of a building which is a single real estate entity.

“SENIORS CONGREGATE HOUSING”
means a use providing accommodation for people aged over 55 together with the following basic support services:

1. the provision of not less than three meals per week, to be served in a common dining area;
2. the provision of on-site staff, not less than four hours per day, five days per week, to organize social activities and assist residents in obtaining personal care, homemaker and other community support services;
3. the provision of janitorial and maintenance service;

and includes, without limiting the generality of the foregoing, the following optional services:

1. the monitoring of the well-being of all residents in a regular, informal and supportive manner, including the maintenance of a personal records to permit the owner to respond more effectively in medical emergencies; the recommending of resources within the community of residents and their families;
2. the coordination of care delivery for residents;
3. the development and support of a sense of community among the residents; and
4. the provision of an Emergency Response System for the use of residents on a fee for service basis, the overseeing and monitoring of the system and, for those residents who wish, acting as their initial contact with outside care givers and agencies.

"SHOPPING CENTRE"
means commercial facilities in one or more buildings designed as an integrated unit.

"SHOPPING CENTRE, NEIGHBOURHOOD"
means a shopping centre having a gross leasable area of more than 3,000 m2 but less than 7,000 m2.

"SHOPPING CENTRE, COMMUNITY"
means a shopping centre having a gross leasable area of 7,000 m2 or more but less than 17,000 m2.

"SHOPPING CENTRE, MAJOR"
means a shopping centre having a gross leasable area of 17,000 m2 or more.

“SHORT TERM RENTAL”
means the renting of a dwelling unit or any part of it for a period of less than 90 consecutive days.

“SHOW HOME”
means a permanent dwelling which is constructed for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area. Show homes may contain offices for the sale of other lots or dwellings in the area but shall not be used as a construction office or occupied as a place of residence until the property on which the dwelling is located on has been subdivided and transferred to a single property owner as a one-family dwelling.

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"SIGHT TRIANGLE"
means the area formed by a triangle in the angle formed by the highway right of way boundaries or boundaries produced and two points on those boundaries 6m from the point of intersection.

"SMALL-SCALE MULTI-UNIT HOUSING"
means a residential use of a lot in accordance with 'Schedule C' of this Bylaw, which supports residential dwelling units in alignment with section 481.3 of the *Local Government Act RSBC. 2015, c.1*, as may be amended or replaced from time to time.

"SPECIAL WASTE"
means

a.
   i. chlorobiphenyl that has the molecular formula C12H10 nC1n in which "n" is greater than 2 ("chlorobiphenyl");
   ii. any liquid containing more than 50 parts per million by weight of chlorobiphenyls ("PCB liquid");
   iii. any material or substance other than PCB liquid that contains or is contaminated with chlorobiphenyls at a concentration greater than 50 parts per million by weight of chlorobiphenyls ("PCB solid");
   iv. a manufactured item that contains or is contaminated with PCB liquids or PCB solids and includes transformers, capacitors and containers ("PCB equipment"); and
   v. PCB liquid, PCB solid or PCB equipment that have been taken out of service for the purpose of disposal;

b. dangerous goods as defined in Section 2 of the Transportation of Dangerous Goods Act (Canada) and as regulated in the Transportation of Dangerous Goods Regulations of Canada, SOR/85 77 of January l8, l985 (the "Federal Regulations") as the Federal Regulations stood as of October 16, l989, which dangerous goods are no longer used for their original purpose ("dangerous goods") and are:
   i. dangerous goods that would be disposed of as waste but that are otherwise transported to a facility for recycling, other than dangerous goods, not including PCB liquids, PCB solids or PCB equipment, that are to be applied into or onto land or that are to be disposed of by burning, being burned as a fuel or mixed with a fuel before being burned; or
   ii. intended for treatment or disposal, including storage before treatment or disposal,

but does not include dangerous goods that are:

   i. refuse that is collected from residential premises;
   ii. sewage effluent from domestic sources, but does not include sewage effluent from industrial sources;
   iii. defective or otherwise not usable for the intended purpose and that are in the process of being returned directly to the manufacturer or supplier;
   iv. included solely in Class 7 of the said Federal Regulations as of October 16, l989; or
   v. listed in List II of Schedule II of the Federal Regulations and have the numeral "37" in Column IV of that list;

c. waste oil in excess of l00 litres per parcel of land, including an automotive lubricating oil, cutting oil, fuel oil, gear oil, hydraulic oil, or any other refined petroleum based oil or synthetic oil where the oils are in the waste in a total concentration greater than 3% by weight and the oils through use, storage or handling have become unsuitable for their original purpose due to the presence of impurities or loss of original properties;

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d. waste asbestos, being a waste containing friable asbestos fibres or asbestos dust in a concentration greater than 1% by weight either at the time of manufacture, or as determined by the test method "Asbestos in Bulk Samples Dispersion Staining", Industrial Hygiene Laboratory Analytical Methods, Workers' Compensation Board of British Columbia (as that method existed as of October 16, 1989);

e. waste pest control product containers and wastes containing pest control products, which products are products registered as pest control products under the *Pest Control Products Act* (Canada) as of October 16, 1989;

f. leachable waste, being waste which when subjected to the leachate extraction procedures described in Part l of Schedule 4 of B.C. Regulation 63/88 as of October 16, 1989 produces an extract with a contaminate concentration greater than those prescribed in Table l of Schedule 4 of B.C. Reg. 63/88 as of October 16, 1989.

"STORAGE BUILDING"
means the use of a building primarily for the storage of goods and materials.

"STOREY"
means the portion of a building which is situated between the top of any floor and the top of the next floor above it, or if there is no floor above it, the ceiling above it. Any portion of a building having a floor level 1.5 m or more below the average finished grade will not be counted as a storey.

“STREET-ORIENTED”
means units of ground floor uses (at least those units of a building closest to the finished grade) that are adjacent to a highway and have their primary entrance directly from that highway.

"STRUCTURE"
means anything constructed, erected or placed, the use of which requires location on the ground or attachment to something having location on the ground, includes a satellite dish antenna; excludes concrete or asphalt or similar surfacing of a lot, fences, signs and underground sewage disposal facilities.

"TAXI OFFICE"
means an office from which taxis are dispatched by radio to pick up fares.
“THERAPEUTIC MASSAGE”
means the provision of massage services by a member of the College of Massage Therapists of British Columbia.

"THROUGH LOT"
means a lot abutting two parallel or approximately parallel highways of 10 m or more in width.

"UNENCLOSED STORAGE"
means an area not contained within a building where construction materials and equipment, solid fuels, lumber and new building material, monuments and stone products, public service and utility equipment, or other materials, goods, products, equipment or machinery are stored, baled, placed, piled or handled. Unenclosed storage shall not include an automobile wrecking yard or a junk yard.

"USABLE OPEN SPACE"
means an area available for safe and convenient use by occupants of the building. Usable open space shall have a compact, level surface, have no dimension of less than 6 m, and shall provide for recreational space and other leisure activities normally carried on outdoors. This area shall not include areas used for off street parking or loading, areas used for sewage disposal, driveway and required front yards.

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"USE"
means the purpose or function to which land, the surface of water, buildings, or structures are designed, intended to be put, or put.

“WATERBODY”
is any body of standing fresh or brackish water, including lakes, ponds, wetlands, swamps, bogs, and fens, whether ephemeral or connected to a stream.

"WATERCOURSE"
is any body of flowing fresh or brackish water including rivers, creeks, lakes, ditches, and springs, whether ephemeral or connected to a stream.

"YARD, FRONT"
means the area of a lot between the principal building and the front lot line in depth and between side lot lines in width.

"YARD, REAR"
means the area of a lot between the principal building and the rear lot line in depth and between side lot lines in width.

"YARD, SIDE"
means the areas of a lot between the principal building and the side lot lines in width and from the front yard to the rear yard in depth.

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1.3.01 Application

No land, building or structure, including the surface of water, shall hereafter be used or occupied and no building or structure or part thereof shall be erected, moved, altered or enlarged except in conformity with this Bylaw, and the contrary shall be unlawful.

1.3.02 Non-compliance with Siting, Size and Shape Requirements

A building existing at the time of adoption of this Bylaw which fails to comply with the requirements relating to siting, size and shape shall not be altered or extended unless such alterations or extensions are in accordance in all respects with the requirements of this Bylaw.

1.3.03 Non-conforming Uses

The regulations governing non-conforming uses are set forth in the Municipal Act.

1.3.04 Appeal

The Board of Variance duly established under a Bylaw of the City of Colwood shall hear and determine any appeal permitted by Section 962 of the Municipal Act.

1.3.05 Amendment Procedure

In addition to the requirements of the Municipal Act, the following requirements for an amendment to this Bylaw shall apply:

1. Any person applying to have this Bylaw amended shall apply in writing to the Municipal Planner fully describing the proposed change, and furnishing reasons in support of the application. The application shall include a copy of a registered plan showing the location of the property sought to be rezoned, a sketch outlining the existing use, including natural features such as trees, rock outcrops, gullies and creeks, a sketch outlining the proposed use of the property and if the applicant is not the owner, the owner's consent to the application for rezoning.

2. Where an application for amendment to this Bylaw has been refused, no further application for the same amendment shall be accepted for a period of twelve (12) months following refusal of the previous application.

1.3.06 Enforcement

1. <u>Inspection</u>

The Municipal Planner may enter on any property at all reasonable times to ascertain whether the regulations contained herein are being observed and no person shall obstruct the entry of the Municipal Planner on property for that purpose.

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2. Violation

a. No person shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
b. Every person found guilty of an infraction of this bylaw shall be liable upon summary conviction to a penalty not exceeding five hundred dollars ($500.00) and the cost of prosecution for each offence and every day during which there is an infraction of this bylaw shall constitute a separate offence.
c. The penalties imposed under Clause (b) hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw.

1.3.07 Severability

No provision of this Bylaw depends for its validity on the validity of any other provision.

1.3.08 Area Covered by Bylaw

The provisions of this Bylaw shall apply to the City of Colwood shown on the Zoning Map attached hereto as Schedule "A" which with explanatory matter thereon, is hereby made and declared to be an integral part of this Bylaw.

1.3.09 Zones

For the purposes of this Bylaw, the area specified in Section 1.3.08 of this Bylaw is hereby divided into the following zones:

Short Form	Zone
AG1	Agricultural 1
AG2	Agricultural 2
A1	Rural 1
AR1	Rural Residential 1
AR2	Rural Residential 2
R1	Residential 1
R2	Residential 2
R3	Residential 3
R4	Residential 4
R5	Residential 5
R6	Residential 6
RM1	Low Density Attached Housing
RM1A	Medium Density Attached Housing
RM1B	Medium Density Attached Housing B
RM2	Attached Housing
RM3	Apartment
RM4	Apartment (Senior Citizens)
RM5	Medium Density Apartment
RC1	Comprehensive Residential
RM6	Medium Density Low Rise Residential
RM7	Medium Density Residential 7
RTS-2	Towncentre Seniors Residential
RT1	Residential Towncentre
RT4	Residential Towncentre 4
TGA1	Transit Growth Area 1

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C1	Neighbourhood Commercial
C2	Community Commercial
C3	District Commercial
C4	Apartment Commercial
C5	Mixed Commercial
C6	Commercial Tank Farm
C7	Mixed Commercial/Residential
C8	Towncentre Mixed Use
C8A	Towncentre Mixed Use
CS1	Service Commercial
CS2	Service Commercial 2
CT1	Tourist Commercial – Motel
CS3	Service Commercial 3
MUEC1	Mixed Use Employment Centre 1
MUEC2	Mixed Use Employment Centre 2
M1	Light Industrial
M2	General Industrial
P1	Neighbourhood Institutional
P2	Community Institutional
P3	Public Utility
P4	Park and Open Space
P5	Natural Park
P6	Day Care
RBCD1	Royal Bay CD1
RBCD1A	Royal Bay CD1A
RBCD2	Royal Bay CD2
RBCD3	Royal Bay CD3
RBCD3A	Royal Bay CD3A
RBCD5	Royal Bay CD5
CD1	Comprehensive Development 1
CD2	Comprehensive Development 2 – Olympic View
CD3	Comprehensive Development 3
CD4	Comprehensive Development 4
CD5	Comprehensive Development 5
CD6	Comprehensive Development 6 – Ocean Grove
CD7	Comprehensive Development 7
CD8	Comprehensive Development 8
CD9	Comprehensive Development 9
CD10	Comprehensive Development 10
CD11	Comprehensive Development 11
CD12	Comprehensive Development 12
CD13	Comprehensive Development 13
CD14	Comprehensive Development 14
CD15	Comprehensive Development 15
CD16	Comprehensive Development 16
CD17	Comprehensive Development 17
CD18	Comprehensive Development 18
CD19	Comprehensive Development 19 – Old Colwood Dairy
CD20	Comprehensive Development 20 – Bona Vita
CD21	Comprehensive Development 21 - Centro
CD22	Comprehensive Development 22
CD24	Comprehensive Development 24

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CD25	Comprehensive Development 25
CD26	Comprehensive Development 26
CD27	Comprehensive Development 27
CD28	Comprehensive Development 28 – Latoria South
CD29	Comprehensive Development 29
CD30	Comprehensive Development 30
CD31	Comprehensive Development 31
CD32	Comprehensive Development 32
CD33	Comprehensive Development 33
CD34	Comprehensive Development 34
CD35	Comprehensive Development 35
CD36	Comprehensive Development 36
CD37	Comprehensive Development 37
CD38	Comprehensive Development 38
CD39	Comprehensive Development 39
CD40	Comprehensive Development 40
CD45	Comprehensive Development 45
CN1	Comprehensive Neighbourhood Development 1
HAH1	Hillside Attached Housing 1

1.3.10 Zoning Map

1. The location of the zones established by this Bylaw are shown on the said Schedule "A".

2. When the zone boundary is designated on the Zoning Map as following a road allowance, creek or railway right of way, the centre line of such road allowance, creek or railway line shall be the zone boundary.

3. Where a zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Zoning Map.

1.3.11 Existing Land Use Contract

Where the regulations set forth in this Bylaw are inconsistent with the terms and conditions contained in an existing Land Use Contract, the terms and conditions contained in the Land Use Contract shall prevail.

1.3.12 Effective Date of Bylaw

This Bylaw shall come into force and take effect upon the final adoption thereof.

1.3.13 Repeal

Capital Regional District Bylaw No. 980, being the "Colwood and Langford Zoning Bylaw, 1981," insofar as it applies to the City of Colwood, together with all amendments thereto, is hereby repealed.

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DIVISION 2: GENERAL PROVISIONS FOR ALL ZONES

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2.1.01 Agricultural Land Reserve

Notwithstanding anything in this Bylaw contained, land designated as "Agricultural Land Reserve" pursuant to the Agricultural Land Commission Act, shall be subject to:

1. the *Agricultural Land Commission Act*;

2. regulations made under the *Agricultural Land Commission Act*; and

3. relevant orders of the Provincial Agricultural Land Commission made under the *Agricultural Land Commission Act*;

that is to say, without limiting the generality of the foregoing, where land within an "Agricultural Land Reserve" is also within a Zone established under this Bylaw, the Bylaw shall be binding only insofar as it is not inconsistent with the Agricultural Land Commission Act and regulations or an order of the Agricultural Land Commission.

2.1.02 Location and Siting of Buildings and Structures

1. No principal or accessory building shall be located in any required front, side or rear yard, except as provided for in Section 2.1.06 of this Bylaw.

2. No swimming pool shall be located in any required front yard or less than 3 m from any side or rear lot line.

2.1.03 Conversion of Buildings

Buildings may be converted, altered, or remodeled for another use, provided that:

1. The Chief Building Inspector certifies that the building is structurally suitable for such conversion.

2. The converted building shall conform to all the provisions and regulations prescribed for the zone in which it is located.

2.1.04 Projections into Required Yards

The following features may project into a required front, side or rear yard:

1. Steps, eaves and gutters, cornices, sills, chimneys, or other similar features, provided that such projections do not project more than 1 m into the required yard or 0.65 m in the case of a side yard of less than 3 m in width.

2. Balconies and sunshades, provided that such projections do not project more than 1 m into the required yard.

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2.1.05 Flood Control and Environmental Protection

1. Notwithstanding any other provisions of this Bylaw, no buildings, structures, or any part thereof shall be constructed, reconstructed, moved, or extended nor shall any mobile home or unit, modular home or structure be located:
   a.
      i. Within the Streamside Protection and Enhancement Area of any stream, watercourse, or waterbody unless subject to Undue Hardship as defined in the Riparian Development Permit Area Guidelines.
      ii. Within 30 m of the present natural boundary of the sea; and
      iii. Within sensitive ecosystems.

   b. with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a mobile home or unit the ground level on which it is located:
      i. lower than 0.6 m above the two hundred year flood level where it has been determined to the satisfaction of the Ministry of Environment;
      ii. nor lower than 1.5 m above the natural boundary of the sea or any other lake, swamp or pond;
      iii. nor lower than 3 m above the natural boundary of Colwood Creek and Millstream Creek; and
      iv. nor lower than 1.5 m above the natural boundary of any other watercourse.
2. Clause 1(b) shall not apply to:

   a. a renovation of an existing building or structure used as a residence that does not involve an addition thereto;
   b. that portion of a building or structure to be used as a carport or garage;
   c. farm buildings other than dwelling units and closed sided livestock housing;
   d. Dwelling units on lots greater than 8 ha in area and within the Agricultural Land Reserve, but such units shall be elevated 1 m above the natural ground elevation;
   e. Closed sided livestock housing, but such livestock housing shall be elevated 1 m above the natural ground elevation; and
   f. Industrial buildings, but such buildings shall be flood proofed to an elevation of 0.6 m less than the requirements of Clause 1(b)(i).

3. The required elevation may be achieved by structural elevation, or by adequately compacted landfill, or by a combination of both structural elevation and landfill.

   Where landfill is used to achieve the required elevation, no portion of the landfill slope shall be closer than the distances in Clause 1(a) from the natural boundary, and the face of the landfill slope shall be adequately protected against erosion from floodwaters.

2.1.06 Accessory Buildings and Structures

1. General Regulations for All Zones:
   a. No accessory building or structure shall be erected on any lot unless the principal building to which the accessory building is ancillary and subordinate has been erected or will be erected simultaneously with said accessory building;

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b. The total combined floor area of accessory buildings on any lot shall not exceed 60 m2, except that in cases where an accessory building contains a dwelling unit, the area of the dwelling unit shall not be included within the total combined floor area of accessory buildings on the lot but will be subject to meeting regulations for accessory dwelling units.

c. An accessory building or structure shall not be used as a dwelling unit, except as otherwise provided for in this Bylaw;

d. No accessory building shall be located less than 15 m from a front lot line unless it complies with the front yard requirements applicable to the principal building;

e. No accessory building shall be located less than 1m from any principal building, except that, where an accessory building contains an accessory dwelling unit the setback shall be subject to limiting distance requirements of the British Columbia Building Code.

f. A satellite dish antenna installed on the roof of a building shall not extend above the maximum height permitted for the building upon which it is located;

g. A satellite dish antenna installed on the ground shall be subject to the siting, site coverage and height regulations for accessory buildings and structures for the zone in which it is located.

2. Regulations for Agricultural Zones, Residential Zones and Multiple Family Residential Zones.

a. An accessory building in a Residential or Multiple Family Residential Zone shall not exceed 4 m in height, except as otherwise provided for in this Bylaw;

b. No accessory building shall be located less than 1m from a side or rear lot line except:

i. where a mutual garage is erected on a common lot line, provided, however, that an accessory building in a Multiple Family Residential Zone shall be located not closer than 3m to a lot line of an adjoining lot in an Agricultural or Residential Zone;

ii. where an accessory building contains an accessory dwelling unit, the rear yard setback shall not be less than 1.5m for a one-storey building and not less than 3m for a building exceeding one storey and the side yard setback shall not be less than the required side yard setback for the principal dwelling, subject to the limiting distance requirements of the British Columbia Building Code;

iii. where an accessory building contains an accessory dwelling unit and is located on a lot having rear lane access, the side yard setback shall comply with Section 2.1.06 (2c ii) and the rear yard setback shall be 1m, subject to the limiting distance requirements of the British Columbia Building Code.

c. Notwithstanding Subsection (1) and Clauses (a), (b) and (c), the following regulations shall apply also to accessory buildings on corner lots:

i. An accessory building on a corner lot in an Agricultural, Residential or Multiple Family Residential Zone shall be located not closer to the flanking street than the side yard prescribed for the principal building;

ii. An accessory building on a corner lot in an Agricultural, Residential or Multiple Family Residential Zone shall be located not closer than 2 m from the rear lot line, when such rear lot line abuts the side yard of an adjacent lot in an Agricultural, Residential or Multiple Family Residential Zone.

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3. Regulations for Commercial Zones, Industrial Zones and Institutional Zones.
   a. On a corner lot an accessory building shall be located not closer to the flanking street than the principal building on the same lot.
   b. An accessory building shall be located not closer than 3 m to the rear property line of an adjoining lot in an Agricultural, Residential or Multiple Family Residential Zone.

2.1.07 Home Occupations

A home occupation when permitted in any zone shall be subject to the following regulations:

1. A home occupation shall not cause or result in any variation or alteration in the external residential appearance of the land and premises in which it is carried on.

2. Persons employed in a home occupation are limited to residents of the dwelling unit plus one non-resident employee.
3. It shall be carried on wholly within a dwelling unit provided, however, that on a lot of 5000 m2 or more in area, the home occupation may be carried on within a dwelling unit or an accessory building. An accessory building so used shall be no larger than 40 m2 in area and shall be located not less than 20 m from the front lot line and 10 m from any other lot line.

4. Except for one un-illuminated sign not exceeding 0.3 m2 in area, there shall be no indication that a home occupation is being carried on.

5. There shall be no storage external to the dwelling unit or accessory building in which the home occupation is being carried on of materials, tools, equipment, containers or finished products associated therewith.

6. The dwelling unit or accessory building shall not be used for manufacturing, welding or any other light industrial use, and the home occupation carried on therein shall not produce noise, vibration, smoke, dust, odour, litter or heat, other than that normally associated with a dwelling and it shall not create or cause any fire hazard, electrical interference or traffic congestion.

7. Any home occupation that involves the provision of food or drink as defined in the applicable provincial regulations must be approved by the Medical Health Officer prior to operation.

8. Subsection (3) shall not apply to dog breeding kennels which shall comply with the Capital Regional District Bylaw No. 688 and which shall not locate any accessory building less than 7.5 m from any lot line.

9. A Home Occupation Use involving Day Care for pre-school children as regulated by the applicable provincial regulations shall not accommodate more than ten (10) children.

10. 887 Cecil Blogg Drive
    On land legally described as Lot Q, Section 77, Esquimalt District, Plan 39113 (887 Cecil Blogg Drive) despite Sections 2.1.07(2) and 2.1.09(9) a home occupation providing specialized infant toddler group daycare (aged three months to three years) may employ residents of the dwelling unit plus not more that two non-resident employees and shall not accommodate more than twelve children.

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11. Where a secondary suite or accessory dwelling unit exists, a home occupation shall only be permitted in the principal dwelling and secondary suite or accessory dwelling unit if the home occupation use will not generate any additional vehicular traffic or require additional parking. Licensed home occupations which co-existed with a secondary suite or accessory dwelling unit on a property prior to January 1, 2010 shall be exempted from compliance with this requirement, provided that the secondary suite or accessory dwelling unit is approved and receives a permit issued by the City of Colwood.

2.1.08 Height of Buildings and Structures

The following type of structures or structural parts shall not be subject to the building height requirements of this Bylaw; transmission towers, Church spires, belfries, domes, monuments, fire and hose towers, observation towers, stadiums, public utility poles, chimneys, flag poles, silos, masts, water tanks, monitors, scenery lofts, cooling towers, drive-in theatre projection screens, elevator and ventilating machinery penthouses, provided that no such structure shall cover more than 20 percent of the lot or, if located on a building, not more than 10 percent of the roof area of the principal building.

2.1.09 Prohibited Uses

1. Any use not expressly permitted in this Bylaw is prohibited in all Zones and where a particular use is expressly permitted in one zone, such use is prohibited in all Zones where it is not also expressly permitted.

2. The following uses shall be prohibited in all Zones:

    a. The keeping on any lot of more than one vehicle which is not in a garage or carport which does not have attached or affixed thereto in the manner prescribed in the Motor Vehicle Act Regulations:

        i. Motor vehicle number plates for the current license year issued in respect of that vehicle, or
        ii. A valid Approval Certificate issued in respect of that vehicle pursuant to the Inspection Regulations of the Motor Vehicle Act,

except that implements of husbandry and not more than two (2) recreation vehicles may be kept.

    b. The keeping on any lot of detached parts of vehicles unless in a building.

    c. The siting of a permitted unlicensed vehicle except implements of husbandry other than in the rear yard or the side yard behind the front building line.

    d. The keeping on a vacant lot of detached parts of a vehicle, and any vehicle which does not have attached or affixed thereto in the manner prescribed by the Motor Vehicle Act Regulations:

        i. Motor vehicle number plate for the current licence year issued in respect of that vehicle, or
        ii. A valid Approval Certificate issued in respect of that vehicle pursuant to the Inspection Regulations of the Motor Vehicle Act.

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e. The storage of special waste.

The distribution, sale or dispensing of cannabis in any form.

f. Automotive dealerships, unless specifically included in the zone or located on the following lots; LOT 7 SECTION 1 ESQUIMALT PLAN VIP73049 (1772 Island Highway); LOT A SECTION 1 ESQUIMALT PLAN VIP76321 (1784 Island Highway); LOT 2 SECTION 1 ESQUIMALT PLAN VIP6051 EXCEPT PLAN 2857 RW & VIP62997SRW (1836 Island Highway); LOT A SECTION 1 ESQUIMALT PLAN VIP42961 (1736 Island Highway); LOT 4 SECTION 1 ESQUIMALT PLAN VIP8450 (307 Goldstream Avenue); LOT 3 SECTION 67 ESQUIMALT PLAN VIP75092 (651 Allandale Road); Lot A, Section 73, Esquimalt District, Plan EPP112073 (721 Meaford Avenue) or Lot 2, Section 73, Esquimalt District, Plan EPP119904 (2930 Brickshire Drive).

3. Metal Containers designed for the storage or transportation of goods shall not be placed on a parcel in a Residential, Multiple-Family Residential or Comprehensive Development Zone unless the container is a dumpster or recycling receptacle intended for neighbourhood collection.

4. Metal Containers designed for the storage or transportation of goods shall not be used as an accessory building or structure in a Residential, Multiple-Family Residential or Comprehensive Development Zone.

2.1.10 Uses Permitted in Any Zone

Except where specifically excluded the following uses shall be permitted in any Zone:

1. Public utility poles, pipelines, traffic control devices, and underground or submarine utility systems, the installations of which may be sited on any portion of a lot;
2. Railway lines and similar public transportation corridors;
3. Hiking trails, horse trails, public parks and playgrounds;
4. Show homes in any Zone that permits a one-family dwelling use;
5. Home occupations – office use only, secondary to a residential use;
6. Accessory buildings and structures; and
7. Short Term Rental

2.1.11 Underground Structures

The whole or any part of a structure below finished ground elevation may be sited on any portion of a lot.

2.1.12 Visibility at Intersections

No person, being the owner, occupier, or lessee of any land at the intersection of any highway of 6 m or more in width, and any other highway, shall place or permit to be placed or grow, or permit to be grown, any tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.6 m within the sight triangle above an elevation such that an eye 0.9 m above the surface elevation of one highway cannot see an object 0.9 m above the surface elevation of the other highway.

2.1.13 Temporary Buildings

A temporary building or structure may be erected for construction purposes on a lot being developed for a period not to exceed the duration of such construction or one year, whichever is less.

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2.1.14 Issuance of Development Permits

Council may, by resolution, amend Development Permits issued on or before July 7, l986 so as to regulate or require any of the following:

1. regulate the dimensions and siting of buildings and structures on the land;

2. regulate the siting and design of off-street parking and loading facilities in accordance with the provisions of the permit;

3. require that landscaping or screening be established around different uses in accordance with the standards set out in the permit;

4. require the pavement of roads and parking areas in accordance with the standards set out in the permit;

5. require the land be developed, including:

    a. the provision of sewerage, water and drainage facilities; and
    b. the construction of highways, street lighting, underground wiring, sidewalks and transit service facilities;

6. subject to Section 740 of the Municipal Act, require the construction of buildings and structures in accordance with the specifications, terms and conditions of the permit;

7. require the preservation of dedication of natural water courses and the construction of works to preserve and beautify them in accordance with the terms and conditions specified in the permit;

8. require that an area of land specified in the permit above the natural boundary of streams, rivers, lakes, or the ocean remain free of development, except that specified in the permit;

9. require the provision of areas for play and recreation;

10. limit the number, size and type and specify the form, appearance and construction of signs;

11. regulate the exterior finishing of buildings, other than residential buildings, containing three or less self-contained dwelling units, having due regard for requirements made under Subsection 3; and

12. require that an environmental development permit be issued on land subject to environmental protection.

2.1.15 Bare Land Strata Lots

This Bylaw applies to land subdivided by a bare land strata plan under the Condominium Act. Where land has been subdivided under the Condominium Act, other than by bare land strata plan, this Bylaw applies to the land as though the land had not been subdivided.

2.1.16 Area, Shape and Dimension of Lots

1. No subdivision shall be created in any Zone so that any lot created by the subdivision has an area or dimension less than that set out for the Zone in which it is located as specified in this Bylaw.

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2. Notwithstanding Subsection (1), the required minimum highway frontage is hereby reduced 20% in respect of a lot located in a Residential Zone which abuts the turnaround portion of a cul-de-sac.

3. Notwithstanding Subsection (1), where two or more lots are to be re-subdivided after consolidation, and where the proposed subdivision will result in the same or in a lesser number of lots than were in existence prior to the consolidation, the Approving Officer may approve the subdivision notwithstanding that the lots to be created are less in area or in width than the minimum prescribed provided that none of the lots to be created is less in area than the smallest of the existing lots of the land being subdivided.

4. Notwithstanding Subsection (1), where a lot is located in two zones, only one of which is the Rural 1(A1) Zone, the Approving Officer may approve a plan of subdivision which creates a residual lot within the Rural 1(A1) Zone which does not comply with the minimum lot requirements of the Rural 1(R1) Zone.

5. The Approving Officer may approve an application to subdivide into lots having dimensions which are less than that required by this Bylaw provided that:

   a. the lots created by subdivision are concurrently consolidated with adjoining lands such that the consolidated lots have dimensions satisfying the requirements of this Bylaw; and
   b. any remainder created by the subdivision, which is not affected by the concurrent consolidation, has dimensions which satisfy the requirements of this Bylaw.

6. The minimum lot and dimension requirements specified in this Bylaw do not apply where:

   a. the lot being created is to be owned or held by the Municipality or other government and is used solely for the unattended equipment necessary for the operation of:
      i. a community water system;
      ii. a community sewer system;
      iii. a community gas distribution system;
      iv. a community radio or television receiving antenna;
      v. a radio or television broadcasting antenna;
      vi. an automatic telephone exchange;
      vii. an air or marine navigational aid;
      viii. electrical substation or generating station; or

   b. The lot created by the subdivision is for park use only.

7. Where a panhandle lot is permitted, the minimum width of the access strip shall be 6 m, unless otherwise specified by this Bylaw.

8. In the case of a panhandle lot, the minimum area shall be exclusive of the access strip unless otherwise specified in a zone.

2.1.17 Subdivision to Provide Residence for a Relative

The minimum size for a parcel that may be subdivided under Section 996 of the *Municipal Act* is four ha.

2.1.18 Show Home Regulation Approval of one or more show homes in applicable residential zones prior to the registration of a subdivision plan shall be subject to the following conditions:

1. Adequate water supply for fire protection purposes must be provided to the property. Flow-testing

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of installed fire hydrants by a qualified professional is required to verify available fire flows (including static, flow, and system residual pressures).

2. Roads shall be constructed to a standard that would enable emergency vehicles and construction equipment to easily access the building sites.

3. No Occupancy Permit shall be issued until the works and services are substantially complete and the subdivision plan is registered with the Land Title Office.

4. The property owner must submit a survey plan which clearly demonstrates that any show home will be constructed in accordance with the siting regulations applicable to the lots proposed in the subdivision plan for which a preliminary layout assessment has been issued by the Approving Officer.

5. The owner must sign an acknowledgement that the owner is solely responsible for all risks associated with the siting of the building.”).

2.1.19 The Keeping of Chickens in Residential Areas

1. The keeping of chickens for domestic purposes is permitted as an accessory use to the residential use of a detached, one-family dwelling on any lot with an area less than 4,000 m2 (1 acre), but not less than 550 m2 (5,920 ft2) in any residential zone, subject to the following conditions:
   a. the number of chickens that may be kept on any lot with an area less than 4,000 m2 (1 acre) is limited to four (4);
   b. roosters are prohibited from any lots with an area less than 4,000 m2 (1 acre);
   c. chickens must be kept in a secure, fenced enclosure;
   d. the siting and size of buildings or structures that are erected for the purpose of keeping chickens or any unenclosed storage of feed or manure are subject to the requirements of this Section 2.1.18 where the requirements are different from those contained in Section 2.1.06 (Accessory Buildings and Structures) of this Bylaw;
   e. no building or structure erected for the purpose of keeping chickens or any unenclosed storage of feed or manure may exceed a height of 2.4m (7.9 ft);
   f. no building or structure erected for the purpose of keeping chickens for domestic purposes or unenclosed storage of feed or manure may be sited:
      i. within 3m (9.8 ft) of any rear or side lot line;
      ii. any closer to a front lot line than the yard requirement prescribed for the principal building or any closer than the front face of the principal building, whichever is greater;
      iii. in the case of a corner lot, any closer to the flanking street than the yard requirement prescribed for the principal building;
   g. any building or structure erected for the purpose of keeping chickens for domestic purposes or unenclosed storage of feed or manure must be kept clean and tidy;
   h. any building or structure erected for the purpose of keeping chickens for domestic purposes or unenclosed storage of feed or manure must be kept free of vermin;
   i. any manure or wasted products associated with keeping chickens must be composted or disposed of to prevent odours;
   j. the slaughter of chickens is prohibited on any lot less than 4,000 m2 (1 acre) in area; and
   k. the sale of manure, meat, eggs, feathers or any other poultry products or by products are prohibited on any lot less than 4,000 m2 (1 acre) in area.

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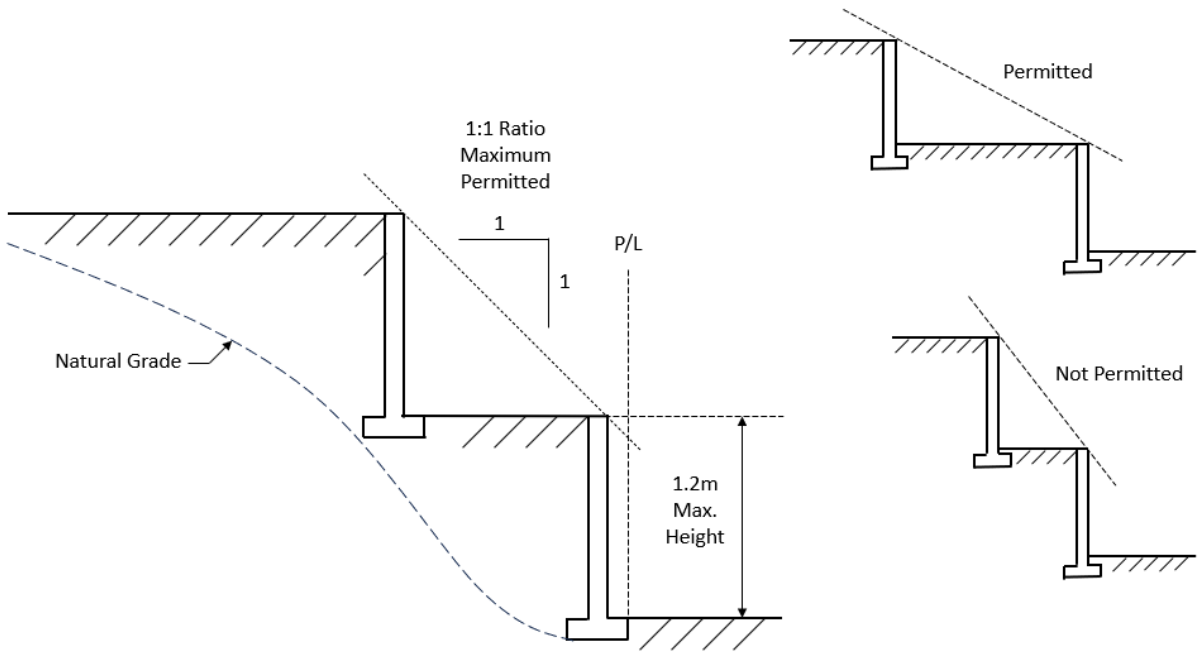
2.1.20 Retaining Walls

No portion of a retaining wall may exceed a height of 1.2 meters. In the case of a series of retaining walls, walls must be spaced at a maximum 1:1 ratio of height to horizontal separation.



2.2.01 Locations Permitted

Secondary suites and accessory dwelling units are permitted in all zones ancillary to residential use unless otherwise specified in this bylaw.

2.2.02 Conditions of Use

1. Unless otherwise specified in this Bylaw, up to one secondary suite and one accessory dwelling unit shall be permitted per lot.

2. A secondary suite or accessory dwelling unit must have a separate entrance and exit.

3.
   a. The maximum size of a secondary suite shall be $90m^2$ or 40% of the gross floor area of the total habitable floor area, excluding garages, of the building it is located in, whichever is less.
   b. Notwithstanding clause 2.2.02(4)(a), existing secondary suites shall not be subject to a maximum size.

4. The maximum size of an accessory dwelling unit shall be 90 m2 or 40% of the gross floor area of the principal dwelling unit, whichever is less.

5. New secondary suites or accessory dwelling units are not a permitted use unless the owner has registered a restrictive covenant under section 219 of the *Land Title Act* for the purpose of prohibiting the stratification of the secondary suite or accessory dwelling unit. Existing secondary suites and existing accessory dwelling units shall be exempt from the requirement to register the said covenant.

2.2.03 Density

Secondary suites and accessory dwelling units shall not be included in the calculation of dwelling unit density in this Bylaw.

2.2.04 Height of Accessory Buildings Containing Accessory Dwelling Units

1. A one-storey accessory building within which an accessory dwelling unit is located shall not exceed 4 m in height.
2. Notwithstanding clause 2.1.06 (2) (a) of this Bylaw, an accessory building with an accessory dwelling unit located above the main floor in one and one-half to two-storeys is permitted up to a maximum of 7 m in height or 80% of the height of the primary dwelling, whichever is lesser.

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DIVISION 4 AGRICULTURAL ZONES

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The general purpose of the Agricultural 1 Zone is to preserve agricultural land for farm use through the recognition and identification of Agricultural Land Reserve lands and recognition of the *Agricultural Land Commission Act*.

4.1.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Agricultural 1 (AG1) Zone:

1. Agriculture;
2. Intensive agriculture;
3. Dog boarding and breeding kennels;
4. Golf course;
5. Riding academies, riding stables;
6. Silviculture;
7. One-family dwelling and two-family dwelling;
8. Home occupation;
9. Accessory buildings and structures;
10. Secondary suite; and
11. Accessory dwelling unit.

4.1.02 Number of Residential Buildings

1. There shall be not more than one one-family dwelling on a lot.

2. Notwithstanding Subsection (1), one additional one-family dwelling for the sole purpose of housing employees may be located on a lot classified as a farm pursuant to the *Assessment Act*, where such lot is 4 ha or more in area.

3. There shall be not more than one two-family dwelling on a lot.

4.1.03 Lot Area for a Two-family Dwelling

1. A two-family dwelling use shall not be located on a lot of 0.81 ha or more in area.

2. The minimum lot area required for a two-family dwelling use shall be 835 m^2.

4.1.04 Height of Buildings

The height of a building shall not exceed 10.5 m.

Notwithstanding Subsection (1), the height of a building for an Agriculture use or Intensive agriculture use shall not exceed 12 m.

4.1.05 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 3 m in width.

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3. A rear yard shall be provided of not less than 10 m in depth.

4. Notwithstanding Subsections (1), (2) and (3) buildings and structures for an Agricultural use shall be not less than 30 m from the front lot line and not less than 15 m from any other lot line.

5. Notwithstanding Subsections (1), (2) and (3) buildings and structures for an Intensive agriculture use shall be not be less than 90 m from the front lot line and not less than 30 m from any other lot line.

4.1.06 Minimum Lot Area for Intensive Agriculture and Dog Breeding and Boarding Kennels

The minimum lot area required for an Intensive Agriculture or dog boarding and breeding kennel use is 4 ha.

4.1.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 4 ha.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 60 m.

3. Panhandle lots may be created under Section 994 of the *Municipal Act*. The minimum width of the access strip shall be:
   a. 20 m where the lot can be further subdivided; or
   b. 6 m where the Approving Officer is satisfied that there is no alternative way of subdivision.

4.1.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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The general purpose of the Agricultural 2 Zone is to preserve agricultural land for farm use through the recognition and identification of Agricultural Land Reserve lands and recognition of the *Agricultural Land Commission Act*.

4.2.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Agricultural 2 (AG2) Zone:

1. Agriculture;
2. Golf course;
3. Silviculture;
4. One-family dwelling and two-family dwelling;
5. Home occupation;
6. Accessory buildings and structures;
7. Secondary suite;
8. Accessory dwelling unit. and
9. Show homes

4.2.02 Number of Residential Buildings

1. There shall be not more than one one-family dwelling on a lot.

2. Notwithstanding Subsection (1), one additional one-family dwelling for the sole purpose of housing employees may be located on a lot classified as a farm pursuant to the *Assessment Act*, where such lot is 4 ha or more in area.

3. There shall be not more than one two-family dwelling on a lot.

4.2.03 Lot Area for a Two-family Dwelling Use

1. A two-family dwelling use shall not be located on a lot of 0.81 ha or more in area.

2. The minimum lot area required for a two-family dwelling use shall be 835 m^2.

4.2.04 Height of Buildings

1. The height of a building shall not exceed 10.5 m.

2. Notwithstanding Subsection (1), the height of a building for an Agriculture use shall not exceed 12 m.

4.2.05 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 3 m in width.

3. A rear yard shall be provided of not less than 10 m in depth.

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4. Notwithstanding Subsections (1), (2) and (3), buildings and structures for an Agriculture use shall be not less than 30 m from the front lot line and not less than 15 m from any other lot line.

4.2.06 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots may be created under Section 994 of the *Municipal Act*.

4.2.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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DIVISION 5 RESIDENTIAL ZONES

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5.1.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Rural 1 (A1) Zone:

1. Agriculture;
2. Intensive agriculture;
3. Cemeteries;
4. Community care facility;
5. Dog boarding and breeding kennels;
6. Golf course;
7. One-family dwelling and two-family dwelling;
8. Not more than 4 boarders or lodgers in a dwelling unit that does not contain a secondary suite, provided that no dwelling unit shall be occupied by more than four unrelated persons;
9. Riding academies, riding stables;
10. Home occupation;
11. Secondary suite;
12. Accessory buildings and structures;
13. Silviculture;
14. Accessory dwelling unit; and
15. Small-Scale Multi-Unit Housing

5.1.02 Number of Residential Buildings

1. There shall be not more than one-family dwelling or one two-family dwelling on a lot.

2. Notwithstanding Subsection (1), one additional one-family dwelling for the sole purpose of housing employees may be located on a lot classified as a farm pursuant to the *Assessment Act*, where such lot is 4 ha or more.

5.1.03 Height of Buildings

1. The height of a building shall not exceed 10.5 m.

2. Notwithstanding Subsection (1), the height of a building for an Agriculture use or an Intensive agriculture use shall not exceed 12 m.

5.1.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 3 m in width.

3. A rear yard shall be provided of not less than 10 m in depth.

4. Notwithstanding Subsections (1), (2) and (3), buildings and structures for an Agriculture use shall be not less than 30 m from the front lot line and not less than 15 m from any other lot line.

5. Notwithstanding Subsections (1), (2) and (3), buildings and structures for an Intensive agriculture use

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shall not be less than 90 m from the front lot line and not less than 30 m from any other lot line.

6. Notwithstanding Section 2.1.05 (1)(a)(i) and Subsection (3), buildings shall not be located less than 60 m from the natural boundary of the sea.

5.1.05 Minimum Lot Area for Intensive Agriculture and Dog Breeding and Boarding Kennels

The minimum lot area required for an Intensive agriculture or Dog Boarding and Breeding kennel use is 4 ha.

5.1.06 Lot Coverage

The maximum coverage shall be 10 percent of the lot.

5.1.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 4 ha.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 60 m.

3. Panhandle lots may be created under Section 994 of the Municipal Act. The minimum width of the access strip shall be:
   a. 20 m where the lot can be further subdivided; or
   b. 6 m where the Approving Officer is satisfied that there is no alternative way of subdivision.

5.1.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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5.2.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 1 (AR1) Zone:

1. One-family dwelling;
2. Community care facility;
3. Home occupation;
4. Not more than 4 boarders or lodgers in a dwelling unit that does not contain a secondary suite, provided that no dwelling unit shall be occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Secondary suite;
7. Accessory dwelling unit;
8. Show homes; and
9. Small-Scale Multi-Unit Housing

5.2.02 Number of Residential Buildings

There shall be not more than one one-family dwelling on a lot.

5.2.03 Height of Buildings

The height of a building shall not exceed 10.5 m.

5.2.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.
2. Side yards shall be provided of not less than 3 m in width.
3. A rear yard shall be provided of not less than 10 m in depth.

5.2.05 Lot Coverage

The maximum coverage shall be 30 percent of the lot.

5.2.06 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 4,000 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 40 m.

3. Panhandle lots may be created under Section 994 of the *Municipal Act*. The minimum width of the access strip shall be:
   a. 20 m where the lot can be further subdivided; or
   b. 6 m where the Approving Officer is satisfied that there is no alternative way of subdivision.

5.2.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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5.3.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 2 (AR2) Zone:

1. One-family dwelling;
2. Group Home Use;
3. Home Occupation;
4. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Secondary suite;
7. Accessory dwelling unit;
8. Show homes; and
9. Small-Scale Multi-Unit Housing

5.3.02 Number of Residential Buildings

There shall be not more than one one-family dwelling on a lot.

5.3.03 Size and Shape of Buildings

1. The height of a building shall not exceed 8.5 metres.
2. The floor area ratio of a residential building shall not exceed 0.4.
3. Notwithstanding Subsection (2), the maximum gross floor area of a residential building shall not exceed 350 m^2.

5.3.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.
2. Side yards shall be provided of not less than 3 m in width.
3. A rear yard shall be provided of not less than 10 m in depth.

5.3.05 Lot Coverage

The maximum coverage shall be 35 percent of the lot.

5.3.06 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 6000 square metres.

2. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 40 metres.

3. Panhandle lots may be permitted under Section 994 of the *Municipal Act*.

5.3.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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5.6.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Residential 1 (R1) Zone:

1. One-family dwelling and two-family dwelling;
2. Group Home Use;
3. Home occupation;
4. Not more than 2 boarders or lodgers in a dwelling unit provided that no Dwelling Unit shall be occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Secondary suite;
7. Accessory dwelling unit;
8. Show homes; and
9. Small-Scale Multi-Unit Housing

5.6.01A 641 Latoria Road and 579 Bunker Road

1. On land legally described as Lot 2, Sections 60 and 61, Esquimalt District, Plan 9849 (641 Latoria Road) the number of dwelling units in all one-family dwelling and two-family dwelling units combined shall not exceed two.

2. On land legally described as Lot A, Section 61, Esquimalt District, Plan 35943 (579 Bunker Road) the number of dwelling units in all one-family dwelling and two-family dwelling units combined shall not exceed two.

3. Despite the restrictions in Subsection 5.6.01A(1) the density of development permitted by Section 5.6.08 is permitted on the land referred to in Subsections 5.6.01A(1) and 5.6.01A(2) if the Owner provides community amenities:
   a. by contributing to a community amenity reserve fund of the City $2,500 per dwelling unit and for this purpose "community amenity" means land for parks or playing fields or for community building use and the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space; and
   b. by contributing to an affordable housing reserve fund of the City $500 per dwelling unit.

4. Payment shall be made at the time of subdivision approval, on the basis of the maximum number of dwelling units that are permitted by Subsection 5.6.08 on each parcel being created given the area of that parcel."

5.6.01B 544 Windthrop Road

On land legally described as That part of Lot 6, Section 62, Esquimalt District, Plan 10219, Lying to the North West of a straight boundary joining points on the North Easterly and South Westerly boundaries of said lot distant respectively 200.39 feet and 200.39 feet from the most Northerly and Westerly corners of said lot. To which parcel of land the registrar hereby assigns the distinguishing letter A (544 Windthrop Road):

1. two-family dwellings are not permitted;
2. the number of dwellings units shall not exceed one;

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3. despite Subsection 2), the density of development permitted by Section 5.6.08 is permitted if the Owner contributes to a community amenity reserve fund of the City at the time of subdivision approval, $2,500 per dwelling unit in excess of one unit that is permitted on the subdivided land by this Bylaw; and
4. the number of dwelling units on the subdivided land shall not exceed five.

5.6.02 Number of Residential Buildings

There shall be not more than one one-family dwelling or one two-family dwelling on a lot.

5.6.03 Minimum Lot Area for a Two-family Dwelling

The minimum lot area required for a two-family dwelling shall be 1,100 m^2.

5.6.04 Location of Two-family Dwellings

1. A two-family dwelling shall not be located on a panhandle lot.

2. A two-family dwelling shall not be located on a lot with a front lot line of less than 25 m.

5.6.05 Size and Shape of Buildings

1. The minimum ground floor area of a dwelling unit shall be 80 m^2.

2. The minimum average width of a dwelling unit shall be not less than 7 m.

3. The height of a building shall not exceed 8.5 m.

4. The floor area ratio of a residential building shall not exceed 0.4.

5. Notwithstanding Subsection (4), the maximum gross floor area of a residential building shall not exceed 350 m^2.

6. Notwithstanding Subsection 5.6.05(4), the maximum floor space ratio of a residential building on Strata Lot 2, Section 4, Esquimalt District, Strata Plan VIS4693 (85 Milburn Drive) shall not exceed 0.47.

5.6.06 Yard Requirements

1. A front yard shall be provided of not less than 7.5m in depth.

2.
    a. Side yards shall be provided of not less than 1.5 m in width and the sum of the two side yards shall not be less than 4.5 m, provided, however, that:
        i. where the residential building on the lot has a gross floor area of 280 m2 or more, side yards shall be provided of not less than 3 m in width except that a permit may be issued increasing the gross floor area of the building to 280 m2 or more notwithstanding that the building to which the addition is being made is sited less than 3 m from the side lot line, if every part of the building addition is sited at least 3 m from the side lot line.
        ii. side yards of not less than 3 m in width shall be provided for a two-family dwelling

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use;

iii. side yards of not less than 3 m in width shall be provided for a dwelling unit on a panhandle lot.

b. On a corner lot, a side yard of not less than 6 m in width shall be provided adjoining a flanking street.

3. A rear yard shall be provided of not less than 7.5 m in depth.

4. Notwithstanding Subsections 5.6.06(1) and 5.6.06(3), on any lot created by a subdivision in accordance with s 5.6.08(8), a front yard shall be provided of not less than 4.5 m in depth, and a rear yard shall be provided of not less than 5.5m in depth, but where a garage face is located in a front yard the minimum setback shall be 5.8m.

5.6.07 Lot Coverage

1. The maximum lot coverage for a one-family dwelling use shall be 35 percent of the lot.

2. The maximum lot coverage for a two-family dwelling use shall be 25 percent of the lot.

5.6.08 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 695 m^2.

2. The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* for a two-family dwelling use shall be 1,100 m^2.

3. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 16 m.

4. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* for a two-family dwelling use shall be 25 m.

5. Panhandle lots may be created under Section 994 of the *Municipal Act*.

6. Notwithstanding Subsection 5.6.09(1), the minimum lot area of a panhandle lot that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 900 m^2.

7. Notwithstanding Subsection 5.6.08(1) and 5.6.08(3), the minimum lot area that may be created by subdivision is 408m^2 and the minimum frontage and lot width that may be created by subdivision is 12.8m on Strata Lots 1 and 2 together with Common Property of Section 4, Esquimalt District, Strata Plan VIS4693 (Milburn Drive).

8. Despite section 5.6.08(1), in relation to the property located at 291 Portsmouth Road and legally described as Lot B, Section 14, Esquimalt District, Plan VIP78446 the minimum lot area that maybe be created by subdivision is 475 square metres if before subdividing land to create any lot having an area less than 695 square metres the owner contributes $2,500 to a community amenity reserve fund and $2,500 to an affordable housing reserve fund

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9. Despite section 5.6.08(1), in relation to the property located at 3340 Anchorage Avenue and legally described as Lot 6, Section 7, Esquimalt District, Plan 9861 the minimum lot area that may be created by subdivision is 662 square metres if before subdividing land to create any lot having an area less than 695 square metres the owner contributes $2,500 to the Community Amenity Reserve Fund and $500 to the Affordable Housing Reserve Fund.

5.6.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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5.7.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Residential 2 (R2) Zone:

1. One-family dwelling and two-family dwelling;
2. Group Home Use;
3. Home occupation;
4. Not more than 2 boarders or lodgers in a dwelling unit provided that no Dwelling Unit shall be occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Secondary suite;
7. Accessory dwelling unit;
8. Show homes; and
9. Small-Scale Multi-Unit Housing

5.7.02 Number of Residential Buildings

There shall be not more than one one-family dwelling or one two-family dwelling on a lot.

5.7.03 Minimum Lot Area for a Two-family Dwelling

The minimum lot area required for a two-family dwelling use shall be 900 m^2.

5.7.04 Size and Shape of Buildings

1. The minimum ground floor area of a dwelling unit shall be 80 m^2.

2. The minimum average width of a dwelling unit shall be not less than 7 m.

3. The height of a building shall not exceed 8.5 m.

4. The floor area ratio of a residential building shall not exceed 0.4.

5. Notwithstanding Subsection (4), the gross floor area of a residential building shall not exceed 400 m^2.

5.7.05 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
    a. Side yards shall be provided of not less than 1.5m in width and the sum of the two side yards shall not be less than 4.5m, provided, however, that;
        i. where the residential building on the lot has a gross floor area of 280m^2 or more, side yards shall be provided of not less than 3m in width except that a permit may be issued increasing the gross floor area of the building to 280m^2 or more notwithstanding that the building to which the addition is being made is sited less than 3m from the side lot line, if every part of the building addition is sited at least 3m from the side lot line.

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ii. side yards of not less than 3 m in width shall be provided for a two-family dwelling use

iii. side yards of not less than 3 m in width shall be provided for a dwelling unit on a panhandle lot.

b. On a corner lot, a side yard of not less than 6 m in width shall be provided adjoining a flanking street.

3. A rear yard shall be provided of not less than 7.5 m in depth.

5.7.06 Lot Coverage

1. The maximum lot coverage for a one-family dwelling use shall be 35 percent of the lot.

2. The maximum lot coverage for a two-family dwelling use shall be 25 percent of the lot.

5.7.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 695 m^2.

2. The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* for a two-family dwelling use shall be 900 m^2.

3. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 16 m.

4. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* for a two-family dwelling use shall be 25 m.

5. Panhandle lots may be created under Section 944 of the *Municipal Act*.

5.7.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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5.8.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Residential 3 (R3) Zone:

1. One-family dwelling;
2. Group Home Use;
3. Home occupation;
4. Not more than 2 boarders or lodgers in a dwelling unit provided that no Dwelling Unit shall be occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Secondary Suite;
7. Accessory dwelling unit;
8. Show homes; and
9. Small-Scale Multi-Unit Housing

5.8.02 Number of Residential Buildings

There shall be not more than one one-family dwelling on a lot.

5.8.03 Size and Shape of Buildings

1. The minimum ground floor area of a dwelling unit shall be 110 m^2.

2. The minimum average width of a dwelling unit shall be not less than 10 m.

3. The height of a building shall not exceed 8.5 m.

4. The floor area ratio of a residential building shall not exceed 0.4.

5. Notwithstanding Subsection (4), the gross floor area of a residential building shall not exceed 400 m^2.

5.8.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.
2.
    a. Side yards shall be provided of not less than 1.5m in width and the sum of the two side yards shall not be less than 4.5m, provided, however, that:
        i. the residential building on the lot has a gross floor area of 280 m2 or more, side yards shall be provided of not less than 3 m in width except that a permit may be issued increasing the gross floor area of the building to 280 m2 or more notwithstanding that the building to which the addition is being made is sited less than 3 m from the side lot line, if every part of the building addition is sited at least 3 m from the side lot line;
        ii. side yards of not less than 3 m in width shall be provided for a dwelling unit on a panhandle lot.
    b. On a corner lot, a side yard of not less than 6 m in width shall be provided adjoining a flanking street.
3. A rear yard shall be provided of not less than 7.5 m in depth.

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5.8.05 Lot Coverage

The maximum lot coverage for a one-family dwelling use shall be 35 percent of the lot.

5.8.06 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 16 m.

3. Panhandle lots may be created under Section 944 of the *Municipal Act*.

5.8.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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5.9.01 Purpose

The purpose of this zone is to provide for the orderly development of a portion of the Andrex lands within Colwood. A base level of development is provided for, which would permit the development of the lands in the zone at R1 density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Municipal Act*.

5.9.02 R1 Development

The land in this zone may be developed to the density permitted by, and used in accordance with, the regulations in Section 5.6 of this Bylaw.

5.9.03 Comprehensive Development

1. The lands in this zone may in the alternative be developed to a higher residential density and used in accordance with the regulations in Sections 5.9.04 through 5.9.11 if the Owner:

2. provides affordable housing by contributing to an affordable housing reserve fund of the City up to $500 per dwelling unit. Despite the foregoing, should Council adopt a policy resolution implementing a lesser or no contribution amount the lesser contribution or no amount shall be paid as the case may be; and

3. provides community amenities by contributing to a community amenity reserve fund of the City up to $3,000 per dwelling unit, and for this purpose "community amenity" means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities. Despite the foregoing, should Council adopt a policy resolution implementing a lesser or no contribution amount the lesser contribution or no amount shall be paid as the case may be; and

4. payment shall be made at the time of approval of the subdivision creating the lot on which the dwelling unit or dwelling units are permitted to be constructed.

5. Subsections 1, 2, and 3 are not applicable to the first 40 dwelling units.

5.9.04 Permitted Uses

In addition to the uses permitted by Section 2.1.10 upon the contributions to affordable housing and community amenities the following uses and no others shall be permitted in the Residential 4 (R4) Zone:

1. Detached dwelling;
2. Automatic telephone exchange building;
3. Home occupation;
4. Not more than 2 boarders or lodgers in a detached dwelling provided that no detached dwelling shall be occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Secondary suite;
7. Accessory dwelling unit;
8. Show homes; and

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9. Small-Scale Multi-Unit Housing

5.9.05 Number of Residential Buildings

There shall be not more than one detached dwelling on a lot.

5.9.06 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Lots without rear lane access	**Lots with rear lane access**
Lot size range	400 m^2	400 m^2
Minimum lot frontage	14 m	10.0 m
Minimum lot width	14 m	10.0 m
Maximum building height	9 m	9 m
Maximum lot coverage	40% (principal building)	40% (principal building)
Maximum floor area ratio	0.4	0.4
Minimum yard requirements for principal buildings:		
• Front	6.0 m	4.0 m
• Rear	7.5 m	7.5 m
• Side	1.5 m	1.0 m
• Side Total	3.0 m	2.5 m
• Flanking street	3.0 m	3.0 m
Yard requirements for detached garages:		
• Front	14.0 m	14.0 m
• Rear Minimum	1.0 m	0.0 m
• Rear Maximum	6.0 m	0.0 m
• Side	0.5 m	0.5 m
• Side Total	5.0 m	N/A
Maximum front yard driveway width:	6.0 m	0.0 m
Minimum yard requirements for accessory buildings other than garages:		
• Rear	1.0 m	1.0 m
• Side	1.5 m	1.5 m
Maximum combined floor area all accessory buildings	37m^2	37 m^2

Notes:

1. The required minimum lot frontages are hereby reduced 25% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.
3. Where a through lot fronts on both Millstream Road and on one other road, the minimum garage and accessory building setback from the Millstream Road lot line shall be 4.5 m.

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5.9.07 Building Face Requirements

No part of the front wall of the first storey and the floor above the first storey shall be located farther than 7m from the front lot line.

5.9.08 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

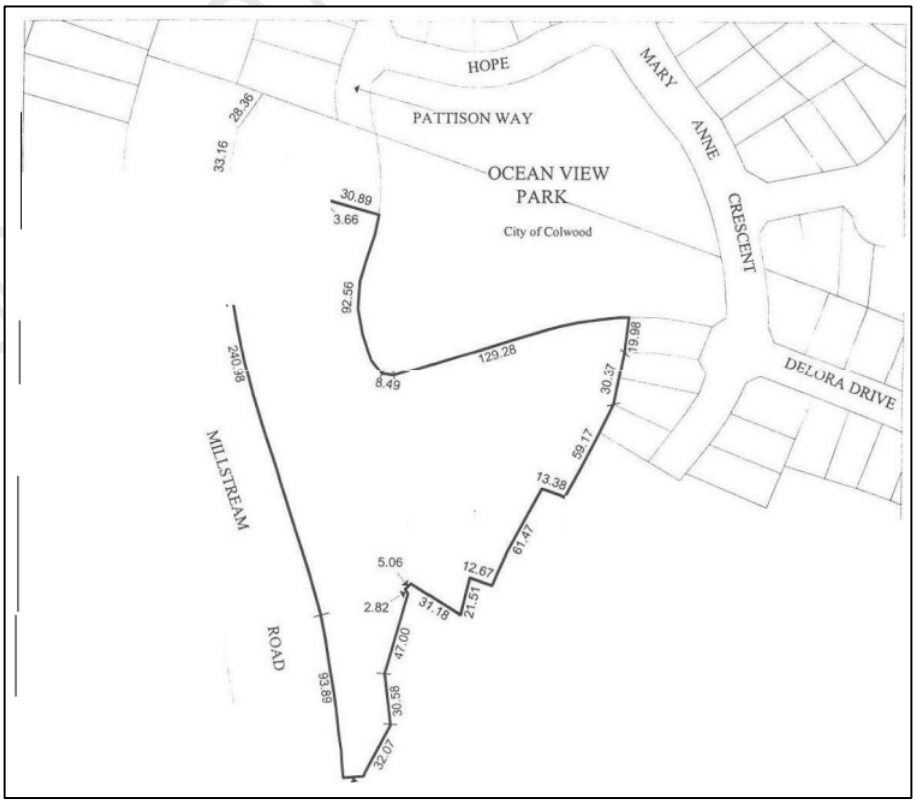
2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

3. The maximum height of a fence within 5m of the front lines of a through lot shall be 1.3 m.

4. The maximum height of a fence on a rear lot line where a detached dwelling use backs on to a park use shall be 5 m.

5. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
   a. Pumping stations – 1.5m wide and 1.5m high;
   b. Water reservoirs and storm water detention ponds – 1.5m wide and 3m high;
   c. Accessory buildings – 1.5m wide and 1.8m high;
   d. Automatic telephone exchange buildings – 3m wide and 1.8m high; and
   e. Telephone, radio and television transmission towers – 3m wide and 3m high.

Map 1



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5.9.09 General Parking Requirements

Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, additional restriction shall be placed on off-street parking where a lot has a front lot line of 13 metres or less. Motor vehicle parking spaces shall not be permitted within an accessory building located less than 14m from the front lot line.

5.9.10 Private Amenity Space

All dwelling units shall have a private amenity space located to the rear of the dwelling unit. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling. The amenity space may be located above grade where units are designed at different elevations, such as in stacked units. The dimensions shall be as follows:

Dwelling type	Area not less than	No dimension less than
Detached dwelling	40 m^2	4m

5.9.11 3406 and 3410 Pattison Way

Despite Section 5.9.06, on Lots 1 and 2, Section 63, Esquimalt District, Plan VIP74874 the minimum highway frontage and lot width is 12m.

5.9.12 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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5.10.01 Basic Development

A base level of development is provided for, which would permit the development of the lands in the zone at AR2 density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Local Government Act*.

5.10.02 AR2 Development

The land in this zone may be developed to the density permitted by, and used in accordance with, the regulations in Section 5.3 of this Bylaw.

5.10.03 Comprehensive Development

1. The lands in this zone may in the alternative be developed to a higher residential density and used in accordance with the regulations in Sections 5.10.04 through 5.10.09 if the Owner:
   a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per dwelling unit; and
   b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per dwelling unit, and for this purpose "community amenity" means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities.
   c. **361 Christopher Place**
      provides sidewalk amenities by contributing to a sidewalk reserve fund of the City in the amount of $10,000 per dwelling unit."

2. Payment shall be made at the time of approval of the subdivision creating the parcel on which the dwelling unit or dwelling units are permitted to be constructed.

3. Subsections 1(a) and (b) and 2 are not applicable to the first 27 dwelling units created from the lands legally described as: *Lot 1 Section 63 Esquimalt District Plan VIP75627, Except that part in Plan VIP81143 and VIP83075* (portion of Andrex Development Lands)."

5.10.04 Permitted Uses

In addition to the uses permitted by Section 2.1.10 upon the contributions to affordable housing and community amenities the following uses and no others shall be permitted in the Residential 5 (R5) Zone:

1. One-family dwelling;
2. Group home use;
3. Home occupation;
4. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Accessory dwelling units;
7. Secondary suite;
8. Show homes; and
9. Small-Scale Multi-Unit Housing

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5.10.05 Density of Development

1. There shall be not more than one residential building on a lot.

2. A residential building may contain a secondary suite provided that it is in compliance with Section 5.10.06.

5.10.06 Secondary Suites – Regulatory Conditions

1. A secondary suite is permitted only with the execution and delivery by the owner of a housing agreement dealing with occupancy. Secondary suites shall be for rental purposes only.

2. Only one secondary suite is permitted in a residential building.

3. The maximum size of a secondary suite shall be 70 m^2**.**

4. Each secondary suite shall have its own entry door from the outside of the house.

5. A home occupation in a secondary suite shall be for office use only.

5.10.07 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Lots without rear lane access	**Lots with rear lane access**
Minimum lot size	550 m^2	550 m^2
Minimum lot size for any lot adjacent to Lots 34, 35 and 36, Plan 44144	700 m^2	700 m^2
Minimum lot frontage	15 m	10.0 m
Minimum lot width	15 m	10.0 m
Maximum building height Maximum lot coverage	9 m 40% (principal building)	9 m 40% (principal building)
Maximum floor area ratio	0.45	0.45
Minimum yard requirements for principal buildings:		
Front	7.5 m	4.0 m
Front on Lots 32 – 41 as shown on Schedule "A"	6.0 m	4.0 m
Rear	6.0 m	6.0 m
Side	1.5 m	1.0 m
Side Total	3.0 m	2.5 m
Flanking street	4.5 m	3.0 m
Yard requirements for detached garages:		
Front Minimum	14.0 m	14.0 m
Rear Minimum	1.0 m	0.0 m
Rear Maximum	6.0 m	0.0 m

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Side Minimum	0.5 m	0.5 m
Side Total Minimum	5.0 m	N/A
Maximum front yard driveway width:	6.0 m	0.0 m
Minimum yard requirements for accessory buildings other than garages:		
Rear	1.0 m	1.0 m
Side	1.5 m	1.5 m
Maximum combined floor area all accessory buildings	37m^2	37 m^2

Other regulatory conditions:

1. The required minimum lot frontages are hereby reduced 25% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.

5.10.08 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

3. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:

    a. Pumping stations – 1.5m wide and 1.5m high;
    b. Water reservoirs and storm water detention ponds – 1.5m wide and 3m high;
    c. Accessory buildings – 1.5m wide and 1.8m high;
    d. Automatic telephone exchange buildings – 3m wide and 1.8m high; and
    e. Telephone, radio and television transmission towers – 3m wide and 3m high.

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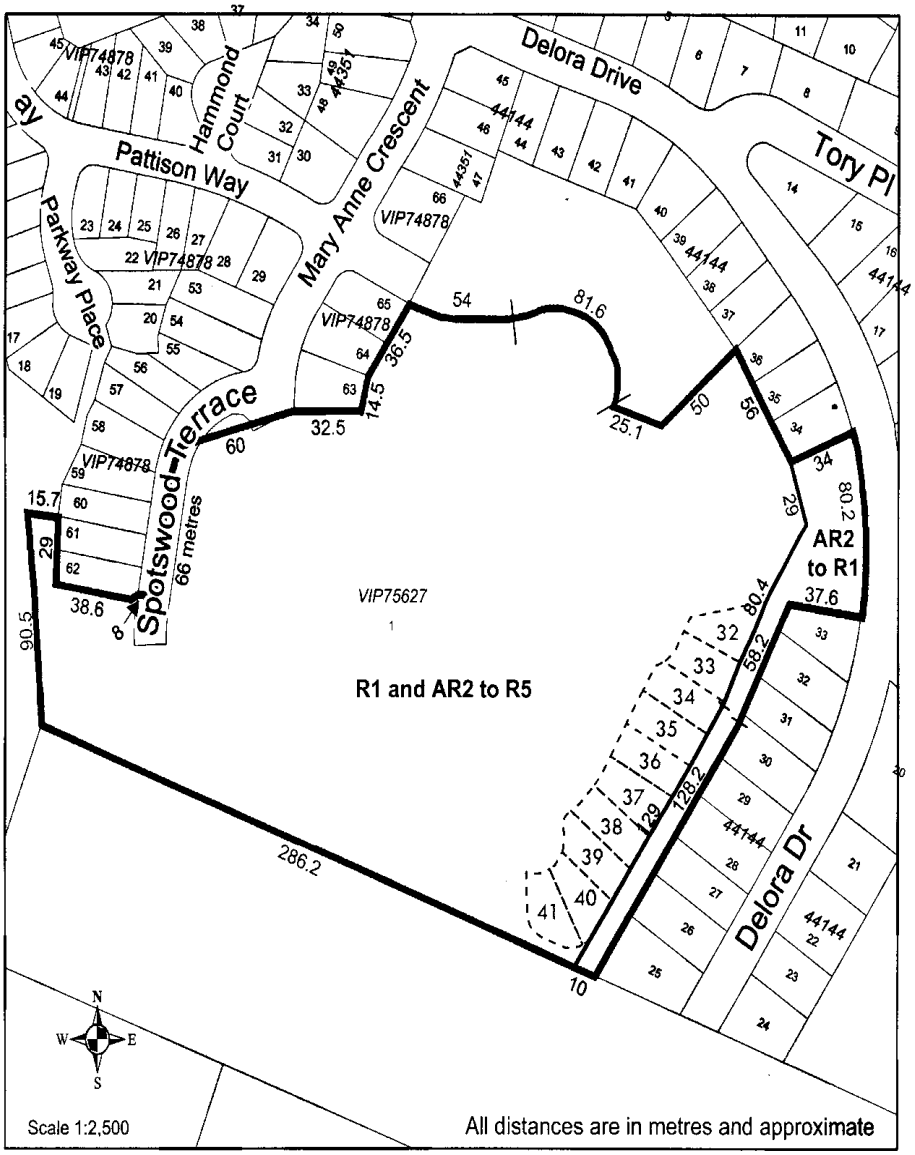
SCHEDULE "A"



5.10.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

5.11.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Residential 6 (R6) Zone:

1. One-family dwelling;
2. Group Home Use;
3. Home occupation;
4. Not more than 2 boarders or lodgers in a dwelling unit provided that no Dwelling Unit shall be occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Secondary Suite;
7. Accessory dwelling unit;
8. Show homes;
9. Two-family dwellings; and
10. Small-Scale Multi-Unit Housing

5.11.02 Density

1. There shall be not more than one one-family dwelling or one two-family dwelling on a lot.

2. A residential building may contain a secondary suite provided that it is in compliance with subsection 5.11.03 and Section 2.4 of this Bylaw.

5.11.03 Secondary Suites

1. Secondary suites shall be permitted only in accordance with Section 2.4 of this Bylaw except as otherwise provided for in this zone.

2. The maximum size of a secondary suite shall be 70 m^2 or 40% of the gross floor area, excluding garages, of the building it is located in, whichever is less.

5.11.04 Height

The height of a building shall not exceed 8.5 m.

5.11.05 Driveway width

1. A front yard driveway shall have a maximum width of half the lot width or 6.5 m, whichever is less.

5.11.06 Yard Requirements

The minimum yard setback requirements for principal buildings in the R6 zone shall be as follows:

Front	4.5 m
To Garage	6.0 m
Side	1.2 m
Flanking side	3.0 m
Rear	6.0 m

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5.11.07 Lot Coverage

The maximum lot coverage for a one-family dwelling use shall be 40 percent of the lot.

5.11.08 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10 m.

3. Panhandle lots may be created under Section 944 of the *Local Government Act*.

4. Notwithstanding Section 5.11.08(1), on lands legally described as Lot 1, Section 69, Esquimalt District, Plan 9798 (686 Donovan Avenue), the minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 300 m^2, provided that amenity contributions are provided, prior to subdivision, to the Community Amenity Reserve Fund of $2,500 per unit, in excess of five (5), and to the Affordable Housing Fund of $500 per unit, in excess of five (5).

5. Notwithstanding Section 5.11.08(1), on lands legally described as Lot B, Section 35, Esquimalt District, Plan 7004 (NE corner of Seafield and Heatherbell Roads), the minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 300 m^2, provided that amenity contributions are provided, prior to subdivision, to the Community Amenity Reserve Fund of $2,500 per unit, in excess of two (2), to the Attainable Housing Fund of $2,500 per unit, in excess of two (2), and to the Public Art Fund of $500 per unit, in excess of two (2).

5.11.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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DIVISION 6 MULTIPLE-FAMILY RESIDENTIAL ZONES

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6.1.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Low Density Attached Housing (RM1) Zone:

1. Attached housing;
2. One-family dwelling and two-family dwelling;
3. Home occupation in a one-family or two-family dwelling; and
4. Accessory buildings and structures;
5. Secondary suite;
6. Accessory dwelling unit and
7. Show homes

6.1.02 Conditions of Use for One-family or Two-family Dwelling Use

A one-family dwelling or two-family dwelling use shall be subject to the regulations of the Residential 1 (R1) Zone and not the regulations of this Zone.

6.1.03 Density of Development

The maximum density shall be one dwelling unit per 500 m^2 of lot area.

6.1.04 Height of Buildings

The height of a building shall not exceed 9 m.

6.1.05 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.
2.
    a. Side yards shall be provided of not less than 6 m in width.
    b. On a corner lot, a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.

3. a rear yard shall be provided of not less than 10 m in depth.

6.1.06 Lot Coverage

The maximum coverage shall be 35 percent of the lot.

6.1.07 Building and Structures for an Attached Housing Use

1. No building or structure shall exceed a horizontal width of 50 m or six units, whichever is the lesser.

2. Dwelling units shall be not less than 50 m^2 with a minimum horizontal width of 6 m.

3. No building or structure shall be permitted with a dwelling unit wholly or in part above another dwelling unit.

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4. Where one wall faces another wall of the same building or of another building on the same lot, buildings and structures shall be sited to provide a continuous 90-degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:
   a. 15 m from the centre of all windows in a living room;
   b. 12 m from the centre of all windows in a habitable room other than a living room; and
   c. 6 m from the centre of all other windows, from walls, and from outside corners of buildings.

6.1.08 Pedestrian Access

No pedestrian access other than to the dwelling unit it serves shall be less than 3 m from any habitable room window greater than 0.5 m^2 in area, measured perpendicularly from such window.

6.1.09 Usable Open Space

Not less than 5 percent of the lot shall be developed as usable open space.

6.1.10 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.1.11 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1,800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots not permitted.

6.1.12 General

The relevant provisions of the Division 2 of this Bylaw shall apply.

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6.1A.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Medium Density Attached Housing (RM1A) Zone:

1. Attached housing;
2. Accessory buildings and structures; and
3. Accessory dwelling unit

6.1A.02 Density of Development

The maximum density shall be one dwelling unit per 370 square metres of lot area.

6.1A.03 Height of Buildings

The height of a building shall not exceed 9 m.

6.1A.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.
2.
    a. Side yards shall be provided of not less than 6 m in width.
    b. On a corner lot, a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.

3. A rear yard shall be provided of not less than 10 m in depth.

6.1A.05 Lot Coverage

The maximum coverage shall be 35 percent of the lot.

6.1A.06 Buildings and Structures for an Attached Housing Use

a. No building or structure shall exceed a horizontal width of 50 m or six units, whichever is the lesser.

b. Dwelling units shall be not less than 50 square metres with a minimum horizontal width of 6 m.

c. No building or structure shall be permitted with a dwelling unit wholly or in part above another dwelling unit.

d. Where one wall faces another wall of the same building or of another building on the same lot, buildings and structure shall be sited to provide a continuous 90 degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:
    a. 15 m from the centre of all windows in a living room;
    b. 12 m from the centre of all windows in a habitable room other than a living room; and
    c. 6 m from the centre of all other windows, from walls, and from outside corners of buildings.

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6.1A.07 Pedestrian Access

No pedestrian access other than to the dwelling unit it serves shall be less than 3 m from any habitable room window greater than 0.5 square metres in area, measured perpendicularly from such window.

6.1A.08 Usable Open Space

Not less than 5 percent of the lot shall be developed as usable open space.

6.1A.09 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.1A.10 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 1,800 square metres.

2. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 18 m.

3. Panhandle lots not permitted.

6.1A.11 General

The relevant provisions of Division 2 of the Bylaw shall apply.

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6.1B.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this bylaw, the following uses and no others shall be permitted in the Medium Density Attached Housing B (RM1B) Zone:

1. Attached housing;
2. Accessory buildings and structures;
3. Accessory dwelling unit

6.1B.02 Density of Development

The maximum density shall be one dwelling unit per 350 square metres of lot area.

6.1B.03 Height of Buildings

The height of a building shall not exceed 9 m.

6.1B.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 6 m in width.
   a. On a corner lot, a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.
   b. A rear yard shall be provided of not less than 10 m in depth.

6.1B.05 Lot Coverage

The maximum coverage shall be 35 percent of the lot.

6.1B.06 Buildings and Structures for an Attached Housing Use

1. No building or structure shall exceed a horizontal width of 50 m or six units, whichever is the lesser.

2. Dwelling units shall be not less than 50 square metres with a minimum horizontal width of 6 m.

3. No building or structure shall be permitted with a dwelling unit wholly or in part above another dwelling unit.

4. Where one wall faces another wall of the same building or of another building on the same lot, buildings and structure shall be sited to provide a continuous 90 degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:
   a. 15 m from the centre of all windows in a living room;
   b. 12 m from the centre of all windows in a habitable room other than a living room; and
   c. 6 m from the centre of all other windows, from walls, and from outside corners of buildings.

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6.1B.07 Pedestrian Access

No pedestrian access other than to the dwelling unit it serves shall be less than 3 m from any habitable room window greater than 0.5 square metres in area, measured perpendicularly from such window.

6.1B.08 Usable Open Space

Not less than 5 percent of the lot shall be developed as usable open space.

6.1B.09 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.1B.10 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 1,800 square metres.

2. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 18 m.

3. Panhandle lots not permitted.

6.1B.11 General

The relevant provisions of Division 2 of the Bylaw shall apply.

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6.2.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this bylaw, the following uses and no others shall be permitted in the Attached Housing (RM2) Zone:

1. Attached Housing;
2. One-family dwelling and two-family dwelling;
3. Home occupations in a one-family or two-family dwelling;
4. Accessory buildings and structures;
5. Secondary Suite;
6. Accessory dwelling unit; and
7. Show homes

6.2.02 Conditions of Use for One-family or Two-family Dwelling Use

A one-family dwelling or two-family dwelling use shall be subject to the regulations of the Residential 1 (R1) Zone and not the regulations of this Zone.

6.2.03 Density of Development

The maximum density shall be one dwelling unit per 285 m^2 of lot area.

6.2.04 Height of Buildings

The height of a building shall not exceed 9 m.

6.2.05 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 6 m in width.
   a. On a corner lot, a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.
   b. A rear yard shall be provided of not less than 10 m in depth.

6.2.06 Lot Coverage

The maximum coverage shall be 35 percent of the lot.

6.2.07 Buildings and Structures for an Attached Housing Use

1. No building or structure shall exceed a horizontal width of 50 m or six units, whichever is the lesser.

2. Dwelling units shall be not less than 50 m^2 with a minimum horizontal width of 6 m.

3. No building or structure shall be permitted with a dwelling unit wholly or in part above another dwelling unit.

4. Where one wall faces another wall of the same building or of another building on the same lot,

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buildings and structure shall be sited to provide a continuous 90 degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:

a. 15m from the centre of all windows in a living room;
b. 12m from the centre of all windows in a habitable room other than a living room; and
c. 6m from the centre of all other windows, from walls, and from outside corners of buildings.

6.2.08 Pedestrian Access

No pedestrian access other than to the dwelling unit it serves shall be less than 3 m from any habitable room window greater than 0.5 m^2 in area, measured perpendicularly from such window.

6.2.09 Usable Open Space

Not less than 5 percent of the lot shall be developed as usable open space.

6.2.10 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.2.11 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1,800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

6.2.12 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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6.3.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Apartment (RM3) Zone:

1. Apartments;
2. Attached housing;
3. Accessory buildings and structures; and
4. Accessory dwelling unit.

6.3.02 Conditions of Use for an Attached Housing Use

An Attached Housing Use shall be subject to the regulations of the Attached Housing (RM2) Zone and not the regulations of this Zone.

6.3.03 Density of Development

The maximum density of development shall be one dwelling unit per 200 m^2 of site area.

6.3.04 Height of Buildings

The height of a building shall not exceed four storeys or 15 m.

6.3.05 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided equal to 0.6 multiplied by the height of the building. In no case shall the width of a side yard be less than 7.5 m.

3. A rear yard shall be provided equal to 1.0 multiplied by the height of the building. In no case shall the depth of a rear yard be less than 10 m.

6.3.06 Lot Coverage

The maximum coverage shall be 35 percent of the lot.

6.3.07 Building Separation

Where one wall faces another wall of the same building or of another building on the same lot, buildings and structures shall be sited to provide a continuous 90-degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:

1. 15 m from the centre of all windows in a living room;

2. 12 m from the centre of all windows in a habitable room other than a living room; and

3. 6 m from the centre of all other windows, from walls, and from outside corners of buildings.

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6.3.08 Usable Open Space

Not less than 5 percent of the lot shall be developed as usable open space.

6.3.09 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.3.10 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1,800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

6.3.11 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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6.4.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of the Bylaw, the following uses and no others shall be permitted in the Apartment (Senior Citizens) (RM4) Zone:

1. Apartment (Senior Citizens);
2. Accessory buildings and structures; and
3. Accessory dwelling unit.

6.4.02 Density of Development

1. A minimum of 93 m^2 of lot area for every dwelling unit where the dwelling unit has one (1) bedroom.

2. A minimum of 278 m^2 of lot area for every dwelling unit where the dwelling unit has two (2) bedrooms.

3. A minimum of 464 m^2 of lot area for every dwelling unit where the dwelling unit has three (3) bedrooms.

6.4.03 Height of Buildings

The height of a building shall not exceed four storeys or 14 m.

6.4.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided equal to 0.6 multiplied by the height of the building. In no case shall the width of a side yard be less than 7.5 m.

3. A rear yard shall be provided equal to 1.0 multiplied by the height of the building. In no case shall the depth of a rear yard be less than 10 m.

6.4.05 Lot Coverage

The maximum coverage shall be 16 percent of the lot.

6.4.06 Building Separation

Where one wall faces another wall of the same building or of another building on the same lot, buildings and structures shall be sited to provide a continuous 90-degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:

a. 15 m from the centre of all windows in a living room;

b. 12 m from the centre of all windows in a habitable room other than a living room; and

c. 6 m from the centre of all other windows, from walls, and from outside corners of buildings.

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6.4.07 Usable Open Space

1. A minimum of 5 m^2 for each dwelling unit.

2. The minimum size of an individual open space area shall be 50 m^2.

6.4.08 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.4.09 Parking

Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, vehicular parking shall be provided at .75 spaces for each dwelling unit.

6.4.10 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be1, 800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots not permitted.

6.4.11 General

The relevant provisions of Division 2 of this Bylaw shall apply.

CONSOLIDATED FOR CONVENIENCE ONLY

6.4A.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Medium Density Apartment (RM5) Zone:

1. Apartments;
2. Accessory buildings and structures; and
3. Accessory dwelling unit.

6.4A.02 Density of Development

The maximum density of development shall be one dwelling unit per 150 m^2 of site area.

6.4A.03 Height of Buildings

The height of a building shall not exceed four storeys or 15 m.

6.4A.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth;

2. Side yards shall be provided equal to 0.6 multiplied by the height of the building. In no case shall the depth of a side yard be less than 7.5 m;

3. A rear yard shall be provided equal to 1.0 multiplied by the height of the building. In no case shall the depth of a rear yard be less than 10 m.

6.4A.05 Lot Coverage

The maximum coverage shall be 35 percent of the lot.

6.4A.06 Building Separation

Where one wall faces another wall of the same building or of another building on the same lot, buildings and structures shall be sited to provide a continuous 90-degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:

1. 15 m from the centre of all windows in a living room;

2. 12 m from the centre of all windows in a habitable room other than a living room; and

3. 6 m from the centre of all other windows, from walls, and from outside corners of buildings.

6.4A.07 Usable Open Space

Not less than 5 percent of the lot shall be developed as usable open space.

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6.4A.08 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.4A.09 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1,800 m^2;

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m; and

3. Panhandle lots are not permitted.

6.4A.10 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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6.5.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Comprehensive Residential 1 (RC1) Zone:

1. Attached housing;
2. One-family dwelling;
3. Two-family dwelling;
4. Accessory buildings and structures;
5. Secondary suite;
6. Accessory dwelling unit and
7. Show homes

6.5.02 Density of Development

The maximum density shall be one dwelling unit per 850 m^2 of lot area.

6.5.03 Height of Buildings

The height of a building shall not exceed 9 m.

6.5.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 6 m in width.

3. A rear yard shall be provided of not less than 10 m in depth.

6.5.05 Lot Coverage

The maximum coverage shall be 25 percent of the lot.

6.5.06 Buildings and Structures for an Attached Housing Use

1. No building or structure shall exceed a horizontal width of 50 m or six units, whichever is the lesser.

2. Dwelling units shall be not less than 50 m^2 with a minimum horizontal width of 6 m.

3. Where one wall faces another wall of the same building or of another building on the same lot, buildings and structures shall be sited to provide a continuous 90 degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:
   a. 15 m from the centre of all windows in a living room;
   b. 2 m from the centre of all windows in a habitable room other than a living room; or
   c. 6 m from the centre of all other windows, from walls, and from outside corners of buildings.

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6.5.07 Pedestrian Access

No pedestrian access other than to the dwelling unit it serves shall be less than 3 m from any habitable room window greater than 0.5 m^2 in area, measured perpendicularly from such window.

6.5.08 Usable Open Space

Not less than 5 percent of the lot shall be developed as usable open space.

6.5.09 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.5.10 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 1800 m2.

2. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 18 m.

3. Panhandle lots not permitted.

6.5.11 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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6.6.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Medium Density Low Rise Residential (RM6) Zone:

1. Apartments;
2. Attached housing;
3. Home occupation;
4. Accessory buildings and structures; and
5. Accessory dwelling unit.

6.6.02 Density of Development

a. The maximum density of development shall be one dwelling unit per 143m² of lot area.

b. The floor area ratio shall not exceed 0.9.

c. Notwithstanding Section 6.6.02 1) and 2), on lands legally described as as Lot 17, Sections 70 & 71, Esquimalt District, Plan 25158 (2128 Sooke Rd), Lot A, Sections 70 & 71, Esquimalt District, Plan 24409 (2132 Sooke Rd) and Lot B, Section 70, Esquimalt District, Plan 24409 (2138 Sooke Rd), the maximum density shall be one dwelling unit per lot, until such time contributions are provided, prior to issuance of a building permit, to the Community Amenity Reserve Fund of $2,500 per attached housing dwelling unit, in excess of three, and to the Attainable Housing Reserve Fund of $2,000 per attached dwelling unit, in excess of three.

6.6.03 Height of Buildings

The height of a building shall not exceed four storeys or 15 m.

6.6.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 7.5m in width.

3. A rear yard shall be provided of not less than 10 m in depth.

6.6.05 Lot Coverage

The maximum lot coverage shall be 35 percent of the lot.

6.6.06 Building Separation

Where one wall faces another wall of the same building or of another building on the same lot, buildings and structures shall be sited to provide a continuous 90 degree horizontal arc, unencumbered by buildings on the same lot, of radius not less than:

a. 15 m from the centre of all windows in a living room;

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b. 12 m from the centre of all windows in a habitable room other than a living room;

c. 6 m from the centre of all other windows, from walls, and from outside corners of buildings; and

d. Notwithstanding Section 6.6.06 a) through c), on land legally described as Lot 17, Sections 70 & 71, Esquimalt District, Plan 25158 (2128 Sooke Rd), Lot A, Sections 70 & 71, Esquimalt District, Plan 24409 (2132 Sooke Rd) and Lot B, Section 70, Esquimalt District, Plan 24409 (2138 Sooke Rd), the Building Separation regulations shall not apply, except that the minimum building separation shall not be less than 8.5 metres"

6.6.07 Usable Open Space

Not less than 8 percent of the lot shall be developed as usable open space.

6.6.08 Parking

1. The proportion of the lot area that constitutes parking area shall not exceed 30 percent.

2. Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, on land legally described as Lot 17, Sections 70 & 71, Esquimalt District, Plan 25158 (2128 Sooke Rd), Lot A, Sections 70 & 71, Esquimalt District, Plan 24409 (2132 Sooke Rd) and Lot B, Section 70, Esquimalt District, Plan 24409 (2138 Sooke Rd), the required number of off-street parking spaces shall be 1.5 per attached dwelling unit.

6.6.09 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.6.10 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1,800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

6.6.11 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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6.6A.01 Purpose

The intent of this zone is to permit the orderly development of land for multiple-family residential purposes. A basic level of development is provided for which would permit the development of land in the zone at a semi-rural density. Alternative requirements are specified for development at greater density, subject to property owners providing amenities and affordable housing as contemplated by the *Local Government Act*.

6.6A.02 Basic Development

1. In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others are permitted in the Medium Density Residential 7 (RM7) zone:
   a. Apartment
   b. Apartment (Senior Citizens)
   c. Attached housing (includes duplex units)
   d. Home occupations
   e. Not more than 1 boarder or lodger in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
   f. Accessory buildings and structures; and
   g. Accessory dwelling units.

2. On land legally described as Lot 2, Section 96, Esquimalt District, Plan 27355 the number of dwelling units shall not exceed three.

3. The regulations in Sections 5.3.03 through 5.3.07 shall apply.

6.6A.03 Comprehensive Development – 360 Belmont Road

1. Despite the restrictions in subsection 6.6A.02(2) the density of development in Subsection 6.6A.04 is permitted on the land referred to in subsection 6.6A.02(2) in accordance with Subsections 6.6A.04 through 6.6A.10 if the Owner:
   a. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per attached housing dwelling unit. For this purpose "community amenity" means land for parks or playing fields and/or for community building use and for the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space; and
   b. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per dwelling unit.

2. The payment specified in Subsection 6.6A.03 (1) shall be made prior to the issuance of a building permit for development at 360 Belmont Road.

3. Sections 6.6A.03 (1) and (2) are not applicable to the first 3 dwelling units in the RM7 zone.

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6.6A.04 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Lots without rear or side access	Lots with rear or side access
Minimum lot size	1800 m^2	600 m^2
Minimum lot frontage	30.0 m	10.0 m
Minimum lot width	15.0 m	10.0 m
Maximum building height Maximum lot coverage	15.0 m 40% (principal buildings)	15.0 m 40% (principal buildings)
Maximum floor area ratio (FAR) Maximum dwelling units per hectare	1.00 75	1.00 75
- density to be lesser amount of FAR or number of dwelling units		
Minimum yard requirements for principal buildings:		
Front	7.5 m	4.0 m
Rear	10.0 m	6.0 m
Side	1.5 m	1.0 m
Side Total	3.0 m	2.5 m
Flanking street	4.5 m	3.0 m
Yard requirements for detached garages:		
Front Minimum	14.0 m	14.0 m
Rear Minimum	1.0 m	0.0 m
Rear Maximum	6.0 m	0.0 m
Side Minimum	0.5 m	0.5 m
Side Total Minimum	6.0 m	3.0 m
Maximum front yard driveway width:	6.0 m	0.0 m
Minimum yard requirements for accessory buildings other than garages:		
Rear	1.0 m	0.0 m
Side	1.5 m	0.5 m

Other requirements:

1. The required minimum lot frontages are hereby reduced 25% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Despite Section 2.1.04, balconies may project 1.5 m into the front, rear and side yards. Structures for private at-grade unit entrances may project into the front, rear and side yards by 3 m, except where this structure projects into an adjacent emergency access route.
3. Underground parking venting fans and shafts must soundproofed and be located 3m from any lot line.

6.6A.05 Usable Open Space

Not less than 10 percent of the lot shall be developed as usable open space. Up to 25% of this required open space may be provided on a roof.

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6.6A.06 Private Amenity Space

All dwelling or attached housing units that have primary entrances from adjacent open space (street oriented or ground oriented) shall have a private amenity space. This space shall be designed for entry for ground-oriented dwellings, and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade, including on roofs, where units are designed at different elevations. The dimensions shall be as follows:

Dwelling type:	Area not less than:	No dimension less than:
Apartment	8 m^2	2m
Attached	15m^2	3m
Two-family	40m^2	4m

6.6A.07 Off-street Parking

Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces shall be 1.4 per apartment or attached housing dwelling unit.

6.6A.08 Landscaping

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 10 percent of the developed lot area.

2. Landscape and screening areas shall retain existing trees and native species vegetation wherever possible, and add planting including a minimum of 25 percent of each tree, shrub and ground cover type in the form of species native to Colwood to enhance the natural environment.

3. At least one tree shall be planted for each 7.0m of the entire street frontage of the lot. They shall be planted parallel to the street frontage flush to the grade and with a maximum spacing of 7.0m apart.

4. All trees planted shall be of at least 6cm calliper with at least 1m^3 of soil per tree, to a depth of at least 0.7m.

6.6A.09 Refuse Container Areas

All garbage, recycling or other refuse containers shall be completely screened on all sides by a combination of landscaping or fencing to a height of not less than 0.3m above height of the containers.

6.6A.10 General

The relevant provisions of Division 2 of this Bylaw shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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6.7.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Towncentre Seniors Residential (RTS-2) Zone:

1. Seniors congregate housing;
2. Retail sales, offices and personal care services incidental to a seniors congregate housing use;
3. Accessory buildings and structures; and
4. Accessory dwelling unit.

6.7.02 Density of Development

1. The maximum density of development shall be one dwelling unit per 65 m^2 of lot area;

2. The minimum size of a dwelling unit is 40 m^2;

3. The floor area ratio shall not exceed 1.75.

6.7.03 Height of Buildings

The height of a building shall not exceed six storeys or 22.5 m, providing however that pitched peaked roofs may reach a maximum height of 26.5 m.

6.7.04 Yard Requirements

1. A front yard shall be provided of not less than 4.5 m and not more than 10 m in depth.

2. Side yards shall be provided of not less than 4 m in depth provided, however, that:
   a. if an emergency access route is required the side yard shall not be less than 7.5 m.
   b. where a commercial use abuts a commercial use on an adjacent property, no side yard is required in respect of the commercial use, but any residential use must comply with sub-section (a).

3. A rear yard shall be provided of not less than 6.5 m in depth.

4. Notwithstanding Section 2.1.04, balconies may project 1.5 m into the front, rear and side yards. Structures for private at-grade unit entrances may project into the front, rear and side yards by 3m, except where this structure projects into an adjacent emergency access route.

6.7.05 Lot Coverage

The maximum lot coverage shall be 40 percent of the lot when all underground parking is provided and 30 percent when above-ground unenclosed parking is provided.

6.7.07 Usable Open Space

Not less than 10 percent of the lot shall be developed as usable open space.

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6.7.08 Parking Areas

The proportion of the lot area that constitutes parking area shall not exceed 10 percent.

6.7.09 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.7.10 Garbage and Recycling Container Areas

All garbage and recycling containers shall be completely screened on all sides by a combination of landscaping or fencing to a height of not less than 0.3 m above height of the containers.

6.7.11 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1,800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

6.7.12 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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6.8.01 Purpose

The intent of this zone is to permit either:

1. low-rise (up to six storeys), street-oriented residential development at a medium density suitable for a regional town centre. This type of living space would best accommodate people who choose to have lifestyles which are less car-dependent, including small families or people with small-scale home occupations, or

2. low-rise (up to six storeys), street-oriented residential development at a medium or higher density suitable for a regional town centre. This would consist of apartment development or redevelopment to allow smaller unit housing for seniors or people with special needs (e.g. physical disability) who are not car-dependent. It would also provide a minimum number of meals and support services such as intermittent or day care including nursing, mental health or social services.

6.8.02 Basic Development

1. In addition to the uses permitted by Section 2.1.10 of this Bylaw, lands in the Residential Towncentre (RT1) zone may be used for apartment use; attached housing use; congregate housing use; one-family dwelling use; group home use; retail sales, offices and personal care services incidental to a congregate housing use; home occupation use; for not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons; and for accessory buildings and structures.

2. There shall be not more than one one-family dwelling on a lot.

3.
    a. On land legally described as Lot 3, Section 1, Esquimalt District, Plan 9686 and Lot 16, Section 1, Esquimalt District, Plan 2574, Except that Part in Plan 9686 the number of dwelling and care units in all one-family dwelling, apartment, attached housing, and congregate housing uses combined shall not exceed three.
    b. On land legally described as Lots 2, 3 and 4, Section 1, Esquimalt District, Plan 13872 the number of dwelling and care units in all one-family dwelling, apartment, attached housing, and congregate housing uses combined shall not exceed three.

4. The regulations in Sections 5.3.03 through 5.3.07 shall apply.

6.8.03A Comprehensive Development – 360 and 364 Goldstream Avenue

1. Despite the restrictions in Section 6.8.02 the density of development in Section 6.8.04 is permitted on the land referred to in Subsection 6.8.02(3)(a) in accordance with Sections 6.8.05 through 6.8.15 if the owner:
    a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per attached housing dwelling unit; and
    b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per attached housing dwelling and $1,500 per apartment and congregate housing unit and for this purpose "community amenity" means land for parks or playing fields and/or for community building use and for the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space.

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2. Payment shall be made at the time of issuance of a building permit.

3. Subsection 1 is not applicable to the first 3 dwelling units created on the land referred to in Subsection 6.8.02(3)(a).

6.8.03B Comprehensive Development – 1919, 1921 and 1923 Jerome Road

1. Despite the restrictions in Section 6.8.02 the density of development in Section 6.8.04 is permitted on the land referred to in Subsection 6.8.02(3)(b) in accordance with Sections 6.8.05 through 6.8.15 if the Owner:

   a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per attached housing dwelling unit;

   b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per attached housing dwelling and $1,500 per apartment and congregate housing unit and for this purpose "community amenity" means land for parks or playing fields and/or for community building use and for the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space; and

   c. provides a traffic study and design prepared by a traffic engineer and approved by the Director of Engineering of the City, of a three-way traffic signal at the intersection of Sooke Road and Colwood Crescent synchronized with the lights at Goldstream Avenue and Sooke Road, which study shall consider the installation of lights at Goldstream Avenue and Wale Road, installs the traffic signal at the Owner's cost, and enters into a latecomer agreement with the City with respect to the cost of the traffic signal less the first $20,000 which shall be the Owner's contribution.

2. Payment in respect of Subsections 1(a) and 1(b) shall be made at the time of issuance of a building permit.

3. The traffic signal referred to in Subsection 1(c) shall be installed prior to the issuance of a building permit authorizing the construction of a building on the land referred to in Subsection 6.8.02(3)(b), unless the installation is included within the scope of an agreement under s.940 of the *Local Government Act* and security is provided in respect of the installation under that provision.

4. Subsection 1 is not applicable to the first 3 dwelling units created on the land referred to in Subsection 6.8.02(3)(b).

6.8.03 Permitted Use

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Residential Towncentre (RT1) Zone:

1. Apartment;
2. Attached Housing;
3. Congregate Housing;
4. Home Occupation;
5. Retail sales, offices and personal care services incidental to a congregate housing use;
6. Accessory buildings and structures; and
7. Accessory dwelling unit.

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6.8.04 Density of Development

1. Except as provided in subsections 2, 3 and 4, the residential density shall not exceed a floor area ratio of 1.55 with minimum dwelling unit size of $55m^2$.

2. The floor area ratio may be increased by 0.15 and the minimum dwelling unit size may be decreased by up to 20% if the owner enters into an agreement with a non-profit housing provider for at least 10% of the housing, dwelling or attached housing units.

3. The floor area ratio may be increased by up to 0.20 and the minimum dwelling unit size decreased by up to 20%, and the maximum lot coverage increased 3% if the owner provides on-site community amenities. This increase will be provided according to the following:
   a. 0.10 floor area ratio and the minimum dwelling size decreased by 10% and the maximum lot coverage increased 3% for the provision of a community amenity building area of more than $65m^2$ gross floor area located on the ground floor or $100m^2$ located on the second storey. The use of these areas shall be limited by the registration of a covenant on the title of the property.
   b. 0.10 floor area ratio and the minimum dwelling size decreased by 10% for the provision and maintenance of urban plazas which are exclusively devoted to public use at a rate of a 0.01 increase in floor area ratio for each 2% of the gross floor area of the ground floor of every building on the lot that is developed as urban plaza.

4. The floor area ratio shall not exceed 1.75.

5. Despite Subsections 1) through 4), the floor area ratio shall not exceed 2.0 for the land referred to in Subsection 6.8.02(3)(b).

6.8.05 Height of Buildings

The height of a building shall not exceed six storeys or 22.5m, provided however that pitched peaked roofs may reach a maximum height of 26.5m. Sloped roofs shall extend the height of the building beyond the habitable areas to screen all roof top mechanical devices.

6.8.06.1 Yard Requirements

Principal buildings shall be STREET-ORIENTED and have:

1. A front yard of not less than 2.5m and not more than 4.5m in depth for a residential use.

2. Side yards of not less than 4m in depth provided, however, that if an emergency access route is required the side yard shall not be less than 7.5m.

3. A rear yard of not less than 6.5m in depth for the land referred to in Subsection 6.8.02(3)(a) and not less than 5.5m in depth for the land referred to in Subsection 6.8.02(3)(b).

4. Notwithstanding Section 2.1.04, balconies may project 1.5m into the front, rear and side yards. Structures for private at-grade unit entrances may project into the front, rear and side years by 3m, except where this structure projects into an adjacent emergency access route.

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6.8.06.2 Lot Coverage

The maximum lot coverage shall be 40 percent of the lot for the land referred to in Subsection 6.8.02(3)(a) and 50 percent of the lot for the land referred to in Subsection 6.8.02(3)(b), when over 50% of the parking is provided underground or under-building. If this is not the case, the maximum lot coverage shall be 35 percent.

6.8.06.3 Usable Open Space

1. Not less than 10 percent of the lot shall be developed as usable open space.

2. Despite Section 6.8.09(1) not less than 6 percent of the land referred to in Subsection 6.8.02(3)(a) shall be developed as usable open space.

6.8.06.4 Parking Areas

The proportion of the lot area that constitutes unenclosed parking area shall not exceed 35 percent.

6.8.06.5 Off-Street Parking

1. Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces shall be 1.4 per apartment dwelling unit.

2. There shall be no motor vehicle parking at the access of street-oriented units.

6.8.06.6 Landscaping

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 10 percent of the developed lot area.

2. Landscape and screening areas shall retain existing trees and natural vegetation wherever possible, and add planting including native species that enhances the natural environment.

3. At least one tree shall be planted for each 7.5m of the entire street frontage of the lot. They shall be planted parallel to the street frontage flush to the grade and with a maximum spacing of 7m apart.

4. All trees planted shall be of at least 6cm calliper with at least $1m^3$ of soil per tree, to a depth of at least 0.7m.

6.8.06.7 Private Amenity Space

Attached housing dwelling units shall have a private amenity space of not less than $15m^2$ located to the rear or side of the dwelling unit. No dimension of this space shall be less than 3m. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where units are designed at different elevations.

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6.8.06.8 Refuse Container Areas

All garbage, recycling or other refuse containers shall be completely screened on all sides by a combination of landscaping or fencing to a height of not less than 0.3m above height of the containers.

6.8.06.9 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1,400m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18m.

3. Panhandle lots are not permitted.

6.8.06.10 General

The relevant provisions of Division 2 of this Bylaw shall apply.

CONSOLIDATED FOR CONVENIENCE ONLY

6.11.01 Purpose

The intent of this zone is to permit residential accommodation in apartments.

6.11.02 Basic Development

1. In addition to the uses permitted by Section 2.1.10 of this Bylaw, lands in the Residential Towncentre 4 (RT4) zone may be used for apartment use, accessory dwelling units and accessory buildings and structures.

2. On land legally described as Parcel A (DD103854I) of Lot 18, Section 1, Esquimalt District, Plan 2574 the number of dwelling units shall not exceed six.

3. The regulations in Sections 5.3.03 through 5.3.07 shall apply.

6.11.03 Comprehensive Development – 2708 Wale Road

1. Despite the restrictions in Subsection 6.11.02(2) the density of development in Subsection 6.11.04 is permitted on the land referred to in Subsection 6.11.02(2) in accordance with Subsections 6.11.04 through 6.11.13 if the Owner:
    a. provides community amenities by contributing to a community amenity reserve fund of the City $1,500 per apartment dwelling unit, and for this purpose "community amenity" means land for parks or playing fields and/or for community building use and for the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space;
    b. provides affordable housing by contributing to the affordable housing reserve fund of the City $500 per apartment dwelling unit;
    c. contributes to the Board of Trustees of School District No. 62 $73,000 to be used for the acquisition and installation of playground equipment at École John Stubbs Memorial School;
    d. provides to the City a contribution in the amount of $15,000 to be used to commission or acquire and install public art in the Colwood Corners neighbourhood;
    e. provides to the City a fee simple interest in a portion of the land in the RT4 zone at the intersection of Wale Road and Wilfert Road that, in the opinion of the City Engineer, is required for use as a transit station, and a statutory right of way for sidewalk and boulevard purposes, of a width satisfactory to the City Engineer, on the Wale Road frontage of the RT4 zone;
    f. provides as part of the common property of the strata corporation formed upon the strata subdivision of any building in the RT4 zone six passenger automobiles suitable for urban commuting, and provides on the common property of the strata corporation a free off-street parking space for each such automobile complying with the standards in this Bylaw for such spaces, or in the alternative at the City's discretion provides six such automobiles to the Victoria Car Co-operative to the specifications of the Co-operative and provides free parking spaces for such automobiles on the common property of the strata corporation; and
    g. provides as part of the common property of the strata corporation formed upon the strata subdivision of any building in the RT4 zone at least 20 bicycles suitable for urban commuting, and provides on the common property of the strata corporation indoor storage facilities for such bicycles.

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2. The contributions and other amenities specified in subsections 1(a) through (d) shall be made and provided at the time of applying for any building permit authorizing the construction in the RT4 zone of an apartment building having more than six dwelling units.

3. The amenities specified in subsections 1(e) to (g) may be provided after a building permit authorizing the construction of an apartment building in the RT4 zone having more than six dwelling units is issued, provided that, at the time of obtaining the building permit, the owner covenants with the City under s.219 of the *Land Title Act* not to occupy any dwelling unit in the building until the amenities have been provided to the City's satisfaction, such satisfaction to be determined by the City Engineer.

6.11.04 Density of Development

1. The residential density shall not exceed a floor area ratio of 3.45.

6.11.05 Height of Buildings

1. The height of a building shall not exceed 77 m.

6.11.06 Yard Requirements

1. A front yard shall be provided of not less than 10 m in depth.

2. Side yards shall be provided of not less than 7.5 m in width on the westerly lot line and 3.6 m on the northeasterly lot line.

3. A rear yard shall be provided of not less than 7.5 m in depth.

4. Despite Section 2.1.04, balconies may project 1.5 m into the front, rear and side yards. Structures for private at-grade unit entrances may project into the front, rear and side yards by 3 m, except where this structure projects into an adjacent emergency access route.

5. Despite Subsections 1, 2 and 3, parking structures, their services and exit stairs that are below the main floor may be located on any portion of a lot.

6.11.07 Lot Coverage

The maximum lot coverage shall be 35 percent of the lot.

6.11.08 Usable Open Space

Not less than 10 percent of the lot shall be developed as usable open space. Up to 25% of this required open space may be provided on the roof.

6.11.09 Off-street Parking

Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces shall be 1.3 per apartment dwelling unit.

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6.11.10 Landscaping

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 10 percent of the developed lot area.

2. Landscape and screening areas shall retain existing trees and natural vegetation wherever possible, and add planting including native species that enhances the natural environment.

3. At least one tree shall be planted for each 7.5m of the entire street frontage of the lot. They shall be planted parallel to the street frontage flush to the grade and with a maximum spacing of 7m apart.

4. All trees planted shall be of at least 6cm calliper with at least $1m^3$ of soil per tree, to a depth of at least 0.7m.

6.11.11 Refuse Container Areas

All garbage, recycling or other refuse containers shall be completely screened on all sides by a combination of landscaping or fencing to a height of not less than 0.3m above height of the containers.

6.11.12 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 4,000 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 30 m.

3. Panhandle lots are not permitted.

6.11.13 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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6.12.01 Purpose

The purpose of this zone is to support the orderly development of lands that are designated as "Transit Growth Area" in the Official Community Plan to allow for a range of residential, institutional, and commercial uses. The TGA1 zone is intended to permit street-oriented residential development at a medium density suitable for a transit growth area. The type of living space proposed in this zone would best accommodate people who choose to have lifestyles which are less car dependent.

A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at bonus density, subject to the owner providing amenity contributions as contemplated by Section 482 of the *Local Government Act*.

6.12.02 Definitions

Despite any other bylaw provision, the following definitions apply to the following terms used within the TGA1 Zone:

1. **"Front Lot Line"** means the lot line that divides the lot from a public road in a bareland strata plan, provided that in the case of a corner lot, the lot line that abuts an arterial road in a bareland strata plan shall be deemed the front lot line. In the case of a through lot, the lot lines abutting two approximately parallel roads in a bareland strata plan shall be considered as front lot lines.

6.12.03 Permitted Uses

In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the TGA1 Zone:

a. Accessory buildings and structures
b. Accessory dwelling unit
c. Affordable housing
d. Apartment
e. Attached housing
f. Bakery
g. Churches
h. Civic uses
i. Congregate housing
j. Daycare
k. Home occupation
l. Hospitals
m. Live/work studio
n. Offices
o. Personal services
p. Restaurants
q. Retail stores

6.12.04 Base Level of Development

In the TGA1 Zone the number of dwelling units shall not exceed 2.

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6.12.05 Community Amenity Contributions

1. Despite the restrictions in Section 6.12.04, on land whose legal description is set out in Table 1 of Schedule B of the Land Use Bylaw, the density of development in Section 6.12.05 is permitted up to a maximum of 2.5 FAR in accordance with Section 6.12.06 if the owner pays to the City of Colwood the amount specified in Table 1 of Schedule B of the Land Use Bylaw.

2. Payment of the contributions in Section 6.12.05.1 shall be made at the time of issuance of a building permit.

6.12.06 Regulatory Conditions

1. Within the TGA1 Zone, the following regulatory conditions apply:

Regulation	Attached Housing	Low-Rise Apartment	Mid-Rise Apartment
Minimum Lot Area	1,000 m^2	2,000 m^2	4,000 m^2
Minimum Lot Width	30 m	40 m	60 m
Maximum Floor Area Ratio	1.2	1.75	2.5
Maximum Lot Coverage for Structures and Buildings	35 %	40 %	50 %
Usable Open Space	5% (minimum)		
Maximum Building Height	Lesser of 3 storeys or 12 m	Lesser of 4 storeys or 16 m	Lesser of 6 storeys or 24 m
Front Setback	3 m (minimum); 6 m (maximum)		
Side Setback	4 m first 3 storeys (minimum)		
Rear Setback	7.5 m first 3 storeys (minimum)		
Setback for Underground Structured Parking and Parking Ramps from Any Lot Line	3 m (minimum)		

2. The minimum side setback for the 4th storey and above shall be 7.5 metres where adjacent to a one family dwelling use or a two family dwelling (duplex) use.

3. The minimum rear setback for the 4th storey and above shall be 10 metres where adjacent to a one family dwelling use or a two family dwelling (duplex) use.

6.12.07 Sooke Road Dedication

Where a parcel abuts a portion of Sooke Road with a dedicated Right-of-Way width of less than 30 m, a road dedication will be required, meeting standards set out in the Transportation Master Plan.

6.12.08 Access to Parking Areas

Where a parcel abuts a lane or local street intended for motor vehicle access to a parcel, driveway access must only be from the lane or local street.

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6.12.09 Landscaping

Landscaping is to be provided:

a. Where a lot line joins a public road, a landscaped area of at least 1.5 m in width must be provided inside the property line that abuts the public road;
b. To separate parking areas from adjacent residential properties, a landscaped buffer area of at least 1.5 m in width and 2.0m in height must be provided along the inside of all property lines abutting a property that is zoned for residential uses;
c. Loading areas and refuse removal area and recycling containers must be screened from adjacent properties and streets by landscaping or solid decorative fence or combination thereof; and
d. All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.
e. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.
f. Landscape and screening areas shall retain existing trees and natural vegetation wherever possible and add planting including native species that enhances the natural environment.

6.12.10 General

The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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6.13 Hillside Attached Housing 1

6.13.01 Purpose

The purpose of this zone is to provide for the orderly development of attached housing in lands designated as Neighbourhood – Hillside and Shoreline in the Official Community Plan. The goal is to minimize the impacts of development on the natural environment, topography, open space and encompass the spirit of site adaptive planning. The zone provides the parameters outlined in the Neighbourhood – Hillside and Shoreline designation specifically for attached housing.

6.13.02 Permitted Uses

1. addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the HAH1 zone:

    a. Attached Housing
    b. Duplex
    c. Home Occupation – Office Use Only
    d. Show Home
    e. Accessory Buildings and Structures

6.13.03 Permitted Base Development

1. In the HAH1 Zone the number of dwelling units shall not exceed 1.

6.13.04 Development Conditions

1. Despite the restrictions in Section 6.13.3, on land whose legal description is set out in Table 1 of Schedule B of the Land Use Bylaw, the density of development is permitted up to a maximum of 1.2 FAR in accordance with Section 6.13.5 if the owner pays to the City of Colwood the amount specified in Table 1 of Schedule B of the Land Use Bylaw.

2. Payment of the contributions in Section 6.13.3.1 shall be made at the time of issuance of a building permit. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the HAH1 zone:

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6.13.05 Regulatory Conditions

1. Regulatory conditions for the HAH1 Zone shall be as shown on the following table:

Regulation	General
Minimum lot area	3000m^2
Minimum lot frontage	50m
Maximum lot coverage	40%
Maximum building height	3 storey or 12.5m
Maximum FAR	1.2
Minimum usable open space	10%
Minimum Building Setbacks	
Front	4.0m
Side	1.5m
Rear	7.5m

6.13.06 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Divisions 1 and 2 and the provisions of this Zone, the latter shall prevail.

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DIVISION 7 COMMERCIAL ZONE

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7.1.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Neighbourhood Commercial (C1) Zone:

1. Bakery, not exceeding a total of 200 m^2 of floor area;
2. Offices;
3. Personal service;
4. Post office;
5. Restaurants;
6. Retail stores;
7. One dwelling unit in conjunction with and in addition to any of the above uses provided that:
   a. if located on the same level as the commercial use it shall be located behind the commercial use; and
   b. it is fully separated from the commercial use with the main street access to the dwelling unit being entirely separate from the related commercial use;
8. Accessory buildings and structures.

7.1.02 Conditions of Use

1. Any goods produced on the premises shall be sold at retail on the same premises.

2. There shall not be more than one dwelling unit on a lot.

7.1.03 Density of Development

The floor area ratio shall in no case exceed 0.5.

7.1.04 Height of Buildings

The height of a building shall not exceed 9 m or two storeys.

7.1.05 Yard Requirements

2. A front yard shall be provided of not less than 7.5 m in depth.

3.
   a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
   b. Where a lot abuts a lot in a Residential Zone or a Multiple Family Residential Zone a side yard shall be provided of not less than 6 m in width.
   c. On a corner lot, a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.

4. A rear yard shall be provided of not less than 10 m in depth

CONSOLIDATED FOR CONVENIENCE ONLY

7.1.06 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

7.1.07 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area.

2. A continuous landscaping strip not less than 2 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 percent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

3. Except in those portions where a building abuts a lot line, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Family Residential Zone, whether such property be separated by a highway or not.

7.1.08 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots not permitted.

7.1.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

CONSOLIDATED FOR CONVENIENCE ONLY

7.2.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Community Commercial (C2) Zone:

1. Animal hospitals in enclosed buildings;
2. Bakery, not exceeding a total of 200 m^2 of floor area;
3. Commercial nurseries and greenhouses;
4. Gasoline service stations and car wash;
5. Hotels;
6. Offices;
7. Personal service;
8. Post office;
9. Premises licensed pursuant to the *Liquor Control and Licensing Act*;
10. Printing, publishing and bookbinding;
11. Assembly and entertainment uses, limited to auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums and martial arts studios, schools and assemblies for educational and philanthropic purposes;
12. Restaurants;
13. Retail stores;
14. Shopping centres;
15. One dwelling unit in conjunction with and in addition to any of the above uses provided that:
    a. if located on the same level as the commercial use it shall be located behind the commercial use; and
    b. it is fully separated from the commercial use with the main street access to the dwelling unit being entirely separate from the related commercial use; and
16. Daycare for three or more preschool children not related by blood or marriage to an operator of the facility;
17. Ambulance Headquarters;
18. Accessory buildings and structures;
19. Boarding School; and
20. Pet Day Care provided that animals are not kept overnight and the animals are kept within an entirely enclosed building.

7.2.01A 584 Ledsham Road - 1790 Island Highway

On land legally described as Lot 9, Section 70, Esquimalt District, Plan 1588 (584 Ledsham Road) unenclosed storage is permitted; and

At 1790 Island Highway, in addition to the uses permitted by Section 7.2.01 the following additional use is permitted: Retail sale and repair of glass.

7.2.02 Conditions of Use

1. Any goods produced on the premises shall be sold at retail on the same premises.

2. There shall not be more than one dwelling unit on a lot.

CONSOLIDATED FOR CONVENIENCE ONLY

7.2.03 Density of Development

The floor area ratio shall in no case exceed 1.0.

7.2.04 Height of Buildings

The height of a building shall not exceed 12 m or three storeys.

7.2.05 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth provided, however, that if the area between the front building line and the front lot line exclusive of access driveways is landscaped, the required front yard shall be not less than 4.5 m in depth.

2.
    a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
    b. Where a lot abuts a lot in a Residential Zone or a Multiple Family Residential Zone a side yard shall be provided of not less than 6 m in width.
    c. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street provided, however, that if the area between the building and the side lot line exclusive of access driveways is landscaped, the required side yard shall not be less than 4.5m in width.

7.2.06 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

7.2.07 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area.

2. A continuous landscaping strip not less than 2 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 percent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

3. Except in those portions where a building abuts a lot line, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Family Residential Zone, whether such property be separated by a highway or not.

7.2.08 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots not permitted.

CONSOLIDATED FOR CONVENIENCE ONLY

7.2.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

CONSOLIDATED FOR CONVENIENCE ONLY

7.3.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the District Commercial (C3) Zone:

1. Animal Hospitals in enclosed buildings;
2. Auction rooms;
3. Bakery;
4. Business colleges and trade schools;
5. Daycare as regulated by the *Community Care and Assisted Living Act;*
6. Funeral parlours;
7. Gasoline service stations and car wash;
8. Hotels;
9. Offices;
10. Personal service;
11. Post office;
12. Premises licensed pursuant to the *Liquor Control and Licensing Act*;
13. Printing, publishing and bookbinding
14. Private clubs and lodges
15. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
16. Public transportation depots;
17. Restaurants;
18. Retail stores;
19. Shopping centres;
20. Taxi offices; and
21. Accessory buildings and structures.

7.2.01A Lot 3, Section 1, Esquimalt District, Plan 30085 (310 Goldstream Avenue)

Despite section 2.1.09(2)(g) a Cannabis Retail Store limited to a maximum floor area of 204m^2 is permitted at the property having a civic address of 310 Goldstream and described as " Lot 3, Section 1, Esquimalt District, Plan 30085; PID: 001-288-563".

7.3.02 Density of Development

The floor area ratio shall in no case exceed 2.0.

7.3.03 Height of Buildings

The height of a building shall not exceed 15 m or four storeys.

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7.3.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth provided, however, that if the area between the front building line and the front lot line exclusive of access driveways is landscaped, the required front yard shall be not less than 4.5 m in depth.

2.
   a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
   b. Where a lot abuts a lot in a Residential Zone or a Multiple Family Residential Zone a side yard shall be provided of not less than 6 m in width.
   c. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street provided, however, that if the area between the building and the side lot line exclusive of access driveways is landscaped, the required side yard shall not be less than 4.5 m in width.

3. A rear yard shall be provided of not less than 3 m in depth, except where such lot abuts a lot in a Residential Zone or a Multiple Family Residential Zone such yard shall be not less than 6 m in depth.

7.3.05 Lot Coverage

The maximum coverage shall be 75 percent of the lot.

7.3.06 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area. This landscaping shall include the planting of trees in the amount of not less than one tree for each 100 m^2 of developed lot area.

2. A continuous landscaping strip not less than 3 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 percent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

3. Except in those portions where a building abuts a lot line, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Multiple Family Residential Zone, whether such property be separated by a highway or not.

7.3.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots not permitted.

7.3.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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7.4.01 Permitted Uses

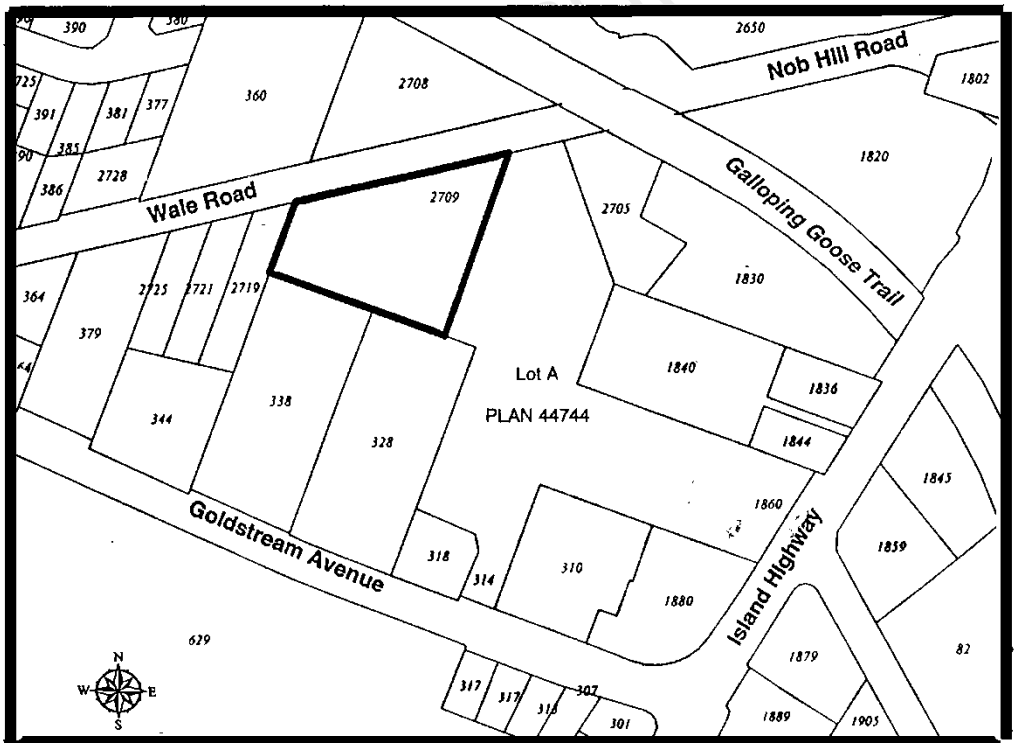
In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Apartment Commercial (C4) Zone:

1. Apartment dwelling units located above the first storey of a building;
2. Offices;
3. Personal service;
4. Post offices;
5. Restaurants;
6. Retail Stores;
7. Accessory buildings and structures; and
8. Accessory dwelling unit.

7.4.01(A) 2709 Wale Road

On land described as Part of Lot A, Section 1, Esquimalt District, Plan 44744 and shown outlined in a solid black line on Map 1 attached hereto the following additional uses to those specified in section 7.4.01 are permitted: childcare services, assembly, recreational uses, and the provision of health and social services.

MAP 1



7.4.02 Conditions of Use

1. Any goods produced on the premises shall be sold at retail on the same premises.

2. Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities associated therewith.

CONVENIENCE ONLY

7.4.03 Conditions for Use for Apartment Dwelling Units

Apartment dwelling units shall be permitted only in conformity with the following provisions:

1. Except for entrances and passageways to dwelling units, the ground floor of the building shall be used only for commercial purposes.

2. The floor on which any dwelling units are located shall be used exclusively for residential purposes.

3. A completely separate public entrance to the apartment dwelling units shall be provided at ground floor front or side elevation.

4. No advertising use shall be located on or above a storey used for apartment dwelling units.

7.4.04 Density of Development

1. The floor area ratio shall in no case exceed 1.0.

2. The maximum density shall be one dwelling unit per 200 m^2 of site area.

7.4.05 Height of Buildings

The height of a building shall not exceed 15 m or four storeys.

7.4.06 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth provided, however, that if the area between the front building line and the front lot line exclusive of access driveways is landscaped, the required front yard shall be not less than 4.5 m in depth.
2.
    a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on a least one side of the lot.
    b. Where a lot abuts a lot in a Multiple Family Residential Zone a side yard shall be provided of not less than 6 m in width.
    c. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street provided, however, that if the area between the building and the side lot line exclusive of access driveways is landscaped, the required side yard shall not be less than 4.5 m in width.

3. a rear yard shall be provided of not less than 3 m in depth, except where such lot abuts a lot in a Residential zone or a Multiple Family Residential Zone, such yard shall be not less than 6 m in depth.

7.4.07 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

7.4.08 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 20 percent of the lot.

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2. Where a lot abuts a lot in a Residential Zone, Industrial Zone or Institutional Zone, a continuous landscape screen at least 1.5 m high shall be provided, except where a building abuts the lot line.

7.4.09 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots not permitted.

7.4.10 General

The relevant provisions of Division 2 of this Bylaw shall apply.

CONSOLIDATED FOR CONVENIENCE ONLY

7.4A.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Mixed Commercial (C5) Zone:

1. Animal hospitals in enclosed buildings;
2. Auction rooms;
3. Bakery;
4. Business colleges and trade schools;
5. Drive-in businesses;
6. Gasoline service stations and car wash;
7. Hotels;
8. Offices;
9. Personal service;
10. Post office;
11. Premises licensed pursuant to the *Liquor Control and Licensing Act*;
12. Printing, publishing and bookbinding;
13. Private Clubs and Lodges
14. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
15. Public transportation depots;
16. Restaurants;
17. Retail stores;
18. Shopping centres;
19. Taxi office; and
20. Accessory buildings and structures.

7.4A.02 Density of Development

The floor area ratio shall not exceed 1.0.

7.4A.03 Height of Buildings

The height of a building shall not exceed 15 m or four storeys.

7.4A.04 Yard Requirements

1. A front yard shall be provided of not less than 3 m in depth.
    a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
    b. Where a lot abuts a lot in a Residential Zone or a Multiple Family Residential Zone a side yard shall be provided of not less than 6 m in width.
    c. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.

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2. A rear yard shall be provided of not less than 3 m in depth, except where such lot abuts a lot in a Residential or Multiple Family Residential Zone such yard shall be not less than 6 m in depth.

7.4A.05 Lot Coverage

The maximum lot coverage shall be 75 percent of the lot.

7.4A.06 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 5 percent of the lot.

2. A continuous landscaping strip not less than 1m wide shall be provided along the developed portion of each side of the lot that abuts a highway. This strip may be interrupted at boulevard crossings or to provide necessary pedestrian access for entering a building or for viewing shop windows.

3. Landscaping shall include the planting of trees in the amount of not less than one tree for each 100 m^2 of developed lot area.

4. At least one tree shall be planted for each 7.5 m of the entire street frontage of the lot. They shall be planted parallel to the street frontage flush to the grade and with a maximum spacing of 7 m apart.

5. All trees planted shall be of at least 9 cm calliper or more with at least 5.6 m^3 of soil per tree, to a depth of at least 1.2 m.

7.4A.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision is 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision is 16 m.

3. Panhandle lots are not permitted.

7.4A.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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7.5A.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others are permitted in the Commercial Tank Farm (C6) Zone:

1. Motor vehicle card lock fuel service stations;
2. Offices necessary to motor vehicle card lock fuel service stations and petroleum tank farms;
3. Petroleum tank farms for the storage, distribution and retail sale of petroleum products having a total storage capacity above the finished grade elevation of not more than 855,000 litres and a total storage capacity below the finished grade elevation of not more than 135,000 litres; and
4. Accessory buildings and structures.

7.5A.02 Condition of Use

The area in and immediately around all areas for the loading and unloading of petroleum products shall be hard surfaced so as to prevent seepage.

7.5A.03 Density of Development

The floor area ratio shall in no case exceed 0.2.

7.5A.04 Height of Building

The height of a building shall not exceed 12 m or 3 storeys.

7.5A.05 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 7.5 m in width.

3. A rear yard shall be provided of not less than 7.5 m in depth.

7.5A.06 Lot Coverage

The maximum lot coverage shall be 20 percent of the lot.

7.5A.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 5000 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10 percent of the perimeter of the lot.

3. Panhandle lots are not permitted.

7.5A.08 General

The provisions of Division 2 of this Bylaw shall apply except Section 2.2.11.

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7.5B.01 Purpose

The purpose of this zone is to provide for the orderly development of a portion of the Hartwig and other lands within Colwood. A base level of development is provided for and alternative regulations are specified for residential development, subject to the owner providing amenities and affordable housing as contemplated by Section 904 of the *Local Government Act*.

7.5B.02 Basic Development

The land in this zone may be developed to the density permitted by, and used in accordance with, the regulations in Sections 7.5B.03 through 7.5B.05 and Sections 7.5B.10 through 7.5B.15 of this Bylaw.

7.5B.03 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Mixed Commercial/Residential (C7) Zone:

1. Apartment dwelling units;
2. Bakeries with a gross floor area of not more than 300 m^2;
3. Day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
4. Drive-in businesses;
5. Hotels and motels;
6. Indoor sports and recreation facilities;
7. Offices;
8. Personal service;
9. Post office;
10. Restaurants and restaurants licensed pursuant to the *Liquor Control and Licensing Act*;
11. Retail stores (excluding any establishment that is open to the public between the hours of midnight to 6.00 a.m.);
12. Scientific or technological research facilities;
13. Light manufacturing uses which are not noxious or offensive to the immediate neighbourhood or general public by reason of emitting odours, dust, smoke, gas, noise, effluent or hazard;
14. Storage buildings and unenclosed storage;
15. One dwelling unit for a caretaker in a building containing a scientific or technological research facility, light industrial or storage building use;
16. Accessory buildings and structures; and
17. Accessory dwelling unit.

7.5B.03A 2670 Wilfert Road

Despite Subsection 7.5B.03, on land legally described as Lot 1, Section 1, Esquimalt District, Plan VIP76322 (2670 Wilfert Road) the following uses are specifically prohibited:

1. Drive-in businesses;
2. Retail sale and rental of automobiles, trucks, boats, camper vehicles, mobile homes and farm machinery and parts and accessories thereof;
3. Unenclosed storage;
4. Storage of petroleum products or other materials the deposit or release of which into Millstream

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Creek would cause harm to the environment, other than in packaging and quantities suitable for sale on the premises, and accessory storage in bulk quantities that may reasonably be expected to be consumed in the operation of a permitted principal use of the lot on which the storage occurs."

7.5B.04 Conditions of Use

1. All uses including scientific or technological research facilities and light industrial uses (and excluding unenclosed storage, retail sale and rental of automobiles, trucks, boats, camper vehicles, mobile homes and farm machinery and parts and accessories thereof, apartment dwelling units and restaurants) shall take place entirely within a wholly contained building.

2. No noise or odour related to a manufacturing use and which is discernible from any adjacent property or street shall be permitted.

7.5B.05 Density of Development

The maximum density of an Apartment dwelling unit use shall be one dwelling unit per 2 hectares of site area.

1. The floor area ratio shall not exceed 2.0.

7.5B.06 Comprehensive Development

The lands in this zone may in the alternative be developed to a higher residential density and used in accordance with the regulations in Sections 7.5B.07 through 7.5B.15 if the Owner:

1. provides affordable housing by contributing to an affordable housing reserve fund of the City $250 per dwelling unit. Despite the foregoing, should Council adopt a policy resolution implementing a lesser or no contribution amount the lesser contribution or no amount shall be paid as the case may be; and

2. provides community amenities by contributing to a community amenity reserve fund of the City $1,500 per dwelling unit, and for this purpose "community amenity" means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities. Despite the foregoing, should Council adopt a policy resolution implementing a lesser or no contribution amount the lesser contribution or no amount shall be paid as the case may be; and

3. payment shall be made at the time of approval of the building permit for which the dwelling units are permitted to be constructed.

7.5B.07 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Mixed Commercial/Residential (C7) Zone:

1. Apartment dwelling units;
2. Bakeries with a gross floor area of not more than 300 m^2;

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3. Day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
4. Drive-in businesses;
5. Hotels and motels;
6. Indoor sports and recreation facilities;
7. Offices;
8. Personal service;
9. Restaurants and restaurants licensed pursuant to the *Liquor Control and Licensing Act*;
10. Retail sale and rental of automobiles, trucks, boats, camper vehicles, mobile homes and farm machinery and parts and accessories thereof;
11. Retail stores (excluding any establishment that is open to the public between the hours of midnight to 6.00 a.m.);
12. Scientific or technological research facilities;
13. Light manufacturing uses which are not noxious or offensive to the immediate neighbourhood or general public by reason of emitting odours, dust, smoke, gas, noise, effluent or hazard;
14. Storage buildings and unenclosed storage;
15. One dwelling unit for a caretaker in a building containing a scientific or technological research facility, light industrial or storage building use;
16. Accessory buildings and structures.

7.5B.07A 2670 Wilfert Road

Despite Subsection 7.5B.07, on land legally described as Lot 1, Section 1, Esquimalt District, Plan VIP76322 (2670 Wilfert Road) the following uses are specifically prohibited:

1. Drive-in businesses;
2. Retail sale and rental of automobiles, trucks, boats, camper vehicles, mobile homes and farm machinery and parts and accessories thereof;
3. Unenclosed storage;
4. Storage of petroleum products or other materials the deposit or release of which into Millstream Creek would cause harm to the environment, other than in packaging and quantities suitable for sale on the premises, and accessory storage in bulk quantities that may reasonably be expected to be consumed in the operation of a permitted principal use of the lot on which the storage occurs."

7.5B.08 Conditions of Use

1. All uses including scientific or technological research facilities and light industrial uses (and excluding unenclosed storage, retail sale and rental of automobiles, trucks, boats, camper vehicles, mobile homes and farm machinery and parts and accessories thereof, apartment dwelling units and restaurants) shall take place entirely within a wholly contained building.

2. Scientific or technological research facilities, light industrial use and storage building uses are not permitted in buildings in which there are apartment dwelling units.

3. No noise or odour related to a manufacturing use and which is discernible from any adjacent property or street shall be permitted.

4. Apartment dwelling units shall be permitted only in conformity with the following provisions:

   i. Except where separate entrances are provided for commercial users, the floor on which any dwelling units are located shall be used exclusively for residential purposes

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ii. In a building used for both residential and commercial purposes, a completely separate public entrance to the apartment dwelling units shall be provided at the ground floor front or side elevation.

iii. No advertising use shall be located on or above a storey used for apartment dwelling units.

7.5B.09 Density of Development

1. The maximum density of an Apartment dwelling unit use shall be 1.5.

2. The floor area ratio shall not exceed 2.0.

7.5B.10 Height of Buildings

The height of a building shall not exceed 15 m or four storeys.

7.5B.11 Yard Requirements

1. A front yard shall be provided of not less than 3 m in depth.

2.
   a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
   b. Where a lot abuts a lot in a Residential Zone or a Multiple Family Residential Zone a side yard shall be provided of not less than 6 m in width.
   c. On a corner lot a side yard of not less than 4.5 m in width shall be provided adjoining a flanking street.
   d. A rear yard shall be provided of not less than 4.5 m in depth, except where such lot abuts a lot in a Residential or Multiple Family Residential Zone such yard shall be not less than 6 m in depth.

7.5B.12 Lot Coverage

The maximum lot coverage shall be 75 percent of the lot.

7.5B.13 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 20 percent of the lot.

2. A continuous landscaping strip not less than 3 m wide shall be provided along the developed portion of each side of the lot that abuts a highway. This strip may be interrupted at boulevard crossings or to provide necessary pedestrian access for entering a building or for viewing shop windows.

3. Landscaping shall include the planting of trees in the amount of not less than one tree for each 100m^2 of developed lot area.

4. At least one tree shall be planted for each 7.5 m of the entire street frontage of the lot. They shall be planted parallel to the street frontage flush to the grade and with a maximum spacing of 7m apart.

5. All trees planted shall be of at least 9 cm calliper or more with at least 5.6 m^3 of soil per tree, to a depth of at least 1.2 m.

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7.5B.14 Subdivision Requirements

1. The minimum lot area that may be created by subdivision is 2,000 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision is 18 m.

3. Panhandle lots are not permitted.

7.5B.15 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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7.5C.01 Basic Development

1. In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Towncentre Mixed Use (C8) Zone:

    1. Apartment dwelling units;
    2. Attached housing;
    3. Bakeries with a gross floor area of not more than 300 m^2;
    4. Day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
    5. Hotel;
    6. Live / work studios;
    7. Offices;
    8. Personal service;
    9. Post offices;
    10. Premises licensed pursuant to the *Liquor Control and Licensing Act*;
    11. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
    12. Restaurants;
    13. Retail stores;
    14. Home occupations;
    15. Accessory buildings and structures; and
    16. Accessory dwelling unit.

2. On land legally described as Remainder of Lot 7, Section 1, Esquimalt District, Plan 2479 (82 Belmont Road) the number of dwelling units in all apartment and attached housing dwelling units combined shall not exceed three.

7.5C.02 Comprehensive Development - 82 Belmont Road

1. Despite the restrictions in Section 7.5C.01(2)(a) the density of development in Section 7.5C.05 is permitted on the land referred to in Subsection 7.5C.01(2)(a) in accordance with Sections 7.5C.03 through 7.5C.16 if the Owner:
    a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per attached housing dwelling unit; and
    b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per attached housing dwelling and $1,500 per apartment dwelling unit and for this purpose "community amenity" means land for parks or playing fields or for community building use and the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space.

2. Payment shall be made at the time of issuance of a building permit.

3. Subsection 1 is not applicable to the first 136 dwelling units created on the land referred to in Subsection 7.5C.01(2)(a).

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7.5C.03 Requirements for Commercial Development

1. Not less than 35% of the business premises which have not less than 35% of the linear frontage of the buildings shall have their main entrance face the public street right-of-way. Where such business premises are built back-to-back one space may face away from the public street right-of-way.

2. At least 50% of the total frontage shall be allocated for occupancy by retail, service or restaurant uses.

3. Subsections 1 and 2 are not applicable to the land referred to in Subsection 7.5C.01(2)(a).

4. A minimum of 575 m^2 (6,200 square feet) of ground floor commercial floor space and four live / work studios shall be created on the land referred to in Subsection 7.5C.01(2)(a) and not more than four live / work studios may be created on that land.

7.5C.04 Requirements for Apartment Dwelling and Attached Housing Dwelling Units

Apartment dwelling units shall be permitted only in conformity with the following provisions:

1. Except where separate entrances are provided for commercial users, the floor on which any dwelling units are located shall be used exclusively for residential purposes.

2. In a building used for both residential and commercial purposes, a completely separate public entrance to the apartment dwelling units shall be provided at the ground floor front or side elevation.

3. No advertising use shall be located on or above a storey used for apartment dwelling units.

4. Ground floor units adjacent to at-grade open space shall be street-oriented or have their primary entrance directly from the adjacent open space.

7.5C.05 Density of Development

1. The floor area ratio shall not exceed 2.0.

2. Any floor area ratio over 1.25 shall consist of a residential use.

3. Despite subsections 1 and 2, the floor area ratio shall not exceed 2.18 for the land referred to in Subsection 7.5C.01(2)(a).

7.5C.06 Height of Buildings

The height of a building shall not exceed 20m or 6 storeys to the highest point of a habitable space. Sloped roofs shall be used for any building below the maximum height. Sloped roofs shall extend the height of the building beyond the habitable areas to screen all roof top mechanical devices.

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7.5C.07 Yard Requirements

1. A front yard shall be provided of not less than 1.2m and not more than 4.5 m, except that above the second storey, residential uses shall be set back from the front lot line not less than 1.5m, excluding any balcony spaces.

2. Side yards shall be provided of not less than 4m in depth provided, however, that if an emergency access route is required the side yard shall not be less than 7.5m.

3. A rear yard shall be provided of not less than 6.5m in depth.

4. Notwithstanding Section 2.1.04, balconies may project 1.2m into the front, rear and side yards. Structures for private at-grade unit entrances may project into the front, rear and side yards by 1.2m, except where this structure projects into an adjacent emergency access route.

7.5C.08 Lot Coverage

The maximum lot coverage shall be 50 percent.

7.5C.09 Usable Open Space

Not less than 10 percent of the lot shall be developed as usable open space.

7.5C.10 Parking Areas

The proportion of the lot area that constitutes unenclosed parking area shall not exceed 35 percent.

7.5C.11 Off-Street Parking

Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces shall be 1.4 per apartment dwelling unit, 2 per attached housing dwelling unit and 2 per live / work studio.

7.5C.12 Landscaping

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

2. Landscape and screening areas shall retain existing trees and natural vegetation wherever possible, and add planting including native species that enhances the natural environment.

3. At least one tree shall be planted for each 7.5m of the entire street frontage of the lot. They shall be planted parallel to the street frontage at grade and with a maximum spacing of 7m.

4. All trees planted shall be of at least 6cm calliper with at least $1m^3$ of soil per tree, to a depth of at least 0.7m.

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7.5C.13 Private Amenity Space

All attached housing dwelling units or dwelling units other than live / work studios that have primary entrances from adjacent open space (street oriented or ground oriented) shall have a private amenity space of not less than 15m^2 located adjacent to the dwelling unit. No dimension of this space shall be less than 3m. All apartment units located above the ground floor shall have a private amenity space of not less than 6m^2 for one-bedroom units and not less than 10m^2 for two or more bedroom units with a minimum dimension of 2m. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade, including on roofs, where units are designed at different elevations.

7.5C.14 Refuse Container Areas

All garbage, recycling or other refuse containers shall be completely screened on all sides by a combination of landscaping or fencing to a height of not less than 0.3m above height of the containers.

7.5C.15 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

7.5C.16 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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7.5D.01 Basic Development

1. In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Towncentre Mixed Use A (C8A) Zone:
   a. Within those parts of the land identified as Area 1:
      1. Apartment dwelling units;
      2. Bakeries with a gross floor area of not more than 300 m^2;
      3. Day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
      4. Hotel;
      5. Offices;
      6. Personal service;
      7. Post offices;
      8. Premises licensed pursuant to the *Liquor Control and Licensing Act*;
      9. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
      10. Restaurants;
      11. Retail stores;
      12. Home occupations;
      13. Accessory buildings and structures;
      14. Accessory dwelling unit.; and
      15. Live/work studios
   b. Within those parts of the land identified as Area 2:
      1. All the uses permitted in Area 1 and
      2. Attached Housing

2. Base development shall not exceed 3 dwelling units.

7.5D.02 Comprehensive Development - 324 Goldstream Avenue

1. Despite the restrictions in Section 7.5D.01(2) the density of development in Section 7.5D.05 is permitted on the land referred to in Subsection 7.5D.01(2) in accordance with Sections 7.5D.03 through 7.5D.16 if:
   a. The Owner contributes to a community amenity reserve fund of the City $1,500 per dwelling unit constructed on the land, and for this purpose "community amenity" means land for parks or playing fields or for community building use and the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilitates, and assembly and meeting space; or,
   b. Every unit constructed on the land is Affordable Housing.

Payment shall be made at the time of issuance of a building permit.

7.5D.03 Requirements for Commercial Development

1. A minimum of 490 m^2 (5,274 square feet) of ground floor commercial floor space and 180 m^2 (1,938 square feet) of second storey commercial floor space in Area 1.

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2. Commercial uses only (no apartment dwelling units or live / work studios) are permitted in the ground floor of any building fronting onto Goldstream Avenue in Area 1.

7.5D.04 Requirements for Apartment Dwelling Units

Apartment dwelling units shall be permitted only in conformity with the following provisions:

1. Any building storey on which dwelling units are located shall be used exclusively for residential purposes except for commercial premises having separate entrances from the exterior.

2. In a building used for both residential and commercial purposes, a completely separate public entrance to the apartment dwelling units shall be provided.

3. No advertising use shall be located on or above a storey used for apartment dwelling units.

7.5D.05 Density of Development

The floor area ratio shall not exceed 2.3.

7.5D.06 Height of Buildings

The height of a building shall not exceed 27m or 8 storeys to the highest point of a habitable space. Sloped roofs shall be used for any building below the maximum height. Sloped roofs shall extend the height of the building beyond the habitable areas to screen all roof top mechanical devices.

7.5D.07 Yard Requirements

1. A front yard shall be provided of not less than 1.2m and not more than 4.5 m, except that above the second storey, residential uses shall be set back from the front lot line not less than 1.5m, excluding any balcony spaces.

2. Side yards shall be provided of not less than 4m in depth provided, however, that if an emergency access route is required the side yard shall not be less than 7m.

3. A rear yard shall be provided of not less than 6m in depth.

4. Notwithstanding Section 2.1.04, balconies may project 1.2m into the front, rear and side yards. Structures for private at-grade unit entrances may project into the front, rear and side yards by 1.2m, except where this structure projects into an adjacent emergency access route.

7.5D.08 Lot Coverage

The maximum lot coverage shall be 70 percent.

7.5D.09 Usable Open Space

Not less than 10 percent of the lot shall be developed as usable open space.

7.5D.10 Parking Areas

The proportion of the lot area that constitutes unenclosed parking area shall not exceed 35 percent.

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7.5D.11 Off-Street Parking

Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces for apartment dwelling units shall be 1.4 per apartment dwelling unit and for commercial uses shall be 1 per 22 m^2 of commercial floor space.

7.5D.12 Landscaping

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

2. Landscape and screening areas shall retain existing trees and natural vegetation wherever possible, and add planting including native species that enhances the natural environment.

3. At least one tree shall be planted for each 7.5m of the entire street frontage of the lot. They shall be planted parallel to the street frontage at grade and with a maximum spacing of 7m.

4. All trees planted shall be of at least 6cm calliper with at least $1m^3$ of soil per tree, to a depth of at least 0.7m.

7.5D.13 Private Amenity Space

All apartment units located above the ground floor shall have a private amenity space of not less than $6m^2$ for one-bedroom units and not less than $10m^2$ for two or more bedroom units with a minimum dimension of 1.5m. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade, including on roofs, where units are designed at different elevations.

7.5D.14 Refuse Container Areas

All garbage, recycling or other refuse containers shall be completely screened on all sides by a combination of landscaping or fencing to a height of not less than 0.3m above height of the containers.

7.5D.15 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

7.5D.16 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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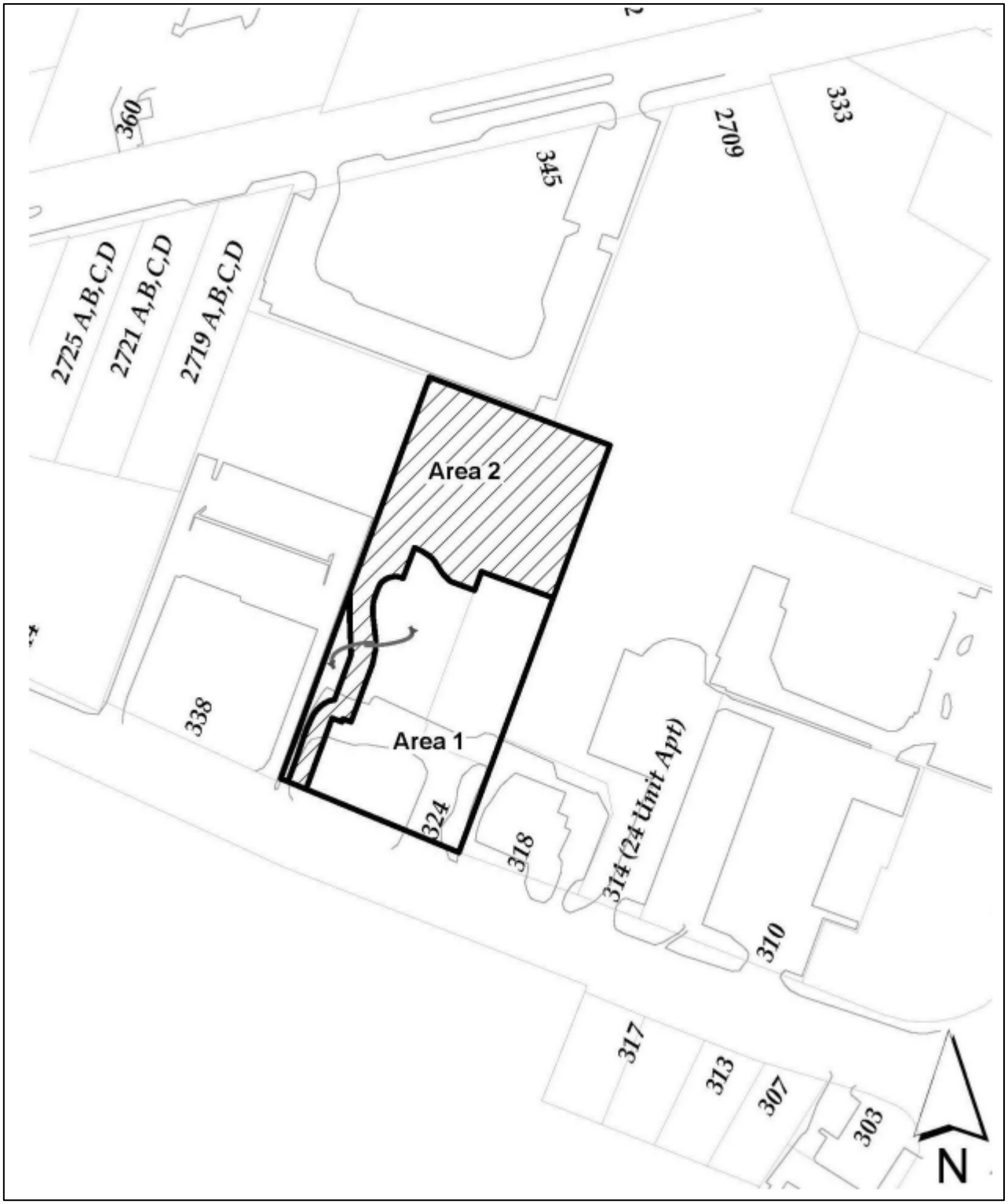
C8A ZONE MAP


2725 A,B,C,D
2721 A,B,C,D
2719 A,B,C,D
360
345
2709
333
Area 2
Area 1
338
324
318
314 (24 Unit Apt)
310
317
313
307
303
N

7.6.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Service Commercial (CS1) Zone:

1. Animal hospitals in enclosed buildings;
2. Auction rooms;
3. Automobile repair, body and painting shops;
4. Car wash establishments and drive-in businesses;
5. Commercial nurseries and greenhouses;
6. Gasoline service stations;
7. Offices, storage buildings and enclosed yards for building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and sign contractors;
8. Printing, publishing and bookbinding;
9. Personal service, limited to 200 m^2 in gross floor area;
10. Public transportation depots;
11. Restaurants;
12. Repair of household furnishings;
13. Retail lumber and building supply establishments;
14. Retail sale, rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, motorbikes, roto-tillers and outboard motors;
15. Retail stores not exceeding 200 m^2 in gross floor area;
16. Unenclosed storage accessory to a retail lumber and building supply establishment; and
17. Accessory buildings and structures.

7.6.01A Comprehensive Development (Lot A, Section 1, Esquimalt District, Plan VIP85614).

1. The following additional uses to those specified in Section 7.6.01 are permitted:

    1. apartment dwelling units;
    2. bakeries with a gross floor area of not more than 300 m^2;
    3. business colleges and trade schools;
    4. day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
    5. drive-in businesses;
    6. funeral parlours;
    7. hotels and motels;
    8. indoor sports and recreation facilities;
    9. offices;
    10. personal service;
    11. post office;
    12. restaurants and uses licensed pursuant to the *Liquor Control and Licensing Act*;
    13. retail stores;
    14. scientific or technological research facilities;
    15. shopping centre;

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16. light manufacturing uses which are not noxious or offensive to the immediate neighbourhood or general public by reason of emitting odours, dust, smoke, gas, noise, effluent or hazard;
17. uses permitted in the Community Institutional (P2) zone;
18. wholesale and storage buildings and unenclosed storage;
19. one dwelling unit for a caretaker; and
20. Accessory dwelling unit.
21. Despite section 2.1.09(2)(g) a Cannabis Retail Store limited to a maximum floor area of 270m^2 is permitted at the property have a civic address of #202-310 Wale Road, and more particularly described as "Strata Lot 10 Section 1 Esquimalt District Strata Plan VIS6898".

2. The following conditions of use shall apply to the uses specified in Section 7.6.01(A)(1):
   a. The maximum density of an Apartment dwelling unit use shall be one dwelling unit per 2 hectares of site area;
   b. All uses including scientific or technological research facilities and light manufacturing uses and excluding unenclosed storage, apartment dwelling units and restaurants shall take place entirely within a wholly contained building;
   c. Light manufacturing uses are not permitted in buildings in which there are apartment dwelling units;
   d. No noise or odour related to a manufacturing use and which is discernible from any adjacent property or street shall be permitted; and
   e. Apartment dwelling units shall be permitted only in conformity with the following provisions:
      i. In a building used for both residential and commercial purposes, a completely separate public entrance to the apartment dwelling units shall be provided at the ground floor front or side elevation;
      ii. No advertising use shall be located on or above a storey used for apartment dwelling units;

3. Despite Section 7.6.01(A)(2) if the Owner:
   a. provides affordable housing by contributing to an affordable housing reserve fund of the City $250 per dwelling unit. Despite the foregoing, should Council adopt a policy resolution implementing a lesser or no contribution amount the lesser contribution or no amount shall be paid as the case may be; and
   b. provides community amenities by contributing to a community amenity reserve fund of the City $1,500 per dwelling unit, and for this purpose "community amenity" means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities. Despite the foregoing, should Council adopt a policy resolution implementing a lesser or no contribution amount the lesser contribution or no amount shall be paid as the case may be; and
   c. payment shall be made at the time of approval of the building permit for which the dwelling units are permitted to be constructed,
   d. the conditions of use specified in Sections 7.6.01(A)(2)(b) to 7.6.01(A)(2)(e) inclusive shall apply to the uses specified in Section 7.6.01(A)(1).

4. Section 7.6.06 (2) shall not apply to the Nob Hill Road frontage of Lot 1, Section 1, Esquimalt District, Plan 29719 where a road-widening dedication has been provided by the Owner.

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7.6.02 Density of Development

a. The floor area ratio shall in no case exceed 1.0;

b. Notwithstanding Section 7.6.02 a), on land legally described as Lot 1, Section 1, Esquimalt District, Plan EPP13164, Except Part in Strata Plan VIS6898 and Strata Lots 1-10, Section 1, Esquimalt District Strata Plan VIS6898, Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V (310, 314, 318 and 328 Wale Road and 2675 Wilfert Road), the floor area ratio shall in no case exceed 1.5;"

7.6.03 Height of Buildings

The height of a building shall not exceed 12 m or three storeys.

7.6.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
    a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
    b. Where a lot abuts a lot in an Agricultural Zone, Residential Zone, Multiple Family
    c. Residential Zone or Institutional Zone, a side yard shall be provided of not less than 6 m in width.
    d. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.
    e. A rear yard shall be provided of not less than 3 m in depth, except where such lot abuts a lot in an Agricultural Zone, Residential Zone, Multiple Family Residential Zone or Institutional Zone, such yard shall be not less than 6 m in depth.

7.6.05 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

7.6.06 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area.

2. A continuous landscaping strip not less than 3 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 percent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

3. Except in those portions where a building abuts a lot line, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 high shall be provided along all lot lines separating the developed portion of the lot from any Residential Zone, Multiple Family Residential Zone or Institutional Zone, whether such property be separated by a highway or not.

7.6.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m^2.

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2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots are not permitted.

7.6.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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7.7.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Highway Commercial (CS2) Zone:

1. Auto repair, body and painting shops;
2. Drive-in businesses;
3. Gasoline service stations and car wash;
4. Offices;
5. Assembly and entertainment uses, limited to auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
6. Public transportation depots;
7. Restaurants;
8. Retail and wholesale warehouses;
9. Court of law;
10. Retail store not exceeding 275 m^2; and
11. Accessory buildings and structures.

7.7.02 Density of Development

The floor area ratio shall in no case exceed 1.0.

7.7.03 Height of Buildings

The height of a building shall not exceed 12 m or three storeys.

7.7.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
    a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
    b. Where a lot abuts a lot in an Agricultural Zone, Residential Zone, Multiple Family Residential Zone or Institutional Zone a side yard shall be provided of not less than 7.5 m in width.
    c. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.

3. A rear yard shall be provided of not less than 3 m in depth, except where such lot abuts a lot in an Agricultural Zone, Residential Zone, Multiple Family Residential Zone or Institutional Zone, such yard shall be not less than 7.5 m in depth.

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7.7.05 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

7.7.06 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area.

2. A continuous landscaping strip not less than 3 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 percent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

3. Except in those portions where a building abuts a lot line, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all lot lines separating the developed portion of the lot from any Residential Zone, Multiple Family Residential Zone or Institutional Zone, whether such property be separated by a highway or not.

7.7.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

7.7.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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7.8.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Tourist Commercial - Motel (CT1) Zone:

1. Camp-site;
2. Miniature golf courses;
3. Motel;
4. One-family dwelling;
5. Accessory buildings and structures;
6. Secondary suite; and
7. Accessory dwelling unit.

7.8.02 Number of Residential Dwellings

There shall not be more than one one-family dwelling on a lot.

7.8.03 Conditions of Use for Camp-site Use.

No camp-site space shall be used as a permanent place of dwelling. Occupancy for a total of six months or more in any 12 month period shall be deemed to be permanent occupancy.

7.8.04 Density of Development

The floor area ratio shall in no case exceed 0.5.

7.8.05 Height of Buildings

The height of a building shall not exceed 12 m or three storeys.

7.8.06 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
    a. Side yards shall be provided of not less than 6 m in width.
    b. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.

3. A rear yard shall be provided of not less than 10 m in depth.

7.8.07 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

7.8.08 Landscaping

All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

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7.8.09 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be l800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

7.8.10 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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7.9.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Service Commercial 3 (CS3) Zone:

1. Auto repair, body and painting shops;
2. Drive-in businesses;
3. Funeral parlours
4. Gasoline service stations and car wash;
5. Offices;
6. Personal service;
7. Assembly and entertainment uses, limited to auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;Public transportation depots;
8. Restaurants;
9. Repair of household furnishings;
10. Retail and wholesale warehouses;
11. Retail sale, rental and repair of small tools and equipment;
12. Retail stores not exceeding 200 m^2 in gross floor area;
13. Storage buildings, including but without limiting the generality of the foregoing: storage buildings used by building, electrical, heating ventilating and air conditioning, painting, plumbing contractors, but excluding unenclosed storage; and
14. Accessory buildings and structures.

7.9.02 Density of Development

The floor area ratio shall in no case exceed 1.0.

7.9.03 Height of Buildings

The height of a building shall not exceed 12 m or three storeys.

7.9.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.
2.
   a. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
   b. Where a lot abuts a lot in an Agricultural Zone, Residential Zone, Multiple Family Residential Zone or Institutional Zone a side yard shall be provided of not less than 7.5 m in width.
   c. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.

3. A rear yard shall be provided of not less than 3 m in depth, except where such lot abuts a lot in an Agricultural Zone, Residential Zone, Multiple Family Residential Zone or Institutional Zone, such yard shall be not less than 7.5 m in depth.

7.9.05 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

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7.9.06 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area.

2. A continuous landscaping strip not less than 3 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 percent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows.

3. Except in those portions where a building abuts a lot line, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all lot lines separating the developed portion of the lot from any Residential Zone or Institutional Zone, whether such property be separated by a highway or not.

7.9.07 Subdivision Requirements

1. the minimum lot area that may be created by subdivision shall be 1800 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

7.9.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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7.10.1 Purpose

To accommodate a mix of uses with active commercial frontages that provide service employment opportunities.

7.10.2 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Mixed Use Employment Centre 1 (MUECl) Zone:

a. Animal hospital in enclosed buildings;
b. Assembly and Entertainment Uses;
c. Bakery, not exceeding 250 m^ in floor area;
d. Brewhouse;
e. Colleges, Universities and Trade Schools;
f. Daycare;
g. Indoor Sports and Recreation Facility;
h. Liquor Retail Store;
i. Mini-storage warehouse;
j. Offices;
k. Personal service;
i. Pet daycare;
l. Restaurants, including drive-thru;
m. Retail;

Lot B, Section 67, Esquimalt Land District, Plan EPP93779 (681 Allandale Road) - Despite section 2.1.09 (2) (g) a Cannabis Retail Store limited to a maximum floor area of 112m^2 is permitted at the property having a civic address of 681 Allandale Road and described as "Lot B, Section 67, Esquimalt Land District, Plan EPP93779; PID: 030-961-068."

7.10.3 Regulatory Conditions

Subdivision Regulations			
a.		Minimum lot area	1,800m^2
b.		Minimum lot frontage	18m
Development Regulations			
c.		Maximum FAR	1.0
d.		Maximum Site Coverage	50%
e.		Maximum building height	18m
Siting Regulations			
f.		**Minimum lot line setback requirements for buildings and structures**	
	i.	Front	7.5m
	ii.	Interior Side	6.0m
	iii	Exterior Side	7.5m
	iv.	Rear	10.0m

7.10.4 Other Regulations

a. Where a lot joins a residential use, institutional use, or a street a landscaped area of at least 2.5 m in

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width and 2.0m in height must be provided inside the property line;

b. Loading areas and refuse removal area and recycling containers must be screened and gated to a minimum height of 2.0 m by a landscape screen or solid decorative fence or combination thereof;

c. All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.

7.10.5 General

a. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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7.11.1 Purpose

To accommodate commercial and light industrial uses that provide mixed use employment centre opportunities and is intended to provide for complementary uses, including live/work. The uses in this zone are Intended to be sensitive to residential uses and are not intended to be potentially dangerous or environmentally incompatible when situated near residential uses.

7.11.2 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Mixed Use Employment Centre 2 (MUEC2) Zone:
Accessory buildings and structures;

a. Animal hospital in enclosed buildings;
b. Assembly and entertainment uses;
c. Bakery;
d. Brewhouse;
e. Brewery/Distillery;
f. Colleges, Universities and Trade Schools;
g. Daycare;
h. Indoor sports and recreation facilities;
i. Light Industrial;
j. Liquor retail store;
k. Live/work Studio;
l. Mini-storage warehouse;
m. Manufacturing, Contractors office;
n. Manufacturing, Creative products;
o. Manufacturing, High technology;
p. Offices;
q. Personal Service;
r. Pet daycare;
s. Printing and Publishing;
t. Public Building;
u. Rental and repair of household items, tools, appliances, and small equipment;
v. Restaurant;
w. Retail;
x. Scientific or Technological Research Facility;
y. Warehouse, storage and distribution;
z. Wholesale;

7.11.3 Regulatory Conditions

Subdivision Regulations		
a.	Minimum lot area	1,800m^2
b.	Minimum lot frontage	18m
Development Regulations		
c.	Maximum FAR	1.0
d.	Maximum Site Coverage	50%
e.	Maximum building height	18m

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Siting Regulations		
f.	**Minimum lot line setback requirements for buildings and structures**	
i.	Front	7.5m
Ii	Interior Side	6.0m
iii.	Exterior Side	7.5m
iv.	Rear	10.0m

7.11.4 Other Regulations

a. That light industrial uses and manufacturing which create dust, heat, glare, odour, noise, gas, smoke, recurrent generated vibrations, fire hazard, electrical disturbance, particulate matter, or radiation are prohibited;

b. That where live/work studios are considered with light industrial and commercial uses, they are considered an accessory residential use and that:
   i. The residential component must be located above the ground floor and has a private, exterior, residential entrance from the principal commercial use; and
   ii. One parking space for the residence must be provided additional to the principal commercial or light industrial use;

c. That landscaping is to be provided
   i. Where a lot joins a residential use, institutional use, or a street a landscaped area of at least 2.5 m in width and 2.0 m in height must be provided inside the property line;
   ii. To separate parking areas from adjacent properties, a landscaped buffer area of at least 2.0 m in width and 2.0m in height must be provided along the inside of all property lines;
   iii. Loading areas and refuse removal area and recycling containers must be screened and gated to a minimum height of 2.0 m by a landscape screen or solid decorative fence or combination thereof; and
   iv. All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.

7.11.5 General

a. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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DIVISION 8 INDUSTRIAL ZONES

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8.1.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Light Industrial (M1) Zone:

1. Coffee shops;
2. Light Industrial uses which are not noxious or offensive by reason of permitting odours, dust, smoke, gas or noise, including but without limiting the generality of the foregoing, establishments for the following trade contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs.
3. The following uses are specifically excluded:
   a. any use considered offensive under the *Health Act*;
   b. refuse and garbage dumps; and
   c. the burning of motor vehicles and other things for salvage purposes;
4. Repair of household furnishings;
5. Retail sale, rental and repair of tools and small equipment such as chain saw, hand and edge tools, lawn mowers, motorbikes, rototillers and outboard motors;
6. Repair of automobiles, trucks, boats, camper vehicles, mobile homes and farm machinery and parts and accessories thereof;
7. Wholesale and storage buildings, not exceeding a total of 900 m^2 of floor area;
8. One dwelling unit for a caretaker;
9. Unenclosed storage accessory to a principal use; and
10. Accessory buildings and structures.

8.1.02 Condition of Use

The maximum height of any accessory unenclosed storage use shall be 3.5 m.

8.1.03 Height of Buildings

The height of a building shall not exceed 12 m.

8.1.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 6 m in width, except that a side yard flanked by a Commercial Zone or Industrial Zone may be reduced to nil, provided that the other side yard has a width of not less than 6 m.

3. A rear yard shall be provided of not less than 7.5 m in depth.

8.1.05 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

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8.1.06 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area.

2. A continuous landscaping strip of not less than 2 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 per cent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows. This landscaping strip shall have a height of not less than 1.5 m or a solid decorative fence of not less than 1.5 m shall be provided.

3. Except in those portions where a building abuts the lot line, screen planting at least 2 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 2 m high shall be provided along all lot lines separating the developed portion of the lot from any Agricultural Zone, Residential Zone, Multiple-Family Residential Zone, or Institutional Zone whether separated by a highway or not.

8.1.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots are not permitted.

8.1.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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8.2.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the General Industrial (M2) Zone:

1. Industrial uses provided, however, that the following uses are specifically excluded:
   a. any use considered offensive under the Health Act;
   b. refuse and garbage dumps; and
   c. the burning of motor vehicles and other things for salvage purposes;
2. Gasoline service stations;
3. Coffee shops;
4. Gravel processing;
5. Retail sale, rental of boats, trailers, mobile homes, fuel, things at auction, lumber and building supplies;
6. One dwelling unit for a caretaker;
7. Unenclosed storage; and
8. Accessory buildings and structures.

8.2.02 Conditions of Use

The maximum height of any unenclosed storage use shall be 3.5 m within 30 m of a Residential Zone, Multiple Family Residential Zone, Commercial Zone or Institutional Zone.

8.2.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2. Side yards shall be provided of not less than 6 m in width, except that a side yard flanked by a Commercial Zone or Industrial Zone may be reduced to nil, provided that the other side yard has a width of not less than 6 m.

3. A rear yard shall be provided of not less than 10 m in depth.

4. Notwithstanding Section 2.1.05 (1)(a)(i) and Subsection (3), buildings shall be located not less than 60 m from the natural boundary of the sea.

8.2.05 Lot Coverage

The maximum coverage shall be 50 percent of the lot.

8.2.06 Landscaping and Screening

1. Landscaping shall cover not less than 5 percent of the developed lot area.

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2. A continuous landscaping strip of not less than 2 m wide shall be provided along the developed portion of each side of the lot which abuts a highway. This landscaping strip need not have a net area exceeding 10 percent of the developed lot area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building or for viewing shop windows. This landscaping strip shall have a height of not less than 1.5 m or a solid decorative fence of not less than 1.5 m shall be provided.

3. Except in those portions where a building abuts the lot line, screen planting at least 2 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 2 m high shall be provided along all lot lines separating the developed portion of the lot from any Agricultural Zone, Residential Zone, Multiple Family Residential Zone or Institutional Zone whether separated by a highway or not.

8.2.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1500 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 18 m.

3. Panhandle lots are not permitted.

8.2.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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DIVISION 9 INSTITUTIONAL ZONES

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9.1.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Neighbourhood Institutional (P1) Zone:

1. Churches;
2. Personal care uses;
3. One-family dwelling;
4. Schools;
5. Un-manned telephone exchange buildings;
6. Accessory buildings and structures;
7. Secondary suite;
8. Accessory dwelling unit; and
9. Child Day Care.

9.1.02 Conditions of Use for a One-family Dwelling Use

A one-family dwelling use shall be subject to the regulations of the Residential 1 (R1) Zone and not the regulations of this Zone.

9.1.03 Height of Buildings

The height of a building shall not exceed 12m.

9.1.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
    a. Side yards shall be provided of not less than 6 m in width; and
    b. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining the flanking street.

3. A rear yard shall be provided of not less than 10 m in depth.

9.1.05 Lot Coverage

The maximum coverage shall be 40 percent of the lot.

9.1.06 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures and parking areas shall be landscaped and maintained in a neat and tidy manner.

2. Any parking area shall be separated from a Residential Zone, Multiple Family Residential Zone or Institutional Zone by a landscaped strip not less than 3 m in width.

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9.1.07 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots may be created under Section 994 of the *Municipal Act*.

9.1.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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9.2.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Community Institutional (P2) Zone:

1. Ambulance headquarters;
2. Assembly;
3. Churches;
4. Civic uses;
5. Personal care uses;
6. Hospitals;
7. One-family dwelling;
8. Recreational facilities, including but without limiting the generality of the foregoing: arena, auditorium, bowling green, community centre, curling rink, riding academy, skating rink, stadium, swimming pool and tennis courts;
9. Schools;
10. Un-manned telephone exchange buildings;
11. Accessory buildings and structures;
12. Secondary suite; and
13. Accessory dwelling unit.; and
14. Day Care as regulated by the Community Care and Assisted Living Act

9.2.02 Conditions of Use for a One-family Dwelling Use

A one-family dwelling use shall be subject to the regulations of the Residential 1 (R1) Zone and not the regulations of this Zone.

9.2.03 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
    a. Side yards shall be provided of not less than 6 m in width; and
    b. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining the flanking street.

3. A rear yard shall be provided of not less than 10 m in depth.

9.2.04 Lot Coverage

The maximum coverage shall be 40 percent of the lot.

9.2.05 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures and parking areas shall be landscaped and maintained in a neat and tidy manner.

2. Any parking area shall be separated from a Residential Zone, Multiple Family Residential Zone or Institutional Zone by a landscaped strip not less than 3 m in width.

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9.2.06 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 695 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots may be created under Section 994 of the *Municipal Act*.

9.2.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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9.3.01 Permitted Uses

In addition to the uses permitted by Section 2.1.l0 of this Bylaw, the following uses and no others shall be permitted in the Public Utility (P3) Zone:

1. Public Utility Use; and
2. Accessory Buildings and Structures.

9.3.02 Height of Buildings

The height of a building shall not exceed 5.5 m.

9.3.03 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
   a. Side yards shall be provided of not less than 6 m in width; and
   b. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining the flanking street.

3. A rear yard shall be provided of not less than 10 m in depth.

9.3.4 Lot Coverage

The maximum lot coverage shall be 40 percent of the lot.

9.3.05 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures and parking areas shall be landscaped and maintained in a neat and tidy manner.

2. Any parking area shall be separated from a Residential Zone, Multiple Family residential Zone or Institutional Zone by a landscaped strip not less than 3m in width.

9.3.06 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 1600 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 16 m.

3. Panhandle lots may be created under Section 994 of the *Municipal Act*.

9.3.06 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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9.4.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Park and Open Space (P4) Zone:

1. Agricultural fair grounds;
2. Cemetery;
3. Civic uses;
4. Golf courses;
5. One-family dwelling;
6. Accessory buildings and structures;
7. Secondary suite; and
8. Accessory dwelling unit; and
9. Home Occupations

9.4.02 Number of Residential Dwellings

There shall be not more than one one-family dwelling on a lot.

9.4.03 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
    a. Side yards shall be provided of not less than 6 m in width; and
    b. On a corner lot a side yard of not less than 7.5 m in width shall be provided adjoining the flanking street.

3. A rear yard shall be provided of not less than 10 m in depth.

9.4.04 Lot Coverage

The maximum coverage shall be 40 percent of the lot.

9.4.05 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures and parking areas shall be landscaped and maintained in a neat and tidy manner.

2. Any parking area shall be separated from a Residential Zone, Multiple Family Residential Zone or Institutional Zone by a landscaped strip not less than 3 m in width.

9.4.06 Subdivision Requirements

1. The minimum lot area that may be created by subdivision shall be 4 ha.

2. The minimum highway frontage and lot width that may be created by subdivision shall be 30 m.

3. Panhandle lots may be created under Section 994 of the *Municipal Act*.

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9.4.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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9.5.01 Permitted Uses

The following uses and no others are permitted in the P5 Zone:

1. Natural Park; and

2. Accessory buildings and structures.

9.5.02 Subdivision Requirements

1. The minimum lot area that may be created by subdivision is 16 ha.

2. The minimum highway frontage and lot width that may be created by subdivision is 30 m.

9.5.03 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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9.6.01 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Day Care (P6) Zone:

1. Day Care as regulated by the *Community Care Facilities Act* for not more than 32 children provided, however, that on property legally described as Lot A, Section 37, Esquimalt District, Plan 21057 Except Part in Plan 46378 (3424 Metchosin Road) for not more than 37 children;
2. Adult Day Care Centre, provided that where such facilities are located in primarily residential neighbourhoods, the maximum number of persons being cared for at any one time shall not exceed 10;
3. One-family dwelling;
4. Not more than 2 boarders or lodgers in a Dwelling Unit provided that no Dwelling Unit shall be occupied by more than four unrelated persons;
5. Accessory buildings and structures;
6. Secondary suite; and
7. Accessory dwelling unit.

9.6.02 Number of Residential Buildings

There shall be not more than one one-family dwelling on a lot.

9.6.03 Size and Shape of Buildings

1. The minimum ground floor area of a dwelling unit shall be 80 m².

2. The minimum average width of a dwelling unit shall be not less than 7 m.

3. The height of a building shall not exceed 8.5 m.

4. The total floor area ratio shall not exceed 0.4.

5. Notwithstanding Subsection (4), the maximum gross floor area shall not exceed 350 m².

9.6.04 Yard Requirements

1. A front yard shall be provided of not less than 7.5 m in depth.

2.
    a. Side yards shall be provided of not less than 2.13 m in width and the sum of the two side yards shall not be less than 8 m, provided, however, that where the building on the lot has a gross floor area of 280 m² or more, side yards shall be provided of not less than 3 m in width.
    b. On a corner lot, a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street.

3. A rear yard shall be provided of not less than 7.5 m in depth.

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9.6.05 Landscaping

1. A continuous landscaping strip not less than 1.5 m wide shall be provided along the developed portion of each side of the lot which abuts Kelly Road. This landscaping strip may be interrupted at boulevard crossings, or to provide necessary pedestrian access.

2. Screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all side lot lines and rear lot lines.

9.6.06 Parking

Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, vehicle parking may be permitted in any required front yard.

9.6.07 Lot Coverage

The maximum lot coverage of all buildings and structures shall be 35 percent of the lot.

9.6.08 Subdivision Requirements

1. The minimum lot area that may be created by subdivision under the *Land Title Act* or *Condominium Act* shall be 900 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 16 m.

3. Panhandle lots are not permitted.

9.6.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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DIVISION 10 COMPREHENSIVE DEVELOPMENT ZONES

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10.1.1 Purpose

The purpose of this zone is to provide for the orderly development of Phases 1A, 1B and 1C within Royal Bay. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Municipal Act*.

10.1.2 Rural Development

The lands in this zone may be developed in accordance with the regulations set out in section 5.1 of this Bylaw, except that the uses specified in sections 5.1.01(1) through (6) are not permitted.

10.1.3 Comprehensive Development

The lands in this zone may in the alternative be developed in accordance with sections 10.1.4 through 10.1.11 if the Owner:

1. contributes to an affordable housing reserve fund of the City $500 per dwelling unit except those developed by a non-profit sponsor in accordance with subsection 2, such payment to be made at the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed;

2. transfers to a non-profit sponsor nominated by the City sufficient land within the zone for a site or sites for the development of up to 50 non-market dwelling units at 37 units per hectare density, the location of the land to be mutually agreed upon by the Owner and the City and the consideration to be paid for the land to be established such that cost of the dwelling units will be at or less than the then current maximum unit price for such dwelling units set by the B.C. Housing Management Commission; the land is to be reserved for non-market dwelling units for not less than six years after receipt of final subdivision approval and the owner is to have first option at its discretion to provide development on a design-build or turn-key basis; and

3. contributes to a community amenity reserve fund of the City $3,000 per dwelling unit, such payment to be made at the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed, and for this purpose “community amenity” means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities.

10.1.4 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the RBCD1 Zone:

1. Detached dwelling;
2. Duplex;
3. Attached housing;
4. Accessory dwelling unit;
5. Secondary Suites;
6. Not more than 2 boarders or lodgers in a dwelling unit that does not contain a secondary suite, provided that no dwelling unit shall be occupied by more than four unrelated persons;
7. Home occupations;
8. Schools;

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9. Automatic telephone exchange building;
10. Show homes;
11. Presentation centre; and
12. Small-Scale Multi-Unit Housing

10.1.5 Definition of Lot Types

1. Estate Lots: 1,200m^2 – 1,600 m^2
2. Large Lots: 800 m^2 – 1,199 m^2
3. Standard Lots: 520 m^2 – 799 m^2
4. Small Lots: 300 m^2 – 519 m^2

10.1.6 Permitted Development

1. The maximum density of development in the RBCD1 zone is 130 detached dwellings, 6 duplex dwelling units and 96 attached housing units.

2. There must not be more than one detached dwelling or one duplex on a lot.

3. The minimum lot size within the zone is 300 m2

4. The maximum development density for attached housing on any one lot shall be 37 units per hectare.

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RBCD1 Zone Map

RBCD1 ZONE

10.1.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Regulatory Conditions

	Estate Lots	Large Lots	Standard Lots	Small Lots	Duplex Lots	Attached Housing Lots
Lot size range	1200m^2 -1600m^2	800m^2 -1199m^2	520m^2 -799m^2	300m^2 -519m^2	1200m^2 -1685m^2	2000m^2 +
Minimum lot frontage	20m	14m	14m	9.5m	20m	20m
Minimum lot width	20m	14m	14m	9.5m	20m	20m
Maximum FSR	0.4	0.4	0.4	0.4	0.3	0.4
Maximum lot coverage	27%	30%	30%	45%	30%	35%
Maximum building height	8.5m	8.5m	8.5m	8.5m	8.5m	8.5m
Minimum yard requirements for Principal Buildings:						
Front	7.5m	6m	6m	4.5m	7.5m	4.5m
Rear	10m	10m	7.5m	7.5m	10m	10m
Side	3m	3m	1.5m	1m	3m	3m
Side Total	6m	6m	4.5m	2.5	6m	6m
Flanking street	3m	3m	3m	3m	6m	7.5m
Rear yard requirements for garages Where rear lane access:						
Minimum	0	0	0	0	0	0
Maximum	3m	3m	3m	0	3m	3m
Minimum yard requirements for accessory Bldgs other than garages						
Rear	3m	3m	3m	1m	3m	3m
Side	3m	1.5m	1.5m	1.5m	3m	3m
Maximum combined floor area Accessory buildings	46m^2	46m^2	37m^2	37m^2	37m^2	n/a

Notes:

1. The required minimum lot frontages are hereby reduced 20% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Panhandle lots may be permitted.
3. Where rear lane access is available, no front access to vehicle parking spaces is permitted.

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10.1.8 Secondary Suites – Regulatory Conditions

1. Only one secondary suite is permitted in a detached and duplex dwelling unit.

2. Secondary suites shall be for rental purposes only.

3. Each secondary suite shall have its own entry door from the outside of the house.

4. A home occupation in a secondary suite shall be for office use only.

10.1.10 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

3. On attached housing lots a landscape screen must be provided along any interior or rear lot line extending back from the front building line of the principal building. It must consist of a continuous landscape and screening area of at least 1 m in width containing a decorative fence of a minimum height of 1.8 m and decorative planting.

4. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
   c. Accessory buildings – 1.5 m wide and 1.8 m high;
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high; and
   e. Telephone, radio and television transmission towers – 3 m wide and 3 m high.

10.1.11 Private Amenity Space

Attached housing shall have a private amenity space located in the rear yard. It shall have an area of not less than 15 m^2 and no dimension less than 3 m, designed and landscaped for the outdoor leisure activities of the residents of the dwelling. The amenity space may be located above grade where units are designed at different elevations, such as in stacked units.

10.1.12 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.1A.1 Purpose

The purpose of this zone is to provide for the orderly development of lands within Royal Bay. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Municipal Act*.

10.1A.2 Rural Development

The lands in this zone may be developed in accordance with the regulations set out in section 5.1 of this Bylaw, except that the uses specified in sections 5.1.01(1) through (6) are not permitted.

10.1A.3 Comprehensive Development

The lands in this zone may in the alternative be developed in accordance with sections 10.1.4 through 10.1.11 if the Owner:

1. contributes to an affordable housing reserve fund of the City $500 per dwelling unit except those developed by a non-profit sponsor in accordance with subsection 2, such payment to be made at the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed;

2. transfers to a non-profit sponsor nominated by the City sufficient land within the zone for a site or sites for the development of up to 50 non-market housing units at 37 units per hectare density, the location of the land to be mutually agreed upon by the Owner and the City and the consideration to be paid for the land to be established such that cost of the housing units will be at or less than the then current maximum unit price for such dwelling units set by the B.C. Housing Management Commission; the land is to be reserved for non-market housing for not less than six years after receipt of final subdivision approval and the owner is to have first option at its discretion to provide development on a design-build or turn-key basis; and

3. contributes to a community amenity reserve fund of the City $3,000 per dwelling unit, such payment to be made at the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities.

10.1A.4 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the RBCD1 Zone:

1. Detached dwelling;
2. Duplex;
3. Attached housing;
4. Accessory dwelling unit;
5. Secondary suites in detached dwellings on estate, large, standard or small lots. Permitted only as a density bonus in exchange for the execution and delivery by the owner of a housing agreement dealing with occupancy;
6. Not more than 2 boarders or lodgers in a dwelling unit that does not contain a secondary suite,

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provided that no dwelling unit shall be occupied by more than four unrelated persons;

7. Home occupations;
8. Automatic telephone exchange building;
9. Show homes;
10. Presentation Centre; and
11. Small-Scale Multi-Unit Housing

10.1A.5 Definition of Lot Types

1. Estate Lots: 1,200m^2 – 1,600 m^2
2. Large Lots: 800 m^2 – 1,199 m^2
3. Standard Lots: 520 m^2 – 799 m^2
4. Small Lots: 300 m^2 – 519 m^2

10.1A.6 Permitted Development

For the RBCD1A Zone, the maximum number of dwelling units shall be 60.

10.1A.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Estate Lots	**Large Lots**	**Standard Lots**	**Small Lots**	**Duplex Lots**	**Attached Housing Lots**
Lot size range	1200m^2 -1600m^2	800m^2 -1199m^2	520m^2 -799m^2	300m^2 -519m^2	1200m^2 -1685m^2	2000m^2 +
Minimum lot frontage	20m	14m	14m	9.5m	20m	20m
Minimum lot width	20m	14m	14m	9.5m	20m	20m
Maximum FSR	N/A	N/A	N/A	N/A	N/A	1.0
Maximum lot coverage	40%	40%	40%	45%	40%	50%
Maximum building height	9.25m	9.25m	9.25m	9.25m	9.25m	10.6m
Minimum yard requirements for Principal Buildings:						
Front	7.5m	4.5m	4.5m	4.5m	7.5m	4.5m
Rear	10m	10m	7.5m	7.5m	10m	7.5m
Side	3m	3m	1m	1m	3m	3m
Side Total	6m	6m	2.5m	2.5	6m	6m
Flanking street	3m	3m	1.5m	1.5m	3m	3m
Rear yard requirements for garages where rear lane access:						
Minimum	0	0	0	0	0	0
Maximum	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
Minimum yard requirements for accessory Bldgs other than garages						
Rear	3m	3m	3m	1m	3m	3m
Side	3m	1.5m	1.5m	1.5m	3m	3m

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Maximum combined floor area Accessory buildings	$60m^2$	$60m^2$	$60m^2$	$60m^2$	$60m^2$	n/a

Notes:

1. The required minimum lot frontages are hereby reduced 20% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Panhandle lots may be permitted.
3. Where rear lane access is available, no front access to vehicle parking spaces is permitted.
4. Notwithstanding condition b) under the definition of "Height" in Section 1.2 of this bylaw, on the lands zoned RBCD1A, in the case of a new building but not an alteration of an existing building, height of a building with a sloping roof having a pitch exceeding 12:12 shall be measured to the mean level between the eaves and the ridge of the roof, but the use of a roof with such a pitch shall in no case result in an actual building height exceeding the height that would have been permitted for a building with roof pitch of 12:12 or less.

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10.1A.8 Secondary Suites – Regulatory Conditions

1. Secondary suites shall be permitted in dwellings on estate, large, standard and small lots. Secondary suites shall not be permitted in duplexes or attached housing.

2. Only one secondary suite is permitted in a detached dwelling.

3. The maximum size of a secondary suite shall be 90 m^2 or 40% of the floor area of the detached dwelling (excluding garage).

4. Secondary suites shall be for rental purposes only.

5. Each secondary suite shall have its own entry door from the outside of the house.

6. A home occupation in a secondary suite shall be for office use only.

7. The required housing agreement must specify the matters contained in subsections 3 to 7 inclusive.

10.1A.9 Schools – Regulatory Conditions

1. Site Coverage
   The maximum site coverage shall be 35% of the lot

2. Building Heights
   The maximum building height shall be 14 m.

10.1A.10 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

3. On attached housing lots a landscape screen must be provided along any interior or rear lot line extending back from the front building line of the principal building. It must consist of a continuous landscape and screening area of at least 1 m in width containing a decorative fence of a minimum height of 1.8 m and decorative planting.

4. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
   c. Accessory buildings – 1.5 m wide and 1.8 m high;
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high; and
   e. Telephone, radio and television transmission towers – 3 m wide and 3 m high.

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10.1A.11 Private Amenity Space

Attached housing units shall have a private amenity space located in the rear yard. It shall have an area of not less than 15 m2 and no dimension less than 3 m, designed and landscaped for the outdoor leisure activities of the residents of the dwelling. The amenity space may be located above grade where units are designed at different elevations, such as in stacked units.

10.1A.12 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

CONSOLIDATED FOR CONVENIENCE ONLY

10.2.1 Purpose

The purpose of this zone is to provide for the orderly development of phase 1D within Royal Bay. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Municipal Act*.

10.2.2 Rural Development

The lands in this zone may be developed in accordance with the regulations set out in section 5.1 of this Bylaw, except that the uses specified in sections 5.1.01(1) through (6) are not permitted.

10.2.3 Comprehensive Development

The levels in this zone may be in the alternative be developed in accordance with sections 10.2.4 through 10.2.10 if the Owner:

1. contributes to an affordable housing reserve fund of the City $500 per dwelling unit, to a maximum of $54,000 for all dwelling units in the zone, such payment to be made at the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed; and

2. contributes to a community amenity reserve fund of the City $3,000 per dwelling unit, such payment to be made at the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities.

10.2.4 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the RBCD2 Zone:

1. Detached dwelling and duplex;
2. Attached housing;
3. Accessory dwelling unit;
4. Secondary suites in detached dwellings. Permitted only as a density bonus in exchange for the execution and delivery by the owner of a housing agreement dealing with occupancy;
5. Not more than 2 boarders or lodgers in a dwelling unit that does not contain a secondary suite, provided that no dwelling unit shall be occupied by more than four unrelated persons;
6. Home occupations;
7. Show homes; and
8. Small-Scale Multi-Unit Housing

10.2.5 Definition of Lot Types

1.	Estate Lots:	1,200 m^2+
2.	Large Lots:	800 m^2 – 1,199 m^2
3.	Standard Lots:	520 m^2 – 799 m^2
4.	Duplex Lots:	1,200 sq. m+

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10.2.6 Permitted Development

1. The total number of all detached and attached housing shall not exceed 109.
2. The total number of detached dwelling lots shall not exceed 78 and the number of duplex dwelling units shall not exceed 2.
3. The minimum lot size within the zone shall be 520 $m^{2.}$
4. The maximum development density for attached housing shall be 15 units per hectare.
5. The total number of attached dwellings shall not exceed 30.
6. No subdivision is permitted except for and until the lands are subdivided into a parcel representing the outer boundaries of phase 1D identified on Map 2. Development permits are required for subdivisions, in accordance with Appendix A of the Colwood Official Community Plan. Any subdivision of the land other than in conformity with their ultimate subdivision as contemplated by maps in the Official Community Plan will require a covenant on each new parcel to distribute the maximum available density under the zoning among the various parcels being created.

10.2.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Regulatory Conditions

	Estate Lots	**Large Lots**	**Standard Lots**	**Duplex Lots**	**Attached Housing Lots**
Lot size range	1200m^2 +	800m^2 - 1199m^2	520m^2 - 799m^2	1400-1999 m^2	2000m^2 +
Minimum lot frontage	20m	14m	14m	20m	20m
Minimum lot width	20m	14m	14m	20m	20m
Maximum FSR	0.4	0.4	0.4	0.3	0.4
Maximum lot coverage	27%	30%	30%	30%	35%
Maximum building height	8.5m	8.5m	8.5m	8.5m	8.5m
Minimum yard requirements for Principal Buildings:					
Front	7.5m	6m	6m	7.5m	6m
Rear	10m	10m	7.5m	10m	10m
Side	3m	3m	1.5m	3m	5m
Side Total	6m	6m	4.5m	6m	10m
Flanking street	7.5m	6m	6m	6m	7.5m
Minimum yard requirements for accessory Bldgs other than garages					
Rear	3m	3m	3m	3m	3m
Side	3m	1.5m	1.5m	3m	3m
Maximum combined floor area: Accessory buildings	46m^2	46m^2	37m^2	37m^2	n/a

Notes:

1. The required minimum lot frontages are hereby reduced 20% in respect of lots abutting the turnaround portion of a cul-de-sac
2. Panhandle lots may be permitted."

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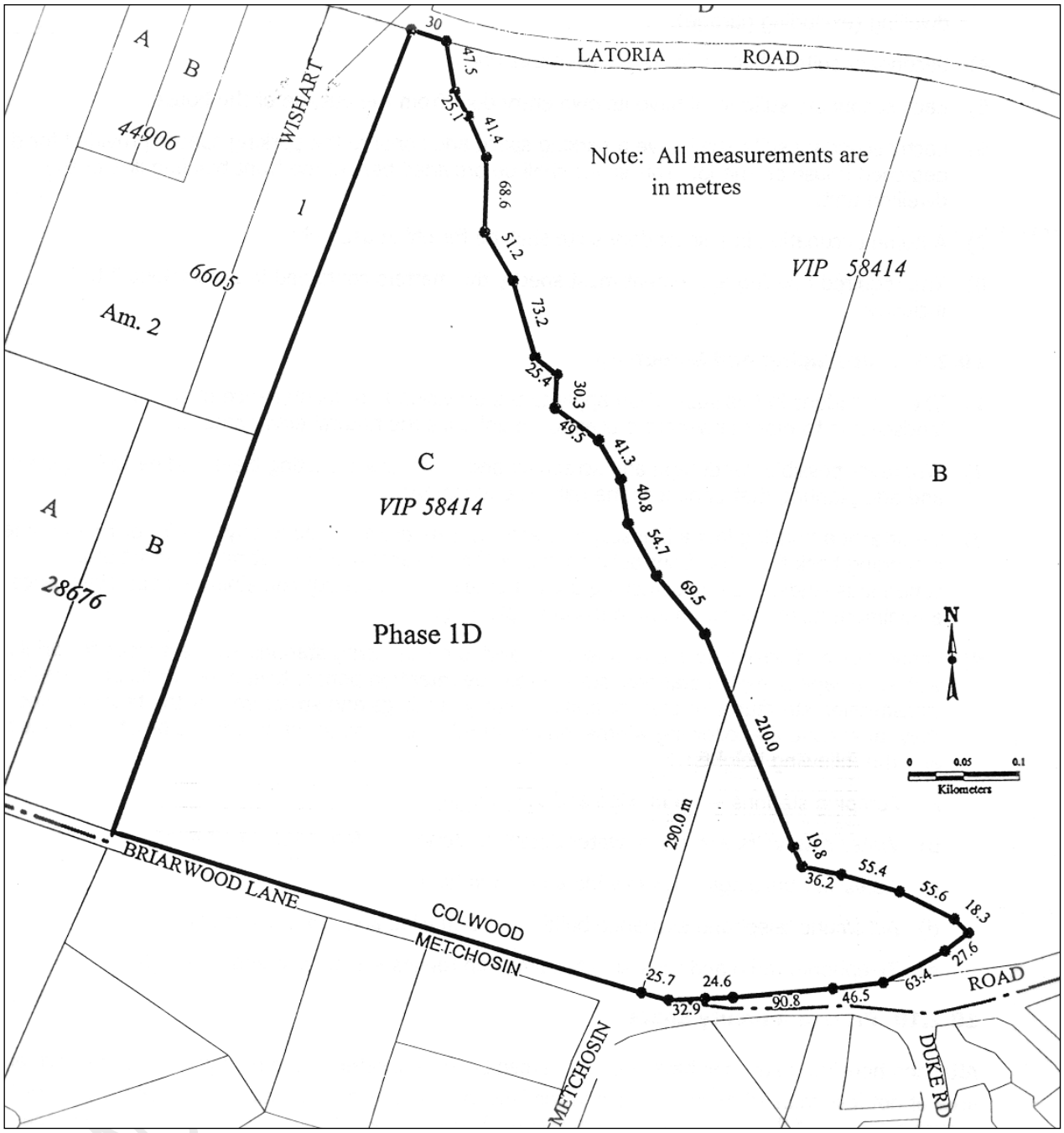
MAP 1



10.2.8 Secondary Suites – Regulatory Conditions

1. Secondary suites shall be permitted in dwellings on estate, large and standard lots. Secondary suites shall not be permitted in attached housing.
2. Only one secondary suite is permitted in a detached dwelling.
3. The maximum size of a secondary suite shall be 90 m^2 or 40% of the floor area of the detached dwelling (excluding garage).
4. Secondary suites shall be for rental purposes only.
5. Each secondary suite shall have its own entry door from the outside of the house.

6. A home occupation in a secondary suite shall be for office use only.
7. The required housing agreement must specify the matters contained in subsections 3 to 7 inclusive.

10.2.9 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

3. On attached housing lots a landscape screen must be provided along any interior or rear lot line extending back from the front building line of the principal building. It must consist of a continuous landscape and screening area of at least 1 m in width containing a decorative fence of a minimum height of 1.8 m and decorative planting.

4. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
   c. Accessory buildings – 1.5 m wide and 1.8 m high;
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high; and
   e. Telephone, radio and television transmission towers – 3 m wide and 3 m high.

10.2.10 Private Amenity Space

Attached dwelling units shall have a private amenity space located in the rear yard. It shall have an area of not less than 15 m^2 and no dimension less than 3 m, designed and landscaped for the outdoor leisure activities of the residents of the housing. The amenity space may be located above grade where units are designed at different elevations, such as in stacked units.

10.2.11 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.3.1 Purpose

The purpose of this zone is to provide for the orderly development of lands within Royal Bay.

10.3.2 Basic Development

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the RBCD3 Zone:

1. School
2. Mining and quarrying
3. Gravel processing

10.3.3 Permitted Development

1. The minimum lot size within the zone is 300 m^2

10.3.4 Schools and Churches – Regulatory Conditions

1. Site Coverage - The maximum site coverage shall be 35% of the lot.

2. Building Heights - The maximum building height shall be 14m.

10.3.5 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.
2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following heights:

    a. Pumping stations – minimum 1.5m wide and 1.5m high;
    b. Water reservoirs and storm water detention ponds – maximum 1.5m wide and 3 m high;
    c. Accessory buildings – maximum 1.5m wide and 1.8m high;
    d. Automatic telephone exchange buildings – maximum 3m wide and 1.8m high; and
    e. Telephone, radio and television transmission towers – maximum 3m wide and 3m high.

10.3.6 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

CONSOLIDATED FOR CONVENIENCE ONLY

10.3A.1 Purpose

The purpose of this zone is to provide for the orderly development of lands within Royal Bay. A base level of development is provided for which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Local Government Act.*

10.3A.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the RBCD3A Zone:
   a. Attached housing;
   b. Detached dwelling;
   c. Duplex;
   d. Accessory dwelling units;
   e. Secondary suites in detached dwellings on estate, large, standard or small lots;
   f. Not more than 2 boarders or lodgers in a dwelling unit that does not contain a secondary suite, provided that no dwelling unit shall be occupied by more than four unrelated persons;
   g. Home occupations;
   h. Presentation Centres; and
   i. Small-Scale Multi-Unit Housing

2. In the RBCD3A Zone the number of dwelling units in all detached, duplex, attached and apartment dwelling units shall not exceed 10.

10.3A.2A Lot A, Section 40, Esquimalt District, Plan EPS5275

On the lands legally described as Lot A, Section 40, Esquimalt District, Plan EPS5275 the following uses are also permitted in addition to the uses permitted in Section 10.3A.2.

1. Day care for three or more children who are not related by blood or marriage to an operator of the facility; and
2. Schools and churches

10.3A.3 Comprehensive Development

1. Despite the restrictions in Section 10.3A.2, the density of development in Section 10.3A.4 is permitted in the RBCD3A Zone in accordance with Sections 10.3A.4 through 10.3A.11 if the Owner:
   a. contributes to an affordable housing reserve fund of the City $500 per dwelling unit; and
   b. contributes to a community amenity reserve fund of the City $2,500 per detached, duplex and attached dwelling unit, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities.

2. Payment shall be made at the time of subdivision approval for detached and duplex lots and at the time of building permit for attached housing units.

10.3A.4 Permitted Development

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1. For the RBCD3A Zone, the maximum number of dwelling units shall be 581.
2. There must not be more than one detached dwelling or one duplex on a lot.
3. The minimum lot size within the zone is 300 m2.
4. The maximum development density for attached housing on any one lot shall be 60 units per hectare.
5. The commercial floor space permitted shall not exceed 930m2.
6. Development permits are required for subdivisions, in accordance with the Colwood Official Community Plan. Any subdivision of the land other than in conformity with their ultimate subdivision as contemplated by maps in the Official Community Plan will require a covenant on each new parcel to distribute the maximum available density under the zoning among the various parcels being created.

10.3A.5 Definition of Lot Types

1. Estate Lots: 1,200m^2 – 1,600 m^2
2. Large Lots: 800 m^2 – 1,199 m^2
3. Standard Lots: 520 m^2 – 799 m^2
4. Small Lots: 300 m^2 – 519 m^2

10.3A.6 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Regulatory Conditions

	Estate Lots	**Large Lots**	**Standard Lots**	**Small Lots**	**Duplex Lots**	**Attached Housing Lots**
Lot size range	1200m^2 -1600m^2	800m^2 -1199m^2	520m^2 -799m^2	300m^2 -519m^2	1200m^2 -1685m^2	1800m^2 +
Minimum lot frontage	20m	14m	14m	9.5m	20m	20m
Minimum lot width	20m	14m	14m	9.5m	20m	20m
Maximum FSR	N/A	N/A	N/A	N/A	N/A	1.0
Maximum lot coverage	40%	40%	40%	45%	40%	50%
Maximum building height	9.25m	9.25m	9.25m	9.25m	9.25m	10.6m
Minimum yard requirements for Principal Buildings:						
Front	7.5m	4.5m	4.5m	4.5m	7.5m	4.5m
Rear	10m	10m	7.5m	7.5m	10m	7.5m
Side	3m	3m	1m	1m	3m	3m
Side Total	6m	6m	2.5m	2.5	6m	6m
Flanking street	3m	3m	1.5m	1.5m	3m	3m
Rear yard requirements for garages where rear lane access:						
Minimum	0	0	0	0	0	0
Maximum	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
Minimum yard requirements for accessory Buildings other than garages						
Rear	3m	3m	3m	1m	3m	3m

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Side	3m	1.5m	1.5m	1.5m	3m	3m
Maximum combined floor area						
Accessory buildings	$60m^2$	$60m^2$	$60m^2$	$60m^2$	$60m^2$	n/a

Notes:

1. Lot frontages abutting the turnaround portion of a cul-de-sac may be 20% less than the minimum specified.
2. Panhandle lots may be permitted.
3. Where rear lane access is available, no front access to vehicle parking spaces is permitted
4. Notwithstanding condition b) under the definition of "Height" in Section 1.2 of this bylaw, on the lands zoned RBCD3A, in the case of a new building but not an alteration of an existing building, height of a building with a sloping roof having a pitch exceeding 12:12 shall be measured to the mean level between the eaves and the ridge of the roof, but the use of a roof with such a pitch shall in no case result in an actual building height exceeding the height that would have been permitted for a building with roof pitch of 12:12 or less.

10.3A.7 Secondary Suites – Regulatory Conditions

1. Secondary suites are permitted in dwellings on estate, large, standard or small lots. Secondary suites are not permitted in duplexes or attached housing.
2. Only one secondary suite is permitted in a detached dwelling.
3. The maximum size of a secondary suite shall be $90m^2$ or 40% of the floor area of the detached dwelling (excluding garage).
4. Secondary suites shall be for rental purposes only.
5. Each secondary suite shall have its own entry door from the outside of the house.
6. A home occupation in a secondary suite shall be for office use only.

10.3A.8 Schools and Churches – Regulatory Conditions

1. Site Coverage - The maximum site coverage shall be 35% of the lot.

2. Building Heights - The maximum building height shall be 14m.

10.3A.9 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

3. On attached housing lots a landscape screen must be provided along any interior or rear lot line extending back from the front building line of the principal building. It must consist of a continuous landscape and screening area of at least 1m in width containing a decorative fence of a minimum height of 1.8m and decorative planting.

4. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the

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following heights:

a. Pumping stations – minimum 1.5m wide and 1.5m high;
b. Water reservoirs and storm water detention ponds – maximum 1.5m wide and 3 m high;
c. Accessory buildings – maximum 1.5m wide and 1.8m high;
d. Automatic telephone exchange buildings – maximum 3m wide and 1.8m high; and
e. Telephone, radio and television transmission towers – maximum 3m wide and 3m high.

10.3A.10 Private Amenity Space

Attached housing units shall have a private amenity space located in the rear yard. It shall have an area of not less than $15m^2$ and no dimension less than 3m. The amenity space shall have an area of not less than $7.5m^2$ and may be located above grade where units are designed at different elevations, such as in stacked units.

10.3A.11 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.4.1 Purpose

The purpose of the Royal Bay Comprehensive Development 5 (RBCD5) Zone is to allow a range of residential and park land uses in accordance with Schedule "A" of the Royal Bay Area Plan in the City of Colwood Official Community Plan. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing. Subdivision layout and the form and character of development are addressed through development permit and subdivision application processes, including the application of policies in the Royal Bay Area Plan and policies and guidelines set out in the Official Community Plan.

10.4.2 Rural Development

The land in the RBCD5 zone may be developed in accordance with Section 5.1 of this Bylaw, except that the uses specified in Sections 5.1.01(1) through (6) are not permitted.

10.4.3 Comprehensive Development

The land in the RBCD5 zone may be developed in accordance with Sections 10.4.4 and 10.4.5 if the Owner:

a. contributes to an affordable housing reserve fund of the City $2,000 per dwelling unit, such payment to be made at the earlier of the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed or issuance of the building permit authorizing the construction of the dwelling unit; and

b. contributes to a community amenity reserve fund of the City $3,000 per dwelling unit, such payment to be made at the earlier of the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed or issuance of the building permit authorizing the construction of the dwelling unit, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities.

10.4.3.a.Comprehensive Development – 376 & 394 Royal Bay Drive and 3479 Wishart Road

1. The density of development in Section 10.4.4 and 10.4.5 is permitted on the lands if the Owner contributes:

    a. $7,500 per attached housing unit toward the Community Amenity Reserve Fund, and for this purpose "community amenity" means land for parks or playing fields or for community building uses and the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space, and other similar amenities;

    b. $1,500 per attached housing dwelling unit towards the Affordable Housing Reserve Fund;

    c. $583 to the Fire Hall Fund per attached housing dwelling unit.

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2. Payment is to be made at the earlier of the time of approval of the subdivision creating the lot on which the dwelling unit may be constructed or issuance of the building permit authorizing the construction of the dwelling unit.

3. All dollar amounts referred to in Section 10.4.3.a shall be increased annually effective January 1 of each calendar year in which this bylaw is adopted by the amount of the Victoria Consumer Price Index (CPI).

10.4.4 Permitted Uses

1. The principal and accessory uses permitted in each of the areas within the RBCD5 zone shown on the map included in this Section 10.1A as Schedule 1 are indicated in the following table. A √ symbol indicates that the use listed in the first column of the row in which the symbol appears is permitted in the area identified at the top of the column in which the symbol appears.

	Residential	**Neighbourhood Natural Park**	**Neighbourhood Park**
Principal uses:			
One-family dwelling	√		
Two-family dwelling	√		
Attached housing	√		
Natural Park		√	
Neighbourhood Park			√
Public Utility Use		√	√
Small-Scale Multi-Unit Housing	√		
Accessory uses:			
Home office	√		
Home occupation	√		
Accessory Building	√		
Secondary Suite	√		
Accessory dwelling unit	√		
Boarding and lodging	√		
Group home	√		
Show home	√		

2. The boarding and lodging use permitted in this zone is limited to the accommodation of up to two boarders or lodgers in a dwelling unit that is not in building having three or more dwelling units, and not more than four unrelated persons may occupy any such dwelling unit.

3. Home occupations other than home offices are permitted only in one- and two-family dwellings, on lots with areas of 368m^2 or more.

4. Driveways and vehicle parking spaces are not permitted adjacent to the front lot line of any lot having rear lane access.

10.4.5 Development Regulations

1. The development standards that apply to each of the principal land uses within the RBCD5 zone are

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indicated in the following table. No standards are applicable if the table indicates "n/a".

a. On Lot 57, Section 38, Esquimalt Land District, Plan EPP93482 the number of principal dwellings per lot for Two-family Dwelling is n/a.

Regulation	Medium one-family dwelling	Compact one-family dwelling	Two family dwelling	Attached housing	Park
Principal dwellings per lot	1	1	2	n/a	n/a
Minimum Lot Area	368 m^2	278 m^2	371 m^2	512 m^2	n/a
Minimum Lot Width	10.97 m	9.15 m	12.2 m	16.8 m	n/a
Maximum Lot Coverage	50%	50%	50%	50%	n/a
Maximum Building Height:					
Principal buildings	9.5 m	9.5 m	9.5 m	12.5 m	10.0 m
Accessory dwelling units	7.0 m	7.0 m	7.0 m	7.0 m	n/a
Other accessory buildings	4.5 m	4.5 m	4.5 m	4.5 m	10.0 m
Minimum Building Setbacks:					
Front	3.0 m	3.0 m	3.0 m	3.0 m	7.5 m
Side	1.2 m	1.2 m	1.2 m	1.2 m	6.0 m
Rear-principal buildings	6.0 m	6.0 m	6.0 m	6.0 m	10.0 m
Rear-accessory buildings	1.0 m	1.0 m	1.0 m	1.0 m	10.0 m
Maximum floor area-accessory buildings	60 m^2	60 m^2	60 m^2	37 m^2	n/a

Notwithstanding the definition of "Attached Housing" in Section 1.2 where Attached Housing is proposed means a building (or buildings) divided into not less than two dwelling units with each dwelling unit having direct access to the outside at grade; specifically excludes a building used for Hotel or Motel.

2. The minimum distance from a detached or attached garage to:

a. the nearest edge of the curb of that abutting street if a curb has been constructed but no sidewalk has been constructed; or

b. the nearest edge of a sidewalk on that abutting street if a sidewalk has been constructed.

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is 6.0 m, provided that no portion of any detached garage shall be nearer to the abutting street than the principal building to which it is accessory, and if no curb or sidewalk has been constructed on the abutting street at the time the building permit for the garage is issued, the siting of the building shall be determined as if the street had been constructed to the applicable City standard. A garage to which access will be from a flanking street must be sited at least 1.5 m from the side lot line abutting the street.

3. The maximum height of any wall facing a front or rear lot line or a flanking street is 7.0 m, and any portion of the wall exceeding that height must be set back at least 1.2 m from the plane of the lower portion of the wall.

4. Notwithstanding condition b) in the definition of "Height" in Section 1.2 of this Bylaw, in the case of a new building in the RBCD5 zone but not an alteration of an existing building, the height of a building with a sloping roof having a pitch exceeding 12:12 shall be measured to the mean level between the eaves and the ridge of the roof, but the use of a roof with such a pitch shall in no case result in an actual building height exceeding the height that would have been permitted for a building with roof pitch of 12:12 or less.

5. The frontage of a lot that abuts the turnaround portion of a cul de sac may be 20% less than the frontage specified in the table.

6. Buildings located on the common property of a strata plan are subject to the height and setback regulations for accessory buildings.

7. A lot on which a two-family dwelling or attached housing has been constructed may be subdivided under the *Land Title Act* such that each dwelling unit is on a separate lot, provided that each such separate lot has a width of at least 6.1m and an area of at least 185.5m^2 in the case of two-family dwellings, or 5.6m and 170.7m^2 in the case of attached housing.

8. A vacant lot may be subdivided under the *Land Title Act* for the purpose of providing separate lots for the dwelling units in a two-family dwelling or attached housing, provided that each such separate lot complies with the standards specified in the preceding Section and is charged by a covenant restricting its use to the construction and occupancy of the type of building for which the lot was created.

9. The minimum side yard setbacks in this Section do not apply, in the case of a two-family dwelling or attached housing, in relation to a side lot line on which a party wall has been constructed or is proposed to be constructed.

10. Dwelling units in two-family dwellings must have a width of at least 4.6 m if the site area is less than 550 m^2 and 6.5 m on larger sites.

11. Land shall not be subdivided so as to provide lots for attached housing comprising in total more than 5.58ha | 13.8ac of the total Residential Area in the RBCD5 zone.

12. Land shall not be subdivided so as to provide in the RBCD5 zone more than 110 lots, not including lots subdivided pursuant to Sections 10.5.5(7) and (8), with areas of less than 368 m^2.

13. The floor area of an accessory dwelling unit located in an accessory building shall not exceed 60% of the ground floor area of the accessory building.

14. The maximum height of a two-family dwelling is 12.5 m if the building is located in the same strata plan as attached housing and has the same form and character as the attached housing

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10.4.6 Other Regulations

The relevant provisions of Division 2 of this Bylaw shall apply.

10.4.7 RDCD5 Zone Map

10.5.1 Purpose

The purpose of this zone is to provide for the orderly development of the Spurling land within South Colwood. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Municipal Act.*

10.5.2 Rural Development

The land in this zone may be developed to the density permitted by, and used in accordance with, the regulations in Section 5.1 of this Bylaw, except that the uses permitted in paragraphs 5.1.01(1) through (6) are not permitted in this zone.

10.5.3 Comprehensive Development

The lands in this zone may in the alternative be developed to a higher residential density and used in accordance with the regulations in Sections 10.5.4 through 10.5.11 if the Owner:

1. provides affordable housing by contributing to an affordable housing reserve fund of the City up to $500 per dwelling unit;
2. provides community amenities by contributing to a community amenity reserve fund of the City up to $3,000 per dwelling unit, and for this purpose "community amenity" means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities; and
3. payment shall be made at the time of approval of the subdivision creating the lot on which the dwelling unit or dwelling units are permitted to be constructed or in the case of attached housing at the time of issuance of a building permit.

10.5.4 Permitted Uses

In addition to the uses permitted by Section 2.1.10 upon the contributions to affordable housing and community amenities the following uses and no others are permitted in the CD1 Zone:

1. Detached dwelling;
2. Attached housing;
3. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
4. Home occupations;
5. Automatic telephone exchange building
6. Park and open space;
7. Accessory dwelling unit – in conjunction with attached housing use only; and
8. Small-Scale Multi-Unit Housing

10.5.5 Definition of Lot Types

1. Small Lots: 300 m^2 – 2000 m^2
2. Attached Housing Lots: 2,000 m^2 or greater

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10.5.6 Permitted Development

1. Detached dwelling use is limited to Area 1 on Map 1, which is attached and forms part of this Bylaw.
2. Only one detached dwelling may be developed and used on each lot in Area 1.
3. The total number of detached dwellings in Area 1 on Map 1 shall not exceed 14.
4. The minimum permitted lot size within Area 1 on Map 1 is 300m^2.
5. Attached housing use is limited to Area 2 on Map 1.
6. The total number of attached dwelling units in Area 2 on Map 1 shall not exceed 31.
7. The minimum permitted lot size within Area 2 on Map 1 is 2000m^2.
8. The permitted use of land in Area 3 on Map 1 is limited to park and open space only.

10.5.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Small Lots	**Small Lots with rear lane access**	**Attached Housing Lots**
Lot size range	300 m^2 - 2000m^2	300 m^2 - 2000m^2	2000 m^2 +
Minimum lot frontage	10 m	9.0 m	20 m
Minimum lot width	10 m	9.0 m	20 m
Maximum building height	9 m	9 m	9 m
Maximum lot coverage	35% (principal building)	35% (principal building)	35% (all buildings & structures)
Minimum yard requirements for Principal Buildings:			
Front	4.5 m	3.0 m	4.5 m
Rear	7.5 m	7.5 m	5.0 m
Side	1.5 m	1.0 m	5.0 m
Side Total	2.5 m	2.5m	11.0 m
Flanking street	3.0 m	3.0 m	7.5 m
Yard requirements for garage accessory buildings			
Front	14.0 m	14.0 m	N/A
Rear Minimum	1.0 m	0.0 m	0
Rear Maximum	6.0 m	0.0 m	3m
Side	0.0 m	0.0 m	0
Side Total	5.0 m	N/A	N/A
Maximum Front Yard Driveway Width	3.5 m	0.0 m	3.5 m
Minimum yard requirements for accessory buildings other than garages			
Rear	1.0 m	1.0 m	3 m
Side	1.5 m	1.5 m	3 m
Maximum combined floor area: All Accessory buildings	37 m^2	37 m^2	N/A

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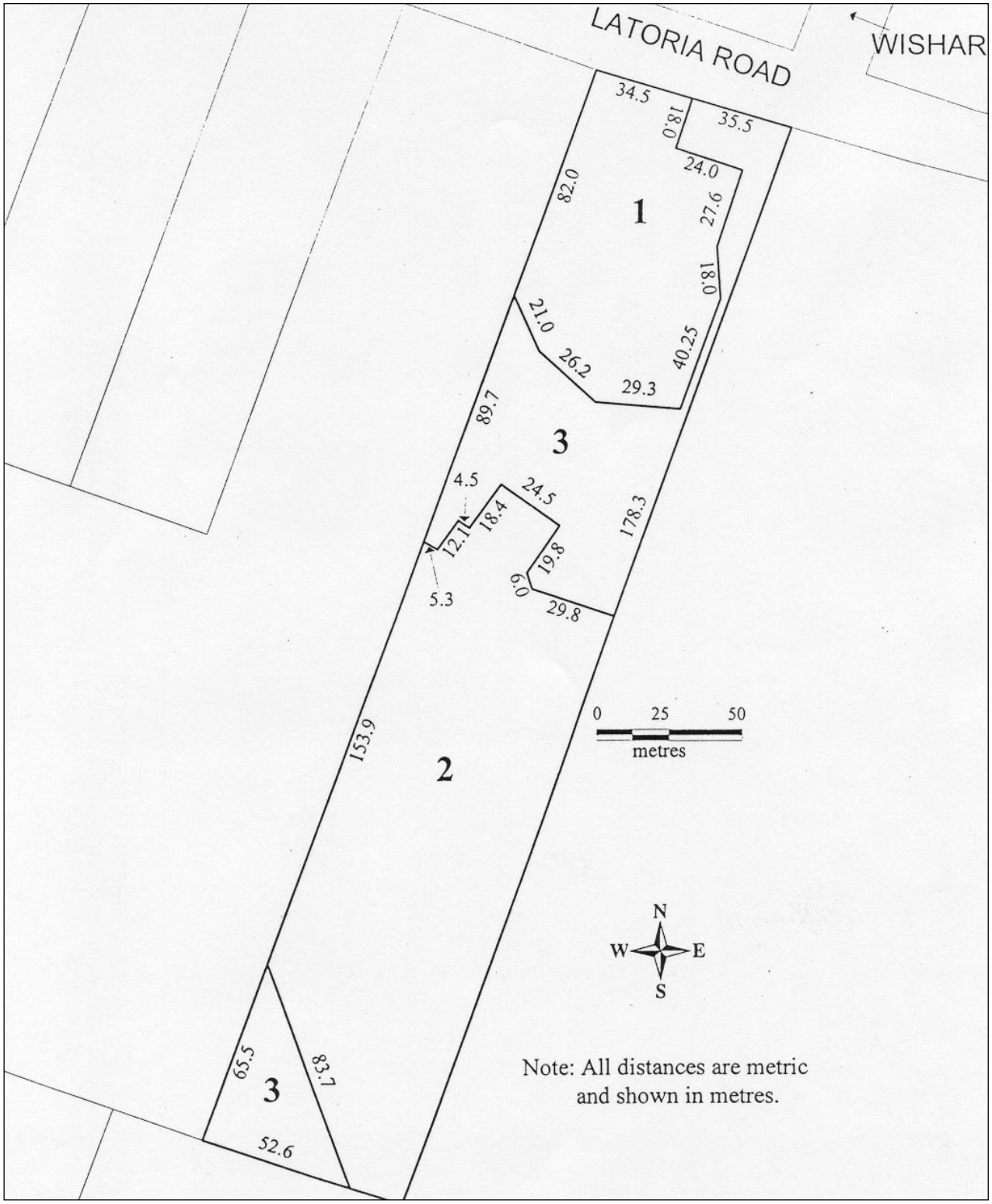
Notes:

1. The required minimum lot frontages are hereby reduced 25% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.

MAP 1



10.5.8 Building Face Requirements

For all housing with an attached garage: the front of the garage shall be set back a minimum of 1.3m from the remainder of the front of the first and second storeys of the dwelling unit. The front of the dwelling unit is considered to be the main front wall, the front building line or the front of a porch or balcony.

10.5.9 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

3. On attached housing lots a landscape screen must be provided along any interior or rear lot line. It must consist of a continuous landscape and screening area of at least 1 m in width containing a decorative fence of a minimum height of 1.5 m and native vegetation planting.

4. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for the facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following <u>maximum</u> heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
   c. Accessory buildings – 1.5 m wide and 1.8 m high;
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high; and
   e. Telephone, radio and television transmission towers – 3 m wide and 3 m high.

10.5.10 General Parking Requirements

1. Within Area 2 of Map 1:
   a. The maximum size of any garage accessory building is 72 m^2, and
   b. Underground parking is permitted.

2. There shall not be more than one parking space provided for each dwelling unit within a principal building, except where this is provided as underground parking, or where not more than one garage door faces a street.

3. Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, where a lot has a front lot line of 13m or less, no motor vehicle parking spaces within an accessory building shall be permitted less than 14m from the front lot line.

10.5.11 Private Amenity Space

All dwelling units shall have a private amenity space located to the rear of the dwelling unit. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where units are designed at different elevations, such as in stacked units. The dimensions shall be as follows:

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Dwelling type	Area not less than	No dimension less than
Detached dwelling	20 m^2	4 m
Attached dwelling	15 m^2	3 m

10.5.12 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

10.5.13 Severability

Sections 10.5.3.1, 10.5.3.2 and 10.5.3.3 are not severable from the remainder of Section 10.5.

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10.6.1 Purpose

The purpose of this zone is to provide for the orderly development of the Olympic View land within South Colwood. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by Section 482 of the *Local Government Act.*

10.6.2 Rural Development

The land in this zone may be developed in accordance with sections 10.6.4 through 10.6.8, except that the residential uses in 10.6.4.1 (a) and (b); 10.6.4.2 (a) (b) (c) and (f), and 10.6.4.4 (a) are not permitted, the maximum residential density is one one-family dwelling or one two-family dwelling per lot, and no residential use is permitted on a lot with an area less than 4 hectares.

10.6.3 Comprehensive Development

1. Despite the restrictions on residential use and density in section 10.6.2, the uses in section 10.6.4.1 (a) and (b); Section 10.6.4.2 (a) (b) (c) and (f), and Section 10.6.4.4 (a) are permitted up to maximum of 456 dwelling units in accordance with Sections 10.6.4 through 10.6.8, if the Owner:
   a. provides affordable housing by contributing to an affordable housing reserve fund of the City of $500 per dwelling unit; and
   b. provides community amenities by contributing to a community amenity (parkland) reserve fund of the City of $1,890 per dwelling unit, and for this purpose "community amenity" means land for parks and playing fields.

2. Payment shall be made at the time of approval of the subdivision creating the lot on which the dwelling unit or dwelling units are permitted to be constructed or in the case of attached housing at the time of issuance of a building permit.

3. In the event that the City imposes a development cost charge for providing and improving parkland, the contribution to the community amenity (parkland) reserve fund shall be reduced by the amount of the development cost charge imposed.

2.

4. Despite the restrictions on residential use and density in section 10.6.2 and section 10.6.3.1, the maximum number of dwelling units permitted on the lands can be increased from 456 to a maximum of 580 dwelling units, if the Owner, at the time of building permit makes the following contributions for each dwelling unit in excess of 456:
   a. contributes to the affordable housing reserve fund in the amount of $1,500 per dwelling unit;
   b. contributes toward the Community Amenity Reserve Fund the amount of $7,500 per detached, attached, or duplex dwelling unit and $4,500 per apartment dwelling unit; and
   c. contributes toward the Fire Hall Fund the amount of $525 per dwelling unit.
   d. All dollar amounts referred to in Section 10.6.3.4.c shall increase annually starting on January 1st, 2023 as per the Victoria Consumer Price Index (CPI).

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10.6.4 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD2 Zone:

1. Within that portion of the lands identified as **Area 1** on the CD2 Zone Map:
    a. Apartments;
    b. Attached housing;
    c. Bakery, not exceeding 200 sq. m in floor area;
    d. Community care facility;
    e. Golf course, golf practice course and miniature golf course;
    f. Home occupation;
    g. Hotel;
    h. Offices;
    i. Park and open space;
    j. Personal service;
    k. Places of indoor recreation;
    l. Places of outdoor recreation;
    m. Post office;
    n. Premises licensed pursuant to the *Liquor Control and Licensing Act;*
    o. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
    p. Public utility;
    q. Restaurant;
    r. Retail stores;
    s. Accessory buildings and structures;
    t. Accessory dwelling unit and
    u. Show homes

2. Within that portion of the lands identified as **Area 2** on the CD2 Zone Map:
    a. Attached housing;
    b. Detached dwelling;
    c. Duplex;
    d. Golf courses, golf practice courses and miniature golf courses;
    e. Public utility;
    f. Secondary suite in a detached dwelling;
    g. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
    h. Home occupations;
    i. Automatic telephone exchange building;
    j. Park and open space;
    k. Show homes; and
    l. Small-Scale Multi-Unit Housing

3. Within that portion of the lands identified as **Area 3** on the CD2 Zone Map:
    a. Park and open space

4. Within that portion of the lands identified as **Area 4** on the CD2 Zone Map:
    a. Apartments;
    b. Home occupations – office use only;

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10.6.5 Permitted Development

1. The number of hotel rooms permitted in Area 1 shall not exceed 120.
2. The commercial floor space excluding hotel use permitted in Area 1 shall not exceed 2,500m^2.
3. The number of attached dwelling units permitted in Area 1 shall not exceed 115.
4. The number of dwelling units permitted in Area 2 shall not exceed 341.
5. The number of dwelling units permitted in Area 4 shall not exceed 124.

10.6.6 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.
2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. On attached housing lots a landscape screen must be provided along any interior or rear lot line. It must consist of a continuous landscape and screening area of at least 1 m in width containing a decorative fence of a minimum height of 1.5 m and native vegetation planting.
4. A landscape screen not less than 3 m in width and 1.75 m in height at the time of planting shall screen any commercial parking area from any abutting residential use.
5. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for these facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
   c. Accessory buildings – 1.5 m wide and 1.8 m high; and
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high.

10.6.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	AREA 1	**AREA 2** **Detached/Duplex**	**AREA 2** **Attached Housing**	**AREA 4**
Minimum lot area	695m^2	500m^2 detached dwellings 800m^2 duplex	1500m^2	6,800m^2
Minimum lot frontage	16m	15.0m	20m	20m
Minimum lot width	16m	15.0m	20m	20m
Maximum FSR	n/a	0.4	0.4	1.45
Max. building height	24m for Hotel use 12m for Office/apartment use 9m for any other use	9m	9m	25m
Max. lot coverage	80% principal building	40% principal building	40% all buildings/structures	30% all buildings/structures
Min. yard requirements for principal buildings:				
Front	6.0m	4.5m	6.0m	7.5m
Rear	4.5m	4.5m	4.5m	7.5m
Side	3.0m	1.5m	3.0m	3.0m
Flanking street	6.0m	4.5m	6.0m	7.5m

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	AREA 1	AREA 2 Detached/Duplex	AREA 2 Attached Housing	AREA 4
Min. yard requirements for accessory buildings				
Rear	1.0m	1.0m	3.0m	1.0m
Side	1.5m	1.5m	3.0m	1.5m
Max. combined floor area all accessory bldgs.	N/A	37m^2	N/A	N/A

Notes:

1. The required minimum lot frontages in Area 2 are hereby reduced 25% in respect of detached and duplex lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.
3. Panhandle lots may be permitted.

10.6.8 Private Amenity Space

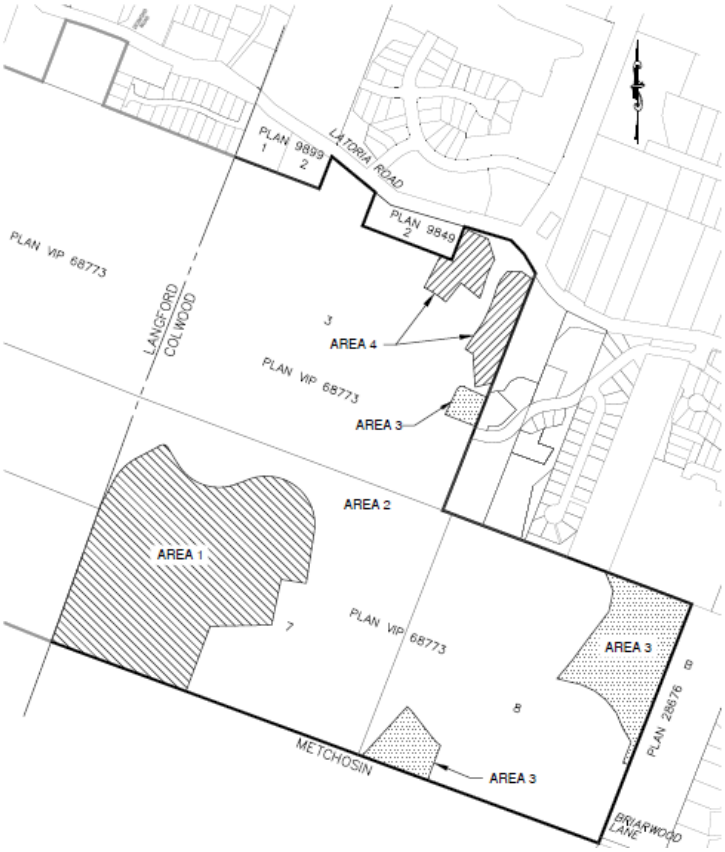
1. All attached dwelling units shall have a private amenity space of not less than 15 m^2 and no dimension less than 3 m located to the rear of the dwelling unit. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where units are designed at different elevations, such as in stacked units.
2. All apartment dwelling units shall have a private amenity space of not less than 5 m^2 in area per unit and provide a minimum open space of 10% of a site.

3.

10.6.9 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

CD2 Zone Map



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10.7.1 Permitted Uses

In addition to the uses permitted by Section 2.1.10 of this Bylaw, the following uses and no others shall be permitted in the Comprehensive Neighbourhood Development 1 (CN1) Zone:

1. Apartment dwelling units;
2. Attached housing;
3. Bakeries with a gross floor area of not more than 300 m^2;
4. Civic uses;
5. Media-related establishments;
6. Day care for three or more preschool children who are not related by blood or marriage to an operator of the facility;
7. Home occupations;
8. Hotel;
9. Indoor sports and recreation facilities;
10. Offices;
11. Personal service;
12. Post offices;
13. Premises licensed pursuant to the *Liquor Control and Licensing Act;*
14. Printing, publishing and bookbinding;
15. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
16. Restaurants, excluding drive-in and drive-through restaurants;
17. Retail stores;
18. Scientific or technological research facilities;
19. One dwelling unit for a caretaker in a building containing a scientific or technological research facility, or media-related establishment;
20. Accessory buildings and structures; and
21. Accessory dwelling unit.

10.7.02 Conditions for Use for Apartment and Attached Housing Dwelling Units

Apartment and attached housing dwelling units shall be permitted only in conformity with the following provisions:

1. Except where separate entrances are provided for commercial users, the floor on which any dwelling units are located shall be used exclusively for residential purposes.

2. In a building used for both residential and commercial purposes, a completely separate public entrance to the apartment dwelling units shall be provided at the ground floor front or side elevation.

3. No advertising use shall be located on or above a storey used for apartment dwelling units.

4. Where any apartment or townhouse unit is built at or near grade adjacent to a street, an at-grade entrance from the street shall be provided.

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10.7.03 Density of Development

1. Except as provided in subsections 2, 3 and 4, the residential density shall not exceed 32 units per hectare and the total floor area ratio may not exceed 2.0.
2. The floor area ratio may be increased by 0.10 if the owner provides residential dwelling units on the third and/or fourth storey.
3. The floor area ratio may be increased by 0.15 if the owner enters into an agreement with a non-profit housing provider for 10% of the dwelling units.
4. The floor area ratio may be increased by up to 0.25 if the owner provides on site community amenities. This increase will be provided according to the following:
    a. 0.10 for provision of a community amenity building area of more than 65 m^2 gross floor area located on the ground floor or 100 m^2 located on the second storey. The use of these areas shall be limited by the registration of a covenant on the title of the property.
    b. 0.15 for the provision and maintenance of urban plazas which are exclusively devoted to public use at a rate of a 0.01 increase in floor area ratio for each 2% of the gross floor area of the ground floor of every building on the lot that is developed as urban plaza. For example, development of an urban plaza of 330 m^2 or 33% of a 1000 m^2 building would result in an increase in floor area ratio of 0.15.

10.7.04 Height of Buildings

The height of a building shall not exceed 4 storeys to the highest point of a habitable space. Sloped roofs shall be used for any building below the maximum height. Sloped roofs shall extend the height of the building beyond the habitable areas to screen all roof top mechanical devices.

10.7.05 Yard Requirements

1. A front yard shall be not more than 4.5 m, provided, however:
    a. Above the second storey, residential uses shall be set back not less than 5.5 m, excluding any balcony spaces, and
    b. Above the fourth storey, residential uses shall be set back not less than 6.5 m, excluding any balcony spaces.

2. Side yards shall be provided of not less than 4.5 m from a flanking street or 7.5 m from a parcel in a Residential or Comprehensive Development zone.

3. A rear yard shall be provided of not less than 7.5 m.

10.7.06 Lot Coverage

The maximum coverage shall be 80 percent of the lot.

10.7.07 Landscaping and Screening

1. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 10 percent of the developed lot area.

2. Landscaping shall include the planting of trees in the amount of not less than one tree for each 100 m^2 of developed lot area.

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3. At least one tree shall be planted for each 7.5 m of the entire street frontage of the lot. They shall be planted parallel to the street frontage flush to the grade and with a maximum spacing of 7 m apart.

4. All trees planted shall be of at least 9 cm calliper or more with at least 5.6 m^3 of soil per tree, to a depth of at least 1.2 m.

5. The off-street parking provided for an apartment dwelling use, if not within a building or underground, shall be delineated through signage and landscaping.

10.7.08 Private Amenity Space

Attached dwelling units shall have a private amenity space of not less than 15 m^2 located to the rear or side of the dwelling unit. No dimension of this space shall be less than 3 m^2. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where dwelling units are designed at different elevations, such as stacked dwelling units.

10.7.09 Subdivision Requirements

1. The minimum lot area that may be created by subdivision is 2000 m^2.

2. The minimum highway frontage and lot width that may be created by subdivision is 18 m.

3. Panhandle lots are not permitted.

10.7.10 General

The relevant provisions of Division 2 of this Bylaw shall apply.

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10.8.1 Purpose

The purpose of this zone is to provide for the orderly development of the "Latoria Walk" land within South Colwood. A base level of development is provided for which would permit the development of the land in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by Section 904 of the *Local Government Act.*

10.8.2 Rural Development

The land in this zone may be developed in accordance with section 5.1, except that the uses specified in sections 5.1.01(1) through 5.1.01(6) are not permitted.

10.8.3 Comprehensive Development

1. Despite the restrictions on residential use and density in Section 10.8.2 the uses in Sections 10.8.4 are permitted in accordance with Sections 10.8.5 through 10.8.8 if the Owner:
    a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per detached and townhouse dwelling unit; and
    b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per detached and townhouse dwelling unit and $1,500 per apartment dwelling unit and for this purpose "community amenity" means land for parks or playing fields and/or for community building use and for the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space.

2. Payment shall be made at the time of approval of the subdivision creating the lot on which the detached dwelling unit or dwelling units are permitted to be constructed and at the time of issuance of a building permit for an attached dwelling unit.

3. Section 10.8.3.1 is not applicable to the first 4 dwelling units created in the zone.

10.8.4 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD3 Zone:

1. Within that portion of the lands identified as Area 1 on the CD3 Zone Map:
    1. Attached housing;
    2. Apartment;
    3. Bakery, not exceeding 200 sq. m in floor area;
    4. Community care facility;
    5. Daycare;
    6. Home occupation – office use only;
    7. Offices;
    8. Park and open space;
    9. Personal service;
    10. Places of indoor recreation; Post office;

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11. Premises licensed pursuant to the *Liquor Control and Licensing Act;*
12. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
13. Restaurant;
14. Retail stores (excluding any establishment that is open to the public between the hours of midnight to 6.00 a.m.);
15. Accessory buildings and structures; and
16. Accessory dwelling unit.

2. Within that portion of the lands identified as Area 2 on the CD3 Zone Map:
    1. Attached housing including duplex units;
    2. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
    3. Home occupation – office use only;
    4. Automatic telephone exchange building;
    5. Park and open space;
    6. Accessory buildings and structures;
    7. Accessory dwelling unit; and
    8. Small-Scale Multi-Unit Housing.

3. Within that portion of the lands identified as Area 3 on the CD3 Zone Map:
    1. Detached dwelling;
    2. Attached dwelling;
    3. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
    4. Home occupation – office use only;
    5. Automatic telephone exchange building;
    6. Park and open space;
    7. Accessory buildings and structures;
    8. Secondary Suite and Accessory dwelling unit; and
    9. Small-Scale Multi-Unit Housing.

4. Within that portion of the lands identified as Area 4 on the CD3 Zone Map:
    1. Detached dwelling;
    2. Attached dwelling;
    3. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
    4. Home occupation – office use only;
    5. Accessory buildings and structures;
    6. Secondary Suite or Accessory Dwelling Unit; and
    7. Small-Scale Multi-Unit Housing.

10.8.5 Permitted Development

1. The floor space permitted in Area 1 shall not exceed 8,509m^2 of residential floor space and 2,318 m^2 of commercial floor space.

2. The number of dwelling units permitted in Area 2 shall not exceed 44.

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3. The number of dwelling units permitted in Area 3 shall not exceed 63 detached dwellings and 10 attached dwelling units.

4. The number of dwelling units permitted in Area 4 shall not exceed 3 detached dwellings for 5 attached dwelling units.

10.8.6 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.
2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. On attached housing lots a landscape screen must be provided along any interior or rear lot line. It must consist of a continuous landscape and screening area of at least 1 m in width containing a decorative fence of a minimum height of 1.5 m and native vegetation planting.
4. A landscape screen not less than 3 m in width and 1.75 m in height at the time of planting shall screen any commercial parking area from any abutting residential use.
5. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for these facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
    a. Pumping stations – 1.5 m wide and 1.5 m high;
    b. Reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
    c. Accessory buildings – 1.5 m wide and 1.8 m high; and
    d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high

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CD3 ZONE MAP

Havenwood Park
Area 4
39.145 m
44.156 m
42.374 m
38.819 m
EPP11303
Rem A
REM A
VIP67242
Park
Rem. 14
VIP80062
Granrose Terrace
Brookside
Area 3
VIS6628
VIS5979
Area 2
Veterans Memorial Parkway
35943
Area 1
Common Property and STRATA LOTS 1 - 39
EPS506
VIP83452
VIP68773
Latoria Road
9849
10185
37605

10.8.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Area 1 Commercial/ Apartment Lots	Area 2 Attached Housing Lots	Area 3 Detached Housing Lots	Area 4 Detached Housing Lots
Minimum lot area	695 m^2	1400 m^2	695 m^2	550m^2
Minimum lot frontage	18 m	1800 m	16 m	12.9 m
Minimum lot width	18 m	18 m	16 m	12.9 m
Maximum FSR	n/a	0.4	0.4	0.45
Maximum building height	15 m or four storeys	9 m	9 m	9 m
Maximum lot coverage	80% (principal building)	40% (principal building)	40% (all buildings & structures)	40% (all buildings & structures)
Minimum yard requirements For principal buildings:				
Front	4.5 m	4.5 m	7 m	7 m
Rear	4.5 m	4.5 m	7 m	7 m
Side	3.0 m	1.5 m	1.5 m	1.5 m
Side Total			4.5 m	3 m
Flanking street	6.0 m	4.5 m	6 m	6 m
Minimum yard requirements for accessory buildings				
Rear	1.0 m	1.0 m	3 m	3 m
Side	1.5 m	1.5 m	1 m	1 m
Maximum combined floor area all accessory buildings	N/A	37 m^2	N/A	N/A

Notes:

1. The required minimum lot frontages in Area 3 are hereby reduced 25% in respect of detached and duplex lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.
3. Panhandle lots may be permitted."

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10.8.8 Private Amenity Space

All attached housing units shall have a private amenity space of not less than 15 m^2 and no dimension less than 3 m located to the rear of the dwelling unit. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where units are designed at different elevations, such as in stacked units.

10.8.9 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.9.1 Purpose

The purpose of this zone is to provide for the orderly development of land located at 551 Latoria Road. A base level of development is provided for which would permit the development of the land in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by Section 904 of the *Local Government Act.*

10.9.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD4 Zone:
    a. Within that portion of the lands identified as Area 1 on the CD4 Zone Map:
        i. Park and open space;
        ii. Accessory buildings and structures;
    b. Within that portion of the lands identified as Area 2 on the CD3 Zone Map:
        i. Attached housing including duplex units;
        ii. Home occupation – office use only;
        iii. Automatic telephone exchange building;
        iv. Park and open space;
        v. Accessory buildings and structures; and
        vi. Accessory dwelling unit.

2. In the CD4 Zone the number of duplex and attached dwelling units shall not exceed

10.9.3 Comprehensive Development

1. Despite the restrictions in Section 10.9.2 the density of development in Sections 10.9.4 is permitted in accordance with Sections 10.9.4 through 10.9.8 if the Owner:
    a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per detached and attached dwelling unit; and
    b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per detached and attached dwelling unit and for this purpose "community amenity" means land for parks or playing fields and/or for community building use and for the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space.

Payment shall be made at the time of issuance of a building permit for a duplex or an attached dwelling unit.

10.9.4 Permitted Development

No dwelling units permitted in Area 1.
The number of dwelling units permitted in Area 2 shall not exceed 43.

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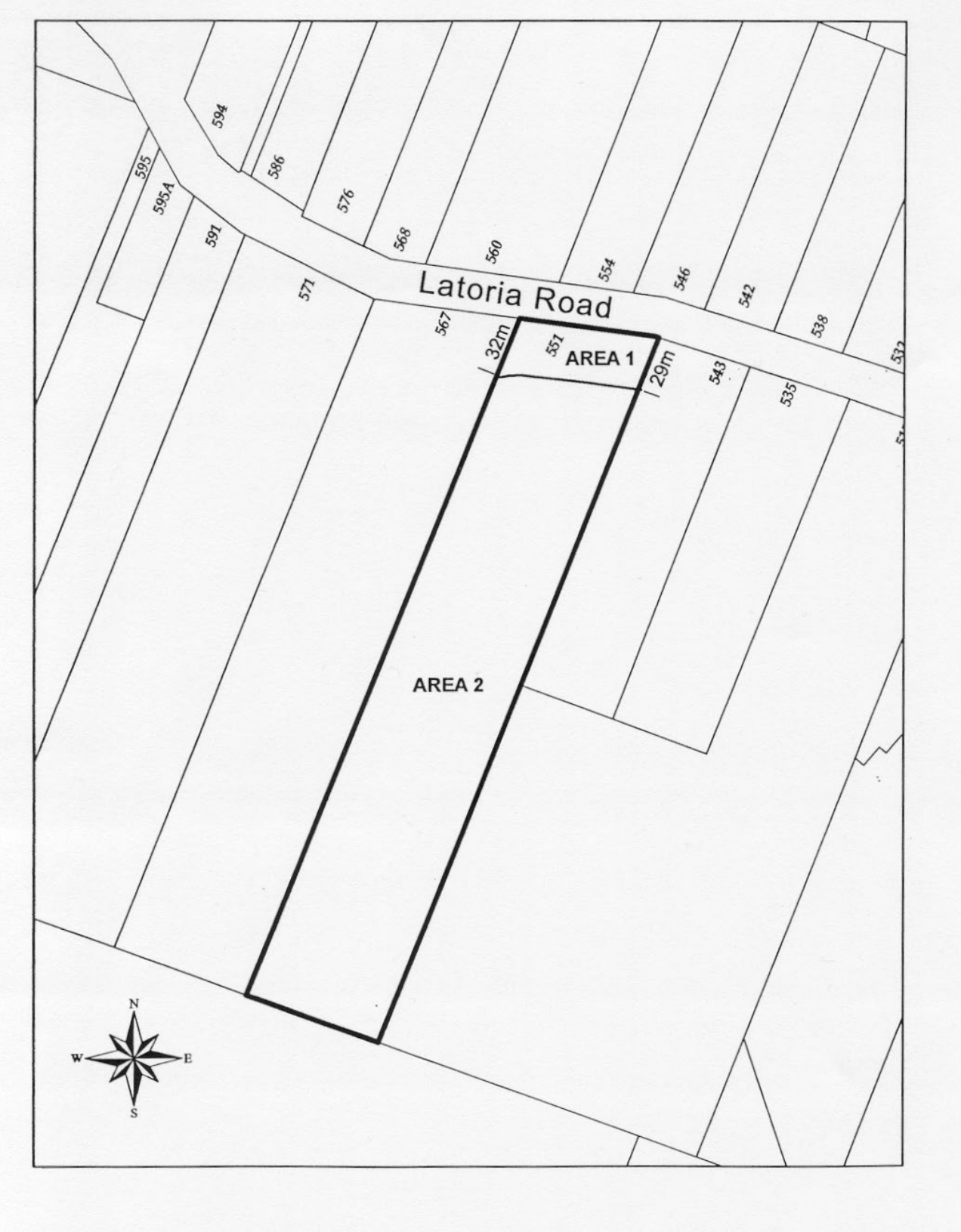
CD4 ZONE MAP


Latoria Road
594
595
595A
586
576
568
560
554
546
542
538
591
571
567
32m
551
AREA 1
29m
543
535
AREA 2
N
W
E
S

10.9.5 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.
2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for these facilities, and they must have the following widths, on all boundaries of the lot on which the facility is located, and the following minimum heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Reservoirs and storm water detention ponds – 1.5 m wide;
   c. Accessory buildings – 1.5 m wide and 1.8 m high; and
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high.

10.9.6 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Minimum lot area	4000 m^2
Minimum lot frontage	25m
Minimum lot width	25m
Maximum FSR	0.5
Maximum building height for Blocks D and F	12 m
Maximum building height for all other blocks	9m
Maximum lot coverage	30% (principal building)
Front	4.5 m
Rear	4.5 m
Side	1.5 m
Flanking street	4.5 m
Rear	1.0 m
Side	1.5 m
Maximum combined floor area all accessory buildings	100 m^2

10.9.7 Private Amenity Space

All attached dwelling units shall have a private amenity space of not less than 15 m^2 and no dimension less than 3 m located to the rear of the dwelling unit. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit.

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10.9.8 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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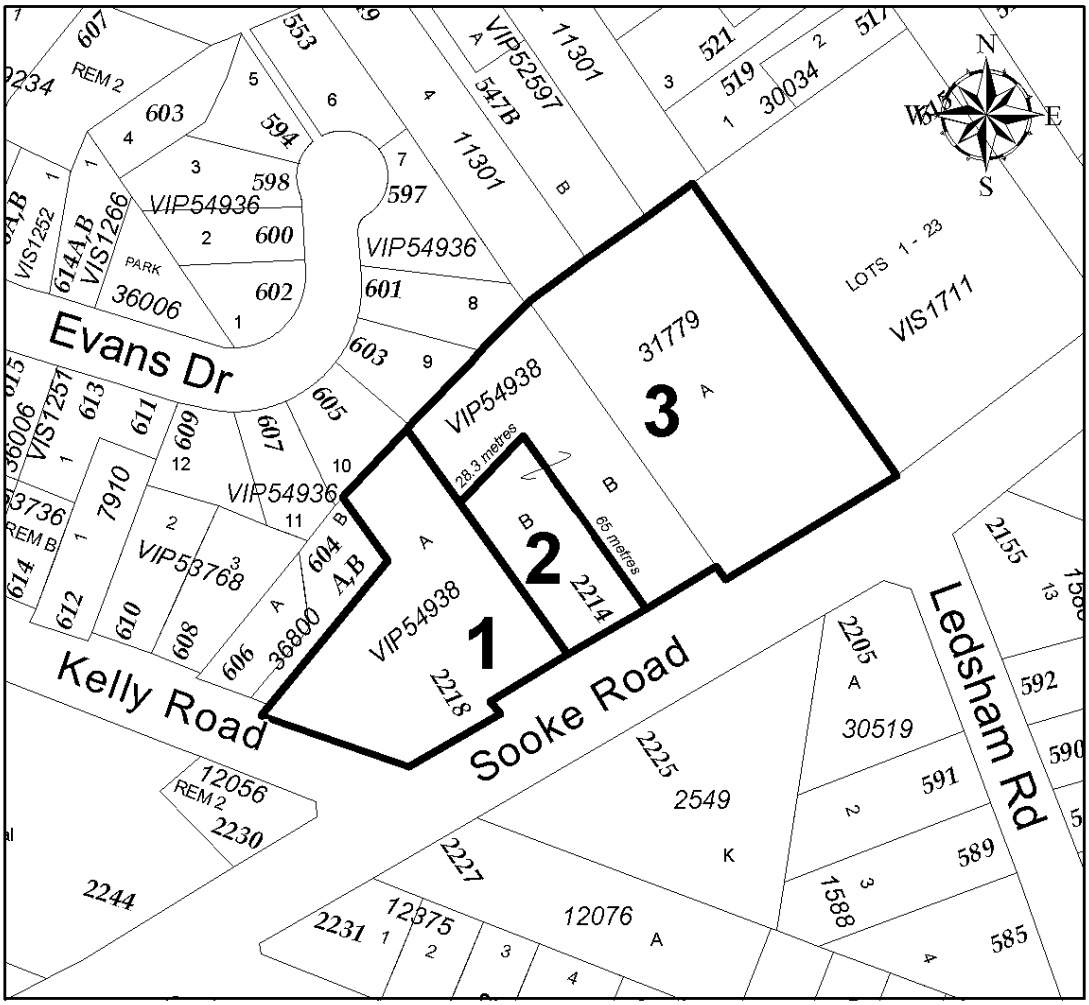
10.10.1 Purpose

The purpose of this zone is to provide for the orderly development of land at 2214 and 2218 Sooke Road. A base level of development is provided for which would permit the development of the land in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by Section 904 of the *Local Government Act.*

10.10.2 Rural Development

The land in this zone may be developed in accordance with section 5.1, except that the uses specified in sections 5.1.01(1) through 5.1.01(6) are not permitted.

CD 5 ZONE MAP



10.10.3 Comprehensive Development

1. Despite the restrictions on residential use and density in Section 10.10.2 the uses in Sections 10.10.4 are permitted in accordance with Sections 10.10.5 through 10.10.8 if the Owner:
    a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per detached and townhouse dwelling unit; and
    b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per detached and townhouse dwelling unit and $1,500 per apartment dwelling unit and for this purpose "community amenity" means land for parks or playing fields and/or for community building use and for the construction of community buildings such as a community centre, youth centre, theatre, recreational buildings and facilities, and assembly and meeting space.
    c. Payment shall be made at the time of approval of the subdivision creating the lot on which the detached dwelling unit or dwelling units are permitted to be constructed and at the time of issuance of a building permit for a dwelling unit.
    d. Section 10.10.3.1 is not applicable to the first 19 dwelling units created in the zone.

10.10.4 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD5 Zone:

1. Within that portion of the lands identified as Area 1 on the CD5 Zone Map:
    1. Apartment and attached dwelling (includes detached and duplex units);
    2. Home occupation – office use only;
    3. Live/work studio;
    4. Accessory buildings and structures; and
    5. Accessory dwelling unit.

2. Within that portion of the lands identified as Area 2 on the CD5 Zone Map:
    1. Live/work studio;
    2. Home occupation – office use only;
    3. Accessory buildings and structures.

3. Within that portion of the lands identified as Area 3 on the CD3 Zone Map:
    1. Attached dwelling (includes detached and duplex units);
    2. Home occupation – office use only;
    3. Accessory buildings and structures; and
    4. Accessory dwelling unit.

10.10.5 Permitted Development

1. The number of apartment units shall not exceed 44 and the number of attached dwelling units shall not exceed 4 and the number of live/work studios shall not exceed 11 in Area 1.
2. The number of live/work studios permitted in Area 2 shall not exceed 6.
3. The number of attached dwelling units permitted in Area 3 shall not exceed 36.

10.10.6 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

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2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. On attached housing lots a landscape screen must be provided along any interior or rear lot line. It must consist of a continuous landscape and screening area containing a decorative fence of a minimum height of 1.5 m and native vegetation planting.
4. A continuous landscape and screening area containing a decorative fence of a minimum height of 1.5 m and native vegetation planting shall screen any commercial parking area from any abutting residential use.
5. Landscape and screening areas must be provided for accessory buildings, utility access points and mailboxes being a maximum of 1.5 m wide and 3.0 m high.

10.10.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Area 1	**Area 2 & 3**
Minimum lot area	4,000 m^2	12,000 m^2
Minimum lot frontage	30 m	30 m
Minimum lot width	27 m	30 m
Maximum FSR	1.1	.7
Maximum building height	15 m	9 m
Maximum lot coverage	35% (principal building)	40% (principal building)
Minimum yard requirements For principal buildings:		
Front	4.5 m	1.2 m
Rear	4.5 m	4.5 m
Side	1.4 m	.37 m
Flanking street	4.5 m	n/a
Minimum yard requirements for accessory buildings		
Rear	1.0 m	1.0 m
Side	1.5 m	1.5 m
Maximum combined floor area all accessory buildings	N/A	37 m^2

10.10.8 Private Amenity Space for Areas 2 & 3

All attached dwelling units shall have a private amenity space of not less than 15 m^2 and no dimension less than 3 m located to the rear of the dwelling unit. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit. The amenity space may be located above grade where dwelling units are designed at different elevations, such as in stacked dwelling units.

10.10.9 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.11.1 Purpose

The purpose of this zone is to provide for the orderly development of the Ocean Grove project in the Lagoon Local Area. A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Local Government Act.*

10.11.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD6 Zone:
    a. Within that area of the lands identified as Area 1 on the CD6 Zone Map
        i. Park and open space, including commercial fund raising activities, tea-rooms, cafe and accessory commercial, interpretative centre and nature house and accessory dwelling unit;
        ii. Sales centre not exceeding 280m^2; and
        iii. Accessory buildings and structures.
    b. Within that area of the lands identified as Area 7 on the CD6 Zone Map:
        i. Apartments
        ii. Attached Housing;
        iii. Detached Dwellings;
        iv. Duplex;
        v. Home occupations – office use only;
        vi. Automatic telephone exchange building;
        vii. Accessory buildings and structures including recreation and amenity facilities;
        viii. Accessory Dwelling Unit; and
        ix. Small-Scale Multi-Unit Housing
    c. Within that area of the lands identified as Area 8 on the CD6 Zone Map:
        i. Attached Housing;
        ii. Detached Dwellings;
        iii. Duplex;
        iv. Home occupations- office use only;
        v. Automatic telephone exchange building;
        vi. Accessory buildings and structures including recreation and amenity facilities;
        vii. Accessory Dwelling Unit; and
        viii. Small-Scale Multi-Unit Housing
    d. The number of dwelling units for Detached Dwellings and Duplexes shall not exceed a combined total of 20 dwelling units.
    e. Within those areas of the lands identified as Area 4 on the CD6 Zone Map:
        i. Apartments;
        ii. Home occupations – office use only;
        iii. Automatic telephone exchange building;
        iv. Accessory buildings and structures including recreation and amenity facilities; and
        v. Accessory Dwelling Unit.
    f. Within those areas of the lands identified as Area 2, 3, 5, and 6 on the CD6 Zone map:
        i. Apartments;
        ii. Attached housing;

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iii. Home occupations – office use only;
iv. Automatic telephone exchange building;
v. Accessory buildings and structures including recreation and amenity facilities; and
vi. Accessory Dwelling Unit.

g. Within those areas of the lands identified as Area 5 and 6 on the CD6 Zone map:
   i. Commercial uses as permitted in the "C8A" (Towncentre Mixed Use A) Zone located in the ground floor only with a total combined minimum gross floor area of 500 m^2 and maximum gross floor area of 1,800 m^2.

h. Within those areas of the lands identified as Areas 9 and 10 on the CD6 Zone Map:
   i. Attached Housing;
   ii. Home occupations – office use only;
   iii. Automatic telephone exchange building;
   iv. Accessory buildings and structures including recreation and amenity facilities; and
   v. Accessory Dwelling Unit.

2. In the CD6 Zone the number of all dwelling units shall not exceed 344.

10.11.3 Comprehensive Development

1. Despite the restrictions in Section 10.11.2(2), the density of development in Section 10.11.4 is permitted in the CD6 Zone in accordance with Sections 10.11.4 through 10.11.11 if the Owner:
   a. contribute to an affordable housing reserve fund of the City $500 per attached, detached and Duplex dwelling unit for the first 585 units and $2,500 for each additional attached, detached and duplex dwelling unit; and
   b. contributes to a community amenity reserve fund of the City $2,500 per attached, detached and Duplex dwelling unit and $1,500 per apartment dwelling unit, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities.
2. Payment of contributions listed in Section 10.11.3 shall be made at the time of building permit or at the time of subdivision for detached dwelling units.
3. Section 10.11.3(1) is not applicable to the first 344 units in the zone.

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CD6 ZONE MAP

1.11.4 Permitted Development

1. The number of dwelling units in Area 1 on the CD6 Zone Map shall not exceed 1.
2. The number of dwelling units in Areas 2, 3, 5, 6, 7, 8, and 10 inclusive on the CD6 Zone Map shall not exceed 707.
3. The total number of dwelling units in all of Area 4 and Area 9 combined shall not exceed 88.
4. The total combined commercial floor area in Areas 5 and or 6 shall not exceed 1,800 m2.

10.11.5 Maximum Height

1. The maximum height of a building shall not exceed:
   a. One storey in Area 1;
   b. Two storeys in Areas 8 and 10;
   c. Four storeys in Areas 3 and 7;
   d. Six storeys in Area 2;
   e. Eight storeys in Area 6;
   f. Twelve storeys in Area 5;
   g. Four storeys in Area 4; and
   h. Two storeys in Area 9.

10.11.6 Yard Requirements

1. Yards shall be provided of not less than 7.5m from property lines along Heatherbell Road, Lagoon Road and Goldfinch Road.
2. Yards shall be provided of not less than 15m for 12 storey buildings, 12m for 4 storey buildings and 7.5m for 2 storey buildings from property lines along Seafield Road.
3. Yards shall be provided of not less than 6m from any other dedicated highway in the CD6 Zone.

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4. Yards shall be provided of not less than 7.5m from the westerly boundary of Lot B, Section 35, Esquimalt District, Plan 39185.

10.11.7 Lot Coverage

The maximum lot coverage shall be 35%, except that the maximum lot coverage for a lot created by subdivision for the purposes of constructing detached or duplex dwellings shall be 50%.

Building Separations

Minimum building separations shall be as follows:
1. Apartment to apartment: 20 m
2. Apartment to attached housing, detached: 10 m
3. Attached housing to attached housing: 3 m
4. Detached Dwellings to Detached Dwellings: 3 m
5. Detached Dwelling to Duplex: 3 m
6. Duplex to Duplex: 3 m

10.11.9 Private Amenity Space

Each unit shall have direct access to a private outdoor space or enclosed balcony having a minimum depth of 2.0 m and a minimum area of 4.0 m^2.

10.11.10 Subdivision Requirements

1. The minimum lot size that may be created by subdivision in Areas 2, 3, 4, 5 & 6 is 0.3 hectares with a minimum density of 19 units per hectare.
2. The minimum lot frontage that may be created by subdivision in Areas 2, 3, 4, 5, 6 & 10 is 30m.
3. The minimum lot size that may be created by subdivision in Areas 7 and 8 is 300 m^2.
4. The minimum lot frontage that may be created by subdivision in Areas 7 and 8 is 11 m.
5. The minimum lot size that may be created by subdivision in Areas 9 and 10 is 0.2 hectares.
6. Air space parcels to be permitted.
7. Land in the CD6 Zone shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the Land Title Act allocating among the parcels created the density of development permitted by this bylaw in the CD6 Zone, including the base density permitted by Section 10.11.2 and the additional density permitted by Section 10.11.4 together with the affordable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD6 Zone established by this bylaw.

10.11.11 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.12.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands in the Colwood Corners Local Area. A base level of development is provided for, based on the previous zoning designations, which would permit the development of the lands in the CD7 Zone at a low base density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities as contemplated by section 904 of the *Local Government Act.*

10.12.2 Definitions

Despite any other bylaw provision, the following definitions apply to the following terms used within the CD7 Zone:

a. **"grade"** means finished ground level.

b. **"height"** means the vertical distance measured from 64.5 geodetic datum to the highest point of a roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip gambrel or other sloping roof, and in the case of a structure without a roof to the highest point of the structure.

c. **"gross floor area"** means the sum of the floor areas of every storey in every building within the CD7 Zone measured to the outside face of the exterior walls, excluding:
   a. accessory buildings and structures,
   b. canopies, unenclosed sundecks, balconies and exterior stairs,
   c. parking structures including the areas used for parking, circulation and related service areas, except where a parking structure is an independent use that will not provide required parking for an associated use,
   d. floor areas located more than 1.5 metres below grade, except for any office and retail uses within such areas.

10.12.3 Permitted Uses

1. In addition to the uses currently permitted by Section 2.1.10, the following uses and no others are permitted in the Comprehensive Development 7 (CD7) Zone as shown on the CD7 Zone Map:
   a. Apartments (including apartments for senior citizens);
   b. Art Galleries;
   c. Museums;
   d. Arts and Cultural Facilities;
   e. Hotel and, as an accessory use to the hotel use, conference and recreation facilities;
   f. Congregate housing including visitor short term stay suites;
   g. Storage and distribution including mini storage for personal and commercial goods is permitted in all areas of the CD7 Zone, but only if such uses are below grade or, if such uses are above grade, only if the total gross floor area of any building containing such uses shall not exceed 300 square metres;
   h. Scientific or technological or research facilities;
   i. Studios including, but not limited to media, artists, technologists;
   j. Public and Private Health Care facilities and Treatment Centres;
   k. Transit exchange;

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l. Home occupations – office use only;
m. Uses permitted in the C3, C8, R1, RT1 and P2 Zones except as specifically excluded herein; and
n. Accessory dwelling unit.

Despite the above, uses that are not permitted in the CD7 Zone are retail uses with an individual gross floor area in excess of 6,000 square metres and Gas Stations or Service Stations.

2. Lot A, Section 1, Esquimalt District, Plan VIP26479 Except Plan 51172 and VIP58559 (1905 Sooke Road)

Despite section 2.1.09 (2) (g) a Cannabis Retail Store limited to a maximum floor area of 183m2 is permitted at the property having a civic address of 1905 Sooke Road and described as "Lot A, Section 1, Esquimalt District, Plan VIP26479 Except Plan 51172 and VIP58559; PID: 002-782-022)."

10.12.4 Density of Development

1. In the CD7 Zone, until additional gross floor area is earned in accordance with section 10.12.4 (2), the total of the gross floor area permitted on the lands within the CD7 Zone shall not exceed 80,000 square metres.
2. The total gross floor area referred to in paragraph 10.12.4 (1) shall be increased incrementally and sequentially in accordance with the first column of the table below if and as the terms and conditions concerning the provision of amenities described in the third column of the table, as modified by paragraphs 10.12.4 (6) have been satisfied.

Additional Density	Cumulative Density	Amenity
	Base density: 80,000 square metres	
1. 14,000 square metres	94,000 square metres	Fire Fighting Facilities: The owner shall pay to the City $2,500,000.00 (which amount includes applicable taxes) to be used for the purposes of acquiring fire fighting apparatus for high rise buildings, and constructing a fire hall serving the Colwood Corners area including lands within the CD7 Zone, such funds to be placed in a reserve fund for those purposes.
2. 18,600 square metres	112,600 square metres	Affordable Housing: The owner shall pay to the City $500,000.00 (which amount includes applicable taxes) to be used for the purpose of improving or providing for affordable or special needs housing in the City of Colwood and placed in a City reserve fund for those purposes.

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3. 18,600 square metres	131,200 square metres	Transportation and Affordable Housing: The owner shall: (a) pay to the City $250,000.00 (which amount includes applicable taxes) for the purpose of encouraging and providing opportunities for shared vehicle use, and placed in a City reserve fund for that purpose,; and (b) pay to the City $500,000.00 (which amount includes applicable taxes) to be used for the purpose of providing for affordable or special needs housing in the City of Colwood and placed in a City reserve fund for those purposes.
4. 18,600 square metres	149,800 square metres	Affordable Housing: The owner shall pay to the City $500,000.00 (which amount includes applicable taxes) to be used for the purpose of providing for affordable or special needs housing in the City of Colwood and to be placed in a City reserve fund for those purposes.
5. 18,600 square metres	168,400 square metres	Recreation: The owner shall pay to the City $1,600,000.00 (which amount includes applicable taxes) to be used for the purpose of constructing and improving one or more outdoor child play areas to serve the CD7 Zone area, such funds to be placed in a City reserve fund for those purposes.
6. The balance of the density so that the overall density in the CD7 zone is 355,000 square metres being the maximum permitted density.	355,000 square metres being the maximum permitted density.	Cultural Facility: The owner shall pay to the City $10,000,000.00 (which amount includes applicable taxes) to be used for the purpose of acquiring, constructing and improving land and improvements, including associated parking facilities, for arts and cultural purposes serving among other areas the Colwood Corners area, such funds to be held in a City reserve fund for those purposes.

3. Until the amenity described in column 3 of item 1 of the table above (the Fire Fighting Facilities) is provided there shall be no building constructed on the lands that is higher than 6 storeys above grade. For clarity, upon the provision of the amenity for the Fire Fighting Facilities, the Owner shall also earn the additional density set out in column 1 of item 1 of the table above.

4. Despite the above, until a hotel having a minimum of 90 rooms is under construction in the CD7 Zone the maximum gross floor area permitted in the CD 7 Zone is:
   i. 80,000 square metres of gross floor area, or
   ii. 94,000 square metres of gross floor area if the Fire Fighting Facility amenity in column 3 of item 1 has already been provided to the City.

5. Upon the construction in the CD7 Zone of a gross floor area of 355,000 square metres.
   a. the gross floor area for the aggregate of all permitted commercial, industrial and institutional uses shall not exceed 85% of the gross floor area of all uses in the CD7 Zone;
   b. the gross floor area for retail uses shall not exceed 20% of the gross floor area for commercial, industrial and institutional uses permitted under section 10.12.4(5) (a);
   c. the gross floor area for the aggregate of all residential dwelling units shall not exceed 75% of the gross floor area of all uses in the CD7 Zone.

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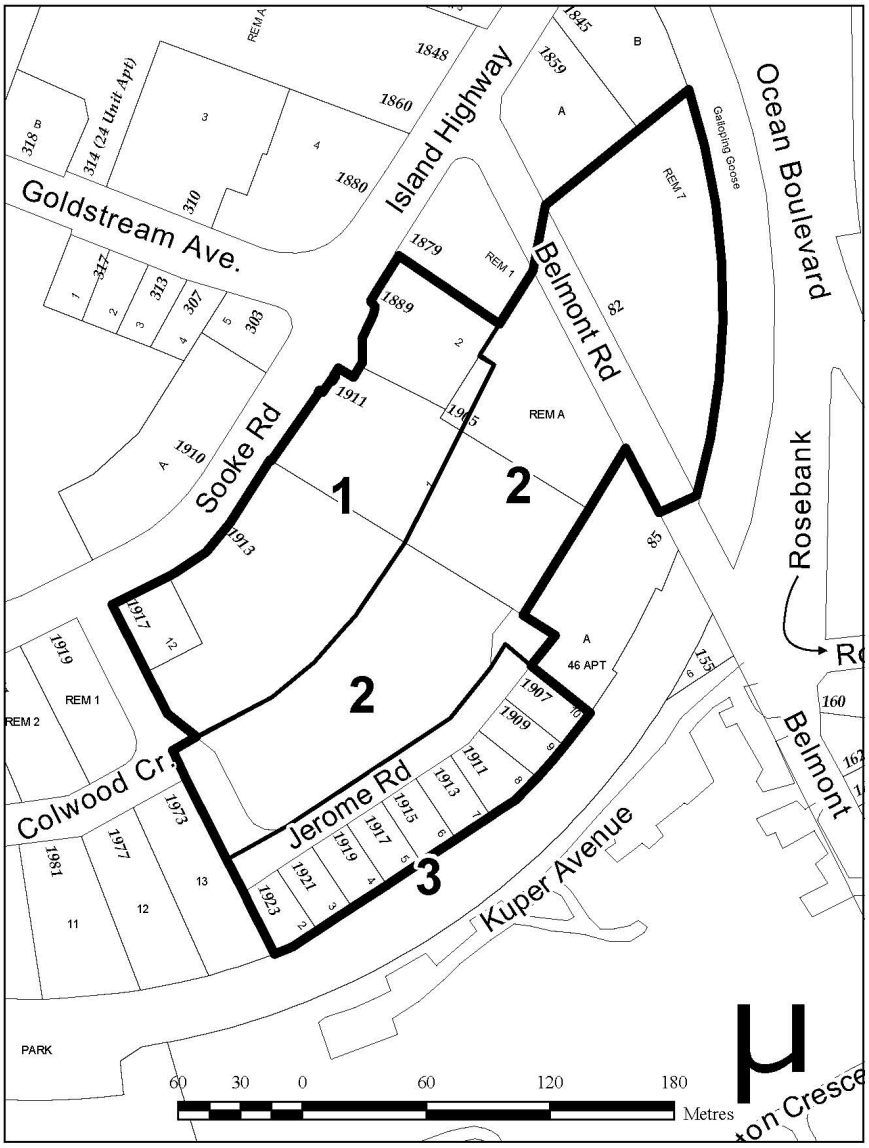
6. All dollar amounts referred to in this section 10.12.4 shall be increased annually effective on January 1 of each calendar year following the calendar year in which this bylaw is adopted by the amount of the Escalation Factor. The "Escalation Factor" means the fraction of which:
   a. the numerator is the Construction Price Index (apartment building) for Vancouver, British Columbia published by Statistics Canada, or its successor, as as of the date that the Escalation Factor is to be determined; and
   b. the denominator is the Construction Price Index (apartment building) for Vancouver, British Columbia published by Statistics Canada, or its successor, as January 1 of the prior calendar year.

In the event that the Construction Price Index is no longer published, the All-Items Consumer Price Index for Victoria, British Columbia published by Statistics Canada, or its successor shall be substituted for subsequent calculations.

7. Notwithstanding any other provision of this zone, the aggregate density of all development within the CD7 Zone shall in no case exceed a gross floor area of 355,000 square metres.

CD 7 ZONE MAP



10.12.5 Height of Buildings

1. The height of a building shall not exceed:
   a. 12 storeys in Area 1
   b. 29 storeys in Area 2, provided that adjacent buildings have height differentials of 4 storeys or more and not more than 2 buildings are 29 storeys in height
   c. 16 storeys in Area 3.

10.12.6 Yard Requirements

1. A front yard shall be provided of not less than 1.2 m.

2. Where a lot is not serviced by a rear access highway, a side yard of not less than 4.5 m shall be provided on at least one side of the lot.

3. A rear yard shall be provided of not less than 1.2m.

4. Despite sections 10.12.6 (1), (2), and (3) above, and section 2.1.04 (2), an awning, sunshade, and porte cochere (including the supports, eaves and gutters and any cornices of the porte cochere) may project into a required front yard, side yard or rear yard where the projection provides a vertical clearance of more than 4.5m above grade.

5. Despite sections 10.12.6 (1), (2), (3) and (4) above, section 2.1.04 and Off-Street Parking Regulations Bylaw No. 1909 those parking areas and structures completely below grade shall be permitted in any front yard, side yard or rear yard.

6. Despite any other provision of this bylaw, no front yard, side yard or rear yard shall be required for any part of a building in an air space parcel, where the relevant air space parcel boundary itself is in compliance with yards otherwise required at and above grade or the relevant air space parcel boundary is more than 4.5 metres above grade.

10.12.7 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.
2. Landscape and screening areas shall add planting that enhances the natural environment

10.12.8 Subdivision Requirements

1. Except for an air space parcel and a strata lot that is not a bare land strata lot, the minimum lot size that may be created by subdivision shall be 800 m2.

2. Except for an air space parcel and a strata lot that is not a bare land strata lot, the minimum lot frontage that may be created by subdivision shall be 5 m.

3. Except for a subdivision that consolidates land, or creates a strata lot that is not a bare land strata lot, every lot created, including an air space parcel, shall have attached to it a statutory covenant in favour of the City of Colwood that:
   a. limits the permitted gross floor area of building permitted between the parent parcel and the new lot, so as to allocate the permitted gross floor area of the parent parcel among the resulting lot;

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b. limits the permitted gross floor area of the uses described in section 10.12.4(5) (being commercial, industrial, institutional, retail and residential dwelling unit uses) within that new lot and parent parcel in a manner that ensures compliance with section 10.12.4(5); and

c. retains the unearned additional density as a benefit accruing solely to the parent parcel.

10.12.9 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.13.1 Purpose

The purpose of this zone is to provide for the orderly development of an area of land within South Colwood. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Local Government Act.*

10.13.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD8 Zone:
   i. Detached dwelling;
   ii. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
   iii. Home occupations;
   iv. Automatic telephone exchange building;
   v. Accessory buildings and structures;
   vi. Park and open space;
   vii. Secondary suite;
   viii. Accessory dwelling unit;
   ix. Show homes; and
   x. Small-Scale Multi-Unit Housing

2. In the CD8 Zone the number of dwelling units shall not exceed 5.

10.13.3 Comprehensive Development

1. Despite the restrictions in Section 10.13.2(2), the density of development in the CD8 Zone may be increased to 59 dwelling units if not less than 8500 m^2 of the CD8 zone is dedicated as park land and the Owner:
   a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per dwelling unit in excess of 5 dwelling units;
   b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per dwelling unit in excess of 5 dwelling units, and for this purpose "community amenity" means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities; and
   c. provides community amenities by contributing to the City's Latoria Road Improvement Fund $2,000 per dwelling unit in excess of 5 dwelling units.

2. Payment of all amounts specified in this section 10.13.3 shall be made at the time of approval of the subdivision creating the lots on which the detached dwellings are permitted.

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10.13.4 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Minimum Lot area	500m^2
Minimum lot frontage	14 m
Minimum lot width	14 m
Maximum building height	8.5 m
Maximum lot coverage	35% (principal building)
Minimum yard requirements for Principal Buildings:	
Front	4.5 m
Rear	7.5 m
Side	1.5 m
Side Total	2.5 m
Flanking street	3.0 m
Yard requirements for garage accessory buildings	
Front	14.0 m
Rear Minimum	1.0 m
Rear Maximum	6.0 m
Side	0.0 m
Side Total	5.0 m
Minimum yard requirements for accessory Buildings other than garages	
Rear	1.0 m
Side	1.5 m
Maximum combined floor area All Accessory buildings	37 m^2

Notes:

1. The required minimum lot frontages may be reduced by 25% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.

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10.13.5 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas shall retain existing trees and native vegetation and add planting that enhances the natural environment.

3. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for such facilities, and they must have the following minimum widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
   c. Accessory buildings – 1.5 m wide and 1.8 m high;
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high; and
   e. Telephone, radio and television transmission towers – 3 m wide and 3 m high.

10.13.6 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.14.1 Purpose

The purpose of this zone is to provide for the orderly development of an area of land within South Colwood. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Local Government Act.*

10.14.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD9 Zone:
   i. Detached dwelling;
   ii. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
   iii. Home occupations;
   iv. Automatic telephone exchange building;
   v. Accessory buildings and structures;
   vi. Park and open space;
   vii. Secondary Suite;
   viii. Accessory dwelling unit;
   ix. Show homes; and
   x. Small-Scale Multi-Unit Housing

2. In the CD9 Zone the number of dwelling units shall not exceed 1.

10.14.3 Comprehensive Development

1. Despite the restrictions in Section 10.14.2(2), the density of development in the CD9 Zone may be increased to 11 dwelling units if not less than 10% of the CD9 zone is dedicated as park land and the Owner:
   a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per dwelling unit;
   b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per dwelling unit, and for this purpose “community amenity” means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities; and
   c. provides community amenities by contributing to the City’s Latoria Road Improvement Fund $2,000 per dwelling unit.

2. Payment of all amounts specified in this section 10.14.3 shall be made at the time of approval of the subdivision creating the lots on which the detached dwellings are permitted.

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10.14.4 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Minimum Lot area	500m^2
Minimum lot frontage	14 m
Minimum lot width	14 m
Maximum building height	8.5 m
Maximum lot coverage	35% (principal building)
Minimum yard requirements for Principal Buildings:	
Front	4.5 m
Rear	7.5 m
Side	1.5 m
Side Total	2.5 m
Flanking street	3.0 m
Yard requirements for garage accessory buildings	
Front	14.0 m
Rear Minimum	1.0 m
Rear Maximum	6.0 m
Side	0.0 m
Side Total	5.0 m
Minimum yard requirements for accessory buildings other than garages	
Rear	1.0 m
Side	1.5 m
Maximum combined floor area All Accessory buildings	37 m^2

Notes:

1. The required minimum lot frontages may be reduced by 25% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.

10.14.5 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas shall retain existing trees and native vegetation and add planting that enhances the natural environment.

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3. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for such facilities, and they must have the following minimum widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:

   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
   c. Accessory buildings – 1.5 m wide and 1.8 m high;
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high; and
   e. Telephone, radio and television transmission towers-3 m wide and 3 m high.

10.14.6 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.15.1 Purpose

The purpose of this zone is to provide for the orderly development of land at 284 Belmont Road. A base level of development is provided for which would permit the development of the land in the zone at semi-rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by Section 904 of the *Local Government Act.*

10.15.2 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD10 Zone in accordance with Sections 10.15.6 and 10.15.7:

a. Apartment;
b. Home occupation – office use only;
c. Accessory buildings and structures; and
d. Accessory dwelling unit.

10.15.3 Permitted Base Development

Development shall not exceed a density of 12 dwelling units per hectare.

10.15.4 Comprehensive Development Conditions

1. Despite the restrictions on density in Section 10.15.3 the density in Section 10.15.5 is permitted if the Owner:
   a. contributes $500 per dwelling unit to be developed to a reserve fund of the City established for the purpose of providing affordable housing; and
   b. contributes $1,500 per dwelling unit to be developed to a reserve fund of the City established for the purpose of providing community amenities, which purpose means the provision of land and facilities for parks, playgrounds or playing fields and/or the provision of community buildings and structures, such as community centres, youth centres, theatres, recreational buildings and facilities, and assembly and meeting spaces.

2. Payment shall be made at the time of issuance of a building permit for a dwelling unit.

3. Section 10.15.4.1 is not applicable to the first 12 dwelling units per hectare of site area.

10.15.5 Permitted Development

Development shall not exceed a density of 12 + 2.5x dwelling units per hectare (where x equals the number of dwelling units for which the contributions under Sections 10.15.4.1(a) and (b) have been made), to a maximum of 119 dwelling units per hectare.

10.15.6 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

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2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. Landscape and screening areas must be provided for accessory buildings, utility access points and mailboxes being a maximum of 1.5 m wide and 3.0 m high.

10.15.7 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Minimum lot area	4,000 m^2	
Minimum lot frontage	25 m	
Minimum lot width	25 m	
Maximum FSR	1.2	
Maximum building height	13 m	
Maximum lot coverage	30% (principal building)	
Minimum yard requirements For principal buildings:		
Front	4.5 m	
Rear	4.5 m	
Side	3.0 m	
Flanking street	4.5 m	
Minimum yard requirements for accessory buildings		
Rear	1.0 m	1.0 m
Side	1.5 m	1.5 m
Maximum combined floor area all accessory bldgs.	N/A	37 m^2

10.15.8 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.16.1 Purpose

The purpose of this zone is to provide for the orderly development of an area of land (Angus Sutherland – 567 Latoria Road) within South Colwood. A base level of development is provided for, which would permit the development of the lands in the zone at rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by section 904 of the *Local Government Act.*

10.16.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD11 Zone:
   i. Detached dwelling;
   ii. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
   iii. Home occupations;
   iv. Automatic telephone exchange building;
   v. Secondary suite;
   vi. Accessory buildings and structures;
   vii. Park and open space; and
   viii. Small-Scale Multi-Unit Housing

2. In the CD11 Zone the number of dwelling units shall not exceed 2.

10.16.3 Comprehensive Development

1. Despite the restrictions in Section 10.16.2(2), the density of development in the CD11 Zone may be increased to 31 dwelling units if the Owner:

   a. provides affordable housing by contributing to an affordable housing reserve fund of the City $500 per dwelling unit;
   b. provides community amenities by contributing to a community amenity reserve fund of the City $2,500 per dwelling unit, and for this purpose "community amenity" means community land or buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, meeting space, and other similar amenities; and
   c. provides community amenities by contributing to the City's Latoria Road Improvement Fund $4,000 per dwelling unit.

2. Payment of all amounts specified in this section 10.16.3 shall be made at the time of approval of the subdivision creating the lots on which the detached dwellings are permitted.

10.16.4 Secondary Suites – Regulatory Conditions

1. Only one secondary suite is allowed in a detached dwelling.

2. The maximum size of a secondary suite is 40% of the floor area of the detached dwelling (excluding garage).

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3. Secondary suites shall be for rental purposes only.

4. A secondary suite shall have its own entry door from the outside of the house.

5. A home occupation in a secondary suite shall be for office use only.

10.16.5 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Minimum Lot area	500m^2
Minimum lot frontage	14 m
Minimum lot width	14 m
Maximum building height	8.5 m
Maximum lot coverage	35% (principal building)
Minimum yard requirements for Principal Buildings:	
Front	4.5 m
Rear	7.5 m
Side	1.5 m
Side Total	2.5 m
Flanking street	3.0 m
Yard requirements for garage accessory buildings	
Front	14.0 m
Rear Minimum	1.0 m
Rear Maximum	6.0 m
Side	0.0 m
Side Total	5.0 m
Minimum yard requirements for accessory Buildings other than garages	
Rear	1.0 m
Side	1.5 m
Maximum combined floor area All Accessory buildings	37 m^2

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Notes:

1. The required minimum lot frontages may be reduced by 25% in respect of lots abutting the turnaround portion of a cul-de-sac.
2. Where rear lane access is available, no front access to vehicle parking spaces is permitted.

10.16.6 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Wherever possible, landscape and screening areas shall retain existing trees and native vegetation and add planting that enhances the natural environment.

3. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for such facilities, and they must have the following minimum widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;
   c. Accessory buildings – 1.5 m wide and 1.8 m high;
   d. Automatic telephone exchange buildings – 3 m wide and 1.8 m high; and
   e. Telephone, radio and television transmission towers – 3 m wide and 3 m high.

10.16.7. General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.17.1 Purpose

The purpose of this zone is to provide for the orderly development of land at 571 Latoria Road in the South Colwood Local Area. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and attainable housing as contemplated by Section 904 of the *Local Government Act.*

10.17.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD12 Zone:

    a. Within that part of the lands identified as **Area 1** on the CD12 Zone Map:
        i. Apartment
        ii. Apartment (Senior Citizens)
        iii. Attached housing
        iv. Two-family dwellings
        v. Detached dwellings, provided that the number of one-family residential lots shall not exceed four
        vi. Home occupations – office use only
        vii. Secondary suites, on one-family residential lots with a minimum lot frontage and lot width of 12 metres only
        viii. Accessory dwelling units
        ix. Show homes
        x. Sales centre not exceeding 180 m^2
        xi. Accessory buildings and structures including recreation and amenity facilities

    b. Within that part of the lands identified as **Area 2** on the CD12 Zone Map:
        i. Apartment
        ii. Apartment (Senior Citizens)
        iii. Attached housing
        iv. Two-family dwellings
        v. Home occupations – office use only
        vi. Accessory dwelling units
        vii. Show homes
        viii. Sales centre not exceeding 180 m^2
        ix. Accessory buildings and structures including recreation and amenity facilities

    c. Within those parts of the lands identified as **Areas 3, 4** and **5** on the CD12 Zone Map:
        i. Park and Open Space

10.17.3 Comprehensive Development

1. Despite the restrictions in Section 10.17.2, the density of development in Section 10.17.4 is permitted in the CD12 Zone in accordance with Sections 10.17.4 through 10.17.11 if the Owner:

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a. contributes toward the Community Amenity Fund the amount of $2,500 per attached dwelling unit or detached dwelling unit and $1,500 per apartment dwelling unit, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities;
b. provides a minimum of 17.9% of the parent parcel for public open space;
c. contributes $3,000.00 per attached dwelling unit or detached dwelling unit and $2,400.00 per apartment unit towards the general improvements of Latoria Road.

2. Payment of contributions specified in clauses 10.17.3 (1)(a) and 10.17.3(1)(c) shall be made at the time of building permit issuance, except that where one-family residential lots are being created, payment shall be at the time of subdivision approval.

3. Section 10.17.3(1) is not applicable to the first 2 units in the CD12 zone.

10.17.4 Permitted Development

1. The number of dwelling units in Area 1 on the CD12 Zone Map shall not exceed 49.

2. The number of dwelling units in Area 2 on the CD12 Zone Map shall not exceed 16.

10.17.5 Building Height

1. The maximum height of a building shall not exceed 4 storeys to a maximum height of 16.2m in the CD12 Zone, except that on a one-family residential lots the height of a detached dwelling shall not exceed 9m.

10.17.6 Yard Requirements

The minimum yard setback requirements for all buildings and structures in the CD12 Zone shall be as follows:

1. Area 1:
   a. Front yard:
      i. 8.5m for apartment buildings;
      ii. 4.5m for attached housing and two-family dwellings; and
      iii. 4.5m for detached dwellings on one-family residential lots, except that the front setback for garages shall be no less than 6.0m
   b. Rear yard:
      i. 5.0m for all principal buildings
   c. Side yard:
      i. 7.5m for apartment buildings;
      ii. 6.0m for attached housing and two-family dwellings;
      iii. 1.5m for detached dwellings on one-family residential lots
   d. Flanking side yard:
      i. 3.0m for detached dwellings on one-family residential lots

2. Area 2:
   a. Front yard:
      i. 5.5m for all apartment and attached residential buildings

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b. Rear yard:
   i. 5.0m for all apartment and attached residential buildings
c. Side yard:
   i. 4.0m for all apartment and attached residential buildings
d. Flanking side yard:
   i. 3.0m for all apartment and attached residential buildings.

10.17.7 Lot Coverage

1. The maximum lot coverage for apartment and attached housing buildings shall be 29%.

2. The maximum lot coverage for detached dwellings on one-family residential lots shall be 45%.

10.17.8 Building Separations

Minimum building separations shall be as follows:

1. Apartment building to attached housing: 6.0m

2. Attached housing to attached housing: 6.0m

10.17.9 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.
2. Landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for such facilities, and they must have the following minimum widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
   a. Pumping stations – 1.5m wide and 1.5m high;
   b. Water reservoirs and storm water detention ponds – 1.5m wide and 3m high;
   c. Accessory buildings – 1.5m wide and 1.8m high;
   d. Telephone, radio and television transmission towers – 3m wide and 3m high.

10.17.10 Subdivision Requirements

1. The minimum lot size that may be created by subdivision is 1,600m^2, except that for one-family residential lots the minimum lot area shall be 350 m^2.

2. The minimum lot frontage and lot width that may be created by subdivision is 25m, except that for one-family residential lots the minimum lot frontage and lot width shall be 10m.

3. Land in the CD12 zone shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the *Land Title Act* allocating among the parcels created the density of development permitted by this bylaw in the CD12 zone, including the base density permitted by Section 10.17.2 and the additional density permitted by Section 10.17.4, together with the attainable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD12 zone established by this bylaw.

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10.17.11 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

CD12 ZONE MAP

10.18.1 Purpose

The purpose of this zone is to provide for the orderly development of lands adjacent to Latoria Road and Bezanton Way in south Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenity contributions as contemplated by Section 482 of the *Local Government Act.*

10.18.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD13 Zone:
    a. Within that area of the lands identified as Area 1 on the CD13 Zone Map in section 10.18.11:
        i. Apartment, including Senior Citizen Apartments
        ii. Attached housing
        iii. Accessory Dwelling Units
        iv. Bakery, not exceeding 200 m^2 in floor area
        v. Live / Work Studios
        vi. Offices – commerce and professional only
        vii. Premises licensed pursuant to the *Liquor Control and Licensing Act*, including a Public House or Brewhouse
        viii. Restaurant
        ix. Retail stores, excluding any establishment that is open to the public between the hours of 12:00 a.m. to 6:00 a.m.
        x. Home occupations – office use only
        xi. Sales centre not exceeding 180m^2
        xii. Accessory buildings and structures including recreation and amenity facilities
    b. Within that area of the lands identified as Area 2 and 5 on the CD13 Zone Map in Section 10.18.11:
        i. Park and Open Space
    c. Within that area of the lands identified as Area 3 and 4 on the CD13 Zone Map in Section 10.18.11:
        i. Apartment (Senior Citizens)
        ii. Attached housing
        iii. Two-family dwellings
        iv. Home occupations – office use only
        v. Sales centre not exceeding 180m2
        vi. Accessory buildings and structures including recreation and amenity facilities

10.18.3 Permitted Base Development

1. In the CD13 Zone the number of dwelling units shall not exceed 2 per lot.

10.18.4 Comprehensive Development Conditions

1. Notwithstanding the restriction in Subsection 10.18.3 (1), the density of development in Section 10.18.5 is permitted in the CD13 Zone in accordance with Sections 10.18.4 through 10.18.10 if the Owner:

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a. contributes toward the Community Amenity Reserve Fund the amount of $2,500 per attached dwelling unit and $1,500 per apartment dwelling unit in excess of 2 dwelling units on the lands;
b. provides a minimum of 24% of the parent parcel for public open space and;
c. contributes toward the Latoria Road Capital Reserve in the amount of $3,000 per townhouse unit and $2,400 per apartment unit for the general improvements of Latoria Road.

2. Subsection 10.18.4. 1) is not applicable to the first 6 units in the CD13 Zone.

10.18.5 Permitted Density

1. In Area 1 the total number of dwelling units shall not exceed 29 and the maximum floor area for commercial uses shall not exceed 960 m^2.
2. In Area 3 the total number of dwelling units shall not exceed 64.
3. In Area 4 the maximum floor area ratio shall not exceed 1.2

10.18.6 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Area 1	**Area 3**	**Area 4**
Maximum building height (storeys)	4	7	3
Maximum lot coverage	40 %	40 %	40 %
Minimum yard requirements for principal buildings			
Front	7.5 m	7.5 m	7.5 m
Rear	7.5 m	7.5 m	7.5 m
Side (east property boundary)	4.5 m	4.5 m	4.5 m
Side (west property boundary)	4.5 m	4.5 m	4.5 m

10.18.7 Building Separations

1. Minimum building separations shall be as follows:
   a. Apartment to apartment: 10.0 m
   b. Apartment to attached housing: 30.0 m
   c. Attached housing to attached housing: 5.0 m

10.18.8 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

3. Landscape and screening areas must be provided for pumping stations and reservoirs for drinking water, sewage pumping stations, storm drainage retention ponds, telephone, radio and television transmission structures or towers, and accessory buildings and structures for such facilities, and they must have the following minimum widths, on all boundaries of the lot on which the facility is located, and the following maximum heights:
   a. Pumping stations – 1.5 m wide and 1.5 m high;
   b. Water reservoirs and storm water detention ponds – 1.5 m wide and 3 m high;

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c. Accessory buildings – 1.5 m wide and 1.8 m high;
d. Telephone, radio and television transmission towers. 3m wide and 3m high

10.18.9 Subdivision Requirements

1. The minimum lot size that may be created by subdivision is 1,600 m2.

2. The minimum lot frontage that may be created by subdivision is 25 m.

3. Land in the CD13 zone shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the Land Title Act allocating among the parcels created the density of development permitted by this bylaw in the CD13 Zone, including the base density permitted by Section 10.18.3 and the additional density permitted by Section 10.18.5, together with the attainable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD13 zone established by this bylaw.

10.18.10 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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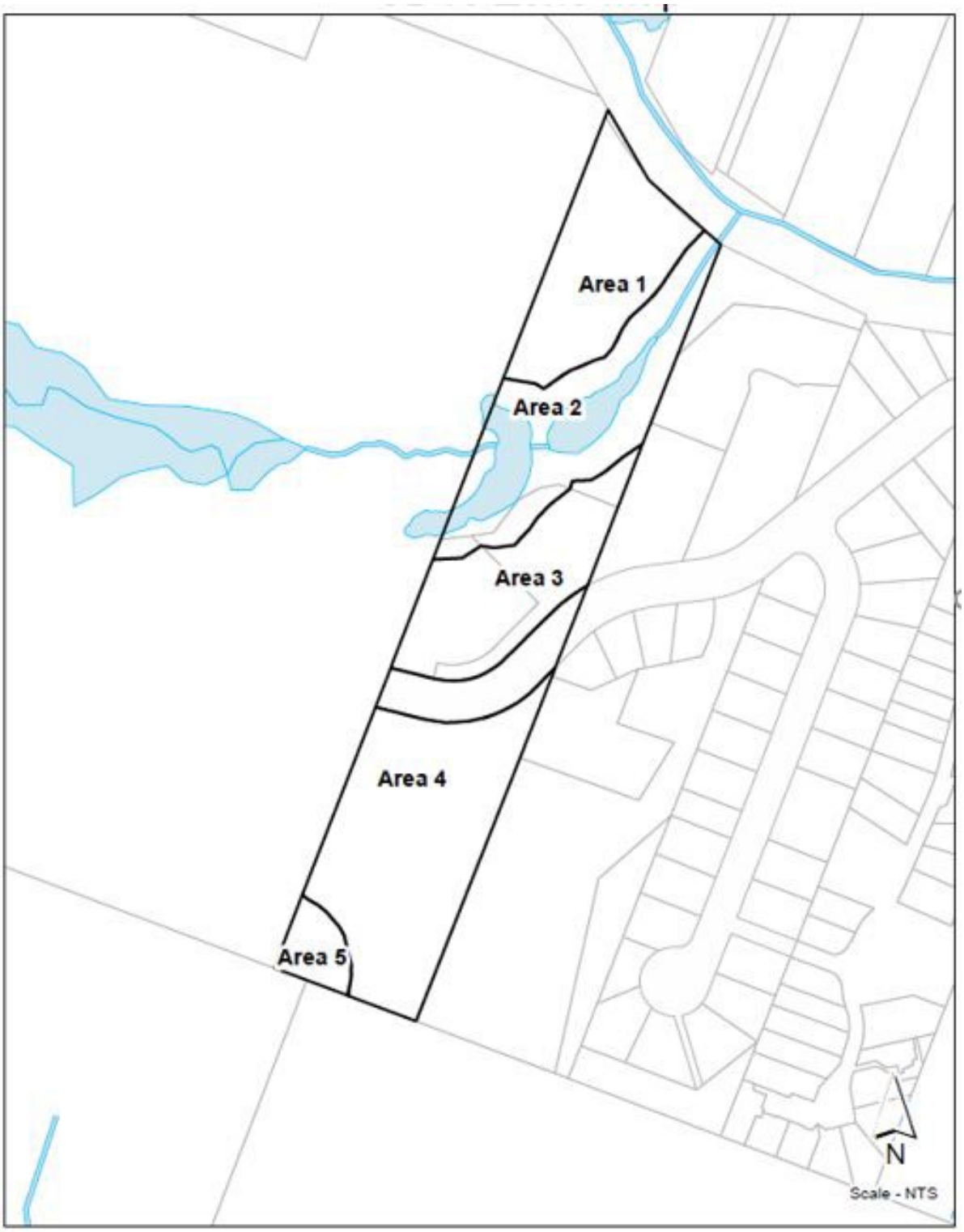
10.18.11 Zone Map



10.19.1 Purpose

The purpose of this zone is to provide for the orderly development of lands at 302-324 Belmont Road. A base level of development is provided for which would permit the development of the lands in the zone at semi-rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and affordable housing as contemplated by Section 904 of the *Local Government Act.*

10.19.2 Permitted Uses

In addition to the uses permitted by Section 2.1.10 the following uses and no others are permitted in the CD14 Zone in accordance with Sections 10.19.6 and 10.19.7:

1. Apartment
2. Home occupation – office use only
3. Accessory buildings and structures

10.19.3 Permitted Base Development

Base development shall not exceed 7 dwelling units.

10.19.4 Comprehensive Development Conditions

1. Despite the restrictions on density in Section 10.19.3 the density in Section 10.19.5 is permitted if the Owner:
   a. Contributes $1,500 per dwelling unit to be developed to a reserve fund of the City established for the purpose of providing community amenities, which purpose means the provision of land and facilities for parks, playgrounds or playing fields and/or the provision of community buildings and structures, such as community centres, youth centres, theatres, recreational building and facilities, and assembly and meeting spaces.
2. Payment shall be made at the time of issuance of a building permit for a dwelling unit.

3. Section 10.19.4.1 is not applicable to the first 7 dwelling units.

10.19.5 Permitted Development

Development shall not exceed 96 dwelling units.

10.19.6 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mark or separate uses, or to enhance the natural environment.
2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.
3. Landscape and screening areas must be provided for accessory buildings, utility access points and mailboxes being a maximum of 1.5m wide and 3.0 m high.

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10.19.7 Regulatory Conditions

Minimum lot area	4,000 m^2	
Minimum lot frontage	25 m	
Minimum lot width	25 m	
Maximum FSR	1.36	
Maximum building height	13.8 m	
Maximum lot coverage	35% (principal building)	
Minimum yard requirements For principal buildings:		
Front	3.6 m	
Rear	4.5 m	
Side	3.0 m	
Flanking street	4.5 m	
Minimum yard requirements for accessory buildings		
Rear	1.0 m	1.0 m
Side	1.5 m	1.5 m
Maximum combined floor area all accessory bldgs.	N/A	37 m^2

10.19.8 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.20.1 Purpose

The purpose of this zone is to provide for the orderly development of land at 3221 Heatherbell Road. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing or contributing towards amenities, with such provision and contributions potentially being phased in accordance with a development agreement, all as contemplated by Section 904 of the *Local Government Act.*

10.20.2 Permitted Base Development

Base development shall not exceed 2 dwelling units in the case of residential development, or 10 accommodation units in the case of hotel development.

10.20.3 Comprehensive Development Conditions

1. Despite the restrictions in Section 10.20.2, the density of development in Section 10.20.4 is permitted in the CD15 Zone in accordance with Sections 10.20.4 through 10.20.11 if the Owner:
    a. contributes toward the Community Amenity Reserve Fund the amount of $2,500.00 per attached dwelling unit and $1,500.00 per apartment dwelling unit in the case of residential development in excess of 2 dwelling units, and $1,500.00 per accommodation unit in the case of hotel development in excess of 10 accommodation units;
    b. contributes the amount of $706.00 per dwelling unit in the case of residential development in excess of 2 dwelling units and $353.00 per accommodation unit in the case of hotel development in excess of 10 accommodation units, for improvements to the Coburg Peninsula Bridge;
    c. contributes the amount of $106.00 per dwelling unit in the case of residential development in excess of 2 dwelling units and $53.00 per accommodation unit in the case of hotel development in excess of 10 accommodation units, towards the training of fire-fighters in the use of equipment or facilities acquired with funds from a Fire Department equipment, building / land reserve account;
    d. contributes the amount of $1,060.00 per dwelling unit in the case of residential development in excess of 2 dwelling units and $530.00 per accommodation unit in the case of hotel development in excess of 10 accommodation units, to be placed in the Fire Department equipment, building / land reserve account; and
    e. provides a minimum of 40% of the parent parcel for open space;

    and all payments made pursuant to this Section shall be made at the time of issuance of a building permit authorizing the construction of the dwelling units or accommodation units in respect of which the payment is being made.

2. Section 10.20.3(1) is not applicable to the first 2 dwelling units or the first 10 hotel accommodation units in the CD15 zone.

10.20.4 Permitted Comprehensive Development

1. In the CD15 Zone the floor space ratio on the lands shall not exceed 0.99, being a total gross floor area of 46,330 square metres.

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2. The maximum number of market dwelling units on the lands, shall be 165, except that, if hotel units for visitor or short-term accommodation are developed, the maximum number of market dwelling units shall be reduced by 1 unit for every 2 hotel units with the fraction rounded up in the case of an odd number of hotel units being constructed.

3. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD15 Zone:
   a. Within those parts of the lands identified as Areas 1, 2, 3 and 4 on the CD15 Zone Map:
      i. Apartment, including apartments for senior citizens
      ii. Brewhouse
      iii. Community care facility
      iv. Centre for day-care or elder-care
      v. Home occupations – office use only
      vi. Hotel and, as accessory uses to the hotel use, hospitality amenities, banquet, conference and recreation facilities
      vii. Offices – commerce and professional only
      viii. Accessory buildings and structures, including recreation and amenity facilities
      ix. Restaurant and bistro establishments
      x. Retail stores (excluding any establishment that is open to the public between the hours of 12:00 a.m. to 6:00 a.m.)
      xi. Spa and wellness centre
      xii. Studios, including but not limited to performing arts, media, artists and technologists
      xiii. Social profit organizations

   b. Within that part of the lands identified as Area 5 on the CD15 Zone Map:
      i. Arts and cultural facilities
      ii. Brewhouse
      iii. Gift shops
      iv. Restaurant
      v. Accessory buildings and structures, including recreation and amenity facilities

   c. Within that part of the lands identified as Area 6 on the CD15 Zone Map:
      i. Natural park and open space

10.20.5 Building Height

1. The maximum height of a building shall not exceed:
   a. fifteen storeys in Area 1;
   b. twelve storeys in Area 2;
   c. six storeys in Area 3;
   d. six storeys in Area 4;
   e. two storeys in Area 5.

10.20.6 Yard Requirements

The minimum yard setback requirements for all buildings and structures in the CD15 Zone shall be as follows relative to the boundaries of the property described as Amended Lot 'A', (DD60682I & DF 14931) Section 33, Esquimalt District, Plan 2194:

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1. Area 1
   Rear (north property boundary) 3.0 m
   Side (west property boundary) 7.5 m

2. Area 2
   Side (west property boundary) 7.5 m

3. Area 3
   Rear (north property boundary) 3.0 m

4. Area 4
   Side (south property boundary) 10.0 m

10.20.7 Lot Coverage

The maximum lot coverage shall be 40% in the CD15 Zone.

10.20.8 Building Separations

Minimum building separations shall be as follows:

1. metres between a building in Area 1 and a building in Area 3.
2. metres between a building in Area 2 and a building in Area 3.
3. metres between buildings within Areas 3 and 4.

10.20.9 Private Amenity Space

Each dwelling unit shall have direct access to a private outdoor space or enclosed balcony having a minimum depth of 2.0 metres and a minimum area of 4 square metres.

10.20.10 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.
2. Landscape and screening areas will retain existing trees and native vegetation and add planting that enhances the natural environment.

10.20.11 Subdivision Requirements

1. The minimum lot size that may be created by subdivision is 4 hectares.

2. The minimum lot frontage that may be created by subdivision is 10.0 metres.

3. Land in the CD15 zone shall not be subdivided other than by building strata unless the owner grants to the City a covenant under Section 219 of the *Land Title Act* allocating among the parcels created the density of development permitted by this bylaw in the CD15 zone, including the base density permitted by Section 10.20.2 and the additional density permitted by Section 10.20.4, together with the attainable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD15 zone established by this bylaw.

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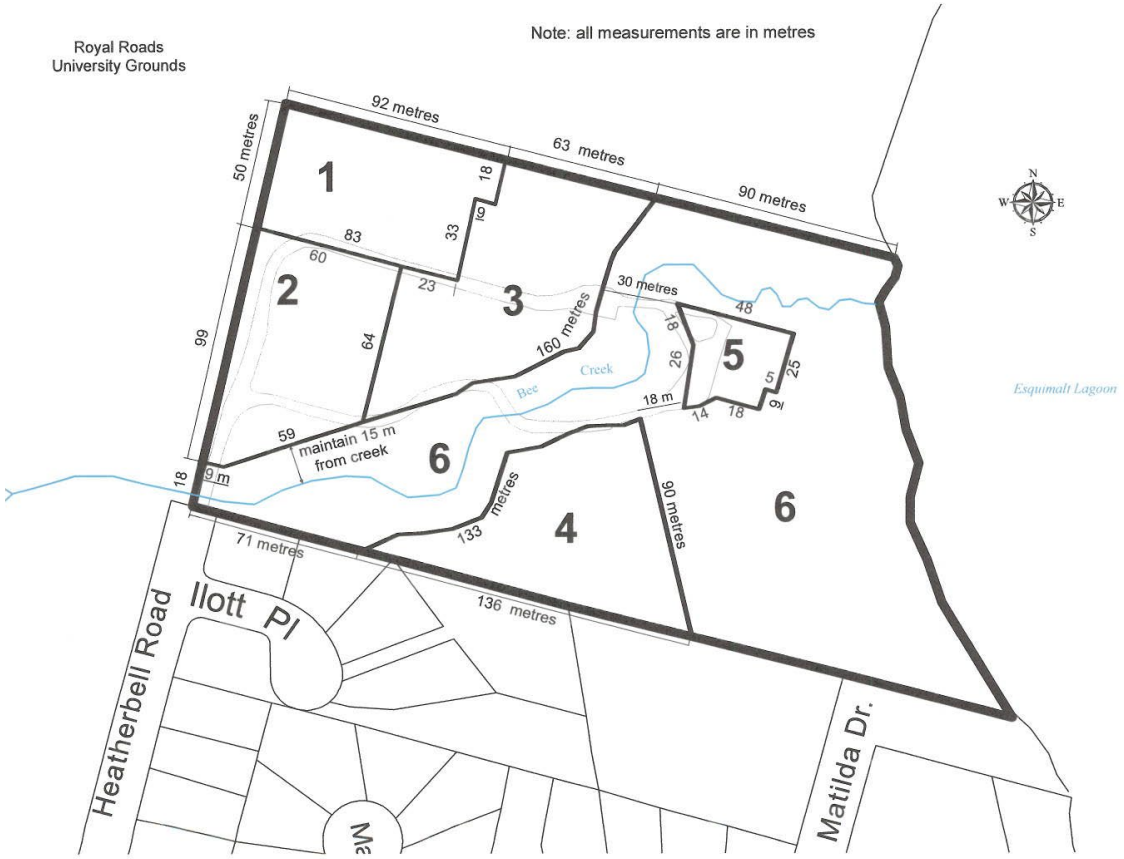
10.20.12 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

CD15 ZONE MAP



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10.21.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands in the Colwood City Centre Area. A base level of development is provided for, based on the previous zoning designations, which would permit the development of the lands in the CD16 Zone at a low base density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities as contemplated by section 904 of the *Local Government Act.*

10.21.2 Definitions

Despite any other bylaw provision, the following definitions apply to the following terms used within the CD16 Zone:

a. **"grade"** means finished ground level.

b. **"height"** means the vertical distance measured from 50.0m geodetic datum to the highest point of a roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip gambrel or other sloping roof, and in the case of a structure without a roof to the highest point of the structure.

c. **"gross floor area"** means the sum of the floor areas of every storey in every building within the CD16 Zone measured to the outside face of the exterior walls, excluding:
   i. accessory buildings and structures,
   ii. canopies, unenclosed sundecks, balconies and exterior stairs,
   iii. parking structures including the areas used for parking, circulation and related service areas, except where a parking structure is an independent use that will not provide required parking for an associated use,
   iv. floor areas located more than 1.5 metres below grade, except for any office and retail uses within such areas.

10.21.3 Permitted Uses

1. Park and open space in Area 1 in the Comprehensive Development 16 (CD16) Zone as shown on the CD16 Zone Map.

2. In addition to the uses currently permitted by Section 2.1.10, the following uses and no others are permitted in Area 2 of the Comprehensive Development 16 (CD16) Zone as shown on the CD16 Zone Map:
   a. Acute-care facilities;
   b. Apartments (including apartments for senior citizens);
   c. Art Galleries;
   d. Arts and Cultural Facilities;
   e. Attached housing;
   f. Congregate housing, including visitor short-term stay suites;
   g. Crematorium;
   h. Detached dwellings;
   i. Hotel and, as an accessory use to the hotel use, conference and recreation facilities;
   j. Museums;

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k. Park and Open Space;
l. Public and Private Health Care facilities and Treatment Centres;
m. Scientific or technological or research facilities;
n. Storage and distribution including mini storage for personal and commercial goods is permitted in all areas of the CD16 Zone, but only if such uses are below grade or, if such uses are above grade, only if the total gross floor area of any building containing such uses shall not exceed 300 square metres;
o. Studios including, but not limited to media, artists, technologists;
p. Transit exchange;
q. Home occupations – office use only;
r. Uses permitted in the C3, C8, R1, RT1, P2 and CD7 Zones except as specifically excluded herein.

Despite the above, uses that are not permitted in the CD16 Zone are retail uses with an individual gross floor area in excess of 6,000 square metres, Drive-In Businesses, Gas Stations, Service Stations and Car Washes.

10.21.4 Permitted Base Development

In the CD16 Zone, until additional gross floor area is earned in accordance with section 10.21.5, the total of the gross floor area permitted on the lands within the CD16 Zone shall not exceed 39,783 square metres, or a floor area ratio of 2.0.

10.21.5 Comprehensive Development Conditions

1. Despite the restriction in Section 10.21.4, the density of development is permitted in the CD16 Zone in accordance with Sections 10.21.5 through 10.21.9 if the Owner contributes toward the provision of community amenities an amount equivalent to two percent (2%) of the construction value of each building permit for the Development on the Lands, and for this purpose "community amenities" include:
   a. community buildings to house community services and service providers such as community health services, youth programs, community policing, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities;
   b. Coburg Peninsula Bridge repair;
   c. firefighter high-rise training;
   d. a new fire station;
   e. pedestrian bridge crossing at Millstream Creek

2. A minimum of 0.6131 hectares of the parent parcel shall be provided for parkland.

3. Section 10.21.5 (1) is not applicable to the first 39,783 square metres of gross floor area in the CD16 zone.

4. Upon the construction in the CD16 Zone of a gross floor area equivalent to a floor area ratio of 7.0:
   a. the gross floor area for the aggregate of all permitted commercial, industrial and institutional uses shall not exceed 85% of the gross floor area of all uses in the CD16 Zone;
   b. the gross floor area for retail uses shall not exceed 20% of the gross floor area for commercial, industrial and institutional uses permitted under section 10.21.3;
   c. the gross floor area for the aggregate of all residential dwelling units shall not exceed 75% of the gross floor area of all uses in the CD16 Zone.

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5. Notwithstanding any other provision of this zone, the aggregate density of all development within the CD16 Zone shall in no case exceed a floor area ratio of 7.0.

10.21.6 Height of Buildings

1. The maximum height of any building shall be 29 storeys, provided that the average height of all buildings shall not exceed 20 storeys.

10.21.7 Yard Requirements

1. A front yard shall be provided of not less than 1.2 m.

2. Where a lot is not serviced by a rear access highway, a side yard of not less than 4.5 m shall be provided on at least one side of the lot.

3. A rear yard shall be provided of not less than 1.2m.

4. Despite sections 10.21.7 (1), (2), and (3) above, and section 2.1.04 (2), an awning, sunshade, and porte cochere (including the supports, eaves and gutters and any cornices of the porte cochere) may project into a required front yard, side yard or rear yard where the projection provides a vertical clearance of more than 4.5m above grade.

5. Despite sections 10.21.7 (1), (2), (3) and (4) above, section 2.1.04 and section Off-Street Parking Regulations Bylaw No. 1909 those parking areas and structures completely below grade shall be permitted in any front yard, side yard or rear yard.

6. Despite any other provision of this bylaw, no front yard, side yard or rear yard shall be required for any part of a building in an air space parcel, where the relevant air space parcel boundary itself is in compliance with yards otherwise required at and above grade or the relevant air space parcel boundary is more than 4.5 metres above grade.

10.21.8 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Landscape and screening areas shall add planting that enhances the natural environment.

10.21.9 Subdivision Requirements

1. Except for an air space parcel and a strata lot that is not a bare land strata lot, the minimum lot size that may be created by subdivision shall be 800 m2.

2. Except for an air space parcel and a strata lot that is not a bare land strata lot, the minimum lot frontage that may be created by subdivision shall be 5 m.

3. Except for a subdivision that consolidates land, or creates a strata lot that is not a bare land strata lot, every lot created, including an air space parcel, shall have attached to it a statutory covenant in favour of the City of Colwood that:

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a. limits the permitted gross floor area of building permitted between the parent parcel and the new lot, so as to allocate the permitted gross floor area of the parent parcel among the resulting lot;

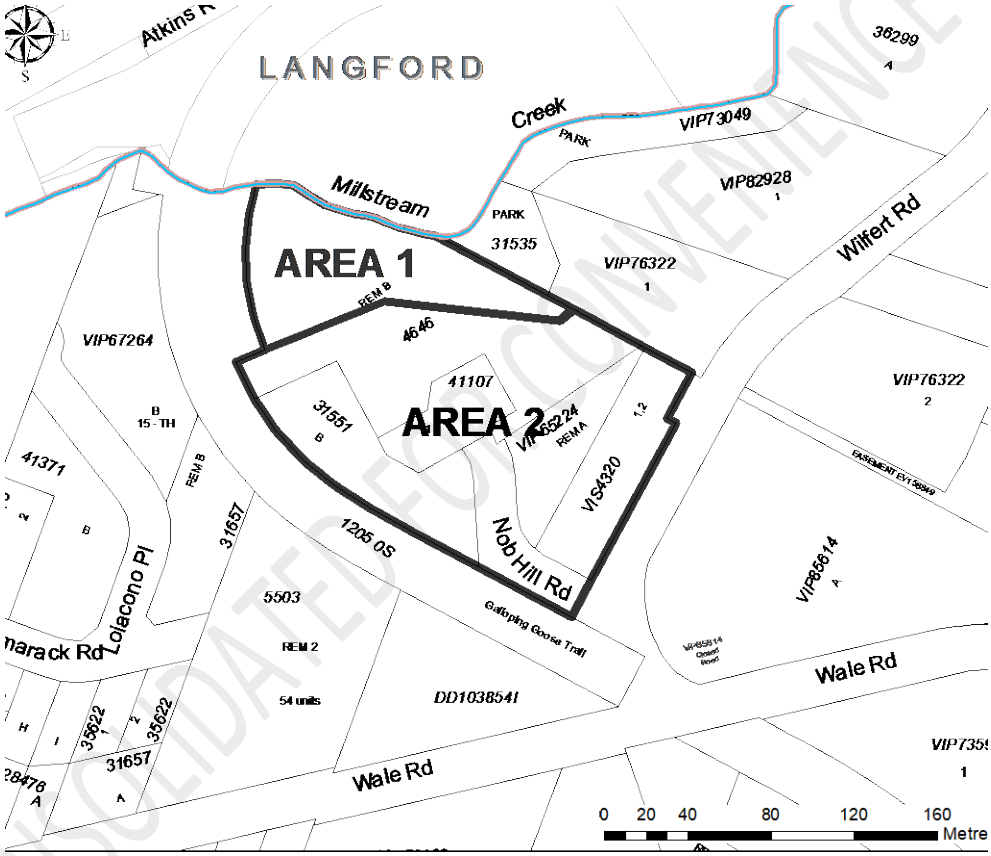
b. limits the permitted gross floor area of the uses described in section 10.21.5(4) (being commercial, industrial, institutional, retail and residential dwelling unit uses) within that new lot and parent parcel in a manner that ensures compliance with section 10.21.5(4); and

c. retains the unearned additional density as a benefit accruing solely to the parent parcels.

10.21.10 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

CD16 ZONE MAP



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10.22.1 Purpose

The purpose of this zone is to provide for the orderly development of lands at 3580 Wishart Road (located at the corner of Wishart and Latoria Roads) in south Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and attainable housing contributions as contemplated by Section 904 of the *Local Government Act.*

10.22.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD17 Zone:
   a. Within that part of the lands identified as Area 1 on the CD17 Zone Map:
      i. One-family dwelling;
      ii. Home occupation;
      iii. Not more than 2 boarders or lodgers in a dwelling unit provided that no dwelling unit shall be occupied by more than four unrelated persons;
      iv. Accessory buildings and structures;
      v. Secondary suite; and
      vi. Small-Scale Multi-Unit Housing.

   b. Within that part of the lands identified as Area 2 on the CD17 Zone Map:
      i. Attached housing;
      ii. Accessory buildings and structures;
      iii. Home occupations – office use only; and
      iv. Sales centre not exceeding 180m^2.

   c. Within that part of the lands identified as Area 3 on the CD17 Zone Map:
      i. Park and open space.

2. In the CD17 Zone the number of dwelling units shall not exceed 1 per lot.

10.22.3 Comprehensive Development

1. Notwithstanding the restriction in Subsection 10.22.2 (2), the density of development in Section 10.22.4 is permitted in the CD17 Zone in accordance with Sections 10.22.4 through 10.22.13 if the Owner:
   a. contributes toward the Community Amenity Fund the amount of $2,500 per attached dwelling unit, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities;
   b. provides a minimum of 16.3% of the parent parcel for public open space; and
   c. contributes $2,000 per attached dwelling unit towards the Attainable Housing Fund.

2. Payments pursuant to paragraphs 10.22.3 (1)(a) and 10.22.3 (1)(c) shall be made at the time of building permit issuance.

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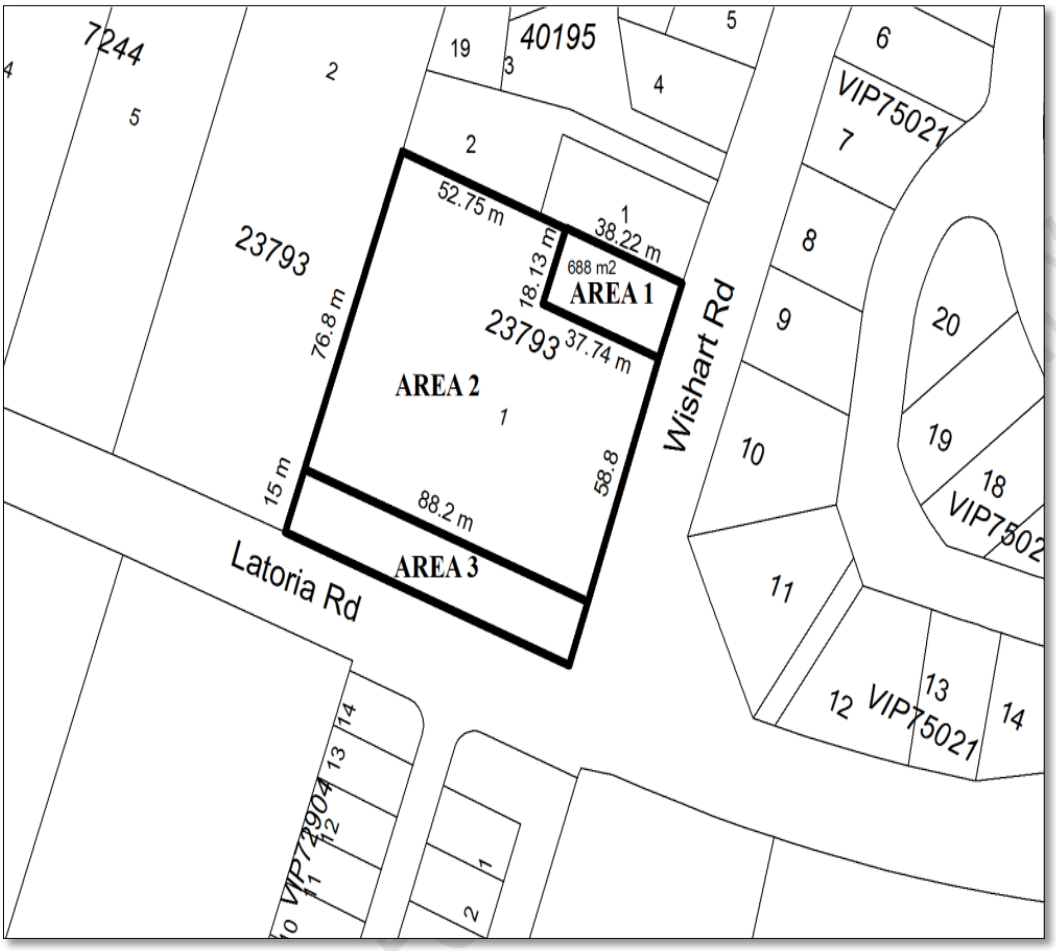
CD17 ZONE MAP



10.22.4 Permitted Development

1. There shall be not more than one one-family dwelling in Area 1 on the CD17 Zone Map.
2. The number of dwelling units in Area 2 on the CD17 Zone Map shall not exceed 27.
3. The floor area ratio in Area 2 on the CD17 Zone Map shall not exceed 0.75.

10.22.5 Building Height

1. The maximum height of a building in Area 1 on the CD17 Zone Map shall not exceed 8.5 m.
2. The maximum height of a building in Area 2 in the CD17 Zone Map shall not exceed 9 m.

10.22.6 Yard Requirements

The minimum yard setback requirements for all buildings and structures in the CD17 Zone shall be as follows:

1. Area 1:

Front	7.5 m
Rear	3.0 m
Side (North)	7.5 m
Side (South)	2.0 m

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2. Area 2:

Front (Wishart Road Frontage)	5.0 m
Rear	5.0 m
Side (North)	7.5 m
Side (South)	4.0 m

10.22.7 Projections Into Required Yards

In addition to the projections into required yards permitted under Section 2.1.04, concrete steps in Area 1 on the CD17 Zone Map may project not more than 1 m into a required side setback.

10.22.8 Lot Coverage

1. The maximum lot coverage in Area 1 on the CD17 Zone Map shall be 35%.
2. The maximum lot coverage in Area 2 in the CD17 Zone Map shall be 40%.

10.22.9 Building Separations

Minimum building separations shall be as follows:

1. Attached housing to attached housing: 3.0 m.

10.22.10 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.
2. Landscape and screening areas will retain existing trees and native vegetation where feasible and add planting that enhances the natural environment.
3. Landscape and screening areas containing planting areas of native shrubs and trees not less than 1 m in width and decorative fencing must be provided around the perimeter of Area 2 in the CD17 Zone Map to the satisfaction of the City Planner.

10.22.11 Parking

1. Parking in Area 2 as shown on the CD17 Zone Map may be located in tandem with another parking space.

10.22.12 Subdivision Requirements

1. The minimum lot size that may be created by subdivision in Area 1 on the CD17 Zone Map is 685 m^2.

2. The minimum lot frontage that may be created by subdivision in Area 1 on the CD17 Zone Map is 17 m.

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3. Land in Area 2 in the CD17 Zone Map shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the *Land Title Act* allocating among the parcels created the density of development permitted by this bylaw in the CD17 Zone, including the base density permitted by Section 10.22.2 and the additional density permitted by Section 10.22.4, together with the attainable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD17 Zone established by this bylaw.

10.22.13 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.23.1 Purpose

The purpose of this zone is to provide for the orderly development of lands at 3479 Wishart Road in south Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and attainable housing contributions as contemplated by Section 904 of the *Local Government Act.*

10.23.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD18 Zone:
   a. Detached dwelling;
   b. Secondary suite;
   c. Accessory buildings and structures;
   d. Home occupation;
   e. Sales centre not exceeding 250 m^2;
   f. Show homes;
   g. Two-family dwellings; and
   h. Small-Scale Multi-Unit Housing.

2. In the CD18 Zone there shall be not more than one-one family dwellings or one two-family dwelling on a lot.

3. No lot having an area of less than 2 hectares may be created by subdivision in the CD18 Zone.

10.23.3 Comprehensive Development

1. Notwithstanding the restriction in Subsection 10.23.2 (3), the density of development in Section 10.23.4 is permitted in the CD18 Zone in accordance with Sections 10.23.4 through 10.23.10 if the Owner:
   a. contributes toward the Community Amenity Fund the amount of $2,500 per lot, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities;
   b. provides a minimum of 8.5 % of the parent parcel for public open space prior to the first subdivision of the parent parcel;
   c. contributes $2,500 per lot towards the Attainable Housing Fund; and
   d. contributes $500 per lot to the Public Art Fund

2. Payments pursuant to paragraphs 10.23.3 (1)(a), 10.23.3 (1)(c) and 10.23.3 (1)(d) shall be made at the time of subdivision.

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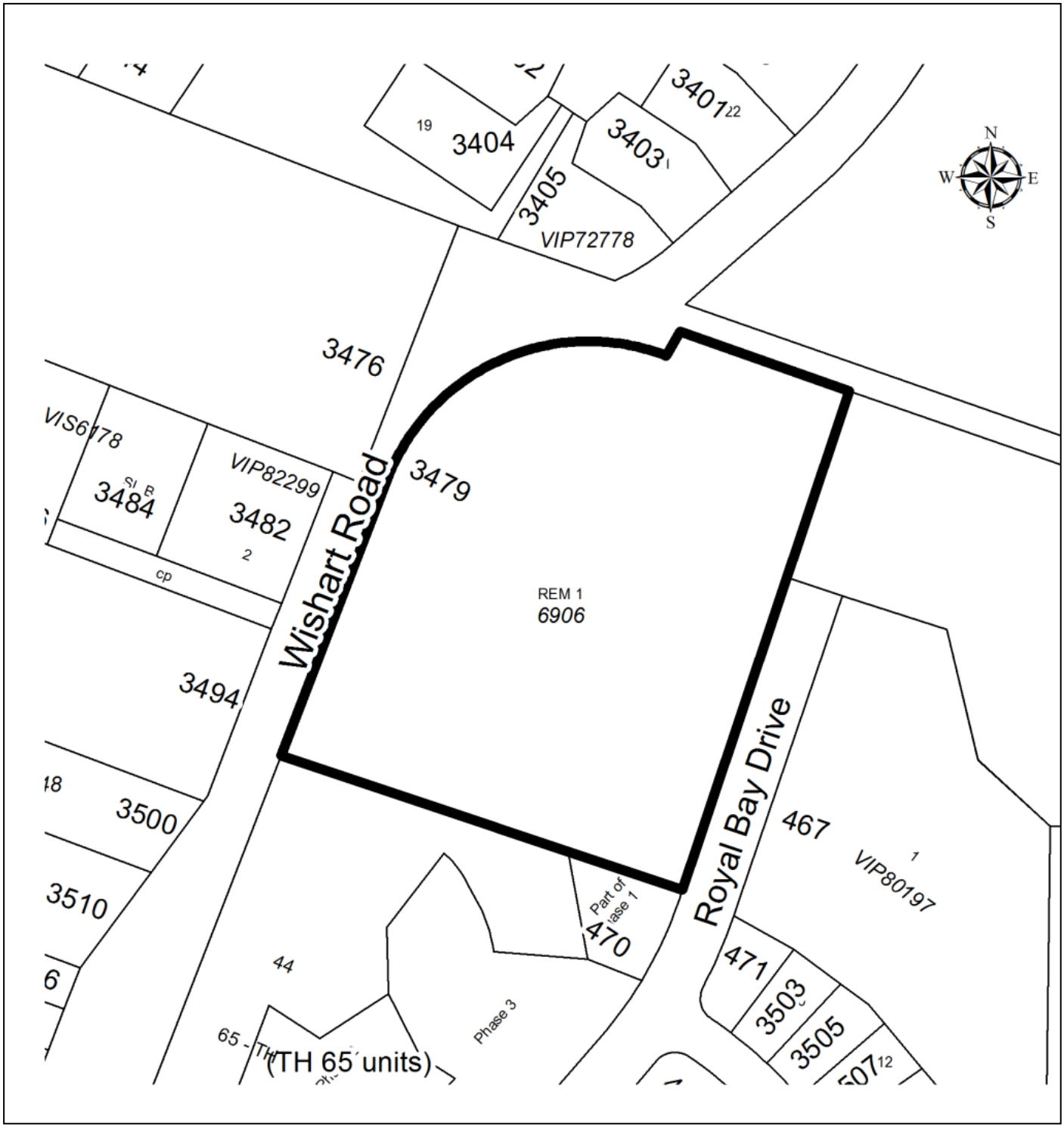
CD18 ZONE MAP



10.23.4 Permitted Development

1. The number of lots in CD18 Zone shall not exceed 57.
2. No lot may be created with a lot width of less than 10 m.
3. No panhandle lot may be created by subdivision in the CD18 Zone.
4. The minimum parcel area for subdivision shall be 300 m^2.

10.23.5 Building Height

1. The maximum height of a building in the CD18 Zone shall not exceed 8.5 m.

10.23.6 Yard Requirements

1. The minimum yard setback requirements for all buildings and structures in the CD18 Zone shall be as follows:

Front	4.0 m
Front to Garage	6.0 m
Rear	6.0 m
Side	1.5 m
Flanking Side	3.0 m

2. Notwithstanding the yard requirements specified by Section 10.23.6, no portion of any building situated behind a driveway may be located less than 5.8 m from any private access lane or highway.

10.23.7 Lot Coverage

1. The maximum lot coverage in the CD18 Zone shall be 45%.

10.23.8 Subdivision Requirements

1. Land in the CD18 Zone shall not be subdivided unless the owner grants to the City a covenant under s.219 of the *Land Title Act* allocating among the parcels created the density of development permitted by this bylaw in the CD18 Zone, including the base density permitted by Section 10.23.2 and the additional density permitted by Section 10.23.4, together with the attainable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD18 Zone established by this bylaw.

10.23.9 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.24.1 Purpose

The purpose of this zone is to provide for the orderly development of land located at 468, 474 & 476 Goldstream Avenue in north Colwood and to establish different density rules for the development of the land, one generally applicable for the zone and the others to apply if conditions relating to the provision of amenities are met.

10.24.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD19 Zone:
   a. Within that part of the lands identified as Area 1 on the CD19 Zone Map:
      i. Apartment dwelling units;
      ii. Accessory buildings and structures;
      iii. Home occupations – office use only;
      iv. Sales centre not exceeding 180 m^2;
      v. Bakeries with a gross floor area of not more than 300 m^2 located on the ground floor only;
      vi. Daycares located on the ground floor only;
      vii. Offices located on the ground floor only;
      viii. Personal service, located on the ground floor only;
      ix. Post offices located on the ground floor only;
      x. Restaurants located on the ground floor only;
      xi. Retail stores located on the ground floor only;
      xii. Civic uses; and
      xiii. Accessory dwelling unit.

   b. Within that part of the lands identified as Area 2 on the CD19 Zone Map:
      i. Park and open space.

   c. Within that part of the lands identified as Area 3 on the CD19 Zone Map:
      i. Park and open space.
      ii. Interpretive centre for the purposes of displaying historical artifacts

10.24.3 Density

1. Basic Density
   a. The number of dwelling units shall not exceed 2 per lot
   b. The total gross floor area of all non-residential uses in Area 1 shall not exceed 200 m^2

2. Additional Density

   If the Owner provides to the City the amenities listed in s. 10.24.4, below, the maximum floor area ratio in Area 1 on the CD19 Zone Map shall not exceed 2.4.

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10.24.4 Conditions for Additional Density

1. Notwithstanding the basic density limit in s. 10.24.3(1), the density in Area 1 may be increased in accordance with s. 10.24.3(2) if, before the City issues a building permit for any development that would not be permitted under s. 10.24.3(1), the Owner:
   a) contributes toward the Community Amenity Fund the amount of $1,000 per apartment dwelling unit in excess of $100,000, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities;
   b) contributes $250 per apartment dwelling unit towards the General Amenity Reserve Fund (Colwood Dairy), and for this purpose "Colwood Dairy" means public historical interpretation signs and related installations, public art intended to enhance historical context and fencing and/or other improvements constructed in association with the conservation of the historic Colwood Dairy structure;
   c) contributes $500 per apartment dwelling unit towards the City Centre Fire Hall Fund, and for this purpose "City Centre Fire Hall" means the land, buildings and equipment associated with the creation of a fire hall in the general location of the Colwood City Centre Area; and,
   d) provides to the City for use as a public park, either by transferring title in fee simple or by dedicating as park by the deposit of a subdivision plan, an area of land that is at least 35% of the area of the parent parcel.

10.24.5 Building Height

The maximum height of a building in Area 1 on the CD19 Zone Map shall not exceed eight storeys or 30 m, whichever is lower.

10.24.6 Yard Requirements

The minimum yard setback requirements for all buildings and structures located within Area 1 shall be:

Front	7.5 m
Rear	3.0 m
Side (West)	6.0 m
Side (East)	6.0 m

10.24.7 Lot Coverage

The maximum lot coverage in Area 1 on the CD19 Zone Map shall be 33%.

10.24.8 Building Separations

Minimum building separations shall be as follows:

1. Apartment building to apartment building: 10 m.

10.24.9 Landscaping and Screening

1. Minimum area of landscaping in Area 1 shall be 40 %.
2. Landscape and screening areas containing planting areas of native shrubs and trees not less than 1 m in width and decorative fencing must be provided around the perimeter of Area 1, excluding front and rear in the CD19 Zone Map.

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10.24.10 Off-Street Parking

1. Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces for apartment dwelling units shall be 1.2 per apartment dwelling unit, of which 0.2 parking spaces per apartment dwelling unit shall be designated for visitor use only.
2. Despite the Off-Street Parking Regulations Bylaw No. 1909 the required number of parking spaces for commercial uses shall be 1 per 13 m^2 of gross floor area.

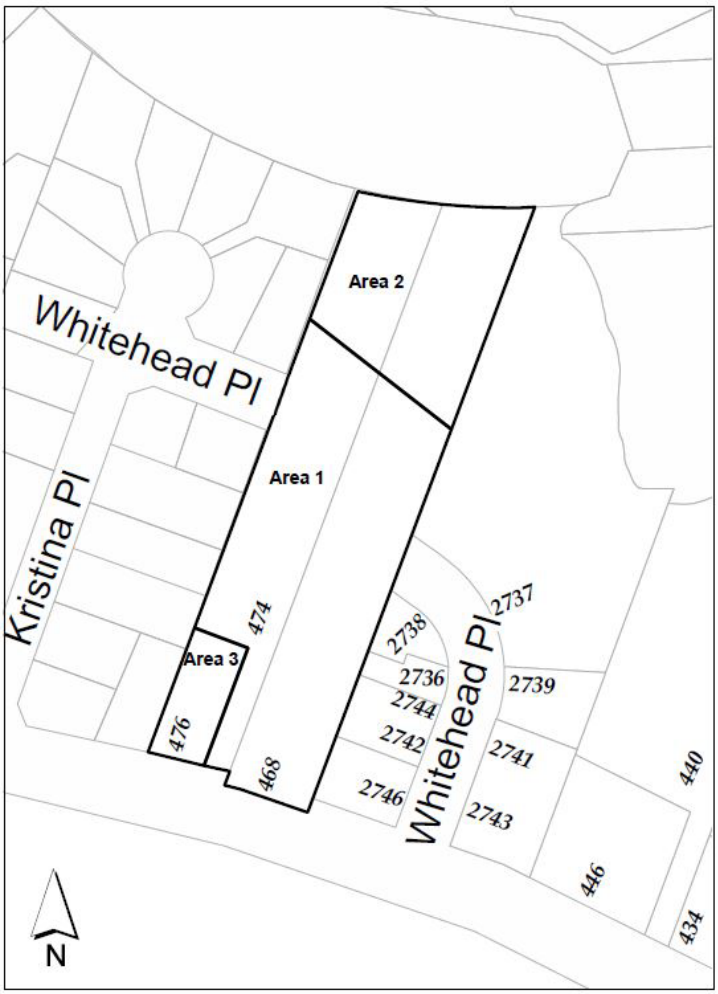
10.24.11 Subdivision Requirements

Land in Area 1 in the CD19 Zone Map shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the *Land Title Act* allocating among the parcels created the density of development permitted by this bylaw in the CD19 Zone, including the base density permitted by Section 10.24.3(1) and the additional density permitted by Section 10.24.3(2), together with the park dedication and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD19 Zone established by this bylaw.

10.24.12 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

CD19 ZONE MAP



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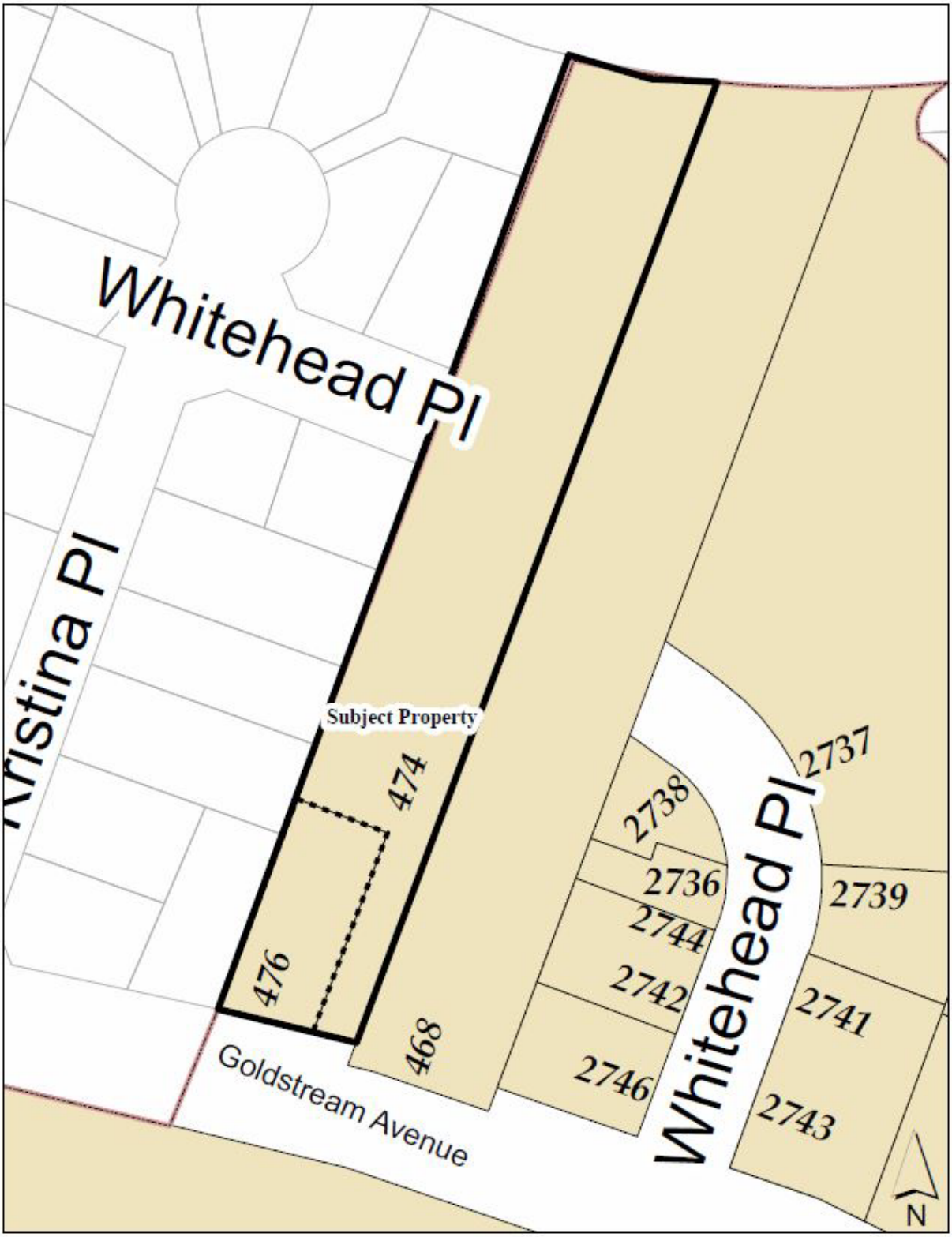
Whitehead Pl
Kristina Pl
Subject Property
474
476
468
Goldstream Avenue
Whitehead Pl
2737
2738
2736
2739
2744
2742
2741
2746
2743
N

10.25.1 Purpose

The purpose of this zone is to provide for the orderly development of lands at 594 Latoria Road in south Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and attainable housing contributions as contemplated by Section 904 of the *Local Government Act.*

10.25.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD20 Zone:
   a. Apartment dwelling units;
   b. Accessory buildings and structures;
   c. Home occupations – office use only;
   d. Sales centre not exceeding 180 m^2;
   e. Bakeries with a gross floor area of not more than 300 m^2 located on the ground floor only;
   f. Daycares located on the ground floor only;
   g. Indoor sports and recreation located on the ground and second floors only;
   h. Live/work studio on the ground and second floors only;
   i. Offices located on the ground floor only;
   j. Personal service located on the ground floor only;
   k. Post offices located on ground floor only;
   l. Premises licensed pursuant to the Liquor Control and Licensing Act located on the ground floor only;
   m. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes, on the ground floor only;
   n. Retail stores located on the ground floor only, excluding any establishment that is open to the public between the hours of 12:00 am to 6:00 am;
   o. Civic uses; and
   p. Accessory dwelling unit.

2. In the CD20 Zone the number of apartment dwelling units shall not exceed 1 per lot.

10.25.3 Comprehensive Development

1. Notwithstanding the restriction in Subsection 10.25.2 (2), the density of development in Section 10.25.4 is permitted in the CD20 Zone in accordance with Sections 10.25.4 through 10.25.12 if the Owner:
   a. contributes toward the Community Amenity Fund the amount of $1,900.50 per apartment dwelling unit, and for this purpose "community amenity" means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities;
   b. contributes $1,000 per apartment dwelling unit towards the Attainable Housing Fund;
   c. contributes $250 per apartment dwelling unit to the City Centre Fire Hall Fund;

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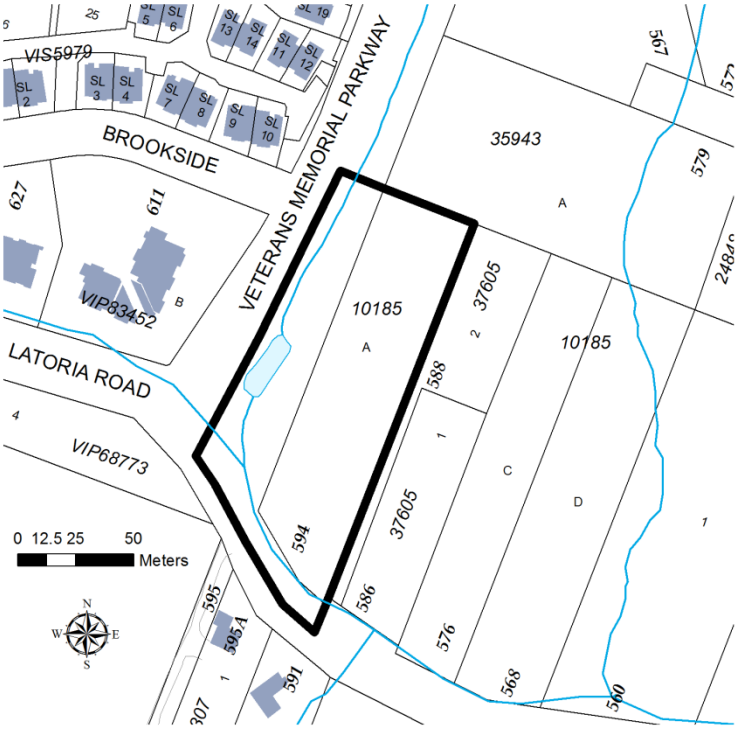
d. contributes $15,000 to the High-rise Fire Fighter Training Reserve Fund; and
e. contributes $270 per apartment dwelling unit towards the Latoria Neighbourhood Centre Public Art Fund.

2. Payments pursuant to paragraphs 10.25.3 (1)(a) and 10.25.3 (1)(e) shall be made at the time of building permit issuance.

CD20 ZONE MAP



10.25.4 Permitted Development

1. The number of apartment dwelling units in CD20 Zone shall not exceed 187.
2. The floor area ratio in the CD20 Zone shall not exceed 1.7.

10.25.5 Building Height

1. The maximum height of a building in the CD20 Zone shall not exceed eleven storeys or 37 m total height.

10.25.6 Yard Requirements

1. The minimum yard setback requirements for all buildings and structures in the CD20 Zone shall be as follows:

Front (Latoria Rd.)	15.0 m
Rear (North)	7.0 m
Side (East)	20.0 m
Side (Veterans Memorial Pkwy.)	5.0 m

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10.25.7 Lot Coverage

1. The maximum lot coverage in the CD20 Zone shall be 35%.

10.25.8 Building Separations

Minimum building separations shall be as follows:

1. Apartment building to apartment building: 7.0 m.

10.25.9 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment.

2. Landscape and screening areas will retain existing trees and native vegetation where feasible and add planting that enhances the natural environment.

3. Landscape and screening areas containing planting areas of native shrubs and trees not less than 1 m in width and decorative fencing.

10.24.10 Off-Street Parking

1. Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces for apartment dwelling units shall be 1.5 per apartment dwelling unit, of which 0.10 parking spaces per apartment dwelling unit shall be designated for visitor use only. Parking for accessory dwelling units shall be provided as per the Off-Street Parking Regulations Bylaw No. 1909.

10.25.11 Subdivision Requirements

1. Land in the CD20 Zone shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the *Land Title Act* allocating among the parcels created the density of development permitted by this bylaw in the CD20 Zone, including the base density permitted by Section 10.25.2 and the additional density permitted by Section 10.25.4, together with the attainable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD20 Zone established by this bylaw.

10.25.12 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.26.1 Purpose

The purpose of this zone is to provide for the orderly development of lands at 333 Wale Road in north Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and attainable housing contributions as contemplated by Section 904 of the Local Government Act.

10.26.2 Basic Development

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD21 Zone:
   a. Apartment dwelling units;
   b. Bakeries with a gross floor area of not more than 300 m^2;
   c. Civic uses;
   d. Daycares;
   e. Home occupations;
   f. Hotel;
   g. Indoor sports and recreation;
   h. Live/work studio;
   i. Offices;
   j. Personal service;
   k. Assembly and entertainment uses, limited to indoor movie theatres, auditoriums, billiard and pool halls, bowling alleys, catering establishments, dance and fitness studios, gymnasiums, martial arts studios, schools and assemblies for educational and philanthropic purposes;
   l. Post offices;
   m. Premises licensed pursuant to the Liquor Control and Licensing Act;
   n. Restaurants;
   o. Retail stores located on the ground floor only;
   p. Sales centre not exceeding 180m^2;
   q. Accessory dwelling unit and,
   r. Accessory buildings and structures
   s. Congregate Housing

2. In the CD21 Zone the number of apartment dwelling units shall not exceed 1 per lot.

10.26.3 Comprehensive Development

1. Notwithstanding the restriction in Subsection 10.26.2 (2), the density of development in Section 10.26.4 is permitted in the CD21 Zone in accordance with Sections 10.26.4 through 10.26.10 if the Owner:
   a. contributes toward the Community Amenity Fund the amount of $1,500 per apartment dwelling unit, and for this purpose “community amenity” means community buildings to house community services and service providers such as community health services, youth programs, community policing, fire protection, cultural facilities, community centre, recreational buildings and facilities, and other similar amenities;
   b. contributes $500 per apartment dwelling unit towards the Affordable Housing Fund;

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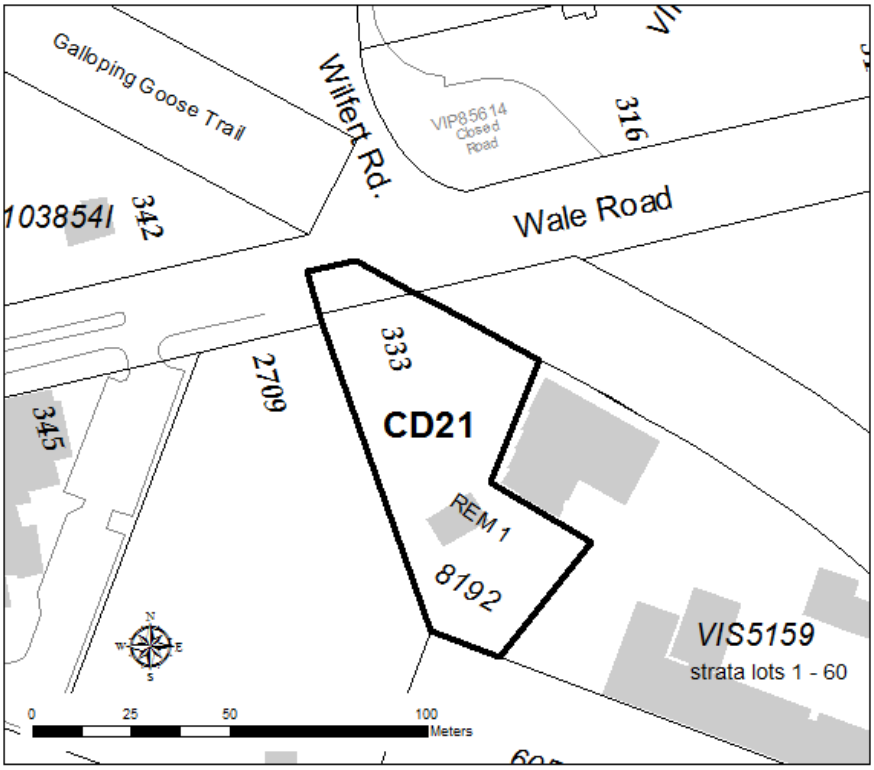
c. contributes $500 per apartment dwelling unit towards the City Centre Fire Hall Fund; and

2. Payments pursuant to paragraphs 10.26.3 (1)(a) through 10.26.3 (1)(d) shall be made at the time of building permit for each phase of construction.

CD21 ZONE MAP



10.26.4 Permitted Development

1. The floor area ratio in the CD21 Zone shall not exceed 2.3.

2. Any construction in the CD21 Zone creating more than one apartment dwelling unit shall also create a minimum of 1,100 m2 of commercial floor space located on any floor and a minimum of 900 m2 residential floor space made-up of not less than 8 dwelling units located on floors above the ground floor.

10.26.5 Building Height

1. The maximum height of a building in the CD21 Zone shall not exceed 15 m.

10.26.6 Yard Requirements

1. The minimum yard setback requirements for all buildings and structures in the CD21 Zone shall be as follows:

Front (Wale Rd.)	13.3 m
Rear (South)	3.7 m
Side (East)	2.2 m
Side (West)	4.5 m

10.26.7 Lot Coverage

1. The maximum lot coverage in the CD21 Zone shall be 35%.

10.26.8 Off-Street Parking

1. Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces for apartment dwelling units shall be 1.2 per apartment dwelling unit, of which 0.2 parking spaces per apartment dwelling unit shall be designated for visitor use only. Parking for accessory dwelling units shall be provided as per the Off-Street Parking Regulations Bylaw No. 1909

10.26.9 Subdivision Requirements

1. Land in the CD21 Zone shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the Land Title Act allocating among the parcels created the density of development permitted by this bylaw in the CD21 Zone, including the base density permitted by Section 10.26.2 and the additional density permitted by Section 10.26.4, together with the affordable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD21 Zone established by this bylaw.

10.26.10 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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10.27.1 Purpose

The purpose of this zone is to provide for the orderly development of lands at 3476 Wishart Road in Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and attainable housing contributions as contemplated by Section 482 of the Local Government Act.

10.27.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others shall be permitted in the CD22 Zone:
   a. Within that part of the lands identified as Area 1 on the CD22 Zone Map:
      i. Accessory buildings and structures;
      ii. Apartment dwelling units;
      iii. Home occupation – office use only;
      4.
   b. Within that part of the lands identified as Area 2 on the CD22 Zone Map:
      i. Accessory buildings and structures;
      ii. Apartment dwelling units;
      iii. Bakery, not exceeding 200 sq. m. in floor area;
      iv. Daycare;
      v. Home occupation – office use only;
      vi. Offices;
      vii. Personal service;
      viii. Restaurant; and
      ix. Retail stores (excluding any establishment that is open to the public between the hours of midnight to 6.00 a.m.).

   c. Within that part of the lands identified as Area 3 on the CD22 Zone Map:
      i. Accessory buildings and structures;
      ii. Accessory dwelling unit;
      iii. Apartment dwelling units;
      iv. Home occupation – office use only.

   d. Within that part of the lands identified as Area 4 on the CD22 Zone Map:
      i. Accessory buildings and structures;
      ii. Accessory dwelling unit;
      iii. Attached housing;
      iv. Home occupation – office use only.
      5.
   e. Within that part of the lands identified as Area 5 on the CD22 Zone Map:
      i. One-family dwelling;
      ii. Group Home Use;
      iii. Home occupation;
      iv. Not more than 2 boarders or lodgers in a dwelling unit provided that no Dwelling Unit shall be occupied by more than four unrelated persons;
      v. Accessory buildings and structures;

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vi. Secondary Suite;
vii. Accessory dwelling unit;
viii. Show homes; and
ix. Small-Scale Multi-Unit Housing.

f. Within that part of the lands identified as Park on the CD22 Zone Map:
i. Park and open space.

2. In the CD22 Zone the number of dwelling units shall not exceed 2.

10.27.3 Comprehensive Development

1. Notwithstanding Section 10.27.2(2), Area 3, 4 and 5 are subject to contributions to the Community Amenity Fund in the amount of $2,500 per dwelling unit in excess of two, a contribution to the Attainable Housing Fund in the amount of $2,500 per dwelling unit in excess of two , and a contribution of $30,000 toward a cross walk on Veterans' Memorial Parkway, at the time of subdivision or building permit, the permitted density shall be as outlined in section 10.27.4.

2. Notwithstanding Section 10.27.2(2), Area 1 is subject to contributions to the Community Amenity Fund in the amount of $2,000 per dwelling unit, at the time of subdivision or building permit, the permitted density shall be as outlined in section 10.27.4.

3. Notwithstanding Section 10.27.2(2), Area 2 is subject to contributions to the Community Amenity Fund in the amount of $2,500 per dwelling unit, at the time of subdivision or building permit, the permitted density shall be as outlined in section 10.27.4.

10.27.4 Density

1. The number of dwelling units in Area 1 on the CD22 Zone Map shall not exceed 180.

2. The number of dwelling units in Area 2 on the CD22 Zone Map shall not exceed 100 and the gross commercial floor area shall not exceed 1,394m^2.

3. The number of dwelling units in Area 3 on the CD22 Zone Map shall not exceed 48.

4. The number of dwelling units in Area 4 on the CD22 Zone Map shall not exceed 22.

5. The number of dwelling units in Area 5 on the CD22 Zone Map shall not exceed 24.

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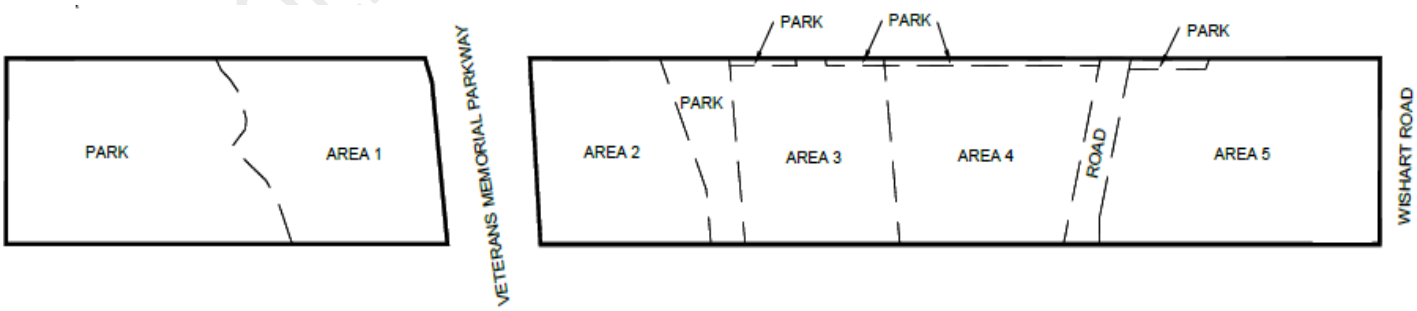
10.27.5 Regulatory Conditions

	Area 1	Area 2	Area 3	Area 4	Area 5
Minimum lot size	9,000m^2	8,500m^2	1,500m^2	1,000m^2	500m^2
Minimum lot frontage	20m	20m	20m	20m	16m
Minimum lot width	20m	20m	20m	20m	16m
Maximum lot coverage	30%	40%	70%	40%	40%
Maximum FSR	1.51	1.03	2.5	1.0	-
Maximum building height	19.5m	19.5m		8.5m	8.5m
Maximum number of storeys	Six storeys	Six storeys	Six Storeys		
Minimum yard requirements for principal buildings					
Minimum building separation	-	-	-	2.4m	-
front	7.5m	15m	7.5m	6m	6m
rear	1.2m	23m	7.5m	6m	6m
side	16m (North) 10m (South)	7.5m	5m	1.5m	1.2m
flanking street	-	-	5m	3m	3m

10.25.6 General

The relevant provisions of Division 2 of this Bylaw shall apply.

CD22 ZONE MAP



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10.29.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands at 3320 Metchosin Road and 3319 Painter Road in Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities and attainable housing contributions as contemplated by Section 904 of the *Local Government Act.*

10.29.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD24 Zone:
    a. Within that area of the lands identified as Area 1 on the CD24 Zone Map in section 10.29.11:
        i. Detached dwelling;
        ii. Home occupation;
        iii. Accessory buildings and structures;
        iv. Accessory dwelling unit;
        v. Show homes;
        vi. Secondary Suites; and
        vii. Small-Scale Multi-Unit Housing.

    b. Within that area of the lands identified as Area 2 on the CD24 Zone Map in Section 10.29.11:
        i. Apartment dwelling units;
        ii. Home occupations;
        iii. Live/work studios, limited to home office on the ground floor only;
        iv. Accessory buildings and structures; and
        v. Secondary Suites.

10.29.3 Permitted Base Development

1. In the CD24 Zone the number of dwelling units shall not exceed 1 per lot.

10.29.4 Comprehensive Development Conditions

1. Notwithstanding the restriction in Subsection 10.29.3 (1), the density of development in Section 10.29.5 is permitted in the CD24 Zone in accordance with Sections 10.29.4 through 10.29.11 if the Owner:
    a. contributes toward the Community Amenity Reserve Fund the amount of $2,500 per detached dwelling unit at the time of subdivision and $1,500 per apartment dwelling unit at the time of building permit in excess of 2 dwelling units on the lands;
    b. contributes $300 per apartment dwelling unit at the time of building permit in excess of 2 towards the City Beautification Fund for planting trees in Colwood; and
    c. contributes $6,000 to the Reserve Fund for street calming at the time of subdivision for traffic calming measures on Tipton Avenue and Owens Road.

10.29.5 Permitted Density

1. In Area 1 the total number of detached dwellings shall not exceed 9.

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2. In Area 2 the total number of apartment dwelling units shall not exceed 36 and the number of live/work studios shall not exceed 6.

10.29.6 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Area 1	**Area 2**
Minimum lot area	300 m^2	4,900 m^2
Minimum lot frontage	11.5 m	40 m
Minimum lot width	11.5 m	40 m
Maximum Floor Area Ratio (FAR)	0.70	0.80
Maximum building height	9.0 m	13.5 m
Maximum lot coverage	45%	30%
Minimum yard requirements for principal buildings		
Front	3.0 m	4.0 m
Rear	6.0 m	4.0 m
Side	1.2 m	3.0 m
Side Total	3.0 m	6.0 m
Rear yard requirement for garages	0.0 m min 1.0 m max	n/a

10.29.7 Building Separations

1. Minimum building separations in Area 2 shall be 6.0 m.

10.29.8 Usable Open Space

1. Not less than 10 percent of Area 2 shall be developed as usable open space.

10.29.9 Off-Street Parking

1. Despite Section Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces for apartment dwelling units shall be 1.5 per apartment dwelling unit, of which 0.2 parking spaces per apartment dwelling unit shall be designated for visitor use only.

10.29.10 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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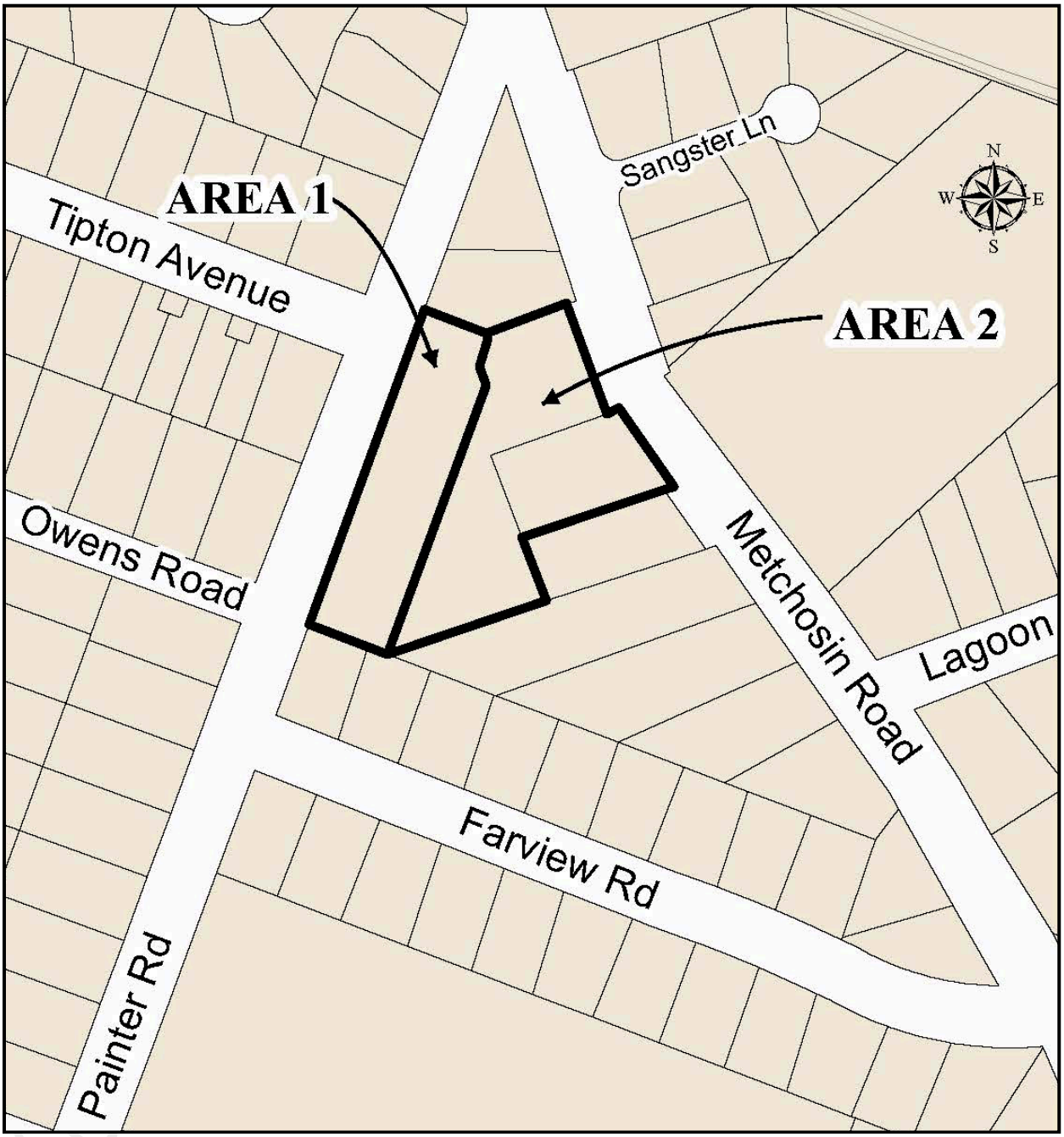
10.29.10 Map

CD24 ZONE MAP



10.30.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands at 2330 – 2344B Sooke Road in Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities contributions as contemplated by Section 482 of the *Local Government Act.*

10.30.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD25 Zone:
   a. Within that area of the lands identified as Area 1 on the CD25 Zone Map in section 10.30.11:
      i. Attached housing
      ii. Duplex
      iii. Home occupation; - office only
      iv. Accessory buildings and structures;
      v. Show homes;

   b. Within that area of the lands identified as Area 2 on the CD25 Zone Map in Section 10.30.11:
      i. Apartment
      ii. Home occupations - office only
      iii. Show homes

10.30.3 Permitted Base Development

1. In the CD25 Zone the number of dwelling units shall not exceed 3 per lot.

10.30.4 Comprehensive Development Conditions

1. Notwithstanding the restriction in Subsection 10.30.3 (1), the density of development in Section 10.30.5 is permitted in the CD25 Zone in accordance with Sections 10.30.4 through 10.30.11 if the Owner:
   a. contributes toward the Community Amenity Reserve Fund the amount of $2,500 per attached dwelling unit and $1,500 per apartment dwelling unit in excess of 3 dwelling units on the lands;
   b. contributes toward the Affordable Housing Reserve Fund the amount of $1,500 per dwelling unit in excess of 40 apartment dwelling units.

10.30.5 Permitted Density

1. In Area 1 the total number of attached dwellings shall not exceed 17.

2. In Area 2 the total number of apartment dwelling units shall not exceed 72.

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10.30.6 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

	Area 1	**Area 2**
Minimum lot area	6,000 m^2	5,000 m^2
Minimum lot frontage	30 m	30 m
Maximum Gross Floor Area (GFA) for any building		4800 m^2
Maximum building height	11 m	21 m
Maximum lot coverage	30 %	30 %
Minimum yard requirements for principal buildings		
Front	6.0 m	6.0 m
Rear	22 m	22 m
Side (east property boundary)	14 m	
Side (west property boundary)		7.5 m

10.30.7 Building Separations

1. Minimum building separations in Area 1 shall be 5.0 m. and in Area 2 shall be 18.0 m.

10.30.8 Natural Open Space

1. Not less than 40 percent of Area 1 and not less than 15 percent of Area 2 shall be developed as natural open space.

10.30.9 Off-Street Parking

1. Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces provided shall be:
   a. 1.5 per apartment dwelling unit,
   b. 1.0 per rental apartment dwelling unit
   c. 2.6 per attached dwelling unit

Within Area 1 & 2, of the required parking, 0.1 parking spaces per dwelling unit shall be designated for visitor use only.

10.30.10 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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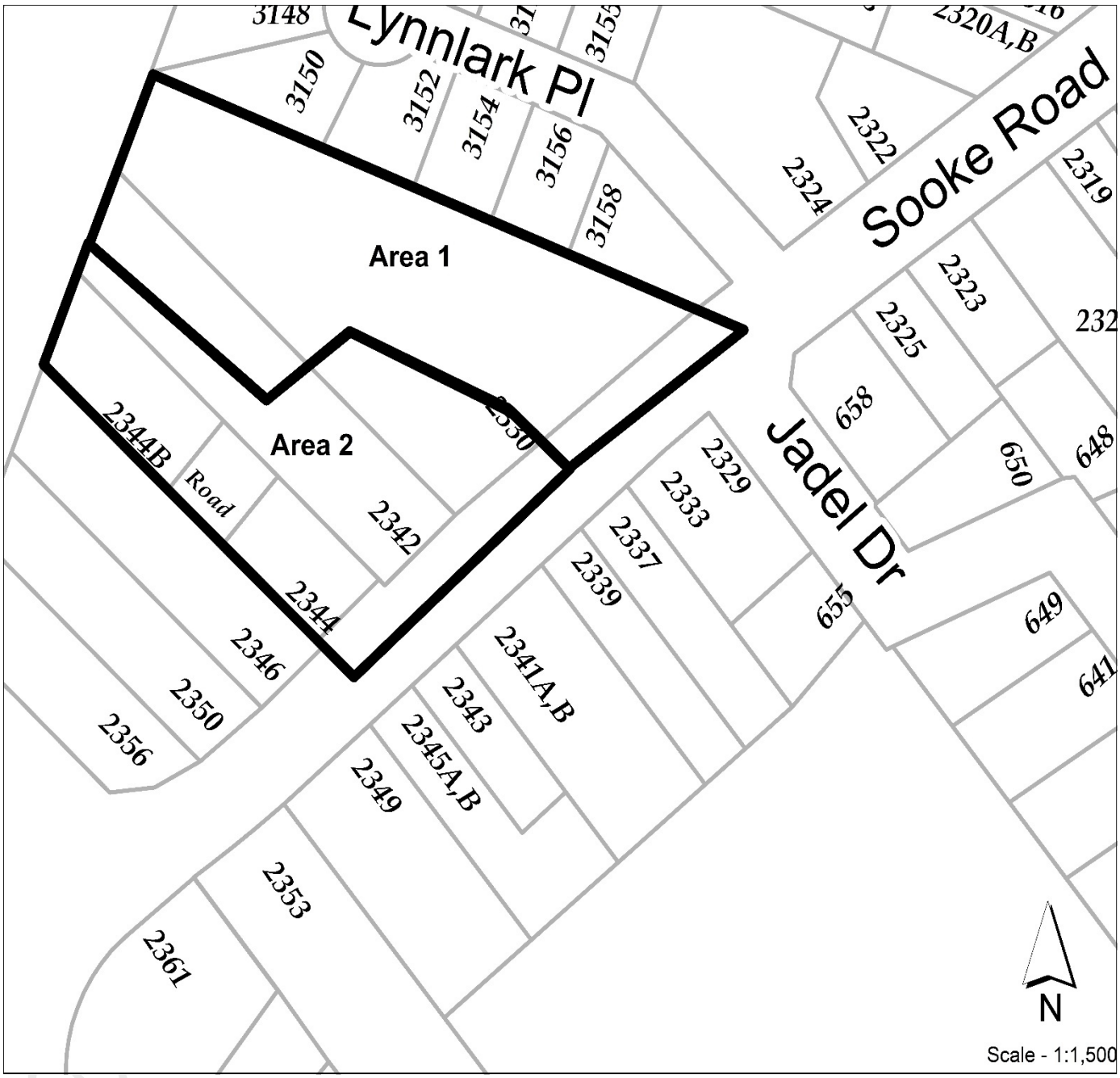
10.30.11 Zone Map

CD25 ZONE MAP



10.31.1 Purpose

The purpose of this zone is to provide for the orderly development of lands adjacent to Wishart Road in south Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenity contributions as contemplated by Section 482 of the *Local Government Act.*

10.31.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD26 Zone:
    a. Within that area of the lands identified as Area 1, 2, 3 and 4 on the CD26 Zone Map in section 10.31.12:
        1. One-family dwelling;
        2. Group Home Use;
        3. Home occupation;
        4. Not more than 2 boarders or lodgers in a dwelling unit provided that no Dwelling Unit shall be occupied by more than four unrelated persons;
        5. Accessory buildings and structures;
        6. Secondary Suite;
        7. Accessory dwelling unit;
        8. Show homes; and
        9. Small-Scale Multi-Unit Housing.

10.31.3 Permitted Base Development

1. In the CD26 Zone the number of dwelling units shall not exceed 2 per lot.

10.31.4 Comprehensive Development Conditions

1. Notwithstanding the restriction in Subsection 10.31.3 (1), the density of development in Section 10.31.5 is permitted in the CD26 Zone in accordance with Sections 10.31.4 through 10.31.10 if the Owner:
    a. Contributes toward the Community Amenity Reserve Fund of $2,500 per dwelling unit, in excess of two (2), and to the Affordable Housing Fund of $500 per dwelling unit, in excess of two (2).

10.31.5 Permitted Density

1. In Area 1 on the CD26 Zone Map the total number of dwelling units shall not exceed 4.

2. In Area 2 on the CD26 Zone Map the total number of dwelling units shall not exceed 2.

3. In Area 3 on the CD26 Zone Map the total number of dwelling units shall not exceed 3.

4. In Area 4 on the CD26 Zone Map the total number of dwelling units shall not exceed 3.

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10.31.6 Regulatory Conditions

1. Regulatory conditions shall be as shown on the following table:

	Area 1	Area 2	Area 3	Area 4
Maximum building height	Two Storeys	Two Storeys	Two Storeys	Two Storeys
Maximum lot coverage	40%	40%	40%	40%
Minimum yard requirements for principal buildings:				
Front	3	4.5	4.5	4.5
Rear	14	12	6	10
Side	1.5	1.5	1.5	1.5
Side Total	4.5	4.5	3.0	3.0
Flanking Street		3.0	3.0	

10.31.7 Setbacks

1. Front yard setback to a garage shall be a minimum of 6.0 m

10.31.8 Secondary Suites

1. Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, parking within a garage may be included in the site parking supply when determining compliance with the requirements of the Off-Street Parking Regulations Bylaw No. 1909 for secondary suites or accessory dwelling units within a one-family dwelling."

10.31.9 Landscaping

1. Not less than 35 % of the front yard of a lot shall be open space.

10.31.10 Subdivision Requirements

1. The minimum lot size that may be created by subdivision is 550 m2.

2. The minimum lot width that may be created by subdivision is 14m.

3. Land in the CD26 zone shall not be subdivided other than by building strata unless the owner grants to the City a covenant under s.219 of the Land Title Act allocating among the parcels created the density of development permitted by this bylaw in the CD26 Zone, including the base density permitted by Section 10.31.3 and the additional density permitted by Section 10.31.5, together with the attainable housing and amenity contributions required in relation to such additional density, such that the development of all of the subdivided parcels cannot exceed the overall limits for the CD26 zone established by this bylaw.

10.31.11 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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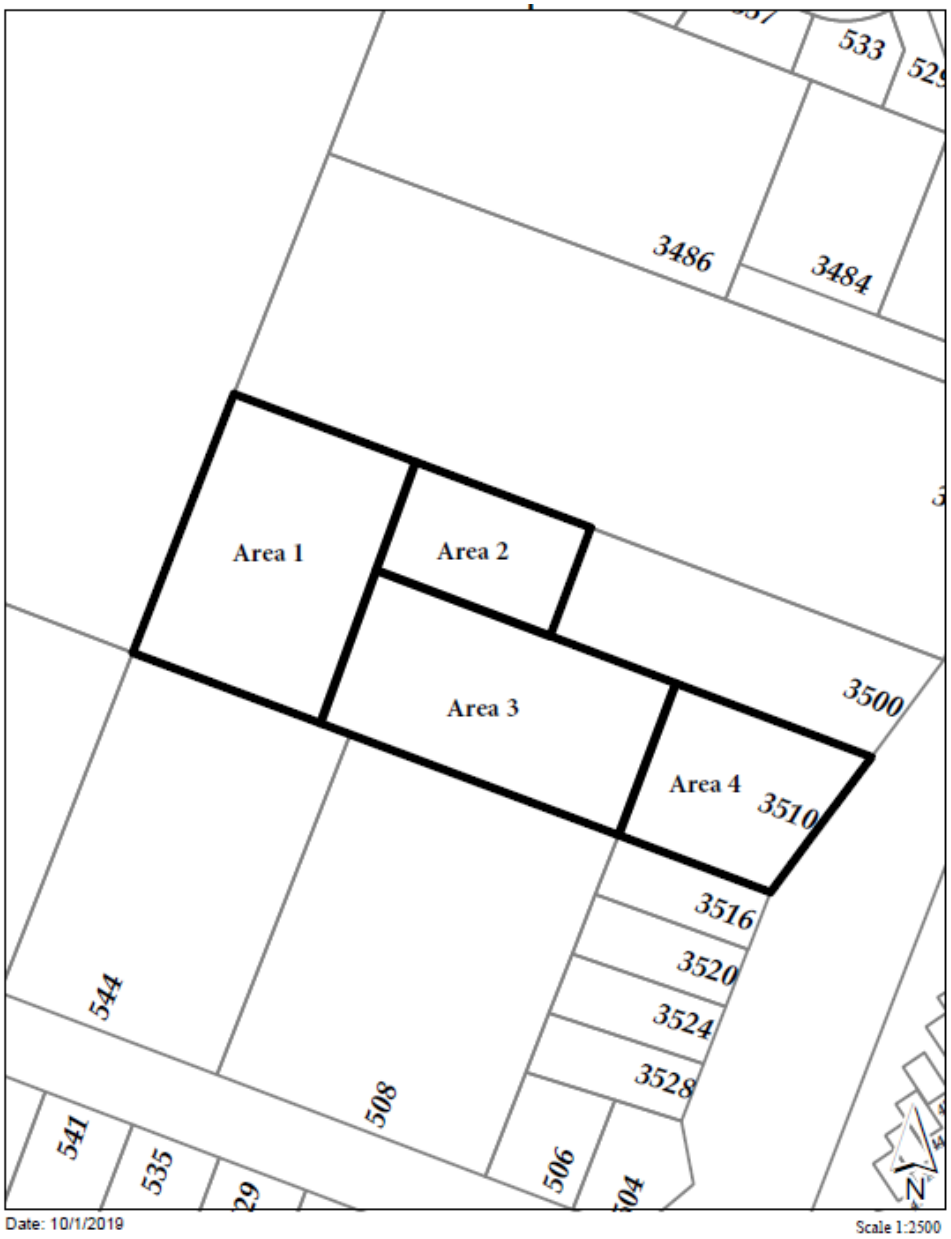
10.31.12 Map

CD 26 ZONE MAP



10.32.1 Purpose

The purpose of this zone is to provide for the orderly development of lands located between Jerome and Belmont Roads in Colwood's City Centre. A base level of development is provided for which would permit the development of the lands. Alternative regulations are specified for development at greater density, subject to the owner providing amenity contributions as contemplated by Section 482 of the Local Government Act.

10.32.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD27 Zone:
    a. Within that area of the lands identified as Area 1 on the CD27 Zone Map in section 10.32.13:
        1. Apartments;
        2. Apartment (Senior Citizens);
        3. Congregate Housing;
        4. Home occupation;
        5. Daycare; and
        6. Accessory buildings and structures.

10.32.3 Permitted Base Development/Density

1. In the CD27 Zone the Floor Area Ratio (FAR) shall not exceed 2.75.

10.32.4 Comprehensive Development Conditions

1. Notwithstanding the restriction in Subsection 10.32.3 (1), the density of development in Section 10.32.5 is permitted in the CD27 Zone in accordance with Sections 10.32.4 through 10.32.10 if the Owner:
    a. Contributes toward the Community Amenity Reserve Fund of $1,500 per dwelling unit; and
    b. Contributes to the Affordable Housing Fund of $500 per dwelling unit for each dwelling unit that exceeds BC Housing's Housing Income Limits (HIL's).

10.32.5 Regulatory Conditions

1. Regulatory conditions shall be as shown on the following table:

Maximum building height	55m
Maximum lot coverage	40%
Maximum FAR	2.75
Minimum yard requirements for buildings:	
Front	4
Side	5
Rear	1.5

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10.32.6 Landscaping

1. All portions of lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.

2. A minimum of 450m^2 of exterior open space shall be provided.

10.32.7 Subdivision Requirements

1. The minimum lot size that may be created by subdivision is 2500m^

10.32.8 Parking

1. Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of parking spaces shall be 0.6 stalls per affordable dwelling unit; of which 0.05 parking spaces per unit shall be designated for visitor use only.

2. Despite the Off-Street Parking Regulations Bylaw No. 1909, the required number of Class 1 bicycle parking spaces shall be 1.5 per dwelling unit.

10.32.9 General

1. The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

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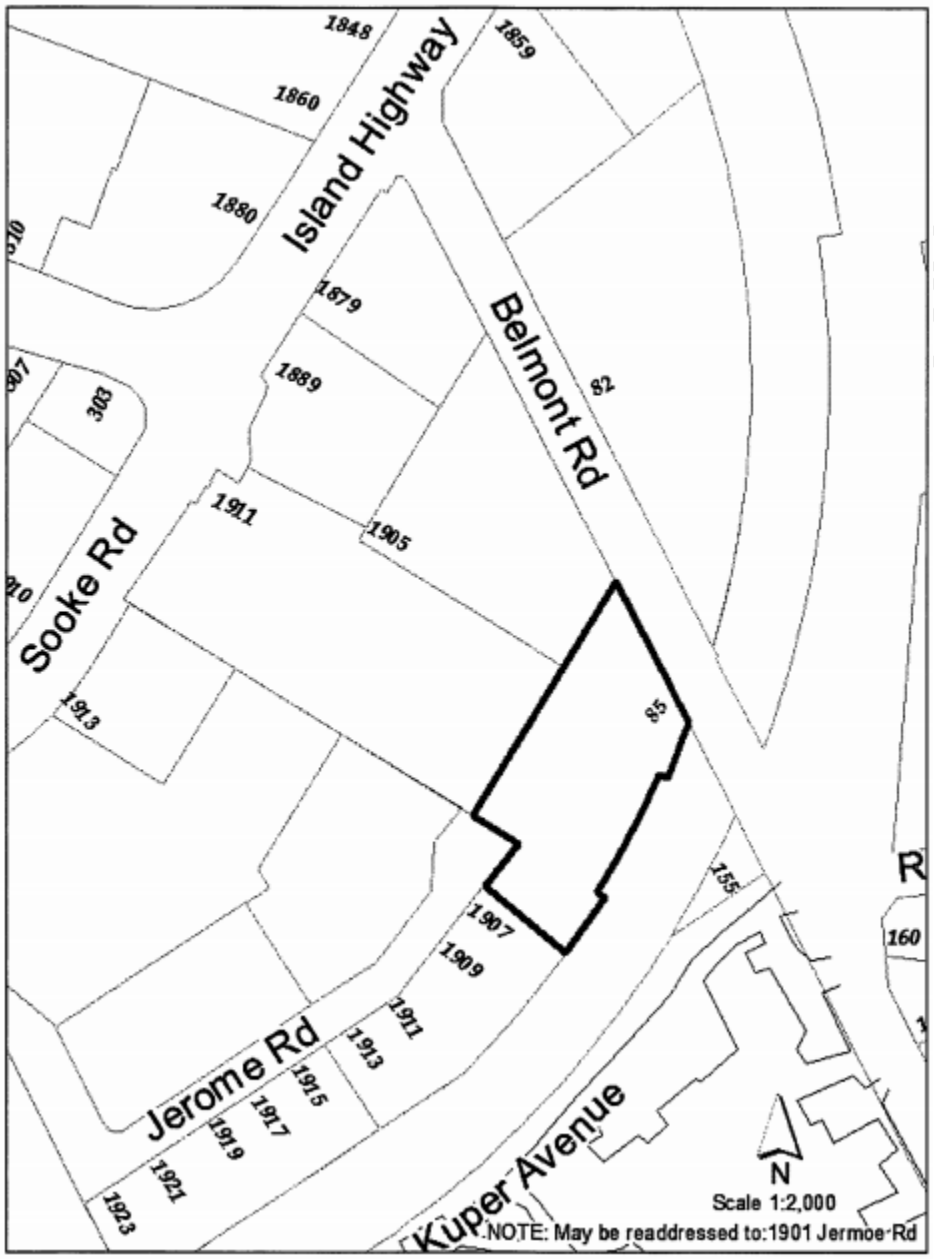
10.32.10 CD 27 Zone Map

Comprehensive Development 27(CD27) Jerome-Belmont Zone



10.33.1 Purpose

The purpose of the Comprehensive Development 28 (CD28} Zone (Latoria South) Is to provide for orderly development of the 'Quarry', 'Transition Zone', and 'Commons' within the Latoria South Sub-Area Plan in order to allow a range of residential. Institutional, commercial, and park land uses.

Subdivision layout and the form and character of development are addressed through development permit and subdivision application processes, Including the application of policies In the Latoria South Sub-Area Plan of the Royal Bay Area Plan as amended and policies and guidelines set out In the Official Community Plan.

In this Section 10.33, references to Areas are references to the areas shown as Areas 1 through 11 on The CD 28 Zone Map.

10.33.2 Permitted Uses

1. The total number of dwelling units permitted on lands shown on the CD28 Zone Map shall not exceed 2,600 dwelling units, excluding Congregate Housing and the total amount of permitted non-residential floor area excluding Health Care Facility and Treatment Centre or Nursing Home in Area 4 and Area 5A shall not exceed 40,000 m^2 in Areas 1,2,3,4,5,6,7,8 & 9.

2. No subdivision Is permitted except that the lands may be subdivided from time to time into one or more parcels so long as each such parcel represents the outer boundary of a sub area as shown on the CD28 Zone Map and the maximum density permitted by Section 10.33.2.1 is allocated to each of the parcel(s) created by the subdivision and the remaining lands of the CD28 Zone {as a whole), and Is further secured by the terms of a covenant granted to the City under section 219 of the *Land Title Act*.

3. In addition to the uses permitted by Section 2.1.10, the following Principal Uses and no others are permitted in CD 28 Zone:
    a) Within that area of land identified as Area 1 in the CD 28 Zone on the CD 28 Zone map:
        i. Apartments
        ii. Apartment (Senior Citizens)
        iii. Assembly and Entertainment Uses
        iv. Bakery, not exceeding 200 m^2 in floor area
        v. Brewhouse
        vi. Colleges, Universities and Trade Schools
        vii. Daycare
        viii. Eating and Drinking Establishment
        ix. Grocery Store
        x. Home Occupation for office use only
        xi. Liquor Retail Store
        xii. Office, Financial
        xiii. Office, Medical
        xiv. Office, Professional
        xv. Personal Service
        xvi. Pet Daycare
        xvii. Presentation Centre

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xviii. Public Building
xix. Retail Store

b) Within that area of land identified as Area 2 in the CD 28 Zone on the CD 28 Zone map:
i. Apartments
ii. Apartment (Senior Citizens)
iii. Assembly and Entertainment Uses
iv. Attached Housing
v. Bakery, not exceeding 200 m^2 in floor area
vi. Colleges, Universities and Trade Schools
vii. Congregate Housing
viii. Daycare
ix. Eating and Drinking Establishment
x. Home Occupation for office use only
xi. Nursing Home
xii. Office, Financial
xiii. Office, Medical
xiv. Office, Professional
xv. Personal Service
xvi. Pet Daycare
xvii. Presentation Centre
xviii. Public Building
xix. Retail Store

c) Within that area of land identified as Area 3 in the CD 28 Zone on the CD 28 Zone map:
i. Apartments
ii. Apartment (Senior Citizens)
iii. Assembly and Entertainment Uses
iv. Congregate Housing
v. Eating and Drinking Establishment
vi. Home Occupation for office use only
vii. Nursing Home
viii. Office, Financial
ix. Office, Medical
x. Office, Professional
xi. Personal Service
xii. Presentation Centre

d) Within that area of land identified as Area 4 in the CD 28 Zone on the CD 28 Zone map:
i. Apartments
ii. Apartment (Senior Citizens)
iii. Assembly and Entertainment Uses
iv. Attached Housing
v. Bakery, not exceeding 200 m^2 in floor area
vi. Civic Use
vii. Colleges, Universities and Trade Schools
viii. Congregate Housing, including visitor short-term stay suites
ix. Eating and Drinking Establishment
x. Health Care Facility and Treatment Centre (public or private)
xi. Home Occupation for office use only
xii. Nursing Home

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xiii. Office, Financial
xiv. Office, Medical
xv. Office, Professional
xvi. Personal Service
xvii. Presentation Centre

e) Within that area of land identified as Area 5 in the CD 28 Zone on the CD 28 Zone map:
i. Animal hospital provided no overnight kenneling
ii. Assembly and Entertainment Uses
iii. Artist Studio
iv. Bakery, not exceeding 200 m2 in floor area
v. Brewhouse
vi. Brewery / Distillery
vii. Colleges, Universities and Trade Schools
viii. Congregate Housing, including visitor short-term stay suites
ix. Day Care
x. Eating and Drinking Establishment
xi. Health Care Facility and Treatment Centre (public or private)
xii. Limited light industries, including testing, servicing and repair but excluding manufacturing, processing or assembly.
xiii. Live/Work Studio
xiv. Nursing Home
xv. Office, Medical
xvi. Office, Professional
xvii. Personal Service
xviii. Pet Daycare
xix. Presentation Centre
xx. Printing & Publishing
xxi. Scientific or Technological Research Facility

f) Within that area of land identified as Area 6 in the CD28 Zone on the CD28 Zone map:
i. Animal hospital provided no overnight kenneling
ii. Assembly and Entertainment Uses
iii. Artist Studio
iv. Bakery, not exceeding 200 m2 in floor area
v. Brewhouse
vi. Brewery / Distillery
vii. Colleges, Universities and Trade Schools
viii. Day Care
ix. Eating and Drinking Establishment, excluding drive-thru
x. Live/Work Studio
xi. Office, Financial
xii. Office, Medical
xiii. Office, Professional
xiv. Personal Service
xv. Pet Daycare
xvi. Presentation Centre
xvii. Printing & Publishing
xviii. Retail Store
xix. Scientific or Technological Research Facility
xx. Service Station and car wash

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g) Within that area of land identified as Area 7 in the CD 28 Zone on the CD 28 Zone map:

i. Apartments
ii. Apartment (Senior Citizens)
iii. Assembly and Entertainment Uses
iv. Attached Housing
v. Bakery, not exceeding 200 m^2 in floor area
vi. Congregate Housing
vii. Eating and Drinking Establishment
viii. Home Occupation for office use only
ix. Nursing Home
x. Office, Financial
xi. Office, Medical
xii. Office, Professional
xiii. Personal Service
xiv. Presentation Centre
xv. Public Building
xvi. Retail Store

h) Within that area of land identified as Area 8 in the CD 28 Zone on the CD 28 Zone map:

i. Apartments
ii. Apartment (Senior Citizens)
iii. Assembly and Entertainment Uses
iv. Attached Housing
v. Bakery, not exceeding 200m^2 in floor area
vi. Colleges, Universities and Trade Schools
vii. Congregate Housing
viii. Eating and Drinking Establishment
ix. Home Occupation for office use only
x. Office, Financial
xi. Office, Medical
xii. Office, Professional
xiii. Personal Service
xiv. Presentation Centre
xv. Public Building

i) Within that area of land identified as Area 9 in the CD 28 Zone on the CD 28 Zone map:

i. Apartments
ii. Apartment (Senior Citizens)
iii. Assembly and Entertainment Uses
iv. Attached Housing
v. Colleges, Universities and Trade Schools
vi. Congregate Housing
vii. Eating and Drinking Establishment
viii. Home Occupation for office use only
ix. Museum
x. Nursing Home
xi. Office, Medical
xii. Office, Professional
xiii. Personal Service
xiv. Presentation Centre

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xv. Public Building
xvi. Scientific or Technological Research Facility

j) Within that area of land identified as Area 10 in the CD 28 Zone on the CD 28 Zone map:
i. Attached Housing
ii. Accessory Dwelling Unit
iii. Boarding and Lodging
iv. Home Occupation
v. One-family dwelling
vi. Secondary suites
vii. Two-family dwelling
viii. Presentation Centre
ix. Public Building
x. Small-Scale Multi-Unit Housing

k) Within that area of land identified as Area 11 in the CD 28 Zone on the CD 28 Zone map:
i. Animal Hospital (no outdoor signage)
ii. Apartments
iii. Apartment (Senior Citizens)
iv. Assembly and Entertainment Uses
v. Artist Studio
vi. Attached Housing
vii. Bakery
viii. Brewhouse
ix. Brewery/Distillery
x. Church
xi. Civic Use
xii. Colleges, Universities and Trade Schools
xiii. Daycare
xiv. Eating and Drinking Establishment
xv. Health Care Facility and Treatment Centre (public or private)
xvi. Hotel
xvii. Limited light industries, including testing, servicing and repair but excluding manufacturing, processing or assembly
xviii. Liquor retail store
xix. Live/Work Studio
xx. Media Related Establishment
xxi. Office, Financial
xxii. Office, Medical
xxiii. Office, Professional
xxiv. One-Family dwelling
xxv. Personal Service
xxvi. Pet Daycare
xxvii. Public Building
xxviii. Retail Store
xxix. Scientific or Technological Research Facility
xxx. Mini-storage Warehouse

10.33.3 Base Development

1. The number of dwelling units permitted in each of Areas 1, 2, 3,4,7, 8, 9, 10, and 11 shall not exceed 3.

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2. In Area 10, no more than one one-family or two-family dwelling shall be permitted on a lot.

10.33.4 Comprehensive Development

1. Notwithstanding Section 10.33.3, the density of development in Section 10.33.5 is permitted in Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 on the lands shown on the CD28 Zone Map if the Owner:
   a. Contributes to the Affordable Housing Fund $500 per additional residential unit;
   b. Contributes to the Community Amenity Fund $2,500 per additional dwelling unit for a one-family, two-family, or an attached housing and $1,500 per additional dwelling unit for an apartment; and
   c. Contributes to the Fire Hall Fund $525 per additional dwelling unit.

2. Notwithstanding Section 10.33.3, the density of development in Section 10.33.5 is permitted in Area 11, on the lands shown on the CD28 Zone Map if the Owner:
   a. Contributes to the Affordable Housing Fund $1,500 per additional residential unit;
   b. Contributes to the Community Amenity Fund $7,500 per additional dwelling unit for attached housing and $4,500 per additional dwelling unit for an apartment; and
   c. Contributes to the Fire Hall Fund $604 per additional dwelling unit.

3. All dollar amounts referred to in Section 10.33.4.1. and Section 10.33.4.2 shall be increased annually effective on January 1 of each calendar year in which this bylaw Is adopted by the amount of the Consumer Price Index (CPI).

4. Payment of the contributions in Section 10.33.4.1 and section 10.33.4.2 shall be made at the time of approval of the subdivision creating the lot on which the dwelling unit or dwelling units are permitted to be constructed or in the case of attached housing or apartments at the time of issuance of a building permit.

10.33.5 Development Regulations

1. Within Area 1 of the CD28 Zone:
   a. No single building footprint shall exceed 2,000m^2 of contiguous gross leasable floor area, with the exception of a grocery store which may not exceed a gross leasable floor area of 4,000m^2
   b. Professional Office and Medical Office uses are prohibited on the first storey of a mixed use building fronting a street.
   c. No parking, except for passenger pick up and drop off, is permitted to be sited between a building and the property line of the Fronting Street.

   d. Surface parking to have a minimum 1.0 m landscape strip between the parking area and the property line.

   e. Regulations Table:

Regulation	General / Mixed Use	Apartments
Minimum Lot Area	1,800m^2	1,800m^2
Minimum Lot Width	20.0m	18.0m
Floor Area Ratio	1.2	2.0
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking

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Minimum Open Site Space	10%	10%
Maximum Building Height	12m	15m
Maximum Accessory Buildings and Structures Height	4.5m	4.5m
Minimum Building Setbacks		
Fronting Street	4.5m for buildings 2.0m for patios and attached structures	4.5m for buildings 2.0m for patios and attached structures
Setbacks from all other streets	1.5m	1.5m
Side	N/A	
Rear	N/A	

2. Within Area 2 of the CD28 Zone
   a. Assembly and Entertainment Uses, Bakeries, Eating and Drinking Establishments, Personal Services, Pet Daycares, and Retail Stores are the only permitted uses on the first storey of any building fronting the Northern parcel line of Area 2 except that offices may be permitted on the first storey of a mixed use building fronting the Northern parcel line of Area 2 in accordance with Section 10.33.5 (2b).
   b. Professional Office and Medical Office uses are prohibited on the first storey of a mixed use building fronting a street. Except that along Commons Road, Professional Office and Medical Office uses are permitted on the first storey of a mixed use building fronting the street up to a maximum area of 50% of the total ground floor area of leasable space in the mixed use building."
   c. No parking, except for passenger pick up and drop off, is permitted to be sited between a building and the property line of the Fronting Street.
   d. Regulations Table:

Regulation	General / Mixed Use	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	1,800m^2
Minimum Lot Width	20.0m	18.0m	17.0m
Floor Area Ratio	3.0	2.5	1.0
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%
Minimum Open Site Space	10%	10%	10%
Maximum Building Height	15m	24m	12.5m
Maximum Accessory Buildings and Structures Height	4.5m	4.5m	4.5m
Minimum Building Setbacks			
Fronting Street	2.0m	3.0m first 4 floors 4.5m above 4 floors	3.0m with rear lane access 6.0m to garage / carport face
Side	3.0m	3.0m	1.2m
Exterior Side	1.0m	3.0m first 4 floors 4.5m above 4 floors	3.0m
Rear	3.0m	6.0m	6.0m

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3. Within Area 3 of the CD28 Zone:
   a. Professional Office and Medical Office uses are prohibited on the first storey of a mixed use building fronting a street.
   b. No parking, except for passenger pick up and drop off, is permitted to be sited between a building and the property line of the Fronting Street.
   c. Regulation Table:

Regulation	General / Mixed Use	Apartments
Minimum Lot Area	1,800m^2	1,800m^2
Minimum Lot Width	20.0m	18.0m
Floor Area Ratio	3.0	3.5
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking
Minimum Open Site Space	10%	10%
Maximum Building Height	24m	39m
Maximum Accessory Buildings and Structure Height	4.5m	4.5m
Minimum Building Setbacks		
Fronting Street	4.5m	4.5m
Side	3.0m	3.0m
Exterior Side	1.0m	3.0m first 4 floors 4.5m above 4 floors
Rear	3.0m	6.0m

4. Within Area 4 of the CD28 Zone:
   a. No parking, except for passenger pick up and drop off, is permitted to be sited between a building and the property line of the Fronting Street.
   b. Regulation Table:

Regulation	General / Mixed Use	Congregate Housing / Health Care Facility and Treatment Centre	Apartments
Minimum Lot Area	1,800m^2	1,800m^2	1,800m^2
Minimum Lot Width	20.0m	20.0m	18.0m
Floor Area Ratio	3.0	3.0	2.5
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50% 80% for underground parking
Minimum Open Site Space	10%	10%	10%
Maximum Building Height	24.0m	26.0m or 6 storeys	24m
Maximum Accessory Buildings and Structures Height	4.5m	4.5m	4.5m
Minimum Building Setbacks			
Fronting Street	3.0m	3.0m first 4 floors 4.5m above 4 floors	3.0m first 4 floors 4.5m above 4 floors

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Side	3.0m	3.0m	3.0m
Exterior Side	3.0m	3.0m first 4 floors 4.5m above 4 floors	3.0m first 4 floors 4.5m above 4 floors
Rear	3.0m	6.0m	6.0m

c. Notwithstanding the Development Regulations in Section 10.33.5.4.b and the definition of "Height" in Section 1.2, where a Heath Care Facility and treatment Centre is proposed for Area 4, the "Height" means the vertical distance from the average finished grade at the perimeter of a building or structure to the highest point of the structure or structural parts that project above the level of the roof.

d. Notwithstanding the Development Regulations in Section 10.33.5.4.b and Section 2.1.08 Height of Buildings and Structures, where a Health Care Facility and Treatment Centre is proposed for Area 4, the area of buildings and structures including cooling towers, elevator, ventilating machinery penthouses shall not cover more than 12% of the roof area of the principal building.

5. Within Area 5 of the CD28 Zone:

a. A retail sales area for any business shall not exceed 25% of the Gross Floor Area.

b. Permitted uses shall manage its operations to not be noxious or offensive to any adjacent property or the general public by reason of emitting odours or noise.

c. Regulation Table:

	Area 5	
Regulation	**General**	**Care Facility**
Minimum Lot Area	1,800 m^2	1,800 m^2
Minimum Lot Width	20.0 m	20.0 m
Floor Area Ratio	2.0	3.0
Maximum Lot Coverage	50%	50% 80% for underground parking
Minimum Open Site Space	10%	10%
Maximum Building Height	15 m	26.0 m or 6 storeys
Maximum Accessory Buildings and Structures Height	4.5 m	4.5 m
Minimum Building Setbacks		
Front	3.0 m	3.0 m first 4 floors 4.5m above 4 floors
Side	3.0 m	3.0 m
Exterior side	3.0 m	3.0 m first 4 floors 4.5m above 4 floors
Rear	6.0 m	6.0 m

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6. Within Area 6 of the CD28 Zone:
   a. Permitted uses shall manage its operations to not be noxious or offensive to any adjacent property or the general public by reason of emitting odours or noise.
   b. Regulation Table:

Regulation	**General**
Minimum Lot Area	1,800m^2
Minimum Lot Width	20.0m
Floor Area Ratio	1.0
Maximum Lot Coverage	50%
Minimum Open Site Space	10%
Maximum Building Height	15m
Maximum Accessory Buildings	4.5m
Minimum Building Setbacks	
Front	3.0m
Side	3.0m
Exterior Side	3.0m
Rear	6.0m

   c. Notwithstanding the Development Regulations in Section 10.33.5.6.b, the minimum building setbacks for Service Stations are as follows:
      1. A front yard shall be provided of not less than 7.5 m in depth provided, however, that if the area between the front building line and the front lot line exclusive of access driveways is landscaped, the required front yard shall be not less than 4.5 m in depth.
      2. Where a lot is not serviced by a rear access highway, a side yard of 4.5 m in width shall be provided on at least one side of the lot.
      3. Where a lot abuts a lot in a Residential Zone or a Multiple Family Zone a side yard shall be provided of not less than 6 m in width.
      4. On a corner lot, a side yard of not less than 7.5 m in width shall be provided adjoining a flanking street provided, however, that if the area between the building and the side lot line exclusive of access driveways is landscaped, the required side yard shall not be less than 4.5m.

7. Within Area 7 of the CD28 Zone:
   a. **Professional Office** and **Medical Office** uses are prohibited on the first storey of a mixed-use building fronting a street.
   b. No parking, except for passenger pick up and drop off, is permitted to be sited between a building and the property line of the **Fronting Street**.
   c. Regulation Table:

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Regulation	General / Mixed Use	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	1,800m^2
Minimum Lot Width	20.0m	18.0m	17.0m
Floor Area Ratio	3.0	2.0	1.0
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%
Minimum Open Site Space	10%	10%	10%
Maximum Building Height	15m	15m	12.5m
Maximum Accessory Buildings and Structures Height	4.5m	4.5m	4.5m
Minimum Building Setbacks			
Fronting Street	4.5m for buildings 2.0m for patios and attached structures	4.5m	3.0m with rear lane access 6.0m to garage/carport face
Side	3.0m	3.0m	1.2m
Exterior Side	1.0m ground floors 3.0m upper floors	3.0m	3.0m
Rear	3.0m	6.0m	6.0m

8. Within Area 8 of the CD28 Zone:
   a. **Professional Office** and **Medical Office** uses are prohibited on the first storey of a mixed-use building fronting a street.
   b. No parking, except for passenger pick up and drop off, is permitted to be sited between a building and the property line of the Fronting Street.
   c. Regulation Table:

Regulation	General / Mixed Use	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	1,800m^2
Minimum Lot Width	20.0m	18.0m	17.0m
Floor Area Ratio	3.0	2.0	1.0
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%
Minimum Open Site Space	10%	10%	10%
Maximum Building Height	15m	15m	12.5m
Maximum Accessory Buildings and Structures Height	4.5m	4.5m	4.5m
Minimum Building Setbacks			
Fronting Street	1.0m ground floor 3.0m upper floors	4.5m	3.0m with rear lane access 6.0m to garage/carport face
Side	3.0m	3.0m	1.2m

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Exterior Side	1.0m ground floors 3.0m upper floors	3.0m	3.0m
Rear	3.0m	6.0m	6.0m

9. Within Area 9 of the CD28 Zone:
   a. Professional Office and Medical Office uses are prohibited on the first storey of a mixed-use building fronting a street.
   b. Regulation Table:

Regulation	General / Mixed Use	Museum / Scientific or Technological Research Facility	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	1,800m^2	1,800m^2
Minimum Lot Width	20.0m	20.0m	18.0m	17.0m
Floor Area Ratio	2.0	1.0	2.0	1.0
Maximum Lot Coverage	50% 80% for underground parking	50%	50% 80% for underground parking	50%
Minimum Open Site Space	10%	10%	10%	10%
Maximum Building Height	15m	15m	15m	12.5m
Maximum Accessory Buildings and Structures Height	4.5m	4.5m	4.5m	4.5m
Minimum Building Setbacks				
Fronting Street	1.0m ground floor 3.0m upper floors	4.5m	4.5m	3.0m with rear lane access 6.0m to garage/carport face
Side	3.0m	3.0m	3.0m	1.2m
Exterior Side	1.0m ground floors 3.0m upper floors	3.0m	3.0m	3.0m
Rear	3.0m	6.0m	6.0m	6.0m

10. Within Area 10 of the CD28 Zone:
   a. The boarding and lodging use permitted in this zone is limited to the accommodation of up to two boarders or lodgers in a dwelling unit, and not more than four unrelated persons may occupy any such dwelling.
   b. Regulation Table:

Regulation	One-Family Dwelling	Two-family dwelling	Attached Housing	Public Buildings
Minimum Lot Area	278m^2	370m^2	1,800m^2	n/a
Minimum Lot Width	9.0m 7.5m for rear lane access	11.0m	17.0m	n/a

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Floor Area Ratio	n/a	n/a	1.0	n/a
Maximum Lot Coverage	50%	50%	50%	40%
Maximum Building Height	9.5m	9.5m	12.5m	14.0m
Maximum Accessory Buildings and Structures Height	4.5m 7.0m for Accessory Dwelling Unit	4.5m 7.0m for Accessory Dwelling Unit	4.5m 7.0m for Accessory Dwelling Unit	4.5m
Minimum Building Setbacks				
Fronting Street	4.5m 3.0m with rear lane access 6.0m to garage / carport face	4.5m 3.0m with rear lane access 6.0m to garage / carport face	3.0m with rear lane access 6.0m to garage / carport face	7.5m
Side	1.2m	1.2m	1.2m	6.0m
Exterior Side	3.0m	3.0m	3.0m	7.5m
Rear – Principal Building	6.0m	6.0m	6.0m	10.0m
Rear – Accessory Building	s.2.1.06	s.2.1.06	s.2.1.06	10.0m

11. Within Area 11 of the CD28 Zone:
    a. No single building footprint shall exceed 3,000m^2
    b. All retail sales are for any industrial use, light, business shall not exceed 25% of the Gross Floor Area
    c. A minimum of 10% Gross Floor Area is required for non-residential uses within Mixed use buildings
    d. No parking, except for passenger pick up and drop off is permitted to be sited between a building and the property line of any Fronting Street
    e. Excluding underground parking, the combined area of Parking, Loading and Access Aisles shall not constitute more than 50% of the area of the lot on which they are situated
    f. A minimum of 10% of lot coverage shall be provided as landscape cover
    g. All refuse removal areas and recycling containers must be within interior side yard setbacks to a minimum of 1.5 meters and screened from adjacent properties and streets. Area must be gated to a minimum height of 2.0 by a landscape screen or solid decorative fence or combination thereof
    h. All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means
    i. Permitted uses shall manage its operations to not be noxious or offensive to any adjacent property or the general public by reason of emitting odours, noise or excessive dust.
    j. Regulations Table:

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Regulation	General / Mixed Use	Apartments	Attached Housing	One and Two family dwellings
Minimum Lot Area	1,500m²	1,200m²	1,000m²	278m² – One family 370m² – Two family
Minimum Lot Width	20.0m	18.0m	17.0m	9m – One family *7.5m for rear lane access 11m – Two family
Floor Area Ratio	3.0	2.0	1.2	n/a
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%	50%
Minimum Open Site Space	10%	10%	10%	n/a
Maximum Building Height	22m	22m	12.5m	9.5m
Maximum Accessory Buildings and Structures Height	4.5m (see S.2.1.0.6)	4.5m (see S.2.1.06)	4.5m (S.2.1.06) 7.0m for Accessory Dwelling Unit	4.5m (see S.2.1.06) 7.0m for Accessory Dwelling Unit
Minimum Building Setbacks				
Fronting Street	2.0m Commercial 3.0m at grade Residential	3m	4.5m 3.0m with rear lane	3m with rear lane access 6m to garage/carport face
Side	0m abutting commercial uses, 3m for residential uses	3.0m	3.0m	1.2m
Exterior Side	3.0m	4.5m	3.0m	3.0 m
Rear	4.5m	4.5m	6.0m	6.0 m

10.33.6 Subdivision of Two-Family Dwelling and Attached Housing

1. A lot on which a two-family dwelling or attached housing has been constructed may be subdivided under the Land Title Act such that each dwelling is on a separate fee simple lot, provided that such separate lot has a minimum lot width of at least 6.0 m and a minimum lot area of at least 185 m^2 in the case of a two-family dwelling, or a minimum lot width of at least 5.0 m and a minimum lot area Of at least 150 m^2 in the case of attached housing.

   The minimum side yard setbacks in Section 10.33.5 do not apply, in the case of a two-family dwelling, attached housing or accessory building, in relation to a side lot line on which a party wall has been constructed or is proposed to be constructed.

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10.33.7 Off-street Parking Requirements

1. Parking requirements for residential, one-family dwellings including two-family dwellings shall meet the parking standards in Bylaw 1909.

2. Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, the minimum off-street parking requirements for attached housing and apartment residential uses in Areas 1, 2, 3, 4, 5, 6, 7, 8, and 9 of the CD28 Zone shall be as follows:

    a. Bachelor - 0.8 spaces per dwelling unit
    b. One-bedroom - 1.0 spaces per dwelling unit
    c. Two-bedroom - 1.3 spaces per dwelling unit
    d. Three-bedroom or greater - 1.5 spaces per dwelling unit
    e. Visitor parking - 0.15 spaces per dwelling unit

3. Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, the minimum parking requirements for commercial uses in Areas 1, 2, 3, 4, 5, 6, 7, 8, and 9 of the CD28 Zone shall be as follows:
    a. Retail Store including Grocery Store- 0.43 spaces per 10m2 of gross floor area
    b. Office- 0.28 spaces per 10m2 of gross floor area
4. A vehicle parking area or vehicle parking space must be surfaced with asphalt, concrete pavers, or permeable material that provides a durable surface.

10.33.8 Landscaping

1. Landscaping of front and side street setbacks or all that portion of the lot lying between any building setback line and the street or streets bordering the lot shall be graded and landscaped, provided that this section shall not apply to any portion of the lot that is used or Intended to be used only for the movement of motor vehicles.

10.33.9 Other Regulations

1. The relevant provisions of Divisions 1 and 2 of this Bylaw shall apply. In the case of a conflict between the provisions of Divisions 1 and 2 and the provisions of this zone, the latter shall prevail.

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10.33.10 CD28 Zone Map

CD28 ZONE MAP

10.34.1 Purpose

The purpose of this zone is to provide for the orderly development of lands located at Meaford Avenue and Veterans Memorial Parkway in the City of Colwood. A base level of development is provided for which would permit the development of the lands at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenity contributions as contemplated by Section 482 of the *Local Government Act*.

10.34.2 Permitted Uses

1) In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD29 Zone:
   a. Animal hospital in enclosed buildings;
   b. Apartments;
   c. Attached Housing;
   d. Daycare;
   e. Home occupation for office use only;
   f. Hotel
   g. Offices
   h. Personal service;
   i. Pet daycare provided that the animals are not kept overnight, and the animals are kept within an entirely enclosed building
   j. Indoor sports and recreation facilities;
   k. Restaurants, excluding drive-thru;
   l. Retail sale, rental and repair of tools and household equipment and appliances;
   m. Retails stores
   n. Scientific or technological research facility

10.34.4 Permitted Base Development

10.34.2.1 In the CD29 Zone the number of dwelling units shall not exceed 1.

10.34.4 Comprehensive Development Conditions

1. Notwithstanding Section 10.34.3.1, the density of development in Section 10.34.5 is permitted on the lands shown on the CD29 Zone in accordance with Sections 10.34.4 through 10.34.10 if the Owner contributes toward the Community Amenity Reserve Fund of $1,500 per dwelling unit for all apartment units above the sixth storey.
2. Payment of the contributions in Section 10.34.3.1 shall be made at the time of issuance of a building permit.

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10.34.5 Regulatory Conditions

1. Regulatory Conditions shall be as shown on the following table:

Minimum lot area	1,800m2
Minimum lot frontage	18 m
Maximum building height	12 storeys
Maximum FAR	6.0
Minimum yard requirements for buildings	
Front	5.5m (attached housing) 2.0m (commercial / multi-family)
Interior Side	1.5m (attached housing) 2.0m (multi-family) 4.0m (commercial)
Exterior Side	3.5m (attached housing) 2.0m (commercial / multi-family)
Rear	5.5m (attached housing) 2.0m (commercial / multi-family)

10.34.6 Landscaping

1. A continuous landscape and screening area not less than 1.5m wide shall be provided along the developed portion of each lot which abuts a highway or where adjacent a to a non-residential use. The landscaping shall have a height not less than 1.5m and may include a decorative fence.

10.34.7 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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10.35.1 Purpose

The purpose of the Comprehensive Development 30 (CD 30) Zone (Royal Beach) is to provide for orderly development of the 'Bluffs', 'Landing', and 'Headlands') within the Royal Beach Sub Area Plan in order to allow a range of residential, institutional, commercial, and park land uses. Subdivision layout and the form and character of development are addressed through development permit and subdivision application processes, including the application of policies in the Royal Beach Sub-Area Plan of the Royal Bay Area Plan as amended and policies and guidelines set out in the Official Community Plan.

In this Section 10.35, references to Areas are references to the areas shown as Areas 1 through 8 on the CD 30 Zone Map.

10.35.2 Permitted Uses

1. The total number of dwelling units permitted on all areas of the lands shown on the CD 30 Zone Map shall not exceed 2,850 dwelling units.

2. The total allowable non-residential floor space in al l areas of the lands shown in the CD 30 Zone Map shall not exceed 80,674 square meters.
   a. A maximum of 6,600 square meters of non-residential floor area is permitted in Areas 1 and 2.

3. A maximum of 250 dwelling units is permitted in Area 4 and 5 and 8 unless building permits have been issued for a minimum of 3,716 square meters of non-residential floor area.

4. No subdivision is permitted except for and until the lands are subdivided into parcels representing the outer boundaries of the various areas that are identified on the CD 30 Zone Map and the maximum density permitted by Section 10.35.2.1 and 10.35.2.2 is distributed among the parcels created by the subdivision by the terms of a covenant granted to the City under section 219 of the *Land Title Act*.

5. In addition to the uses permitted by Section 2.1.10, the following Principal Uses and no others are permitted in the CD 30 Zone:
   a. Within Areas 1,2,4,5,6 and 8 in the CD 30 Zone on the CD 30 Zone Map:
      i. Public Buildings
   b. Within that area of land identified as Area 1 in the CD 30 Zone on the CD 30 Zone map
      i. Animal Hospital in enclosed building
      ii. Apartments
      iii. Apartment (Senior Citizens)
      iv. Assembly and Entertainment Uses
      v. Attached Housing
      vi. Bakery, not exceeding 200m^ in floor area
      vii. Boarding and Lodging
      viii. Colleges, Universities and Trade Schools
      ix. Congregate Housing
      x. Daycare
      xi. Eating and Drinking Establishment
      xii. Group Home
      xiii. Home Occupation

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xiv. Hotels
xv. Live/Work Studio
xvi. Nursing Home
xvii. Office, Financial
xviii. Office, Medical
xix. Office, Professional
xx. Personal Service
xxi. Retail Store V

c. Within that area of land identified as Area 2 in the CD 30 Zone on the CD 30 Zone map:
    i. Animal Hospital in enclosed building
    ii. Apartments
    iii. Apartment (Senior Citizens)
    iv. Assembly and Entertainment Uses
    v. Attached Housing
    vi. Bakery, not exceeding 200m^ in floor area
    vii. Brewhouse
    viii. Boarding and lodging
    ix. Colleges, Universities and Trade Schools
    x. Congregate Housing
    xi. Eating and Drinking Establishment
    xii. Home Occupation
    xiii. Hotels and Motels
    xiv. Liquor Retail Store
    xv. Office, Financial
    xvi. Office, Medical
    xvii. Office, Professional
    xviii. Personal Service
    xix. Pet Daycare
    xx. Presentation Centre
    xxi. Retail Store

d. Within that area of land identified as Area 3 in the CD 30 Zone on the CD 30 Zone map:
    i. Attached Housing
    ii. Boarding and Lodging
    iii. Group home
    iv. Home Occupation
    v. One-family dwelling
    vi. Two-family dwelling
    vii. Accessory dwelling unit
    viii. Secondary suites
    ix. Small-Scale Multi-Unit Housing

e. Within that area of land identified as Area 4 in the CD 30 Zone on the CD 30 Zone map:
    i. Apartments
    ii. Animal Hospital in enclosed buildings
    iii. Apartment (Senior Citizens)
    iv. Attached housing
    v. Assembly and Entertainment Uses
    vi. Bakery, not exceeding 200 m2 in floor area
    vii. Brewhouse
    viii. Colleges, Universities and Trade Schools
    ix. Congregate Housing
    x. Daycare

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xi. Eating and Drinking Establishment
xii. Group Home
xiii. Home Occupation
xiv. Hotels and Motels
xv. Liquor Retail Store
xvi. Nursing Home
xvii. Office, Financial
xviii. Office, Medical
xix. Office, Professional
xx. Parking Areas & Facilities
xxi. Personal Service
xxii. Pet Daycare
xxiii. Public transportation depots and interchanges
xxiv. Scientific or technological research facilities
xxv. Schools and Churches
xxvi. Retail Store

f. Within that area of land identified as Area 5 in the CD 30 Zone on the CD 30 Zone map:
    i. Animal Hospital in enclosed buildings
    ii. Apartments
    iii. Apartment (Senior Citizens)
    iv. Attached housing
    v. Assembly and Entertainment Uses
    vi. Bakery, not exceeding 200 m2 in floor area
    vii. Brewhouse
    viii. Colleges, Universities and Trade Schools
    ix. Congregate Housing
    x. Daycare
    xi. Eating and Drinking Establishment
    xii. Group Home
    xiii. Home Occupation
    xiv. Hotels and Motels
    xv. Liquor Retail Store
    xvi. Nursing Home
    xvii. Office, Financial
    xviii. Office, Medical
    xix. Office, Professional
    xx. Parking Areas & Facilities
    xxi. Personal Service
    xxii. Pet Daycare
    xxiii. Public transportation depots and interchanges
    xxiv. Scientific or technological research facilities
    xxv. Schools and Churches
    xxvi. Retail Store

g. Within that area of land identified as Area 6 in the CD 30 Zone on the CD 30 Zone map:
    i. Apartments
    ii. Apartment (Senior Citizens)
    iii. Attached housing
    iv. Assembly and Entertainment Uses
    v. Bakery, not exceeding 200 m2 in floor area
    vi. Brewhouse
    vii. Colleges, Universities and Trade Schools

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viii. Congregate Housing
ix. Daycare
x. Eating and Drinking Establishment
xi. Group Home
xii. Home Occupation
xiii. Hotels and Motels
xiv. Liquor Retail Store
xv. Nursing Home
xvi. Office, Financial
xvii. Office, Medical
xviii. Office, Professional
xix. Personal Service
xx. Pet Daycare
xxi. Public transportation depots and interchanges
xxii. Scientific or technological research facilities
xxiii. Schools and Churches
xxiv. Seniors Congregate Housing
xxv. Retail Store

h. Within that area of land identified as Area 7 in the CD 30 Zone on the CD 30 Zone map:
    i. Attached Housing
    ii. Apartments
    iii. Boarding and Lodging
    iv. Group home
    v. Home Occupation
    vi. One-family dwelling
    vii. Two-family dwelling
    viii. Accessory dwelling unit
    ix. Secondary suites

i. Within that area of land identified as Area 8 in the CD 30 Zone on the CD 30 Zone map:
    i. Apartment, above the ground floor
    ii. Apartment (Senior Citizens), above the ground floor
    iii. Assembly and Entertainment Uses
    iv. Bakery, not exceeding 200 m2 in floor area
    v. Brewhouse
    vi. College, Universities and Trade Schools
    vii. Daycare
    viii. Eating and Drinking Establishment
    ix. Hotels (only permitted in Area 8b)
    x. Liquor Retail Store
    xi. Office, Financial
    xii. Office, Professional
    xiii. Office, Medical
    xiv. Personal Services
    xv. Pet Daycare
    xvi. Retail Store

10.35.3 Base Development

1. The number of dwelling units permitted in each of Areas 1, 2, 3,4, 5, 6 and 7 and 8 shall not exceed 10.

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10.35.4 Comprehensive Development

1. Notwithstanding Section 10.35.3, the density of development in Section 10.35.4 is permitted on the lands shown on the CD 30 Zone Map if the Owner:
   a. Contributes to the Affordable Housing Fund $500 per additional residential unit;
   b. Contributes to the Community Amenity Fund $2,500 per additional dwelling unit for a one family, two-family, or an attached housing and $1,500 per additional dwelling unit for an apartment; and
   c. Contributes to the Fire Hall Fund $525 per additional dwelling unit.
2. All dollar amounts referred to in Section 10.35.4.1 shall be increased annually effective on January 1 of each calendar year in which this bylaw is adopted by the amount of the Victoria Consumer Price Index (CPI).
3. Payment of the contributions in Section 10.35.4.1 shall be made at the time of approval of the subdivision creating the lot on which the dwelling unit or dwelling units are permitted to be constructed or in the case of attached housing or apartments at the time of issuance of a building permit.

10.35.5 Development Regulations

1. Within Areas 1,2,4,5,6 and 8 of the CD 30 Zone:
   a. Regulations Table:

Regulation	Public Building
Minimum Lot Area	n/a
Minimum Lot Width	n/a
Floor Area Ratio	n/a
Maximum Lot Coverage	40%
Maximum Building Height	14.0m
Minimum Building Setbacks	
Front Street	7.5m
Side	6.0m
Exterior Side	7.5m
Rear – Principal Building	10.0m
Rear – Accessory Building	10.0m

2. Within Area 1 of the CD 30 Zone:
   a. Regulations Table

Regulation	General / Mixed Use	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	1,800m^2
Minimum Lot Width	18.0m	18.0m	17.0m
Floor Area Ratio	2.5	2.5	1.2
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%
Maximum Building Height	20m	20m	12.5m
Minimum Building Setbacks			
Fronting Street	4.5m	4.5m	3.0m with rear lane access

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			6.0m to garage / carport face
Side	3.0m	3.0m	1.2m
Exterior Side	3.0m	3.0m	3.0m
Rear	3.0m	4.5m	4.5m

3. Within Area 2 of the CD 30 Zone:
   a. Regulations Table:

Regulation	General / Mixed Use	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	512m^2
Minimum Lot Width	18.0m	18.0m	17.0m
Floor Area Ratio	3.5	2.5	1.2
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%
Maximum Building Height	20m	20m	12.5m
Minimum Building Setback			
Fronting Street	4.5m	3.0m	3.0m with rear lane access 6.0m to garage / carport face
Side	3.0m	3.0m	1.2m
Exterior Side	3.0m	3.0m	3.0m
Rear	4.5m	4.5m	4.5m

4. Within Area 3 of the CD 30 Zone:
   a. The boarding and lodging use permitted in this zone is limited to the accommodation of up to two boarders or lodgers in a dwelling unit, and not more than four unrelated persons may occupy any such dwelling.
   b. Regulation Table:

Regulation	One-family Dwelling	Two-Family Dwelling	Attached Housing
Minimum Lot Area	278m^2	370m^2	512m^2
Minimum Lot Width	9.0m	11.0m	17.0m
Floor Area Ratio	n/a	n/a	1.2
Maximum Lot Coverage	50%	50%	50%
Maximum Building height	9.5m	9.5m	12.5m
Minimum Building Setbacks			
Fronting Street	4.5m 3.0m with rear lane access 6.0m to garage / carport face	4.5m 3.0m with rear lane access 6.0m to garage / carport face	3.0m with rear lane access 6.0m m to garage / carport face
Side	1.2m	1.2m	1.2m
Exterior Side	3.0m	3.0m	3.0m

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Rear	5.0m	5.0m	6.0m

5. Within Area 4 of the CD 30 Zone:
   a. Parking Areas & Facilities shall be accessory to Public transportation depots and interchanges.
   b. Regulations Table:

Regulation	General / Mixed Use	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	512m^2
Minimum Lot Width	18.0m	18.0m	17.0m
Floor Area Ratio	3.5	3.5	1.2
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%
Maximum Building Height	20m	20m	12.5m
Minimum Building Setbacks			
Fronting Street	4.5m	3.0m first four floors 5.0m above four floors	4.5m 6.0m to garage / carport face
Side	3.0m	3.0m	1.2m
Exterior Side	3.0m	3.0m	3.0m
Rear	30m	4.5m	6.0m

6. Within Area 5 of the CD 30 Zone:
   a. Parking Areas and Facilities shall be accessory to Public Transportation deports and interchanges.
   b. Regulations Table:

Regulation	General / Mixed Use	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	512m^2
Minimum Lot Width	18.0m	18.0m	17.0m
Floor Area Ratio	3.5	3.5	1.2
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%
Maximum Building height	20m	20m	12.5m
Minimum Building Setbacks			
Fronting Street	4.5m	3.0m first four floors 5.0m above four floors	4.5m 6.0m to garage / carport face
Side	3.0m	3.0m	1.2m
Exterior Side	3.0m	3.0m	3.0m
Rear	3.0m	4.5m	6.0m

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7. Within Area 6 of the CD 30 Zone:
   a. Regulations Table:

Regulation	General / Mixed Use	Apartments	Attached Housing
Minimum Lot Area	1,800m^2	1,800m^2	512m^2
Minimum Lot Width	18.0m	18.0m	17.0m
Floor Area Ratio	3.5	3.5	1.2
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking	50%
Maximum Building Height	39m	39m	12.5m
Minimum Building Setbacks			
Fronting Street	4.5m	3.0m first four floors 5.0m above four floors	4.5m 3.0m with rear lane access 6.0m to garage / carport face
Side	3.0m	3.0m	1.2m
Exterior Side	3.0m	3.0m	3.0m
Rear	3.0m	4.5m	6.0m

8. Within Area 7 of the CD 30 Zone:
   a. The boarding and lodging use permitted in this zone is limited to the accommodations of up to two boarders or lodgers in a dwelling unit, and not more than four unrelated persons may occupy any such dwelling.
   b. Regulation Table:

Regulation	One-Family Dwelling	Two-Family Dwelling	Attached Housing	Apartments
Minimum Lot Area	278m^2	370m^2	512m^2	1,800m^2
Minimum Lot Width	9.0m 7.5m for rear lane access	11.0m	17.0m	18.0m
Floor Area Ratio	n/a	n/a	1.2	2.5
Maximum Lot Coverage	50%	50%	50%	50% 80% for underground parking
Maximum Building Height	9.5m	9.5m	12.5m	15m
Minimum Building Setbacks				
Fronting Street	4.5m 3.0m with rear lane access	4.5m 3.0m with rear lane access	3.0m with rear lane access 6.0m to garage /carport face	3.0m
Side	1.2m	1.2m	1.2m	3.0m
Exterior Side	3.0m	3.0m	3.0m	3.0m
Rear	6.0m	6.0m	6.0m	4.5m

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9. Within Area 8 of the CD 30 Zone:
   a. The maximum floor area for any non-residential use, excluding Brewhouse, Eating and Drinking Establishment, and Hotels and Motels shall be 25% of the gross leasable area of the first storey.
   b. Financial, Professional and Medical offices are not permitted on the first storey within 18m of a lot line that abuts the waterfront.
   c. Apartment uses are not permitted in Sub Area 8a
   d. Regulations Table:

Regulation	**Sub Area 8a**	**Sub Area 8b**
Minimum Lot Area	1,800m^2	1,800m^2
Minimum Lot Width	18.0m	18.0m
Floor Area Ratio	1.2	3.5
Maximum Lot Coverage	50% 80% for underground parking	50% 80% for underground parking
Maximum Building Height	9.5m	20m
Minimum Building Setbacks		
Fronting Street	2.0m	2.0m
Side	3.0m or nil	3.0m or nil
Exterior Side	3.0m	3.0m
Rear	2.0m	4.5m

10.35.6 Subdivision of Two-Family Dwelling and Attached Housing

1. A lot on which a two-family dwelling or attached housing has been constructed may be subdivided under the Land Title Act such that each dwelling is on a separate fee simple lot, provided that such separate lot has a minimum lot width of at least 6.0 m and a minimum lot area of at least 185 m2 in the case of a two-family dwelling, or a minimum lot width of at least 5.0 m and a minimum lot area of at least 150 m2 in the case of attached housing.
2. The minimum side yard setbacks in Section 10.33.5 do not apply, in the case of a two-family dwelling, attached housing or accessory building, in relation to a side lot line on which a party wall has been constructed or is proposed to be constructed.

10.35.7 Off-Street Parking Requirements

1. Parking requirements for residential, one-family dwellings including two-family dwellings shall meet the parking standards in Bylaw 1909.
2. Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, the minimum off-street parking requirements for attached housing and apartment residential uses in Areas 1, 2,4, 5, 6, 7 and 8b of the CD 30 Zone shall be as follows:
   i. Bachelor - 0.8 spaces per dwelling unit
   ii. One-bedroom -1.0 spaces per dwelling unit
   iii. Two-bedroom -1.3 spaces per dwelling unit
   iv. Three-bedroom or greater-1.5 spaces per dwelling unit
   v. Visitor parking - 0.15 spaces per dwelling unit
3. Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, the minimum parking requirements for commercial uses in Areas located 1, 2,4, 5, 6, and 8 of the CD 30 Zone shall be as follows:

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a. Commercial and/or Retail, including Grocery Store - 0.43 spaces per 10m2 of gross floor area
b. Office - 0.28 spaces per 10m2 of gross floor area

4. A vehicle parking area or vehicle parking space must be surfaced with asphalt, concrete pavers, or permeable material that provides a durable surface.

10.35.8 Landscaping

1. Landscaping of front and side street setbacks or al l that portion of the lot lying between any building setback line and the street or streets bordering the lot shall be graded and landscaped, provided that this section shall not apply to any portion of the lot that is used or intended to be used only for the movement of motor vehicles.

10.35.9 Other Regulations

1. The relevant provisions of Divisions 1 and 2 of this Bylaw shall apply. In the case of a conflict between the provisions of Divisions 1 and 2 and the provisions of this zone, the latter shall prevail.

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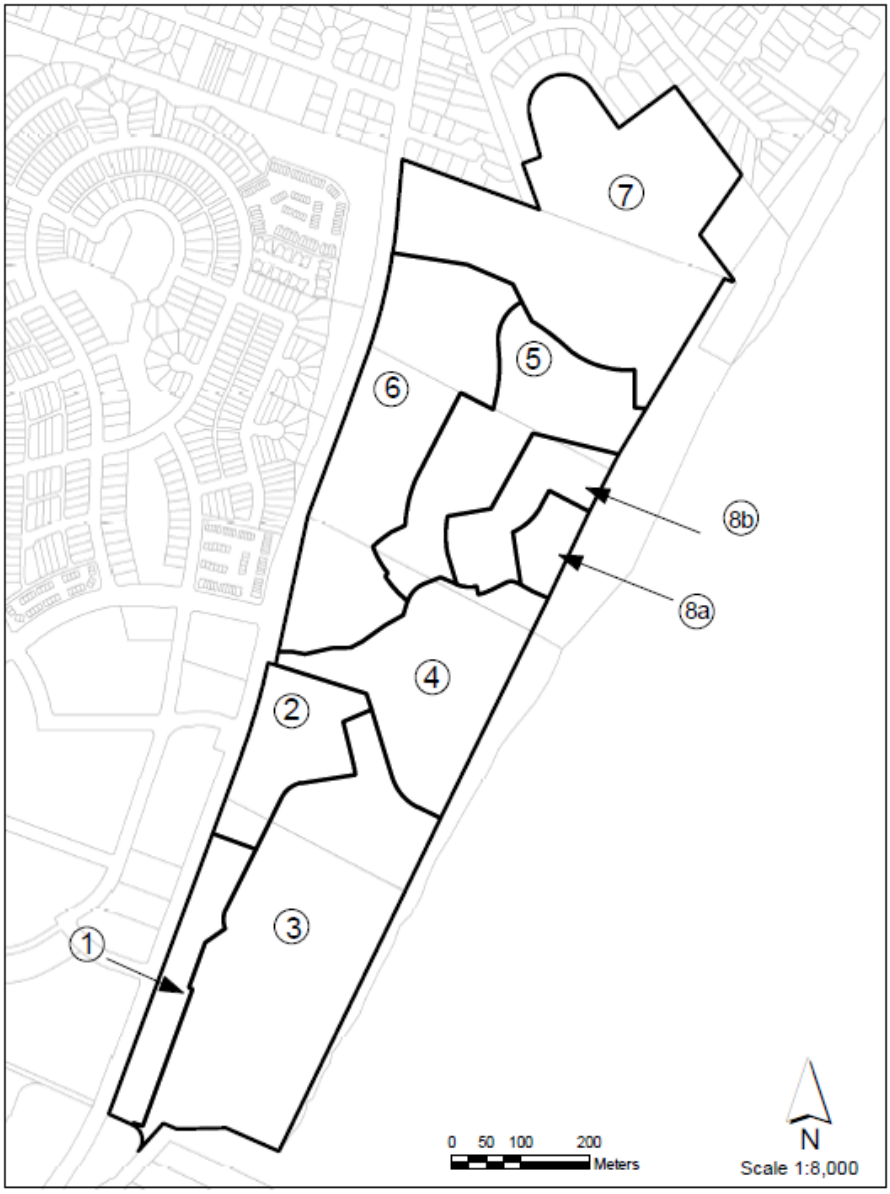
Subject Property Map

COMPREHENSIVE DEVELOPMENT 30 (CD – 30 ROYAL BEACH) ZONE



CONSOLIDATED VERSION FOR INFORMATION ONLY

10.36.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands at 3554 Ryder Hesjedal Way in Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities contributions as contemplated by Section 482 of the *Local Government Act.*

10.36.2 Permitted Uses

1) In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD31 Zone:

xvii. Apartments
xviii. Apartment (Senior Citizens)
xix. Personal Service
xx. Restaurants
xxi. Retail Store

10.36.3 Permitted Base Development

In the CD31 Zone the number of dwelling units shall not exceed 10.

10.36.3 Comprehensive Development

1) Notwithstanding Section 10.36.3, the density of development in Section 10.36.5 is permitted on the lands shown on the CD31 Zone Map if the Owner:

a) Contributes to the Affordable Housing Fund $500 per additional residential unit.
b) Contributes to the Community Amenity Fund $1,500 per additional dwelling unit for an apartment.
c) Contributes to the Colwood Firehall Fund $525 per additional residential unit.

2) Payment of the contributions in Section 10.36.4.1) shall be made at the time of issuance of a building permit.

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10.36.5 Development Regulations
The commercial floor space permitted shall not exceed 160 m^2.

Regulation Table:

Regulation	General
Minimum Lot Area	7,000 m^2
Minimum Lot Width	20.0 m
Floor Area Ratio	1.4
Maximum Lot Coverage	30%
Minimum Open Site Space	20%
Maximum Building Height	16.5 m
Minimum Building Setbacks	
Front (Latoria)	6.0 m
Side	13.0 m
Exterior side	6.0 m
Rear	6.0 m

10.36.6 Off-street Parking Requirements

1) Notwithstanding the Off-Street Parking Regulations Bylaw No. 1909, the minimum off-street parking requirements for apartment residential uses in the CD31 Zone shall be as follows:
   a) 1.6 spaces per dwelling unit
   b) 1 space per 23 m2 of gross commercial floor area

10.36.7 General

The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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10.37.1 Purpose

The purpose of this zone is to provide for the orderly development of lands located at 791 Drummond Way in the City of Colwood. A base level of development is provided for which would permit the development of the lands at a rural density. Alternative regulations are specified for development at greater density, subject to the owner providing amenity contributions as contemplated by Section 482 of the *Local Government Act.*

10.37.2 Permitted Uses

2) In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD32 Zone:

a) Within that part of the lands identified as Area 1 of the CD32 Zone Map:
   i. Attached housing
   ii. Duplex
   iii. Home occupation for office use only
   iv. Accessory buildings & structures
   v. Show homes

b) Within that part of the lands identified as Area 2 of the CD32 Zone Map:
   i. Natural Park

10.37.3 Permitted Base Development

1) In the CD32 Zone the number of dwelling units shall not exceed 1.

10.37.4 Comprehensive Development Conditions

2) Notwithstanding Section 10.37.3.1, the density of development in Section 10.37.5 is permitted in the CD32 Zone in accordance with Sections 10.37.4 through 10.37.7, if the Owner contributes $2,500 per dwelling towards the Community Amenity Contribution Fund, and an additional $1,000 per dwelling towards the Affordable Housing Reserve Fund.

3) Payment of the contributions in Section 10.37.4.1 shall be made at the time of issuance of a building permit.

10.37.5 Permitted Density

1) In Area 1, the total number of attached housing and duplex dwelling units shall not exceed 43.

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10.37.6 Regulatory Conditions

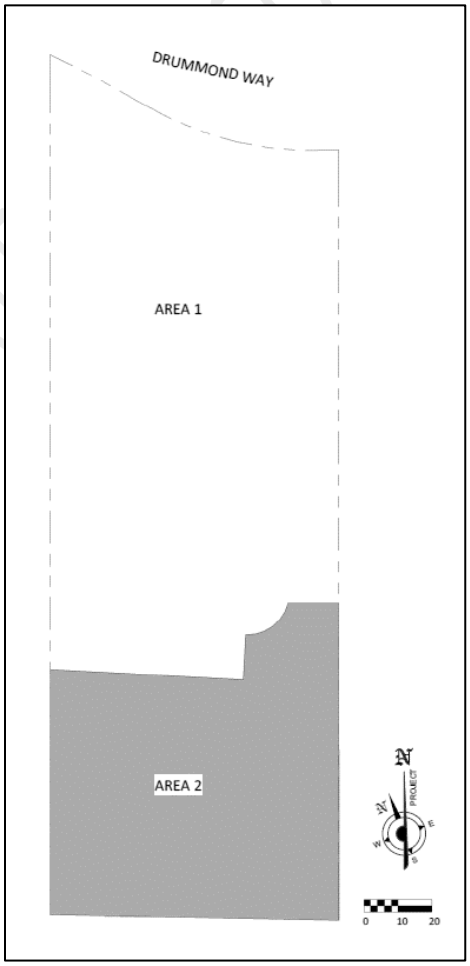
1) Regulatory conditions for the CD32 zone shall be as shown on the following table:

	Area 1	**Area 2**
Minimum lot area	13,000 m^2	6,575 m^2
Maximum lot coverage	30 %	N/A
Minimum lot frontage	85 m	N/A
Maximum building height	10.5 m	N/A
Maximum number of storeys	3 storeys	N/A
Maximum FAR	0.45	N/A
Minimum yard requirements for principal buildings:		
Front	6.5 m	N/A
Interior Side (East)	7.5 m	N/A
Interior Side (West)	7.0 m	N/A
Rear	7.5m	N/A

10.37.7 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

CD32 ZONE MAP



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10.38.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands at 2350 & 2356 Sooke Road in Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities contributions as contemplated by Section 482 of the *Local Government Act.*

10.38.2 Permitted Uses

1) In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD33 Zone:

    i. Apartments
    ii. Apartment (Senior Citizens)
    iii. Personal Service
    iv. Restaurants
    v. Retail Store

10.38.3 Permitted Base Development

In the CD33 Zone the number of dwelling units shall not exceed 2.

10.38.4 Comprehensive Development

1) Notwithstanding Section 10.38.3, the density of development in Section 10.38.5 is permitted on the lands shown on the CD33 Zone Map if the Owner:

    a) Contributes to the Affordable Housing Fund $500 per additional residential unit;

    b) Contributes to the Community Amenity Fund $1,500 per additional dwelling unit for an apartment;

2) Payment of the contributions in Section 10.38.4.1) shall be made at the time of issuance of a building permit.

10.38.5 Development Regulations

The commercial floor space permitted shall not exceed 80 m^2.

Regulation Table:

Regulation	General
Minimum Lot Area	3,000 m^2
Minimum Lot Width	40.0 m
Floor Area Ratio	2.5
Maximum Lot Coverage	50%
Minimum Open Site Space	40%
Maximum Building Height	25.0 m

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Minimum Building Setbacks	
Front (Sooke Road)	6.0 m
Side	6.0 m
Exterior side	3.0 m
Rear	6.0 m

10.38.6 General

The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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10.39.1 Purpose

The purpose of this zone is to provide for the orderly development of lands located at 2353 and 2361 Sooke Road in the City of Colwood.

10.39.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD34 Zone:
   a. Car Wash
   b. Restaurant
   c. Retail
   d. One dwelling unit for a caretaker in a building containing a car wash
   e. Personal services

10.39.3 Regulatory Conditions

1. Regulatory conditions for the CD34 zone shall be as shown on the following table:

Subdivision Regulations	
Minimum lot area	7,000 m^2
Minimum lot frontage	20 m
Development Regulations	
Maximum FAR	1.0
Maximum lot coverage	35%
Maximum building height	12 m
Maximum number of storeys	2 storeys
Siting Regulations for Principal Buildings	
Front	3.0 m
Side (west)	15.0 m
Side (all others)	0.0 m
Side flanking a street	3.0 m
Rear	10.0m

10.39.4 Other Regulations

1. Where a caretaker unit is included, the unit is to be considered an accessory use that is to:
   a. Be located above the ground floor and has a private, exterior, residential entrance from the car wash use; and
   b. Be provided with one parking space for the dwelling additional to the parking required for the car wash use.

2. Landscaping is to be provided:
   a. Where a lot line joins a public road a landscaped area of at least 1.5 m in width must be provided inside the property line;

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b. To separate parking areas from adjacent properties, a landscaped buffer area of at least 1.5 m in width and 2.0m in height must be provided along the inside of all property lines;

c. Loading areas and refuse removal area and recycling containers must be screened from adjacent properties and streets by landscaping or solid decorative fence or combination thereof; and

d. All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.

10.39.5 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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10.40.1 Purpose

The purpose of this zone is to provide for the orderly development of lands located at 1752 Island Highway in the City of Colwood.

10.40.2 Permitted Uses

2. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD35 Zone:
   a. Apartment
   b. Assembly and entertainment uses
   c. Artists studio
   d. Bakery
   e. Daycare
   f. Home occupation – Office use only
   g. Live/work studio
   h. Office
   i. Personal Service
   j. Restaurant
   k. Retail

10.40.3 Permitted Base Development

1. In the CD35 Zone the number of dwelling units shall not exceed 1.

10.40.4 Comprehensive Development Conditions

1. Notwithstanding Section 10.40.3.1, the density of development in Section 10.40.5 is permitted in the CD35 Zone in accordance with Sections 10.40.4 through 10.40.8, if the Owner contributes:
   a. $4,500 per dwelling towards the Community Amenity Contribution Fund, and
   b. an additional $1,500 per dwelling towards the Affordable Housing Reserve Fund, and
   c. and additional $525 per dwelling unit toward the Fire Hall Fund. This contribution per unit amount shall be increased annually effective on January 1 of each calendar year in which this bylaw is adopted by the amount of the Consumer Price Index (CPI).

2. Payment of the contributions in Section 10.40.4.1 shall be made at the time of issuance of a building permit.

10.40.5 Permitted Density

1. The total number of apartment dwelling units shall not exceed 80.

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10.40.6 Regulatory Conditions

1. Regulatory conditions for the CD35 Zone shall be as shown on the following table:

Subdivision Regulations	
Minimum lot area	3,800 m^2
Minimum lot frontage	40 m
Development Regulations	
Maximum FAR	2.2
Maximum lot coverage	50%
Maximum building height	24m
Maximum number of storeys	6 storeys
Siting Regulations for Principal Buildings	
Front	7.5 m
Side	6.0 m (north) 2.0 m (south)
Rear	4.5m

10.40.7 Other Regulations

1. Landscaping is to be provided as follows:
   a. Landscaping shall cover no less than 10 percent of the developed lot area.
   b. Except in those portions where a building abuts a lot line, planting at least 1.5m high shall be provided along the rear and side yard areas.
   c. Where a lot line joins a public road a landscaped area of at least 1.5m in width and 2.0m in height must be provided inside the property line;
   d. To separate parking areas from adjacent properties, a landscaped buffer area of at least 1.0m in width and 2.0m in height must be provided along the inside of all property lines;
   e. Refuse removal area and recycling containers must be screened from adjacent properties and streets and gated to a minimum height of 2.0m by a landscape screen or solid decorative fence or combination thereof; and
   f. All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.

10.40.8 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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10.41.01 Purpose

The purpose of this zone is to provide for the orderly development of lands on the southwest corner at the intersection of Sooke Road with Veterans Memorial Parkway in Colwood. A base level of development is provided for, which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to providing amenity contributions as contemplated by the *Local Government Act.*

10.41.02 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the Comprehensive Development (CD36) Zone:

    a. Within the area of lands identified as the CD36 Zone on the CD36 Zone Map:
        ii. Apartments;
        iii. Attached housing;
        iv. Home occupations; and
        v. Accessory buildings and structures.

10.41.03 Base Development

1. In the CD36 Zone the number of dwelling units shall not exceed 1.

10.41.04 Comprehensive Development Conditions

1. Notwithstanding Section 10.41.03, the density of development is permitted in Section 10.41.05 is permitted on the lands shown on the CD36 Zone Map if the Owner:

    a. Contributes to the Community Amenity Reserve Fund the amount of $7,500 per additional attached dwelling unit and $4,500 per additional apartment dwelling unit in excess of 1 dwelling unit on the lands, payable at time of subdivision approval or building permit issuance, whichever is first; and
    b. Contributes toward the Affordable Housing Reserve Fund the amount of $1,500 per additional attached dwelling unit and additional apartment dwelling unit in excess of 1 dwelling unit, payable at time of subdivision approval or building permit issuance, whichever is first;

10.41.05 Regulatory Conditions

Regulatory conditions shall be as shown on the following table:

Regulation	General
Maximum Building Height (Storeys)	6 storeys
Maximum Lot Coverage	50%
Maximum Floor Area Ration (FAR)	1.75
Minimum Yard Requirements for Principal Buildings:	
Front Above the 4th storey of a building	6.0 m 7.5 m
Rear	6.0 m

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Exterior Side (East)	6.0 m
Interior Side (West)	6.0 m

10.41.06 Landscaping and Screening

1. The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask separate uses.

2. Wherever possible, landscape and screening areas will retain existing trees and native vegetation, planting that enhances the natural environment with the use of plants native to the area shall be used, in addition:
   a. Landscaped areas shall not make up less than 10% of the developed lot area;
   b. Landscaping shall include the planting of trees for each 100 m^2 of developed lot area;
   c. A minimum of 1 tree shall be planted for each 7.5 m of the entire street frontage of the property; and,
   d. All trees planted shall be a minimum of 6 cm calliper and a minimum of 3.1 m^3 of soil per tree to a depth of 0.7 m.

10.41.07 General

The relevant provisions of Division 2 shall apply. In the case of a conflict between the provisions of Division 2 and the provisions of this zone, the latter shall prevail.

CONSOLIDATED FOR CONVENIENCE ONLY

10.42.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands at 3211 Jacklin Road in Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to the owner providing amenity contributions as contemplated by Section 482 of the *Local Government Act.*

10.42.2 Permitted Uses

1) In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD37 Zone:

   i. Apartments
   ii. Bakery
   iii. Daycare
   iv. Offices
   v. Personal Service
   vi. Post Office
   vii. Assembly and Entertainment
   viii. Restaurants
   ix. Retail Stores

10.42.3 Permitted Base Development

In the CD37 Zone the number of dwelling units shall not exceed 2.

10.42.4 Comprehensive Development

1) Notwithstanding Section 10.42.3, the density of development in Section 10.42.5 is permitted on the lands shown on the CD37 Zone Map if the Owner:

   a) Contributes to the Affordable Housing Fund $1,500 per additional residential unit;

   b) Contributes to the Community Amenity Fund $4,500 per additional dwelling unit for an apartment;

   c) Contributes to the Fire Hall Fund $583 per additional dwelling unit;

2) All dollar amounts referred to in Section 10.42.4 (1) are the 2022 baseline rates and shall increase annually starting on January 1st of each year starting on January 1, 2023 as per the Victoria Consumer Price Index (CPI).

3) Payment of the contributions in Section 10.42.4 (1) shall be made at the time of issuance of a building permit.

10.42.5 Development Regulations

1) Ground-floor residential uses are prohibited within 6 metres of any wall of a mixed-use building that abuts a street or pedestrian walkway.

2) A minimum commercial floor space of 500 m^2 shall be provided.

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3) Regulation Table:

Regulation	General
Minimum Lot Area	2,500 m^2
Minimum Lot Frontage	40.0 m
Maximum Floor Area Ratio	2.5
Maximum Lot Coverage	75 %
Maximum Building Height	6 storeys (up to a maximum of 20 m)
Minimum Building Setbacks	
Front	4.5 m
Interior Side	2 m (storeys 1 and 2) 13 m (storey 3 and above)
Exterior side	2.5 m
Rear	0 m

10.42.6 Landscaping and Screening

1) Whenever visible above finished grade from adjacent properties or public streets, parking and loading areas, refuse removal areas and recycling containers must be screened by landscape or solid decorative fence or combination thereof; and

2) All mechanical, electrical, and other service equipment located outside or on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.

10.42.7 General

The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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10.43.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands located at 641 Latoria Road in the City of Colwood.

10.43.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD38 zone:

    a. Attached Housing
    b. Duplex
    c. Home Occupation – Office Use Only
    d. Show Homes
    e. Accessory Buildings and Structures

10.43.3 Permitted Base Development

1. In the CD38 Zone the number of dwelling units shall not exceed 1.

10.43.4 Comprehensive Development Conditions

1. Notwithstanding Section 10.43.3, the density of development in Section 10.43.5 is permitted in the CD38 Zone in accordance with Sections 10.43.4 through 10.43.7, if the Owner contributes:

    a. $7,500 per duplex and townhouse dwelling unit toward the Community Amenity Reserve Fund;
    b. $1,500 per duplex and townhouse dwelling unit towards the Affordable Housing Reserve Fund; and
    c. $583 to the Fire Hall Fund per duplex and townhouse dwelling unit.

2. Payment of the contributions in Section 10.43.4 shall be made at the time of issuance of a building permit.

3. All dollar amounts referred to in Section 10.43.4.1 shall be increased annually effective January 1 of each calendar year in which this bylaw is adopted by the amount of the Victoria Consumer Price Index (CPI).

10.43.5 Permitted Density

1. The total number of attached housing and duplex dwelling units shall not exceed 29.

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10.43.6 Regulatory Conditions

1. Regulatory conditions for the CD38 zone shall be as shown on the following table:

Regulation	General
Minimum lot area	4,000m^2
Maximum lot coverage	30%
Minimum lot frontage	60.0m
Maximum building height	12.0m
Maximum number of storeys	3 storeys
Maximum FAR	0.7
Minimum yard requirements for principal buildings:	
Front	5.0m
Interior Side (West)	5.0m
Interior Side (East)	3.0m
Rear	5.0m

10.43.7 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

CONSOLIDATED FOR CONVENIENCE ONLY

10.44.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands located at 3494 Wishart Road in the City of Colwood.

10.44.2 Permitted Uses

In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD39 zone:

a. Attached Housing
b. Duplex
c. Secondary Suite
d. Accessory Dwelling Unit
e. Home Occupation – Office Use Only
f. Show Homes
g. Accessory Buildings and Structures

10.44.3 Permitted Base Development

In the CD39 Zone the number of dwelling units shall not exceed 1.

10.44.4 Comprehensive Development Conditions

1. Notwithstanding Section 10.44.3, the density of development in Section 10.44.5 is permitted in the CD39 Zone in accordance with Sections 10.44.4 through 10.44.7, if the Owner contributes:

   a. $7,500 per duplex and townhouse dwelling unit toward the Community Amenity Reserve Fund;
   b. $1,500 per duplex and townhouse and dwelling unit towards the Affordable Housing Reserve Fund;
   c. $583 to the Fire Hall Fund per duplex and townhouse dwelling unit.

2. Payment of the contributions in Section 10.44.4 shall be made at the time of issuance of a building permit.

3. All dollar amounts referred to in Section 10.44.4.1 shall be increased annually effective January 1 of each calendar year in which this bylaw is adopted by the amount of the Victoria Consumer Price Index (CPI).

10.44.5 Permitted Density

The total number of attached housing and duplex units shall not exceed 50.

10.44.6 Regulatory Conditions

Regulatory conditions for the CD39 Zone shall be as shown on the following table:

Regulation	Area 1	Area 2
Minimum lot area	9,000m^2	2,500m^2
Maximum lot coverage	35%	30%

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Minimum lot frontage	60m	60m
Maximum building height	11.0m	11.0m
Maximum number of storeys	3 storeys	3 storeys
Maximum FAR	0.7	0.7
Minimum yard requirements for principal buildings		
Front – Wishart	6.0m	N/A
Front – Delora	1.5m	6.0m
Interior side (North)	1.5m	1.5m
Interior side (South)	3.0m	9.5m
Rear	N/A	18.0m

10.44.7 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between provisions of Division 1 and 2 and the provisions of this Zone, the latter shall prevail.

2. Required visitor and short-term bicycle stalls per the Off-Street Parking Bylaw No. 1909 can be shared across Area 1 and 2.

10.44.8 CD39 Zone Map

COMPREHENSIVE DEVELOPMENT 39 (CD 39) ZONE

CONVENIENCE ONLY

10.45.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands at 2324 Sooke Road in Colwood. A base level of development is provided for which would permit the development of the lands in the zone at a low density. Alternative regulations are specified for development at greater density, subject to the owner providing amenities contributions as contemplated by Section 482 of the *Local Government Act.*

10.45.2 Permitted Uses

1) In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD40 Zone:

   i. Accessory buildings and structures
   ii. Accessory dwelling unit
   iii. Apartment
   iv. Home occupation – office use only

10.45.3 Base Level of Development

In the CD40 Zone the number of dwelling units shall not exceed 2.

10.45.4 Community Amenity Contributions

1) Notwithstanding Section 10.45.3, the density of development in Section 10.45.5 is permitted on the lands shown on the CD40 Zone Map if the Owner:

   a) Contributes to the Affordable Housing Fund $1,500 per additional residential unit;
   b) Contributes to the Community Amenity Fund $4,500 per additional dwelling unit for an apartment;
   c) Contributes to the Fire Hall Fund $583 per additional dwelling unit;

2) All dollar amounts referred to in Section 10.45.4 (1) are the 2022 baseline rates and shall increase annually starting on January 1st of each year starting on January 1, 2023 as per the Victoria Consumer Price Index (CPI).

3) Payment of the contributions in Section 10.45.4 (1) shall be made at the time of issuance of a building permit.

10.45.5 Regulatory Conditions

1) Within the CD40 Zone, the following regulatory conditions apply:

Regulation	General
Minimum Lot Area	2,300 m^2
Minimum Lot Width	30 m
Floor Area Ratio	2.5
Maximum Lot Coverage	50%
Usable Open Space	15% (minimum)
Maximum Building Height	6 storeys (up to a maximum of 20 m)

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Minimum Building Setbacks	
Front (Sooke Road)	3 m (minimum); 6 m (maximum)
Interior side (northeast property line)	9 m
Interior side (all others)	5 m
Exterior side (Lynnlark Place)	3 m (minimum); 6 m (maximum)
Rear (northwest property line)	7.5 m first 4 storeys (minimum)

2) The minimum rear setback for the 5th storey and above shall be 10 metres where adjacent to a one family dwelling use or a two family dwelling (duplex) use.

10.45. 6 Landscaping and Screening

1) Landscaping is to be provided:
    a. Where a lot line joins a public road, a landscaped area of at least 1.5 m in width must be provided inside the property line that abuts the public road;
    b. To separate parking areas from adjacent residential property to the north, a landscaped buffer area of at least 1.5 m in width and 2.0m in height must be provided along the inside of the rear property line;
    c. Loading areas and refuse removal area and recycling containers must be screened from adjacent properties and streets by landscaping or solid decorative fence or combination thereof; and
    d. All mechanical, electrical, and other service equipment located on the roof of a building must be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.
    e. All mechanical, electrical, and other service equipment located outside must be screened from streets with a decorative UV and graffiti resistant laminated wrap that will form a year-round visual barrier.
    f. All portions of the lot not covered by buildings, structures or parking areas shall be landscaped and maintained in a neat and tidy condition.
    g. Landscape and screening areas shall retain existing trees and natural vegetation wherever possible and add planting including native species that enhances the natural environment.

10.45.7 General

The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.

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10.46.1 Purpose

The purpose of this zone is to provide for the orderly development of the lands located at 221 Goldfinch Road in the City of Colwood.

10.46.2 Permitted Uses

1. In addition to the uses permitted by Section 2.1.10, the following uses and no others are permitted in the CD45 zone:
   a. One-family Dwelling
   b. Attached Housing
   c. Duplex
   d. Secondary Suites
   e. Home Occupation – Office Use Only
   f. Accessory Buildings and Structures

10.46.3 Permitted Base Development

1. In the CD45 Zone the number of dwelling units shall not exceed 1.

10.46.4 Development Conditions

1. Despite the restrictions in Section 10.46.3, on land whose legal description is set out in Table 1 of Schedule B of the Land Use Bylaw, the density of development is permitted up to a maximum of 1.0 FAR in accordance with Section 10.46.5 if the owner pays to the City of Colwood the amount specified in Table 1 of Schedule B of the Land Use Bylaw.
2. Payment of the contributions in Schedule B shall be made at the time of issuance of a building permit.

10.46.5 Regulatory Conditions

1. Regulatory conditions for the CD45 zone shall be as shown on the following table:

Regulation	General
Minimum Lot Area	1000 m^2
Maximum Lot Coverage	40%
Minimum Lot Frontage	18 m
Maximum Building Height	12 m
Maximum Number of Storeys	3
Maximum FAR	1.0
Usable Open Space	15%
Minimum Yard Requirements for Principal Buildings:	
Front (Goldfinch Rd)	4.0 m
Interior Side (Southwest)	1.5 m
Exterior Side (Goldfinch Rd)	4.0 m
Rear (East)	5.0 m

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10.46.6 General

1. The relevant provisions of Divisions 1 and 2 shall apply. In the case of a conflict between provisions of Division 1 and 2 and the provisions of this zone, the latter shall prevail.
2. For the CD45 zone, and notwithstanding the definition of 'Usable Open Space' in Section 1.2, usable open space shall comply with that definition, except that the minimum dimension may be reduced to 5.0 m.

Comprehensive Development 45 (CD45 – 221 Goldfinch Road)

11.1.01 Short Title

This Bylaw may be cited as "Colwood Land Use Bylaw, 1989."

READ A FIRST TIME THIS 16TH DAY OF OCTOBER, 1989.

PUBLIC HEARING HELD THIS 21ST DAY OF NOVEMBER, 1989.

READ A SECOND TIME THIS 27TH DAY OF NOVEMBER, 1989.

READ A THIRD TIME AS AMENDED THIS 27TH DAY OF NOVEMBER, 1989.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 27TH DAY OF NOVEMBER, 1989.

_____

MAYOR

_____

CORPORATE OFFICER

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Current zoning map can be found on the City of Colwood website colwood.civicweb.net/document/2515/
NEED TO UPDATE PROPER LOCATION FOR MAP (request most recent PDF from mapping)

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Zone	Bylaw No.	Legal Description	Amenity Contributions
TGA1	1989	Lot 16 Section 101 Esquimalt Plan VIP32178 (2054 Sooke Road) Lot 17 Section 101 Esquimalt Plan VIP32178 (2056 Sooke Road) Lot 1 Section 101 Esquimalt Plan VIP6399 Except Plan 32178 (2060 Sooke Road) Lot B Section 101 Esquimalt Plan VIP14811 (2070 Sooke Road) Lot 1 Section 101 Esquimalt Plan VIP32147 (2076 Sooke Road)	a) Contribute to the Affordable Housing Fund $1,500 per additional residential unit b) Contribute to the Community Amenity Fund $4,500 per additional dwelling unit for an apartment use c) Contribute to the Fire Hall Fund $583 per additional dwelling unit d) All dollar amounts referred to above are the 2022 baseline rates and shall increase annually starting on January 1st of each year starting on January 1, 2023 as per the Victoria Consumer Price Index (CPI).
HAH1	2055	LOT A SECTION 62 ESQUIMALT PLAN VIP20691 (546 Windthrop Rd)	a) Contributes to the Affordable Housing Fund $1,500 per additional residential unit; b) Contribute to the Community Amenity Fund $7,500 per additional dwelling; c) Contribute to the Fire Hall Fund $618 per additional dwelling unit; d) All dollar amounts referred to above are the 2025 baseline rates and shall increase annually starting on January 1 st of each year starting on January 1, 2026 as per the Victoria Consumer Price Index (CPI).
HAH1	2105	Lot B, Section 73, Metchosin District, Plan VIP38960 (3415 Fulton Road)	a) Contributes to the Affordable Housing Fund $1,500 per additional residential unit; b) Contribute to the Community Amenity Fund $7,500 per additional dwelling unit; c) Contribute to the Fire Hall Fund

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			$618 per additional dwelling unit; d) All dollar amounts referred to above are the 2025 baseline rates and shall increase annually starting on January 1 st of each year starting on January 1, 2026 as per the Victoria Consumer Price Index (CPI).
CD 45	2118	LOT 1, SECTION 35, ESQUIMALT LAND DISTRICT, PLAN 7215 (221 Goldfinch Road)	a) Contribute to the Affordable Housing Fund $1,500 per additional residential unit. b) Contribute to the Community Amenity Reserve Fund $7,500 per additional duplex and townhouse dwelling unit c) Contribute to the Fire Hall Fund $632 per additional dwelling unit d) All dollar amounts referred to above are the 2026 baseline rates and shall increase annually starting on January 1st of each year starting on January 1st, 2027, as per the Victoria Consumer Price Index (CPI).

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A. General Regulations

1. Small-Scale Multi-Unit Housing (SSMUH) is permitted only on those lots where all the following conditions are met:
    a. The lot must be within a zone which includes 'Small-Scale Multi-Unit Housing' as a permitted use.
    b. The lot must be serviced by Sewer.
    c. The lot must be serviced by Water.
    d. The lot must meet a minimum threshold of 3 dwelling units.
    e. The lot must not exceed 4 dwelling units.
    f. The lot must not exceed 6 dwelling units if located within 400m of a prescribed bus stop.
2. A detached dwelling with a secondary suite and/or accessory dwelling unit does not constitute SSMUH and is subject to the regulations in Sections 2.1, 2.2 and the applicable zone.
3. The only permitted built form for 3 units to qualify for SSMUH regulations is attached housing.
4. The permitted built form for 4 or 6 units can incorporate any permitted uses outlined in Section B.
5. Notwithstanding Section 2.2.03, secondary suites and accessory dwelling units shall be included in the calculation of dwelling unit density.
6. Notwithstanding the definitions in Section 1.2, the following definitions are specific to Schedule C - Small-Scale Multi-Unit Regulations:
    a. "Attached Housing" means a ground-oriented building containing three or more dwelling units with each unit having separate and direct access to the outside at grade. Attached housing can include stacked townhome or multi-plex.
    b. "Detached Dwelling" means a building containing one dwelling unit, or two dwelling units if one of them is a secondary suite. For clarity, a detached dwelling unit can contain a secondary suite and is not considered a duplex.
    c. "Duplex" means a building containing two dwelling units, designed for occupancy by two households. A detached dwelling unit with a secondary suite is not considered a duplex. For clarity, a duplex with secondary suites is permitted as a built form for 4 units.
    d. "Multi-plex" means a building containing three units, to a maximum of six units, with one shared common entrance.
    e. "Stacked Townhomes" means a building containing three or more units with each dwelling unit having direct access to the outside, provided that no more than half of the dwellings share a corridor or steps to grade.

B. Permitted Uses

1. Attached Housing
2. Accessory Dwelling Unit
3. Detached Dwelling
4. Duplex
5. Multi-plex
6. Secondary Suite
7. Stacked Townhomes

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C. Regulatory Conditions

Criteria	Lots equal to and less than 279m^2	Lots 280m^2 to a maximum of 4,050m^2	Lots within 400m of a Prescribed Bus Stop and greater than 281m^2
Maximum number of dwelling units	3	4	6
Floor Area Ratio (FAR)	1.2	1.2	1.2
Maximum lot coverage	40%	40%	50%
Maximum Height (storeys)	3 storeys	3 storeys	3 storeys
Maximum Height (meters)	11m	11m	11m
Front Yard Setback (rear access only)	4.0m	4.0m	4.0m
Front Yard Setback	6.0m	6.0m	6.0m
Rear Yard Setback	6.0m	6.0m	6.0m
Side Yard Setback	1.5m	1.5m	1.5m
Exterior Side Yard Setback (applicable only to corner lots)	3.0m	3.0m	3.0m

D. Design Considerations

1. At least one dwelling unit on a lot must have the main entrance oriented to the street frontage.
2. In the case of lot with two frontages, such as a through lot or a corner lot, at least one dwelling unit must have its main entrance oriented to each street frontage.
3. A walkway shall be provided between each dwelling unit entrance and the street.
4. A walkway shall be no less than 1.5m in width and be an impermeable surface such as concrete pavers.
5. All units shall have no less than 6m^2 of private outdoor space with a minimum width of 2.0m directly accessible from the dwelling it serves.
6. Landscape and screening areas shall retain existing trees and natural vegetation wherever possible and add plantings, including native species, that enhances the natural environment to the satisfaction of the Manager of Planning or their delegate.

2)

E. General

1. The relevant provisions of Division 1 and 2 shall apply. In the case of a conflict between the provisions of Division 1 and 2 and the provisions of this schedule, the latter shall prevail.

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